

**MINNETONKA INDEPENDENT SCHOOL DISTRICT #276**  
**District Service Center**  
**5621 County Road 101**  
**Minnetonka, Minnesota**

**Minutes of August 6, 2020 School Board Meeting**

The School Board of Minnetonka Independent School District #276 met in regular session at 6:00 p.m. on Thursday, August 6, 2020 in the Community Room at the District Service Center, 5621 County Road 101, Minnetonka, Minnesota. The meeting was conducted virtually. Present in the room were Chairperson Katie Becker and Superintendent Dennis Peterson, ex officio. Chairperson Katie Becker presided. Joining the meeting virtually were Mark Ambrosen, John Holcomb, Mike LeSage, Christine Ritchie, Lisa Wagner and Chris Vitale.

Chairperson Becker called the meeting to order and asked that everyone stand and recite the Pledge of Allegiance to the Flag.

**1. AGENDA**

Chairperson Becker announced that two items were being removed from the evening's agenda:

- Presentation on Parent Survey – moved to September Board meeting
- Approval of Agreement with Office Assistants – moved to September Board meeting

Ritchie moved, Wagner seconded, that the School Board approve the revised agenda, as presented. Upon roll call vote being taken thereon, the motion carried unanimously.

**2. COMMUNITY COMMENTS**

Chairperson Becker noted that the opportunity for Community Comments had been made available to members of the public who wished to address the Board on any item on that night's agenda. Parents, staff and community members had submitted their comments prior to the meeting via an email to Executive Assistant Carrie Voeltz or via a Google form on the District website.

Chairperson Becker thanked the community for all the emails the School Board and District had received with input, concerns, suggestions and resources to consider when determining which plan the District would use to start the school year. As this meeting was conducted virtually, Ms. Voeltz read a sampling of the comments out

loud. All of the messages submitted for Community Comments are shown in Addendum A.

### **3. PRESENTATION OF OPTIONS FOR 2020-21**

The School District created seven possible plan options for how the District will begin the 2020-21 school year. Dr. Peterson shared that hundreds of parents, teachers and administrators participated in the planning. All seven plans were introduced, both to honor the work done by the planning teams, and also because at some point during the year, a plan other than the one the District starts the year with may need to be put into place if restrictions due to COVID-19 increase or decrease. The seven plans included:

- Option 1: Fully Open, presented by MME Principal Pete Dymit, as shown in Addendum B.
- Option 2: Completely Online, presented by retired MMW Principal Dr. Paula Hoff, as shown in Addendum C.
- Option 3: Hybrid A—Students in school, then at home, etc. Retired HR Executive Director Tim Alexander presented this plan, as shown in Addendum D.
- Option 4: Hybrid B—More elementary students in school, more secondary students at home. Scenic Heights Elementary Principal Joe Wacker presented this plan, as shown in Addendum E.
- Option 5: Hybrid C—Double sessions. MHS Principal Jeff Erickson presented this plan, as shown in Addendum F.
- Option 6: Hybrid D—Elementary in school three days, secondary in school a day each week. Clear Springs Principal Curt Carpenter presented this plan, as shown in Addendum G.
- Option 7: Hybrid E—Elementary in school most of the time, secondary in school two days per week. MMW Principal Freya Schirmacher presented this plan, as shown in Addendum H.

Executive Director of Finance and Operations Paul Bourgeois shared the physical measures the District is taking to keep students and staff safe:

#### Personal Protective Equipment

- 80,500 cloth masks – five reusable, washable masks for every student and employee
- 30,000 disposable masks for visitors
- 16,500 disposable KN95 masks for nursing staff and employees with compromised immune systems
- 500 communicator disposable masks for Special Education-specific needs
- 14,000 face shields – one for every employee and student

- 1,440 1 ml hand sanitizer dispensers and 40 gallons of refills
- 1,000 10 oz. pump bottles of hand sanitizer and 1,000 16 oz. refills
- Two 55-gallon drums of hand sanitizer
- 500 80-count cartons of disinfecting wipes
- 538 800-count buckets of disinfecting wipes
- 168,000 vinyl gloves in small, medium, large and extra-large
- 803 touchless trigger thermometers for every instructional space plus activities at the high school
- 12 stand-alone facial scanning thermometers for main entries at buildings (two at MHS)
- 3,900 decals for social distancing reminders, decals for masks required in buildings reminders, and decals for standing locations for high traffic areas reminders
- 206 plexiglass panels for transaction counters in buildings – main entry, media centers, counselors, etc.
- 2,000 plexiglass desk guard u-shaped panels
- 12 spray sanitizers – one for each building and two for the high school to fog rooms after initial surface disinfecting
- 1,000 HEPA13 medical-grade air purifiers that will trap COVID-19 for all classrooms, small group rooms, art/music/physical education spaces, and offices. These devices filter down to a level that will trap particles in the air that are as small as .1 micrometer. As the COVID-19 virus is larger than .1 micrometers, if it is present in the air, it will be trapped and eliminated in the devices. The air purifiers will run all day, and the District sees these as a long-term investment, as they also will trap the flu virus.

District Health Services Coordinator Annie Lumbar Bendson then shared the health protocols the District is following, which align with guidance from the Minnesota Department of Health and Minnesota Department of Education and explained how decisions will be made about notifications when there is a positive case in a District school or building. Highlights of her presentation are below:

### **General Health and Safety Guidelines\* for In-Person Learning**

\*Please note these guidelines will continue to be updated as we learn more from the Minnesota Department of Health (MDH). Guidelines will be based on the recommendations of MDH, which can and do change. We will adjust accordingly.

### **Social Distancing Strategies and Minimizing Exposure**

- Social distancing floor/seating markings will be provided in common areas throughout the schools
- Plexiglass will be installed on reception desk counters

- Provide frequent reminders for students and staff to stay at least 6 feet apart from one another when feasible
- Strive to create as much space between people as possible during the day, recognizing that it is not always feasible to have 6 feet of social distancing during primary instructional time in the classroom
- Continue to encourage the use of playground facilities for students while implementing strategies to limit possible exposures (including but not limited to small groups of students with designated time slots, cleaning of surfaces, etc.)
- Arrange classroom seating so that students are separated from one another by 6 feet when feasible. If it is not possible to arrange seating 6 feet apart, consider turning all desks to face in the same direction (rather than facing each other)
- Develop and keep students and staff in small cohort groups that stay together as much as possible throughout the day and from day to day
  - Limit mixing between cohort groups as much as possible (e.g., during lunch in the cafeteria, bathroom breaks, arrival and dismissal, free periods, recess, etc.)

## **Health Reminders for Staff and Families**

### Promoting Good Hygiene and Health Behaviors

- Wash hands often throughout the day with soap and water.
- If soap and water are not readily available, use an alcohol-based hand sanitizer with at least 60% alcohol.
- Supervise young children when they use hand sanitizer to prevent ingestion.
- Clean and disinfect frequently-touched surfaces and/or shared items and limit shared items.
- Students who are ill should stay home.
- Staff who are ill should stay home.
- Anyone who has had interaction with someone who tested positive for COVID-19 should stay home and contact their health care provider.
- Stay home if fever (100°F or higher) or other symptoms of COVID-19 are present.
  - Additional symptoms of COVID-19 include:
    - New onset cough or shortness of breath by themselves OR at least 2 of the following:
      - chills
      - muscle pain
      - sore throat
      - loss of sense of smell or taste\*\*
      - gastrointestinal symptoms of diarrhea, vomiting, or nausea

**\*\*If a person has a new symptom (for example, new loss of smell only) with no other diagnosis to explain it, they should stay home and talk to their health care provider about testing for COVID-19, even if it is the only symptom they are experiencing.**

- Cover coughs and sneezes
- All students, staff, and other people present in school buildings and district offices or riding on school transportation vehicles are required to wear a face covering.
  - Types of allowable face coverings include:
    - Paper or disposable mask
    - Cloth face mask
    - Scarf
    - Bandanna
    - Religious face covering
  - Face coverings may be temporarily removed to eat or drink, but care should be taken to maintain as much space as possible between people, recognizing it is not always feasible to maintain 6 feet of distance from others.

