

THE BOARD OF EDUCATION OF SALT LAKE CITY SCHOOL DISTRICT

Board Business Meeting
and Closed Executive Session

April 1, 2014

The Board of Education of Salt Lake City School District met in a Board Business Meeting and Closed Executive Session at 5:35 p.m. on Tuesday, April 1, 2014, in the Board Room of the Administration Building, 440 East 100 South, Salt Lake City, Utah.

ROLL CALL

Members Present: President Kristi Swett, Vice President Heather Bennett, J. Michael Clára, Rosemary Emery, Dr. Douglas Nelson, Tiffany Sandberg, and Laurel H. Young.

Members Excused: Lavenita Vaitai, Student Member.

Also Present: Superintendent McKell Withers; Janet Roberts, Business Administrator; Patrick Garcia, Associate Superintendent School Support; Kristina Kindl, Director of Policy and Legal Services; Barbara Kuehl, Executive Director, Academic Services/Professional Development; Kenneth Grover, Director, Career and Technology Education and Secondary School Support; Michael Williams, Director of Development and External Relations; Jo Ellen Shaeffer, Director of Performance & Accountability; Randy Schelble, Director Exceptional Children Services; Alan Kearsley, Director of Finance; Misty Suarez, Director of Student Services; Julie Atwood, Director of Education Technology/Library Media and Elementary School Support; Shauna Olson, Elementary School Support; Sue Parker, Elementary School Support; Christine Marriott, Data Coordinator, Performance & Accountability; Sharon Adamson, Language Arts Coordinator; Secondary School Principals Paul Sagers, East High, Mindi Holmdahl, Horizonte Instruction and Training Center, Brian Conley, Northwest Middle, Larry Madden, Salt Lake Center for Science Education; Elementary School Principals Rae Louie, Beacon Heights, Tracy Vandeventer, Edison, Sue Heath, Escalante, Randy Miller, Franklin, Marian Broadhead, Hawthorne, Shelley Halverson, Highland Park and President, Salt Lake Association of School Administrators, Peggy Paterson, Lincoln, Heidi Greene, Meadowlark, James Martin, Mountain View, Adam Eskelson, Nibley Park, Chelsea Malouf, Uintah, and Becky Pittam, Washington; Assistant Principals April Reynolds, Edison Elementary School, Mike Sadler, Franklin Elementary School, JaNeal Rodriguez, Parkview Elementary School, John Kelly, Washington Elementary School, Jennifer Mayer-Glenn and Michelle Amiot, Glendale Middle School, Sandra Buendia, East High School, Chris Jenson, Highland High School, Bert Steele, Innovations High School, and Christine Pittam, West High School; Administrative Intern Kim Knettles; Carol Lear, Utah State Office of Education; Susan McFarland, President, Salt Lake Teachers Association; Ricky Martinez, President, Buildings & Grounds Employee Association; Cindy Mills, representing the Salt Lake Educational Office Personnel Association; Janet Clark, representing the Child Nutrition Employees Association; Jason Olsen, Public Information Officer; Tina Hatch, Business Administration Office; and others in the audience.

In accordance with the agenda prepared for the Board Business Meeting of April 1, 2014, seven 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 Swett, who presided.

1. CLOSED EXECUTIVE SESSION

At 5:35 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, personnel, and property items.

** (Young and Emery)

Present for Closed Session were Kristi Swett, Heather Bennett, J. Michael Clára, Rosemary Emery, Dr. Douglas Nelson, Tiffany Sandberg, Laurel H. Young, McKell Withers, Janet Roberts, Patrick Garcia, Kristina Kindl, and John Robson, board legal counsel from Fabian Attorneys at Law.

Board members adjourned from the Closed Executive Session at 6:30 p.m. and returned to the Board Business Meeting at 6:32 p.m.

