

THE BOARD OF EDUCATION OF SALT LAKE CITY SCHOOL DISTRICT

Board Business Meeting
and Closed Executive Session

August 4, 2015

The Board of Education of Salt Lake City School District met in a Board Business Meeting and Closed Executive Session at 6:10 p.m. on Tuesday, August 4, 2015, 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 (arriving at 6:36 p.m.), Rosemary Emery, Melissa Ford, Katherine Kennedy, Kristi Swett, and Cristian Cortes, 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; Craig Ruesch, Interim Executive Director, Human Resources; Alan Kearsley, Director of Finance; Michael Williams, Director of Development and External Relations; Susan McFarland, President, Salt Lake Teachers Association; Janet Clark, representing the Child Nutrition Employees Association; Cindy Mills, representing the Salt Lake Educational Office Personnel Association; Florence Vincent, board legal counsel from Prince, Yeates and Geldzahler; Jason Olsen, Public Information Officer; Benjamin Wood, *Salt Lake Tribune*; Tina Hatch, Business Administration Office; and others in the audience.

In accordance with the agenda prepared for the Board Business Meeting of August 4, 2015, fourteen motions were made, including a motion to adopt a tax rate of .006497. 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. CLOSED EXECUTIVE SESSION

A. Litigation, Negotiations, and/or Property

At 6:10 p.m. a motion was made, after which members excused the audience and remained in the board room:

^A(1) That the board meet in Closed Executive Session to consider litigation, negotiations, and/or property. Approval was given to the motion on a vote of 6 to 0, with Mr. Clára absent at the time of the vote.

** (Swett and Sandberg)

Present for Closed Session for litigation, negotiations, and/or property were Heather Bennett, Tiffany Sandberg, Rosemary Emery, Melissa Ford, Katherine Kennedy, Kristi Swett, McKell Withers, Janet Roberts, Patrick Garcia, Kristina Kindl, and Florence Vincent, board legal counsel from Prince, Yeates and Geldzahler, who excused herself from 6:10 to 6:20 p.m.

Board members adjourned from the Closed Executive Session for litigation, negotiations, and/or property at 6:35 p.m. and returned to the Board Business Meeting at 6:38 p.m.

B. Character, Professional Competence, or Physical or Mental Health of an Individual

VOTE RECORD	AYE	NAY	ABSENT
BENNETT	X		
CLÁRA	2,4,7,8,10,11 12,13,14	3,5,6,9	1
EMERY	X		
FORD	X		
KENNEDY	X		
SANDBERG	X		
SWETT	X		
A Absent	Ab Abstention	F Failed	
N "No" Vote	NA No Action	T Tabled	
W Withdrawn	*Unanimous Approval		
**Members Making Motion			

At 8:55 p.m. a motion was made:

*(14) That the board meet in Closed Executive Session to consider character, professional competence, or physical or mental health of an individual.

** (Sandberg and Emery)

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

Board members adjourned from the Closed Executive Session for character, professional competence, or physical or mental health of an individual at 9:05 p.m.

2. BOARD BUSINESS MEETING

- President Bennett welcomed everyone in the audience. She recognized the presence of Susan McFarland, President, Salt Lake Teachers Association; Janet Clark, representing the Child Nutrition Employees Association; and Cindy Mills, representing the Salt Lake Educational Office Personnel Association. She told the audience at precisely 7:00 p.m. the Truth in Taxation Hearing on the 2015-16 Proposed Tax Rate would begin.
- Cristian Cortes led the audience in reciting the Pledge of Allegiance to the Flag.
- President Bennett recognized Cristian Cortes, the Student Board Member for the 2015-16 school year. She introduced Cristian, a senior at East High School, shared a few of his accomplishments, and presented him with a certificate. Cristian talked about the Clemente program, and described working with professors from the University of Utah and Westminster College, as well as participating in the 'We Are One' project at East High School. He said he is happy to be part of the board.

A. CONSENT AGENDA

*(2) A motion was made to approve four of the nine items included in the Consent Agenda. These items are listed below. Items #1, Purchasing Report from 06/10/15 to 07/01/15; #2, Purchasing Report from 07/02/15 to 07/28/15; #5, Human Resources Department Report dated August 4, 2015; #8, Administrative Procedures for Board Policy B-2, School Board Meetings; and #9, Board Policies, G-14, Advertising; were moved to the Action Agenda.

