

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF EDUCATION
INDEPENDENT SCHOOL DISTRICT NO. 271
Bloomington, Minnesota**

April 19, 2010

- I. ROLL CALL Pursuant to due call and notice thereof, and there being a quorum present, the Board of Education of Independent School District No. 271, was called to order by Chair Jim Sorum at 6:00 p.m. on April 19, 2010, in the Community Room at the Educational Services Center, 1350 West 106th Street, Bloomington, Minnesota.
- Members Present Jim Sorum, Chair; Maureen Bartolotta, Vice Chair; Chuck Walter, Clerk; Arlene Bush, Treasurer; Tim Culver, Mark Hibbs and Melissa Halvorson Wiklund.
- Administration Present Les Fujitake, Nancy Allen-Mastro, Pat Geraghty, Bruce Pappas, Stacy Colebrook-Robjent, Tom Holton, Rick Kaufman and Joan Bernard.
- Attorney Present David Holman.
(There are no abstentions unless otherwise stated.)
- II. PLEDGE OF ALLEGIANCE Recited.
- III. APPROVAL OF THE AGENDA Maureen Bartolotta moved, Tim Culver seconded, to approve the agenda. Motion carried unanimously.
- IV. PART A
1. *Contracts/Agreements*
- Student Teaching Agreements a. RESOLVED, that the School Board of Independent School District No. 271 approves Student Teaching Agreements with Hamline University and Jamestown College. The agreements will be in effect from July 1, 2010 to June 30, 2012.
- Normandale Community College b. RESOLVED, that the School Board of Independent School District No. 271 approves a 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 to provide Normandale Community College Student Volunteers to assist with Health Screenings of Bloomington Public School students (May 1, 2010- May 31, 2015).
2. *Grant Application*
- Cornerstone a. RESOLVED, that the School Board of Independent School District No. 271 supports a grant application submitted by Cornerstone to provide dating, domestic violence, sexual assault and stalking intervention services to students within the Bloomington Public Schools.
3. *Regulation for Information*
- Regulation 203 a. Distributed for information—new Regulation 203, Board Sessions.
- Maureen Bartolotta moved, Chuck Walter seconded, to approve Part A items in accordance with all of the written material submitted to the School Board. Motion carried unanimously.

V. PART B

Volunteer Update

Debbie Belfry, Volunteer Connection Coordinator, and Gina Carpenter, Alternative Educational Coordinator, presented an update on volunteers serving the Bloomington Public Schools. Volunteer Connection programs support the successful development of learners through innovative programming and a network of caring volunteers. There are 237 volunteers who support adult learners in SHAPE programs—GED, Basic Skills, Adult Diploma, ESL and the Learning Exchange. We have 777 volunteers who support E-12 learners in Volunteer Connection Programs—Basic Skills tutors, America Reads tutors in grades 1-3; America Counts tutors in grades 1-8, English as a Second Language tutors, classroom assistants, International Kids (and Parents!) Club and Homework Connection. Our community partners—business partners, non-profit organizations and faith communities—enhance our programs and services by providing community collaborative leaders, job skills leaders, life skills mentors, computer lab tutors and conversation skills leaders. Education partners include Normandale Community College and more than 15 other post-secondary institutions—America Reads and America Counts, Service Learning, Introduction to Education and Psychology classes, Physics classes (STEM and Engineering classrooms). Volunteers support our schools as—PTSA members, room parents, recess helpers, Media Center helpers, field trip assistants and food service assistants. Volunteers—college students, retirees, former students, unemployed workers, business partners and community members—served 6,727 E-12 students and 2,000 adult students.

Volunteer
Recognition
Week
Proclamation

Chuck Walter moved, Arlene Bush seconded, that the School Board of Independent School District No. 271 adopts the attached proclamation declaring April 18-24, 2010, as Volunteer Recognition Week in the Bloomington Schools. Motion carried unanimously.

Volunteer Recognition Week Proclamation

WHEREAS, the care, commitment and hard work of our world-class, diverse volunteers have made our schools more effective places in which to learn; and

WHEREAS, volunteers have enriched and expanded the learning opportunities available to learners of all ages and abilities; and

WHEREAS, volunteerism is a living lesson that embodies a spirit of giving and a spirit of lifelong learning; and

WHEREAS, we wish to celebrate the many gifts of the thousands of volunteers contributing to the Bloomington Public Schools and our programs for children, youth and adults;

NOW, THEREFORE, the Board of Education of the Bloomington Public Schools does hereby proclaim April 18-24, 2010, as Bloomington Schools Volunteer Recognition Week.

Representing the E-12 Volunteer Connection Programs were Debbie Belfry, Coordinator; Sue Martell, Placement Specialist; and for the Adult Volunteer Connection were Gina Carpenter, Alternative Educational Coordinator, and Mary Jo Bayliss, Volunteer Connection Assistant Coordinator.

