



BOARD OF EDUCATION MEETING

92 Lodestone Way – Tooele, Utah

Tuesday, April 11, 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:

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

Excused:

Administration Present:

Superintendent Ernst, Lark Reynolds, Asst. Superintendent Jeff Hamm, Bryan Becherini, Angie Gillette, Marissa Lowry, Andy Peterson, Cody Reutzel, Ian Silva, Brett Valdez, Terry Christensen, Robert Curfew, Dustin Nelson, Mat Jackson

Excused: Jackie Gallegos, Wynn Porter, Sarah Jarnagin

President Rich conducted the meeting. Notice of the time, place, and agenda had been given to the Transcript-Bulletin and to 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. Business Meeting, 6 pm (Start of Public Meeting)

1.1 Welcome and Pledge of Allegiance

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

2. Recognition and Good News

2.1 District Recognition for April- Stansbury Park Elementary

Principal Ronda Silva recognized the following:

- Brock Grimshaw, 6th Grade Teacher, District Certified Employee of the Month
- Dana Henwood, School Secretary, District Support Professional Employee of the Month

- Sharon Smith, District Volunteer of the Month
- Josie Blake, 5th Grade, District Student of the Month

2.2 School Presentation

Mrs. Rands and her 6th-grade math wizards showcased pictures from the district math contest they won this year. They also challenged board members with a math problem conducted by 6th-grade students - Garrett Braithwaite and Abigail Adair

2.3 Tooele Education Foundation Recognized Energy Solutions

Keith Bird, Executive Director of the Tooele Education Foundation, accepted a check for \$25,000 from Chris Sloan of Energy Solutions.

MOTION:

Move to Public Hearing

Motion by Scott Bryan, second by Robert Gowans

Final Resolution: Motion Carries

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

3. Public Hearing for Boundary Realignment and DLI Program of West Elementary

3.1 Review the Options Presented to the Board of Education for Consideration of Boundary Realignment of West Elementary

Bryan Becherini, Tooele Area Director, presented to the Board the viability of reopening the original boundaries for West Elementary before it became a magnet school for German DLI and identifying long-term plans for West Elementary.

Mr. Reutzel, Executive Director of Teaching & Learning, explained why West moved to DLI Magnet and how it was considered in January 2019. One was FTE; West did not have the student population to support the required teachers, Class size disparities and collaboration, non DLI teachers didn't have DLI teachers to collaborate with. FTE means Full-time Equivalent, the amount of funding allocated for teachers, and the number of students. Utah has only 2 German DLI programs in the state, West and Summit Academy. Member Bryan stated that It becomes a question of equity. Are we consistent across the district? Mr. Reutzel continued with some benefits presented in West becoming a DLI magnet school. Students in non-DLI classes would have smaller class sizes, and students in non-DLI classes would interact with more students. Providing access to more teachers of non-DLI classes would be able to collaborate with other non-DLI teachers. West would have additional space for District needs which is currently being utilized. Decisions made along the way may have impacted the enrollment at West.

Mr. Reutzel went on to explain how the enrollment numbers changed through the years according to the data.

Mr. Becherini explained Rise Data showing West is on average. Member Smith asked if Science is taught in German. Yes, partially through STEM Lab as a component. You requested enrollment numbers, as shown with West showing low because it is a magnet. Asked to look at Stockton, South Rim, and Rush Valley; we have 172 students there; if you include Pre-K, 183 are currently bussed to Settlement Canyon. Those numbers with the potential of considering moving to the West will increase numbers, but with numbers combined would put it beyond capacity if we were to move all those boundaries in. Mr. Becherini spoke with a few patrons in the area, and there had mixed feelings; the biggest concern is the building age or, if established in older grades having to transition to a new school. The life skills class moved to NLES. More challenging to collect referral data in math when the course is taught in another language.

Regarding the recruitment efforts requested, we looked at parent/staff surveys that are relatively similar to those presented previously. Spanish is the number one preference in our community. Spanish numbers do reflect the survey, but Chinese numbers do not. Went through current recruitment efforts by Mr. Trotter, Principal of West: school visits, demo lessons, yard signage, and community events. West Secretaries have been great, sending emails, phone calls, flyers, videos, kindergarten parents invited to observe German classes, promotional videos, and individualized invitation letters from the Principal. I applaud the efforts of Mr. Trotter. Additionally, PTA is putting together some stickers with "Why German" letters to SCES, TWES, and Willow. Board members are invited to attend the May Fest Celebration on May 17.

