

THE BOARD OF EDUCATION OF SALT LAKE CITY SCHOOL DISTRICT

Board Business Meeting
and Closed Executive Session

June 7, 2016

The Board of Education of Salt Lake City School District met in a Board Business Meeting and Closed Executive Session at 6:42 p.m. on Tuesday, June 7, 2016, in the Board Room of the Administration Building, 440 East 100 South, Salt Lake City, Utah.

ROLL CALL

Members Present: President Heather Bennett, Vice President Tiffany Sandberg, J. Michael Clára, Rosemary Emery, Melissa Ford, Katherine Kennedy, and Kristi Swett.

Members Excused: Cristian Cortes, Student Member.

Also Present: McKell Withers, Superintendent; Janet Roberts, Business Administrator; Kathleen Christy, Assistant Superintendent, Educational Equity and Advocacy; Kristina Kindl, Director of Policy and Legal Services; Barbara Kuehl, Chief Academic Officer, Brian Conley, Chief School Improvement Officer; Larry Madden, Chief Operations Officer; Julie Miller, Principal Washington Elementary; John Kelly, incoming Principal Washington Elementary; Greg Hogan Assistant Principal Washington Elementary; Susan McFarland, representing the Salt Lake Education Association; Janet Clark, representing the Child Nutrition Employees Association; Cindy Mills, representing the Salt Lake Educational Office Personnel Association; Jason Olsen, Public Information Officer; Lisa Alleman, Superintendent's Office, and others in the audience.

In accordance with the agenda prepared for the Board Business Meeting of June 7, 2016, twelve motions were made. Items are reported as listed in the agenda and not necessarily in the order they were considered.

The meeting was called to order by President Bennett, who presided.

1. BOARD CONVENES
2. CLOSED EXECUTIVE SESSION
- A. Litigation, Negotiations, and/or Property

At 6:03 p.m. a motion was made, after which members excused the audience and remained in the board room:

*(1) That the board meet in Closed Executive Session to consider litigation, negotiations, and/or property.

** (Swett and Kennedy)

Present for Closed Session for litigation, negotiations, and/or property were Heather Bennett, Tiffany Sandberg, J. Michael Clára, Rosemary Emery, Melissa Ford, Katherine Kennedy, Kristi Swett, McKell Withers, Janet Roberts, Kristina Kindl, and Florence Vincent, board legal counsel from Prince, Yeates and Geldzahler.

Board members adjourned from the Closed Executive Session for litigation, negotiations, and/or property at 6:40 p.m. and returned to the Board Business Meeting at 6:42 p.m.

VOTE RECORD	AYE	NAY	ABSENT
BENNETT	1,2,3,4,5,6,7,11,12	10	
CLÁRA	1,2,4,7,10,12	3,5,6,11	
EMERY	1,2,3,4,6,7,10,12	5,11	
FORD	1,2,3,4,5,6,7,11,12	10	
KENNEDY	1,2,3,4,5,6,7,11,12	10	
SANDBERG	1,2,3,4,5,6,7,10,12	11	
SWETT	1,2,3,4,5,6,7,11,12	10	
A Absent	Ab Abstention	F Failed	
N "No" Vote	NA No Action	T Tabled	
W Withdrawn	*Unanimous Approval		
**Members Making Motion			

B. Character, Professional Competence, or Physical or Mental Health of an Individual; and/or Deployment of Security Personnel, Devices, or Systems

There was no Closed Session for character, professional competence, or physical or mental health of an individual; and/or deployment of security personnel, devices, or systems.

3. BOARD BUSINESS MEETING

- President Bennett welcomed everyone to the meeting. She excused Cristian Cortes and David Litvack, Deputy Chief of Staff for Mayor Biskupski. She recognized the presence of Susan McFarland, representing the Salt Lake Education Association, Janet Clark, representing the Child Nutrition Employees Association, Cindy Mills, representing the Salt Lake Educational Office Personnel Association; Dr. Alexa Cunningham, incoming Superintendent; and Ryan Plume, candidate for Salt Lake City School Board, precinct 7.
- President Bennett introduced Dr. Alexa Cunningham, incoming Superintendent. Dr. Cunningham thanked the board for the opportunity and expressed her enthusiasm to continue the great work of the district.
- Zaquary Martin, a student from Ms. Crisher's 2nd Grade Class at Washington Elementary School, led the audience in reciting the Pledge of Allegiance to the Flag.
- President Bennett recognized Ms. Crisher's 2nd Grade Class from Washington Elementary School. Ms. Crisher said students in her class worked hard this year to research solar panels. Students presented their STEM project in favor of installing solar panels at Washington Elementary. Ms. Crisher recognized the many administrators, teachers, and parents who came to show their support.

