

**OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE
BOARD OF EDUCATION, EAU CLAIRE, WISCONSIN, SEPTEMBER 13, 2010
VICE PRESIDENT FAANES PRESIDING**

Following the Pledge of Allegiance, Vice President Faanes 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: Duax, Faanes, Janke, Johnson, Shiel, and Wogahn. Absent: Craig. Student Representatives Joe Luginbill and Rebecca Giles were also present.

NOTICE OF CLOSED SESSION

Vice President Faanes 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 & contracts and §120.13 (1)(c) to consider amendment to the terms of an expulsion order for a student who was expelled for engaging in conduct while at school or while under the supervision of a school authority which endangered the property, health or safety of others.

PUBLIC FORUM

Ken Van Es is the Executive Director of the YMCA. He spoke about the policy the Board is considering regarding school fees and use of buildings. He felt the charge for use of District pools was not consistent with use of other facilities. The proposed increase would result in an additional fee of \$11,000 for the YMCA to use the District pools. That increase would have to be passed on to the swimmers, which would likely result in less kids on the swim team. He asked the Board to consider not approving this fee increase or to lower it to a more reasonable level. Mr. Van Es was also concerned about the policy to consider for-profits and non-profits the same.

ECAE Negotiation Chair, James Martin, said the Board will be asked to approve the employment report that includes two wellness coordinators for the District. One of the positions is to be funded through an existing increment and the other is being funded by the employee bargaining groups. Mr. Martin said this is an excellent example of collaboration between employees and the District. These positions will assist in carrying on the wellness initiative that has been started to not only reduce insurance rates, but produce healthy, positive staff members.

JoEllen Burke gave an update on ENGAGE Charter School. DPI has awarded the District with an implementation grant and the planning committee has done a lot of good work. An update will be given to the Board in October.

BOARD/ADMINISTRATIVE REPORTS

Superintendent's Report

Superintendent Heilmann reminded the public to fill out a Board feedback form to let the Board know how the meeting went and place it in the box outside the Board Room. The feedback is designed to be anonymous.

Dr. Heilmann gave an update on the District's use of federal education job dollars received in the amount of \$2.5 million. These funds can be used for job reinstatement, creation or stabilization and must be expended by June 2012. The District continues to get updated guidelines and parameters from the federal government.

The next Community Roundtable will be held on September 22nd from 4 to 6 pm at the Administration Building. The group will respond to Board feedback from Community Report #1 on issues such as having larger facilities referendums over a longer time period versus having three smaller facilities referendums over multiple years. There are currently 52 community volunteers who are assisting in this process.

The ECASD was asked to present at the WASB convention in Milwaukee on January 19, 2011. The presentation will be entitled, "Equity: Preparing all Students for Post Secondary Readiness" and it will be a collaborative effort that will focus on resource allocations that support all learning to become ready for post secondary success.

The Parent Advisory Council will hold its first meeting of the school year on September 20th at 7 pm. Topics include the acceptable use of technology for students and employees policies and an update on the Community Roundtable group and the potential referendum. The group meets monthly from September to June.

The primary election will be held on September 14th. Many of the voting locations are in schools so students can learn many lessons by witnessing the election process first-hand.

Dr. Heilmann thanked the sponsors of the All Staff Welcome Back event on August 31st including Mega Foods, Gordy's Country Market, Culligan Water, Starbucks Coffee, Wal-Mart and the YMCA.

Communication to Superintendent/Board President

There was nothing to report.

Student Representative Report

Joe Luginbill said he has heard some concerns expressed about the inability of the Scouts to use Sam Davey's gym because of the conflicts with North dance team's practice. He added that he is forming a small group of students to meet with him to

discuss District related issues that are important to them. He will have a regular column in the school newspaper to reach out to students.

Rebecca Giles said that she and Joe met with Bob Scidmore and discussed integration of modern technology into the schools. Mr. Scidmore and possibly Dr. Heilmann will attend a Student Council meeting to garner support of the policy. It is hoped that a roundtable type event could be set up for all who are interested in establishing guidelines or revising the technology use policy.

Other Reports

Policy and Governance Committee

Com. Johnson said the committee will be looking at the current cell phone policy, which is now contradictory to the newly-revised acceptable use of technology policy. The committee will hear from secondary administrators about how rules might change before the policy is rescinded. The committee will also review the class size policy, school hour's policy, employee appraisal policy, and the distribution of materials procedure.

Budget Development Committee

Com. Shiel reported that an internal review of the budget will be conducted on September 14th. More details will be provided at the next Board meeting.

CONSENT RESOLUTION AGENDA

Board members asked to pull Resolutions 4, 6, 7, 9 and 10 from the consent agenda.