Mr. Becherini submitted seven options; he stated they all have a general list of pros and cons. These options are moldable; phase-out is not an option for next year and can change boundaries. Dr. Ernst stated he misinterpreted the code and wanted to clarify that we must give 120-day notice that we are thinking about changing boundaries. No rule in the state code that dictates giving x amount of days before school. We want to give our parents as much notice as possible; as long as you gave a warning 120 days prior, you would comply with state code; we do not have to make a decision tonight; however, my recommendation would be any boundary change impacting the 23-24 school year is made very rapidly to give our patrons time to know what is happening.

President Rich stated that Option 3 would boost West numbers; West is a very old school with many issues. To put another 172 students is not the right thing to do. Mr. Becherini stated significant costs to renovate bathrooms depending on which families offer to go to that school, the ability DLI section, and two traditional. It will require portables. My issue with portable is with safety. Lockdown drills are more common than fire drills. Does create a potential safety issue. Stretch capacity includes the use of portables. Member Syphus is willing to move them if that is where the carousel stops but is unwilling to move them to balance numbers. Dr. Ernst, regarding option 4, if we try to bond, we need to do it when it allows a minimal tax increase. The best time to do that is to bond in the November 2026 election and break ground in the spring of 2027. Best case scenario in 2029.

Another advantage is DPHS opening; we must redraw boundaries if we adhere to feeder schools and create boundaries that will feed TJHS and THS. Advantage, broadening the scope to redraw boundaries.

3.2 Public Comment

- Camilla Frank, a parent of DLI students who, has invested time and money carpooling her students back and forth and committed to this program but not seeing a level of commitment for the DLI program by the school board members. She feels that if we come together and collaborate and find solutions to very few problems. Disagrees with statistics displayed. All her children have been very successful, and test scores are off the chart.
- Dustin Frank is a parent of four children in the District, three in the German DLI program. He expressed how the DLI program was a personal sacrifice for their family and would gladly do it again. How can we make it more successful in a small way? He proposed advertising with little to no cost and West supplement transportation, UTA ride share, vans, self-organize, and options given. District busses running from Stansbury to Tooele, with plenty of room, can they make additional stops on existing routes for DLI students to bring to West. Thank you for the impact the DLI program has had on his family.
- Kristina Hanson, parent of a student at West Elementary. As a science teacher, she understands how everything is based on numbers. Before we close a program or deem a program a success or a failure, we need to look at our guidelines and what we expect. What is the Districts' expectation? Are all DLI languages held to the same level?
- Shannon Johnson highlighted the success of introducing five languages at the Tooele County School District. Your decision has made a significant impact with a huge challenge to balance equity, finances, and resources, but your decision made an impact on her family, community, and those in Germany.
- Vanessa Estes, German is such a unique and important language; it has opened so many doors; consider reinstating all the boundaries that would give West many more students and bring back traditional classes.
- Aubrey Armstrong, a mother of 2 children currently in German DLI, also has another child who will be in school 24-25; if you don't have the DLI program in the future, it will not benefit their family; you are taking away career opportunities if you take away German DLI. Please reconsider phasing out the German program.
- Glen Turnbow is a parent of DLI students who wants to participate in community outreach. Suggested getting parents to help raise some of the money to help. The German teachers will leave the country if the German program is cut. Learning German will pay well in the future.
- Misty Larsen, mother of traditional students. Last month it was presented that the class sizes average 11-18. it was also pointed out that the traditional students would only be in one class because West doesn't have a room without bringing portables. Option 2 and 3 are based on numbers 2-5th grade 34-54 students. With option three, just one class must have two

traditional classes. Consider what you are looking at for traditional students.

