



BOARD OF EDUCATION MEETING AND PUBLIC HEARING FOR COMPENSATION CHANGE FOR THE BOARD OF EDUCATION

92 Lestone Way – Tooele, Utah

Tuesday, December 12, 2023

THESE MINUTES HAVE NOT YET BEEN FORMALLY APPROVED BY THE BOARD OF EDUCATION AND, UNTIL SUCH FORMAL APPROVAL, ARE SUBJECT TO CHANGE

The public Session was held in the boardroom at the district office.

Board Members Present:

Robert Gowans, Julia Holt, Scott Bryan, Emily Syphus, Melissa Rich, Elizabeth Smith, ValaRee Shields

Administration Present:

Superintendent Ernst, Lark Reynolds, Assistant Superintendent Hamm, Sarah Jarnagin, Angie Gillette, Jackie Gallegos, Marissa Lowry, Brett Valdez, Terry Christensen, Dustin Nelson, Mat Jackson, Charles Hansen, Cody Reutzel, Bryan Becherini, Ian Silva, Andy Peterson, Robert Curfew
Excused:

President Rich conducted the meeting. Notice of the time, place, and Agenda had been given to the Transcript-Bulletin and each member of the governing body more than two days before the meeting. The Agenda was also published on the Utah Public Access Website. Support documentation for this meeting can be reviewed at: <https://www.boarddocs.com/ut/tooelesd/Board.nsf/Public>.

1. Executive Session, 5:15 pm (Closed to the Public)

1.1 Personnel/Negotiations/Property/Litigation

President Rich called the meeting to order at 5:16 pm in the executive conference room, calling for a vote to convene into an executive session.

MOTION:

Enter executive Session held in the executive conference room at the district office to discuss the following:

- Purchase, Exchange, or Release of Real Property
- Pending or Reasonably Imminent Litigation
- Collective Bargaining
- Character, Professional Competence, or Physical or Mental Health of an Individual

Motion by Julia Holt, second by ValaRee Shields

Final Resolution: Motion Carries

Vote by Name:

Yea Elizabeth Smith

Yea Robert Gowans

Yea Julia Holt

Yea Scott Bryan
Yea Melissa Rich
Yea ValaRee Shields

2. Business Meeting, 6 pm (Start of Public Meeting)

2.1 Welcome and Pledge of Allegiance

President Rich called the business meeting to order in the boardroom at 6:00 pm and led the Pledge of Allegiance.

3. Recognition and Good News

3.1 District Recognition for December-Twenty Wells Elementary

Principal Jeff Zaleski recognized the following at Twenty Wells Elementary:

- Paisley Nuttall, 6th Grade Student of the Month
- Devin Hullinger, Kindergarten Teacher, Certified Employee of the Month
- Cara Mounteer, Lunchroom Manager, Support Professional Employee of the Month
- Melissa Moulton, Volunteer of the Month

3.2 School Presentation

Four students from Mr. Nathanael Gardner's sixth-grade class presented a small portion of a slide show they shared with many students at Twenty Wells Elementary. The slideshow was of an ABC book they made about the Indus Valley.

3.3 Tooele Education Foundation Recognizes "Cargill"

Keith Bird, Executive Director of the Tooele Education Foundation, recognized Cargill for their donation and continued support of the Tooele County School District.

MOTION:

Move to the Public Hearing

Motion by Robert Gowans, second by Elizabeth Smith

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Robert Gowans, Melissa Rich, Elizabeth Smith, ValaRee Shields

4. Public Hearing-Compensation Change for the Board of Education

4.1 Presentation of Proposal under consideration by the Board of Education

Lark Reynolds, Business Administrator, presented three options for the Board to consider for compensation change for the board. The options he presented were:

- Option 1: No change in compensation or policy 1013, Compensation and Expenses for Board Members
- Option 2: Ability to Waive Insurance in exchange for additional pay
- Option 3: Increase Board Compensation with the option to buy benefits.