Accepting the proclamation on behalf of the adult volunteers was Rosalind Johnson and accepting for E-12 programs was Ginny Beckett. These dedicated volunteers have served learners of all ages in Bloomington during the 2009-2010 school year. As they accepted the proclamation, each of them described their experiences in helping a variety of learners.

Authorizing
Expenditures
2010-2011

Chuck Walter moved, Arlene Bush seconded, that the School Board of Independent School District No. 271 authorizes Administration to begin purchasing items needed for the 2010-2011 school year. These purchases will not exceed 5% of the 2009-2010 General, Capital, Capital Projects Levy and Community Services budgets. Motion carried unanimously.

This preliminary authorization will enable the Administration to begin purchasing items needed for the 2010-2011 school year. The 2009-2010 General, Capital, Capital Projects Levy and Community Services budgets are \$95,316,295; \$3,793,023; \$3,000,000; and \$12,190,696 respectively.

Reimbursement
Resolution

Maureen Bartolotta moved, Chuck Walter seconded, that the School Board of Independent School District No. 271 approves the resolution establishing procedures for reimbursement of certain expenditures from proceeds of future bond issues or other borrowings. Motion carried unanimously.

BE IT RESOLVED by the School Board of Independent School District No. 271, State of Minnesota, as follows:

1. Purpose. The Internal Revenue Service has issued Treasury Regulations Section 1.150-2 (the "Regulations") to provide rules governing Bonds issued after June 30, 1993, the proceeds of which are allocated to reimburse an Issuer for certain expenditures made prior to the date of issue of those Bonds. An allocation of the proceeds of a Bond issue to reimburse certain previously paid expenditures must comply with the Regulations to be an expenditure of Bond proceeds. If a Bond meets the requirements of the Regulations, the Bond proceeds are deemed to be spent when they are allocated to reimburse the prior expenditure. The Board of Independent School District No. 271 (the "District") desires to establish procedures necessary to comply with those Regulations. The terms used in this resolution shall be as defined in the Regulations.

2. Official Intent Requirement. The Regulations, in those situations in which they are applicable, require a District to declare a reasonable official intent (the "Official Intent Declaration") to reimburse itself for certain previously paid expenditures from the proceeds of subsequent Bonds or other borrowings of the District (the "Bonds"). The Board hereby authorizes the superintendent or the business manager to make the District's Official Intent Declarations or to delegate that responsibility from time to time to other appropriate District officers or employees. Each Official Intent Declaration shall comply with the requirements of the Regulations, including, without limitation, the following:

- a) Each Official Intent Declaration shall be made not later than sixty (60) days after the date the District pays the applicable expenditure and shall state that the District reasonably intends to reimburse itself for those expenditures with the proceeds of a future borrowing;
- b) Each Official Intent Declaration shall, at a minimum, contain a general functional description of the property, project or program for which the expenditure to be reimbursed is paid (for example, "acquisition and betterment of school facilities" or a specific identifiable project). In the alternative, a description is sufficient if it identifies the fund or account from which the expenditure is to be paid and a general functional description of that fund or account (for example: General Fund - general school district operations and maintenance; Capital Expenditure Fund - school district equipment and capital improvements);
- c) Each Official Intent Declaration shall contain a statement of the maximum principal amount of debt to be issued for the purposes of the specified property, project or program;
- d) Each Official Intent Declaration shall be considered public data and shall be made available for public inspection in compliance with the Minnesota Government Data Practices Act at the main administrative offices of the District within a reasonable period of time, but not to exceed 30 days, after the date of said declaration. An Official Intent Declaration shall remain available for public inspection until at least the day after the issuance of the Bonds from which the prior expenditures are to be reimbursed, and shall be made available to the Bond counsel for that issue.

It is the intention of the Board that an Official Intent Declaration shall be made only if, as of the date of the declaration, the District reasonably expects that it will reimburse the expenditure with Bond or borrowing proceeds. The Board understands that the determination as to whether the expectation to reimburse is reasonable is based on all relevant facts and circumstances, including the purpose for the declaration, the history of actual reimbursement of other expenditures for which official intent was declared and which were actually paid, and the District's actions taken toward reimbursement of the expenditures.

3. Reimbursement Period Requirement. The administration shall advise the Board from time to time on timing issues relating to reimbursements for which Official Intent Declarations have been made, including recommendations on the timing of the issuance of Bonds so that the reimbursement allocations occur not earlier than the dates on which the expenditures are paid and not later than eighteen (18) months after the later of (a) the date on which the expenditure is paid or (b) the date on which the property is placed in service or abandoned (but in no event more than three (3) years after the original expenditure, except as provided in Treas. Reg. 1.150-2(2)(d)(ii) and (iii)). The officials designated above to make the Official Intent Declarations shall also be responsible for making the appropriate reimbursement allocations to reimburse the source of temporary financing

used by the District to make the payments for the prior expenditures. Each allocation shall be evidenced by an entry on the official books, records or accounts of the District maintained for such reimbursement Bonds; shall specifically identify the actual prior expenditure being reimbursed or, in the case of a reimbursement of a particular fund or account, the fund or account from which the expenditure was previously paid. This allocation shall be effective to relieve the Bond proceeds involved from any restrictions under the Bond resolution or other relevant legal documents for those Bonds and under any other state statute applicable to unspent proceeds of that Bond issue.