- Amber Cartrette, mother of DLI student. Give credit where credit is due; Marty Simonds and Joann McCluskey are both incredible teachers, and the community at West is amazing. Has three students enrolled in the DLI program, and it is no secret that demographics have impacted learning; transportation is an issue. DLI programs are a huge step forward; please don't have a short-sided vision. Learn from past choices for both DLI and traditional.
- Camille Zabriskie, a parent of students who lives in Rush Valley, says DLI is a fantastic program and needs to stay. They are concerned with busses for Rush Valley because they have struggled this year to get students to Settlement Canyon on time; if you move them to West, we will be 15 minutes late; if you are going to take that into account, that needs to be addressed as well.

MOTION:

Close Public Hearing and return to public session

Motion by Robert Gowans, second by Scott Bryan

Final Resolution: Motion Carries

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

Member Gowans, one thing we failed to do is we have failed to involve constituents. We have to define DLI not just at an elementary but at three high schools. We have to have those guidelines. Make sure this is what it looks like K-12. I don't feel like we are ready to bus students to West. What level of sustainability and keep it maintained and safe? We have to realign boundaries, but that should take a much larger scope than today.

President Rich added that no one wants to see a language eliminated. We have to make sure they can all be successful. The German program recruiting this year has been incredible, but if you recruit numbers for German, it depletes from other languages. Portuguese, Russian, and Chinese languages compete against German to fill those programs because of the vicinity. Between those three schools, there should be 180 1st graders to make a DLI program the way it was set up.

Member Bryan, we need to establish some school- and district-specific standards. If demands are unmet, then that isn't solving the root of the problem. Must have a deadline for parents to make choices. Member Shields stated there need to be clear parameters for the entire district and what are the expectations of those enrollment numbers—decisions based on facts and not emotion. Member Gowans agreed that we need to set parameters. Investigate the boundary, then build the program. How

do you build a program based on 30%?

Member Syphus is looking at responsibility for student numbers and FTE. Have to be mindful of all the kids. We need a plan for our standards for keeping all the programs or not—a boundary plan with the new Deseret Peak High School and the necessity for a bond.

Dr. Ernst stated that the number for DLI has to be higher than that for traditional classes. There are standards for running and maintaining a DLI program that we have access to. President Rich added that we have to focus on West Elementary and have the DLI discussion separate. It is all-encompassing with West and DLI and what we can do to make them all successful—asked for clarification from Dr. Ernst on ideal numbers of class sizes for K-12.

Member Bryan, we need to establish some district standards on how many seats for DLI; once that number is established, we need to set out to act on it. Then we have to make a hard decision. It feels like it's premature to make a decision tonight. It doesn't make sense to close the German program, but it also doesn't make sense to move students into a school that may not exist in a year or two. First, we need to get clarity on DLI and then decide. If it were today, I would probably relocate German to another school, use portables and adjust boundaries to get to those numbers we need and relocate to a school that already has a DLI program. With the goal of having two programs in Tooele and not three.

3.3 Board of Education Action

MOTION:

Task the district to come up with the recommended number of DLI seats and adopt that number by August 1. We keep German and West as is for the 23-24 school year, and adding to that, we have committees looking at DLI programs; we start the discussion about the boundaries within Tooele City to balance the boundaries within Tooele City and study the possibility of bonding.

DISCUSSION TO MOTION:

Request to bring those criteria or established criteria number we need to have on August Board meeting. Dr. Ernst is part of the criteria to propose, and we will make that recommendation.

Member Shields suggested that if we move the German program, let's establish how many programs we need could change numbers with a whole new population. That's the purpose of the committees helping you decide to help it be successful. Go into effect in the fall of 2024. If we are moving, we don't provide transportation. If we did move a program, we would have to help the current students. They've got to recruit outside of city limits

Motion by Scott Bryan, second by Robert Gowans

Final Resolution: Motion Carries

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

4. Consider Adoption of a Resolution Providing for the Issuance of General Obligation Bonds

4.1 Business Administrator Report

Lark Reynolds, Business Administrator, reviewed the online payment systems we use as a school district; he stated that we are looking for ways to consolidate our systems to make it easier for parents. Parents use My School Fees to make payments for lunch payment; we use a different system called Pay Schools. To use activity funds, we use Success funds specifically because they use Venmo. It is optional for fundraising. Success funds are very transparent with their processing fees.