4.2 Patron Comments (Individuals will receive three minutes for comment)

- Aubrey Bracken
- Jeanine McEachern

- Lisa Johnson, Representing TEA

MOTION:

Move to Close the Public Hearing

Motion by Robert Gowans, second Scott Bryan

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Robert Gowans, Melissa Rich, Elizabeth Smith, ValaRee Shields

4.3 Policy 1013, Compensation and Expenses for Board Members, 2nd Read.

Board Member Bryan expressed appreciation for the comments and thoughts shared. Acknowledging the prolonged absence of a change in compensation and understanding the budget constraints, he suggested that this may be the right time to consider and implement adjustments since it will not affect the current budget.

MOTION:

Approve Option 3 as presented

Motion by Scott Bryan, second Emily Syphus

DISCUSSION:

Member Gowans stated that as he looked at these options, he agrees an increase needs to be made in compensation; however, he feels he is not able to vote for it at this time with the budgetary shortfalls and feels more comfortable with it being looked at it in the new fiscal year.

Member Syphus feels we should refrain from striking the travel expenses for spouses and would be willing to strike the per diem for board members.

AMENDED MOTION:

Approve Revised Policy, 1013 Option 3, removing section G travel expenses for spouses in place and striking section B, eliminating the per diem for board members.

Motion by Scott Bryan, second Emily Syphus

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Melissa Rich, Elizabeth Smith, ValaRee Shields

Nay: Robert Gowans

5. **Consent Items (Routine items not requiring public discussion by the Board may be adopted by one single motion. A Board member may request to remove an item from the consent agenda for individual discussion and consideration.)**

- 5.1 Minutes
- 5.2 Expenditure Report
- 5.3 Revenue Report
- 5.4 Disbursement Report
- 5.5 Personnel Decisions
- 5.6 Financial Reports

5.7 Surplus

5.8 Vote on Consent Items

MOTION:

Approve consent items except item 5.5, which will be tabled for a future meeting.

Motion by Scott Bryan, second by Robert Gowans

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Robert Gowans, Melissa Rich, Elizabeth Smith, ValaRee Shields

6. Open Forum (Limited to three minutes per individual and a total of 30 minutes for all comments. To speak, sign up at the clerk's desk prior to the start of the open forum.)

6.1 Patron Comments

- Mitzi Belverstone, SPOTSD President, thanked board members for all they do and asked them to consider ways to help employees with flex time.
- Lacy Burrows addressed the board with her concern about electronics use in the schools since 2020, students not learning to print and write cursive, and time spent on the devices.
- Debra Kenter addressed the board regarding student travel and the importance of students having those experiences.
- Kynsie Sessions addressed the board regarding student travel and the importance for students to be able to have those experiences
- Aubrey Bracken addressed the board regarding the Dual Language Immersion Program
- Bradley Koot addressed the board regarding student travel and the importance for students to be able to have those experiences
- Sarah Hawver addressed the board regarding the Dual Language Immersion Program
- Natalia Howard addressed the board regarding the Dual Language Immersion Program
- Michael Howard addressed the board regarding the Dual Language Immersion Program
- Lauryn Drane addressed the board regarding the Dual Language Immersion Program
- Kris Loertscher addressed the board regarding the Community Council at GHS
- Jeanine McEachern addressed the board regarding the Dual Language Immersion Program

7. Action Items

7.1 Revised Policy 5001, Student Travel, 2nd Read

For a second read, Catham Beer, District Activity Director, presented revised policy 5001, Student Travel for a second read. Board members engaged in a thorough discussion regarding enrichment trips, focusing on the frequency of student participation and the need for equity across all groups. Emphasis was placed on maintaining awareness of students' time away from school and the potential impact of fee waivers on the district. Superintendent Ernst provided a summary of the discussion to clarify the direction for proposed changes to bring back for a third read. The key points included:

- **Enrichment Trip Frequency:**
 - The board agreed that enrichment trips should occur every other year.
- **Time Allocation during Conventions:**
 - When away from conventions, students should have the opportunity for tour activities during non-class hours or after regular hours. Alternatively, an additional day could be added for these activities.
- **Sports Trips Guidelines:**
 - For sports-related trips, follow the Utah High School Activities Association (UHSAA) season guidelines. Enrichment trips should adhere to the same guidelines.
- **Criteria for Participation:**
 - The suggested criteria for individuals participating in enrichment trips mirror the participation guidelines established for sports activities.