2. BOARD BUSINESS MEETING

- President Swett welcomed everyone in the audience. She excused Student Board Member Lavenita Vaitai and recognized the presence of Susan McFarland, President, Salt Lake Teachers Association; Shelley Halverson, President, Salt Lake Association of School Administrators; Ricky Martinez, President, Buildings & Grounds Employee Association; Janet Clark, representing the Child Nutrition Employees Association; and Cindy Mills, representing the Salt Lake Educational Office Personnel Association. She introduced Britta Barney, Executive Administrative Assistant to the Superintendent.
- Britta Barney led the audience in reciting the Pledge of Allegiance to the Flag.
- President Swett recognized Jean Vandertoolen, a teacher at Highland High School. Ms. Vandertoolen has been named the Utah Arts Education Association High School Teacher of the Year. President Swett congratulated Ms. Vandertoolen and thanked her for the work she does for students.
- President Swett updated board members concerning the RFP for the investigation into the personnel portion of the lunch incident at Uintah. She said the RFP was posted on March 12, 2014, and closed on March 25, 2014. She said a selection committee will be formed to review the bids and make a recommendation to the board.

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

A. CONSENT AGENDA

*(2) Approval was given to five of the seven items, including the five policies in the Consent Agenda. These items are listed below. Item #5, Minutes of the Board Study Session held March 18, 2014, and Item #7 Support and Promote the Procedural Changes Implemented by the Child Nutrition Department, were moved to the Action Agenda.

** (Nelson and Young)

1. The Purchasing/Accounting Report, included a breakdown of items costing over and under \$50,000, a payment voucher report that includes travel and professional expenditures, and a Budget Report for February 2014.
2. The Human Resources Department Report, included contract changes for one employee.
3. Minutes of the Board Business Meeting held March 4, 2014.
4. Minutes of the Board Study Session held March 12, 2014.
5. Minutes of the Board Study Session held March 18, 2014, was moved to the Action Agenda.
6. Board Policies.
 - a. F-2, Purchasing
 - b. C-6, Community Donations, Contributions, and Gifts
 - c. G-16, Naming or Renaming Facilities
 - d. G-18, Complaint Resolution Process
 - e. S-10, Student Fees, Fee Waivers, and Fines
7. Support and Promote the Procedural Changes Implemented by the Child Nutrition Department, was moved to the Action Agenda.

B. REQUESTS TO SPEAK

1. Christina Barbosa, parent of West High School students, addressed the board regarding bullying in the schools. Ms. Barbosa read a letter in which she voiced concerns for the students of West High School and said she feels the policies for harassment and bullying are not being followed by the school's administration and staff. She said she feels students are not being allowed to voice concerns without adverse consequences. A copy of Ms. Barbosa's letter has been added to the official minutes.
2. Shelly Halverson, President, Salt Lake Association of School Administrators (SLASA), addressed the board to voice SLASA's support of Superintendent McKell Withers and Business Administrator Janet Roberts. Ms. Halverson introduced herself and recognized the group of administrators in attendance to show their support. She read a letter of support from the members of SLASA. A copy of the letter has been added to the official minutes.

President Swett distributed to the board a packet of additional letters she had received from other administrators expressing support for Superintendent Withers and Business Administrator Roberts. Copies of the letters have been added to the official minutes.

C. REPORTS

1. Highlights from School Improvement plans:

- a. Franklin Elementary School. Principal Randy Miller thanked the board for the opportunity to talk about Franklin Elementary School. He introduced Assistant Principal Mike Sadler, and third grade teacher and Chair of the School Improvement Council, Lynne Arnold. Mr. Miller referred to growth in the scores included on the Franklin Elementary School Highlight Report, and acknowledged Peggy Patterson, the past principal, for her participation in the achievements. He said improvements have been aided by dedicated teachers and special education teachers, as well as coaches who help teachers interpret data in order to improve instruction. He said there have been a lot of changes this year, including the full implementation of Common Core, Illuminate, and SAGE testing. He said while working on Franklin's School Improvement Plan, staff has focused on using these tools to further develop and support students, and to find ways to ensure struggling students receive the interventions they require. He said space is a big concern at Franklin, noting interim assessments in the computer lab have made it difficult to provide students with usual computer lab times, which impacts instructional time. He said an investment in computers in each classroom, as well as a portable computer lab, has helped alleviate part of the issue. He said the school is hoping to purchase a second mobile computer lab in the future. He said they will have four computer labs for SAGE testing.

