



West Ada

SCHOOL DISTRICT

SCHOOL BOARD MEETING MINUTES

September 15, 2015

Date, Place & Time	The regular meeting of the Board of Trustees, West Ada School District, convened at 5:34 p.m. on Tuesday, September 15, 2015 at the District Service Center, 1303 E. Central Drive, Meridian, Idaho.
Trustees in Attendance	Trustees: Chairman Tina Dean, Dr. Russell Joki, Dr. Julie Madsen, Carol Sayles, Mike Vuittonet
Staff in Attendance	Dr. Linda Clark, Barbara Leeds, Joe Yochum, Trish Duncan, Eric Exline, Dr. Bruce Gestrin, Troy Stephens, David Moser, Dr. Mandy White, Alex Simpson, Devan Delashmutt, Cindy Sisson, Ramona Lee, Stacy Low, Denise Shumway, Geri Gillespy, Missy Nida
Guests	Jolene Gunn, Jennifer Sebesta, Cindy Whiting, James Whiting, Mary Ollie, Kurt Dorn, Angie Hickman, Sam Perez, Robert Zumbrun, Kevin Leishman, Kelly Davies, Karen Harr, Sue Darden, Pat Fujii, Randa Fenn, Kendra Wisenbach, Jamie Dobson, Calvin Barren, Calvin Wood, Susan Woodard, MariAnne Batten, Khristie Bair, Joni Leipf, Katie Hitchcock, Jordan Roberts, Olivia Moscrip, Kris Ingram, Jennifer Fletcher, Tami Lloyd, Sarah Mendenhall.
CALL TO ORDER	Chairman Dean
Amended Agenda Approved	Trustee Joki moved, and Trustee Sayles seconded the motion to amend the agenda with the addition of the selection of board counsel and appointment of the clerk and treasurer to Discussion/Action; and to remove Idaho Code Section 74-206 (1) (f), from executive session. The vote was four to one with the Chair abstaining. Trustee Joki voted yes, Trustee Sayles voted yes, Trustee Madsen voted yes and Trustee Vuittonet voted yes.
Spotlight	James Whiting, a freshman at Centennial High School shared information regarding his completed Eagle project at Joplin Elementary. James replaced an unfinished piece of sidewalk with an ADA (American Disabilities Act) compliant sidewalk. The project was funded 100% by donations from neighbors and individuals who use the path and was completed over a three day period by thirty-six volunteers. Board members thanked James for his hard work and fortitude.
Bid Award of Hillsdale Elementary Moved to Discussion/Action	Trustee Joki made a motion to move item 10c (bid award for construction of Hillsdale Elementary) to Discussion/Action. The motion was seconded by Trustee Sayles and passed unanimously.
Consent Agenda Approved	Trustee Vuittonet moved, Trustee Madsen seconded and the vote was unanimous to approve the agenda as amended. Approved items are as follow: Payment of bills dated August 1-31, 2015; P-card payments dated July 1-31, 2015;

Consent Agenda cont.

Monthly budget report;

Minutes of the August 25, 2015 regular board meeting;

Associated Student Body reports;

Employment recommendations;

Request for leave without pay from Anthony Lewis, teacher, three (3) days;

Requests for professional leave for:

- Craig Ayala-Marshall, Doni Davis, Jamie Dobson, Carla Karnes, Jason Leforgee, Julie Matsushita, Rhonda McDonough, Joe Palaia, Cindy Sisson, Cyndi Spradley, Audra Thorpe, and Ryan Wilhite, three (3) days; Sarah Appleton, Kimberlee Burris, Jennifer Fletcher, Jason Newell, Amy Senethavilay, Jacqueline Wilson, four (4) days to attend the 2015 Teaching, Learning and Coaching Conference in Denver, Colorado;
- Julie Ciaccio, Gary Helsley, Terresa Henrie, Staci Leavitt, Donell McNeal, Tracy Poff, Tina Powell, Marc Segal, Valerie Stringham, and Robert Taylor, one (1) day, to make a school visit to Innovations High School in Salt Lake City, Utah;
- Devan Delashmutt, Keven Denton, Geri Gillespy, Cindy Sisson, Brett Sower and Josh White, two (2) days to attend Microsoft Educator Training in Bellevue, Washington;
- Ann Henneman, off contract, to attend the ISU concurrent Credit Workshop in Pocatello, Idaho;
- Ann Henneman, off contract, to attend the IAEA Conference in Hailey, Idaho;
- Staci Leavitt, off contract, to attend the IBEA Fall Conference in McCall, Idaho;
- Staci Low, two (2) days to attend the Professional-Technical School Regional Administrator's meeting in Lewiston, Idaho;
- Shane Stevenson, three (3) days to attend the World Food Prize Global Youth Institute in Des Moines, Iowa;

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

Recommendation to seek Alternative Authorization – Content Specialist for:

- Matthew Greenbeck to teach Mathematics for Renaissance High School;
- Micah Claffey to teach orchestral and instrumental music 6-12 at Idaho Fine Arts Academy;
- Melissa Gallegos to teach math at Lewis and Clark Middle School;
- Jennifer Dahlgren to teach Resource Room at Frontier Elementary;

Bids awarded for:

- Reroof of the District Service Center to Quality Tile Roofing in the amount of \$467,925.00;
- Relocation of two greenhouses at Meridian High School to Alta Construction in the amount of \$33,000.00;
- Victory Middle School walk-in cooler and freezer to Standard Restaurant Supply in the amount of \$41,220.10;

Disposal of surplus equipment.

Discussion/Action

Transportation Update

Joe Yochum introduced Don Kissell, senior vice president of operations at Cascade Transportation to go over an action plan and to give a progress report.

Mr. Kissell thanked the board for the opportunity to address. A little over twelve months ago in 2014, they were given the opportunity to serve this community. The contract was awarded in late May or June and four to six weeks later they were on the ground in Meridian addressing transportation services from that point forward. At that point and time they were 30 drivers short and started school on August 14th and were in full session by the end of August. Throughout that year it was his understanding they met the expectation of the board, the district and the community. Unfortunately that was not the experience this past summer. As a result of that, he was made aware of the situation and showed up in Meridian thinking there was a software issue, when in fact there were three different kinds of issues. One being the software issue, the other two issues were the routing issue with the special education routes and a lack of drivers. As he indicated to Dr. Clark, in their world, this is a service failure. Mr. Kissell accepted responsibility for the failure and believes they have a path established for a long term partnership that will be built over time and on trust. They are committed to correct the issues that the district was confronted with. An action plan has been developed that will address the issues in three pieces. Short term - what are they doing today to address the issues they were confronted with; mid-term - for them to address the personnel aspect; and long-term - building a partnership and trust. Mr. Kissell went on to discuss several areas of concern:

- Customer service- several failures in that area. Today each employee has the responsibility to answer phone calls and will have the ability and knowledge to locate a student, address, and bus stop from their work station. A new group email has been set up, independent of the district platform, which will allow for multiple employees to have access to the request for service and for all parties to know the particulars and who responded. New students will be added in 1-3 days, though the norm will be the next business day.
- Personnel - the staffing will be right sized and or right skilled to accommodate the service needs. Emergency phone numbers will be established. Employee training will be coordinated for customer service and business communication. Prior to the close of each shift at 12 noon and 5:00 p.m., Bunny and/or Michelle will be responsible to understand the unresolved issues and determine how best to address. CST will reimburse the district for the district employees time allocated to transportation that was in excess of normal and customary practices. Special in-service meetings will be scheduled for special needs driver. The curriculum will include the eight special needs module in ST University.
- Driver and office staffing - Mark Worley, director of safety and training for the western region, evaluated the status and performance of the Meridian driver recruiting and training program the week of September 8th. It was discovered they have a minimum of eight open driver slots, and as a result have brought in staff from Colorado to fill those spots. Additional staff continues to be trained and brought on staff. Office staff work schedules will be evaluated and revised if necessary. Work flow in the dispatch office will be evaluated the week of September 14th and CST will evaluate the need for someone to oversee the dispatchers.
- Special needs routes were assessed over Labor Day weekend. They had a minimum of thirty one students not routed and at this time, that has been

corrected. Information needs to be inputted into the Bus Planner system, which should be completed by the end of the month.

