



# West Ada

## SCHOOL DISTRICT

### SCHOOL BOARD MEETING MINUTES

July 7, 2015

Date, Place & Time	The annual meeting of the Board of Trustees, West Ada School District, convened on Tuesday, July 7, 2015, 5:30 p.m., at the District Service Center, 1303 E. Central Drive, Meridian, Idaho
Trustees in Attendance	Chairman Mike Vuittonet, Tina Dean, Dr. Russell Joki, Dr. Julie Madsen, Carol Sayles
Staff in Attendance	Dr. Linda Clark, Barbara Leeds, Eric Exline, Joe Yochum, Jackie Thomason, Trish Duncan, Devan Delashmutt, Colene Letterle, Dr. Bruce Gestrin, Cindy Sisson
Guests	Laurie Harvey, Sue Darden, Jill Wrem, Jolene Gunn, Althea Dillon, Clare Marsala, Catherine Dillon, Dave Dean, Kathy Yamamoto, Gary Harvey, Grant Joki, Angie Hickman, Kendra Wisenbaker, Sarah Holt, Kathleen Joki, Brooke Webb, Greg Felton, Eric Thies

#### CALL TO ORDER

Chairman Vuittonet

Amended Agenda Approved	Trustee Sayles moved, Trustee Dean seconded and the vote was unanimous to approve amendments to the agenda to include: <ul style="list-style-type: none"><li>• Addition of the oath of office for Trustee Vuittonet</li><li>• Addition of personnel and EHS change order to Discussion/Action</li><li>• Addition of an executive session to consider the evaluation, dismissal, or disciplining of, or to hear complaints or charges brought against a public officer.</li></ul>
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Reorganization of the Board	Oaths of office were administered to Dr. Russell Joki, Dr. Julie Madsen and Juan "Mike" Vuittonet by the board clerk.
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#### Board Chairman and Vice Chairman Elected

Chairman Vuittonet opened the floor for nominations for board chairman.

Trustee Dean was nominated by Trustee Sayles to serve as board chairman and as there were no other nominations, was elected by acclamation for the 2015-2016 school year.

Chairman Dean opened the floor for nominations for vice chairman. Trustee Madsen was nominated by Trustee Joki to serve as board vice chairman and as there were no other nominations, was elected by acclamation for the 2015-2016 school year.

Board Recess Trustee Joki moved and Trustee Sayles seconded a motion to call a recess at 5:38 p.m. to reset the board. The motion passed unanimously. The board reconvened at 5:46 p.m.

2015-2016 Board Appointments Approved Trustee Joki asked if the list of appointments should include the Title 9 and EEOC director and Dr. Clark replied the list could be expanded at the board's pleasure.

Trustee Sayles asked when the district appointed legal counsel and Dr. Clark explained the district utilizes several firms for representation in specific areas, avoiding the need to pay a retainer. Chairman Dean stated that in Idaho Code there is at least the discussion of appointment and will add the item to an agenda so they can make sure the district is in compliance and whether an attorney should be present at all board meetings.

Trustee Joki made a motion to temporarily appoint Trish Duncan as Clerk and Alex Simpson as Treasurer pending discussion at a future meeting. Trustee Sayles seconded and the motion passed unanimously.

Trustee Joki made a motion to approve the federal directors and officers as stated in the memo dated July 7, 2015 with the addition of the Title 9/EEOC director Scott Stuart. The motion was seconded by Trustee Sayles and passed unanimously.

Meeting Dates Approved for the 2015-2016 School Year Trustee Joki made a motion to include a second meeting on July 21, 2015 to train new trustees and to revise and review the strategic plan. Trustee discussed availability on that date and the motion died for lack of a second. Trustee Sayles made a motion to add a July 28, 2015 board meeting at 12:00 noon and to approve the calendar as proposed. Trustee Vuittonet seconded and the motion passed unanimously.

