

INDEPENDENT SCHOOL DISTRICT NO. 625
Saint Paul, Minnesota
MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF EDUCATION

June 29, 2020

I. CALL TO ORDER

The meeting was called to order at 7:06 a.m.

II. ROLL CALL

PRESENT: Director Brodrick, Director Allen, Director Kopp, Director Marchese, Director Ellis, Director Foster, Superintendent Gothard; Cedrick Baker, Chief of Staff; Kevin Burns, Director of the Office of Communications, Kaying Thao, Administrator to the Board; Chuck Long, General Counsel; Sarah Dahlke, Secretary to the Board

III. APPROVAL OF THE ORDER OF THE MAIN AGENDA

MOTION: Director Foster moved approval of the Main Agenda as published. The motion was seconded by Mr. Brodrick.

The motion was approved with the following roll call vote:

Director Brodrick	Yes
Director Allen	Yes
Director Kopp	Yes
Director Marchese	Yes
Director Ellis	Yes
Director Foster	Yes

IV. NEW BUSINESS

General Counsel Chuck Long then provided information on the process for filling the Board of Education vacancy. The first item for discussion and decision is on the process for an appointment to temporarily fill the vacant positions until a special election in November. State statute requires that when there is a vacant position that the position must be filled through an appointment, and also consistent with Board policy 202.02. The exact process for fulfilling the obligations and appointment is up to the Board and for discussion at this meeting so that the notice can be posted and published. He also recounted the previous instance of a Board appointment in 2016 and the process used. Under state statute, there is a 30 window after appointment to fill a vacancy during which a challenge could be made.

QUESTIONS/DISCUSSION:

- We are appointing someone until November 2020 or November 2021? Response: The appointment would be until a special election held in November of this year to run concurrent with the general election. After the special election, that individual will be seated on the Board following the canvassing of the votes in mid-November. That term would run through the duration

of Chair Xiong's term until January 2022. Special election is special because there is a change in the board status, and also not a regular board election for SPPS.

- The person appointed is not automatically precluded from running in the special election? Response: Yes, that is correct.
- That would not preclude us as board members individually or questions, can we ask candidates about the intention in the special election or the 4-year term which would follow afterwards? Response: That question can be asked, but do not believe a person could be prevented from running for the elected terms.
- It would be clear that it would influence the decision in terms of person appointed? Response: How the appointment is made is up to the Board's discretion, and that question can be asked.
- Understand we can use the process from 2016, and understanding that at the time of the appointment in 2016 if the individual was interested in running and discussed during the conversation, either publicly or individually - the fact that individual would be appointed and strongly encouraged not to be running in the general election, and not the perception that the Board would be appointing the successor to the Board. Its important that we adhere to the principles to the appointment for the short term position at interviewing, speak to their intentions on that. individually have that factor into decision making as make it known. important to separate the appointment from the election in terms of impact of the choice.
- Director Foster recounted her experience in the previous appointment process. Want to be sure everyone is on the same page in terms of details around running in the elections.
 - Director Brodrick noted that the question is whether that question would be included in the interview as the first question, and that person publicly declare their intentions. Would it be fair? It is a short time, with a 30 day window. Personally think one of the questions should be the intentions to run in either the special election for the 1-year terms or the 4-year terms. Something for this Board to decide on. Would that preclude them? We can't legally, but ask publicly. It does become political.
 - Director Allen noted that since it is a short window between appointment and election, but if they have long-term plans it may put us in a position where we are appointing and giving them an opportunity to do or show certain things to sway the public, and like a hyped campaign opportunity. Concerns around that. Because it's a short period in between, appoint someone for 1-2 meeting, and then special election, and that instability could be a concern, and opening it for the special election. Make it a question and allow the Board to decide because they vote on the appointment, and that would be important.
 - Director Kopp agreed with it having be a question, and interested in what about it, and how experiencing that by Director Foster. Director Foster noted the confusion about this position when submitting her materials, and it was then explained. It would be ensuring we are clear with the public and those with an interest to be clear that while there is no legal reason to prevent people, that the preference is that we see these as distinct opportunities, and that language and clarity so folks can jump into what they are interested in doing. This appointment would only be for 1-2 months until the canvassing of the special election results in November. Response: These two things will run concurrently depending on timeframe for the appointment, the time to submit applications process, and then the window for filing for special election could happen at the same time. We are going to be clear in the posting and the notice for the special election. There could be some overlap. With the appointment itself, it does run through the election on November 3, and then the canvassing of the results shortly thereafter. The details on this process in 2016 was also noted. Chief Baker noted that this is important because there were a couple of decision that the Board needed to make with a full seven members, and that important decisions were thought about and strategically placed with an elected member. It wasn't clear when the process first started on running in the election, and the overall expectation.
 - Clarity, especially with concurrent things, to have clear communications for folks to apply or run for the place they want to and not be frustrated.
- It's important that these are two separate opportunities - opportunities for appointment for the short term, and the election for the seat to last until the end of the term or end of 2021. Whoever runs elections in 2020, will have to decide if they want to run in 2021. The campaign part is a separate matter, but appointment is the action to be clear about. In terms of question and how to proceed