A. CONSENT AGENDA

*(2) A motion was made to approve 8 of the 14 items included in the Consent Agenda. These items are listed below. Items #A1, The Purchasing/ Accounting Report; #A2, Human Resources Department Report; #A5, Superintendent Contract; #A7, Salt Lake Education Association (SLEA) and Salt Lake Association of School Administrators (SLASA) Tentative Agreements; #A8, Proposed Salary Schedules for SLEA/SLASA/Exempt Comprehensive; and #A13, School Resource Officers Memorandum of Understanding, were moved to the Action Agenda.

** (Clára and Sandberg)

Prior to voting, Ms. Ford thanked the people who worked on the rental agreements and the school improvement plans. She said both of these items are the result of many hours of hard work and dedication, and the time spent reviewing and reworking them should be recognized.

1. The Purchasing/Accounting Report, included a breakdown of items costing over and under \$50,000, increases to existing purchase orders, a payment voucher report that includes travel and professional expenditures, and the budget report for April 2016. *This item was moved to the Action Agenda.*
2. The Human Resources Department Report, included new contract employment for two employees, changes for six, and releases for seventy-six. *This item was moved to the Action Agenda.*
3. Minutes of the Board Business Meeting held May 3, 2016.
4. Minutes of the Board Study Session held May 17, 2016.
5. Superintendent Contract. *This item was moved to the Action Agenda.*
6. Utah Consolidated Achievement Plan for 2016-2017.
7. Salt Lake Education Association (SLEA) and Salt Lake Association of School Administrators (SLASA) Tentative Agreements. *This item was moved to the Action Agenda.*
8. Proposed Salary Schedules for SLEA/SLASA/Exempt Comprehensive. *This item was moved to the Action Agenda.*
9. Annual Review of Approved Resources for Human Sexuality Education.
10. Annual Review and Approval of the Rental Fee Schedule.
11. Required Board Resolution for the Utah Retirement System.
12. 2016-2017 School Improvement Plans.
13. School Resource Officers Memorandum of Understanding. *This item was moved to the Action Agenda.*
14. Board Policies
 - a. Policy S-8, Child Abuse.

B. REQUESTS TO SPEAK

Stanley Ellington, who requested to speak, was not present and did not address the board.

There were no other requests to speak.

C. PUBLIC HEARING ON THE 2016-2017 BUDGET:

At 7:00 p.m. President Bennett opened the Public Hearing on the 2016-2017 Budget.

1. Requests to speak on the 2016-2017 Budget.

There were no requests to speak on the 2016-17 Budget and President Bennett concluded the Public Hearing.

D. BOARD ACTION ON BUDGET:

1. Approval of 2016-2017 Annual Budget
 - a. Revised Budget for 2015-2016
 - b. Budget for Fiscal Year 2016-2017
 - c. 2016-2017 Proposed Tax Rate

^N(3) A motion was made to approve the written resolution to adopt the 2016-17 annual budget, which resolution is as follows. Approval was given to the motion on a vote of 6 to 1, with Mr. Clára voting "No".

** (Sandberg and Kennedy)

A resolution approving the revised Budget for the Fiscal Year 2015-16 as it has been presented to the Board of Education during this meeting on June 7, 2016. Also, approving the budget for the Fiscal Year 2016-2017 as it has been presented to the board on this date. Also, approving an increase to the Capitol Local Levy necessary to generate \$1.5 million. These funds will be used to meet the capital needs to the district. This rate shall exceed the certified tax rate that will be set by the Salt Lake County Auditor. In addition, authorizing any budget adjustments necessary to reflect funds received from the Tax Rate and committing the budgeted amount of the board local discretionary levy to the Special Programs Fund and Capital Reserve Fund.

