

## **Eau Claire Board of Education Minutes Monday, February 1, 2016**

*Generated by Patrice Iverson*

### **Members present**

Kathryn P Duax, Chris Hambuch-Boyle, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, and Chue Xiong

### **1. REGULAR MEETING - CALL TO ORDER**

Following the Pledge of Allegiance, President Spindler called the meeting to order at 7 p.m. Board Secretary Patti Iverson confirmed that the meeting had been properly noticed and was in compliance with the Open Meeting Law.

### **2. PUBLIC FORUM**

Karen Idso made a comment regarding Policy 447.1. She said she has concerns with the way staff will interpret "staff use of reasonable and necessary force for the protection of property." She asked that the Administrative Rules explain that restraint should only be used when a student's behavior presents a clear, present and imminent risk to the safety of the student or others. During non-violent crisis intervention training, she asks staff to determine, "What are the risks of me doing something vs. doing nothing?"

Dan Wilson talked about teacher compensation. He said that many staff have had their salaries frozen for several years. For example, a teacher hired in 2008 with 7 years of experience has been at pay scale level 3, which is the same as new employees coming into the District. This schedule influences them for their whole career. He worries that unless the District recognizes their experience, it will lose the expertise of some of these quality staff members because they will leave the District. He asked that the Board move staff forward on the schedule and not just sideways.

### **3. BOARD/ADMINISTRATIVE REPORTS**

#### **3.1 Superintendent's Report**

Dr. Hardebeck shared the upcoming Board of Education events.

Superintendent Hardebeck recognized Karen Idso for her leadership with non-violent crisis intervention training. She has been on the training team since it began in 2006 and has provided stability with the training. She has taken the approach that you can't force individuals to behave and staff have to understand that their stance as adults can endanger students. There are over 800 staff members who have been trained in NVC and Karen has played a big role in that.

Dr. Hardebeck also recognized DeLong team members. DeLong was recognized as 1 out of only 19 schools in the state for demonstrating high reading achievement

for students with disabilities. DeLong teachers, Brent Wathke and Nicole Sturgis, will represent DeLong at a statewide work group to develop resources and materials to share promising practices.

Dr. Hardebeck also congratulated Amy Traynor, DeLong math teacher and Wisconsin's 2013 Middle School Teacher of the Year. She was personally invited by State Superintendent Tony Evers as the Wisconsin representative to the first US Summit on Teacher Leadership in Washington, DC and she will participate in several meetings regarding increasing and promoting teacher leadership.

### **3.2 Board President's Report**

President Spindler did not have a report.

## **4. STUDENT REPRESENTATIVE REPORT**

Emily Surges shared updates on the recent Forensics competition where North placed fourth overall as a team with nine students placing. She also stated that musical auditions have started for Beauty and the Beast, which will be performed in April. She said Winter Carnival was a great success.

Jason Lin said Memorial also had a nice Winter Carnival. There was an All-City Invitational Orchestra Concert last week. He noted that juniors will soon be taking the ACT test. Memorial will hold its WinterFest Show Choir competition on February 6<sup>th</sup>.

## **5. OTHER REPORTS**

### **5.1 Board Committee Reports**

Joe Luginbill reported that Policy & Governance met and attorney Steve Weld was present to review Policies 225 and 221 related to the Superintendent's evaluation and employment. At the next meeting the committee will review a Board vacancy policy, revisions to the wellness and nutrition policy and the Board's committee structure. The committee asked that the Board have a discussion at the February 15<sup>th</sup> Board meeting to discuss transgender students as it relates to policy changes.

Chue Xiong stated that Budget Development reviewed the District's Audit Report. The District received an unmodified rating, which is exemplary. They also discussed the possibility of having a community survey to provide information about the referendum and to seek feedback on whether or not the community would support a referendum. Conducting a survey would affect the referendum timeline. The committee also received reading material about preparations for building rentals.

Kathryn Duax said the Foundation met and approved grants for the spring semester. They also discussed the referendum.

### **5.2 Legislative Update**

Chris Hambuch-Boyle reviewed the 15 resolutions that were brought to the floor at

the WASB Delegate Assembly. She shared the results of voting on each resolution noting that all were debated to some level. All passed with the exception of the prevailing wage resolution.