Mr. Miller described a variety of programs which provide academic, emotional and social support to students and families. He said Franklin is a Beverley Taylor Sorenson school, and has a part time visual artist teaching students. He said the school holds a monthly "Second Cup of Coffee" in conjunction with School Community Council (SCC) meetings, which includes guest speakers from the community to help provide resources to the families in the area. He said Franklin has a part time counselor, the Voices Program from Cornerstone Counseling, and a Valley Mental Health employee who provides counseling to students and families at the school one day each week. He said Franklin participates in the "Backpack Program", which provides students with a small bag of food to be taken home for the weekend. He also said the mobile food bank will visit Franklin three times this year. He said the school participates in the fresh fruit and vegetable program and has two after school running programs to encourage fitness. He said the Rotary Club of Salt Lake is a partner of Franklin Elementary, and provides twenty-five tutors at the school each week to work with sixth grade students. He said the Rotary Club also provides field trips, Sub for Santa, library books, and mentors for students. He also said the school has a Jr. Achievement program, a scouting program, and a career fair. Mr. Miller said the staff at Franklin is extremely dedicated, and looks for opportunities to implement changes to help students.

The board thanked Mr. Miller and the staff at Franklin Elementary for their hard work and dedication. Superintendent Withers noted Mr. Miller made a presentation to a Rotary Club subcommittee, and would be presenting to the full Rotary in May. A copy of the Franklin Highlight Report has been added to the official minutes.

D. DISCUSSION AGENDA

1. Budget Development. Janet Roberts distributed budget development documents to the board. She said the first document, "Budget Changes – Executive Appropriations Committee", includes Legislative funding goals that were met, but may not include all bills that had funding attached. She said the second document, "Executive Appropriations", was provided by the Legislative Fiscal Analyst, and is a summary of the Legislative session. The third document, "Draft – Minimum School Program & School Building Program" details funding in the Minimum School Programs for schools. She highlighted ongoing funding for the Beverley Taylor Sorenson Arts Learning Program, and noted that programs above the box marked "The Line" received a 2 ½% increase. She said while some programs below "The Line" received full funding for growth, others did not, and noted some important impacts on the district, especially monies targeted for at-risk students. Ms. Roberts said based on the property tax increase the board passed last year and the increase to the WPU, the board could keep programs the same for the 2014-15 fiscal year.

Ms. Roberts discussed the "Capital and Debt Service Funds" handout. She explained the process for determining which Capital Projects at schools will be addressed, noting life safety, ADA, and building integrity issues are the first priorities. She discussed the 5 Year Plan Summary, and the district's goal of keeping schools in good condition. She explained the Capital Reserve Fund, the Municipal Building Authority Fund, and the Debt Service Fund. She called the attention of the board to the \$6.8 million reduction in the Debt Service obligation which was generated by the restructuring of the board's debt. She distributed a chart titled "Impact of Budget on Taxpayers", and discussed the tax rate. She noted more houses and an improving economy has caused a decrease in the basic rate, which combined with the reduction in Debt Service, would lower the certified tax rate. She said if the board holds a Truth in Taxation hearing and votes to keep the tax rate at the current level, it would allow the district to prepare to rebuild schools and increase funding to priority programs. She said she is available to meet with board members to answer any questions they have regarding the budget. Copies of the budget development handouts have been added to the official minutes.