### **Arrival into the Building**

- Temperatures will be checked upon arrival at school and anyone with a fever of 100°F will be excluded/isolated (*how this will actually be implemented is still under discussion but below is a suggested version*)
  - Students that Arrive by Bus: *We are currently working through how this will look for students arriving by bus; will they be checked at the bus stop before getting on? Will they be checked as they disembark?*
  - Students that Arrive by Private Car: Students dropped off by car will be checked before they get out of the car; screening will be done through an open car window. Any student with a fever of 100°F or higher will not be allowed to exit the car and the parent/guardian will be instructed to take them home.
  - High school students who drive or walk to school will have their temperatures checked at the doors as they enter the building. They will practice social distancing as they wait to have their temperature checked.
- If a student arrives late, the parent/guardian will need to call the Health Office to inform them that their student has arrived. The health office staff will go out to the vehicle to do a temp check before the student can report to the classroom.
- If a student needs to leave early for any reason (other than illness), they will be held in the office until the parent/guardian calls to notify the office that they are out front to pick up the child. The student will then be sent out/brought out to the waiting vehicle.

- We will work to minimize interaction of students between drop-off and entrance to school facilities, promoting 6 feet of social distancing.
- We will create “one-way routes” in hallways, where possible.
- We will encourage social distancing in hallways and common areas.
- Students will be encouraged to wash hands when entering the classroom (if a sink is available in the room) or on the way to the classroom.

### **Maintaining a Safe Environment**

- We will provide appropriate supplies to support healthy hygiene behaviors (such as soap, hand sanitizer, paper towels, disinfectant wipes, tissues)
- We will discourage sharing of items that are difficult to clean or disinfect.
- We will work to separate children’s belongings from others’ (in individually-labeled containers, cubbies, lockers, etc.)
- We will provide adequate supplies to minimize sharing of high touch materials to the extent possible (e.g., assigning each student their own art supplies, equipment) or limit use of supplies and equipment by one group of children at a time and clean and disinfect between use.
- If equipment must be shared, we will clean and disinfect between each use.
- We will ask students to avoid sharing electronic devices, toys, books, and other games or learning aids.
- Students will be told not to share food or beverages. Each student must bring their own water bottle. Water-filling stations are available.
- We will build routines of hand hygiene into the daily school schedule for all students and staff, including handwashing and sanitation breaks during or between classroom activities.
- We will reinforce handwashing with soap and water for at least 20 seconds and/or the safe use of hand sanitizer that contains at least 60% alcohol by staff and older students.
- We will reinforce hand washing during key times, such as:
  - arrival and dismissal
  - before, during, and after preparing or eating food
  - after using the bathroom
  - after blowing one’s nose, coughing, or sneezing
  - after touching objects with bare hands that have been handled by other people

### **Excluding for Illness**

- The nurse on site in each building will be the identified point of contact (COVID-19 Program Coordinator) in the school building for COVID concerns.
- Staff and students should be encouraged to self-monitor symptoms throughout the day and immediately report any symptoms to the Health Office staff.

- If a student becomes injured or ill during the day, staff will immediately call the Health Office. Health office staff will come to the teacher's classroom to assist the child and/or determine if they need to go home.
  - Students who are ill will be kept isolated in the Health Office until a parent can pick them up.

### **Process When Informed of a Lab Confirmed COVID Positive Case**

- If you are notified of a positive COVID case outside of the regular school year, the following process should occur:
  - If a supervisor, coach, coordinator, Principal, Athletic Director, etc. is made aware of a lab confirmed COVID positive case, they will notify Annie Lumbar Bendson (Health Services Coordinator) immediately at 952.401.5992 or [annie.lumbarbendson@minnetonkaschools.org](mailto:annie.lumbarbendson@minnetonkaschools.org) (*preferred*)
  - Annie will then follow up with the family and MDH to confirm the case and determine next steps.
  - Annie will then notify Dr. Peterson, Amy LaDue, JacQui Getty and Michelle Ferris, along with MDH recommendations.
  - The positive case(s) will be added to the centralized documentation/tracking form for necessary follow up.
- If you are notified of a positive COVID case during the regular school year, the following process should occur:
  - If any staff (building or district) are made aware of a lab confirmed COVID positive case, they will notify the school nurse and building Principal at their site immediately.
    - If they are not at a building, they will notify Annie Lumbar Bendson (Health Services Coordinator) at 952.401.5992 or [annie.lumbarbendson@minnetonkaschools.org](mailto:annie.lumbarbendson@minnetonkaschools.org) (*preferred*)
  - The school nurse will notify Annie Lumbar Bendson (Health Services Coordinator) and in conjunction with Annie will follow up with the family and MDH to confirm the case and determine next steps.
  - Annie will then notify Dr. Peterson, Amy LaDue, JacQui Getty and Michelle Ferris, along with MDH recommendations.
  - The positive case(s) will be added to the centralized documentation/tracking form for necessary follow up.

Ms. Lumbar Bendson concluded her remarks by noting that due to the complexities and uniqueness of each COVID-19 case, there is not a “one size fits all” strategy for notifications regarding a positive case. This is why it is essential that the COVID-19 Program Coordinator works with MDH to determine levels of risk, notifications that need to be sent out (if indicated) and appropriate recommendations for staff, students and families.

Chairperson Becker thanked the presenters and all the members of the seven planning teams for the incredible amount of work that had been done on each of the possible plans.

#### **4. DISCUSSION ON OPTIONS AND POSSIBLE DECISION**

Superintendent Peterson then addressed the School Board with the District's recommended plan from among the various plan options. The plan he presented was a combination of elements from a few plans, most notably, Option 7 and Option 4. He explained that he brought together the principals and District administrators, after all of the plan drafts were created and after the Governor shared the announcement about the state's returning to school guidelines. Dr. Peterson stated the plan he was recommending was one that District principals and administrators all agreed was the most workable solution for the start of school. It follows the state's guidance at having elementary students in school as much as possible, with more e-learning for secondary students who are more self-sufficient with e-learning. The plan focuses, first and foremost, on providing a safe environment for all the students and staff who will be in our buildings. Families who are not comfortable with in-person learning will be able to choose the e-learning option. The goal is to make sure that every family is able to make the most appropriate choice for them.

Details of the recommended plan are summarized below:

##### **Plan Overview**

The District's plan honors the state's recommendations to have younger students in class as much as possible, and it recognizes that secondary level students are more equipped to be self-sufficient in e-learning, so there will not be as much of a time commitment from parents to assist with e-learning.

- Students and staff in grades K-3 will be in their home schools every day at the same times as in past years.
- Students in grades 4-5 will be relocated to the high school building and will be assigned rooms throughout the school. Students in those grades from all elementary schools will be at the high school for four days per week. One day per week will be virtual. Their starting time will be roughly 8:00-8:10 a.m.
- Students in grades 6-8 will remain in their respective middle schools, with half of the students coming in two designated days each week and alternating with the other half of the student body for two opposite days. One day per week will be virtual for all, with opportunities for individual students to access assistance and support. Middle school times will remain the same as in past years.
- Students in grades 9-12 will be virtual four days per week. One day per week, students may come to Minnetonka High School for MAST and for some in-building classes with elements that cannot be easily done at home (such as



labs, MOMENTUM, Minnetonka Research, VANTAGE and more). There will also be other help sessions and opportunities to meet in person or virtually with counselors and social workers.