** (Swett and Emery)

1. The Purchasing Report from 06/10/15 to 07/01/15, included a breakdown of items costing over and under \$50,000, and increases to existing purchase orders. These items were distributed to the board on July 1, 2015, requesting permission to move forward pending approval in August. *This item was moved to the Action Agenda.*
2. The Purchasing Report from 07/02/15 to 07/28/15, included a breakdown of items costing over and under \$50,000, and increases to existing purchase orders. *This item was moved to the Action Agenda.*
3. The Accounting Report, included a payment voucher report that includes travel and professional expenditures from 5/1/2015 to 5/31/2015, a Budget Report for May 2015, a payment voucher report that includes travel and professional expenditures from 6/1/2015 to 6/30/2015, and a Budget Report for June 2015 (pre-final).
4. The Human Resources Department Report dated July 7, 2015, included new contract employment for two employees, changes for six, and releases for thirty-four. These items were distributed to the board on July 1, 2015, requesting permission to move forward pending approval in August.
5. The Human Resources Department Report dated August 4, 2015, included new contract employment for one-hundred and nineteen employees, non-contract to contract employment for one, changes for one, and releases for nine. *This item was moved to the Action Agenda.*
6. Minutes of the Board Business Meeting held June 2, 2015.
7. Minutes of the Board Annual Planning Session held June 16, 2015.
8. Administrative Procedures for Board Policy B-2, School Board Meetings. *This item was moved to the Action Agenda.*
9. Board Policies:
 - a. G-14, Advertising (and accompanying Administrative Procedures) *This item was moved to the Action Agenda.*

B. REQUESTS TO SPEAK

There were no requests to speak.

C. TRUTH IN TAXATION HEARING

At precisely 7:00 p.m., President Bennett opened the Truth in Taxation Hearing. She thanked those in the audience who were present for the hearing.

Prior to the public comment period, President Bennett explained the proposed tax increase was part of the 2015-16 budget the board approved on June 2nd, and in order to implement the budget, the tax rate must be approved. She explained the funds would be used to expand professional development for district teachers, to expand the Peer Assistance and Review (PAR) program to assist new and struggling teachers, and to offset the district's obligation to pass along property tax monies to charter schools.

Janet Roberts distributed copies of an 'Open Letter to SLC Taxpayers' and the 'Notice of Proposed Tax Increase' which was printed in the Deseret News and Salt Lake Tribune on July 28, 2015. Ms. Roberts outlined the impact of the proposed increase on a home valued at \$250,000. She noted the increase statewide due to Senate Bill 97, which raised property taxes \$75 million for equalization, and said the district will not receive any of that money. Copies of the handouts have been included in the official minutes.

1. Public Comment on Proposed Tax Rate.

- a. Billy Hesterman, Utah Taxpayers Association, said he felt the board should not vote to approve the tax increase. He said he understood the largest portion of the increase was intended to replace the district's charter school replacement, but he feels the district benefits from property taxes that aren't shared with charter schools. He said he felt with tax increases throughout the state, the district should not burden taxpayers with another increase.

President Bennett thanked Mr. Hesterman, and at 7:10 p.m. closed the Public Comment of the Truth in Taxation Hearing.

D. BOARD ACTION ON TAX RATE

1. 2015-2016 Proposed Tax Rate.

^N(3) A motion was made that the board approve the adoption of a tax rate of .006497 for the Fiscal Year 2015-16, which includes an increase to the Board Local Levy to: 1) pay a state mandated liability for state sponsored charter school students living in Salt Lake City (Charter School Local Replacement); 2) for the Peer Assistance & Review (PAR) program; and 3) for professional development for teachers. The motion passed on a vote of 6 to 1, with Mr. Clára voting 'no'.

** (Kennedy and Swett)

Prior to approval of the motion, board members discussed the 2015-16 proposed tax rate, and the purposes of the increase. Board members also discussed the issue of Charter School Replacement, noting the number of students served by the district has remained relatively stable, even as some students have chosen charter schools. They discussed the issue of finding a way to retain district students. Board members discussed the disparity between how charter school funding is calculated and how public school funding is calculated, and noted the property tax notices sent by counties throughout the state do not clearly identify funds being

used to support charter schools. They discussed district sponsored charter schools and choice programs, and noted students from outside the district's boundaries choose to attend district schools.

