

**OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE  
BOARD OF EDUCATION, EAU CLAIRE, WISCONSIN, OCTOBER 4, 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, Shiel, and Wogahn. Absent: None. Student Representatives Joe Luginbill and Rebecca Giles were also 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 monitor the Superintendent/Board Performance Goals.

**PUBLIC FORUM**

Bev Christianson was concerned about some of the information contained in the 2010-11 budget and she shared those issues with the Board.

**BOARD/ADMINISTRATIVE REPORTS**

Superintendent's Report

Superintendent Heilmann reminded the public of the opportunity to provide the Board with feedback on its meetings. A form is available for anonymous comments to be made.

Dr. Heilmann explained why the Board approves the budget before the public hearing and budget adoption. He said that state statutes governs this process and approval sets the process in motion wherein notices are published and a hearing date is set no less than 15 days following the approval. The public hearing and adoption of the 2010-11 budget were scheduled for October 25, 2010.

There are several events coming up that Dr. Heilmann shared with the Board: 1) Board with Your Coffee events will be held on October 7<sup>th</sup> at 7 pm at the Coffee Grounds and on October 8<sup>th</sup> at 7 am at Acoustic Café. 2) The next PAC meeting is October 11<sup>th</sup>. 3) A community roundtable session is scheduled for October 14<sup>th</sup> from 6 to 8 pm. 4) Schools will be closed on October 15<sup>th</sup> and 18<sup>th</sup>.

#### Communication to Superintendent/Board President

President Craig said that the WASB Fall Regional meeting will be held on October 12<sup>th</sup> in Menomonie. The WASB Legislative Advocacy Conference is in Wisconsin Dells on November 13<sup>th</sup>.

The public was invited to come out and watch the School Board take on the Flynn Elementary staff in a game of kick ball on October 6<sup>th</sup> at 5:30 pm at Flynn.

Student Representative Report – No report.

Other Reports – No report.

#### Policy and Governance Committee

The Policy & Governance Committee will hold its next meeting on October 7<sup>th</sup> at 5 pm.

#### Budget Development Committee

There was nothing new to report.

### **CONSENT RESOLUTION AGENDA**

Board members asked to pull Resolution 3 from the consent agenda.

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

- ◆ The minutes of Board meeting of September 27, 2010, as mailed.
- ◆ The minutes of closed session of September 27, 2010, as mailed.

Consent resolution agenda items approved by unanimous roll call vote.

### **INDIVIDUALLY CONSIDERED RESOLUTIONS**

#### Resolution #3 – 2010-11 ECASD Budget

Mr. Van De Water shared a review of the proposed 2010-11 budget. He said that revenue limits control about 85.7% of all resources available to the district. The total projected revenue is \$107,565,908 and the projected increase in revenue is 1.9%. General state aid makes up 47% of revenue; property taxes are 38.4% and all other revenue equals 14.6%.

Mr. Van De Water showed the breakdown of expenditures, which showed an increase of 5% in gross expenditures from last year's actual budget to projected budget including federal programs. Excluding federal programs, that total is 4.3%. He said about 64% of the budget is spent on direct instruction to students.

The projected tax levy for 2010-11 is \$55,851,312, which is a 3.8% increase from the 2009-10 tax levy. In terms of tax rate, the equalized tax rate is \$9.91 per \$1,000 of property value, which is an increase of 3.8%. It was pointed out that the budget went up 1.6% in reality because the state didn't live up to its promise of providing aid to districts.

Mr. Van De Water was commended for the detailed budget documents that he prepared. Board members asked several clarifying questions of Mr. Van De Water. He was asked to share the general benchmarks to see where the district's tax rate compares with other districts. Mr. Van De Water said those will vary based on how districts get state aid, which depends on property wealth.

The budget included some new positions or increases in current positions and it was asked if approval of those positions could be done separate from the budget process. Mr. Van De Water said that having these positions in the budget wouldn't preclude the Board from taking them out when they come forward for official action. It was also pointed out that the balance of working capital is approximately \$26 million. About \$90,000 of that will be used to balance the budget for next year.

Mr. Leibham explained that the District is incorporating the post-secondary initiative in the budget and how outcome measures relate to the budget.

Com. Wogahn moved, seconded by Com. Johnson, that the Board of Education approve the 2010-11 Budget as presented. Carried by unanimous roll call vote.