The board's discussion and Superintendent Ernst's summary provided Mr. Beer with direction for proposed changes for a third read at a future board meeting.

MOTION:

Move Revised Policy 5001, Student Travel, forward for a third read with the four elements Superintendent Ernst discussed.

Motion by ValaRee Shields, second by Elizabeth Smith

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Robert Gowans, Melissa Rich, Elizabeth Smith, ValaRee Shields

7.2 Revised Policy 2001, Superintendent of Schools, 1st Read.

Terry Christensen, Director of Policy, Property, and Legal Affairs, presented revised policy 2001, Superintendent of Schools; the proposed changes were minor and primarily addressed the adjustments in the direct supervision

MOTION:

Approve Revised Policy 2001, Superintendent of Schools for implementation

DISCUSSION TO MOTION:

Superintendent Ernst stated that section A says the Superintendent Evaluates the Business Administrator, and the Board actually does that.

AMENDED MOTION:

Approve Revised Policy 2001, Superintendent of Schools for implementation and strike Business Administrator from A1 and A8.

Motion by Elizabeth Smith, second by Emily Syphus

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Robert Gowans, Melissa Rich, Elizabeth Smith, ValaRee Shields

7.3 Retire Policy 2004, Building Administrator Duties, 1st Read.

Terry Christensen, Director of Policy, Property and Legal Affairs, proposed the retirement of Policy 2004. The recommendation was based on aligning with organizational norms and practices, which involve relying on job descriptions to outline the expected duties of employees,

including the criteria for performance evaluation.

MOTION:

Retire Policy 2004, Building Administrator Duties.

Motion by Scott Bryan, second by Elizabeth Smith

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Robert Gowans, Melissa Rich, Elizabeth Smith, ValaRee Shields

7.4 Policy 2005, Evaluation of Administrators

Terry Christensen, Director of Policy, Property, and Legal Affairs, proposed retiring Policy 2005 Evaluation of Administrators; he stated that evaluations are covered in Policy 4009 and recommended Policy 2005 be retired as part of a streamlined approach.

MOTION:

Retire Policy 2005, Evaluation of Administrators

Motion by Emily Syphus, second by Scott Bryan

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Robert Gowans, Melissa Rich, Elizabeth Smith, ValaRee Shields

7.5 Retire Policy 2006, Dismissal of Administrator

Terry Christensen, Director of Policy, Property, and Legal Affairs, stated that in an ongoing effort to streamline policies and eliminate redundancy, he proposed retiring Policy 2006, Dismissal of Administrator because its content is already addressed in Policy 4011.

MOTION:

Retire Policy 2006, Dismissal of Administrator

Motion by Emily Syphus, second by Scott Bryan

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Robert Gowans, Melissa Rich, Elizabeth Smith, ValaRee Shields

7.6 Retire Policy 2007, Suspension of Administrator

Terry Christensen, Director of Policy, Property, and Legal Affairs, stated that in an ongoing effort to streamline policies and eliminate redundancy, he proposed retiring Policy 2007, Suspension of Administrator, because its content is already addressed in Policy 4011.

MOTION:

Retire Policy 2007, Suspension of Administrator

Motion by Emily Syphus, second by Scott Bryan

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Robert Gowans, Melissa Rich, Elizabeth Smith, ValaRee Shields

7.7 Policy 2008, Probationary Status

Terry Christensen, Director of Policy, Property, and Legal Affairs, stated that in an ongoing effort to streamline policies and eliminate redundancy, he proposed retiring Policy 2008,

Probationary Status because its content is already addressed in Policy 4011.