- In all grades, the District will honor IEPs and 504s, and provide additional support for our students who receive special education services and for other students who need a higher level of support.
- Social distancing will be enforced at all times in our school buildings, and masks will be required for everyone, unless the student or staff member meets an exemption requirement.
- Classrooms will be filled to 50% capacity, 15 students per class.
- Grade-level, team-based instruction will be held in 15-student pods.
- Classes will use all spaces in their building (gyms, media center, specialists rooms, etc.).
- Specials will take place as part of the regular day.
- Students will eat lunch and have recess based on their home rooms.
- Immersion students will maintain their current schedule/instructional programming.
- Navigator grades 2-3 will have in-person learning at their neighborhood school each day. Instruction will be delivered using Navigator curriculum (Math instruction will be at student academic level).
- Synchronous, e-learning option with online instructional support available for all students selecting e-learning option (In English, Chinese, or Spanish). E-learning follows the same scope/sequence/calendar as in-person learning. Students can transition from in-class to online at the end of the quarter or at any time if needed to quarantine for medical purposes.
- Grade-level subs will be available if teachers need to quarantine.

Dr. Peterson noted that the District will continue to prepare options for additional hybrid or fully open options that could be used as health conditions improve, as well as the possibility of another closure. Because of the fluid nature of the COVID-19 pandemic, the District's plan may shift throughout the year.

Chairperson Becker then read the following resolution:

***ADOPTION OF BASE LEARNING MODEL FOR THE 2020-2021 SCHOOL YEAR  
AND OTHER COVID-19 RELATED MATTERS***

***WHEREAS***, *Minnesota Statutes Section 123B.09 vests the care, management, and control of independent districts in the school board; and*

***WHEREAS***, *the Superintendent of Minnetonka Independent School District 276 [hereinafter the "Superintendent"] is responsible for the management of the schools, the administration of all School District policies, and is directly accountable to the School Board; and*

**WHEREAS**, when responsibilities are not specifically prescribed nor School District policy applicable, the Superintendent shall use personal and professional judgment, subject to review by the School Board, pursuant to School District Policy;

**WHEREAS**, on March 13, 2020, Minnesota Governor Tim Walz issued Emergency Executive Order 20-01, which declared a peacetime emergency in Minnesota in response to the COVID-19 pandemic; and

**WHEREAS**, on July 30, 2020, Minnesota Governor Tim Walz issued Emergency Executive Order 20-82 and the Safe Learning Plan for 2020-2021 (the “Safe Learning Plan”), which set forth five Learning Models (in-person learning for all, in-person learning for elementary students and hybrid learning for secondary students, hybrid learning for all students, hybrid learning for elementary students and distance learning for secondary students, and distance learning) and authorized all school districts in the State of Minnesota to select and implement an appropriate base Learning Model in accordance with, and subject to, the Safe Learning Plan; and

**WHEREAS**, the Minnesota Department of Education (“MDE”) has issued and may continue to issue written guidance for Minnesota schools on educational issues related to COVID-19; and

**WHEREAS**, the Minnesota Department of Health (“MDH”) has issued and may continue to issue written guidance for Minnesota schools on public health issues related to COVID-19; and

**WHEREAS**, the Superintendent and the administration of the School District have conferred with the School Board regarding the available Learning Models, the current MDE and MDH requirements for each, and other relevant information; and

**WHEREAS**, based upon the collective consideration of these factors, the Superintendent has recommended to the School Board that the Minnetonka Reopening Plan will be the base Learning Model to be implemented at the commencement of the 2020-2021 school year.

**NOW, THEREFORE, BE IT RESOLVED**, by the School Board of Minnetonka Independent School District No. 276 as follows:

Section 1: The Superintendent is hereby directed to implement the following base Learning Model to open the 2020-2021 school year: Hybrid Model that allows most students in pre-K and Grades K-5 to be in school and students in Grades 6-12 to be mostly virtual with some days in school.

*Section 2: The Superintendent is hereby authorized, after consultation with the School Board Chair and notification to the School Board, to select and implement a different Learning Model for the School District or any specific school buildings without School Board action if the Superintendent reasonably believes that prompt implementation of a different Learning Model is necessary, and that constraints of time and public health considerations render it impractical to hold a School Board meeting to approve the implementation. The Learning Model selected and implemented by the Superintendent shall continue in effect unless and until the School Board, in consultation with the Superintendent and appropriate School District staff and public health officials, deems it in the best interest of the School District and its students to implement a different Learning Model.*

*Section 3: The Superintendent will provide regular updates to the School Board regarding the School District's efforts to implement COVID-19 related educational and public health guidance issued by the MDE and the MDH, respectively.*

LeSage moved, Holcomb seconded, that the Board approve the resolution. The Board then had a lengthy discussion regarding the proposed plan, and many questions were asked of Dr. Peterson and the presenters. Some of the questions included the following:

- How will interventions work in the recommended model?
- Can the dome be used at the high school for instruction?
- Will there be testing requirements for students and staff who exhibit symptoms?
- What will the MAST day at MHS look like?
- What will the flipped classroom at the middle schools look like?
- Can sixth graders and ninth graders have in-school orientation opportunities just for them?
- What will staffing look like?
- What will Physical Education at the high school look like?
- How will Band, Choir and Orchestra opportunities be presented?
- How will lunches be distributed?
- If students switch to e-learning after being in the hybrid model, will they have to change teachers?
- Will the VANTAGE program continue in its present locations?

All of the Board members' questions were fully answered, and a video recording of the entire meeting can be found on the "School Board Meetings" page on the District website. Chairperson Becker then asked for a roll call vote on the resolution on the table. Upon roll call vote being taken thereon, the motion carried unanimously, and the resolution passed.

## **5. PRESENTATION ON PARENT SURVEY**

This item was moved to the September Board meeting.

## **6. DISCUSSION ON GOALS FOR 2020-21**

Chairperson Becker noted that the School Board's goals for 2020-21 had been written and reviewed at the Board's annual retreat in July. She thanked Board members for their hard work on the goals. The following goals were then read individually:

### ***Goal 1: Student Well-Being***

*In pursuit of child-centered excellence, the well-being of students is a continuing priority for families and the District. In 2020-2021, the District will continue the development and implementation of a plan that supports families' desires to have their students be socially and emotionally strong and provides the necessary level of support to students for their academic, social, and emotional well-being. The District will continue to foster and promote positive student well-being efforts and identify leading causes of issues that have a detrimental effect on student well-being.*

*Updates on the implementation and recommendations will be presented to the Board in October, January and May and will include:*

- *Recommendations from the Evaluation of Student and Family Well-being completed in 2019-20.*
- *The completion of the Student and Parent Focus group identified in the Evaluation of Student and Family Well-being.*
- *Incorporating key recommendations from the Mental Health Advisory Committee.*
- *Ongoing Staff training to give all staff the support, resources, tools and training needed.*
- *Quantifiable measurements to evaluate Student well-being and the impact of Minnetonka's efforts within our scope/boundaries as a public institution.*

