

Regular School Board Meeting - REVISED

Duluth Public Schools, ISD 709

Agenda

Tuesday, May 15, 2012

District Services Center

709 Portia Johnson Dr.

Duluth, MN 55811

6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of the Agenda**
5. **Reading and Approving Minutes**
 - A. Regular School Board Meeting of April 24, 2012 2
 - B. Special School Board Meeting of May 8, 2012 27
6. **Audience**
7. **Reading Communications, Petitions, Etc.** 28
8. **Report of the Superintendent**
 - A. Schedule of Meetings and Events 29
9. **Report of Standing Committees**
 - A. Education Committee (*see separate report*)
 - B. Human Resources Committee (*see separate report*)
 - C. Business Committee (*see separate report*)
10. **Special Resolutions**
 - A. Resolution HR-5-12-3019 - Coach Requests Reasons for Non-Renewal in Writing - Approval of Response Letter (Classified as Private Personnel Data) 31
11. **Questions / Other**
12. **Adjournment**

Minutes of the Regular School Board Meeting

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Tuesday, April 24, 2012

Members Present:

Mary Cameron
Tom Kasper
Mike Miernicki
Art Johnston
Judy Seliga Punyko
Ann Wasson
Bill Westholm

Others Present:

Bill Gronseth, Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Student Representatives

Alex Livesay

- Chair Wasson called the regular school board meeting of April 24, 2012 to order at 6:30 p.m., and the pledge of allegiance to the American flag was given.

M- Kasper, S-Westholm, to approve the agenda as presented.

Member Johnston requested that the item he requested limiting the transfer of funds from general fund to debt service for the Long Range Plan be added to the agenda. Chair Wasson asked for a second to the motion. Member Johnston stated it would not require a second to add the item because he gave proper notice. Chair Wasson ruled that it would require a second to add it.

M-Johnston, S-NONE, to appeal the decision of the chair. The motion failed due to a lack of a second.

Upon a vote on the agenda as presented, the same was approved 6-1 as follows:

Yea: Cameron, Kasper, Miernicki, Seliga Punyko, Wasson, Westholm

Nay: Johnston

Chair Wasson asked school board members if there were any corrections or changes to the minutes of the special school board meeting of March 20, 2012.

M-Cameron, S-Kasper, to approve the minutes of the March 20, 2012 Special School Board Meeting. Upon a vote, the same was approved – unanimously.

Chair Wasson asked school board members if there were any corrections or changes to the minutes of the Regular School Board Meeting of March 20, 2012.

Member Johnston noted that the board passed the civility code last month and asked members to follow it. He also expressed concern with the chair and clerk speaking to each other during meetings.

M-Kasper, S-Westholm, to approve the minutes of the March 20, 2012 Regular School Board Meeting as presented. Upon a vote, the same was approved – unanimously.

Chair Wasson asked school board members if there were any corrections or changes to the minutes of the Special Meeting of April 16, 2012.

M-Kasper, S-Westholm, to approve the minutes of the April 16, 2012 Special Meeting. Upon a vote, the same was approved – unanimously.

Chair Wasson asked school board members if there were any corrections or changes to the minutes of the Special Meeting of April 17, 2012.

M-Kasper, S-Westholm, to approve the minutes of the April 17, 2012 Special Meeting. Upon a vote, the same was approved – unanimously.

Public Comments

April 2012

Chair Wasson reminded the audience to follow the civility code and that they have three minutes to speak.

Joe Thibault, 5131 Oakley Street, spoke to the board regarding his concern with the continued budget cuts and that the community needs to invest in the education of our children by supporting a levy.

Deb Anderson, 127 West 7th Street, spoke to the board regarding her concern with the non-renewal of the contracts of the East basketball coaches.

Nick Lansing, 235 West Anoka Street, spoke to the board regarding his belief that the District needs to pass a learning levy in the fall.

Kathy Tolo, 2224 Minnesota Avenue, spoke to the board regarding her concern with the non-renewal of the East basketball coaches.

Allen Richardson, 626 North 8th Avenue East, spoke to the board regarding his concern with the non-renewal of the East basketball coaches.

Mary Ann Harala, 1016 Grandview Avenue, spoke to the board to ask them to support a levy this fall, and to let them know a group has been formed to help get the information out about the levy.

Loren Martell, 623 East 7th Street, spoke to the board regarding his concern with the warming shack getting built at Congdon.

Marcia Stromgren, No address provided, spoke to the board regarding her concern with the use of copper siding on the new Lincoln Park Middle School.

Mariah Tolo, 1132 Minnesota Avenue, spoke to the board regarding her concern with the non-renewal of the East basketball coaches contracts.

Communications, Petitions, Etc.

April 2012

Superintendent Gronseth acknowledged communications that had been received.

Superintendent's Report

April 2012

- Congdon Fourth Graders took first place in the Destination Imagination regional competition, and took sixth place at the state level
- Students from Woodland Middle School and East High School are participating in the State History Tournament
- The East High School Robotics Team are participating in the National Competition
- The East and Denfeld Speech teams went to the state tournament and did very well
- The Goldfine Goldstar Awards are coming up on May 9th, Kathy Klaber-Hartl, Greg Jones, Annette Strom, and Karla Winterfield are the nominees, the winner will receive a \$5,000 cash award

Education Committee Report

March 2012

Member Kasper presented the Education Committee report, a copy of same being in the hands of each school board member.

Member Kasper presented the resolution:

RESOLUTION

Acceptance of Grant Awards to Duluth Public Schools

WHEREAS, Minnesota Statute 465.03 requires a school district to accept grants by resolution expressed in the terms prescribed by the donor in full; and,

WHEREAS, acceptance of the grant in accordance with the donor's terms is in the best interest of the Duluth Public Schools:

NOW, THEREFORE, BE IT RESOLVED that the Duluth Public Schools does accept the below-described grants from said organizations in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED that the Duluth Public Schools wishes to extend its grateful appreciation to these various organizations.

	Organization	Author/Contact	Project Title	Award Amount	Terms
1	Flint Hills Resources	Stephanie Heilig	2012 Flint Hills Resources Grant	All costs associated with May 8-9, 2012 field trip to St. Paul, Minnesota ~ Nettleton fourth grade students	Funds from this grant award will cover the costs associated with an overnight field trip that Nettleton Elementary fourth grade students will participate in (transportation, meals, tours, lodging, etc.)
2	Duluth Superior Area Community Foundation – Scott D. Anderson Leadership Foundation Fund	Rory Johnson	Scott Anderson Leadership Forum – Year X	\$24, 285	Funds from this grant award will be used to support the Tenth Annual Scott Anderson Leadership Forum this summer.

Resolution E-4-12-2997

April 24, 2012

M-Kasper, S-Johnston, to approve Resolution E-4-12-2997 - Acceptance of Grant Awards to Duluth Public Schools. Upon a vote taken, the same was approved –unanimously.

M-Kasper, S-Westholm, to approve the remainder of the Education Committee Report as presented.

Member Johnston withheld Item 2.A.2) – Duluth Public Schools Annual Head Start Community Assessment to note some of the demographic data in the report. Member Kasper reminded board members that they were invited to the annual Head Start Dinner on May 22nd.

