

**MINUTES OF THE REGULAR MEETING OF THE SCHOOL BOARD
INDEPENDENT SCHOOL DISTRICT 271
Bloomington, Minnesota**

May 24, 2021

- I. ROLL CALL
- Pursuant to due call and notice thereof, and there being a quorum present, the virtual School Board meeting of Independent School District 271 was called to order by Chair Nelly Korman at 7:00 p.m. on May 24, 2021.
- Chair Korman announced that the School Board meeting tonight is being conducted remotely via Google Meet; it is being live streamed by BEC TV and will be replayed per the usual BEC TV replay schedule.
- Chair Korman stated: We acknowledge that Bloomington Public Schools rests on the traditional, ancestral and contemporary land of the Dakota. The name of our state is Mni Sota Makoce, Land where the waters reflect the skies or clouds. Mni means water; Sota means clear, but not perfectly so, cloudy. Makoce means a place, land or country. Recognizing the land is an expression of gratitude and appreciation to those whose territory we reside on, and a way of honoring the Indigenous people.
- Members Present on Roll Call: Nelly Korman, Chair; Dawn Steigauf, Vice Chair; Heather Starks, Clerk; Beth Beebe, Treasurer; Directors Tom Bennett, Mia Olson, and Jim Sorum.
- Attorney Present: David Holman.
- Administration Present: Les Fujitake, Mary Burroughs, Dave Heistad, Rick Kaufman, John Weisser, Jake Winchell, and Rod Zivkovich.
- II. PLEDGE OF ALLEGIANCE
- Recited.
- III. APPROVAL OF THE AGENDA
- Nelly Korman moved, Dawn Steigauf seconded, to approve the agenda. On roll call vote, all directors voted aye.
- IV. RECOGNITION OF STUDENTS/STAFF/PUBLIC
- Debbie Belfry, Career Development Coordinator, recognized the Bloomington Future Leaders program, a joint effort between Bloomington Public Schools and the Bloomington Chamber of Commerce that brings together students with mentors in the local business community. Activities typically include Fall and Winter Business Conferences and Spotlight Speaker series at Jefferson and Kennedy High Schools. The program also awards scholarships to graduating seniors who exemplify the characteristics of a Bloomington Future Leader. In this non-traditional year, the program was not able to offer the students all that it would normally. We are grateful for the community support that allowed the scholarship program to continue. The scholarship program has supported over \$45,000 to Bloomington high school seniors since its inception in 2014. Scholarship winners this year are: Kennedy— Brayden Hill, Anna Tinklenberg; Jefferson—Laura Landini, Natalie Martinson, Bhavya Sivaram, Jenna Sorenson. Bloomington companies sponsoring the program this year are: Donaldson Company, Mall of America. MY CREDIT UNION, Xcel Energy. Thank you to the Bloomington Chamber personnel for their support of this program—Brent Pavia, President; Adam Phillipich, Advisor, CPhase Financial & BFL Committee Chair, and Anna Stinson, Director of Programming.

Student Board
Representative
Reports

Tristan Phay reported on Kennedy High School activities—spring sports, prom, spirit week and recommendation for Mya Marube as the student representative to the school board next year. Juma Waganda reported on Jefferson High School activities—Prom, spirit week, sports wrap-up, JHS concert at the Normandale bandshell, and recommendation for Janie Andersen as the student representative to the school board next year. Tristan and Juma expressed appreciation for the opportunity to serve on the School Board this year.

Mia Olson moved, Dawn Steigauf seconded, that the School Board of Independent School District 271 approves the following students as representatives to the School Board for the 2021-2022 school year: Jefferson High School – Janie Andersen; Kennedy High School – Mya Marube, On roll call vote, all directors voted aye.

Policy 202.1 establishes the role of School Board Student Representatives. The high school representatives of the Board Student Advisory Council (BSAC) establish the application process, a screening and selection process, and a timeline for the process of selecting student representatives to the School Board. High School juniors and seniors can apply; an applicant must be endorsed by their respective principal. In accordance with the policy, at a School Board meeting, the sitting Board Student Representatives will nominate the applicants recommended by the BSAC to be their successor. The full School Board will vote to authorize the nominated students to be advisory, non-voting members of the School Board for the term of one school year. Student Board Representatives attend one meeting per month from September through May.