### ***Goal 2: Excellence and Belonging – Diversity. Equity. Inclusion.***

*The Minnetonka School Board and District Administration believe a commitment to diversity, equity, inclusion, world class culture and child-centered excellence strengthens Minnetonka Public Schools. We are committed to deepening our understanding of racial and socio-economic factors in academic performance and discovering new strategies for closing all achievement gaps. We believe that students who feel a sense of belonging or connectedness to their school are more likely to experience success inside and outside the classroom. Belonging is defined in this goal as a strong feeling of positive connection, acceptance and importance as a*

*member of the Minnetonka Schools community. We are dedicated to working tirelessly to providing a school environment where all students feel safe, welcome, supported and accepted.*

*The Minnetonka School Board has developed a series of measurable, meaningful and intentional action steps below for the District to promote belonging in our schools. We are committed to action and to making necessary changes. We look forward to partnering with students, parents, staff and community members on this important work. It will not be done in isolation and will require thoughtful consideration. The School Board and District leadership will listen with compassion, examine our own biases and determine what we also can do to help to ensure all students, families and staff feel safe and accepted. We will be a part of the solution, lead by example and continue to listen and learn. Our commitment to belonging and child-centered excellence will be the foundation for all our efforts.*

*This will be a multi-year endeavor. In the 2020-2021 school year, the District will:*

- Publish the Minnetonka Commitment for Excellence and Belonging which will detail the District's beliefs and commitment to diversity, equity, inclusion and excellence. This will be completed by September 2020.*
- Publish an Action Plan, Resource Guide and Website for these efforts. The initial resources will be available by September 2020, and updates will be made throughout the school year. This will include, but will not be limited to, sharing the work done through the Barriers to Success and Reimagine Minnesota programs.*
- Conduct an in-depth review of board vision and district policies #504, 514, 534, 604, and 607 using a lens of diversity, equity, inclusion and excellence.*
- Report on the efforts of the Committee on Belonging. Reports will be delivered to the School Board in October 2020; February 2021; and May 2021. Reports will include recommendations for actions. This will include an addition of committees for the elementary and middle school levels.*
- Evaluate the curriculum review process/Policy #606 to ensure it embraces diversity, equity, inclusion and excellence. This will be completed by December 2020 and brought to the Board for approval. The revised process will be utilized in curriculum review work beginning in January 2021. Add materials as appropriate where there are gaps in the curriculum in the interim.*
- Conduct a minimum of two mandatory training sessions for all staff, students and school board members regarding diversity, equity, inclusion and excellence. One session will be completed in each semester. The District will incorporate training in staff and school board onboarding activities.*
- Develop an action plan to partner with students, parents, staff, alumni and community members. This may include efforts such as listening sessions,*

surveys, reporting tools and follow-up mechanisms. A system to report issues and concerns with diversity, equity and inclusion will also be included.

- Determine a staff resource or resources in each building to support belonging initiatives. Ensure students are aware and have access to these resources.
- Review hiring activities to further promote hiring staff with diverse backgrounds, particularly people who are BIPOC and LGBTQIA+, to enrich the learning environment for all students by way of diversified perspectives, identities and experiences. Conduct a minimum of three recruiting activities aimed at this effort.

### **Goal 3: District Strategic Plan**

Create and publish a five-year Strategic Plan for the district with a specific lens toward the implication of flattening enrollment and the state-imposed levy cap. Update will be presented for review by April 2021 including new learnings.

Key components should include:

- Space and capacity plans for students, classrooms and non-instructional spaces
- Facility upkeep and maintenance plans for education and non-instructional spaces
- Technology plan for fixed assets (infrastructure) and variable (students, staff, vendors) needs and expenses
- Curriculum that is demonstrably meeting the needs of tomorrow's workforce
- District budget that considers the effects of enrollment trends, facility needs and provides options that deal with fluctuations of state/local funding and enrollment.

### **Goal 4: Multimodal Learning**

In pursuit of child-centered excellence, Minnetonka Schools will expand the implementation of personalized learning for students and continue to develop ways to personalize instruction to meet unique needs, abilities and interests of all of our students, families and staff.

The initial implementation and progress report will be presented in the back to school Opening Report in October 2020, with additional progress reports as needed.

- Develop a schedule for instruction that encompasses the health and policy directives of the State of Minnesota/Minnesota Department of Education
- Adapt the Minnetonka Curriculum to enable students to achieve their highest potential while adapting the learning environment to meet the needs of both the

*educational process and needs of the families while best supporting child-centered excellence.*

- *Educational content should be expected to be delivered in a multimodal fashion, leveraging the success of the Tonka Online system, as well as blended in-person model and taking into consideration the needs and abilities of all educational process constituents.*
- *The District will have plans in place to quickly identify student learners who need additional educational and/or mental health support and will create alternative methods to support their educational achievement.*
- *The District will adapt current plans and support structures to take into consideration students' unique needs across academics, social, emotional, belonging and mental health aspects of the educational process.*

Chairperson Becker then asked for the following modification to Goal Two to be made:

- First paragraph – second to last sentence – add the following language after the word “community:” “regardless of race, religion, gender, sexual orientation, country of origin, and socioeconomic status.”

Board members agreed to this change. LeSage then moved, Wagner seconded, that the Board approve the goals as presented, including the revision to Goal Two. Upon roll call vote being taken thereon, the motion carried unanimously.

## **7. APPROVAL OF AP, IB, SUPPLEMENTAL AND NEW COURSE MATERIALS**

Dr. Peterson noted that the Board had reviewed these new course materials at its previous Study Session. The materials have also been available for public review at the District Service Center this summer. He asked that the Board approve the following materials:

### **AP/IB Materials:**

<b>Author</b>	<b>Title</b>	<b>Course/Level</b>
Wood, Ethel	<i>AP Comparative Government and Politics: An Essential Coursebook 9th edition</i>	AP Comp Government
Sedaris, David	<i>Me Talk Pretty One Day</i>	IB Literature HL
Szyborska, Wislawa	<i>Map: Collected and Last Poems</i>	IB Literature HL
Nicholson, Keith	<i>Linear Algebra with Applications</i>	IB Mathematics

Lebl, Jiri	<i>Differential Equations for Engineers 6th Version</i>	IB Mathematics
Stitz, Carl, Jeff Zeager	<i>Precalculus</i>	IB Mathematics
Cambridge University Press	<i>Theory of Knowledge for the IB Diploma 3rd edition</i>	IB Theory of Knowledge

**Supplemental Materials:**

Author	Title	Course/Level
Eisenkraft, Arthur	<i>Active Physics</i>	Principles of Physics
Roach, Mary	<i>The Curious Lives of Human Cadavers</i>	Human Anatomy and Physiology 2

**Digital Resources:**

App Name	Category	Subject/Course	Grade Level(s)
AR Makr	AR/3D	General AR/VR	Grades K-12
Aris	Subject Specific	Coding	Grades 6-8
Cell Energy Photo-synthesis	Subject Specific	Science	Grades 7-8
GoNoodle	Other	Physical Education	Grades 4-5
Google Spotlight Stories	Other	Language Arts	Grades 9-12
GoToWebinar	Other	Collaboration Tool	Grades 9-12
Grid Diary Classic	Subject Specific	Health	Grades 6-8
Google Meet	Other	Collaboration Tool	Grades K-12
iChinese Reader	Book/eReader	Chinese Reading	Grades K-8
IXL	Subject Specific	Lang. Arts, Math, Social Studies, and Science	Grades K-8



Jamboard	Productivity/Organization	Collaboration Tool	Grades K-12
Microsoft Office LensPDF Scan	Subject Specific	Productivity/organization	Grades K-12
Microsoft To Do	Productivity/Organization	Productivity/Organization	Grades 7-12
MissionUS	Subject Specific	Social Studies	Grades 5-8
MyRadar Weather Radar	Subject Specific	Science	Grades 7-8
New SmartMusic	Subject Specific	Music	Grades 6-8
NewsFeed Defenders	Subject Specific	Social Studies	Grades 7-8
Pearson Realize Reader	Book/eReader	eReader	Grades 9-12
Quiver Masks	Other	General AR/VR	Grades K-8
Specdrums EDU	Other	Coding	Grades 6-8
Specdrums MIX	Other	Coding	Grades 6-8
SplashLearn - Kids Math Games	Subject Specific	Math & Reading	Grades K-5
Stick Nodes Animator	Other	Creativity	Grades 9-12
Tap Measure - AR Utility	AR/3D	General AR/VR	Grades K-12
Thunkable Live	Subject Specific	Coding	Grade 6
Ukulele - Play Chords on Uke	Other	Music	Grade 5
Whova	Other	Other	Grades 6-12

Ambrosen moved, Vitale seconded, that the Board approve the list of materials. Upon roll call vote being taken thereon, the motion carried unanimously.