Regular meeting adjourned.

Submitted by Patti Iverson, Board Secretary

**COMMITTEE MEETING  
BOARD OF EDUCATION – EAU CLAIRE, WISCONSIN  
OCTOBER 4, 2010**

1. Call to Order – Committee Meeting

Members present: Craig, Duax, Faanes, Janke, Johnson, Shiel, and Wogahn.  
Absent: None. Student Representatives Joe Luginbill and Rebecca Giles were also present.

2. Committee Reports/Items for Discussion

A. Update on Planning Efforts Associated with the ENGAGE Culture & Arts Charter School

JoEllen Burke shared an update on planning efforts associated with the ENGAGE Culture & Arts Charter School. She shared a definition of charter schools based on DPI guidelines and the Wisconsin Charter Schools Association. The school is exempt from significant state and local rules that inhibit flexible operation and has autonomy related to school policy, curriculum, personnel, governance and finance.

Ms. Burke said that one of the driving forces for success with the charter is to have things in place by the February open enrollment period and to engage in a lottery if necessary. A lottery is necessary only if there are more students who request to enroll than there is space available. From January through September 2011 the group will continue work in preparation for full implementation in fall 2011.

Ms. Burke shared information obtained from several charter school visits including the T.R. Paul Academy of Arts and Knowledge in Ft. Collins, Colorado, and the Appleton Valley New School. The group will also visit the Wildlands Environmental School in Fall Creek. All of these schools have 'standards' or 'targets' based on state standards and criteria for graduation. Ms. Burke said these schools are incredible models of project-based learning. Project-based learning is an approach to teaching that allows students to explore real-world problems and challenges through working individually and collaborating with other students in small groups.

Ms. Burke said a curriculum sub-committee will be established. They will review student needs/profile and review models that are project based. The group will establish training for ECASD staff and get commitments to summer training.

Ms. Burke shared information from Project Foundry. As part of the proposal they will look at backgrounds, align standards, align rubrics and assessments and get parent acknowledgement. She showed samples of some projects and how they encompass the various curricular areas within Project Foundry.

The Governance Board will look at roles and responsibilities as well as establishing needs/qualities. There will be outreach provided for potential members and two Board training sessions will be held.

A sub-committee for facilities has been established. The group is looking at possible facilities and is working to find a place downtown.

Marketing the charter school will be very important. A marketing sub-committee will be developed and will establish needs and resources for social media. This sub-committee will coordinate community informational meetings.

There was some discussion about a budget. It was noted that there could be variations based on the number of open enrollment students allowed in the charter school. The budget could vary each year. Jeremy Harrison explained the budgeting model used by the Augusta School District for the Wildlands Charter. The Board felt it should have some discussions about its charter school policy before the contract is brought forward.

The Board talked about how students have done academically at other similar charter schools. Ms. Burke said that findings have shown that most students have exceeded standardized testing in their districts. The Board said they look forward to hearing how students are meeting assessments and how ENGAGE plans to assess students. Ms. Burke said the charter will be accountable for students taking state assessments. Kids know they have to hit those standards and accomplish specific tasks. They take a lot of ownership in that process.

The ENGAGE group has not agreed what the anticipated enrollment will be but there have been discussions of about 25 to 30 students. It was initially felt that sixth grade students would be targeted but now there is some discussion about adjusting that to seventh graders. The group is also charged with establishing a profile for parents to help them decide if this charter would be appropriate for their children.

The Board asked that the group work in collaboration with the Eau Claire Association of Educators during the planning stage.

The student representatives were eager to participate in the process.

Bob Carr was a teacher for 34 years and he is excited to give students who learn differently an opportunity to excel.

B. Overview of Issues and Review of Plan for 2010-11 Regarding the Development of a Policy to Address the Distribution of Materials

President Craig said that administration changed how the District distributes non-district informational materials to students two years ago. The purpose of this discussion is to understand the practice put in place and determine if it warrants having a Board policy.

Mr. Leibham explained that there is no policy relative to distribution of materials to students, and in the past the decision of what was appropriate or not appropriate to distribute to students came through his office. Because of the large volume of requests by community groups to distribute fliers to students, a practice was put in place where each elementary school will distribute community fliers directly to students four times a year. Families can decide what they look at or share with their children and everything is allowed to be sent home. At the secondary schools, there is a location in Student Services where information can be posted. Military and post-secondary representatives may interact with secondary students during the school day but all sessions must occur at the initiation of a student and be conducted in the Student Services area.