Actions completed to date:

- Staff meeting was held to address customer service, business etiquette, honesty, and integrity and employee morale.
- Rowdy Bates will have daily contact with Joe Yochum and Miranda Carson until further notice.
- They have eliminated the use of the auto attendant for in-coming calls.
- Bus planner will create access points at each school which will produce more accurate driver directions.

Mr. Kissell has asked that questions and concerns be placed in writing. They are here to provide a service and committed to correcting the issues.

Chairman Dean asked if the parent portal was up and running now.

Rowdy Bates replied it was in testing, and the district has received the link. Special Ed, and EL routes are being backed out of the portal, those routes are set up at the transportation office. Software is being written and they have a deadline of Friday to have it completed.

Chairman Dean reiterated that a parent with a special needs student would need to contact Cascade Transportation to have a stop set up for their student, their information will not be part of the parent portal.

Mr. Bates answered there would be a special protocol set up with the school or district to identify those students and get them entered in the system.

Chairman Dean asked if there will be a communication on the front page to let parents know if there are special transportation needs, they won't be able to use the portal.

Mr. Bates answered they would certainly do that if that is what the trustees desire.

Mr. Kissell stated the other aspect is the degree of comfort with the bus planner, they are prepared to work with the district administration to replace if it is deemed necessary.

Trustee Madsen wondered, based on her experience with never receiving contact from Cascade Transportation, do they have a list of folks that got lost in the shuffle they will contact, or will they reach out to families to give assurances the service will be available.

Mr. Kissell replied there apparently was a list of individuals that were not given service. As a result, the communication between the district and their office needs to be so that doesn't happen. There may be students that have not been routed and they will work with Miranda and Joe to make sure they have been routed. There was a mindset in their organization that they had up to ten days to assign these students, which doesn't make sense. That has been corrected and they will be routed in 1-3 days. Mr. Kissell continued that he had been in the business for forty years and this was the first time he has had to address a board regarding a service issue. He was sure the district is disappointed and he continued to acknowledge they are aware of the problem and they are taking ownership of the problem. They are committed to making this work.

Chairman Dean asked how long before they will provide the service he thinks their company should provide.

Mr. Kissell answered by the end of September. At the beginning they thought it was a single issue, as a result he doesn't want to give a false expectation. From their prospective, the sooner the better. He needs to convince the board, Joe and Miranda they are headed in the right direction.

Chairman Dean replied they also need to convince the community they are headed in the right direction. The board has received emails and phone calls that we are using tax payer dollars to fund a program that is not getting our children safely to school and home. The first thing she would like to request is some sort of written communication that can be shared with our community, it can be put on our home page or sent out to schools, with the information Mr. Kissell has shared tonight. The second thing she asked if they could poll the parents by the end of next week to see if we have students who have not received bus service and have given up or don't know where to go.

Dr. Clark responded to the response to Trustee Madsen's question. She thinks we should send out a blast on our parent alert and in it we should say "if you today do not have transportation that is adequate or issues have not been addressed we need to know that so we can make individual contact with them". Then we can use that same method for the survey to meet her request. We honestly have no idea how many families have done exactly what Dr. Madsen described having done. We need to send out blast asking them to get in touch with us so we can circle back around and make sure every student who needs transportation is getting that.

Chairman Dean stated she was looking forward to getting this item resolved.

Mr. Kissell responded it was their long term goal to establish relationship and partnership long term and this was a reality they must address. Coming here was the right thing to do and he apologized to Dr. Madsen for her issues and any other person in the community. They are talking about verbal action plan and will respond in writing so the district can use the information to communicate with parents. They are looking to have a long term relationship with the district and the board. Mr. Kissell thanked them for the opportunity to speak.

Strategic Plan

Dr. Clark reported this is meant to be an update. We have spent time looking at the materials provided by Dr. Joki and some from other districts including the Highline School District outside of Seattle. Joe and Jackie will report on the operations and academics progress.

Mr. Yochum stated he had read Dr. Joki's review of the strategic plan and the Operations team is currently working on reducing detail to create a document that is more user friendly. The directions were to look for a connection to student outcomes, and to take out things that might be considered minutia and might not have an interest in. That is the direction the Operations team is going.

Ms. Thomason reported the instructional team is undertaking the same process. They meet about every week with the staff that represent the different departments. They took the documents that Dr. Joki sent them, reviewed and discussed the complexity of the 81 page document, looked at the technical

suggestions and revisions, and spent time looking at strategic objective one. They focused on reducing the complexity and increasing clarity for stakeholder use. That is the process they are going through now, taking key ideas and pulling it out to make a document for patrons and stakeholders to have a clear picture of the scope of their work.

Trustee Joki thanked Mr. Yochum and Ms. Thomason for the work that is being done. The statute says revisions are due on October 1st, will the board receive changes for comment?

Dr. Clark replied there has been a change in the legislation, they have moved away from the term strategic to continuous improvement plan. It is interesting because the districts were required to have a continuous improvement plan as part of the school improvement process. For many years every build has had one, as well as the district. Part of the issue on the instructional side is to meld those together. The state is working on changes to school and district improvement plans that gives every district the leeway in doing that.

Ms. Thomson would echo that, Trustee Joki, in the law, one of things you noted was the demographic profile of the district that is required. That is actually done in the state improvement plan at the district level. Melding of those two pieces of work is needed.

Chairman Dean reiterated that after this year there is no strategic plan, it is now continuous improvement plan.

Dr. Clark replied that is correct. They have gotten away from the strategic plan conversation and are focusing on the other.

Trustee Vuittonet stated this is quite an undertaking, the document is very vast and involved. He would like to see the district poll patrons to see if they know there is a strategic plan and to see what kind of activity we get from patrons concerning the strategic plan and on changes we have made. How many people are actually going in and looking at it. He hoped they could answer that question to see if what we are doing has an effect and if our patrons use this document as a tool. It is a survey they might want to look at in the future.

**Appointment of Clerk and
Treasurer Approved**

Chairman Dean stated she believed they had been given the job descriptions numerous times.

Trustee Joki asked if a copy of the job description could be projected on the screen.

Chairman Dean stated that if her memory serves her, they have approved the descriptions and we have temporary appointments in place and we need permanent appointments of the clerk and treasurer.

Trustee Sayles made a motion to amend the job description of both the treasurer and clerk to change the statement the work is performed under the supervision of the superintendent to they are directly to report to the board.

Trustee Vuittonet asked for clarification of Trustees Sayles. Doesn't know the intent of what that is and he asked what exactly the need for that change.

Trustee Sayles indicated that sometimes information is filtered and she would like it unfiltered information.

Trustee Vuittonet asked what that means are they inferring the clerk is filtering for somebody's purposes other than for the board, filtering the information in a negative way. He doesn't understand the nature of what that means.

Trustee Joki thinks the conversation is going in the wrong direction right now with that request. He was the one who moved early, maybe a month ago, to have these positions approved with assignments pending further review of job descriptions. Statutorily these positions are specific in the law and they are the clerk of the board of the district and the treasurer of the board and the district. The statute begins with the notion the trustees can fill these positions and if a trustee is interested in any of them it is not uncommon in many of the districts to have trustees filling the clerks position and the treasurers position as statutorily. The treasurer's position also permits assistant treasurer positions. He thinks the significance here is that these are unique in law and statute and they are identified with the board of trustees. Logically they would report to the board officer, he doesn't see anything other than following the clear intention of the statute that these are unique board appointments.

Dr. Clark asked a clarifying question. For the 37 years she has been in the district, these positions have been combinations positions. It is a large district and the duties of the clerk and the duties of the treasurer have not been enough for a full time position. As she explained in an earlier memo, these are both regular administrative positions and the job description for the director of finance has a single line stating this person also serves as the treasurer of the board. Both individuals do a tremendous number of other things, supervising staff, supervising the development of the budget, so she will need clarification if these administrators are no longer under the supervision of the superintendent how that works. The vast majority of their work would be without the direct supervision of the superintendent.