## **8. ACCEPTANCE OF BIDS FOR KOLSTAD PROPERTY DEMOLITION**

Executive Director of Finance and Operations Paul Bourgeois noted that at the School Board Meeting of April 9, 2020, the School Board had approved the issuance of \$1,250,000 in Certificates of Participation Bonds for the acquisition of the Kolstad property at 5735 County Road 101 in Minnetonka, directly south of Clear Springs Elementary School, and demolition of the three buildings on the site and initial site work to prepare the site for a future educational facility.

The School Board approved the sale of the 2020D Certificates of Participation at the June 4, 2020 School Board Meeting and the funds were received on June 29, 2020. The final acquisition price of the parcel inclusive of closing costs was \$928,533.97.

Bids for the building demolition and initial grading on the property were received at 2:00 PM on Tuesday, July 28, 2020. Nine bids were received as follows:

<i>H &amp; T Trucking</i>	\$ 48,000
<i>Lloyd's Construction Services, Inc.</i>	\$ 69,900
<i>LinnCo, Inc.</i>	\$ 74,500
<i>US SiteWork, Inc.</i>	\$ 77,290
<i>G. Urban Companies, Inc.</i>	\$ 78,800
<i>Fehn Co.</i>	\$ 86,725
<i>Quad E Companies, Inc.</i>	\$140,549
<i>Veit &amp; Company, Inc.</i>	\$145,400
<i>Northern Specialties, Inc.</i>	\$172,130

The combination of the final purchase price plus the low bid for demolition and initial site work and the design work costs for demolition and initial site work are below the total \$1,250,000 in bond proceeds. Remaining bond proceeds can be expended on the site in accordance with the covenants of the bonds issued, so can be used to do future site work that would be needed for a future instructional facility. The proceeds need to be expended on such work within three years of the closing date of the bond sale, or June 29, 2023.

LeSage moved, Holcomb seconded, that the Board approve the following motion:

*BE IT RESOLVED that the School Board of Minnetonka Independent School District 276 does hereby approve the bid of H & T Trucking of Stillwater, MN in the amount of \$48,000 for demolition of the structures at 5735 County Road 101, Minnetonka, MN and preliminary site grading.*

Upon roll call vote being taken thereon, the motion carried unanimously.

**9. AUTHORIZATION OF SALE OF 2020G GENERAL OBLIGATION LONG TERM FACILITIES MAINTENANCE BONDS**

Mr. Bourgeois began by saying that the District maintains a rolling 10-Year Long Term Facility Maintenance Plan to keep the District's approximately 1.8 million square feet of buildings and 255 acres of outdoor facilities in a state of good repair. The FY21-FY30 Long Term Facilities Maintenance Plan approved by the School Board at the June 4, 2020 School Board Meeting includes \$4,950,000 in necessary projects for Fiscal Year 2022 (FY22), which begins on July 1, 2021. The majority of the FY22 projects will be completed in summer 2021 in the period when school is not in session from approximately June 15 through August 15. Projects for summer 2021 work are currently in the design and permitting process in order to obtain the most favorable bid process. The Minnesota Department of Education reviewed the 10-Year Plan in late June 2020 as required by statute and approved the issuance of \$4,950,000 in bonds for the FY22 projects.

Authorization is being requested to sell the \$4,950,000 in bonds at this time. The interest rate environment is very favorable toward selling the bonds at low interest rates. Once authorized, the bonds will be sold in late August with approval of the sale terms at the September 3, 2020 School Board Meeting, which is in time for inclusion of the bond payments in the 20 Pay 21 Preliminary Levy.

The authorizing resolution for the 2020G General Obligation Long Term Facilities Maintenance Bonds was written by the District's bond counsel Dorsey & Whitney.

Ambrosen moved, Wagner seconded, that the Board approve the following resolution:

*RESOLUTION RELATING TO \$4,950,000 GENERAL OBLIGATION FACILITIES MAINTENANCE BONDS, SERIES 2020G; STATING OFFICIAL INTENT TO PROCEED WITH AND AUTHORIZING THE ISSUANCE; AUTHORIZING THE SUPERINTENDENT OR EXECUTIVE DIRECTOR OF FINANCE AND OPERATIONS AND ANY SCHOOL BOARD OFFICER TO AWARD THE SALE THEREOF AND TO TAKE SUCH ACTION AND EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH SAID AWARD AND SALE*

*BE IT RESOLVED by the School Board (the Board) of Independent School District No. 276 (Minnetonka), Minnesota (the District), as follows:*

*SECTION 1. AUTHORIZATION AND DISTRICT INDEBTEDNESS. This Board hereby authorizes the issuance and sale of its General Obligation Facilities Maintenance Bonds, Series 2020G in an aggregate principal amount not to exceed \$4,950,000 in November 2020 (the Bonds). The proceeds of the Bonds will be used*

to finance roofing replacement, paving replacement, mechanical systems replacement, cabinetry replacement and various other long-term maintenance replacement items (collectively, the Projects), pursuant to Minnesota Statutes, Chapter 475 and Section 123B.595. The Projects are part of the District's approved ten-year facility plan (the Facility Plan). The District will publish a notice in its official newspaper describing the Projects, the amount of the Bonds, and the total amount of District indebtedness.

SECTION 2. APPROVAL BY COMMISSIONER OF EDUCATION OF THE STATE OF MINNESOTA. The Facility Plan has been submitted to the Commissioner of Education of the State of Minnesota (the Commissioner) as required by Minnesota Statutes, Section 123B.595, subdivision 5. The submission of the Facility Plan and request for approval are hereby authorized, ratified and approved in all respects. The sale and issuance of the Bonds is contingent upon the Commissioner's approval of the Facility Plan.

SECTION 3. NOTICE PUBLICATION. The Clerk is authorized and directed to cause notice of the intended projects, the amount of the bonds to be issued, and the total amount of the District's indebtedness to be published in the District's official newspaper. Pursuant to the provisions of Minnesota Statutes, Sections 123B.595, subdivision 5 it is hereby determined that the total amount of District indebtedness as of August 1, 2020 is \$109,110,000.

SECTION 4. APPROVAL OF SALE OF THE BONDS. The Board desires to proceed with the sale of Bonds by direct negotiation to Robert W. Baird & Co. Incorporated, in Milwaukee, Wisconsin (Baird). The Superintendent or Executive Director of Finance and Operations and any School Board officer are hereby authorized to approve the sale of the Bonds in an aggregate principal amount of not to exceed \$4,950,000 and to execute a bond purchase agreement for the purchase of the Bonds with Baird, provided that the true interest cost does not exceed 4.25%.