Member Seliga Punyko withheld Item 1.A.2) - End of Season Co-curricular Student Survey to note the valuable information. Member Miernicki stated the Activity Directors worked hard to get the surveys out and was grateful for their hard work.

Upon a vote, the same was approved – unanimously.

Human Resources Committee Report

March 2012

Member Westholm presented the Human Resources Committee report, a copy of same being in the hands of each school board member.

Member Westholm presented the resolution:

R E S O L U T I O N
Food Service Employees

RESOLVED, By the School Board of Independent School District #709, St. Louis County, Minnesota, that the Collective Bargaining Agreement between Independent School District #709 and the Food Service Employees, a summary of which is in the hands of all School Board members, be approved and adopted for the period July 1, 2011 to June 30, 2013, inclusive, and that the Chairperson and Clerk of the School Board be hereby authorized to execute said Agreement on behalf of the School District.

HR-4-12-2988

April 24, 2012

M-Westholm, S-Miernicki, to approve Resolution HR-4-12-2988 – Food Service Employees.

Member Johnston noted his concern with the timing of the contracts, and asked if the pay increases would be retroactive. Tim Sworsky, Human Resources Certified Manager explained the process.

Upon a vote, the same was approved – 6-0 as follows:

Yea: Cameron, Kasper, Miernicki, Seliga Punyko, Wasson, Westholm
Abstain: Johnston

Member Westholm presented the resolution:

R E S O L U T I O N
Paraprofessionals

RESOLVED, By the School Board of Independent School District #709, St. Louis County, Minnesota, that the Collective Bargaining Agreement between Independent School District #709 and the Paraprofessionals, a summary of which is in the hands of all School Board members, be approved and adopted for the period July 1, 2011 to June 30, 2013, inclusive, and that the Chairperson and Clerk of the School Board be hereby authorized to execute said Agreement on behalf of the School District.

HR-4-12-2989

April 24, 2012

M-Westholm, S-Kasper, to approve Resolution HR-4-12-2989 – Paraprofessional Employees. Upon a vote, the same was approved – 6-0 as follows:

Yea: Cameron, Kasper, Miernicki, Seliga Punyko, Wasson, Westholm
Abstain: Johnston

M-Westholm, S-Kasper, to approve the remainder of the Human Resources Committee Report as presented. Upon a vote, the same was approved – unanimously.

Business Committee Report
March 2012

Member Seliga Punyko presented the Business Committee report, a copy of same being in the hands of each school board member.

Member Seliga Punyko presented the resolution:

RESOLUTION

Indicating the Intent to Move Forward with an Operating Levy Referendum in November, 2012

WHEREAS the current operating levy for our district is \$365.60 per pupil unit, and

WHEREAS the current operating levy for Duluth is below the state average, and

WHEREAS additional funds are needed to create and maintain quality programs.

THEREFORE BE IT RESOLVED that the School Board hereby intends to take future action to place an operating levy referendum on the November, 2012, ballot.

B-4-12-3000

April 24, 2012

M-Seliga Punyko, S-Kasper, to approve Resolution B-4-12-3000 – Indicating Intent to Move Forward with an Operating Levy Referendum in November, 2012.

Discussion took place regarding the proposed referendum.

Upon a vote, the same was approved – 6-1 as follows:

Yea: Cameron, Kasper, Miernicki, Seliga Punyko, Wasson, Westholm

Nay: Johnston

Member Seliga Punyko presented the resolution:

RESOLUTION

Redistricted School Board Election Districts

BE IT RESOLVED, by the School Board of Independent School District No. 709, St. Louis County, State of Minnesota, acting pursuant to the provisions of Minnesota Statute 204B.135, Subdivision 2, et seq, that the School Board redefines the following school board election districts as follows:

District 1: Shall include the townships of Gnesen, Lakewood, Normanna, North Star, and Rice Lake, and voting precincts 1, 2, and 4 through 7, in the City of Duluth.

- District 2: Shall include voting precincts 3, and 8 through 14 in the City of Duluth.
- District 3: Shall include voting precincts, 15 through 20, and 22 through 25 in the City of Duluth.
- District 4: Shall include voting precincts 21, 26 through 30, and 32 through 34 in the City of Duluth.

B-4-12-3001

April 24, 2012

M-Seliga-Punyko, S-Kasper, to approve Resolution B-4-12-3001 – Redistricting School Board Election Districts.

Member Seliga Punyko noted her concern with the loss of some of the precincts in her district.

Upon a vote, the same was approved 6-1 as follows:

Yea: Cameron, Johnston, Kasper, Miernicki, Wasson, Westholm

Nay: Seliga Punyko

Member Seliga Punyko presented the resolution:

R E S O L U T I O N
Authorized Student Activity Bank Account Signer

RESOLVED, by the School Board of Independent School District No. 709, St. Louis County, Minnesota, that it hereby authorizes the following:

<u>District Building</u>	<u>Banking Institution</u>	<u>Account Number</u>	<u>Addition of Authorized Signer</u>	<u>Removal of Authorized Signer</u>
Headstart	DTCU	XXXX0	Susan Richardson	Gayle Hunger
Lowell	DTCU	XXXX4	Elizabeth Larson	Jill Bastyr
Merritt Creek Academy	DTCU	XXXX0	Sandra Gustafson	Patricia Paquette
STC (Account Closure)	DTCU	XXXX7		Jim Arndt Jill Bastyr Jody LeBlanc Terry Dzuck
Woodland Hills	DTCU	XXXX1	Sandra Gustafson	Patricia Paquette Barbara Paquette

B-4-12-3002

April 24, 2012

M-Seliga-Punyko, S-Kasper, to approve Resolution B-4-12-3002 – Authorized Account Signers. Upon a vote, the same was approved – unanimously.

Member Seliga Punyko presented the resolution:

RESOLUTION

Authorizing the Reconveyance of Real Property to the State of Minnesota and Execution of Documents Required for this Purpose

WHEREAS, the School Board of Independent School District No. 709 entered into an agreement with the State of Minnesota in 1980 wherein the State of Minnesota conveyed property to the School District to be used for a parking lot for students and staff at Morgan Park School; and

WHEREAS, the agreement further provides that the property reverts to the State of Minnesota if no qualified parking lot is developed within five years; and

WHEREAS, the property was not developed for the intended purpose within five years of the original conveyance and therefore, the Recorded Deed requires the property revert to the State of Minnesota;

NOW, THEREFORE, BE IT RESOLVED the School Board authorizes the School Board Chair and Clerk to execute the Reconveyance of Forfeited Lands to the State of Minnesota by a Governmental Subdivision and any other documents necessary for this purpose that causes the Real Property further described as Lots 1 through 15, Block 14, Morgan Park of Duluth described in State of Minnesota, St. Louis County, Deed No. 158110 to revert to the State of Minnesota.

B-4-12-2999

April 24, 2012

M-Seliga-Punyko, S-Kasper, to approve Resolution B-4-12-2999 – Authorizing the Reconveyance of Real Property to the State of Minnesota and Execution of Documents Required for this Purpose. Upon a vote, the same was approved – unanimously.