The Policy & Governance Committee wanted to obtain feedback on the process before a policy was drafted. Mr. Leibham said the first distribution took place in September. He will be meeting with Partnership Coordinators to see how that went. There have been some concerns expressed about the distribution process. Agencies are asked to bring the materials to the schools rather than dropping them off at Central Office. Some felt groups should be allowed to utilize the school mail service; others thought with budget restraints, staff time shouldn't be used for this. Another issue was having the materials packaged in the correct amounts for each school. It was questioned whether there could be some things done internally to more efficiently communicate or post the number of students at each site for material distribution. The Policy & Governance Committee will need feedback on whether school personnel should be responsible for assisting with some of these services as opposed to organizations assuming more responsibilities.

Mr. Leibham said if a policy is developed it must define what will be allowed to be distributed and to what degree a flyer might be considered advertising. Dr. Heilmann added that if a policy is developed it should address the Board's philosophy. He felt that determining how things are distributed would be a rule that administration would prepare.

C. Further Discussions and Potential First Reading of New *ECASD Policy 153 – Conflict of Interest*

Superintendent Heilmann highlighted the changes that were incorporated after discussions at the last meeting. He conferred with Attorney Kirk Strange to get a legal opinion. The Board discussed some of the concerns expressed about use of the term ‘actions’ and how this could limit an employee taking part in discussions. It was decided that using the words, “decision-making actions” would clarify that.

Board members could state at the organizational meeting if they have a potential conflict of interest. The onus of responsibility is on each individual to bring forward.

Com Johnson shared the first reading of *Policy 153 – Conflict of Interest*:

The School Board and District employees shall avoid conflicts of interest related to their roles & responsibilities associated with the Eau Claire Area School District (“ECASD” or “District”) and to their private lives. A conflict of interest is generally defined as a conflict between the private interests of a Board member or employee and their official responsibilities or duties to the ECASD. The purpose of this policy is to ensure public confidence in the School District’s decision-making process, to avoid the appearance of any impropriety, and to provide a foundation for implementing ECASD rules and regulations to further the objectives of Wisconsin Statutes concerning conflicts of interest and the ethical obligations of those in public service.

- No Board member or employee may participate in decision-making actions that substantially affect a matter in which the Board member, employee, members of the household/immediate family of a Board member or employee, or organization with which they are associated has a substantial financial interest.
- No Board member may be employed by the ECASD or apply for employment in the ECASD while serving as a Board member.
- No Board member or employee shall accept any gift or favors of any value which could influence decision making.
- Board Members or administrators shall not use their position to ensure the employment of friends or relatives but shall act in good faith on the recommendation of the Superintendent.
- No administrator who is in a close relationship with an employee shall supervise that employee. “Supervise” includes, but is not limited to, the authority or responsibility to appoint, dismiss, discipline, promote, demote, evaluate, or recommend salary adjustments, to direct the work activities of another employee, or to have any other supervisory responsibility as an administrator for another employee.
- No Board member or employee shall use confidential ECASD information (including information that is confidential by law, protected, privileged, or proprietary information) for personal gain or for the gain of others.

- No Board member shall hold more than one office or position in public employment, or any combination thereof, if a potential conflict of interest or incompatibility of offices exists between the duties of the offices or positions.

A Board member shall make public disclosure of any private interest(s) that create(s) a conflict of interest or the appearance of a conflict of interest.

A Board member shall abstain from all participation, discussion, deliberation, and/or action regarding a matter in which they obtain financial gain or private benefit for themselves, a member of their household/immediate family, or organization with which they are associated.

3. Request for Future Agenda Items

It was asked that the Board have a discussion about its Charter School policy and guidelines included in that policy.

4. Other Business

5. Motion to Adjourn Committee Meeting

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

6. Motion to go into Closed Session

Com. Faanes moved, seconded by Com. Wogahn, to go into closed session under 19.85 (1)(c) to Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility to monitor the Superintendent/Board Performance Goals. Motion carried by the following roll call vote: Aye: Craig, Duax, Faanes, Johnson, Shiel and Wogahn. Nay: Janke.

7. Meeting adjourned at 9:45 pm.