

**Special School Board Meeting - Executive (Closed) Session**

Duluth Public Schools, ISD 709

## Agenda

Tuesday, September 18, 2018

District Services Center

709 Portia Johnson Dr.

Duluth, MN 55811

5:30 PM

1. **Call to Order**2. **Roll Call**3. **Resolution B-9-18-3590 - Executive (Closed) Session**

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**Closed Session pursuant to Minnesota Statutes Section 13D.05, subdivision 3(b), to engage in discussions with the School Board's legal counsel related to litigation in the case of Johnston v. ISD 709. The Board of Directors seeks legal advice on the status of the matter, alleged claims against the District, the District Attorney's analysis of the same, and the District's options for responding to the litigation.**

4. **Adjourn to closed session**

**RESOLUTION**  
**Executive (Closed) Session**

WHEREAS, Minnesota Statutes section 13D.05, subdivision 3(b) allows the Board to go into a closed meeting for discussion under the attorney-client privilege;

WHEREAS, the District has been sued in state court in the case of Johnston v. ISD 709, Court File Number 69DU-CV-18-2260; and

WHEREAS, the Board seeks to meet with its attorney to discuss the status and defense of this case. It would be detrimental to the District's interests for the Board to hold a public discussion with its attorney where any adverse party or their attorney could listen to or be made aware of the Attorney's advice related to the litigation. It is in the District's best interest for the Board to obtain legal advice in a confidential setting to maintain the attorney-client privilege.

NOW, THEREFORE, BE IT RESOLVED, By the School Board of Independent School District 709, St. Louis County, Minnesota, that the School Board shall meet in Executive (Closed) Session on September 18, 2018, at approximately 5:00 p.m. in the Board Conference Room of Historic Old Central High School for the purpose of discussing the pending litigation against the District on the above-referenced grounds.