Board members said their communities are supportive of the district. Several board members said they have not received negative feedback regarding the proposed increase, while other members have. They agreed the district should be fiscally responsible.

President Bennett thanked board members for their comments, and expressed appreciation to those who had come to speak to the board. A copy of the Resolution approving the adoption of the tax rate of .006497 for the fiscal year 2015-16 has been added to the official minutes.

E. ACTION AGENDA

1. Board Policy F-2, Purchasing and District Contract Process

^N(4) A motion was made to approve Policy F-2, Purchasing and District Contract Process.

^{**}(Swett and Emery).

Prior to approval of the motion, board members discussed proposed changes in the wording of the policy. Kristina Kindl noted there would be no change in practice, and the wording was for clarification. The board discussed the process used by principals to inform School Community Councils (SCCs) about contracts that will impact their neighborhoods, and the method of reporting the SCC's consensus on the matter to the board. Ms. Kindl was asked to change the Shared Governance Guide to clarify the process.

Mr. Clára distributed two documents regarding the installation of cell towers at district schools. Copies of the documents have been included in the official minutes.

Ms. Sandberg called for a Point of Order, but discussion continued.

^N(5) A motion was made to call for the question and vote on motion #4. The motion was approved on a vote of 6 to 1, with Mr. Clára voting 'no'.

^{**}(Kennedy and Ford)

2. Any item transferred from the Consent Agenda

Item #1. The Purchasing Report from 06/10/15 to 07/01/15, included a breakdown of items costing over and under \$50,000, and increases to existing purchase orders. These items were distributed to the board on July 1, 2015, requesting permission to move forward pending approval in August.

^N(6) A motion was made to approve the Purchasing Report from 06/10/15 to 07/01/15. The motion passed on a vote of 6 to 1, with Mr. Clára voting 'no'.

^{**}(Kennedy and Emery)

Prior to approval of the motion, the board discussed the method that was used to give permission to the district's Purchasing Department to move forward with transactions prior to the official vote for this Purchasing Report, due to the cancellation of the July 7 Board Business

Meeting. Concerns with the method were addressed. The board also discussed specific expenditures outlined in the report.

Item #2. The Purchasing Report from 07/02/15 to 07/28/15, included a breakdown of items costing over and under \$50,000, and increases to existing purchase orders.

*(7) A motion was made to approve the Purchasing Report from 07/02/15 to 07/28/15.

** (Sandberg and Swett)

Prior to approval of the motion, the board discussed specific items on the report to provide clarification about the purchases.

Item #5. The Human Resources Department Report dated August 4, 2015, included new contract employment for one-hundred and nineteen employees, non-contract to contract employment for one, changes for one, and releases for nine.

*(8) A motion was made to approve the Human Resources Department Report dated August 4, 2015.

** (Sandberg and Kennedy)

Prior to approval of the motion, the board discussed the assignment of Interim Assistant Principals, who remain on the teacher salary schedule, and therefore not included in the Human Resources Report. The board also discussed teacher specialists, and it was noted there are currently open positions for specialists.

Item #8. Administrative Procedures for Board Policy B-2, School Board Meetings.

^N(9) A motion was made to approve the Administrative Procedures for Board Policy B-2, School Board Meetings. The motion passed on a vote of 6 to 1, with Mr. Clára voting 'no'.

** (Sandberg and Swett)

Prior to approval of the motion, the board discussed the public participation portion of the Administrative Procedures. Clarification was made that the presiding member of the public body can determine whether there should be discussion regarding a topic raised by the public, but that according to State law, no vote may be taken. Mr. Clára distributed a copy of State code 52-4-202. A copy has been included in the official minutes.

*(10) A motion was made to call for the question and vote on motion #9.

** (Bennett)

Item #9. Board Policies:

a. G-14, Advertising (and accompanying Administrative Procedures)

*(11) A motion was made to approve Board Policy G-14, Advertising.

** (Swett and Sandberg)

Prior to approval of the motion, the board discussed the process used to approve Board Policies, and noted Administrative Procedures (APs) are given to the board at a later date. President Bennett told the board if they have concerns the APs don't enact the policy, they should contact board leadership or superintendency to make sure their concerns are addressed.

Board members expressed concerns with the APs for this Policy, and Ms. Kindl noted the concerns will be given to the Policy Subcommittee.