SECTION 5. ADOPTION OF APPROVING RESOLUTIONS. Upon approval of the sale of the Bonds by the Superintendent or Executive Director of Finance and Operations and any School Board officer, the School Board will take action at a regularly scheduled or special meeting thereafter to adopt the necessary approving resolutions as prepared by the District's bond counsel.

SECTION 6. STATE CREDIT ENHANCEMENT PROGRAM. (a) The District hereby covenants and obligates itself to notify the Commissioner of Education of a potential default in the payment of principal and interest on the Bonds and to use the provisions of Minnesota Statutes, Section 126C.55 to guarantee payment of the principal and interest on the Bonds when due. The District further covenants to deposit with the Registrar or any successor paying agent three (3) days prior to the date on which a payment is due an amount sufficient to make that payment or to notify the

*Commissioner of Education that it will be unable to make all or a portion of that payment. The Registrar for the Bonds is authorized and directed to notify the Commissioner of Education if it becomes aware of a potential default in the payment of principal or interest on the Bonds or if, on the day two (2) business days prior to the date a payment is due on the Bonds, there are insufficient funds to make that payment on deposit with the Registrar. The District understands that as a result of its covenant to be bound by the provision of Minnesota Statutes, Section 126C.55, the provisions of that section shall be binding as long as any Bonds of this issue remain outstanding.*

*(b) The District further covenants to comply with all procedures now and hereafter established by the Departments of Management and Budget and Education of the State of Minnesota pursuant to Minnesota Statutes, Section 126C.55, subdivision 2(c) and otherwise to take such actions as necessary to comply with that section. The Chair, Vice Chair, Deputy Clerk, Superintendent or Executive Director of Finance and Operations is authorized to execute any applicable Minnesota Department of Education forms.*

*SECTION 7. OFFICIAL STATEMENT. Baird is authorized to prepare and distribute an Official Statement related to the sale of the Bonds.*

*SECTION 8. EXPIRATION OF AUTHORITY. If the Superintendent or Executive Director of Finance and Operations and any School Board officer have not approved the sale of the Bonds to Baird and executed the related bond purchase agreement by December 31, 2020, this resolution shall expire.*

Upon roll call vote being taken thereon, the motion carried unanimously.

#### **10. AUTHORIZATION OF REIMBURSEMENT RESOLUTION FOR 2020G LONG TERM MAINTENANCE BONDS**

Mr. Bourgeois began by noting that the FY21-FY30 Long Term Facilities Maintenance Plan approved by the School Board at the June 4, 2020 School Board Meeting includes \$4,950,000 in necessary projects for Fiscal Year 2022 (FY22), which begins on July 1, 2021. The majority of the FY22 projects will be completed in summer 2021 in the period when school is not in session from approximately June 15 through August 15. Projects for summer 2021 work are currently in the design and permitting process in order to obtain the most favorable bid process. The Minnesota Department of Education reviewed the 10-Year Plan in late June 2020 as required by statute and approved the issuance of \$4,950,000 in bonds for the FY22 projects.

Since design and permitting work is currently under way, it is necessary to pass a reimbursement resolution to allow expenditures incurred prior to the bond sale date to be paid out of the bond proceeds. This is a requirement of Federal Regulations relating to the sale of tax-exempt bonds.

The resolution for the 2020G General Obligation Long Term Facilities Maintenance Bonds was written by the District's bond counsel Dorsey & Whitney.

Vitale moved, LeSage seconded, that the Board approve the following resolution:

*RESOLUTION RELATING TO THE FINANCING OF A PROPOSED PROJECT TO BE UNDERTAKEN BY THE SCHOOL DISTRICT; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE*

*BE IT RESOLVED by the School Board (the Board) of Independent School District No. 276 (Minnetonka), Minnesota (the School District) as follows:*

*1. Recitals.*

*(a) The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the Regulations) dealing with the issuance of tax-exempt obligations all or a portion of the proceeds of which are to be used to reimburse the School District for project expenditures made by the School District prior to the date of issuance (the Reimbursement Obligations).*

*(b) The Regulations generally require that the School District make a declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued series of tax-exempt obligations within 60 days after payment of the expenditures, that such obligations be issued and the reimbursement allocation be made from the proceeds of such obligations within the reimbursement period (as defined in the Regulations), and that the expenditures reimbursed be capital expenditures or costs of issuance of the obligations.*

*(c) The School District desires to comply with requirements of the Regulations with respect to the project hereinafter identified.*

*2. Official Intent Declaration.*

*(a) The School District proposes to undertake the following project and to make original expenditures with respect thereto prior to the issuance of Reimbursement Obligations, and reasonably expects to issue Reimbursement Obligations for such project in the maximum principal amounts shown below:*

<i>Project</i>	<i>Maximum Amount of Obligations Expected to be Issued for Project</i>
<i>Roofing replacement, paving replacement,</i>	<i>\$4,950,000</i>

*mechanical systems replacement, cabinetry replacement and various other long term maintenance replacement items.*

*(b) Other than (i) de minimis amounts permitted to be reimbursed pursuant to Section 1.150-2(f)(1) of the Regulations or (ii) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, the School District will not seek reimbursement for any original expenditures with respect to the foregoing Project paid more than 60 days prior to the date of adoption of this resolution. All original expenditures for which reimbursement is sought will be capital expenditures or costs of issuance of the Reimbursement Obligations.*

*3. Budgetary Matters. As of the date hereof, there are no School District funds reserved, pledged, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, pledged, allocated on a long term basis or otherwise set aside) to provide permanent financing for the original expenditures related to the Project other than pursuant to the issuance of the Reimbursement Obligations. Consequently, it is not expected that the issuance of the Reimbursement Obligations will result in the creation of any replacement proceeds.*

*4. Reimbursement Allocations. The School District's financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Reimbursement Obligations to reimburse the source of temporary financing used by the School District to make payment of the original expenditures relating to the Project. Each reimbursement allocation shall be made not later than (i) eighteen (18) months after the date of the original expenditure or (ii) eighteen (18) months after the date the Project is placed in service or abandoned (but in no event later than three (3) years after the original expenditure is paid) and shall be evidenced by an entry on the official books and records of the School District maintained for the Reimbursement Obligations and shall specifically identify the original expenditures being reimbursed.*

Upon roll call vote being taken thereon, the motion carried unanimously.

## **11. AUTHORIZATION OF SALE OF 2020I CERTIFICATES OF PARTICIPATION REFUNDING BONDS**

Mr. Bourgeois noted that the 2014B Certificates of Participation Bonds were originally issued on February 6, 2014 in the amount of \$1,700,000. These bonds were issued as an initial tranche to fund the construction of 13 rooms to support the implementation of all-day kindergarten classes and to provide additional music room space. The bonds are approaching their call date of February 1, 2021. It is possible to refund and restructure the bonds at this time to significantly lower the interest rate and also reduce the annual payments.

An estimate of the transaction provided by the District's financial advisor firm R W Baird indicate that the remaining \$1,290,000 outstanding coupons that are at a rate of 3.94% can be refunded at a rate of 2.53%, with a Net Present Value Savings of \$100,819.65 or 7.0% with a resulting lowering of annual payments funded from the Lease Levy by approximately \$45,000 yearly. This also frees up Lease Levy payment capacity should it be needed for a future project.

