

**OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE  
BOARD OF EDUCATION, EAU CLAIRE, WISCONSIN, JUNE 21, 2010  
PRESIDENT CRAIG PRESIDING**

Following the Pledge of Allegiance, President Craig called the meeting to order at 7:00 pm. Secretary Patti Iverson confirmed that the meeting was properly noticed and was in compliance with the open meeting law.

Roll call was taken and the following commissioners were present: Craig, Duax, Faanes, Janke, Johnson, and Shiel. Absent: Wogahn. Student Representative Joe Luginbill was also present; Rebecca Giles was not present.

**NOTICE OF CLOSED SESSION**

President Craig announced that the Board would go into closed session following the committee meeting under 19.85 (1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility to discuss administrative compensation, executive director contracts, and superintendent contract; 19.85 (1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to discuss employee negotiations; 19.85 (1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved; and 19.85 (1)(c)(e)(f)(g) to discuss issues concerning Board consideration of nonrenewal of an administrative employment contract, related strategic, negotiations, or personnel considerations, including any possible agreement with an administrative employee, and to confer with legal counsel concerning pending litigation in which the District is involved. The Board of Education may take action on any agreement in closed session, if necessary and appropriate. Thereafter, the Board of Education will reconvene in open session and will take any further action that is necessary, appropriate and/or required.

**PUBLIC FORUM**

Amy Pieper, 3658 Maywood Drive, spoke on behalf of the North dance team. She said the Booster Club fundraising should be a non-issue and its decision shouldn't drive ECASD policies and programs. She said North follows the guidelines of the Wisconsin Association of Cheer/Pom Coaches, Inc. (WACPC), which is the only governing body for cheerleaders and dancers in the state that is recognized by the WIAA. WIAA states that certain sports can have unlimited non-school contact during the summer. Dance has not asked for the same benefits as other sports including coach's increment, an equal coach to athlete ratio, equal practice space, etc. She said they have asked for the use of half of one gym to practice and with fewer teams now, it should be easier to

schedule. She said the kids work hard and want to be treated equally. Dance has been considered a sport since before 1984. It has been in existence since 1972.

Emily Moyle is on the varsity dance team at North. She said that *Webster's* dictionary defines an athlete as a person trained in exercises or games requiring strength, skill, and stamina.

Kris Fox, 3218 Northstar Drive, spoke on behalf of the North dance team remaining a sport. She is a graduate of North and has two kids involved in sports. She said it is important for students to stay active when they are not in class. The dance team receives assistance from the Booster Club and very much appreciates its support of the team to help with expenses. The team would be required to do much fundraising to stay active without that support from the boosters. When parents were notified that dance would be changed to an activity or club, they were concerned because a process wasn't followed to change its status. There are concerns with the team not being allowed to practice in the gym. They would have to rent other facilities or practice in the commons, which is not a safe surface to practice on. With fewer teams using gym space now because of budget cuts, there should be a reasonable way to share gym space. Ms. Fox was also worried about not having the dancers under the athletic code. She said the school district would also lose the difference in sports fees versus activity fees which she estimated to be about \$8,000 for North's dance team. Not having a paid, qualified coach was also an issue. Dancers would not be able to receive a letter or be seen as equals to their peers. She felt there should be guidelines so that dancers get a break physically as they would if they were considered a sport. She said that dance meets every definition of a sport and workouts are very difficult. Dance operates differently at each high school but she didn't feel they had to be exactly the same.

## **BOARD/ADMINISTRATIVE REPORTS**

### Superintendent's Report

Superintendent Heilmann was one of six members from the community on the ACHIEVE team, which is a collaborative group funded by a grant received by the YMCA. Eau Claire is 1 of 93 ACHIEVE communities that focuses on healthy communities. The CDC's Healthy Communities Program will identify, promote and share evidence and practice-based strategies, and provide technical assistance related to chronic disease prevention and health promotion in areas of policy, systems and environmental changes, evaluation and program planning. It focuses on policies across jurisdictional boundaries.

The district is continuing its work on Transformational Readiness Standards by defining the role and function of common assessments. Post-secondary readiness work continues during the summer and ECAE has been engaged in transforming the supervision and evaluation process. One of the goals of post-secondary readiness is to eliminate remediation. Interventions must be understood and viewed as a means to accelerate learning.

Interviews were conducted for the early learning principal and interviews are scheduled for the anticipated elementary principal opening at Roosevelt. It is hoped that these two searches can be completed by the end of next week and recommendations should be ready for the July 19<sup>th</sup> meeting.