Member Gowans was concerned that Advisors were told they must use the Success fund and that they are making money off our fundraiser. Mat Jackson, Director of Student Services, explained what using the Success fund allows is to alleviate having to fill out the paper form. Everyone must submit on Success Fund to view their fundraiser electronically. Success fund has the lowest fees; the only piece required to use is to go through the approval process. Make sure we have those checks and balances that are required. Mr. Reynolds stated that some companies have high fees; you only pay the credit card fees, and students aren't getting the full amount. It's convenient for coaches or advisors because it cuts the legwork. One of the reasons we bought Success Fund is so we can do the approval process online, and if you choose to use our platform, we will be charged a lower rate. During Covid, we went online for payments, and we thought it was a positive change, but now hearing of complaints because we won't take cash. The end goal is to go to one program and be able to see grades, pay fees or buy a ticket.

Mr. Reynolds reviewed the Fraud Risk Assessment with board members; he stated this would be on the consent agenda next month.

4.2 Consider Adoption of a Resolution Providing for the Issuance of General Obligation Bonds

Alex Buxton from Zions Bank reminded the Board per our plan, we issued \$50M in June of 2021 and another \$50M in 2022 and are now ready to issue \$40M more and will finish things out next year for \$30 million.

MOTION:

Move to adopt the resolution providing for the issuance of general obligation bonds.

Motion by Scott Bryan, second by Robert Gowans

Final Resolution: Motion Carries

Yea: Robert Gowans, Julia Holt, Emily Syphus, Melissa Rich, ValaRee Shields,

Elizabeth Smith, Scott Bryan

5. 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.)

5.1 Patron Comments

- Mitzi Belverstone, speaking on behalf of SPOTSD, again expresses concern for classified employees. Take this year to show classified employees that you value their worth.

6. 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.)

6.1 Minutes

6.2 Expenditure Report

6.3 Revenue Report

6.4 Disbursement Report

6.5 Financial Reports

6.6 Personnel Decisions

6.7 Amended Trustland Plans

6.8 150-Mile Contests

6.9 Vote on Consent Items

MOTION:

Motion to approve consent items with the exception of 6.8.

Motion by Robert Gowans, second by Julia Holt

Final Resolution: Motion Carries

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

Discussion on 6.8 – Member Bryan explained he has the same concern as in the past.

MOTION:

Motion to approve 6.8

Motion by Julia Holt, second by ValaRee Shields

Final Resolution: Motion Carries

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

Nay: Scott Bryan

7. Information, Discussion, or Calendar Items

7.1 DLI Discussion by Board

Board Members discussed the Dual Language Immersion Program. Member Syphus asked if, because we provide transportation to CLC can, DLI students ride along on those buses because they are not full.

Member Smith mentioned that Utah is nationally known for its DLI programs and their performance. Concerns about bussing because it adds time logistically, making more students late for class and sets a precedence. Further discussion is needed.

7.2 Construction Update

Michael Garcia, Construction Coordinator, briefed the Board on the current status of construction projects in the District. Deseret Peak High School now has the tallest concrete panels in Utah. Groundbreaking for Stansbury Jr. High School is in the process, and hopefully, we will get things finalized.

Member Gowans asked about Ibapah Elementary water. Mr. Garcia explained that they found enough water to provide culinary and irrigation water after digging a little deeper.

7.3 Board of Education Roundtable

During this roundtable, board members can share information, Committee reports, or concerns.

Member Smith stated that she and Member Shields met with the Communications, Culture, and Relationships Committee, known as CCR; they also met with the Safe and Orderly Environment Committee and talked about goals and look forward to hearing about HB61. She stated they have the Student Advisory Board lunch next week.

8. **Action Items**

8.1 Sex Education Materials

Chantel Cowan, Assistant Executive Director of Teaching and Learning, in compliance with 53G-10-402, provided information to the Board on pornographic material offense, teen pregnancy rates, sexually transmitted disease rates, and victims with supported sexual abuse. Ms. Cowan stated the district's health teachers use this information to determine areas to focus on for the Human Development strand in the Health Standards.