Authorization is being requested to sell the 2020I Certificates of Participation refunding bonds. The sale would occur on September 22 so that the revised levy for the payments can be included on the 20 Pay 21 Preliminary Levy, which is tentatively scheduled to be set by the School Board on September 24, 2020 in advance of the September 30, 2020 statutory deadline for setting the Preliminary Levy.

The resolution authorizing the sale of the 2020I Certificates of Participation Refunding was prepared by the District's bond counsel Dorsey & Whitney, LLP.

Holcomb moved, Wagner seconded, that the Board approve the following resolution:

*RESOLUTION STATING THE INTENTION OF THE SCHOOL BOARD TO ENTER INTO AN AMENDED AND RESTATED LEASE PURCHASE AGREEMENT AND CREATE CERTIFICATES OF PARTICIPATION THEREIN; AND APPROVING AND AUTHORIZING THE EXECUTION OF DOCUMENTATION RELATING THERETO*

*BE IT RESOLVED by the School Board (the "Board") of Independent School District No. 276 (Minnetonka), Minnesota (the "District"), as follows:*

*SECTION 1. AUTHORITY; PURPOSE. The District is authorized by Minnesota Statutes, Section 465.71 to execute a lease-purchase agreement for the purpose of financing real and personal property. Pursuant to such authority, \$1,700,000 Certificates of Participation, Series 2014B, in a Lease Purchase Agreement, dated February 1, 2014 (the "Original Lease") (the "Series 2014B Certificates"), and \$4,700,000 Certificates of Participation, Series 2014C in an Amended and Restated Lease Purchase Agreement, dated May 1, 2014 (the "Series 2014C Certificates") (the "A&R Lease"), were issued in order to finance the design, excavation, and construction of all-day kindergarten classrooms additions to Clear Springs, Deephaven, Scenic Heights and Minnewashta Elementary Schools and a parking lot expansion project at Groveland Elementary School. In order to refund the Series 2014B Certificates and refinance the costs paid with proceeds thereof, the Board now wishes to (a) amend and restate the A&R Lease (the "Second A&R Lease") and (b) issue additional certificates under the terms of that certain Amended and Restated Trust Agreement dated as of May 1, 2014, on a parity with the Series 2014C Certificates.*



*It is hereby found, determined and declared to be necessary and desirable and in the best interest of the District to refund the Series 2014B Certificates, execute and deliver the Second A&R Lease, and issue the Certificates of Participation, Series 2020I, therein (the "Certificates").*

*SECTION 2. SALE AUTHORIZATION AND PARAMETERS. The Board desires to proceed with the sale of the Certificates to Robert W. Baird & Co. Incorporated ("Baird"). The Superintendent or Executive Director of Finance & Operations and a Board officer, or their authorized designees in the event of an absence, are hereby authorized to approve the sale of the Certificates in an aggregate principal amount not to exceed \$1,290,000 and to execute a purchase agreement for the sale of the Certificates to Baird, provided that the true interest cost of the Lease and Certificates to the District is less than or equal to 4.25% per annum.*

*SECTION 3. RATIFICATION OF SALE. Upon approval of the sale of the Certificates by the Superintendent or Executive Director of Finance & Operations and a Board officer, or their authorized designees in the event of an absence, the Board will take action at its next regularly scheduled meeting thereafter to adopt the necessary award resolution as prepared by special counsel to the District, Dorsey & Whitney LLP.*

*SECTION 4. OFFICIAL STATEMENT. Baird is authorized to prepare and distribute an Official Statement related to the sale of the Certificates.*

*SECTION 5. NATURE OF DISTRICT'S OBLIGATIONS. The Second A&R Lease and the obligations of the District thereunder will be special, limited obligations of the District, subject to termination at the end of each fiscal year in the event this Board does not appropriate funds sufficient to continue the Second A&R Lease for the following fiscal year. The full faith and credit and ability of the District to levy ad valorem taxes without limitation as to rate or amount are not pledged to the payment of the Lease or any obligation of the District thereunder.*

*SECTION 6. EXPIRATION OF AUTHORITY. If the Superintendent or Executive Director of Finance & Operations and a Board officer, or their authorized designees in the event of an absence, have not approved the sale of the Certificates to Baird and executed the related purchase agreement by December 31, 2020, this resolution and all approvals hereunder shall expire.*

Upon roll call vote being taken thereon, the motion carried unanimously.

## **12. AUTHORIZATION OF SALE OF 2021A OPEB GENERAL OBLIGATION REFUNDING BONDS**

Mr. Bourgeois noted that the District had funded the Other Post Employment Benefits (OPEB) Trust Fund with the sale of the 2008I and 2009A bonds in December 2008 and January 2, 2009, respectively. These bonds were issued in the middle of the

financial troubles that triggered the Great Recession. However, the opportunity to create a Trust Fund for OPEB and relieve the General Fund of approximately \$750,00 annually in benefits payments was in the best long-term financial interest of the District, so the School Board proceeded to establish and fund the OPEB Trust at that time.

Because of the financial situation at that time, the bonds had a unique structure with a step up of payments after approximately 15 years. The bonds were sold at that time at interest rates of 6.83% for the 2008I and 6.24% for the 2009A. The long-term intention has been since that time to restructure the payment structure of the OPEB Bonds at their call date so that they would be amortized over the same 2009-2038 time frame as the OPEB Liability is being amortized.

The bonds were refunded in 2013 with the 2013E Refunding Bonds on the same payment structure to garner over \$2.2 million in Net Present Value savings by reducing the interest rates down to 3.01% and 2.93%.

At this time, with interest rates falling to historically low levels, it is possible to refund the OPEB Bonds and achieve the restructuring of the payment structure to flat payments through their maturity. It is estimated that the 3.09% interest rate on remaining coupons will be dropped to 1.99%, with a Net Present Value savings of \$411,226. It is recommended that the School Board authorize the sale of the 2021A OPEB General Obligation Refunding Bonds.

The resolution authorizing the sale of the 2021A OPEB General Obligation Refunding Bonds was prepared by the District's bond counsel Dorsey & Whitney, LLP.

Wagner moved, Ambrosen seconded, that the Board approve the following resolution:

*RESOLUTION RELATING TO \$19,935,000 TAXABLE GENERAL OBLIGATION OPEB REFUNDING BONDS, SERIES 2021A; AUTHORIZING THE ISSUANCE AND AUTHORIZING THE SUPERINTENDENT OR EXECUTIVE DIRECTOR OF FINANCE AND OPERATIONS AND ANY BOARD OFFICER TO AWARD THE SALE THEREOF AND TO TAKE SUCH ACTION AND EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH SAID AWARD AND SALE*

*BE IT RESOLVED by the School Board (the Board) of Independent School District No. 276 (Minnetonka), Minnesota (the District), as follows:*

*SECTION 1. AUTHORIZATION. This Board hereby authorizes the issuance and sale of its Taxable General Obligation OPEB Refunding Bonds, Series 2021A (the Bonds) in an amount not to exceed \$19,935,000. The proceeds of the Bonds will be used, together with any funds of the District which might be required, to make principal and interest payments when due, to and including January 1, 2022, and to refund in*

advance of maturity and prepay on January 1, 2022 (the Redemption Date), the principal of and interest on the 2022 through 2031 maturities, aggregating \$19,385,000 of the District's outstanding \$24,095,000 Taxable General Obligation OPEB Refunding Bonds, Series 2013E, originally dated as of February 1, 2013. The Bonds are being issued to restructure the District's outstanding debt in order to minimize local property tax levies.