Board members discussed the urgent need to talk about how to use the additional funds on an upcoming agenda. They clarified questions from each other regarding a list of board priorities and ensured everyone's concerns were included on the list. It was suggested the new director of Transportation talk about expenditures and financing of bus routes at an upcoming meeting to address board member questions and concerns on that topic. Ms. Emery reiterated district test scores are poor and said she feels this needs to be addressed soon since so many teachers are currently being hired. She provided a handout outlining her proposal for the ongoing funds. A copy of this handout has been added to the official minutes.

Ms. Roberts explained that funds saved from the decrease in the debt service levy will be allocated to the capitol local levy and returned to the district. This will require the board to

have a Truth in Taxation Hearing in August. Even with the tax increase, she said she anticipates this action will result in decreased taxes for taxpayers.

President Bennett said budget priorities would be an agenda item at the Board Annual Planning Session on June 21, 2016.

E. DISCUSSION AGENDA:

1. Superintendent Withers asked the board for feedback regarding the legislative priorities list so it can be updated prior to discussion at the Board Annual Planning Session. He said it would be good to pay attention to strategy changes and shifting trends prior to the legislative session. He said the first joint legislative committee meeting of the USBA is coming up this week, another one is scheduled for later in the month, and the Delegate Assembly will be held in August. Ms. Kennedy and Ms. Ford volunteered to meet with Superintendent Withers to rework the language on this list.

F. ACTION AGENDA

1. Purchasing/Accounting Report.

*(4) A motion was made to approve the Purchasing/Accounting Report.

** (Sandberg and Kennedy)

Mr. Clára asked for clarification on the \$600,000 purchase order for Workman's Comp insurance. He asked if information could be provided showing how much money the district has spent on this in the past. Ms. Roberts explained this amount is a blanket purchase order allocating the funds if needed, but it is only spent if claims are made. Mr. Clára asked if information could be provided on how many employees are getting hurt and if there are safety issues that aren't being addressed that are causing the injuries.

Mr. Clára also asked about the premium for unemployment expenses. He asked to see statistical data about how many employees are laid off and how much money is paid out to them.

Ms. Ford asked about the amount of money the district pays to Granite School District. Ms. Roberts explained state code allows a district who has students attend school at another district to request reimbursement from that district for the cost of that student. She provided handouts showing the "Out of District Student Enrollment for School Years 2010-2016." A copy of the handouts has been added to the official minutes. Because the value per student in Salt Lake City School District is higher than in Granite School District, we end up paying them more. Superintendent Withers said the way this is allocated isn't equitable. He said the only way to address this is with the legislature. Ms. Roberts said equalization is an ongoing topic of discussion with the legislature and next year it will be referred to as the "Equity Pupil Unit."

2. Human Resources Department Report.

N(5) A motion was made to approve the Human Resources Department Report. The motion passed on a vote of five to two with Mr. Clára and Ms. Emery voting "No".

** (Kristi and Sandberg)

Mr. Clára said this is the third meeting he has been concerned that some employees aren't getting listed on the Human Resources Report. He said according to State Law the board needs to approve the hires, but that can't be done if they are not included on the report.

Mr. Clára expressed concern about a specific position on the report listed as "Special Programs Coordinator." He asked for clarification about the need for this position that justifies the high salary associated with it. Superintendent Withers explained it is not a new position, rather one that has been vacant the past two years due to lack of funding, but the need has always been there. Ms. Roberts said the legislature allocated more money to Special Education which has allowed this position to be filled. Ms. Kindl said the job requires an administrator level to fulfill certain responsibilities, such as conduct evaluations.

Board members discussed the possibility of being able to pull a specific name off the Human Resource report so they don't have to vote against a report when they agree with the majority of the items on it. Ms. Vincent said under the current format it wouldn't be possible because the board approves the entire report, so a revised report would have to be submitted at a subsequent meeting which creates a situation where the approvals get farther and farther behind. Board members discussed other concerns including running the risk of needing to approve each individual name, targeting employees, and discounting the work done by hiring committees.