Chairman Dean stated Trustee Sayles or Joki, whoever wanted to answer this. Since both of these positions are full time employees, they would be directly managed by the superintendent, perhaps it would be appropriate to have a line in the description that work is performed under the supervision of the school district superintendent and they may also report directly to the board of trustees. Otherwise it seems to her they would need two new separate job descriptions since they both work for the board and the district.

Trustee Joki replied there is no need for two job descriptions, the duties are capable of being separated and it is not unusual for districts to have trustees filling these duties. If identification of the line of authority is to the board officers, the chair and vice chair, means you can call upon them immediately, you would then have a part in furthering the scope of their work and if you wanted to expand the work. The purpose here is not to make it more difficult, the purpose is to streamline it in how these two positions report to the board. He understands both of these roles having served in both capacities and he doesn't think the motion is unusual and we are discussing the motion without a second on the floor. Trustee Joki seconded Trustee Sayles motion.

Trustee Madsen stated that what Trustee Joki and Sayles are saying makes a great deal of sense to her. It is logical that if the board is relying on the talents or services of individuals, in order to perform their duties as elected officials, they should have

a role in supervising and the reporting of those individuals. They have a different requirement under the law than the superintendent does and they need to insure the board functions are adequately performed and they need a mechanism officially.

Trustee Vuittonet voiced his disagreement that they infer we would have trustees taking over the roles of the clerk and treasurer. This is a very large district, these folks have many job duties that overlap. He would have some understanding if they were in a district that was failing, that finances were lacking, and the administration was failing. We do not have that issue, things have been run efficiently, they have an incredible finance director and clerk has performed her duties for many years and to infer that we as trustees would take those roles on would be unthinkable. It would disrupt the administration and the district. This is completely alarming and would send the wrong message to our administration and the folks that work for us, going in and micromanaging their jobs is not the board's role. He is absolutely opposed to changing the job descriptions and add that trustees would be the clerk or treasurer of the board.

Chairman Dean replied that statute does say the trustees can be named in these positions, but didn't think that is what Trustee Joki meant. Trustee Sayles made the motion in the job description to replace who they report to, but she did not hear her say that she wanted to take on the rolls.

Trustee Sayles restated the motion the work is performed under the supervision of the board.

Chairman Dean motion to change job description of the clerk of the board, the second section, performance responsibilities, to strike school district superintendent and replace with school district board of trustees.

Trustee Sayles called for the question.

Trustee Vuittonet heard them state it wasn't the intent, however, he can publicly disagree there isn't any intent to take over and supervise. The structure of the administration will be disrupted. He would encourage the trustees to vote no as he will be voting no.

Chairman Dean called for the vote. Trustee Joke voted yes, Trustee Sayles voted yes, Trustee Madsen voted yes, and Trustee Vuittonet voted no. The chair did not vote.

Trustee Joki pointed out the chairman limited her statement to the clerk. He understood it was both the clerk and the treasurer.

Trustee Sayles made a motion the work is performed under the supervision of the board of trustees.

Dr. Clark called for a point of order, there is no job description for the treasurer of the board, and the job description is for the director of finance.

Trustee Sayles amended the motion to the director of finance, under supervision of the board of trustees.

Trustee Joki seconded the motion.

Trustee Madsen comment was a friendly amendment offered to her fellow trustees. That they restrict this language to include the work that is done by the director of finance when serving as treasurer of the board. She agreed that Dr. Clark's point is valid in that a great deal of the work would be done in the district office out of their purview and is best managed in the district office. So she offered an amendment that we restrict that to the work that is done on behalf of the board as treasurer of the board.

Trustee Sayles agreed to amend her motion.

Chairman Dean stated the motion as amended would be for the work for the director of finance, the work is performed under the general direction of the district superintendent and under the direction of the board of trustees when working for the board as treasurer of the board.

Trustee Joki seconded the amended motion.

Trustee Vuittonet asked to state for the record, this is disruptive, bad for the district and we are going in the wrong direction. This is the worst possible message is being sent, trying to fix something that isn't broken. He will be opposing this amendment as well.

Chairman Dean called for the vote. Trustee Joki vote yes, Trustee Sayles voted yes, Trustee Madsen voted no, and Trustee Vuittonet voted no. The chair did not vote.

Dr. Clark asked if she could bring back to the next board meeting a revised job description that specifies the duties as the executive assistant to the superintendent and as the office manager so that could be separate of those of the clerk which report immediately to the board for the same reasons that Dr. Madsen gave with her amendment to the motion.

Chairman Dean noted Dr. Clark's request.

Trustee Vuittonet made a motion to approve the appointment of Trish Duncan as the clerk and Alex Simpson as the treasurer. The motion was seconded by Trustee Madsen and passed unanimously.

Appointment of Board Counsel

Trustee Madsen asked to have this added. As they know, this is one of the things the board has the purview to appoint in their organizing meeting and it has been discussed and asked if there was a need. The last legal opinion has created some issues in timeliness of response and cost issues. She had the opportunity to speak to multiple attorneys who had differing interest in serving in this position. She was looking for someone who they would be able to contact 24 hours a day, the ability to counsel on all sorts of law and she has had the occasion to meet someone who is interested. The cost could be retainer or monthly fees, this person could be available 24 hours a day depending on their need. Trustee Madsen continued with a motion to appoint board counsel to facilitate timely legal assistance as well as affordability. The motion was seconded by Trustee Sayles. The motion was amended to appoint Breck Seiniger as legal counsel. The amended motion was seconded by Trustee Sayles.

Trustee Vuittonet expressed his alarm at going to a motion so quickly. He stated his appreciation for the research Trustee Madsen has done but it is important they have time to look at the resume and service and have the opportunity to vet who

is being picked. He stated his respect of Trustee Madsen's opinion, but this is an opinion they need to put off. They each need time to vet the candidate that is being nominated to serve. He is not opposed to having counsel, they have had many occasions when counsel was needed for direction. He is not in favor of accepting someone based on one trustee's recommendation, he asked for the decision to be tabled until everyone had an opportunity to vet the candidate.

Chairman Dean asked if counsel would be willing to give them a dossier or does Trustee Madsen have more to share?

Trustee Madsen replied that as she did her research, it was hard to get someone to do this work without a large monthly expense. Mr. Seiniger does work on labor and contracts and works closely with Moore, Smith, Buxton and Turk. They have indicated they will be a resource and will work with this attorney to give sub-specialized services. She felt the attorney provided an excellent resume on his own and the services of a larger full service law firm that would work with him when needed.

Chairman Dean asked Trustee Madsen in light of Trustee Vuittonet's request, would she hold the motion until next meeting.

Trustee Madsen stated she would like to keep the motion, feeling this was timely due to issues they were facing.

Trustee Sayles stated the board has an immediate need. She understood Trustee Vuittonet's concern, however, in their last issue, the school district attorney was slow in response in giving an answer and it was incomplete. Trustee Madsen sent an email to trustees on September 10th naming Mr. Seiniger and that they can change their minds at any time. Trustee Sayles calls for the question.

Dr. Clark asked if the intent was for administration to contact Mr. Seiniger with issues or is this person a board attorney?

Trustee Madsen replied the intent and proposal is that Mr. Seiniger would serve as general counsel.

Trustee Vuittonet asked, general counsel for the board or district, please clarify.

Trustee Madsen replied she would have to look at statute, but she believes an attorney to represent the board.

Chairman Dean asked if the district administrators would continue to contact the attorneys they have been using.

Trustee Madsen stated that would defeat the cost effectiveness of the proposal, they defer to general counsel for legal needs.

Chairman Dean called for the vote. Trustee Joki voted yes, Trustee Sayles voted yes, Trustee Madsen voted yes and Trustee Vuittonet voted no. The chair did not vote.

Dr. Clark asked what the intent would be for any legal matters they have pending. Are they supposed to spend time with Mr. Seiniger to bring him up to date and to go through him to complete the work? What is their direction to her?

Trustee Vuittonet stated they need legal counsel clarification, the district is working on many issues, will the general counsel be an umbrella over everything or is it like it is except for the board.

Trustee Madsen replied the proposal is not to have new counsel substitute for existing matters, the proposal is to have new counsel act as general counsel from this point forward.

Chairman Dean asked about the new cases under the liability insurance, do they continue to use the counsel the insurance company pays for.