4. Capital Expenditure Requirement.

a) General. An original expenditure to be reimbursed from Bond proceeds must be a capital expenditure, a cost of issuance for a Bond or an expenditure defined in the applicable Treasury Regulation.

b) Capital Expenditures. The term "capital expenditure" as used in the Regulations means any cost of a type that is properly chargeable to a capital account. Whether an expenditure is a capital expenditure is determined at the time the expenditure is paid. Capital expenditures do not include expenditures for items of current operating expense that are not properly chargeable to a capital account. Costs incurred to acquire, construct or improve land, buildings, and equipment generally are capital expenditures. Under the Regulations, the issuance costs of issuing reimbursement Bonds are also treated as capital expenditures.

c) Preliminary Expenditures. The Official Intent Requirement does not apply to preliminary expenditures that are reimbursed with proceeds of a Bond that finances all or a portion of the property, project or program with respect to which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, soil testing, reimbursement Bond issuance, and similar costs that are incurred prior to commencement, rehabilitation or acquisition of a property, project or program, but does not include land acquisition, site preparation and similar costs incident to commencement of construction. Preliminary expenditures include only amounts that do not exceed in the aggregate twenty percent (20%) of the issue price of that portion of a Bond issue or Bond issues that finance the property, project or program with respect to which the preliminary expenditures were incurred.

d) Transition Rule Expenditures. The Official Intent Requirement also does not apply to certain expenditures paid by the Issuer if the expenditures comply with the transition rule provisions of the Regulations.

All Directors—Jim Sorum, Maureen Bartolotta, Chuck Walter, Arlene Bush, Tim Culver, Mark Hibbs, Melissa Halvorson Wiklund—voted in favor of the resolution. None voted against.

At the November 9, 2009 regular meeting of the School Board of Independent School District No. 271, the Board approved the implementation of the Facilities Committee Recommendation to provide one artificial turf field each at Jefferson and Kennedy High Schools. At the April 12, 2010 regular meeting of the School Board the Board accepted the Max Steinger, Inc. bid of \$1,706,000 and authorized administration to enter into a contract to accomplish this work.

A portion of the financing for this project will come from a lease loan. Prior to obtaining the loan, it is possible that certain expenditures will be required to be paid. The Internal Revenue Service requires the District to file an official Declaration of Official Intent to reimburse itself for certain previously paid expenditures from the proceeds of subsequent bonds or other borrowings. The full resolution and a copy of the regulation and the IRS explanation, and example of the Declaration of Official Intent are on file.

Policy 503.2

Jim Sorum moved, Chuck Walter seconded, that the School Board of Independent School District No. 271 approves the first reading of revised Policy 503.2, Student Assignments/Transfers. Motion carried unanimously.

The policy changes are recommended as part of the annual review of the policy. The policy contents were reorganized to create a parallel structure between the elementary and secondary regulations. Changes were made in the duration of an approved transfer and attendance conditions that may result in a revocation of an approved transfer. Changes to the transfer form were made to reflect the policy changes.

Non Renewal of
Probationary
Teaching
Contracts

Maureen Bartolotta moved, Arlene Bush seconded, that the School Board of Independent School District No. 271 adopts a resolution relating to the non-renewal of the teaching contract of a probationary teacher.

WHEREAS, Stephanie Kussman is a probationary teacher in Independent School District No. 271;

THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 271, pursuant to Minnesota Statutes 122A.40, that the teaching contract of the above named probationary teacher in Independent School District No. 271, is hereby terminated at the close of the current 2009-2010 school year, June 30, 2010, and is not renewed for the 2010-2011 school year; and

BE IT RESOLVED FURTHER, that the Clerk of the School Board shall issue written notice to said teacher regarding non-renewal of the teacher's contract as provided by law, and that said notice shall be substantially in the following form:

NOTICE OF TERMINATION

You are hereby notified that at a special meeting of the School Board of Independent School District No. 271, held April 19, 2010, a resolution was adopted by a majority roll call vote giving action that your teaching contract will not be renewed effective at the end of the school year, June 30, 2010, for the 2010-2011 school year. Said action of the Board is taken pursuant to M.S. 122A.40.

You may officially request that the School Board give its reason for the non-renewal of your teaching contract. However, such request must be received within ten (10) days after the receipt of this notice.

On roll call vote, all directors voted aye.

VI. ADJOURNMENT

There being no further business to come before the School Board, the meeting was adjourned.

Chuck Walter, Clerk