3. Superintendent Contract.

^N(6) A motion was made to approve the Superintendent Contract. The motion passed on a vote of six to one with Mr. Clára voting "No".

** (Kennedy, Swett)

President Bennett prefaced the motion by saying board members had an opportunity to address concerns about this contract in Closed Executive Session.

Mr. Clára passed out a letter expressing his concerns about the process for putting the contract together and said he thought there was going to be an opportunity to discuss it as a board before it went public. A copy of his letter has been added to the official minutes.

President Bennett said she disapproved of the personal attack tone of the letter Mr. Clára submitted and said she may respond in writing and would like her response to also be included in these minutes.

President Bennett said she would have liked more discussion, but there was a need to move forward with the contract. Other board members expressed their support and said opportunities were provided to discuss it during Closed Executive Session.

4. Salt Lake Education Association (SLEA) and Salt Lake Association of School Administrators (SLASA) Tentative Agreements.

*(7) A motion was made to approve the Salt Lake Education Association (SLEA) and Salt Lake Association of School Administrators (SLASA) Tentative Agreements
**(Sandberg and Swett)

Ms. Emery provided a copy of a letter to High School Principals from President Bennett, Vice President Sandberg, and Superintendent Withers regarding High School Schedule Discussions. A copy of this letter has been added to the official minutes.

Board members clarified with association members in the audience that these agreements were made with their support and both have been ratified.

5. Proposed Salary Schedules for SLEA/SLASA/Exempt Comprehensive.

^W(8) A motion was made to approve the Proposed Salary Schedules for SLEA/SLASA/Exempt Comprehensive.
**(Sandberg and Ford)

Ms. Ford said the salary schedules can be confusing. She has spoken with Ms. Kindl about adding language to clarify how employees move between steps and lanes. Mr. Clára expressed concern the Chief Officer positions are not included on the salary schedule. Ms. Roberts said she believes there is a salary schedule with the Chief Officer positions included and said the wrong schedule was provided in the packet. Ms. Sandberg withdrew her motion from the table until a corrected version of the salary schedule could be provided.

6. School Resource Officers Memorandum of Understanding.

^W(9) A motion was made that the board approve the Intergovernmental Agreement between Salt Lake School District and Salt Lake City Corporation. The motion was withdrawn by Board Member Sandberg.
**(Sandberg and Kennedy)

Ms. Kindl provided background information regarding the development of the Intergovernmental Agreement. She said this final contract is the result of a long process that started in 2013. In 2014 the Disproportionate Minority Contact Committee (DMC) conducted a pilot training program that included the district. If approved, Salt Lake City School District will be the first school district to approve an Intergovernmental Agreement from this pilot program.

Board members discussed the collaborations that have gone into the Intergovernmental Agreement. Ms. Kindl clarified she did not write the MOU. She said it was based on a template created by the DMC and was the result of work done by many people including Salt Lake City School District's Student Services Director, the Salt Lake City Police Department, the American Civil Liberties Union (ACLU), and members of the DMC. Board members discussed the communication behind the process. Some board members felt there wasn't enough opportunity for community feedback, and communication about the process was poor. Others felt it was a great collaborative effort providing ample opportunity for community input, which was received. Ms. Kindl said she would be happy to take additional input back to the Police Department, but added she couldn't guarantee changes because this is a negotiated agreement which

means all the parties need to agree to it. She also said some parts of the Intergovernmental Agreement are required by State Law and the district's settlement with the ACLU and cannot be changed. She added the ACLU is pleased with the result.

Some board members voiced strong opinions about the need for additional community input and review by the Equity Leadership Team before its approval. Board members said this is an important issue and they don't want to send the message that community input isn't important, but also don't want to send the message that the district doesn't support an agreement to improve a terrible situation. Some board members agreed and felt the document was a step in the right direction and implementation is needed more right now than wordsmithing. Other board members disagreed and said even if the Intergovernmental Agreement doesn't change with additional community input, it is important to distribute it for feedback prior to approval. It was noted voting "no" doesn't mean disagreement with the agreement, it means choosing to collect more feedback and approving it at later meeting won't cause a problem.