2. Proposed 2014-2015 Student Overnight and Extended Trips or Activities. Kenneth Grover discussed the Proposed 2014-15 Overnight and Extended Trips or Activities list. He said in the effort to make the list less cumbersome, and in keeping with board policy, trips within the state and under \$200 are no longer included, and are approved at the school level. He said all trips must have a clear educational pursuit. The board thanked Mr. Grover for the information and will include the list on the May 6, 2014 Consent Agenda.
3. Board Policies:
 - a. Policy G-9, Outdoor Air Quality. Kristina Kindl said Policy G-9 was created in response to requests for a policy regarding outdoor air quality guidelines for recess. She said the policy is based on state guidelines for schools, and clarifies when to limit students' time outside due to particulate matter levels. She said the guidelines will be outlined in the Administrative Procedures. The board agreed to include this policy on the May 6, 2014 Consent Agenda.
 - b. Policy P-2, Equal Employment Opportunity. Kristina Kindl said Policy P-2 is currently titled "Equal Employment Opportunity", but with this revision will be called "Americans with Disabilities Act". She said confusion over the content of Board Policies G-18 and G-19 led to an examination of these policies. She said the changes to Policy P-2 will eliminate overlap, and will outline a clear Americans with Disabilities policy. She said Board Policy G-18 still contains

the Equal Employment Opportunity language. The board agreed to include this policy on the May 6, 2014 Consent Agenda.

- c. Policy S-6, Concussions, and Traumatic Head Injury. Kristina Kindl said Policy S-6 was created to ensure the district is in compliance with Utah State code. She said the policy will prevent students who have suffered head injuries from returning to activities before they have been released by a medical professional. She said Administrative Procedures will outline who is responsible to refer injured students for medical care, and will adhere to the requirements outlined in the statute. The board agreed to include this policy on the May 6, 2014 Consent Agenda.

E. ACTION AGENDA

1. Request to Consider Expanding the Scope of the Squire Audit. Vice President Bennett said the request being discussed was to expand the Squire audit to include the RFP for the Horizon School Lunch Accounting Software.

^N(3) A motion was made that the board continue with the current scope of the Squire Audit, and that the RFP for the Horizon Software not be included in the scope of the audit. Approval was given to the motion on a vote of 6 to 1 with Mr. Clára voting "No".

** (Emery and Young)

2. Items transferred from the Consent Agenda.

Minutes of the Board Study Session held on March 18, 2014. Board Member Clára requested the following change to the Minutes of the Board Study Session held March 18, 2014, page 2, Item #2, bullet point 4:

~~...the possible costs associated with expanding the audit. While expressing his concerns, Mr. Clára deviated from the topic of the audit, and President Swett called a Point of Order to return the discussion to the expansion of the audit.~~

Mr. Clara expressed his concern about the RFP process for the lunch accounting system and said he sees a pervasive pattern of financial misconduct on the part of Superintendent Withers and Business Administrator Janet Roberts. Mr. Clara asked that a special meeting be called to review his concerns and that the superintendent and business administrator be placed on administrative leave. Mr. Clara submitted three letters in support of his concerns. The March 18, 2014 letter titled: School Board's Fiduciary Duty, the March 12, 2014 letter titled: Student Lunch Accounting RFP Process and the January 14, 2014 fraud complaint letter submitted to the U.S. Department of Education's Office of Inspector General. Copies of these three letters from Mr. Clára have been included in the official minutes.

^N(4) A motion was made to accept the Minutes of the Board Study Session held March 18, 2014, as presented in Exhibit A5, without the proposed change. Approval with given to the motion on a vote of 4 to 3, with Ms. Bennett, Mr. Clára, and Ms. Emery voting "No".

** (Young and Sandberg)

Mr. Clára distributed a letter detailing his objection to the verbiage included in the Minutes of the Board Study Session held March 18, 2014. He expressed his concerns over potential misunderstandings due to what was included in the minutes, rather than stating what he said. A copy of the letter has been added to the official minutes.