Designated Public Places for Posting of Notices Approved Trustee Madsen requested the list of posting places include locations in Eagle and Star to make sure patrons are aware of the meetings. Trish Duncan explained that notices are faxed to the Eagle City Hall, the Eagle Library and the Star Library in addition to schools and the media for each meeting. Trustee Joki made a motion to include the information provided by Mrs. Duncan to the list of public places to post, the motion was seconded by Trustee Madsen and passed unanimously.

Trustee Joki requested that new trustees be given an opportunity to comment on their service to the board and Chairman Dean explained that would be included under Board Reports.

**Consent Agenda** Trustee Vuittonet made a motion to approve the consent agenda as amended. Trustee Sayles seconded the motion. Trustee Joki asked for discussion and requested the motion be amended to move items #6 (new job description) and #8 (Victory Middle School change order) to discussion/action. Trustee Vuittonet amended the motion to include the removal of items #6 and #8 from the consent agenda and the addition of

both items to discussion/action. Trustee Sayles seconded and the motion passed unanimously. Approved items are as follow:

Payment of bills dated June 1-30, 2015;

Associated Student Body reports;

Employment recommendations;

Requests for leave without pay for the 2015-2016 school year:

- Megan Hoiosen, teacher at Eagle Hills Elementary;
- Megan Yates, teacher at Eagle Hills Elementary;

Request for professional leave from Ryan Evey, Carrie Jenkins, Debi Nelson, Dave Roberts, Gloria Rolland and Tammie Shappee, four (4) days to attend the SunGard National User Group Conference in Palm Springs, California;

Non-resident student enrollment requests for the 2015-2016 school year;

Athletic training services agreement for the 2015-2016 school year between West Ada School District and Mountain Land Rehabilitation, Inc.;

Bids awarded to:

- Pepper Ridge Elementary parking lot entry way to Capital Paving in the amount of \$69,036;
- Nursing software to PSNI SNAP Health Center in the amount of \$49,990;
- Hillsdale Elementary gravity irrigation to Schmidt Construction Company in the amount of \$266,947.89;

Purchase of a commercial grade lawn mower from Turf Equipment and Irrigation, using the National Intergovernmental Purchasing Alliance, in the amount of \$81,525.28;

Real estate purchase, sale and exchange agreement between West Ada School District, Ronald W. Van Auker and James A. Kissler, LLC, for the purchase of the Central Parcel (19 acres located to the west of the District Service Center) in the amount of \$4,550,000.00 and the sale of the bus facility property (6.5 acres located west of Republic Services) in the amount of \$1,020,000.00; and approval of appraisals of the aforementioned properties;

The appraisal of surplus real property at the corner of Overland and Stoddard Road and permission to publish a legal notice requesting sealed bids for the sale of the surplus real property;

Disposal of surplus equipment which includes televisions, vehicles and cafeteria tables.

## Discussion/Action

Director of Assessment Job  
Description Tabled

Job Description – Director of Assessment

Trustee Joki inquired if the job description, which was listed as “new”, was a current position in the district. Dr. Clark responded the position had been held by Jackie Thomason, who is now the Chief Academic Officer. When the posting was prepared, it was discovered the description was outdated.

Trustee Joki made a motion to delay employment offers to any candidates until the board has discussed at the second meeting in July.

Dr. Clark was asked if there was a time issue and she stated there could be a domino effect if the position was filled by a current employee whose position would then need to be filled.

Trustee Vuittonet asked if it was a question of whether they should have this position, or it was a matter of the board understanding more clearly what the position is.

Trustee Joki responded this is an unfilled position and upon reviewing the district budget it was noted that central office salaries increased compared to others. The question is motivated to save any action so the board can discuss whether this position is necessary.

Trustee Vuittonet thanked him for the clarification and stated there have been cut backs over the last few years, and administrative costs continue to be the lowest in the state while enrollment continues to climb. He understood the need for new board members to be brought up to speed.