Ms. Cowan also stated the Sex Education Curriculum Committee met on March 16, 2023, and reviewed the submitted curriculum for Child Development and Health I. The Health 1 PowerPoint was not approved to move forward to the Board. The Child Development video was conditionally approved to move forward to the Board as long as the video was edited. The video had been edited based on the Committee's recommendation and asked the Board for their approval.

MOTION:

Approve the Nearpod on Pregnancy and Development to be used in the Child Development Classroom.

Motion by Elizabeth Smith, second by ValaRee Shields

Final Resolution: Motion Carries

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

8.2 Capital Outlay 2023-2024

Ian Silva, Operations Director, stated he received each school and department's requests for capital outlay projects for the 2023-24 school year. The Operations Department reviewed each request, visited every building, and made recommendations for next year's projects based on the highest priorities.

Member Syphus expressed concerns about the playground equipment; Mr. Silva said he has someone in the maintenance shop certified for inspecting playgrounds. Playgrounds are inspected to make sure they meet the standards for safety.

Member Shields asked about West Elementary. Mr. Silva explained that they prioritized having the boiler reevaluated and replaced. They also allocated \$425,000 to upgrade restrooms, ceilings, plumbing, etc. Mr. Silva went on to explain the breakdown of costs. Board requested a price range of what it would take to keep West running for one more year.

MOTION:

Move the Capital Outlay 23-24 forward for a second read.

Motion by Robert Gowans, second by Scott Bryan

Final Resolution: Motion Carries

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

8.3 Revised Policy 3005, District Audit Committee, 2nd Read

Lark Reynolds, Business Administrator, presented revised policy 3005, District Audit Committee, to the Board. Mr. Reynolds stated the revisions reflect the current Utah Code and USBE model policy.

MOTION:

Approve revised policy 3005, District Audit Committee, for implementation

Motion by Elizabeth Smith, second by Scott Bryan

Final Resolution: Motion Carries

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

8.4 Revised Policy 4039, Employee Transfers, Temporary Assignments, and Reduction in Force, 2nd Read

Toni Garn, Asst. Director of Human Resources presented revisions to policy 4039, Employee Transfers, Temporary Assignments, and Reduction in Force to the Board. Ms. Garn stated some clarity issues had been found, and the revisions were made to clean up and policy and make it more straightforward.

Member Gowans is concerned with the update, not comfortable transferring someone; then, they can reapply within the same time frame. Member Bryan stated that we should have some due diligence in hiring.

MOTION:

Approve revised policy 4039, Employee Transfers, Temporary Assignments, and Reduction in Force implementation.

Motion by Scott Bryan, second by Elizabeth Smith

Final Resolution: Motion Fails

Yea: Scott Bryan, Emily Syphus, Melissa Rich,

Nay: Julia Holt, Elizabeth Smith, ValaRee Shields, Robert Gowans

The motion failed to pass and will bring it back for a third read.

MOTION:

To extend the meeting by five more minutes

Motion by Scott Bryan, second by ValaRee Shields

Final Resolution: Motion Carries

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

8.5 Revised Policy 4013, Employee Discrimination and Harassment, 3rd Read.

Toni Garn, Asst. Director of Human Resources presented revised policy 4013, Employee Discrimination and Harassment, to the Board for a second read. There were no changes made from the first read. Wynn Porter, Director of Human Resources, presented it last month for a first read stating in reviewing this policy, they found it needed significant revisions and did a complete revision. The revised policy reflects the Utah Code and USBE model policy and includes a title change to Employee Non-Discrimination and Harassment.

MOTION:

Approve Revised Policy 4013, Employee Non-Discrimination and Harassment, for implementation.

Motion by ValaRee Shields, second by Robert Gowans

Final Resolution: Motion Carries

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

9. Executive Session (Closed to the Public)

MOTION:

Enter executive session to be held in the Executive Conference room at the

district office to start at 9:30 pm to discuss:

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

Motion by Emily Syphus, second by ValaRee Shields

Final Resolution: Motion Carries

Vote by Name:

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

10. Adjourn (10 pm Curfew)

10.1 Adjourn

The meeting adjourned at 11:03 pm.

MOTION:

Adjourn

Motion by Scott Bryan, second ValaRee Shields

Final Resolution: Motion Carries

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