Member Seliga Punyko presented the resolution:

RESOLUTION

To Approve Application and Petition to Vacate the Alley at 24th Avenue West and Fourth Street near the old Lincoln Park School

WHEREAS, the School Board by Resolution B-6-07-2452 adopted a Long-range Facilities Plan for the District, and therein also directed the District's administrative staff to commence with the disposition of certain non-school sites including the Lincoln Park School property; and

WHEREAS, the School Board adopted Resolution #B-9-11-2934 authorizing the sale of real property located at 2424 West Fifth Street legally described as All of Block 21, Duluth Proper, Second Division, City of Duluth, in St. Louis County; and

WHEREAS, in order to complete this sale transaction and transfer of property for redevelopment, the alley located at 24th Avenue West and Fourth Street must be vacated; now, therefore

BE IT RESOLVED, the School Board hereby authorizes the application and petition to the City of Duluth requesting the vacation of all unvacated alleys within the old Lincoln Park School site; and

BE IT FURTHER RESOLVED, the School Board hereby authorizes Administration to sign and submit the application and petition to the City of Duluth for the alley vacation and any other documents required to complete this process.

B-4-12-2998

April 24, 2012

M-Seliga-Punyko, S-Kasper, to approve Resolution B-4-12-2998 – To Approve Application and Petition to Vacate the Alley at 24th Avenue West and Fourth Street near the old Lincoln Park School. Upon a vote, the same was approved – unanimously.

M-Seliga Punyko, S-Kasper, to approve the Business Committee Report, withholding the resolutions, as presented.

Member Johnston withheld Items 4.B., 6., 6.E., and 7. A. and B.

Member Johnston withheld Item 4.B. – Change Orders – to ask about an item related to API Electric that had been on the previous months agenda.

Member Johnston withheld Item 6. – Informational to note his concern with the use of a public relations firm to release information. Chair Wasson stated that it is a common practice.

Member Johnston withheld Item 6.E. - JCI Long Range Facilities Plan Status Report to ask about updates and total costs. Kerry Leider, Facilities Management Supervisor referred him to the Summary Cost Status Report for total expenditures and encumbrances for each project.

Member Johnston withheld Item 7.A. – Development of FY 13 Budget - no comment.

Member Johnston withheld Item 7.B. – Morgan Park School Closing Resolution to note his concern with the timing of the hearing.

Member Miernicki called the question.

Upon a vote on the remainder of the business committee report as presented, the same was approved – 6-1 as follows:

Yea: Cameron, Kasper, Miernicki, Seliga Punyko, Wasson, Westholm
Nay: Johnston

Special Resolutions

April 2012

Member Cameron presented the resolution:

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
FULL TERM CAPITAL APPRECIATION CERTIFICATES OF PARTICIPATION,
SERIES 2012A, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$12,801,327, TO FINANCE
A PORTION OF THE PROJECT COSTS FOR CONGDON ELEMENTARY AND GRANT
(NOW MYERS-WILKINS) ELEMENTARY**

BE IT RESOLVED, by the School Board (the "School Board") of Independent School District No. 709, St. Louis County, Minnesota (the "District"), as follows:

Section 1. Authority. Under and pursuant to the authority contained in Minnesota Statutes, Section 126C.40, Subd. 6, as amended (the "Act"), the District is authorized to purchase real or personal property under an installment contract or may lease real or personal property with an option to purchase under a lease purchase agreement upon application to, and approval by, the Minnesota Commissioner of Education. The District has approved a Long-Range Facilities Plan (the "Plan") and the Minnesota Commissioner of Education has approved the District entering into an installment contract in the amount of \$111,442,577 under the Act to finance the purchase of real and personal property as set forth in the Plan (other than costs for the new Piedmont/Lincoln Elementary School and the new West Middle School, which was subsequently approved and financed). The District determined to acquire, construct and equip the projects approved by the Minnesota Commissioner of Education, pursuant to the Act, through an Installment Purchase Contract, dated as of June 1, 2008 (the "Installment Purchase Contract"), between U.S. Bank National Association ("U.S. Bank"), as vendor, and the District. In order to provide funds for the projects, the District authorized the issuance of \$111,440,000 Full Term Certificates of Participation, Series 2008B, dated June 1, 2008, pursuant to a Declaration of Trust by and between U.S. Bank, as trustee, and the District (the "Declaration of Trust"). The District approved an amendment to the Plan and the Commissioner of Education approved the District financing of an additional \$5,000,000 under the Act to provide additional funds for the purchase of real and personal property as set forth in the Plan, as amended. Pursuant to such authority, the District entered into an Amendment to Installment Purchase Contract dated as of October 1, 2010, between U.S. Bank, as vendor, and the District, as vendee, which amended the Installment Purchase Contract. In order to provide the additional funds for the projects, the District authorized the issuance of \$5,000,000 Full Term Certificates of Participation, Series 2010C, dated October 1, 2010, pursuant to a Supplement to Declaration of Trust between U.S. Bank, as trustee, and the District, dated as of October 1, 2010. The District has submitted a request for a review and comment for Congdon Elementary and Grant (now Myers-Wilkins) Elementary and the Minnesota Commissioner of Education has approved the District's financing of an additional \$12,801,327 in principal amount of certificates of participation under the Act to provide additional funds for the purchase of real and personal property for such projects.

Section 2. The Plan of Finance. The School Board hereby determines that it is necessary, expedient, and in the best educational interest of the District's pupils and residents

that the District enter into an Amendment to the Installment Purchase Contract under the Act to provide additional funds to purchase the real and personal property for Congdon Elementary and Grant (now Myers-Wilkins) Elementary, and as approved by the Minnesota Commissioner of Education. Full Term Capital Appreciation Certificates of Participation, Series 2012A (the "Certificates of Participation"), will be issued pursuant to a Supplement to the Declaration of Trust as additional certificates under the Declaration of Trust. The principal amount of the Certificates of Participation to be issued shall not exceed \$12,801,327 and such Certificates of Participation shall evidence the proportionate interest of the registered owners thereof in the Installment Payments to be made by the District under the Installment Purchase Contract, as amended.

Section 3. Official Terms of Offering. The District's administrative staff is hereby authorized and directed to work with Northland Securities, Inc., independent financial advisor to the District, and Fryberger, Buchanan, Smith & Frederick, P.A., bond counsel, to solicit bids and arrange for the sale of the Certificates of Participation in substantial compliance with the Notice of Sale attached hereto as Exhibit A. The Chief Financial Officer/Executive Director of Business Services, after consulting with the District's financial advisor and bond counsel, is authorized to modify the terms of the Notice of Sale prior to accepting the bids, including, but not limited to, reducing the size of the issue and rescheduling the sale. The bids shall be received by the Chief Financial Officer/Executive Director of Business Services or his designee until 11:00 a.m. central time on May 15, 2012, and consideration for the award of the Certificates of Participation will be by the School Board at 6:30 p.m. central time on the same date.