Dr. Clark stated that growth in students results in additional FTE for administration. The district remains below the state FTE allocation for administrators. 2.0 administrative FTE were approved for the new Digital Integration and Chief Operations Officer positions, which were put in place to free up regional directors to work more closely with building administrators and support the districts digital integration. The budget reflects salary increases of 3% for all classified and administrative employees in the district, which is a flow-through of state increases.

Trustee Madsen stated there were lots of pieces to put together before she could make this decision. She would like to take time to weigh the benefits of classroom teachers vs. this position.

Trustee Joki called for the question. Dr. Clark asked for clarification on the approval of the job description. Trustee Joki revised his original motion to direct administration not to proceed with employment for the Director of Assessment position until the board has had a chance to review at a future meeting and has authorized the administration to proceed with the hiring process. The motion was seconded by Trustee Sayles.

Trustee Vuittonet asked if this review could be done quickly and would like a guarantee it will appear on the agenda for the July 28<sup>th</sup> board meeting. Trustee Joki stated that he could not make a guarantee, with the items already on the table for that meeting, this issue may not be discussed. Trustee Vuittonet stated this could create problems with the process and the possible domino effect. Dr. Clark reminded trustees that modified year calendar schools would start early in August and the fall MAP testing is scheduled to begin right away. All of that falls under the purview of the Director of Assessment.

Chairman Dean called for a vote on the motion to direct administration not to proceed with employment for the Director of Assessment until the board has had a chance to review at a future meeting and has authorized the administration to proceed with the hiring process. Trustee Joki voted yes, Trustee Sayles voted yes, Trustee Madsen voted yes, Trustee Vuittonet voted no and Chairman Dean voted yes.

Trustee Sayles made a motion to table approval of the job description, the motion was seconded by Trustee Madsen. Trustee Joki voted yes, Trustee Sayles voted yes, Trustee Madsen voted yes, Trustee Vuittonet voted no, and Chairman Dean voted yes.

Victory Middle School  
Change Order 002A-R1  
Tabled

Trustee Joki asked if anyone in attendance could speak to the change order. Dr. Clark indicated Dr. Bruce Gestrin was in attendance and was overseeing all construction as part of the bond.

Trustee Joki inquired if Dr. Gestrin was familiar with the change order and revisions in the process. Dr. Gestrin explained the electrical specifications led to numerous bids in the process and they are consistently look at pricing and evaluate if it is a fair bid.

Trustee Joki made a motion to table the change order until the July 28<sup>th</sup> meeting pending information regarding specifications, the number of quotes, low bid and why it was not offered to the low bidder.

Trustee Vuittonet suggested the board hold a special meeting to address the issue prior to the July 28<sup>th</sup> meeting to address time sensitivity on the project.

Dr. Clark reminded the board the school is on a fast track construction schedule and asked for clarification of the information needed by the board.

Trustee Joki will give his notes to Dr. Gestrin so he can see what information the board will require for the next board meeting.

Trustee Sayles seconded the motion to table the change order until the July 28<sup>th</sup> meeting pending information regarding specifications, the number of quotes, low bid and why it was not offered to the low bidder.

Trustee Joki voted yes, Trustee Sayles voted yes, Trustee Madsen voted yes, Trustee Vuittonet voted yes, and Chairman Dean voted yes.

Review of Supplemental and Plant Facility Levy Process

Eric Exline, community relations director, presented an overview, history and upcoming election dates for the plant facility and supplemental levies.

Review of Boundary Committee Process

Mr. Exline continued with a review of the boundary committee process sharing background on best practices and lessons learned. Considerations for creating attendance boundaries include: (a) a balanced enrollment to reduce overcrowding (b) neighborhood continuity, (c) safety issues (busy roads, canals, etc.), (d) distance (walking students, busing, etc.), (e) current students versus future growth, (f) "Bouncing" students, and (g) feeder schools (middle school attendance zones). In response to Trustee Joki's question on how students are "mapped", Mr. Exline explained the addresses are taken out of PowerSchool and placed in the ARC GIS system, which is the same software used by the city and county to plot location of specific items.