Public

Chair Korman reviewed the current procedure for recognizing comments from the public. Three people submitted comments in support of settling the contract with the paraprofessionals—Abigail Olson, Amy Drake, Murray McCartan.

V. PART A

1. *Board Business*
Minutes

Personnel Actions

- a. Minutes of the Regular School Board Meeting May 10, 2021.
- b. Licensed Personnel: Resignations, Employments, Changes of Status, Rescission of Hire of Licensed Teacher, Rescission of Non-Renewal of Probationary Licensed Teachers. Independent Personnel: Changes of Status. Classified Personnel: Retirements, Resignations, Employments, Change of Status, Paraprofessional Reductions in Force, Clerical Reductions in Force.

2. *Contracts/Agreements*

Clever, Inc.
Student Data Privacy

Infinitec 2020-2021

- a. RESOLVED, that the School Board of Independent School District 271 approves the Agreement with Clever Inc. for the Student Data Privacy Agreement.
- b. RESOLVED, that the School Board of Independent School District 271 approves the 2021-2022 Infinitec Agreement for Services.

InsightWorks
Extension 20212026

c. RESOLVED, that the School Board of Independent School District 271 approves a revised Agreement for Evaluation with InsightWorks, LLC to conduct Return on Investment research evaluating our career and college work.

Normandale Community
College PSEO
2021-2022

d. RESOLVED, that the School Board of Independent School District 271 approves the Income Contract with the State of Minnesota acting through its Board of Trustees of the Minnesota State Colleges and Universities on behalf of Normandale Community College for Post-Secondary Education Option programming at the District for the 2021-2022 school year.

3. *Grants*
Hennepin County
Youth Sports KHS

a. RESOLVED, that the School Board of Independent School District 271 approves the Hennepin County Youth Sports Program Grant Agreement in effect from January 1, 2021 through December 31, 2021. Grant funds have been awarded to Kennedy High School for equipment in an amount not to exceed \$7,154.

4. *Finance*
Finance Reports/
Receipts &
Disbursements

a. Statement of Revenues and Statement of Expenditures for April 2021.
b. Receipts and Disbursements for April 2021.

Nelly Korman moved, Jim Sorum seconded, to approve Part A items in accordance with all of the written material submitted to the School Board. On roll call vote, all directors voted aye.

VI. PART B
MSHSL Competitive
Dance Cooperative
Sponsorship
Dissolution

Dawn Steigauf moved, Heather Starks seconded, that the School Board of Independent School District 271 approves dissolving the Competitive Dance Cooperative Sponsorship for Kennedy and Jefferson High Schools effective with the 2021-2022 school year. On roll call vote, all directors voted aye.

Kennedy and Jefferson principals and activities directors have mutually agreed to dissolve the competitive dance co-op. This is similar to what was done with wrestling in 2019. Jon Anderson reported that the participation numbers do not support continuing this co-op. Two years ago, only two dancers on the team were from Jefferson. This year, there was only one who was a senior who danced on the JV team. The current co-op puts our team at a competitive disadvantage by forcing them to compete at the highest level of Dance in the section meet, AAA. Section placement is determined by using the classification number from each school. The classification number for Kennedy, by itself, would place our team into the AA level. However, the co-op forces us to the AAA level. This change would be only for the Winter Competitive Dance Season, which is part of the MSHSL. The Fall Performance Team who dance at football games would remain a co-op, as they are not governed by the MSHSL.

Activity Center
Membership Update

Jake Winchell, Executive Director of Community Education, updated the School Board on the changes to the Bloomington Activity Center Membership program effective with the 2021-2022 school year. For the last twenty years, Bloomington Community Education's Activity Center Membership Program has run at a significant financial loss. It's been a program that has added value to our community, and aligned with Community Education's mission of providing access to our buildings and unique amenities when they were not in use by our school programs. We can no longer continue to absorb the financial burden of operating our Membership Program the same way we have in the past. We do want to continue offering access to the unique amenities in our Activity Centers, which are the indoor walking/running tracks and community access to basketball courts. Our weight rooms replicate services found in commercial gyms and health clubs in Bloomington, often at a price at which we cannot compete.