Section 4. Repayment of Obligations. The form, specifications and provisions for payment of the Amendment to the Installment Purchase Contract and the Certificates of Participation and the form of the Supplement to the Declaration of Trust shall be set forth in a subsequent resolution of the School Board.

Section 5. Consideration of Bids. The School Board shall meet on May 15, 2012, in accordance with the Notice of Sale, to consider bids for the purchase of the Certificates of Participation and to take whatever actions are necessary for the acceptance or rejection of the bids.

Section 6. Credit Enhancement. (a) The Board Chair, Superintendent or Chief Financial Officer/Executive Director of Business Services are hereby authorized and directed to submit a Minnesota School District Credit Enhancement Program Application for Default Preclusion to the Minnesota Department of Education, as provided by Minnesota Statutes, Section 126C.55.

(b) The District hereby covenants and obligates itself to notify the Minnesota Commissioner of Education of a potential default in the payment of principal and interest on the Certificates of Participation and to use the provisions of Minnesota Statutes, Section 126C.55 to guarantee payment of the principal and interest on the Certificates of Participation when due. The District further covenants to deposit with the trustee/bond 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 Minnesota Commissioner of Education that it will be unable to make all or a portion of that payment. The trustee, as bond registrar for the Certificates of Participation, is authorized and directed to notify the Minnesota Commissioner of Education if it becomes aware of a potential default in the payment of principal or interest on the Certificates of Participation, or if, on the day two (2) business days prior to the date a payment is due on the Certificates of Participation, there are insufficient funds to make that payment on deposit with

the trustee. The District understands that as a result of its covenant to be bound by the provisions of Minnesota Statutes, Section 126C.55, the provisions of that section shall be binding as long as any Certificates of Participation remain outstanding.

(c) The District further covenants to comply with all procedures now or hereafter established by the Department of Finance and the Department of 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, Clerk, Superintendent or Chief Financial Officer/Executive Director of Business Services are authorized to execute any applicable Minnesota Department of Education forms regarding such program.

Adopted: April 24, 2012

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EXHIBIT A
NOTICE OF SALE

\$12,801,327*

FULL TERM CAPITAL APPRECIATION CERTIFICATES OF PARTICIPATION, SERIES
2012A

EVIDENCING THE PROPORTIONATE INTEREST OF REGISTERED OWNERS
THEREOF IN INSTALLMENT PAYMENTS TO BE MADE BY

INDEPENDENT SCHOOL DISTRICT NO. 709, DULUTH, MINNESOTA
(Book-Entry Only)

PURSUANT TO AN INSTALLMENT PURCHASE CONTRACT, AS AMENDED

NOTICE IS HEREBY GIVEN that these Certificates will be offered for sale according to the following terms:

TIME AND PLACE:

Bids will be opened by the District's CFO/Executive Director of Business Services, or designee, on Tuesday, May 15, 2012, at 11:00 A.M., CT, at the offices of Northland Securities, Inc., 45 South 7th Street, Suite 2000, Minneapolis, Minnesota 55402. Consideration of the Bids for award of the sale will be by the School Board at its meeting at the District Offices beginning Tuesday, May 15, 2012 at 6:30 P.M., CT.

SUBMISSION OF BIDS

Bids may be:

- a) submitted to the office of Northland Securities, Inc.,
- b) faxed to Northland Securities, Inc. at 612-851-5918,
- c) for bids submitted prior to the sale, the final price and coupon rates may be submitted to

* The District reserves the right to increase or decrease the original principal amount of the Bonds. Any such increase or decrease may be made in any maturity and will affect the maturity values. If any maturity is adjusted, the purchase price will also be adjusted to maintain the same gross spread.

Northland Securities, Inc. by telephone at 612-851-5900 or 612-851-4907, or
d) submitted electronically.

Notice is hereby given that electronic bids will be received via PARITY™, or its successor, in the manner described below, until 11:00 A.M., CT, on Tuesday, May 15, 2012. Bids may be submitted electronically via PARITY™ or its successor, pursuant to this Notice until 11:00 A.M., CT, but no Bid will be received after the time for receiving Bids specified above. To the extent any instructions or directions set forth in PARITY™, or its successor, conflict with this Notice, the terms of this Notice shall control. For further information about PARITY™, or its successor, potential bidders may contact Northland Securities, Inc. or i-Deal® at 1359 Broadway, 2nd floor, New York, NY 10018, telephone 212-849-5021.

Neither the District nor Northland Securities, Inc. assumes any liability if there is a malfunction of PARITY™ or its successor. All bidders are advised that each Bid shall be deemed to constitute a contract between the bidder and the District to purchase the Certificates regardless of the manner in which the Bid is submitted.

BOOK-ENTRY SYSTEM

The Certificates will be issued by means of a book-entry system with no physical distribution of certificates made to the public. The Certificates will be issued in fully registered form and one certificate, representing the aggregate principal amount of the Certificates maturing in each year, will be registered in the name of Cede & Co. as nominee of Depository Trust Company (“DTC”), New York, New York, which will act as securities depository of the Certificates. Individual purchases of the Certificates may be made in the principal amount of \$5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the District through U.S. Bank, N.A., St. Paul, Minnesota (the “Paying Agent/Registrar”), to DTC, or its nominee as registered owner of the Certificates. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The successful bidder, as a condition of delivery of the Certificates, will be required to deposit the certificates with DTC. The District will pay reasonable and customary charges for the services of the Paying Agent/Registrar.

AUTHORITY/PURPOSE/SECURITY

The Certificates are being issued pursuant to Minnesota Statutes, Sections 126C.40 Subd. 6 and 126C.55, as amended. Proceeds will be used, along with other available funds of the District, to finance various improvements to Myers-Wilkins Elementary (formerly Grant Elementary) and Congdon Elementary pursuant to the District’s facilities plan. The Certificates will be special limited obligations of the District payable solely from the Installment Payments due under the Amendment to Contract. The District will pledge the receipt of certain taxes levied pursuant to Minnesota Statutes, Section 126C.40, and with the approval of the Commissioner of Education, to the payments of the Installment Payments. **The District’s obligation to make the Installment Payments is not subject to annual appropriation.** In addition, the District has covenanted and obligated itself to be bound by the provisions of Minnesota Statutes, Section

126C.55 (Minnesota School District Credit Enhancement Program), and to use the provisions of that Statute pursuant to which the State of Minnesota will appropriate money to the payment of the principal and interest on the Certificates when due if the District is unable to make a principal or interest payment on the Certificates.

DETAILS OF THE CERTIFICATES

The Certificates will be dated June 6, 2012 and shall bear interest from their date of settlement. Interest on the Certificates shall be compounded on August 1, 2012, and semiannually thereafter on February 1 and August 1 of each year, and is payable, together with principal, only at maturity or upon prior redemption. The “original principal” as used herein is that principal amount which, when accreted at its associated interest rate until its scheduled maturity date, results in a payment described hereinafter as its “maturity value.” These maturity values will be in \$5,000 denominations or integral multiples thereof.