Items #3, #4, and #5 on Discussion/Action held for the August 11, 2015 Board Meeting

Trustee Joki made a motion to hold discussion/action items #3 (results of parent climate survey), #4 (results of staff climate survey), #5 (addition of K-12 "Let's Talk" to web site) and #7 (board evaluation/training) to the July 28<sup>th</sup> meeting to allow trustees to discuss item #6, revisions to Policy Code No. 403.50, in more detail. Following a discussion on the availability of Mr. Exline to present the information and the length of the presentation on #7, Trustee Joki amended the motion to hold items #3, #4, and #5 until the August 11, 2015 board meeting. The motion was seconded by Trustee Sayles and passed unanimously.

Revised Policy Code No. 403.50, *Staff Conduct*, Approved

Barbara Leeds, assistant superintendent, reviewed requested changes to Policy Code No. 403.50, *Staff Conduct*.

Chairman Dean opened the floor for public comment.

Sue Darden – stated her opposition to several points of the policy. There are concerns about educators just meeting students in public places and not behind closed doors. As a veteran of the teaching profession, it has been necessary for student's wellbeing to speak with them in private. Students disclose private information to the educator and for their protection and privacy, they need to be in a private setting. Educators are trying to protect the student if they have an emotional episode so they are not embarrassed around their peers. The hallway has been used when it is available, which she prefers, but when it comes to what is best for the student, can't guarantee she would follow the policy. Ms. Darden felt the statement on lines 43-44 already covers the expectation for educators. Reaction to incidents with educators has prompted the board policy to be revised instead of educating staff members on what the expectation is. Some teachers feel their use of Facebook has saved students' lives and feel they have made a difference in student's lives. The district needs to make sure there is training on what is respectful

interaction with students. Mrs. Darden would also like to see lines 50-54 eliminated. She asked the board not to get down to the minutia and try to legislate every little action.

Trustee Vuittonet spoke to the level of conduct and safety the policy would provide. A lot of grooming is done out of the view of others and using Facebook and Twitter. The intent of the policy is to protect the student, not to “get” the teacher. He suggested that line 54 include the word “teacher” and that training on confidentiality could be provided.

Ms. Darden would prefer the word “educator” instead of teacher and appreciates that no one wants to hear about pedophiles, reflects poorly on all of them. When the policies try to control everyone, there is an impact on the people in the buildings.

Trustee Vuittonet stated he was sensitive to the fact what they hear can be disturbing or that the student may hurt themselves. With training, the educator could decide what incident they could go behind closed doors. He doesn’t want to be invasive of educators, adding the wording could solve the issue.

Ms. Darden still believes that lines 43-44 cover that issue.

Chairman Dean thanked Ms. Darden for her testimony.

Jolene Gunn – stated her objection to the work “must” on line 50. The one time they close the door and someone says they didn’t follow policy, they are in trouble. Elementary students want to discuss things with their teachers. There are lots of parent volunteers in the hallways, they hear things and it can be spread around the district. She wants to keep confidentiality for her students.

Ms. Leeds suggested striking “*all adults interacting with children must do so in open public spaces*” from line 50 and have the sentence begin with “*if one-on-one....*” The word *educator* will be added to line 54 so the statement reads “*when an administrator, nurse, counselor or educator...*” and line 52 would read “*purposes, every attempt should be made to conduct in a public area....*”

Trustee Sayles asked to strike item #6 and go with the wording on lines 43-44.

Trustee Vuittonet agreed with the revisions proposed by Ms. Leeds stating the policy is to prevent predators from access to our students and this would give educators the option to use their good judgment on what information they might hear from students.

Chairman Dean stated her appreciation of Ms. Leeds’ sensitivity to the teachers with the proposed revisions.