As of July 1st, the following changes will occur:

- Indoor walking/running tracks will be available from mid-October to mid-April. During that time, they will be open from 6 AM to 10 AM at both JAC and KAC on alternating days. Both sites will be open evenings Monday through Thursday, from 6 - 9 PM. We plan to resume offering weekend availability. The cost will be \$10 per month.
- Open Gym will become half-court hourly rentals, at a cost of \$10 per hour. Participants will be able to play any sport. We have equipment for half-court basketball, volleyball, pickleball, and badminton. This will begin in August.
- The weight rooms will no longer be available. The weight rooms require active supervision by staff, and staffing them is prohibitively expensive. In line with our Community Education mission, we hope to offer additional opportunities for Adult Enrichment classes where people can learn to safely exercise and use physical fitness equipment.

These difficult decisions were made with input from District Leadership, Community Education Leadership, and our Community Education Advisory Council. Our Activity Centers have provided great experiences and a sense of community to many people over the last twenty years. We intend to continue providing services in a financially-sustainable way.

Fund Balance
Transfer

Tom Bennett moved, Dawn Steigauf seconded, that the School Board of Independent School District 271 approves the Fund Balance transfer of \$1.5 million from the LTFM to General Operations for fiscal year 2020-2021. On roll call vote, all directors voted aye.

Minnesota Laws 2020, Chapter 116/House File 4415, Article 3 Section 8 states in part for fiscal years 2020 and 2021 only, a school district may transfer any funds not already assigned to or encumbered by staff salary and benefits, or otherwise encumbered by federal law, from any accounts or operating fund to the undesignated balance in any other operating fund.

Donations

Beth Beebe moved, Mia Olson seconded, that the School Board of Independent School District 271 accepts donations, as indicated in the background, in the amount of \$9,200.00. On roll call vote, all directors voted aye.

MONETARY—Donation of \$3,000.00 to Jefferson High School from KOPP Family Foundation for scholarships to students in need. Donation of \$1,500.00 to Jefferson High School from Minnesota River Valley Audubon Chapter for the Earth Corps Student Activity Club to start a Climate Unity Garden. Donation of \$1,000.00 to Jefferson High School from Stiles Foundation for the Earth Corps Student Activity Club Unity Garden. Donation of \$500.00 to Jefferson High School from Climate Generation-A Will Steger Legacy for Earth Corps Student Activity Club Unity Garden supplies. Donation of 2,000.00 to Oak Grove Middle School from Minnesota Association for Children’s Mental Health. It will be used for student incentives for Husky Challenges. VALUE IN KIND—Donation of 800 coffee key tags from Strategic America to ESC Community Relations Department. Strategic America represents Twin Cities Wendy’s franchises. The key tags are available to BPS employees as a token of appreciation for their work during the pandemic. The key tags are good for one small coffee and they may be used multiple times through December 31, 2021. An estimated value of \$1,200.00. An additional 10,000 free frosty coupons were distributed last year, at grab-n-go meal sites of Valley View Middle School and Kennedy High School, for BPS families.

Bid Award
Boiler Replacement
OGE & WB

Mia Olson moved, Dawn Steigauf seconded, that the School Board of Independent School District 271 accepts the Klamm Mechanical Contractors bid of \$430,000 for Oak Grove Elementary and Washburn Elementary Boiler Replacements. On roll call vote, all directors voted aye.

This project is identified in our 2020-21 Alternative Facilities Plan and consists of boiler replacements at Oak Grove Elementary School and Washburn Elementary School. This project also includes associated demolition and construction. Funding for this project is from the Alternative Facilities Fund. District attorney and insurance agent have reviewed the AIA A132/CMA standardized contract.

271 Long Term
Facilities Maintenance
Ten-Year Budget Plan

Mia Olson moved, Tom Bennett seconded, that the School Board of Independent School District 271 approves the attached Ten-Year Long-Term Facility Maintenance Program Budget and authorizes the current amount to be included in the District’s long-term facility maintenance projects application for long-term facility maintenance revenue. On roll call vote, all directors voted aye.