Trustee Madsen replied that if there is an established relationship, it would be discussed with general counsel then it would be deferred to that company. Her understanding is if there are matters that are compensated by insurance, the insurance company dictates who the counsel is and would be handled outside of this agreement.

Trustee Vuittonet expressed his concerns regarding the use of one law office doing everything. The district has a vast array of services needed and to limit to one attorney when someone else would be better qualified or at a better price, he doesn't see the reason for that. There have been no prices established and we have given this person sole contract over all legal issues when they have not established pay or expectations. He hoped when they get to the point of fees, they will use due diligence and if it is more than they want to pay, they would revisit if it becomes an issue in the future.

Chairman Dean asked Trustee Madsen to ask Mr. Seiniger for communication they would share with the board on a biography and a fee schedule and a statement they would direct us to more qualified attorneys if needed.

Trustee Sayles stated that our existing contracts have gone into complacency, and a new eager firm will give us better competitive pricing. It won't be a 27-28 year contract. They will work on a year to year basis. Requests will not take five weeks and she understands the new counsel will shed new light on our existing price structures and fees.

**Revised Policy Code No.
403.11, *Jury Duty*,
Approved**

Dr. Clark stated that in response to Trustee Joki's question regarding a policy for teachers regarding jury duty, a memo was prepared and sent out in which they provided information on Policy 403.11, which is in general staff personnel, and covers all employees.

Trustee Joki was told that when employees report for jury duty our practice is to have them sign over their jury duty check. He contacted the jury commissioner to ask whether it was common or in the best interest of fulfilling a constitutional duty and she replied it was unusual. The jury duty pay is \$5 for a half day and \$10 for a whole day plus mileage. He wants to make sure our policy is not requiring employees to sign over their checks. He thinks the policy of expecting employees to sign over jury duty checks goes against the state constitution and would be small of the board to support. Trustee Joki made a motion to amend the policy to remove the requirement to return checks to the district. The motion was amended to put a period at the end of the word "compensation" and to strike the remaining statement. The motion was seconded by Trustee Sayles.

Ms. Leeds stated there was also a need to clear up wording in the adoption leave that states "human resources director" as the position no longer exists. This could say either assistant superintendent or human resources administrator.

Chairman Dean asked if Trustee Joki would amend his motion and the motion was amended to include a change in wording under adoption leave to "human resources administrator". The amended motion was seconded by Trustee Sayles.

Chairman Dean asked for information on the amount the district has paid out for employees on jury leave, what the expenditure has been. She would like to know before voting.

Trustee Joki replied that he understood her concern, but that it was beside the point. This is a court order, employers must bear that cost.

Chairman Dean replied she didn't think this was a court order to pay.

Trustee Joki stated he meant it was the employee's duty to report. That is the cost we bear. Trustee Joki called for the question.

Trustee Vuittonet stated his agreement with Chairman Dean. He would also like to know more, he does not want to be small or cheap. They have talked about being transparent and Chairman Dean's thoughts are reasonable.

Chairman Dean called for the vote. Trustee Joki voted yes, Trustee Sayles voted yes, Trustee Madsen voted yes, Trustee Vuittonet voted no and Chairman Dean voted no.

Supplemental Contracts and Walk on Coaches

Barbara Leeds explained that portions of the master contract that speak to the supplemental contracts were included with the agenda in August. She spoke about the two different ways to qualify for a supplemental contract. One is co-curricular (band director, etc.) the other is outside the regular work day. There are also walk-on coaches that are not certificated, they are paid the same stipend but do not have contract. After looking through historical data and speaking with the former and current athletic director, it seems this information should have been part of the employment recommendations brought before the board for approval.

Trustee Sayles asked what the process was for hiring and supervising a walk on coach, she has had complaints about one particular walk on coach.

Scott Stuart, district activities director, replied the responsibility of hiring and supervising walk on coaches is with the principal and athletic director of the building. Head coaches are also required to supervise.

Trustee Sayles replied she had emailed him about the concerns and hadn't gotten a response. She was contacted during the game to find out why the coach was still working. Her concern is that she has gone through the process and there doesn't seem to be a stop gap and wondered why this particular person is still coaching.

Trustee Vuittonet called for a point of order.

Chairman Dean clarified they were not speaking to any specific person or complaint. They are looking for overview and process. Where would they find out where to get help?

Mr. Stuart replied that had never received Trustee Sayles email. If there is an issue or complaint, it is taken seriously both at the administrative level and at the school. Mr. Stuart talked about the chain of command where students are asked to speak with the coach first and if that doesn't help, the parents are encouraged to speak with the coach. He understands that doesn't always work, so they should go to the school athletic director, then the principal and finally the district athletic director.

Chairman Dean asked if there is something signed when a student signs up for sports that acknowledges the chain of command.

Mr. Stuart replied the information is given to parents at the sports meeting held prior to the season.

Chairman Dean asked what the steps are to write up or terminate a walk on coach for an issue.

Mr. Stuart replied they have responded to issue in different ways, there can be a letter of reprimand, a plan of action or dismissal as a walk on coach.

Chairman Dean asked what the process was for egregious behavior.

Ms. Leeds answered there is always due process for everyone. If they have a complaint, they give the employee the right to be heard.

**Bids Awarded for
Construction of Hillsdale
Elementary**

Trustee Joki stated he had, in response to the electrical bid award, provided staff a letter from a local vendor who contends he was prohibited from competitive bidding, how do we respond to that? He did not understand the partial response he received.

Chairman Dean remembered a change in the bid process that adjusted how competitive bids were done, could Joe please explain.

Mr. Yochum responded the process that will be used to build Hillsdale Elementary is called a CMGC or construction manager/general contractor at risk. Russell Corporation was selected through the RFP process a year ago under this heading. Under the at risk process, Russell Corporation absorbs all the risk and they contract directly with the sub-contractor. Following this process, Russell Corporation has gone through and prequalified vendors to bid. They reached out to vendors of their choice to bid and if the vendor contacted them to be pre-qualified and met the qualifications, they were allowed to bid. Tri-State Electric was not prohibited. They were not invited nor did they contact Russell Corporation to be pre-qualified.

Trustee Joki asked if Mr. Yochum had spoken with Tri-State and Mr. Yochum replied he had not.

Trustee Joki had reviewed the letter from Tri-State and they appear to be qualified. He asked if the district knew, not this board but a previous board, knew what they were getting into with Russell. It doesn't appear there is anything this board or vendor can do, except to let the board know this is an unfortunate set of circumstances. The second question he would like answered is the appearance this project is running over budget, does Russell take the risk on that?

Mr. Yochum replied that yes, once the price is determined and for the cost of the current project, he would defer to Dr. Gestrin.

Dr. Clark shared with the board that costs would go over because of road construction, and that several parts of the project will be shared with other partners. Irrigation issues have risen also, but these overruns will be borne by construction savings from other projects.

Trustee Joki stated they must understand that several of them were not on the board at that time and this is coming new to him. None the less, it is fair to raise the question on what is an acceptable cost overrun on this project. The voters approved \$10M and we are now at \$15M.

Dr. Gestrin spoke in further detail about costs and expenses. Historically, the district manages the bond account, that doesn't mean they are only managing one of the projects, it is all of them. Hillsdale is over the budgeted amount, but he asked them to remember the bond questions asked for \$96M for construction and land acquisition. This project is unique and complicated and the site has become more complicated. It has been standard practice for the elementary site to be donated to us and this is the third site the district has received from Brighton Corporation. This is information we did not have a year ago when the bond question was prepared. The primary reason for the additional costs on this project is the construction of 900 feet of road and utility costs. What is normal in the construction world is they get the site in the subdivision and usually the road is our driveway and utilities are in place. That has not occurred this time. Sewer and water have to come down the new street and there is not enough electricity at this site. At the beginning of the project a traffic study is done and usually costs under \$10,000 at an elementary site. With the proximity to the future high school site, the study was enlarged to include what is potentially the high school, the cost was four times as much. Because we are at the end of the water line, we have been required to upsize the waterline. Hillsdale will be one of the first buildings that we are constructing under the new energy code. There is a more strict code for the air infiltration system which added \$250,000 to the cost of the building. The bond summary from Alex indicates the worst case scenario without the value of the partnership deducted. Russell Corporation and Hummel Architects have identified approximately \$500,000 of shared costs and representatives from Russell and the YMCA are watching costs so they don't go over the estimate. We have been fortunate that Meridian High and Victory Middle bidding came under the estimates, so there is good savings from those two projects. The bidding for Hillsdale was different because it was not the most favorable time to go out for bid, but this was bid because the design is at that stage. Russell and Hummel are pleased with the bids, some came in over, some under. But overall, the bids were under the estimated amount. Dr. Gestrin shared comparable costs for each facility with the board.