MATURITIES

The Certificates are being issued in the aggregate original principal amount of approximately \$12,801,327*. The rates specified by the successful purchaser will determine the original principal amount and the maturity value of each Certificate. The maturity values will be paid on February 1 in the estimated amounts (to be finalized post-sale) and the years as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021	\$ 735,000	2024	\$2,680,000	2027	\$4,235,000
2022	1,785,000	2025	3,350,000	2028	4,470,000
2023	2,320,000	2026	4,020,000		

Within 24 hours of award, the successful purchaser shall provide a table of accreted values for a \$5,000 maturity value of each maturity as of each February 1 and August 1 through its maturity date based on semiannual compounding at the interest rate specified for such Certificates, from the assumed settlement date of June 6, 2012. In case of discrepancy, the District’s calculation of accreted values shall be controlling.

INTEREST PAYMENTS

Interest is due semiannually on each February 1 and August 1, commencing August 1, 2012, to registered owners of the Certificates appearing of record in the Bond Register as of the close of business on the fifteenth day (whether or not a business day) of the calendar month preceding such interest payment date.

INTEREST RATES

All rates must be in integral multiples of 1/20th or 1/8th of 1%. *Rates must be in level or ascending order.* All Certificates of the same maturity must bear a single uniform rate from date of issue to maturity.

ADJUSTMENTS TO PRINCIPAL AMOUNT AFTER BIDS

* The District reserves the right to increase or decrease the original principal amount of the Bonds. Any such increase or decrease may be made in any maturity and will affect the maturity values. If any maturity is adjusted, the purchase price will also be adjusted to maintain the same gross spread.

The District reserves the right to increase or decrease the original principal amount and make adjustments to the maturity value of the Certificates, in order to provide approximately \$12,801,327 in original principal amount. Any such increase or decrease will be made in any maturity. If any maturity is adjusted, the purchase price will also be adjusted to maintain the same gross spread. Such adjustments shall be made promptly after the sale and prior to the award of Bids by the District and shall be at the sole discretion of the District. The successful bidder may not withdraw or modify its Bid once submitted to the District for any reason, including post-sale adjustment. Any adjustment shall be conclusive and shall be binding upon the successful bidder.

OPTIONAL REDEMPTION

Certificates maturing on February 1, 2023 through 2028 are subject to redemption and prepayment at the option of the District on February 1, 2022 and any date thereafter, at a price of 100% of the accreted value as of the date of redemption. Redemption may be in whole or in part of the Certificates subject to prepayment. If redemption is in part, the maturities and principal amounts within each maturity to be redeemed shall be determined by the District and if only part of the Certificates having a common maturity date are called for prepayment, the specific Certificates to be prepaid shall be chosen by lot by the Bond Registrar.

CUSIP NUMBERS

If the Certificates qualify for assignment of CUSIP numbers such numbers will be printed on the Certificates, but neither the failure to print such numbers on any Certificate nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and pay for the Certificates in accordance with terms of the purchase contract. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the successful bidder.

DELIVERY

Delivery of the Certificates will be within forty days after award, subject to an approving legal opinion by Fryberger, Buchanan, Smith & Frederick, P.A., Bond Counsel. The legal opinion will be paid by the District and delivery will be anywhere in the continental United States without cost to the successful bidder at DTC.

TYPE OF BID

Bids of not less than 98.75% of the original principal amount of \$12,801,327 must be filed with the undersigned prior to the time of sale. Bids must be unconditional except as to legality. Bids for the Certificates should be delivered to Northland Securities, Inc. and addressed to:

William Hanson, CFO/Executive Director of Business Services
ISD No. 709, Duluth
215 North 1st Avenue East
Duluth, Minnesota 55802

A good faith deposit (the "Deposit") in the amount of \$250,000 in the form of a federal wire transfer (payable to the order of the District) is only required from the apparent winning bidder, and must be received within two hours after the time stated for the receipt of Bids. The apparent

winning bidder will receive notification of the wire instructions from the Financial Advisor promptly after the sale. If the Deposit is not received from the apparent winning bidder in the time allotted, the District may choose to reject their Bid and then proceed to offer the Certificates to the next lowest bidder based on the terms of their original bid, so long as said bidder wires funds for the Deposit amount within two hours of said offer.

The District will retain the Deposit of the successful bidder, the amount of which will be deducted at settlement and no interest will accrue to the successful bidder. In the event the successful bidder fails to comply with the accepted Bid, said amount will be retained by the District. No Bid can be withdrawn after the time set for receiving Bids unless the meeting of the District scheduled for award of the Certificates is adjourned, recessed, or continued to another date without award of the Certificates having been made.

AWARD

The Certificates will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis. The District's computation of the interest rate of each Bid, in accordance with customary practice, will be controlling. In the event of a tie, the sale of the Certificates will be awarded by lot. The District will reserve the right to: (i) waive non-substantive informalities of any Bid or of matters relating to the receipt of Bids and award of the Certificates, (ii) reject all Bids without cause, and (iii) reject any Bid which the District determines to have failed to comply with the terms herein.

The successful bidder will be required to provide, in a timely manner, certain information relating to the initial offering price of the Certificates necessary to compute the yield on the Certificates pursuant to the provisions of the Internal Revenue Code of 1986, as amended.

OFFICIAL STATEMENT

By awarding the Certificates to any underwriter or underwriting syndicate submitting a Bid therefor, the District agrees that, no more than seven business days after the date of such award, it shall provide to the senior managing underwriter of the syndicate to which the Certificates are awarded, the Final Official Statement in an electronic format as prescribed by the Municipal Securities Rulemaking Board (MSRB).

FULL CONTINUING DISCLOSURE UNDERTAKING

The District will covenant in the resolution awarding the sale of the Certificates and in a Continuing Disclosure Undertaking to provide, or cause to be provided, annual financial information, including audited financial statements of the District, and notices of certain material events, as required by SEC Rule 15c2-12.

BANK QUALIFICATION

The District WILL NOT designate the Certificates as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

CERTIFICATE INSURANCE AT UNDERWRITER'S OPTION

If the Certificates qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the successful bidder, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the successful bidder of the Certificates. Any increase in the costs of issuance of the Certificates resulting from such purchase of insurance shall be paid by the successful bidder, except that, if the District has requested and received a rating on the Certificates from a rating agency, the District will pay that rating fee. Any other rating agency fees shall be the responsibility of the successful bidder. Failure of the municipal bond insurer to issue the policy after the Certificates have been awarded to the successful bidder shall not constitute cause for failure or refusal by the successful bidder to accept delivery on the Certificates.

The District reserves the right to reject any and all Bids, to waive informalities and to adjourn the sale.

Dated: April 24, 2012
MINNESOTA

BY ORDER OF ISD NO. 709, DULUTH,

/s/ William Hanson
CFO/Executive Director of Business Services

Additional information may be obtained from:
Northland Securities, Inc, 45 South 7th Street, Suite 2000, Minneapolis, Minnesota 55402

M-Cameron, S-Kasper, to approve Resolution Authorizing The Issuance And Sale Of Full Term Capital Appreciation Certificates Of Participation, Series 2012a, In A Principal Amount Not To Exceed \$12,801,327, To Finance A Portion Of The Project Costs For Congdon Elementary And Grant (Now Myers-Wilkins) Elementary.