Change in legislation in 2015 requires the School Board to approve a ten-year long-term facility maintenance program budget for its facilities to be able to levy for the Alternative Facilities pay-as-you-go, Debt Service on Alternative Facilities Bonds and Health and Safety funding for the 2022-23 school year. Minnesota Statute 123B.571 requires any school district testing for the presence of radon must present results to the School Board. In 2019 the District tested Jefferson, Poplar Bridge and Washburn. No continuously occupied room exceeded the Environmental Protection Agency (EPA) action level. In December of 2020, the District tested Valley View Middle, Valley View Elementary and Indian Mounds Elementary schools. All results met the EPA action level. Per Minnesota Statute 121A.335, Minnesota K-12 school districts need to test all potable water sources for the presence of lead once every five years. The latest round of district-wide testing was performed during the 2020-21 school year.

All school drinking and food preparation water sources measured or were remediated below EPA's action level of 20 parts per billion. The next round of testing is scheduled for the 2025-26 school year. Every school's lead in water and radon sampling results are available for public review. They are housed in the Health Office.

917 Long Term
Facilities Maintenance
Ten-Year Budget Plan

Beth Beebe moved, Dawn Steigauf seconded, that the School Board of Independent School District 271 approves Intermediate School District No. 917's Long-Term Facility Maintenance Program Budget and authorizing the inclusion of a proportionate share of those projects in the District's application for long-term facility maintenance revenue. On roll call vote, all directors voted aye.

The School Board of Intermediate School District 917 has approved a long-term facility maintenance program budget for its facilities for the 2022-23 school year in the amount of \$127,865.00. Member districts may include their proportionate share of the costs of the intermediate school district program in their long-term facility maintenance application, subject to the approval of the Commissioner of Education. Bloomington's portion for 2022-23 is \$30,598.09.

Extension Agreement
Green Door Capital/
CEC Space &
Stadium Parking

Mia Olson moved, Dawn Steigauf seconded, that the School Board of Independent School District 271 approves entering into a seven-year extension agreement between Green Door Capital (Landlord) and ISD 271 (Tenant). The agreement extends the terms of the current lease from the first day of January 2025 to the last day of December 2031. The agreement also provides an option for the Tenant to request to extend for an additional five years based on market rents. On roll call vote, all directors voted aye.

Rod Zivkovich, Executive Director of Finance and Support Services, along with Neil Peterson, the District's real estate agent, presented details of the agreement and answered questions during Board member discussion.

Commencement	January 1, 2025
Term Space and Parking Easement	Eighty-four (84) months, expires 12/31/2031
Current Rentable Square Feet (RSF)	59,143
Gross Rent (RSF)	Amount in 2024 is \$20.15+5.01 on 31,643 square feet for leasehold improvements in 2014
Funding	Lease is funded through annual lease levy except for \$3.15 for CAM (Common Area Maintenance) per square foot
Escalation	Beginning on January 1, 2025 and upon each anniversary thereafter, the gross rent shall increase by \$0.55 per square foot per year. (\$5.01rent on 31,643 square feet will be eliminated 12/31/24)
Renewal Option	Tenant shall have the option to extend the lease for an additional five years term based on market rents. Tenant shall be required to provide twelve-month prior written notice of intent to renew.
All other terms	Same as agreement expiring on December 31, 2024

The District's attorney has reviewed the agreement. There is no insurance provisions; therefore, it does not need to be reviewed by insurance.

Placement of a
Tenured Teacher
on Partial Unrequested
Leave of Absence

Heather Starks moved, Tom Bennett seconded, that the School Board of Independent School District 271 hereby approves the attached resolution to place a tenured teacher on partial unrequested leave of absence:
Julio Batres:

RESOLUTION PLACING A TENURED TEACHER ON PARTIAL
UNREQUESTED LEAVE OF ABSENCE

WHEREAS, the School Board of Independent School District No. 271 adopted a resolution proposing placement of Julio Batres on partial unrequested leave of absence on April 26, 2021 on the grounds of reduction of student enrollment in licensure area; and

WHEREAS, said written notice of the proposed placement on partial unrequested leave was delivered to Julio Batres on May 7, 2021, and