Trustee Joki stated this question came to his attention from people in the construction world asking about it. It is important to know where we are on this project given what is coming up in the future and we need to have answers. We have an important event in November and doesn't want this to become an issue a week before the election. It is out there and talked about in the construction world and while the answers are legitimate, while Dr. Gestrin shouldn't have to be on the spot, they had a lengthy discussion with Hummel and Russell a couple of meetings ago and they indicated there were no issues. Is the project 60% complete?

Dr. Gestrin replied they are barely going with ground work.

Trustee Joki asked what the percentages mean on the paperwork.

Dr. Gestrin replied these are the final bids for Hillsdale. The bidding is concluded.

Trustee Joki continued that pending approval of the library bond, that portion is being paid for by the library. If the library bond fails, we will be stuck with a school with no library. Trustee Joki stated he feels like he is asking too many speculative questions. He thanked Dr. Gestrin for his presentation, despite working with the \$96M, it was sold with some expectations and they need to follow this project closely, he is satisfied with the answers.

Dr. Gestrin stated it was important to disclose this information to the public. He pointed out that of the \$139M bond savings, the district was able to build Siena Elementary because they managed that bond, the interest rates were good and the bidding community was good. The offsite costs are not usually borne by the district.

Dr. Clark informed trustees that a fall newsletter will go out and it will be her recommendation to have a bond update on the management of the money and to explain the project. We will do this so this is not an issue on the street prior to the supplemental.

Trustee Vuittonet thanked Dr. Gestrin for his presentation. For the record, there have been many multimillion dollar projects over the last decade and a half, and Dr. Gestrin's comments on savings on other projects happens a lot. We are going to have these situations, and we need to be mindful of it. He knows patrons want to know and we need to express that it will balance out and we are being careful with tax payer dollars.

Trustee Vuittonet made a motion to award bids for the construction of Hillsdale Elementary, the motion was seconded by Trustee Madsen and passed unanimously. Bids awarded are:

- Miscellaneous Metals to Mountain Steel in the amount of \$180,476.00;
- Brick Masonry to Genther Masonry in the amount of \$63,910.00;
- Metal Studs and Drywall to Forte Construction Services in the amount of \$1,610,000.00;
- Cabinet and Finish Carpentry to Johnson Brothers Planing Mill, Inc. in the amount of \$483,302.00;
- Roofing to Upson Company in the amount of \$446,515.00;
- Doors and Hardware to Architectural Building Supply, LLC in the amount of \$117,080.00;
- Glass, Windows and Skylights to Custom Glass, Inc. in the amount of \$294,650.00;
- Floorcovering to Great Floors in the amount of \$311,427.00;
- Painting to Adam Roe Painting, Inc. in the amount of \$116,790.00;
- Specialties to Intermountain Design, Inc. in the amount of \$294,208.00;
- Conveying Systems to Otis Elevator Company in the amount of \$79,700.00;
- Fire Suppression to Phoenix Fire Protection in the amount of \$110,277.00;
- Plumbing to Lacy Mechanical, Inc. in the amount of \$565,000.00;
- HVAC to RM Mechanical, Inc. in the amount of \$891,108.00;
- Electrical to Tasker Electrical Construction, Inc. in the amount of \$1,334,555.00;

- Exterior Improvements to Hoffman's Landscaping, Inc. in the amount of \$153,023.00.

The board recessed at 7:39 p.m. and reconvened at 7:51 p.m.

**Teacher and
Administrator Evaluation
Processes**

Ms. Leeds reviewed the information the board requested at the August 11th board meeting. The committee has worked on the new teacher evaluation and policy based on the career ladder information.

Ms. Thomason reviewed a quick guide of the new law with the intent to make the law accessible to administrators, public and teachers. This will give the new definitions and the new language that comes with the career ladder. Ms. Thomason discussed parts of the career ladder and the implication they had for three things: the teacher evaluation form, which must be revised; a professional learning plan, which is a new requirement; and the need to revise our supervision and evaluation policy to align with the career ladder. She reviewed two pieces that are relative to the teacher evaluation, the professional compensation performance criteria and the Idaho Professional Endorsement. Under the Idaho professional endorsement, if a teacher had a professional endorsement by July 1st and had held for three years, they were granted the professional endorsement. If a teacher had their credential but had not taught for three years, they have to meet four criteria, but the one they will look at tonight is having an annual individualized Professional Learning Plan developed in conjunction with the employee's school district supervisor. The professional compensation performance criteria has two pieces: (1) an overall proficient rating and no components marked as unsatisfactory on the state framework for teaching evaluation; and (2) to demonstrate that the majority of students have met their measurable student achievement targets. Given that, the teacher evaluation in student achievement that are now considered part of the salary apportionment. Ms. Thomason discussed the salary apportionment which now falls into thirteen rungs on the career ladder and movement is based on teaching a year and performance criteria. The master teacher premium comes into effect after July 1, 2018 and the initial award is \$4000 a year for three years for qualified staff. After the third year, the \$4000 will continue unless qualifications are not met and the stipend will discontinued until those qualifications are met again. The minimum requirements are eight or more year of teaching experience and the three years immediately preceding the award must be continuous, plus they need to demonstrate mastery of instruction techniques for not less than three years of the previous five years of instruction and this is where the PLP comes into play; they also have to have met the 50% +1, which is the majority of students meet measurable student achievement for not less than three of the previous five years.

Chairman Dean asked how a teacher can hit the master teacher premiums if they break service to have a baby, when they come back, they couldn't meet the criteria.

Ms. Thomason answered that is correct, they will have to work three more years to meet the qualifications.

Dr. Clark replied the teacher could put two years in their back pocket and get credit for them and would only need a year to meet the qualifications, there is a mechanism to bank those years.

Chairman Dean asked if banking was an action to take before they take the time off.

Dr. Clark replied she didn't think the state board committees have all of that worked out. Additional work is being done that will come to the legislature, but not all details are done. School districts need to put these plans in place so some teachers can meet those qualifications by 2018.

Ms. Thomason continued with an explanation of the professional compensation performance criteria. The first major requirement is the teacher evaluation which is based on 67% professional practice and 33% student achievement. The second requirement is measurable student achievement where teachers have to demonstrate the majority of their students have met measurable student achievement targets or 50% plus 1.

Trustee Joki asked for a deeper explanation on measurable student achievement, who sets the targets.

Ms. Thomason replied that it is a local decision on how they are set. The spirit is this is close to the instructional cycle of the teacher. The 33% is more summative, 50+1 is in any instructional cycle, choosing assessment tools that show progress of students. Committees are meeting to see what the threshold will be.

Dr. Clark stated the local boards will make the determination on which are acceptable determinations. They will put together a comprehensive list of acceptable measures that will cover every grade level and every subject area with the intent the local boards will make the final decision.

Ms. Thomason pointed out something that is important to teachers is the 80% rule that is articulated in the power point. This allows us to takeout students who have not attended 80% of the interval of instruction.

Trustee Joki replied they keep referencing the committee. He asked them to send a list of who is on the committee by name and title.

Ms. Thomason will send that information out to trustees. She continued with how the professional compensation performance criteria works beginning in 2015 and continuing through June of 2020. The first three years teachers move as cohort, results will not prevent movement. Data does need to be collected for master teacher premiums and professional endorsement. One thing they will address in the teacher evaluation and policy is the 67/33 percent requirement and the PLP.