Board discussion took place regarding the resolution.

Upon a vote, the same was approved 6-1 as follows:

Yea: Cameron, Kasper, Miernicki, Seliga Punyko, Wasson, Westholm
Nay: Johnston

Member Cameron presented the resolution:

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
CERTIFICATES OF PARTICIPATION, SERIES 2012B,
IN AN AMOUNT NOT TO EXCEED \$6,340,000, TO FINANCE A PORTION
OF THE PROJECT COSTS FOR CONGDON ELEMENTARY AND GRANT (NOW
MYERS-WILKINS) ELEMENTARY**

BE IT RESOLVED, by the School Board (the "School Board") of Independent School District No. 709, St. Louis County, Minnesota (the "District"), as follows:

Section 1. Authority. Under and pursuant to the authority contained in Minnesota Statutes, Section 465.71, as amended (the "Act"), the District is authorized to purchase real or personal property under an installment contract or may lease real or personal property with an

option to purchase under a lease purchase agreement. The District has approved a Long-Range Facilities Plan (the "Plan") and the Minnesota Commissioner of Education has approved the District entering into a lease purchase agreement in the amount of \$35,404,371 under the Act to finance a portion of the Plan. The District determined to acquire, construct and equip the projects approved by the Minnesota Commissioner of Education, pursuant to the Act, through a Lease Purchase Agreement, dated as of October 1, 2009 (the "Lease Purchase Agreement") between Associated Trust Company, National Association, as lessor ("Associated") and the District. In order to provide funds for the projects, the District authorized the issuance of \$35,400,000 Certificates of Participation, Series 2009B, dated October 1, 2009, pursuant to a Declaration of Trust by and between Associated, as trustee, and the District (the "Declaration of Trust"). The District approved an amendment to the Plan and the Commissioner of Education approved the District financing of an addition \$1,605,000 under the Act to provide additional funds for the purchase of real and personal property as set forth in the Plan, as amended. Pursuant to such authority, the District entered into an Amendment to Lease Purchase Agreement dated as of October 1, 2010, between Associated, as lessor, and the District, as lessee, which amended the Lease Purchase Agreement. In order to provide the additional funds for the projects, the District authorized the issuance of \$1,605,000 Certificates of Participation, Series 2010D, dated October 1, 2010, pursuant to a Supplement to Declaration of Trust between Associated, as trustee, and the District, dated as of October 1, 2010. The District has submitted a request for a review and comment for Congdon Elementary and Grant (now Myers-Wilkins) Elementary and the Minnesota Commissioner of Education has approved the District's financing of an additional \$6,340,000 under the Act to provide additional funds for the purchase of real and personal property for such projects.

Section 2. The Plan of Finance. The School Board hereby determines that it is necessary, expedient, and in the best educational interest of the District's pupils and residents that the District enter into an Amendment to the Lease Purchase Agreement to provide additional funds to purchase the real and personal property described in the Plan, as amended. Certificates of Participation, Series 2012B (the "Certificates of Participation") will be issued pursuant to a Supplement to the Declaration of Trust. The principal amount of the Certificates of Participation to be issued shall not exceed \$6,340,000 and such Certificates of Participation shall evidence the proportionate interest of the registered owners thereof in the Rental Payments to be made by the District under the Lease Purchase Agreement, as amended.

Section 3. Official Terms of Offering. The District's administrative staff is hereby authorized and directed to work with Northland Securities, Inc., independent financial advisor to the District, and Fryberger, Buchanan, Smith & Frederick, P.A., bond counsel, to solicit bids and arrange for the sale of the Certificates of Participation in substantial compliance with the Notice of Sale attached hereto as Exhibit A. The Chief Financial Officer/Executive Director of Business Services, after consulting with the District's financial advisor and bond counsel, is authorized to modify the terms of the Notice of Sale prior to accepting the bids, including, but not limited to, reducing the size of the issue and rescheduling the sale. The bids shall be received by the Chief Financial Officer/Executive Director of Business Services or his designee until 11:00 a.m. central time on May 15, 2012, and consideration for the award of the Certificates of Participation will be by the School Board at 6:30 p.m. central time on the same date.

Section 4. Repayment of Obligations. The form, specifications and provisions for payment of the Amendment to the Lease Purchase Agreement and the Certificates of Participation and the form of the Supplement to the Declaration of Trust shall be set forth in a

subsequent resolution of the School Board.

Section 5. Consideration of Bids. The School Board shall meet on May 15, 2012, in accordance with the Notice of Sale, to consider bids for the purchase of the Certificates of Participation and to take whatever actions are necessary for the acceptance or rejection of the bids.

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EXHIBIT A
NOTICE OF SALE

\$6,340,000*

CERTIFICATES OF PARTICIPATION, SERIES 2012B
EVIDENCING THE PROPORTIONATE INTEREST OF THE REGISTERED
OWNERS THEREOF IN RENTAL PAYMENTS TO BE MADE BY
INDEPENDENT SCHOOL DISTRICT NO. 709, DULUTH, MINNESOTA
(Book-Entry Only)

PURSUANT TO A LEASE PURCHASE AGREEMENT, AS AMENDED

NOTICE IS HEREBY GIVEN that these Certificates will be offered for sale according to the following terms:

TIME AND PLACE:

Bids will be opened by the District's CFO/Executive Director of Business Services, or designee, on Tuesday, May 15, 2012, at 11:00 A.M., CT, at the offices of Northland Securities, Inc., 45 South 7th Street, Suite 2000, Minneapolis, Minnesota 55402. Consideration of the Bids for award of the sale will be by the School Board at its meeting at the District Offices beginning Tuesday, May 15, 2012 at 6:30 P.M., CT.

SUBMISSION OF BIDS

Bids may be:

- a) submitted to the office of Northland Securities, Inc.,
- b) faxed to Northland Securities, Inc. at 612-851-5918,
- c) for bids submitted prior to the sale, the final price and coupon rates may be submitted to Northland Securities, Inc. by telephone at 612-851-5900 or 612-851-4907, or
- d) submitted electronically.

Notice is hereby given that electronic bids will be received via PARITY™, or its successor, in the manner described below, until 11:00 A.M., CT, on Tuesday, May 15, 2012. Bids may be submitted electronically via PARITY™ or its successor, pursuant to this Notice until 11:00 A.M., CT, but no Bid will be received after the time for receiving Bids specified above. To the extent

* The District reserves the right to increase or decrease the original principal amount of the Certificates. Any such increase or decrease may be made in any maturity. If any maturity is adjusted, the purchase price will also be adjusted to maintain the same gross spread.

any instructions or directions set forth in PARITY™, or its successor, conflict with this Notice, the terms of this Notice shall control. For further information about PARITY™, or its successor, potential bidders may contact Northland Securities, Inc. or i-Deal® at 1359 Broadway, 2nd floor, New York, NY 10018, telephone 212-849-5021.

Neither the District nor Northland Securities, Inc. assumes any liability if there is a malfunction of PARITY™ or its successor. All bidders are advised that each Bid shall be deemed to constitute a contract between the bidder and the District to purchase the Certificates regardless of the manner in which the Bid is submitted.