Trustee Madsen explained this was issue that was near to her heart. She felt that #6 binds the hands of teachers that are reaching out to the students.

Ms. Leeds stated her agreement with Mrs. Darden and Trustee Sayles and is fine with cutting #6 from the policy. This will give the district an opportunity to educate the younger teachers regarding the ramifications of their interactions with students.

Trustee Sayles made a motion to approve proposed revisions to Policy Code No. 403.50 that will include striking #6 from the policy. The motion was seconded by Trustee Madsen. Trustee Joki explained his concern with the interpretation of #5 which asks teachers to the legal obligations of the district. Ms. Leeds replied the wording refers to the obligation and duty for teachers to report and that staff is trained every year to follow the law. Additional training could be made available. Trustee Joki felt the statement could be interpreted unfavorably for staff members and Ms. Leeds suggested they strike that part of the statement from the policy. Trustee Sayles amended the original motion to strike the following wording on line 46-47, "their own and the school district's legal obligations". Trustee Madsen seconded the amended motion and the vote was unanimous to approve.

#### Board Training

Trish Duncan, clerk of the board, discussed the funds set aside by the legislature for board training and asked the board to consider August 11, 2015 as a tentative date to schedule the training, contingent upon the availability of an approved trainer.

#### Board Reports/Assignments

Chairman Dean welcomed the new trustees and opened the floor to introduce themselves to those in attendance.

Trustee Madsen thanked those in attendance for the time and opportunity to discuss goals and formally thank those who supported her. Time was spent getting to know her constituents and the common theme she heard was regarding communication between the board and the community, and the board and parents. The board needs to be present, active and in touch with the community, which includes transparency in what we do. Accountability has to start at the top and then comes down to the classroom. Trustee Madsen stated her concern with the former board adding a year to the superintendent's contract and concluded by saying the greatest challenge is to remain as servants and not politicians.

Trustee Joki thanked fellow trustees, members of the audience, family and friends who witnessed the taking of the oath, it was a happy moment for all of them. His campaign was about being conservative, to bring transparency and accountability to the district and respect to teachers and the law. The climate of the district needs to change so that every staff member feels free to speak openly about the performance of the board and the administrators. There is a need to increase parental involvement in this district, and he would like to review the strategic

plan because it minimizes parent involvement. Trustee Joki talked about the lawsuit he has filed and explained there are two parts, one to increase funding to schools and the other to ask all school districts to stop charging unconstitutional fees. He believes this is not a conflict of interest, as nothing is being voted on. If charging fees is necessary to fund programs, the fiscal policy needs to change. Trustee Joki thanked them for their attention and stated he might have other items to address in the next meeting.

### **Superintendent's Report**

Dr. Clark asked to hold the committee review as the list of committees for the board to participate in might change with revisions to the strategic plan. An updated list will be provided for them to consider at the July 28<sup>th</sup> board meeting.

Dr. Clark distributed a copy of the agreement between the Meridian Education Association and the district. There were no costs associated with the mediation, this service is provided by the federal government.

Dr. Clark handed out the district wide scores on ISAT compared to the state scores and an article in EDWeek on anticipated scores and updated scores. A dashboard has been under development the last few months which will give parents the ability to drill down to see data compared to other schools. The board will need to set goals for the KPI's if they want to continue using them.

Dr. Clark will use the "items requested form" to track board requests and questions that was developed last year.

Dr. Clark updated trustees on the case before the Ninth District Court which was found in the district's favor. Our only liability will be the testing that should have been done in the amount of \$6000.

Trustee Vuittonet asked for a point of order, he understand there was a need to reseal the board and hopes the new arrangement will work well. His issue was not being part of the conversation to make this decision. Chairman Dean stated there was no pre-planning done prior to the change and Trustee Vuittonet clarified that he wanted the opportunity for feedback.