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

- ◆ The minutes of closed session of August 2, 2010, as mailed.
- ◆ The minutes of Board meeting of August 16, 2010, as mailed.
- ◆ The minutes of closed session of August 16, 2010, as mailed.
- ◆ §66.0301 Cooperative Agreement with the Augusta School District for Eau Claire Student Attending Wildlands Charter School for the 2010-2011 School Year
- ◆ Revisions to ECASD Policy 364.1 – Student Acceptable Use of Technology and ECASD Policy 527 – Employee Acceptable Use of Technology

Consent resolution agenda items approved by unanimous roll call vote.

INDIVIDUALLY CONSIDERED RESOLUTIONS

Resolution #4 – Matters of Employment

Com. Johnson asked that approval of non-staff coaches be done prior to the beginning of the season; several were on the employment report that started at the beginning of

the school year. Dr. Weissenburger explained that because there hasn't been a Board meeting since mid-August, many of these positions were not decided by August 16th.

Com. Wogahn moved, seconded by Com. Duax, to approve the matters of employment of September 13, 2010, as presented. Carried by unanimous roll call vote.

Resolution #6 -- Contract with A.T. S. & R. for Architectural Consulting Services

Com. Duax moved, seconded by Com. Wogahn, to postpone the approval of this contract until September 27, 2010.

The Board discussed the motion to postpone. Com. Duax wanted to hear Committee Report #1 before she decided whether or not to go ahead with approving the contract. Administration felt hiring a consultant was critical in order to keep moving ahead with the proposed referendum timeline. Administration plans to have an item on the October 18th agenda regarding the formulation of the referendum questions. In order to provide facility details and give the Board options to consider, a firm with engineering expertise must complete a thorough analysis of the buildings. It was pointed out that at this time no decisions have been made regarding what will be included on a referendum. The executive summary contained examples of projects that could be considered.

The motion to postpone the approval of the contract with A.T. S. & R. for architectural consulting services failed by the following roll call vote: Ayes: Duax and Janke. Nays: Faanes, Johnson, Shiel, and Wogahn.

Com. Wogahn moved, seconded by Com. Janke, to approve the contract with A.T. S. & R. for architectural consulting services as proposed. Carried by unanimous roll call vote.

The Board asked how long the data provided by the architectural consultant would remain valid. Mr. Kramer said you could count on it remaining pertinent for ten years. He said that the report would provide information on facility issues that deal with specific sites, would look at core facilities, whether sites are expandable and if no short-term solutions are found in areas with growth, how the firm would recommend alleviating that growth. The consultant would evaluate all schools in the District as part of the study. A.T.S. & R. have engineering expertise in all facets of the operation and also focus on the educational delivery program of the District.

Resolution #7 -- Support of Green Bay Area School District Resolution to the Wisconsin Association of School Boards (WASB) Delegate Assembly for Changes to Existing WASB Policy Regarding State Open Enrollment

The current law would limit the number of students enrolling in a nonresident school District to ten percent of the resident district membership. The proposal would support three percent of the membership. There was some concern about that.

Com. Wogahn moved, seconded by Com. Duax, to support the Green Bay Area School District resolution to the WASB Delegate Assembly for changes to existing WASB policy regarding state open enrollment. Motion failed by the following roll call vote: Aye: Johnson. Nays: Duax, Faanes, Janke, Shiel, and Wogahn.

Resolution #9 -- Specific Priority Designations & Fees for Rule/Classification/Fee Schedule Associated with ECASD Policy 830 – Use of School Facilities

Com. Johnson moved, seconded by Com. Shiel, to accept specific priority designations and fees for schedule associated with Policy 830 as presented.

Mr. Van De Water reviewed changes made to the rules/rate classifications/fees based on discussion at the previous Board meeting. The Board agreed with the changes with the exception of the charge for the use of the pools during standard operating hours. It was felt this charge was inconsistent with other fee schedules in that there is no fee to use other areas of the building during that time. Mr. Van De Water said that although the pools are more expensive to maintain, they could eliminate that charge. The Board will have an opportunity to review this again next year to see if any adjustments should be made.

Com. Shiel moved, seconded by Com. Duax, to amend the motion to keep the pool charges consistent with other fees assessed. Any organization in the District that provides services to students could use the pool at no charge during standard operating hours. Amendment carried by unanimous roll call vote.

Original motion with amendment carried by unanimous roll call vote.

Resolution #10 -- One-Year Funding Commitment from the Eau Claire Area School District to Fund a Part-Time Director of the Eau Claire Public Schools Foundation, Inc.

Com. Faanes said the job description was written by the Foundation Trustees. It is hoped that after a year of funding for a Director position, the Foundation will be able to fund the position itself. This funding will come from Fund 80.

Com. Wogahn moved, seconded by Com. Johnson, to approve a one-year funding commitment from the Eau Claire Area School District to fund a part-time Director of the Eau Claire Public Schools Foundation, Inc. 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
SEPTEMBER 13, 2010**

1. Call to Order – Committee Meeting

Members present: Duax, Faanes, Janke, Johnson, Shiel, and Wogahn. Absent: Craig. Student Representatives Joe Luginbill and Rebecca Giles were also present.