with question - filing period and application and decision running concurrently and discussion at the time, wanted to be cautious about appointing someone to seat as perceived as giving heads start before election for replacement. While no legal power to stop someone, in our conversation, felt important not perceived as appointing person with a leg up in election. Can't stop someone filing once appointed - can individually decide answer to question means to us and decide accordingly. Personally believe it is important to draw distinction - that person if do decide to run, will then, say the incumbent and running for this seat permanently and thumb on scale is something to think about. Don't know who see, very short period of time, anyone applying, at least guaranteed for 2 months. Need to have seat filled. little strange, make 2 changes, whoever is appointed. We can factor it as we wish, and decide carefully in this process to use discretion and be cautious and message to the community if chose someone who does not commit to not run. Something to be aware of.

- In this section, we are determining the process to use? All in agreement to move this as soon as possible? Legally we need to.
 - Director Ellis noted she is fine with the question in the interview process. Trying to figure out who selected the candidates and how they were narrowed down? Response: There were applications, and all were reviewed, and those individuals were interviewed, and individuals were nominated, and then voted. There could be multiple nominations, and there was a vote, and if no majority, then go back. Response: In 2016, if there were 6 applicants, then all receive interview with the Board. If more than 6, each board member chose two applicants, and the set a special meeting during which the interviewees came in for 6 minutes, asked questions. Following the interviews, the Board voted with the process outlined. Any appointment should require the majority vote, per Board policy.
 - She remembered nominating at the 2016 meeting, and the vote happened right away and not a chance for others to nominate. That part wasn't very helpful or smooth. Response: There was some confusion at the time, and after the nomination, and time for vote in the process, offer that board members didn't understand the deciphering and narrowing down during the vote, and questions at the time. It came across that the process wasn't clear in 2016.
 - In process, mean that each board member is nominating someone, and how narrowing down from nominations? Response: Matter of communication and clear into the vote, each have opportunity to nominate, but didn't have to nominate - each person could nominate up to 1 candidate. there may be up to 6 votes, and eventually decide one candidate to be selected by 4 votes. Each board member has the opportunity to nominate someone. The voting had to happen several time until a candidate with enough support for 4 votes.
- If more than 7 candidates, board members could nominate 2 candidates? Response: That relates to the interviews. When it comes to nominating candidates to be considered, each get 1 person to nominate to be considered.
- If more than 7 applicants, board members can pick 2 to be interviewed.
- How long will we be accepting applications? When would we need to do next steps including going through applications and selection process? Board members then discussed. In going into July and that process of opening the timeframe, and interview process (roll right into that), and then select someone, with 30 days to contest it. It needs to roll from one to the next.
- The application timeline is what the Board decides.
- What is the method for announcing this is open? Response: Pursuant to Board policy, the Board shall publish in the newspaper of record, and the details on the website.
 - Is there additional community outreach to let others know this position is open, and the application process so that it is clear? Response: We can do that and opportunities to get this out in different ways, and open to other ways. Outside of the Legal Ledger and the website, we are open to the other ways as well. Response: Suggestion of press release for broader community to understand community and timeline, and application. A clear process to everyone.
- Wanting to get notice out tomorrow, and how long are we going to post that out? Response: In looking at the calendar, wondering if agreed to 3-week period for applications, which would be July 21st for applications; not less with the holiday and enough time for people to track and submit. Perhaps a special meeting the week of the 27th - the turnaround time and determinations if more than 6 names to be interviewed - interviews and decision and 30 day period of time, to end of

August, and allow individual to participate in September meetings. Think compress a little to have person selected by end of July? Our next COB meeting is August 5, and that week of the 27th is open.