Chris shared a document that listed the charter aid deductions for 2015-16 for schools across the state.

There is legislation out of the Assembly and Senate to revamp the state's Academic Excellence Scholarship program. Currently each high school in the state is eligible to have a scholarship recipient, regardless of its enrollment. The proposal would add a requirement that students receive both a minimum composite score of 28 on the ACT and a 3.5 GPA.

## **6. CONSENT RESOLUTION AGENDA**

Motion by Kathryn P Duax, second by Chue Xiong, to approve the following consent resolution items:

- Minutes of January 18, 2016
- Minutes of Closed Session - January 18, 2016
- Minutes of Closed Session - January 25, 2016
- Human Resources - Employment Report
- Adopt New Policy 342.7 - Services and Programs for English Learners

Motion carried.

Yes: Kathryn P Duax, Chris Hambuch-Boyle, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

## **7. INDIVIDUALLY CONSIDERED RESOLUTION(S)**

### **Minutes of December 21, 2015**

Motion by Wendy Sue Johnson, second by Chue Xiong, to amend minutes of December 21, 2015 by stating on page 6 that "*a majority* of Board members agreed..." and to correct the spelling of Adam Boll. Motion carried by unanimous voice vote.

Motion by Wendy Sue Johnson, second by Kathryn P Duax to approve minutes of December 21, 2015 as amended.

Motion carried.

Yes: Kathryn P Duax, Chris Hambuch-Boyle, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

### **Revisions to Policy 447.1 - Staff Use of Physical Force/Restraint and Seclusion**

The Board discussed comments made by Karen Idso about the destruction of property as it relates to restraining students. The statutes use that terminology,

and it was felt that the description of what that means could be spelled out in the Administrative Rules.

Motion by Joe Luginbill, second by Chris Hambuch-Boyle, to approve revisions to Policy 447.1 – Staff Use of Physical Force/Restraint and Seclusion.

Motion carried.

Yes: Kathryn P Duax, Chris Hambuch-Boyle, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

## **Referendum Timeline**

It was noted that the referendum timeline was updated since the last meeting based on feedback from the Board. In addition, there was an item included for issuing a RFP for a community survey to assess community preference and input about District needs. The target date for the survey results would be April 2016. It was noted that just because the Board gets proposals, it doesn't mean a survey would have to be conducted. The Board would have the final decision about whether or not to proceed after they get the costs.

Motion by Charles Vue, second by Kathryn P Duax, to approve referendum timeline as presented.

Chris Hambuch-Boyle asked that the development of information sheets be added to the timeline so they can be used to connect with the community relative to the budget. It was suggested that an item be added to the January 6<sup>th</sup> - May 5<sup>th</sup> timeline to create information sheets.

Motion by Chris Hambuch-Boyle, second by Chue Xiong, to amend timeline to add that information sheets will be compiled relative to community needs. Amendment carried by unanimous voice vote.

Original motion with amendment carried.

Yes: Kathryn P Duax, Chris Hambuch-Boyle, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

## **8. ADJOURN TO COMMITTEE**

### **9. COMMITTEE REPORTS/ITEMS FOR DISCUSSION**

#### **9.1 2016-2017 School Year Calendar/Start Time Implementation**

Kay Marks, Executive Director of Human Resources, said that at the request of the School Board, the Calendar and Start Time committees were combined. A staff survey of the 2015-2016 calendar was conducted and they plan to survey staff again at the end of this school year to assist in developing the 2017-18 calendar. In addition, they will solicit parent feedback as well.

Dave Oldenberg, Director of Academic Services, shared results of the staff survey regarding the calendar. Overall staff thought that the professional development and

instructional planning days were beneficial. Using that information, it was recommended that the professional development and instructional planning time be carried forward for the proposed 2016-17 calendar. James Martin, Director of Technology, shared a copy of the proposed calendar. He noted that it was very similar to the 2015-16 calendar with a few tweaks.

Mark Goings, teacher and ECAE Representative, shared information gathered regarding start times for students. He looked at the current bell schedule and shared a scenario that flipped elementary and secondary start times. The District would need to have seven elementary schools start at 7:30 a.m. and six to start at 8:05 a.m. in order to have the middle schools start at 8:30 a.m. and the high schools start at 8:35 a.m. The other part of the equation – the ending times – would also have to be considered for things like extra curriculars, school events, jobs, etc.