*(12) A motion was made to call for the question and vote on motion #11.

** (Bennett)

F. SUPERINTENDENT'S REPORT

1. Miscellaneous Updates:

ESEA. Superintendent Withers distributed a comparison from the National School Boards Association of H.R. 5 "The Student Success Act", passed by the House of Representatives in July, 2015, and S. 1777, "The Every Child Achieves Act", passed by the Senate in July, 2015. He said Congress is making progress toward establishing a conference committee to replace No Child Left Behind. A copy of the handout has been included in the official minutes.

2016 Legislative Priorities. Superintendent Withers distributed a letter from the Utah School Boards Association regarding the State School Board. He described the proposed hybrid model for the School Board, and discussed the necessity for a Constitutional Amendment in order for the Governor to appoint State School Board Members, as described in the hybrid model. He said there is also discussion about whether School Board elections should be partisan or non-partisan, and noted superintendents in the state favor non-partisan elections. He asked board members to direct feedback regarding the composition of the State School Board to himself, or to President Bennett, so they can weigh in at future meetings. A copy of the letter has been included in the official minutes.

Preliminary SAGE Data. Superintendent Withers distributed preliminary 2015 SAGE data for the district. He noted scores are up in most areas. He said Christine Marriott, Director of Assessment and Evaluation, will present a full report on SAGE testing to the board in the fall. Copies of the handouts have been included in the official minutes.

Recruiting Teachers. Superintendent Withers updated the board on concerns about teacher recruitment. He said there have been, and will continue to be, large numbers of teachers retiring statewide, and the numbers of teaching graduates will not be sufficient to fill the open positions. He said some districts will be using long-term substitutes this year. The board discussed retirement and salary as recruitment tools.

Civics Test. Superintendent Withers said the State will be providing the district with a sample civics test with 35 questions. The district will be able to decide whether to use the State's version, or to create a district version. He noted the Civics test will not be consistent across the state. The board discussed which year students should be required to pass the Civics test.

2. Other Superintendent Reports, if any

Board Meeting Topics. Superintendent Withers distributed final drafts of the '2015-2016 Study Session Topics and Tentative Schedule' and the '2015-2016 Business Meeting Reports, Policy Review, and Tentative Schedule'. He asked the board to contact him or President Bennett if they feel something has been overlooked. Copies of the handouts have been included in the official minutes.

State Revenue. Superintendent Withers said State revenue is up \$120-130 million this year, and LAND Trust is up 17%. He noted the increase in revenue may provide additional funding for education.

Board member Clára asked if non-contract employees received a salary increase. Ms. Roberts said all paraprofessionals received an increase, and all other hourly employees received a step increase, except those on the top step of their salary lanes.

G. ADJOURNMENT

Following a motion by Ms. Swett, seconded by Ms. Sandberg, the meeting was adjourned at 8:47 p.m.

Janet M. Roberts
Business Administrator

tyh

**Salt Lake City School District
Addition to the Minutes of the Board Business Meeting 08/04/2015**

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):

- | | |
|---|----------------------------------|
| Open Letter to SLC Taxpayers, distributed as part of the Truth in Taxation Hearing | Agenda Item D1 |
| Notice of Proposed Tax Increase, distributed as part of the Truth in Taxation Hearing | Agenda Item D1 |
| Board Resolution approving the 2015-16 Tax Rate distributed as part of the Board Action on the Tax Rate Letter/Memo and Partial Minutes with information regarding the US West Cellular Antenna Lease at Nibley Park, Dated 1999, distributed by Board Member Clára | Agenda Item D1 |
| Portion of State Code 52-4-202 Public notice of meetings-- Emergency meetings, distributed by Board Member Clára | Agenda Item E2-1 |
| ESEA Reauthorization: Comparison, distributed as part of the Superintendent's Report | Agenda Item E2-8 |
| Letter from the Utah School Boards Association regarding the election of State School Board members, distributed as part of the Superintendent's Report | Agenda Item F1 |
| Preliminary 2015 SAGE School Summary pages, distributed as part of the Superintendent's Report | Agenda Item F1 |
| '2015-2016 Study Session Topics and Tentative Schedule' & '2015-2016 Business Meeting Reports, Policy Review, and Tentative Schedule', distributed as part of the Superintendent's Report | Agenda Item F1 |
| | Agenda Item F2 |