- Director Allen agreed with the timeline, and whatever timeline allows for this person to be a part of the Board in September, and another brain to put behind things to adjust to.
- There was consensus for that timeline.
- Thinking about process and however many applicants, to continue to communicate the timeline and process to use going forward.
- Once applications come in, do they go through anyone else, or go directly to the Board? They go directly to the Board. For those who have reviewed applications in the past, how long to evaluate the applications? In thinking per application - how much time for each? Are we going to vet candidates from a legal standpoint to ensure they are eligible to serve on a school board, and at what point since appointed time, any security or background check? Response: There are minimal qualifications to serve on a school board established by statute. Anyone applying for either would need to be able to meet those qualifications.
- How do we want to do interviews - via video conference? Response: The recommendation is to plan for video conference and will share protocols, with staff interviews done via video conferencing and protocol to make a positive experience for all.
- Selections are done in advance; internally set a date to expect board members to review applications and let applicants know for the special meeting on July 27th.
- The process for informing board members to collect information by the deadline, and provide copies of materials received by the deadline.
- Is it possible to get applicants as received to prepare?
- The format for the special meeting on July 27th was reviewed.
- There were clarifying questions on the process and internal process to notify the candidates on the opportunity to interview on July 27th.
- One scenario that could be problematic with 7-8 applicants, and process by which each board member nominates 2 - hypothetically, we could narrow the number of candidates to 2 if every board member chose the same 2. There would be 4-6 people who didn't get a chance to interview. Should we plan on having at least a certain number? Response: It is up to the Board. The process decided is up to the Board and the discretion of the Board.
 - The candidates, if there are 7-8, by this process, limit it to 2-3, and would not be interviewing anyone else. Could there be a perception as deciding on the semi-finalists are without giving people a chance to interview? Response: This happens often in interviewing large pools of folks, and ranking. When pooled together, there is a ranking. If 6 is important, we can work with consultants from HR to help facilitate a process based on individual rankings. Important to know how many the Board wants to interview if more than 6 applicants. Thanks to Administration and HR for their support. If all to look at 8 applicants, and the conclusion by 6 of us would be that there are 2 stood out as the finalists, and very much consensus, but way explained, not uncomfortable with end up with 8 or 9, or narrowing it down to less than 6 to be interviewed. In listening to the Superintendent and General Counsel, feeling more comfortable.
 - What is the number the Board wants to avoid that possibility? HR could determine candidates to rank for accurate representation.
- It was noted that the District and Administration is not involved in this process, and to figure out a process to balance that situation amongst the Board in more democratic form - even if have to nominate more than 2 - all about Board discretion, and the process around that and scenarios.
- Instead of reinventing a process, possible based on the Superintendent described to review process by HR and make adaptations rather than try to solve massive word problem that has already been solved, and leaning into expertise to those who do this on the regular. HR would serve as a liaison - maybe a rubric to use.

A. Process for Filling Board of Education Vacancy

MOTION: Ms. Foster moved to approve that “Applications to fill the Board vacancy open upon posting of Notice of Vacancy to Board and SPPS website on Tuesday, June 30, 2020.

The deadline for submission of applications is Tuesday, July 21, 2020 at 5:00 p.m. If there are six (6) or fewer total applications for the vacant position the Board will interview all candidates. If there are seven (7) or more total applications for the position each Board member will nominate up to two (2) applicants for the interview process. Interviews of selected applicants will take place on Monday, July 27, 2020 beginning at 4:00 p.m. via telephonic and video conference after which the Board of Education will make their selection of the applicant to fill the position vacated by Marny Xiong on June 7, 2020.” Mr. Marchese seconded the motion.

The motion was approved with the following roll call vote:

Director Brodrick	Yes
Director Allen	Yes
Director Kopp	Yes
Director Marchese	Yes
Director Ellis	Yes
Director Foster	Yes

B. Resolution Calling Special Election to Fill Vacant School Board Office

BF 32099 RESOLUTION CALLING SPECIAL ELECTION TO FILL VACANT SCHOOL BOARD OFFICE

WHEREAS, the office of School Board Member became vacant effective June 7, 2020 with the death of Marny Xiong; and

WHEREAS, the vacancy occurred more than 90 days prior to the Tuesday following the first Monday in November of 2020; and

WHEREAS, the current term of that office is in its third year and said term will expire on the first Monday in January 2022, i.e., January 3, 2022; and

WHEREAS, Minn. Stat. § 123B.09, subd. 5b (2019) and Section 2.05 (B) of the Saint Paul City Charter require that a special election be held in conjunction with the state general election to fill the vacancy for the unexpired term;

NOW, THEREFORE, BE IT RESOLVED, that the School Board does hereby authorize and call a special election of the School District, to be held in conjunction with the state general election on November 3, 2020; and be it further

RESOLVED, that candidates to fill this vacancy must file affidavits of candidacy with the Ramsey County Elections Office during the period beginning on July 28, 2020 and ending on August 11, 2020; and be it further

RESOLVED, that the Ramsey County Elections Office is hereby authorized to make all necessary preparations and give the required notices to conduct the special election.

MOTION: Ms. Foster moved the Board approve the Resolution Calling Special Election to Fill Vacant School Board Office. The motion was seconded by Mr. Marchese.

The motion was approved with the following roll call vote:

Director Brodrick	Yes
Director Allen	Yes
Director Kopp	Yes
Director Marchese	Yes
Director Ellis	Yes
Director Foster	Yes

V. ADJOURNMENT

MOTION: **Ms. Foster moved the meeting adjourn, seconded by Mr. Marchese.**

The motion was approved with the following roll call vote:

Director Brodrick	Yes
Director Allen	Yes
Director Kopp	Yes
Director Marchese	Yes
Director Ellis	Yes
Director Foster	Yes

The meeting adjourned at 8:18 a.m.

For clarity and to facilitate research, these minutes reflect the order of the original Agenda and not necessarily the time during the meeting the items were discussed.

Prepared and submitted by
Sarah Dahlke
Assistant Clerk,
St. Paul Public Schools Board of Education