The committee discussed how many built-in snow days were necessary. The history of inclement weather days was shared, and it was noted that there were two years in recent history when four inclement weather days were used.

Four options were shared with the Board. Variables included student instruction days, teacher contract days, having fewer inclement weather days built in, and reducing the number of minutes at the secondary level. The costs for each option were also shared.

The student representatives said that many of the students they have talked to at the high schools have been in favor of starting later in the day. However, there were also concerns about the ramifications of starting later when it comes to extra curriculars and jobs.

Two timeframe options were shared. One would be implemented in 2017-2018 and would create an internal committee of key District stakeholders as well as seek input from key community stakeholders regarding the impact of the change. Action plans would be developed for start time changes and community and District education plans would be developed. The second option would carry out the same plan but the implementation would be in 2018-19.

The Board was asked to determine whether it wanted to commit to start time modifications and if so, to determine a calendar option for those modifications and an implementation timeline.

The Board talked about having *K12 Insight* survey parents about the calendar to get their feedback since most of the feedback thus far has been from District stakeholders. The Board asked administration to determine the most cost-effective and efficient way to get feedback from parents. The student representatives were also asked to get feedback from students, particularly with regards to after-school activities like extra curriculars and jobs. Jason suggested doing a survey during homeroom and President Spindler encouraged the reps to work with administration to draft a valid survey.

Marty from Student Transit said it would be much better to consider the 2017-2018 implementation in order to explore the most cost-effective routes and to also involve other community stakeholders that would be affected by the change.

Other options such as reducing the number of inclement weather days that are built into the calendar or shortening the secondary days by five to ten minutes per day were discussed.

It was suggested that the Budget Development Committee explore cost implications of the change in start times and determine if this was something that could be considered as part of the referendum.

The Board discussed bringing the 2016-2017 calendar back on the consent resolution agenda on February 15<sup>th</sup>. James Martin said if the Board preferred, it could accept the calendar as it is and then direct administration to reduce the number of minutes at the secondary levels to get more flexibility. This could involve having fewer built-in snow days.

#### Public Comment

Bev Christianson, the District's facility use coordinator, reminded the Board that if there were going to implement any changes in start times, she would have to make people who schedule the buildings aware of those decisions as soon as possible as it would likely affect their use.

Carolyn Barstad felt the start time issue was a fad that will come and go. She wasn't sure it was truly better for kids. She felt there would be many issues that parents would have to work through such as having someone to take care of younger kids when they come home from school early. Extra-curricular participation by students as well as after-school jobs might also be a factor. She was not in favor of making the change.

### **9.2 Update on WASB Resolutions**

This topic was covered during the Legislative Update.

### **9.3 Discussion & Possible First Reading of Policy 221 – Recruitment/ Appointment of Superintendent**

There was a suggestion to change the first sentence to say... "The Superintendent of Schools shall be initially appointed at a regular meeting of the School Board **for no longer than** a two-year period..." It was also suggested that the last sentence be removed regarding an interim superintendent and that the title be changed to Recruitment/Employment of Superintendent.

Board members shared a first reading of Policy 221 – Recruitment/Employment of Superintendent:

*The Superintendent of Schools shall be initially appointed at a regular meeting of the School Board for no longer than a two-year period by a majority vote of the Board. Benefits and salary shall be set at the time of appointment.*

*The Superintendent's employment contract may be extended at a regular meeting of the Board on or before January 31 (the statutory nonrenewal deadline) for a one or two-year period by a majority vote of the full Board, with the salary and benefits to be set annually prior to July 1. While the School Board and the Superintendent can mutually agree to a one-year extension, the Superintendent is not to have contract terms that exceed two years.*

*In the event the Superintendent's contract is not extended, preliminary notice of the intent to non-renew must be issued at least five months prior to the end of the contract's term (January 31). If the administrator requests it, a hearing must be held and the final decision must be issued on or before four months prior to the end of the contract's term. A majority vote of the full Board is required to non-renew.*

*In the event the Board fails to timely renew or non-renew the Superintendent's contract, the contract then in force shall continue for two years.*

This policy will be brought back on the consent resolution at the next meeting.