### **Personnel**

Barbara Leeds, assistant superintendent, brought forward a recommendation to hire Michael Farris as the new Centennial High School principal. Trustee Joki stated it was important that the board have an opportunity to review the qualifications of key administrators and asked if there was a way for the board to be given the information before the board meeting. This decision will impact students and the administration must be mindful of how the process can be more transparent for review. He also stated that perhaps the board should be involved in the evaluation of administrators.

Trustee Joki made a motion to accept the appointment of Michael Farris as the Centennial High School principal, the motion was seconded by Trustee Vuittonet and passed unanimously.

Eagle High School Parking  
Lot Change Order Approved

Joe Yochum, chief operations officer, reviewed a change order request for the Eagle High School parking lot. When the project began, it was determined there were issues with the original construction of the parking lot resulting in a change order for \$721,622.81 (the existing base is not usable, the ADS storm drains are not at the correct height, the irrigation lines are not all sleeved that run under the parking lot and there are water table issues on the South side of the parking lot creating soft spots that need additional base installed). The district allocated \$892,000 for the project, and the bid was awarded at \$685,363.17. The overage will be covered with funds budgeted for the project and funds budgeted to replace the roof at Spalding Elementary. District staff has determined the roof will last for an additional year.

Trustee Madsen asked if we were aware of who did the original work and Mr. Yochum stated he would find out. The work was done in 1995 when the school was built.

Dr. Clark indicated there was a history of water table issues in all schools in Eagle and it was very discouraging to have projects that result in more money spent because the work was done incorrectly. If the work is stopped at this time, there will be a 15% penalty owed to the contractor.

Chairman Dean told Mr. Yochum she would appreciate if the original contractor was contacted to see if there is a warranty and ask for some kind of remedy.

Chairman Dean does not want to be placed in this position and asked if there was a way to get the price reduced. The contract must have stated something about them needing board approval before proceeding.

Trustee Madsen emphasized her concern with who had done the prior work. The district can be an economic force and we owe it to the tax payers not to contract with the same company on other projects.

Mr. Yochum commented there was a \$50,000 contingency fund to use for the bus lot area if needed. Currently 70% of the parking lot has been torn up and because they don't know what will be found in the remaining areas, Knife River will perform the added work at cost.

Trustee Madsen made a motion directing Mr. Yochum to communicate with Knife River our intent to negotiate the \$50,000 (if necessary) and to award the change order in the amount of \$721,622.81. Trustee Vuittonet seconded the motion and it passed unanimously.

**EXECUTIVE SESSION**

Chairman Dean took a roll call vote of the board at 8:32 p.m. to move into executive session to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer,

employee, staff member or individual agent, or public student. Trustee Madsen voted yes, Trustee Sayles voted yes, Trustee Joki voted yes, Trustee Vuittonet voted yes, and Chairman Dean voted yes.

The board recessed from executive session at 9:48 p.m. and continued in regular session.

Motion by Trustee Vuittonet asking Chairman Dean to seek an Attorney General opinion on the questions: "Under section (b) of the Executive Session law, what can be discussed under 'evaluation'? Is discussion limited to the enumerated disciplinary actions, thereby prohibiting discussion regarding the evaluation of a public officer, employee, staff member or individual agent that is non-disciplinary in nature?" Second by Trustee Madsen. Those in favor of the motion: Trustee Vuittonet and Trustee Madsen. Those opposed to the motion: Trustee Sayles and Trustee Joki. Chairman Dean voted aye.

Motion by Trustee Madsen asking Chairman Dean to seek an Attorney General Opinion on the question: "Can the chair of a board of trustees, without an authorizing vote of the board, seek a legal opinion that may or may not incur expenditure of district funds?" The motion was seconded by Trustee Vuittonet. Motion carried by unanimous vote.

## **ADJOURNMENT**

Trustee Vuittonet moved, Trustee Madsen seconded and the vote was unanimous to adjourn the meeting at 10:03 p.m.

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Chairman

Clerk