Board members discussed past practice regarding including individual board member's statements in the minutes, and noted the board's decision the minutes should reflect the content of the meeting without a great deal of detail. Several board members expressed a desire to return the board's focus to the needs of students in the district.

^{NA}(5) A substitute motion was made to approve the Minutes of the Board Study Session held March 18, 2014, with the following statement added to page 2, Item #2, bullet point 4: "Mr. Clára expressed his concern about the RFP process, and said that he sees a pervasive pattern of financial misconduct. Mr. Clára submitted three letters in support of his concerns." There was no action taken on motion #5.

** (Bennett and Clára)

Ms. Young called for a Point of Order, asking if the substitute motion has been seconded. Mr. Clára had seconded the substitute motion. Ms. Young, the maker of the original motion, did not agree to Substitute Motion #5, so no action was taken on the substitute motion. The original motion, Motion #4, was voted on.

President Swett distributed and read a letter of apology from select members of the Board of Education to Superintendent Withers and Business Administrator Roberts. A copy of the letter has been added to the official minutes.

Support and Promote the Procedural Changes Implemented by the Child Nutrition Department.

^N(6) A motion was made to accept Exhibit A7 Support and Promote the Procedural Changes Implemented by the Child Nutrition Department. Approval with given to the motion on a vote of 6 to 1, with Mr. Clára voting "No".

** (Nelson and Young)

Prior to voting on Motion #6, the board clarified the memo will not be considered board policy, but is a guideline to be followed while a new policy is created using the state model. Board members said they will get input from School Community Councils, the policy template will be used, and the policy will be vetted as it is created.

F. SUPERINTENDENT'S REPORT

1. Miscellaneous Updates:

New Laws. Superintendent Withers said he sent a link to board members for the Public Education Summary 2014 General Session of the Utah Legislature. He distributed a document containing information about House Bill 96, House Bill 150 Substitute 4, House Bill 286 Substitute 2, and Senate Bill 103 Substitute 1, which were passed during the Legislative session. He discussed the possible impact of these bills on the district. He said the district will be applying for grant money to expand the Pre-K program. He said he will update the board on changes to school grading and

other Legislation at a later date. Copies of the Public Education Summary and Superintendent Withers's handout have been added to the official minutes.

2. Other Superintendent Reports.

OneSight Mobile Clinic. Superintendent Withers said the OneSight Mobile Clinic visited Lincoln and Jackson Elementary Schools. He said 220 children received eyeglasses as a result.

Lumina Partnership. Superintendent Withers said the work the district has done with the city in the partnership with Lumina has been recognized nationally. He said the district, the city, and the University of Utah have been invited by Lumina to apply for funding to expand the partnership.

National League of Cities. Superintendent Withers said the district and the city have partnered with fourteen cities with National League of Cities to focus on Early Childhood, After School, and Post High School accomplishments.

Peer Assistance and Review (PAR) Program. Superintendent Withers said the PAR program has been successful in supporting beginning and struggling teachers. He said the district can anticipate full funding from USOE, and will be modeling implementation of the PAR Program for the state.

Tesoro. Superintendent Withers said West High School has partnered with Tesoro, and will receive grant money over several years for targeted interventions at the school.

Common Core. Superintendent Withers said he will send links to board members for information about Common Core. He said the Utah PTA is trying to educate parents so they understand the benefits of Common Core.

University of Virginia Partnership. Superintendent Withers said the Education Reform Foundation would like to work with the district and Ogden School District to keep the costs of the partnership with the University of Virginia down as cohorts are added to the Turnaround Program.

Ms. Young congratulated the Title I team for being honored at the Education Foundation's Afternoon Tea. Ms. Emery said she was impressed at the number of schools that have been honored more than once.

G. ADJOURNMENT

Following a motion by Ms. Young seconded by Ms. Sandberg, the meeting was adjourned at 8:44 p.m.

Janet M. Roberts
Business Administrator

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