#### **9.4 Discussion & Possible First Reading of Policy 225 - Evaluation of Superintendent**

Several suggestions were made by Board members regarding this policy.

- The apostrophe in the first sentence with "Board of Education" should be deleted.
- In Item #3, add the term, "with input from the Superintendent."
- In Item #5, add "shall complete the evaluation in closed session with a written summary" to be presented to the Superintendent.
- For Item #6, it should say "**The** summary of the evaluation..."
- Add to Item #4, "and to respond to the previous evaluation's recommendation for continuation and improvement."

It was recommended that Attorney Kirk Strang review these revisions.

#### **9.5 Discussion & Possible First Reading of New Policy 665 - Fraud Prevention & Reporting**

When WASB reviewed the District's policies, they recommended that the Board develop a policy for fraud prevention and reporting. Sample WASB policies were used to draft this policy.

It was suggested that in paragraph two, the second sentence, it say "**each** member" rather than "**every** member." The title of Executive Director of Business should be inserted. And in the last paragraph, second sentence, it should say... whenever necessary and appropriate investigation SHALL be conducted... (rather

than WILL).

Board members shared a first reading of Policy 665 – Fraud Prevention & Reporting:

*The School Board expects all employees, Board members, consultants, vendors, contractors and other parties maintaining any business or programmatic relationship with the District to act with integrity, due diligence and in accordance with all applicable laws, District policies and procedures in matters involving District fiscal resources. The District is entrusted with public dollars and no person connected with the District should do anything to erode that trust.*

*The District Administrator or designee shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety or fiscal irregularities within the District. Each member of the District's administrative team shall be alert for any indication of fraud, financial impropriety or irregularity within his or her areas of responsibility.*

*Except in situations where an employee has exercised a legal right to make a confidential report to an external agency or to participate in an official investigation or legal proceeding that is not disclosed to his or her employer, any employee who has knowledge of or who has reason to suspect fraud or any similar impropriety in relation to any aspect of District programs or operations shall immediately report the relevant circumstances to his or her supervisor and/or to the District Administrator. In the event the concern or complaint involves the District Administrator, the concern shall be brought to the attention of the Executive Director of Business Services and/or Board President. Such reports may involve or relate to the conduct of any person, including District employees, Board members, volunteers, consultants, vendors, contractors and other parties maintaining any business or programmatic relationship with the District.*

*The Board also encourages any other person who has knowledge of or who has reason to suspect fraud or some other similar impropriety in relation to any aspect of District programs or operations to report the relevant circumstances to the District Administrator, Executive Director of Business Services or Board President.*

*No official, employee, or agent of the District may retaliate or discriminate against any person who, acting reasonably and in good faith, has filed a report under this policy or participated in any investigation related to a report of fraud, suspected fraud, or other similar impropriety.*

*Following a report of alleged or suspected fraud, and except in the case of a report involving his or her own actions, the District Administrator shall be responsible for initiating an appropriate investigation. Whenever necessary or appropriate,*

*investigations shall be conducted in coordination with District legal counsel and/or with other internal or external departments, agencies, or officials. Although strict and absolute confidentiality cannot be guaranteed, the confidentiality concerns of all involved parties shall be a consideration in the manner in which any investigation is conducted, including the manner in which relevant records are maintained.*

This policy will be brought back on the consent resolution at the next meeting.

## **9.6 Compensation Committee Items**

Kay Marks said the Compensation Sub-Committees have discussed compensation and/or working conditions options the Board could consider that would have little to no cost. Several of the options are still being explored but there is one option that is being recommended that would allow flexibility in leave allowance for the 2016-17 school year. Currently, school year employees to have 10 sick days and 1 personal day. The proposal would allow school year staff to have 8 sick days and 3 personal days. The twelve month staff currently have 12 sick days and 1 personal day. The proposal would allow for 10 sick days and 3 personal days. The leave allowance in both cases would be the same but would be used in different ways. In addition, currently staff can accumulate up to five personal leave days. Under the proposal, if an employee is maxed at five, the personal days can become sick days with no loss of benefit to the employee.

Employees who haven't used sick leave in one year can currently receive an additional personal day the following year. The new proposal would divide the year by semesters so employees could earn .5 personal day if no sick days are used in the first semester and/or .5 personal day if no sick leave is used in the second semester.