Ms. Leeds continued the discussion referring to the evaluation information that was shared August 11th. The new evaluation form has been changed near the end regarding professional practice, the 67% is the value of the information from the proceeding pages in domain one through four. Last time under proficient, they could have one unsatisfactory, sometimes they might make a decision that puts them in that category for one year, and based on the law they have taken that out. Under the student achievement score multiple measures are considered including formative, interim, or summative. If this is done in collaboration, the teacher has more influence on how this is being measured. Part of the committee work is coming with the PLP which talks about goals and achievement, and also give them a voice.

Chairman Dean inquired if the principal and visiting administrator comment on every section and sub section of the assessment.

Ms. Leeds replied that domain two and three are the most observable. Those domains show the teacher is interacting with the students. Domain one shows evidence of great planning and how they have come up with formative assessments. District administrators also sign up to do two or three observations in each building. They realized it was not necessary for them to go to secondary schools because of the multiple administrators, but academies, who have only one administrator and the elementary's without an intern, is where they are focusing their help. The teacher evaluation portal has everything and you can go in to show evidence of that day. There is a collated report available for every person who uses the evaluation tool. The report is emailed to teachers and they can bring artifacts and data to the process.

Chairman Dean heard from administrators that the portal is working and saves time. They asked for a promise not to change it in the middle of the year. Another ongoing concern is the time it takes to complete the long form, when a teacher is proficient or distinguished, is there another option to use a short form.

Ms. Leeds replied they can use the short form for level 1, 2, and 3 in the midterm. However, if there were a RIF situation, the administration could not compare the long and short forms.

Trustee Sayles asked how much time the building administrator take to fill out the long form at the end of the year.

Ms. Leeds replied that it depends, those that use the portal say it is easier and there are not as many time constraints. They have taken feedback and stylized the form for the benefit of the principals. Observing and evaluating is valuable time spent, they have looked at strategic plans that 50% of the principals work should be in the classrooms observing instruction.

Trustee Sayles asked if there were any principals that could compare an established teacher vs. a novice teacher.

Jamie Dobson, Spalding Elementary principal, was fortunate to be part of the pilot for the portal. It did save time, however, just taking the data was two hours per teacher. It didn't matter whether they were a novice or veteran. That doesn't include the time to conference which could be thirty minutes to an hour.

Trustee Sayles asked how many teacher she has.

Ms. Dobson replied 42 teacher and a half time intern who shares the supervision responsibility.

Trustee Joki asked if the half time intern was an assistant principal or someone completing their degree.

Ms. Dobson replied it is an assistant principal position, they have a degree and are in training to be an administrator.

Ms. Leeds clarified they are the same as an assistant in a middle school in training with the same responsibilities. They would be writing some of the evaluations for some of the larger schools.

Chairman Dean stated that elementary schools over 700 students get an assistant principal.

Chairman Dean opened the floor for public comment.

Susan Woodard, teacher, had a question on the 50% + 1 measure, will there be consideration of student population taken into account, and who decides student achievement targets.

Dr. Clark answered that is the reason for the long list of measures acceptable so students could be taken into consideration. The original draft included discussion regarding special education, EL students, etc. Each local board will decide the list of measures in the district, and the teacher and principal will decide on their personal measure. The teachers will have a lot of say from the list the district selects.

Katie Hitchcock, teacher, in regards to the list, will there be an explicit definition of what formative assessment looks like and teacher constructed assessment looks like.

Dr. Clark explained it is all under construction. Administrators have encouraged the state to contract with Northwest lab since they have well defined definitions. The intent is there is no gray area, and you and the administrator can understand what the measures are and how they work.

Chairman Dean explained the term RIF. Years back, if there was a need to reduce the teaching workforce, it was done by seniority. The state changed that to RIF or reduction in force and now each employee is assigned a number based on their evaluation, they are ranked and that is used if the need arose. Chairman Dean asked if on the evaluation there is the ability for teachers to attach artifacts or comments that the administrator did not witness.

Ms. Leeds replied there was. When they moved to the Danielson model, it was clear and important that teachers had to be part of the collaborative conversation, and it is as important as observations. At the beginning of the year for PLP, it was the perfect time for goals to be set and that conversation to happen. Schools are huge and trying to find that time to intermittently have conversation throughout the year. If they disagree, they can provide that data. They would prefer that conversation is done before the evaluation is written, then they can bring evidence and principals can change the mark. Teachers need to advocate for themselves if they believe the information is in error.

Trustee Sayles requested the district create a short form with the guidelines the state has outlined for us. When a principal spends 84 hours writing evaluations, it takes them away from family or away from the running of the building. The third one, she had teachers tell her, principals handed them evaluation and told them to fill out because they didn't have time. This is consuming too much time, when we have an established teacher, who has excellent scores and the principal has no worries about this teacher, why not have a short form? They are not worried about this teacher. Everybody knows in a building you have those types of people. Why force a principal to take that time, she would rather see them with the novice teacher to cultivate.

Mrs. Leeds replied they already have a short form, behind it is a rubric and it can be used first semester for Category 1, 2, and 3 teachers. They are still going to do the 67% and the 33% as well as the PLP. She explained that as a former teacher who worked in a band room, the perception when a principal did not come is they really didn't care what was happening in her classroom. She believes the teacher and the principal need to see professional practice, but noting in a short form is not a concern for her.

Dr. Clark stated she is supportive of a short form. Now that the pieces are in place which define what they must have, they can talk with the state about doing that for long term successful teachers. In the past they used the long form once every three years and the short form the other years. The principal will still have to conference with the teacher, and the teacher will still have to develop their improvement plans.

Trustee Madsen asked to go back to a statement made earlier regarding assistant principals. Are they actually doing evaluations as an independent observer while they are still in training?

Ms. Leeds replied any administrator in their first or second year are in training at any level. The reality is they run meetings, do the same things as an assistant at the middle school but at the elementary level and they do write evaluations. In the larger high school, because four or five people look at the teacher throughout the year, the combined look is important. The same thing happens at the elementary schools. There has to be a dialog between them and the principal, are they seeing the same things. The power of the portal is that it collates the information, the assistants are legitimate administrators.

Trustee Madsen had two more questions, one is regarding mastery level teachers, are we going to be limited to the number of mastery level teachers we can have in our district.

Ms. Thomason replied there are things in the law that have not been decided. The district will have some control about adding some criteria with board approval. The state board is developing criteria that can be added to the master premium. There is nothing in law that says there is a quota for mastery level limits.

Dr. Clark stated this issue was hotly debated in the original committee and at the legislature. They have headed it off for now, but as the cost goes up in future years, the legislature could put a limit on it. At this point there is no quota and we need to work hard to keep it that way.

Trustee Madsen commented that it is clear there are limitations of the Danielson as an evaluation tool. Another thing that plays into that, is 1- the real value is the one on one conversations with the teacher after the two hours of paperwork; and 2- the evaluations are often times not reproducible and not reliable between two different, individual people. It is very subjective. What is the ongoing plan for training and as well as maybe some objective measure of how well we are doing that evaluation?

Ms. Leeds replied those that took the 40 hours of Teachscape training, it was very difficult. Part of it was the quality of the videos, but every one of the current administrators passed the test. In theory, when two people go into a room, they

would see the same thing, they are trained to take evidence and get rid of their biases. In the law there is a statement of a recalibration requirement for principals to continue. New administrators have been directed to the state to take the test. They have done a lot of work so they can eliminate the bias and the ongoing training is most important.

Trustee Vuittonet stated the legislature had given money for the training because they didn't want people who weren't trained evaluating teachers. Have all administrators gone through the training?

Ms. Leeds answered they had and new administrators have been directed to get the training as soon as possible. The principals are mentoring new assistant principals, and new principals have been partnered with another principal for that support.

Trustee Vuittonet stated the evaluation process can be very controversial. He served on the state committee working on the evaluation process and part of the mindset is the consistency across the state. He liked the idea of a short form, but unfortunately, by law we have to do as directed.

Trustee Sayles stated she was interested in seeing a short form. She understands the evaluation and goal setting is set by law but she wants relief for principals who are sitting in the offices and spending their personal time which causes burnout. The short form could be used for an established teacher, maybe on a three year cycle, enough that they would qualify as master teachers. She would like to see principals interfacing with the students and walking through classrooms. That would be a better use of our resource.