BOOK-ENTRY SYSTEM

The Certificates will be issued by means of a book-entry system with no physical distribution of certificates made to the public. The Certificates will be issued in fully registered form and one certificate, representing the aggregate principal amount of the Certificates maturing in each year, will be registered in the name of Cede & Co. as nominee of Depository Trust Company (“DTC”), New York, New York, which will act as securities depository of the Certificates.

Individual purchases of the Certificates may be made in the principal amount of \$5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the District through Associated Trust Company, N.A., Milwaukee, Wisconsin (the “Paying Agent/Registrar”), to DTC, or its nominee as registered owner of the Certificates. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The successful bidder, as a condition of delivery of the Certificates, will be required to deposit the certificates with DTC. The District will pay reasonable and customary charges for the services of the Paying Agent/Registrar.

DATE OF ORIGINAL ISSUE OF CERTIFICATES

June 6, 2012

AUTHORITY/PURPOSE/SECURITY

The Certificates are being issued pursuant to Minnesota Statutes, Sections 465.71, as amended (the “Act”). Proceeds will be used, along with other available funds of the District, to finance various improvements to Myers-Wilkins Elementary (formerly Grant Elementary) and Congdon Elementary pursuant to the District’s facilities plan. Pursuant to the Act, Rental Payments under the Lease Purchase Agreement are subject to annual appropriation by the School Board and the District has a right to terminate the Lease Purchase Agreement at the end of any fiscal year during the term if the School Board does not appropriate moneys sufficient to pay the Rental Payments for the ensuing years. The Certificates are not a general obligation of the District, and the full faith and credit and ad valorem taxing powers of the District are not pledged to their payment. The Certificates are payable solely from the Rental Payments due under the Amendment to Lease. **The District’s obligation to make the Rental Payments is subject to annual appropriation.**

INTEREST PAYMENTS

Interest is due semiannually on each March 1 and September 1, commencing March 1, 2013, to registered owners of the Certificates appearing of record in the Bond Register as of the close of business on the fifteenth day (whether or not a business day) of the calendar month preceding such interest payment date.

MATURITIES

Principal is due annually on March 1, inclusive, in each of the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2014	\$260,000	2021	\$300,000	2027	\$370,000
2015	265,000	2022	310,000	2028	385,000
2016	270,000	2023	320,000	2029	400,000
2017	270,000	2024	330,000	2030	420,000
2018	275,000	2025	340,000	2031	435,000
2019	285,000	2026	355,000	2032	460,000
2020	290,000				

Bids for the Certificates may contain a maturity schedule providing for any combination of serial certificates and term certificates, subject to mandatory redemption, so long as the amount of principal maturing or subject to mandatory redemption in each year conforms to the maturity schedule set forth above.

INTEREST RATES

All rates must be in integral multiples of 1/20th or 1/8th of 1%. *Rates must be in level or ascending order.* All Certificates of the same maturity must bear a single uniform rate from date of issue to maturity.

ADJUSTMENTS TO PRINCIPAL AMOUNT AFTER BIDS

The District reserves the right to increase or decrease the principal amount of the Certificates. Any such increase or decrease will be made in multiples of \$5,000 and may be made in any maturity. If any maturity is adjusted, the purchase price will also be adjusted to maintain the same gross spread. Such adjustments shall be made promptly after the sale and prior to the award of Bids by the District and shall be at the sole discretion of the District. The successful bidder may not withdraw or modify its Bid once submitted to the District for any reason, including post-sale adjustment. Any adjustment shall be conclusive and shall be binding upon the successful bidder.

OPTIONAL REDEMPTION

Certificates maturing on March 1, 2022 through 2032 are subject to redemption and prepayment at the option of the District on March 1, 2021 and any date thereafter, at a price of par plus accrued interest. Redemption may be in whole or in part of the Certificates subject to prepayment. If redemption is in part, the maturities and principal amounts within each maturity to be redeemed shall be determined by the District and if only part of the Certificates having a common maturity date are called for prepayment, the specific Certificates to be prepaid shall be chosen by lot by the Bond Registrar.

CUSIP NUMBERS

If the Certificates qualify for assignment of CUSIP numbers such numbers will be printed on the Certificates, but neither the failure to print such numbers on any Certificate nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and pay for the Certificates in accordance with terms of the purchase contract. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the successful bidder.

DELIVERY

Delivery of the Certificates will be within forty days after award, subject to an approving legal opinion by Fryberger, Buchanan, Smith & Frederick, P.A., Bond Counsel. The legal opinion will be paid by the District and delivery will be anywhere in the continental United States without cost to the successful bidder at DTC.

TYPE OF BID

Bids of not less than \$6,232,220 (98.30%) and accrued interest on the principal sum of \$6,340,000 must be filed with the undersigned prior to the time of sale. Bids must be unconditional except as to legality. Bids for the Certificates should be delivered to Northland Securities, Inc. and addressed to:

William Hanson, CFO/Executive Director of Business Services
ISD No. 709, Duluth
215 North 1st Avenue East
Duluth, Minnesota 55802

A good faith deposit (the "Deposit") in the amount of \$126,800 in the form of a federal wire transfer (payable to the order of the District) is only required from the apparent winning bidder, and must be received within two hours after the time stated for the receipt of Bids. The apparent winning bidder will receive notification of the wire instructions from the Financial Advisor promptly after the sale. If the Deposit is not received from the apparent winning bidder in the time allotted, the District may choose to reject their Bid and then proceed to offer the Certificates to the next lowest bidder based on the terms of their original bid, so long as said bidder wires funds for the Deposit amount within two hours of said offer.

The District will retain the Deposit of the successful bidder, the amount of which will be deducted at settlement and no interest will accrue to the successful bidder. In the event the

successful bidder fails to comply with the accepted Bid, said amount will be retained by the District. No Bid can be withdrawn after the time set for receiving Bids unless the meeting of the District scheduled for award of the Certificates is adjourned, recessed, or continued to another date without award of the Certificates having been made.

AWARD

The Certificates will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis. The District's computation of the interest rate of each Bid, in accordance with customary practice, will be controlling. In the event of a tie, the sale of the Certificates will be awarded by lot. The District will reserve the right to: (i) waive non-substantive informalities of any Bid or of matters relating to the receipt of Bids and award of the Certificates, (ii) reject all Bids without cause, and (iii) reject any Bid which the District determines to have failed to comply with the terms herein.

INFORMATION FROM SUCCESSFUL BIDDER

The successful bidder will be required to provide, in a timely manner, certain information relating to the initial offering price of the Certificates necessary to compute the yield on the Certificates pursuant to the provisions of the Internal Revenue Code of 1986, as amended.

OFFICIAL STATEMENT

By awarding the Certificates to any underwriter or underwriting syndicate submitting a Bid therefor, the District agrees that, no more than seven business days after the date of such award, it shall provide to the senior managing underwriter of the syndicate to which the Certificates are awarded, the Final Official Statement in an electronic format as prescribed by the Municipal Securities Rulemaking Board (MSRB).