Other areas that have been discussed with the committee but were not ready to be brought forward yet included:

- Allowing in-district student transfers to allow staff to have their own children in the school in which they work.
- Staff recognition and appreciation
- Access to 529 Plans and Roth IRA's
- Secure location for all staff to store personal items
- District paid staff appreciation breakfast/lunch once per year

The Board will be asked to consider allowing flexibility in leave allowances for staff at the next meeting.

## **9.7 Board Discussion Regarding Compensation**

Abby Johnson, Acting Director of Business Services, said administration is in need of direction from the Board regarding compensation issues. She said that to move one step on the current schedules for all employees would total \$1,186,541. To move staff forward up to four years (because they have been frozen due to Act 10)

would total \$3,576,125.

Most Board members were comfortable considering moving staff up one step but several were hesitant to consider catching staff up without including this in a referendum. There was also some concern about whether the public would support salaries in a referendum. The community would need to be educated about why the District is losing its best and brightest staff because of salaries.

Ms. Johnson said there has been a request for benefits from school-year employees in the form of one additional holiday pay. This would include \$46,062 for classified staff and a total of \$269,312 for all employees. In addition, the cost to reinstate vacation days for school-year classified staff would be \$216,538. This benefit was taken away when the Board wanted to make all employee groups equal. Another factor in eliminating vacation days for this group was wanting to keep staff in front of students.

Most Board members agreed that this group should have some adjustments made to compensation because it is the lowest paid group. Changes could be made in compensation or by adding lanes. It was suggested that it might be beneficial to have classified staff discuss this matter with certified staff.

With regards to Other Post-Employment Benefits (OPEB) the new actuarial study is expected in March 2016. There have been concerns amongst employees that modifications to OPEB would be made immediately with no warning. Most Board members were not in favor of making any changes to OPEB for next year or even the next two years. Some felt a gradual transition should be considered.

The Board talked about the transition to a new salary schedule and whether or not increments should be the same for all groups. The current structure has ranges of increment movement between groups. Bob Butler from WASB has recommended that increments be the same for similar positions. It was noted that whatever is decided about different increments, it should be sustainable.

It was recommended that the new schedule have the same number of steps (5) for hourly staff, food and nutrition, buildings and grounds, and classified. The certified group would have 23.

The Board talked about defining the ranges. For instance, if the Board is looking at the market rate and it doesn't want employees to make less than a given amount and have a high range in mind, it should be divided up based on the number of steps. The Budget Development Committee talked about using a mid-range and that it would make sense that the increase would match that and then a percentage would be calculated.

Com. Johnson felt that the percentage discussion would lead to income inequality and that equal would not be equitable. She did not feel percentage increases should be given across the board.

Administration asked for feedback on what the starting salary should be and how to utilize the CBIZ labor market data: minimum range of labor market, midpoint range of labor market, or maximum range of labor market. Kay Marks said they looked at what the threshold would be to get to retirement and used 15 years within our District. Some Board members felt 30 years would be more realistic.

There was a discussion about longevity and whether that should be separate or if it should be added into the schedule. There were some that felt that the District should get rid of longevity and add that money into the schedule. It was also noted that there are many staff members who have been frozen for 3 to 4 years who are making the same amount as new staff members coming into the District. Several Board members felt this inequity should be corrected.

#### Public Comment

Ann Meyer clarified that the proposal for additional holiday pay for school-year classified staff was to offset the vacation days that were taken away so that staff would be able to stay in the classroom. She said staff wouldn't be in school anyway for those holidays and since 12-month classified staff get paid for eleven holidays, this was a way to be more equitable with them.

### **10. REQUEST FOR FUTURE AGENDA ITEMS**

Joe Luginbill asked that the Board look at how it could legally and feasibly utilize the fund balance between now and the referendum.

Wendy Sue Johnson asked for an update on the Fargo Plan and how it is being utilized with fidelity and if inequities in the plan were rectified.

### **11. OTHER BUSINESS**

There were no other matters brought before the Board.

### **12. ADJOURN**

Motion by Chris Hambuch-Boyle, second by Chue Xiong, to adjourn the meeting.

Motion carried.

Yes: Kathryn P Duax, Chris Hambuch-Boyle, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

Meeting adjourned at 10:50 p.m.