The district submitted a proposal to WASB to conduct a session entitled “Preparing all Students for Post-Secondary Success” at the state-wide convention in January.

The LaCrosse Foundation will be hosting the first Wisconsin State Symposium for Education Foundations on Friday, July 23<sup>rd</sup>. Topics to be covered include insurance for directors and officers, starting a foundation, building site maps for websites, bylaws and policies, grant evaluation tools and strategic planning.

The Eau Claire Public Schools Foundation will meet on June 23<sup>rd</sup> at Market & Johnson. Items on the agenda include reviewing the draft mission statement and initial goals, an update on financial depository, and start-up needs.

Memorial High School has been recognized by *Newsweek* for its outstanding participation rates on AP examinations. Only 6% of participating schools across the country receive this recognition and Memorial was in the top half, placing them in the 97<sup>th</sup> percentile nation-wide.

#### Communication to Superintendent/Board President

President Craig said the Wisconsin Association of School Boards has published its final resolutions for districts to consider and she shared that document with the Board.

#### Student Representative Report

Joe Luginbill shared comments he received from students about a variety of topics. He also said he contacted Darrell Kluck about some of the issues about dance that were discussed at the last Board meeting and the conversation cleared up several things for him.

#### Other Reports

#### **Policy and Governance Committee**

The committee met and finished a draft proposal for the conflict of interest policy. They sent it to Steve Hintzman and Nancy Dorman at WASB for their review. The committee is working on various other priority policies including electronic records. The status of distribution of materials is also being reviewed.

#### **Budget Development Committee**

There was no report from the committee.

## **CONSENT RESOLUTION AGENDA**

Board members asked to pull Resolutions 1, 7, and 10 from the consent agenda.

Com. Faanes moved, seconded by Com. Shiel, to approve the consent resolution agenda consisting of the following items:

- ◆ The minutes of closed session of June 7, 2010, as mailed.
- ◆ The minutes of Board meeting of June 10, 2010, as mailed.
- ◆ The budget adjustments as presented.
- ◆ The financial report as presented.
- ◆ The gifts in the amount of \$24,330.55 for the period of May 1 through May 31, 2010.
- ◆ Wisconsin Records Retention Schedule for School Districts
- ◆ Reinstatement of Budget Line Item for District-Funded Field Trips

Consent resolution agenda items approved by unanimous roll call vote.

## **INDIVIDUALLY CONSIDERED RESOLUTIONS**

### Resolution #1 – Minutes from June 7, 2010

President Craig said that although Com. Johnson agreed to head up a committee to solicit sponsors from Eau Claire United PTA/PTO, she would rather use the words “project group” than committee and asked that the minutes be changed accordingly.

Com. Duax moved, seconded by Com. Faanes, to approve the amended minutes from June 7, 2010. Carried by unanimous roll call vote.

### Resolution #7—Previously Denied State Open Enrollment Request

Com. Duax asked why this open enrollment application was now being asked to be approved. Dr. Heilmann said that normally when there is a request for a special education student and there are additional charges, they are denied. This student has three siblings in the district, none of which receive special education, so it was felt it was in the family’s best interest to approve the request.

Com. Faanes moved, seconded by Com. Shiel, to approve previously denied state open enrollment request as presented. Carried by unanimous roll call vote.

### Resolution #10 – Employment Report

President Craig questioned the positions funded by ARRA that were included on the employment report and asked what would happen to the positions when the stimulus money was no longer available. Dr. Weissenburger explained that many of them are funded as emergency positions so they are automatically eliminated at the end of the

year. Some of the permanent positions are for staff members who are already permanent. Other funding sources will be used for those positions such as early intervention services funding.

President Craig also asked about eliminating the percentage of time for Athletic Directors at the middle schools. Dr. Weissenburger said that previously the AD's received an additional stipend for work outside the normal contract day. In addition, they were given .2 release from teaching to work during the day in addition to the AD stipend. Due to budget restrictions, it was decided that the increment was enough to cover the amount of time for AD duties so middle school AD's will return to full time teachers. They will continue with their same responsibilities. Dr. Heilmann added that in discussions with middle school principals about restoring .6 FTE that had previously been reduced, it was felt that restoring FTE for direct classroom contact would benefit a larger number of students.

Com. Faanes moved, seconded by Com. Shiel, to approve matters of employment of June 21, 2010, as presented. Carried by unanimous roll call vote.