^F(10) A substitute motion was made to postpone voting on the Intergovernmental Agreement between Salt Lake School District and Salt Lake City Corporation until the Board Business Meeting on July 5, 2016 in order to provide the Equity Leadership Team an opportunity to review it. The motion failed on a vote of three to four with Board Members Bennet, Swett, Kennedy, and Ford voting "No".

** (Emery and Clára)

President Bennett asked for a vote on the original motion. Ms. Sandberg, removed her motion from the floor.

^N(11) A motion was made to approve the Intergovernmental Agreement between Salt Lake School District and Salt Lake City Corporation. Approval was given to the motion on a vote of four to three with Board Members Clára, Emery, and Sandberg voting "No".

** (Kennedy and Ford)

Board members asked to know when the Intergovernmental Agreement would be discussed with the Equity Leadership Team so they could attend the meeting.

G. SUPERINTENDENT'S REPORT

1. Miscellaneous Updates:

New Laws and State Rules. Superintendent Withers said implementation of new laws and state rules come through the work of the policy subcommittee as they update policies to reflect changes. Information and updates to the board come through the weekly memo.

ESSA Regulations. USBA will hold a meeting later this month to talk about regulations. More information and updates will be available once that is over.

Graduation Ceremony Feedback. Superintendent Withers said the feedback he's heard about graduation has been good. He said Vivint Smart Home Arena will be under construction during graduation next year so a new venue will need to be found. Board members shared their experiences regarding the graduations they attended and suggested collaboration between principals to incorporate favorite elements of each ceremony into all

the schools. One board member suggested scheduling the alternative high school graduations on a different day so they don't conflict, and also look into a single venue for them in order to share costs.

2. Other Reports.

Ms. Kennedy thanked Superintendent Withers for a letter he sent to parents announcing his retirement. She said he took the opportunity to talk about underage alcohol abuse rather than focus on himself. She asked that a copy of the letter be attached to the official minutes.

Mr. Clára said he knew of an open position within the district which isn't being listed as open and asked for clarification about why. Superintendent Withers explained the position won't be listed as open until it is advertised, which hasn't happened yet.

Ms. Emery, asked about the possibility of sports realignment happening again. President Bennett explained it is a two year alignment. She said once the October 1 counts are received, decisions will be made for the 2017-2018 year. She said improvements have been made to the process since last year and she will advocate for an alignment that will make travel more convenient for the district.

H. ADJOURNMENT

Following a motion by Ms. Kennedy, seconded by Ms. Ford, the meeting was adjourned at 8:38 p.m.

Janet M. Roberts
Business Administrator

lba

**Salt Lake City School District
Addition to the Minutes of the Board Business Meeting 06/07/2016**

OFFICIAL EXHIBITS OF BOARD MEETING

Official exhibits provided to the board and made available to the public as part of the meeting agenda can be found [here](#).

ADDITION TO THE MINUTES

The Board of Education of Salt Lake City School District acts by vote of a majority of the board members in an open and public meeting. Statements by individual board members, in or out of board meetings, written, oral or in social media, do not necessarily represent the views of the majority of the board or any other board member. Nevertheless, out of respect to the elected office that each board member holds and consistent with state law and board policy, the board allows its members to attach to board meeting minutes any other information that any member requests. When the board votes to approve minutes, that vote signifies that the minutes are a correct record of what occurred and what was asked to be included in the minutes. It does not signify any individual board member's agreement with the substance of the content.

The following information was distributed in the public meeting of the board, and has been included in the minutes at the request of the board member(s):

2016-2017 School Improvement Plans	Agenda Item A12
Resolution approving the 2016-17 Annual Budget	Agenda Item D1a
Proposal of Board Member Emery January 2016	Agenda Item D1b
Salt Lake City School District Out of District Student Enrollment for School Years 2010-2016 and Schedule of Amounts Paid to (Paid by) Salt Lake City School District FY 2011-2016	Agenda Item F1
Letter distributed by Board Member Clára	Agenda Item F3
Copy of a Letter distributed by Board Member Emery	Agenda Item F4
Copy of Letter sent by Superintendent Withers to district parents	Agenda Item G2