FULL CONTINUING DISCLOSURE UNDERTAKING

The District will covenant in the resolution awarding the sale of the Certificates and in a Continuing Disclosure Undertaking to provide, or cause to be provided, annual financial information, including audited financial statements of the District, and notices of certain material events, as required by SEC Rule 15c2-12.

BANK QUALIFICATION

The District WILL NOT designate the Certificates as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

CERTIFICATE INSURANCE AT UNDERWRITER'S OPTION

If the Certificates qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the successful bidder, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the successful bidder of the Certificates. Any increase in the costs of issuance of the Certificates resulting from such purchase of insurance shall be paid by the successful bidder, except that, if the District has

requested and received a rating on the Certificates from a rating agency, the District will pay that rating fee. Any other rating agency fees shall be the responsibility of the successful bidder. Failure of the municipal bond insurer to issue the policy after the Certificates have been awarded to the successful bidder shall not constitute cause for failure or refusal by the successful bidder to accept delivery on the Certificates.

The District reserves the right to reject any and all Bids, to waive informalities and to adjourn the sale.

Dated: April 24, 2012
MINNESOTA

BY ORDER OF ISD NO. 709, DULUTH,

/s/ William Hanson
CFO/Executive Director of Business Services

Additional information may be obtained from:
Northland Securities, Inc.
45 South 7th Street, Suite 2000
Minneapolis, Minnesota 55402
Telephone No.: 612-851-5900

M-Cameron, S-Kasper, To Approve Resolution B-4-12-3005 – Resolution Authorizing The Issuance And Sale Of Certificates Of Participation, Series 2012b, In An Amount Not To Exceed \$6,340,000, To Finance A Portion Of The Project Costs For Congdon Elementary And Grant (Now Myers-Wilkins) Elementary

Member Johnston asked if a portion of the funds to repay the debt would come from the general fund. Bond Counsel state that it would. Member Cameron noted that it would be a board decision to do that not the bond counsels.

Upon a vote, the same was approved 6-1 as follows:

Yea: Cameron, Kasper, Miernicki, Seliga Punyko, Wasson, Westholm
Nay: Johnston

Member Kasper presented the resolution:

RESOLUTION

Board Member Attendance at MSBA Phase III and Phase IV Orientations

RESOLVED, That Independent School District 709, St. Louis County, Minnesota, pay costs incurred, as per District policy, for school board members to attend the Minnesota School Boards Association Phase III and Phase IV Orientations in April 2012.

B-4-12-3005

April 24, 2012

M-Kasper, S-Cameron, to approve Resolution B-4-12-3005 – Board Member Attendance at

MSBA Phase III and Phase IV Orientations. Upon a vote, the same was approved – unanimously.

Member Johnston gave an overview of the sessions he attended.

Other
April 2012

- Chair Wasson adjourned the Regular School Board Meeting of April 24, 2012 at 8:17 p.m.

Minutes of the Special School Board Meeting

27

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Tuesday, May 8, 2012

Members Present:

Art Johnston
Tom Kasper
Mike Miernicki
Judy Seliga Punyko
Ann Wasson
Bill Westholm

Others Present:

Bill Gronseth, Interim Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary
Ariel Pendelton, Student Representative

Members Absent:

Mary Cameron

- Chair Wasson called the special school board meeting of May 8, 2012 to order at 5:48 p.m.

Bill Hanson, Director of Business Services, presented information on Quote 4116 – Myers-Wilkins Elementary Asbestos/Hazardous Material Abatement.

M-Miernicki, S-Westholm, to approve Quote 4116 – Myers-Wilkins Elementary Asbestos/Hazardous Material Abatement. Upon a vote the same passed 6-0.

- Chair Wasson adjourned the Special School Board meeting of May 8, 2012 at 5:50 p.m.

7. Communications, Petitions, etc.

No communications received.

DULUTH PUBLIC SCHOOLS, ISD 709
SCHEDULE OF MEETINGS AND EVENTS - REVISED

All meetings are scheduled at Historic Old Central High School unless otherwise noted.

Week of May 14 – May 18, 2012

Tuesday	May 15	2:00 p.m.	Special School Board Meeting <i>(Agenda Attached)</i> Recess to Executive (Closed) Session Re: Attorney-client privileged discussions regarding Court of Appeals case: “Minnesota Voters Alliance and Duluth Taxpayer Association vs. The Minnesota Department of Education”, Appellate Case File No. A12-0737, and the School District’s possible intervention. Reconvene Special School Board Meeting Board Room
Tuesday	May 15	6:30 p.m.	Regular School Board Meeting <i>(Agenda Attached)</i> Board Room
Thursday	May 17 <i>(new date)</i>	5:00 p.m.	Education Equity Advisory Budget Subcommittee Room 302

Week of May 21 – June 1, 2012

Thursday	May 31	5:30 p.m.	Education Equity Advisory Committee Board Room
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Week of June 4 – June 8, 2012

Tuesday	June 5	7:00 p.m. <i>(new time)</i>	ALC / Unity Graduation Ceremony DECC Lake Superior Ballroom
Wednesday	June 6	2:00 p.m.	Woodland Hills Academy Graduation Ceremony Woodland Hills Academy
Wednesday	June 6	7:30 p.m.	East Graduation Ceremony DECC Auditorium
Monday	June 7 <i>(new date)</i>	2:00 p.m.	Chester Creek Academy & Merritt Creek Academy Graduation Ceremony Merritt Creek Academy
Thursday	June 7	7:30 p.m.	Denfeld Graduation Ceremony Denfeld Auditorium

Week of June 11 – June 15, 2012

Monday	June 11	4:15 p.m.	Human Resources Committee Board Room
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Monday	June 11	4:30 p.m. <i>(or to follow the Human Resources Comm. Mtg)</i>	Business Committee Board Room
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Tuesday	June 12	4:15 p.m.	Education Committee Board Room
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Week of June 18 – June 22, 2012

Tuesday	June 19	6:30 p.m.	Regular School Board Meeting Board Room
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Week of June 25 – June 29, 2012*No meetings scheduled at this time.***Week of July 2 – July 6, 2012***No meetings scheduled at this time.***Week of July 9 – July 13, 2012**

Monday	July 9	4:15 p.m.	Human Resources Committee Board Room
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Monday	July 9	4:30 p.m. <i>(or to follow the Human Resources Comm. Mtg)</i>	Business Committee Board Room
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Tuesday	July 10	4:15 p.m.	Education Committee Board Room
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Week of July 16 – July 20, 2012

Tuesday	July 17	6:30 p.m.	Regular School Board Meeting Board Room
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Office of the Superintendent
May 10, 2012
REVISED May 11, 2012

RESOLUTION

**COACH REQUESTS REASONS FOR NON-RENEWAL – APPROVAL
OF RESPONSE LETTER (CLASSIFIED AS PRIVATE PERSONNEL DATA)**

BE IT RESOLVED, By the School Board of Independent School District 709, St. Louis County, Minnesota, that the School Board Approves the Response Letter for Reasons of Non-Renewal of Head Coaching Position, pursuant to Minnesota Statute 122A.33 Subd. 3.

Resolution HR-5-12-3019

May 15, 2012