Ms. Thomason continued with information regarding the professional learning plan. The PLP is in the career ladder law, but there is nothing to tell them what it should contain. At the first principals meeting she gave an overview and they discussed what should the professional learning plan look like. They have had three more principal meetings where they have discussed additional pieces and worked in groups to determine what are the pieces of the PLP? The committee wants the PLP to be meaningful and simple and to be connected to the evaluation form. The question can be asked, is there an area of professional practice you need to improve and/or things you want to modify to have greater influence on student learning. That will be developed under the professional learning goal that is connected to the teacher evaluation process or something they want to work on as a professional. The second part of the PLP is meeting the goal of 50+1. This will give the teacher more control on how they influence student outcomes. In collaboration with the principal, the teacher will identify what course or content they will use, the instructional interval that makes sense, the achievement target, and what assessments will be used. In response to concerns from teachers, they will have control over articulating what parts of standards, common core, or the state standards or district curriculum students need to meet. There will be guidelines around what is considered meeting the target.

Chairman Dean asked if the PLP needs to be maintained as a separate document from the employee evaluation.

Ms. Thomason replied the bottom of the form needs a signature and they will be kept three years to see if they have met the goal. It is submitted to the state through the ISEE system and this will be outlined in policy.

Chairman Dean asked if this could be completed at the same so it would not take extra time.

Ms. Thomason replied it would not.

Ms. Leeds replied that prior to this year they entered one score, the performance score will be sent in separately. She is working with the data base folks in ISEE to put it in Business Plus, but they have not determined whether it should be kept as a spreadsheet so it can be easily accessed. The concern right now is when teachers are coming from another district and trying to track that information so they could qualify for the third year. Even in the district, the PLP should be scanned with the evaluation so the documents travel together.

Chairman Dean asked if the PLP will be used to determine mastery.

Ms. Leeds replied it will be with the 50+1.

Policy 401.30 Supervision Evaluation:

Ms. Leeds stated they have added the information about the new law. She reviewed the changes starting with line 34.

Dr. Clark thinks it would be fine to approve this policy or whatever action they want to take. She suggested that between lines 54-55 of the policy they will need the board to approve the assessment tools when they are available. It should say from this board approved list, and as it is developed, and should be inserted into this policy. They are waiting to get the definition and when the board is asked to make the decision, they can understand what they are being asked before coming back and revising the policy again.

Chairman Dean asked since this is a first reading, could they see at a later meeting with some language about a board approved list of assessments.

Ms. Leeds will contact the state and let them know they are still working on the policy.

Trustee Joki hoped there would be a broad distribution to faculty that the policy has had a first reading, now is the time for them to respond.

Administrator Evaluations:

Dr. White, representing the other regional directors and the principal evaluation committee, stated that historically the principal evaluation was changed last year to mirror the state model. As they have used the form, they are seeing a need to improve it. If you look at the distinguished side, the wording takes the principal away from the building causing them to spend more time at the district. They think the principal needs to be distinguished working in in their building. They need to continually improve and discuss. Another document that is used in addition to the evaluation, is the professional learning goals. At the beginning of the year, the principal decides the areas they would like to improve at the beginning of the year with the region director. They would like to continue with this but may tweak to match the teachers PLP and will add a signature at the end. The third document is the artifact collection document which is related to each

domain of the evaluation. This is something they collect this data all year in hard form and technology related form. At the end of the year, documents are collected and the region directors meet with the principals to determine where they fit into the categories between unsatisfactory and distinguished. That information comes together in the final formative evaluation at the end of the year.

Chairman Dean asked if the region director does the evaluation.

Dr. White replied yes it was the region director and in response to Chairman Dean's question regarding who else evaluates them, she stated they currently have one evaluator. They are in a unique situation that directors rotate every two years and that gives them the opportunity to be evaluated by a different set of eyes every two years.

Trustee Madsen, regarding the efficacy of principals as perceived by those they are supervising. Is there currently a mechanism for that because currently it seems most evaluations come from top down, what is the bottom up mechanism.

Dr. White replied an administrator survey is conducted each through K_12 Insight and is sent to all the individuals in that principals building. It is returned to the region director and that is part of the evaluation process.

Trustee Joki stated that one of the roles of the board is to set priorities and at some point in the future for the board to talk about what are the most important roles they have. A challenge for the school board is to look at a document like this and ask what is it we look for in our leadership team and to think about these seven items, and perhaps when the strategic plan revisions are brought back to them, that will start the discussion on what they think is important and should be part of the leadership evaluation.

Dr. Clark stated it was the intent when the board set the key performance indications that they would translate to the building level, but the evaluation does not reflect that yet since that work hasn't been done yet.

School Capacity Fee Discussion

Trustee Joki stated he had sent out a proposed policy, it is not ready for a first reading but is a starting point to having a discussion on a policy for capacity fees and he asked the chair to encourage board response and feedback and hopefully there will be a first reading at a future board meeting.

Chairman Dean stated Dr. Clark had informed her that the local mayors and other school district leaders are looking to communicate together to work on a philosophy to share tax payer money. It would be helpful to say to them that the entire board wants to have the fees used in an appropriate way. A report will be brought after that meeting.

Trustee Vuittonet stated he had read the policy and had a question on clarification. In the law they aren't able to do impact fees, it might be a resolution they could work on, the direction they want our leaders to take. His thoughts are for consideration as they proceed.

Dr. Clark suggested they amend the agenda to make the topic school capacity fees and have the minutes reflect the discussion was on school capacity fees. The law prohibits impact fees and this would have more clout. This board has a resolution

that supports through the ISBA and this might be important as they work with the other entities.

Trustee Joki made a motion to change the wording from impact fees to school capacity fees, the motion was seconded by Trustee Vuittonet and passed unanimously.

Self-Correction of Open Meeting Law Violation

Chairman Dean stated this came out of their recent training with Elaine Eberharter-Maki and rises out of a conversation with the clerk. She believed on further consideration they may need to look more into the descriptions and she might need to speak with Elaine Eberharter-Maki to get the correct procedure to self-correct. If there is no concern from anyone else, she would like to table this item.

Trustee Madsen's understanding was this was an item to be brought by herself, not the clerk. She didn't know if the items didn't get sent to the agenda or if there was a mistake. Could she get clarification?

Chairman Dean stated there may have been two corrections.

Trustee Madsen continued that she was bringing this issue tonight with somewhat of a heavy heart, we evaluated and ultimately sought counsel regarding this issue, and what it led to was really more questions, more problems and more impropriety, so I am bringing this issue to night recommending the board take action to cure the violations of the open meeting law. I will give you background briefly that this is in regard to the regular board meeting of June 23, 2015. In the regularly scheduled board meeting of that date, the West Ada Board of Trustees extended the superintendent contract through the 2017-18 school year. It appears, upon review, this extension violates public policy and established school board ethics. For this reason I'll be asking the board to self-recognize this violation and begin the curative process. I'll briefly summarize concerns prior to making my motion.

- 1 - This very important contract decision was never noticed to the public or the board prior to the meeting by the meeting agenda, which effectively denied the board and the public the opportunity to participate fully in the board action
- 2 - The discussion of the contract was conducted entirely in executive session. Public contracts do not satisfy the open meeting law code pertaining to authorization to enter executive session. The contract is a document that should be publicly disclosed and debated, only the performance of the individual fulfilling the contract is appropriate for discussion in executive session.
- 3 - It is clear the superintendent was present during the executive session in which contract was discussed, which is in violation of the ISBA code of ethics for school board members, and which states the superintendent should be present for board meeting except when the board is considering the superintendents evaluation, contract or salary.
- 4 - Individual board members were not given copies of the contract that was discussed, voted on and signed on June 23, 2015. In short they did not know the salary and terms they were voting on. The contract was clearly finalized and available for disclosure as it was signed by the Superintendent and board chair following that meeting. However, the contract was withheld from the public and board.

5- The motion made by trustee Anne Ritter misrepresented the decision made by the board, the motion was, to quote "Rehire Dr. Clark and extend her contract by one year with the terms and conditions in the current contract." When an employee has an existing active appointment, rehire is not the appropriate employment action. Further the action taken was to initiate a new, brand new, three year contract beginning on June 23, 2015, rather than to extend the current contract by one additional year as the motion stated.