#### Resolution #11

The payment of all bills in the amount of \$4,232,481.81 and net payroll in the amount of \$3,159,740.22 for the period of May 1, 2010 through May 31, 2010 as presented. Carried by the following roll call vote: Ayes: Craig, Duax, Janke, Johnson, and Shiel. Abstained: Faanes.

Regular meeting adjourned.

Submitted by Patti Iverson, Board Secretary

**COMMITTEE MEETING  
BOARD OF EDUCATION – EAU CLAIRE, WISCONSIN  
JUNE 21, 2010**

1. Call to Order – Committee Meeting

Members present: Craig, Duax, Faanes, Janke, Johnson, and Shiel. Absent: Wogahn. Student Representative Joe Luginbill was also present; Rebecca Giles was not present.

2. Committee Reports/Items for Discussion

A. Funding of an Eau Claire Public Schools Foundation Employee Through Fund 80

Mr. Dan Van De Water said the Eau Claire Public Schools Foundation (ECPSF) is up and running and they have established checking and savings accounts. He reminded the School Board that the Foundation is a separate and distinct entity from ECASD and it has its own Board of Trustees. Because the Foundation does not have sufficient assets to fund a position to devote the time necessary to grow the Foundation, the School Board was asked to consider providing funds on a limited-term basis to give the Foundation the best chance for success.

President Craig said the School Board should consider the value of using Fund 80 for a limited time to see whether or not the Foundation can grow. The goal would be to make an investment to generate enough contributions so the position can be self-perpetuating.

Heidi Fisher and Sue Bornick are both experts in the area of foundations and shared some information with the Board. Ms. Fisher said she recently met with the ECPSF, and she suggested that it would be important to pay attention to developing policies such as conflict of interest, whistle blowers, and a disbursement policy. She said in her experience it is critically important to have a 'champion' to not only guide through policy development, but take the lead and get the community involved and move forward with the mission of the ECPSF.

Sue Bornick of the Eau Claire Community Foundation (ECCF) provided a document to assist in showing the advantages of using the ECCF as a fiduciary to assist ECPSF. She said ECCF already has policies in place and procedures established. There are three pools to fund money in. They also have data software available that is used specifically for a foundation. ECCF is set up to handle gifts of publically traded and privately-held securities and other types of assets, and assets are pooled for better returns. Planned

giving resources are available. The ECCF works to promote greater awareness of the organization and funds would be submitted to a professional audit. Ms. Bornick said the ECPSF could create its mission and purpose, determine grant distribution, determine how to proceed with fundraising, develop marketing materials, and create and develop relationships with potential donors.

President Craig said the School Board's involvement would come in the form of investing in a person to help coordinate the different areas of building the Foundation so the Board of Trustees can function. Financial assistance from the School Board would be on a limited term and would hopefully allow the Foundation to get enough donors for the position to pay for itself.

Ms. Fisher said for the start up foundation she created, it took an executive director to take it to the next level. She said the ECPSF has the set up in place but it would be a wise investment by the Board to provide funding for a position to get it going.

The Board talked about the use of Fund 80. Mr. Van De Water explained that this is a community-wide fund. Since the nature of the Foundation is to raise funds throughout the community for the benefit of the school district, Fund 80 could be utilized.

After discussions the Board felt it was worth exploring the option of funding a limited-term ECPSF employee through Fund 80. The Board asked to see a potential position description and the development of some goals. The Board was reminded that the person hired would be an employee of ECPSF not the ECASD.

Dan Market, who is a Trustee on the Foundation, appreciated the Board's consideration of this request. He said that a person is needed to be the catalyst to get the Foundation moving. He felt the position would prove itself and become sustainable.

#### B. Discussion of the Issues Related to Dance at our High Schools

Mr. Tim Leibham said that when the decision to change the status of both dance teams from a sport to an activity was made, many concerns were shared with him. The Board also heard many issues at its last meeting. Mr. Leibham paraphrased several of the issues he heard that need clarification and discussion: 1) The similarities and differences with summer contact time between dance and other 'unlimited non-school contact' sports; 2) value of dancers being under the Athletic Code; 3) state versus national competitions with dance team; 4) defined season and contact time expectations—WACPC guidelines--required or optional; 5) consistency

between the two high schools; 6) degree of administrative oversight and responsibility; 7) value of team/dancer identity; 8) varying opinions between the two schools and parents within each school; and 9) content and understanding of previous discussions between administrators and others involved and communication or lack thereof.