WHEREAS, said written notice of the proposed placement on partial unrequested leave contained a statement setting forth the reasons for the proposed placement as well as a statement that he was entitled to a hearing before the school board provided he make a request in writing within fourteen days of receipt of said notice, and that if no hearing was requested within said fourteen day period it constituted acquiescence by Julio Batres to the school board's proposed action, and

WHEREAS, no written request of any kind was received by the school board or superintendent of schools from Julio Batres for a hearing within the prescribed period, and

WHEREAS, said failure to make written request for a hearing within fourteen days after receipt of notice of proposed placement on partial unrequested leave constitutes acquiescence by Julio Batres to his placement on partial unrequested leave.

BE IT HEREBY RESOLVED, by the School Board of Independent School district No. 271 that Julio Batres be and hereby is placed on partial unrequested leave of absence as a teacher of Independent School District No. 271 on the grounds of reduction of student enrollment in licensure area effective at the end of the 2020-2021 school year on June 30, 2021 pursuant to Minnesota Statutes, Sec. 122A.40, Subd. 10, without pay or fringe benefits.

BE IT FURTHER RESOLVED, that a notice of placement on partial unrequested leave, together with a copy of this resolution be forwarded to said teacher personally and that an affidavit of same be placed in his file, together with a copy of the notice and resolution.

On roll call vote, all directors voted aye.

Placement of a
Tenured Teacher
on Unrequested
Leave of Absence

Heather Starks moved, Tom Bennett, that the School Board of Independent School District No. 271 hereby approves the attached resolution to place a tenured teacher on unrequested leave of absence:
Mariah Niver.

RESOLUTION PLACING A TENURED TEACHER ON
UNREQUESTED LEAVE OF ABSENCE

WHEREAS, the School Board of Independent School District No. 271 adopted a resolution proposing placement of Mariah Niver on unrequested leave of absence on April 26, 2021 on the grounds of reduction of student enrollment in licensure area; and

WHEREAS, said written notice of the proposed placement on unrequested leave was delivered to Mariah Niver on May 3, 2021, and

WHEREAS, said written notice of the proposed placement on unrequested leave contained a statement setting forth the reasons for the proposed placement as well as a statement that she was entitled to a hearing before the school board provided she make a request in writing within fourteen days of receipt of said notice, and that if no hearing was requested within said fourteen day period it constituted acquiescence by Mariah Niver to the school board's proposed action, and

WHEREAS, no written request of any kind was received by the school board or superintendent of schools from Mariah Niver for a hearing within the prescribed period, and

WHEREAS, said failure to make written request for a hearing within fourteen days after receipt of notice of proposed placement on unrequested leave constitutes acquiescence by Mariah Niver to her placement on unrequested leave.

BE IT HEREBY RESOLVED, by the School Board of Independent School district No. 271 that Mariah Niver be and hereby is placed on unrequested leave of absence as a teacher of Independent School District No. 271 on the grounds of reduction of student enrollment in licensure area effective at the end of the 2020-2021 school year on June 30, 2021 pursuant to Minnesota Statutes, Sec. 122A.40, Subd. 10, without pay or fringe benefits.

BE IT FURTHER RESOLVED, that a notice of placement on unrequested leave, together with a copy of this resolution be forwarded to said teacher personally and that an affidavit of same be placed in her file, together with a copy of the notice and resolution.

On roll call vote, all directors voted aye.

VII. BOARD MEMBER REPORTS

Beth Beebe highlighted Prom and the AVID program student (gr 10) interviews. She shared student comments on how they described themselves and someone they look up to that included teachers and parents. Mia Olson called attention to June 4 as gun violence awareness day/wear orange campaign.

VIII. SUPERINTENDENT'S REPORT

Superintendent Les Fujitake highlighted three dates: June 1, Kennedy High School graduation; June 2, Jefferson High School; June 3, last day of school for students in grades K-11.

IX. OTHER

None.

X. ADJOURNMENT

There being no further business to come before the School Board, Nelly Korman moved, Beth Beebe seconded, to adjourn the meeting. On roll call vote, all directors voted aye. Meeting adjourned at 8:30 p.m.

Heather Starks, Clerk