For the reasons listed, it is her belief the board acted in a manner that violated the open meeting law, as well as the code of ethics governing school boards. Therefore I would like to make a motion the board self-recognize the violation and proceed with a cure of the action no later than fourteen days from today as required by law. Also, in the interest of all parties, rather than simply declaring the action null and void, which is an option to the board, that we actually appropriately notice and discuss the matter in open session as intended in state law and reach a conclusion that is transparent to the tax payer as well as the board.

The motion is that we recognize the violation and initiate the process to cure, with a proposal to discuss the item of the superintendent's contact during open session at a meeting within fourteen days. The motion was seconded by Trustee Sayles.

Trustee Vuittonet stated he is taken back and finds this inappropriate. It appears there has been some kind of work being done to fashion the motion and he is concerned there was some legal counsel sought by one trustee instead of the action of the board. This is a violation of proper procedure. The motion proposes a legal solution but we can't conclude the law was broken and that can't be concluded with a motion. They need to look for the legality of the standing and they need to table this issue for a legal opinion and consideration of this serious issue. Going after a past board and criticizing, that board should have an opportunity to know that they did or didn't know they violated the law.

Chairman Dean replied this just arose out of recent training and once a problem is noted, they have fourteen days to cure. Perhaps the cure would be to set a special meeting within 14 days and they can share some sort of written input from legal counsel. If we agree there has been an issue, then we can correct it.

Trustee Vuittonet stated it would be good to have legal counsel identify if this is a legal matter. It is more of an accusation against a previous board. He is having a difficult time discerning what the intent is. The motion has been made and he is okay with legal counsel concerning this issue.

Chairman Dean stated they need to find a date within the fourteen day window, then if they are at fault they can cure appropriately. The latest date would be September 29th. The chairman asked for the board's availability for a 5:30 p.m. meeting.

Trustee Madsen asked the status of the motion that was made previously.

Chairman Dean asked Trustee Madsen to restate the motion.

Trustee Madsen restated the motion that the board self-recognize the violations she enumerated and initiate the process to self-cure by scheduling a meeting within fourteen days to start that process.

Trustee Sayles commented that when they were trained by Elaine Eberharter-Maki, she went into detail about the curative process. This is not an accusation of illegal activity, only that there was a mistake made and it is only full disclosure and transparency. Any board can say they made a mistake, we would like to cure this and the public needs to know and they have the right to be present for the discussion. The training was helpful in allowing us to right a mistake, so we do not violate the spirit of the open meeting law.

Trustee Madsen replied to Trustee Vuittonet's comment that she had sought legal counsel to write the motion stating she had not consulted with a lawyer, it had only required reading and writing. She had used Elaine Eberharter-Maki's documents as well as State Board of Education documents and ISBA documents. The training equipped them very well to deal with these sorts of transgressions, and that is why she brought this to the board rather than incur a cost or other negative effects.

Trustee Vuittonet stated he appreciated the answer and he just wants make sure they follow codes, and that they don't have any meetings or collaborate with some trustees about these things without other trustees. He asked if any other trustees were aware of this and if they knew the motion was coming.

Chairman Dean replied she would poll the board and continued that Trustee Vuittonet was probably at a disservice because he was not at the training. Trustee Madsen was by no means the only one learning how to cure the open meeting violations.

Trustee Vuittonet replied he was just asking if any of the trustees knew this was coming, had any indication by email or any other way that this was coming in this meeting.

Trustee Joki stated that he agrees with the observation, he sat through training and was also aware that Trustee Sayles tried to bring this situation to everyone's attention and it was deferred for further review. This is not news to him and wished that Trustee Vuittonet had been at the training.

Trustee Sayles stated that Trustee Madsen had written the motion earlier today, she did not email. She was aware of the issue because she tried to bring the issue up about a month ago, and our attorney did not answer her specific question.

Chairman Dean replied she did remember this from other meetings and a request for it to be on the agenda.

Trustee Madsen called for the question.

Chairman Dean called for the vote. Trustee Joki voted yes, Trustee Sayles voted yes, Trustee Madsen voted yes, Chairman Dean voted yes and Trustee Vuittonet voted no.

Trustee Madsen made a motion to set a special board meeting to cure an open session violation on September 29, 2015 at 5:30 p.m. The motion was seconded

by Trustee Sayles and the vote was as follows. Trustee Joki voted yes, Trustee Sayles voted yes, Trustee Madsen voted yes, Chairman Dean voted yes, and Trustee Vuittonet voted no.

**Policy Regarding Trustee
Email Accounts Discussed**

Dr. Clark provided information from the research the board requested on use of the district emails and network. She handed out four samples for them to consider and reviewed the content. Dr. Clark shared the two policies the district currently uses and asked for board direction on how administration should proceed.

Trustee Joki asked that the new director of technology prepare a review of current policy and with that the board would be informed of options and could schedule a discussion with him at a future board meeting. That is his motion.

Chairman Dean asked Trustee Joki to restate the motion.

Trustee Joki made a motion to direct the director of information systems to review current school district policy and bring to us at a future date some recommendations on how the board can be included in policies or changes to improve the existing policy. The motion was seconded by Trustee Sayles and passed unanimously.

Chairman Dean stated they might want to consider adding a footer to their emails that inform people they communicate with via email that emails may be subject to public records requests and also the confidentiality notice that is standard on most district users emails.

**Revision of Form for
Superintendent
Evaluation**

Chairman Dean stated her belief that Trustee Joki had asked for a rating scale on the superintendent evaluation form. Chairman Dean reviewed the addition of the Likert scale to the evaluation form currently used, they would need to decide how the number scale would work. She also attached the full performance evaluation form from Unionville-Chadds Ford School District because it gave an example of four areas, distinguished, proficient, needs improvement, and failing. Each sub-section has columns to mark which area relates to the evaluation. At the bottom of the page is an area for comments and a place to classify overall performance in that sub-section. The last attachment is a one page evaluation form that uses a gradient scale, one through four, it starts with "exceeds expectations" and goes to "does not meet expectations". They will need no action tonight, but will need something soon as Dr. Clark is due one each quarter.

Trustee Joki expressed his appreciation of the work and would like to see some kind of qualitative value such as there were in other examples.

Chairman Dean replied that generating qualitative values should be the work of the whole board and perhaps they need a work session.

Dr. Clark stated there was another addition, on the one marked draft, last year when adopted, it was purely goal driven. The addition that was made on the draft also put a succinct standard to each section. Item five and six did not have such a standard.

Chairman Dean stated they would need to discuss at the next meeting or at a special work session so they can get the work done on the evaluation.

Superintendents Report

Dr. Clark has received word from the State Charter Commission that a new charter school is proposed in the Nampa School District that could affect enrollment in our district. The Charter Commission is taking public comment on October 8th and asked if the district is interested in attending or giving input.

Dr. Clark informed the board she had received a subpoena to testify in the pending lawsuit.

**Board
Reports/Assignments**

Trustee Vuittonet informed trustees the ISBA regional meeting had been changed to next Monday night for Region III districts. An invitation was sent out by email.

EXECUTIVE SESSION

The board declared a need to go into executive session at 9:45 p.m. 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 school student as authorized by Section 74-206 (1) (b) and to consider records that are exempt from disclosure as provided by Section 74-206 (1) (d).

Trustee Madsen made a motion to move into executive session for the reasons stated above. Trustee Sayles seconded the motion.

Chairman Dean took a roll call of the board: Trustee Joki voted yes, Trustee Sayles voted yes, Trustee Madsen voted yes, Trustee Vuittonet voted yes and Chairman Dean voted yes.

In attendance at executive session: Chairman Dean, Trustee Joki, Trustee Sayles, Trustee Madsen, Trustee Vuittonet, and Trish Duncan

Section 74-206 (1) (b) – information will be discussed at a future meeting.

Section 74-206 (1) (d) – trustees discussed a record that is exempt from disclosure.

The board recessed from executive session at 10:43 p.m. and convened in regular session.

ADJOURNMENT

Trustee Vuittonet moved, Trustee Madsen seconded and the vote was unanimous to adjourn the meeting at 10:44 p.m.

Chairman

Clerk