Mr. Leibham will meet with various stakeholders to discuss the issues presented. It was anticipated that he would bring forward a recommendation or some options to be considered. He felt it would be most beneficial to start with a smaller group and those most intimately involved with the situation to see if a resolution can be formulated.

There was consensus of the Board to maintain the status quo for the dance team for now and have Mr. Leibham facilitate discussions where he will glean input from various individuals and make a decision that is in the best interest of everyone. A report will be given to the Board on August 2<sup>nd</sup>.

North dance parent, Jane Gohkle, suggested that Mr. Leibham meet with the athletic directors and principals as well as some neutral people who have experience and background in dance to review the whole picture.

Another parent, Sandy Needles, asked for better communication with the group so they can understand if a change is made. She said the decision shouldn't be emotional and should be what's best for the school and the kids.

Carissa Barlow has two young daughters who are in dance. She hoped that the program could stay strong and be maintained as it is.

Stephanie Kling is the dance coach at Memorial and she hoped that both schools could work together and do what is best for both schools. She thought they could pull together to come up with a good solution.

C. Follow-up and Further Discussion of a NEW ECASD Policy 851: Advertising

The Board discussed the implications of the policy with regards to advertising being defined as any economic benefit that requires selling space or time for the promotion of goods and services. The Policy & Governance Committee felt that when a business donates something to the district like pencils, coupons, toothbrushes, etc., they are receiving a benefit and there should possibly be a minimal charge to distribute. There was some concern about charging business partners for things they are donating as well as the administrative time to administer these costs. It was noted that it would be a totally different scenario if you were dealing with a business donating something larger like a score board.



President Craig said the committee may need to rework the wording in the second paragraph about what it means to sell something. It may be that small donations can be made but beyond that there should be a level set to say that donating anything above a certain amount should be charged. The Board was charged with finding alternative sources of revenue and this policy was a way to do that.

It was felt that the district should focus on the large dollar potential items first and then once that is defined, move to smaller items. Communicating this policy to businesses and individuals would be critical so that they know there is a filter to what can be distributed or donated.

There was discussion about the impact of the policy as it applies to the distribution of materials. Mr. Leibham said that distribution of materials is either for physical goods or community information regarding services provided. There are 70 or more community organizations that will use the schools to distribute materials to elementary children four times a year. If there is going to be a charge to distribute these materials, it should be identified. It was suggested that an informational letter be given to businesses when they ask to distribute materials to get feedback on the possible impact of the policy and to see if they would be willing to pay a fee to distribute materials to students.

The committee was asked to see if there was a clear differentiation between donating and advertising in the policy.

3. Request for Future Agenda Items

Dr. Heilmann said he would bring the first reading of the advertising policy to the Board on July 19<sup>th</sup>. There will be an item on the August 2<sup>nd</sup> agenda regarding the status of dance.

4. Other Business

5. Motion to Adjourn Committee Meeting

Com. Janke moved, seconded by Com. Faanes, to adjourn committee meeting. Carried by unanimous voice of acclamation.

6. Motion to go into Closed Session

Com. Duax moved, seconded by Com. Faanes, to go into closed session under 19.85 (1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility to discuss administrative compensation, executive director contracts, and superintendent contract; 19.85 (1)(e) to

deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to discuss employee negotiations; 19.85 (1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved; and 19.85 (1)(c)(e)(f)(g) to discuss issues concerning Board consideration of nonrenewal of an administrative employment contract, related strategic, negotiations, or personnel considerations, including any possible agreement with an administrative employee, and to confer with legal counsel concerning pending litigation in which the District is involved. The Board of Education may take action on any agreement in closed session, if necessary and appropriate. Thereafter, the Board of Education will reconvene in open session and will take any further action that is necessary, appropriate and/or required. Carried by the following roll call vote: Ayes: Craig, Duax, Faanes, Johnson, and Shiel. Nay: Janke.

7. Meeting adjourned to closed session at 8:58 pm.

8. Motion to Reconvene in Open Session

Motion made by Com. Johnson, seconded by Com. Faanes to adjourn from closed session back to open session so that a prepared statement could be read by President Craig. Carried by unanimous roll call vote.

9. President Craig made a statement saying the Board agreed in closed session that William Klaus was able to collect his early retirement benefits as consistent with district administrator contracts.
10. Meeting adjourned at 10:30 pm.