2. Committee Reports/Items for Discussion

A. Review of Information/Answers to the Formulation of Referendum Question(s) and the Relation to Federal Education Dollars

Dr. Heilmann stated that the executive summary that the Board received was a culmination of discussions held at the last Board meeting and addressed the request to assist in prioritizing capital and operational needs. He said some assumptions were made but noted that the information included were only examples of possible referendum projects.

Mr. Van De Water shared a history of how referendums have changed in the state since revenue limits were imposed in 1993. Prior to that date, districts were not required to go to referendum. Board members no longer have the authority to set the levy at whatever amount is needed to balance expenditures. Today there are referendums for capital needs and for operational purposes.

Mr. Van De Water said the Board should strategize whether to have larger referendums less often or smaller amounts more often. He explained a “rolling four-year cycle.” After passing a referendum, in years 1 and 2 you would complete the work; in year 3 the Board would finalize its next recommendation; and in year 4 another referendum would be held. Given that there are between \$45 million and \$55 million in facility needs, this could continue for a period of time but eventually the referendums could be strung out for longer periods of time. Administration recommended that the Board approve the strategy of having referendums more often for smaller amounts and to take the plan for capital needs to the public on April 5, 2011. He shared a proposed timeline for making that happen.

Administration did not recommend placing a question on the April 5, 2011, ballot to override revenue limits for operational needs. Mr. Van De Water felt that asking for additional taxes for operational purposes should be a last resort and given that the District received \$2.5 million from the federal government to be spent over the next two years for jobs, an override

referendum shouldn't be brought forward at this time. It is not known how the state will deal with its significant budget problems and that could change budget projections. Collective bargaining will also begin that accounts for well over half of the budget and the District will want some indication of where that is heading. Waiting will also give the District time to define priorities for post secondary success and additional time to see how student and staff demographics shape up. He said additional time would make sure projections are accurate. Mr. Van De Water said the factors that contribute to the need for a referendum to exceed revenue limits are still present, and eventually the District will have to address this need.

The District is positioned well for long-term debt repayments as there will be a significant drop in principal and interest in the 2012-13 school year. Debt that would be added in a referendum could be wrapped around this decline and still show a decrease in the levy.

Mr. Van De Water said administration was prepared to bring data to the Board on October 18th for its consideration of a referendum and asked for Board feedback on the information shared. Mr. Kramer will prioritize capital needs and the necessary timing for the projects.

The Board discussed the information presented. Com. Janke felt a referendum was needed but he was opposed to holding it in April 2011 because of the current economy. Several Board members expressed support for going to referendum more frequently for smaller amounts. The Board could take advantage of the debt payment schedule given the expected drop in levy in 2012-13. Generally the Board agreed with holding off on an April 2011 operational referendum.

Mr. Leibham will meet with staff and parents at each elementary school in the next several weeks to present information on elementary enrollment trends and trends specific to each elementary school. He will discuss possible short- and long-term solutions for addressing the District's needs. He will get feedback on short-term reboundarying, moving grades, expanding to four-section buildings, utilizing Little Red or building new. This information will then be shared with the Board.

The Board talked about use of the federal money for jobs. Dr. Heilmann reviewed the recommendations and the rationale for each. Several felt there should be some consideration given to adding back elementary art time. Dr. Heilmann said one of the criteria they used in making decisions about how to use the money had to do with not creating a funding cliff. He said it could be revisited if the Board would like to do so.

B. Discussion of Proposed New ECASD Policy 153 – Conflict of Interest

The proposed Conflict of Interest policy was shared with the Board. Com. Shiel suggested a cursory explanation of what is considered the ECASD in the first paragraph. It was pointed out that if employees violate the policy there would be employment consequences. The question was raised how Board members would be monitored. It was felt that Board members would be responsible for monitoring themselves. Dr. Heilmann added that there would probably not be criminal charges that could be filed but perhaps civil charges.

Dr. Weissenburger suggested that rather than limiting it just to Board and administrators throughout the policy, it include Board members and employees in general. The Board felt that was a good change. Dr. Heilmann will run that by legal counsel.

3. Request for Future Agenda Items
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. Wogahn moved, seconded by Com. Janke, 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 & contracts and §120.13 (1)(c) to consider amendment to the terms of an expulsion order for a student who was expelled for engaging in conduct while at school or while under the supervision of a school authority which endangered the property, health or safety of others.

Com. Duax suggested amending the motion to postpone discussion of administrative compensation and contracts until September 27th. Com. Janke asked that the two items be voted on separately.

Motion to go into closed session under 19.85 (1)(c) to discuss administrative compensation and contracts carried by the following roll call vote: Ayes: Faanes, Johnson, Shiel and Wogahn. Nay: Duax and Janke.

Com. Wogahn moved, seconded by Com. Shiel, to go into closed session to consider amendment to the terms of an expulsion order for a student who was expelled for engaging in conduct while at school or while under the supervision of a school authority which endangered the property, health or safety of others. Carried by unanimous roll call vote.

7. Meeting adjourned at 9:16 pm.