**SECTION 2. APPROVAL OF SALE OF THE BONDS.** *The Board desires to proceed with the sale of Bonds by direct negotiation to Robert W. Baird & Co. Incorporated, in Milwaukee, Wisconsin (Baird). The Superintendent or Executive Director of Finance and Operations and any Board officer are hereby authorized to approve the sale of the Bonds and to execute a bond purchase agreement for the purchase of the Bonds with Baird, provided that the aggregate principal amount does not exceed \$19,935,000 and the true interest cost does not exceed 4.00%.*

**SECTION 3. ADOPTION OF APPROVING RESOLUTIONS.** *Upon approval of the sale of the Bonds by the Superintendent or Executive Director of Finance and Operations and any Board officer, the Board will take action at an upcoming regularly scheduled or special meeting to adopt the necessary approving resolutions as prepared by the District's bond counsel.*

**SECTION 4. STATE CREDIT ENHANCEMENT PROGRAM.** (a) *The District hereby covenants and obligates itself to notify the Commissioner of Education of a potential default in the payment of principal and interest on the Bonds and to use the provisions of Minnesota Statutes, Section 126C.55 to guarantee payment of the principal and interest on the Bonds when due. The District further covenants to deposit with the Registrar or any successor paying agent three (3) days prior to the date on which a payment is due an amount sufficient to make that payment or to notify the Commissioner of Education that it will be unable to make all or a portion of that payment. The Registrar for the Bonds is authorized and directed to notify the Commissioner of Education if it becomes aware of a potential default in the payment of principal or interest on the Bonds or if, on the day two (2) business days prior to the date a payment is due on the Bonds, there are insufficient funds to make that payment on deposit with the Registrar. The District understands that as a result of its covenant to be bound by the provision of Minnesota Statutes, Section 126C.55, the provisions of that section shall be binding as long as any Bonds of this issue remain outstanding.*

(b) *The District further covenants to comply with all procedures now and hereafter established by the Departments of Management and Budget and Education of the State of Minnesota pursuant to Minnesota Statutes, Section 126C.55, subdivision 2(c) and otherwise to take such actions as necessary to comply with that section. The Chair, Vice Chair, Deputy Clerk, Superintendent or Executive Director of Finance and Operations is authorized to execute any applicable Minnesota Department of Education forms.*

*SECTION 5. OFFICIAL STATEMENT. Baird is authorized to prepare and distribute an Official Statement related to the sale of the Bonds.*

*SECTION 6. EXPIRATION OF AUTHORITY. If the Superintendent or Executive Director of Finance and Operations and any Board officer have not approved the sale of the Bonds to Baird and executed the related bond purchase agreement by March 31, 2021, this resolution shall expire.*

Upon roll call vote being taken thereon, the motion carried unanimously.

### **13. RESOLUTION APPROVING JOINING OPIOID LAWSUIT**

Dr. Peterson explained that the District has the opportunity to join a lawsuit against companies who sold Opioids and did not provide appropriate warnings to users. There are no up-front costs to the District, and there is a potential of receiving a settlement to mitigate damages that can be used to support students impacted by abuses of Opioids.

Ritchie moved, Wagner seconded, that the Board approve the following resolution:

#### **RESOLUTION OF THE MINNETONKA SCHOOL BOARD RE: PARTICIPATION IN OPIOID LITIGATION**

**WHEREAS** *this School Board is aware that since the 1990s the pharmaceutical industry has manufactured, distributed, and marketed a variety of opioid pain medications for general use in the treatment of chronic pain conditions, resulting in such medication being the most widely distributed drugs in United States history; and*

**WHEREAS** *the manufacture, distribution, and marketing of these opioid drugs has resulted in catastrophic, widespread consequences for the people of this nation, including addiction, overdoses, developmental disabilities in children, death, and major expenditures of money; and*

**WHEREAS** *the School Board believes that the school districts of this nation, including this school district, have suffered significant damages as a result of this national opioid epidemic, including expenditures of public funds to address the impact of this epidemic on students, teachers, other staff, and the taxpayers of this district; and*

**WHEREAS** *a number of other school districts have filed or will be filing legal claims as part of Multi-District Litigation ("MDL") and also in the bankruptcy court proceedings of certain defendants named in the claims in the MDL who have filed for bankruptcy protection ("Bankruptcy Litigation"), for the purpose of pretrial proceedings, including potential settlements of claims, and are seeking to become class representatives in*

*the MDL and in the Bankruptcy Litigation in an effort to be part of the proposed negotiations class seeking compensation for the impact of this epidemic on the named school districts.*

***NOW THEREFORE*** the School Board of Minnetonka School District #276 hereby authorizes the following:

1. *That this School Board hereby elects to file claims in the MDL and Bankruptcy Litigation, and to join the class action lawsuit settlement class in order to recoup damages inflicted by the opioid epidemic.*
2. *That this School Board appoints the following law firms to represent its interests in the lawsuit:*
  - *Hughes, Socol, Piers, Resnick & Dym (Chicago, Illinois)*
  - *Mehri & Skalet (Washington, D.C.)*
  - *Henrichsen Law Group (Washington, D.C.)*
  - *Terrell Hogan (Jacksonville, Florida)*
3. *That this School Board directs the Superintendent and the Administrative staff to cooperate with the appointed attorneys to gather the necessary data and take other required actions necessary to assist the law firms in representing the interests of this District.*
4. *That the District will expend no funds for its participation in this litigation, other than the personnel time necessary to gather data necessary to participate in the litigation.*

Upon roll call vote being taken thereon, the motion carried unanimously.

#### **14. CONSENT AGENDA**

Vitale moved, Wagner seconded, that the School Board approve all recommendations included within the following Consent Agenda items:

- Minutes of June 18 Closed Session, June 18 Special Meeting, and June 22 Closed Session
- Study Session Summary of June 18, 2020
- Payment of Bills - in the sum of \$6,389,718.43 for May 2020, and \$9,916,028.02 for June 2020
- Recommended Personnel Items – as shown in Addendum I
- Gifts and Donations for June 2020: \$500.00 from Brookfield Properties to be placed in the Groveland Elementary General Gifts and Donations Account. \$500.00 from Children’s Playseum at Ridgedale Mall to be placed in the Scenic

Heights Elementary General Gifts and Donations Account. Total Gifts and Donations for 2019-20: \$559,044.62.

- Electronic Fund Transfers – as shown in Addendum J
- Approval of Agreement with Custodial and Maintenance Employees
- Approval of Agreement with MISA Employees
- Approval of Agreement with Nutrition Services Employees
- Approval of Transitions Plus Transportation Cost-Sharing Agreement with Hopkins Public Schools
- Approval of Revised Enrollment Limits

Upon roll call vote being taken on the foregoing Consent Agenda items, the motion carried unanimously.

#### **15. SUPERINTENDENT'S REPORT**

Superintendent Peterson spoke about the work ahead now that the District has a plan for fall approved and the District goals for the year are in place.

#### **16. ANNOUNCEMENTS**

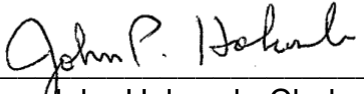
Board member LeSage thanked Executive Assistant Carrie Voeltz for her excellent reading of Community Comments earlier in the meeting.

Board member Ritchie thanked Principal Erickson and members of his staff for the wonderful graduation ceremonies for the Class of 2020 that had taken place the week before.

Chairperson Becker thanked the ASL interpreters for their wonderful work throughout the long Board meeting this evening.

#### **17. ADJOURNMENT**

Wagner moved, Ritchie seconded, adjournment at 12:10 a.m. on August 7. Upon roll call vote being taken thereon, the motion carried unanimously.

  
\_\_\_\_\_  
John Holcomb, Clerk