MOTION:

Retire Policy 2008, Probationary Status

Motion by Emily Syphus, second by Scott Bryan

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Emily Syphus, Robert Gowans, Melissa Rich, Elizabeth Smith, ValaRee Shields

8. Information, Discussion, or Calendar Items

8.1 Business Administrators Report

Lark Reynolds, Business Administrator, reported to the Board on the District's substantial financial challenge resulting from a \$50 million mid-year cut due to the loss of approximately 8,000 My Tech High students. Superintendent Ernst and staff were informed of this cut during a meeting with State Superintendent Sydnee Dickson and Deputy Superintendent Scott Jones. Despite a two-year transition plan addressing the loss of My Tech High students, the District was caught off guard and advised to prepare for the worst.

Mr. Reynolds informed the Board that the Executive Appropriations Committee of the Utah State Legislature finalized the cuts on December 5, requiring the District to reduce approximately 25% of its budgeted expenditures after only five months of operations. Given that a significant portion of the budget was allocated to employee salaries and benefits, the District is now faced with challenging decisions.

To address the shortfall, Mr. Reynolds proposed an appeal to the Utah State Board of Education, outlining potential cuts, including a \$5 million reduction for growth, a \$23 million one-time transfer to capital, and additional one-time funds to be cut from the base budget. The proposed cuts amounted to \$30 million, leaving a remaining shortfall of \$20 million.

To avoid mid-year layoffs, Mr. Reynolds recommended minimizing non-salary/benefit expenses, utilizing the fund balance to cover the gap temporarily, and adopting a deficit budget. However, he acknowledged that this is a short-term solution, and the District anticipates the need for further cuts in the following year.

The presentation also addressed the potential impact on construction projects, highlighting a shortfall of \$17-20 million without hold harmless funds. Considerations included financing differences, construction halts, delayed openings, increased property taxes, and challenges in recouping funds in a single year.

Mr. Reynolds expressed the District's sense of being mistreated, pointing to past precedents of being held harmless in situations of enrollment drops. The presentation cited examples of other districts held harmless in previous fiscal years and emphasized the unprecedented nature of the mid-year rule changes.

In conclusion, Mr. Reynolds expressed the intention to appeal to the Utah State Board of Education, requested employee cooperation in cutting expenses, and outlined potential actions to address the financial crisis while underscoring the unique challenges faced by the District.

8.2 Board of Education Committee Reports

Board Members provided updates on various committees they serve on:

1. **Audit Committee:**
 - Member Bryan stated that the committee, which met on the 7th, is still working on the audit of the yellow fleet, focusing on the audit of bullying and hazing incidents and ensuring compliance with established policies.
2. **Safe and Orderly Environment:**
 - Member Holt reported on the committee's efforts to refine fire drill procedures and clarify operational guidelines.
 - Member Holt also stated at the last meeting that discussions centered around lockdown protocols, emphasizing consistency across all schools to avoid interpretation variances.
3. **Student Advisory Committee:**
 - Member Smith stated that the committee meets once a term, and at the last meeting on November 13th, they discussed fundraisers and upcoming activities.
 - Member Smith stated they are also organizing a multi-school stomp and scheduled the next meeting for January 29th.
4. **Tooele Education Foundation:**
 - Member Shields stated that The Learning Lodge project is progressing, with groundbreaking expected in March, and the foundation has received monetary and in-kind donations to help with the project.
 - The ropes course is up and running, and it is being used frequently.
 - Member Shields also stated that successful partnership development continues, and the foundation received the Mayor's youth recreation grant.
5. **Boundary Committee (Scott):**
 - Member Bryan announced that the boundary committee will hold a Facebook Live event on Thursday, December 14th, and a public hearing on January 30th; these events are part of the committee's ongoing efforts to address boundary-related matters and keep the community informed.

9. **Adjourn (10 pm Curfew)**

9.1 Adjourn

The meeting adjourned at 9:00 pm.

MOTION:

Adjourn

Motion by Scott Bryan, second by Elizabeth Smith

Final Resolution: Motion Carries

Yea: Julia Holt, Scott Bryan, Robert Gowans, Melissa Rich, Elizabeth Smith, Emily Syphus, ValaRee Shields