

**OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE
BOARD OF EDUCATION, EAU CLAIRE, WISCONSIN, MARCH 15, 2010
PRESIDENT CRAIG PRESIDING**

Following the Pledge of Allegiance, President Craig called the meeting to order at 7:00 pm. Secretary Patti Iverson confirmed that the meeting was properly noticed and was in compliance with the open meeting law.

Roll call was taken and the following commissioners were present: Bollinger, Craig, Duax, Faanes, Johnson, and Wogahn. Absent: Shiel. Student Representatives Marcus Liddell and Brittany Landorf were also present. (Marcus arrived at 8:25 pm)

NOTICE OF CLOSED SESSION

President Craig announced that the Board would go into closed session following the committee meeting under 19.85 (1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to discuss employee negotiations. The Board will discuss the development of bargaining strategies for negotiations with Local 560 – Buildings & Grounds and Local 560-B – Food & Nutrition as well as teacher negotiations; 19.85 (1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved; and 19.85 (1)(f) to consider financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.

PUBLIC FORUM

Sandra Benedict, 1347 Elderberry Lane, brought up several issues she wanted the Board to address regarding her not receiving her early retirement stipend and possible discrimination issues. President Craig said the matter is in litigation and legal council is working with Ms. Benedict on the matter.

Paul Kuehn, 3400 Garfield Road, Eau Claire, was concerned about the decision to move Bruce Hering from Memorial to North as a band teacher. He said Mr. Hering is a nationally recognized jazz instructor but his expertise would not be as a concert or marching band instructor, which is what he would teach at North. Parents were told that Mr. Hering is the most qualified of all band directors for this position. Mr. Kuehn did not agree with that. He was also concerned about breaking up the “Dasher/Hering” duo at Memorial as they work symbiotically.

Cindy Tewalt, 3604 Wildon Street, Eau Claire, is the President of the North Band Parents. She invited the Board to its spaghetti dinner fundraiser on March 18th. She also gave support to the decision made by administration to transfer Mr. Hering to North as they can make the best decision for the district while working within the teachers' contract. These changes were necessitated by shrinking school budgets. She applauded administration's decision to grow solid programs at both high schools and continue the excellent program developed by Mr. Power at North.

Cindy Widstand, 57975 Jamie Lane, Eau Claire, said the decision to reassign Mr. Hering left parents with some questions and concerns. She said the facts, circumstances, and explanations don't seem to support a logical, objective and transparent decision. She felt there were alternative solutions that would better serve students at both high schools. She asked for a decision that benefits all, demonstrates vision, reflects on the decision-making process, creates a climate of trust and generates favorable publicity. She asked the Board to investigate and help parents understand how the decision was reached so legitimate concerns could be put to rest.

Karen Clark, 7509 Hwy 53 South, Eau Claire, said her daughter carries five instruments to school each day because she wants to be more versatile in her goal to achieve her dream of excelling in band. She felt that Mr. Dasher and Mr. Hering are a wonderful duet and that the two are stronger together than they would be apart. She said she understands budget issues but asked that the Board look at the students and determine that education is too important to fail.

Emily Russell, 1313 Main Street, Eau Claire, is a student at Memorial. She said Mr. Hering has inspired her to pick up new instruments to better her music skills, and he has taught her a strong work ethic. She feared that without Mr. Dasher and Mr. Hering together, the band program will not remain excellent at Memorial.

Candice Shreiner, 2351 Sherman Creek Road, Eau Claire, is the parent of a North High band student as well as a band booster. She said she respects and supports the decision made and understands the feelings of Memorial band students and parents. She said the Board and administration will continue to be faced with tough decisions because of budget cuts. Both high schools have talented, hard working students and teachers and both schools should be lifted up equally.

Kim Osberg, 3505 Leslie Lane, Eau Claire, is a North student and she said she understands many of the concerns. However, some of the comments posted on Facebook walls have led a lot of students at North to feel as if Memorial parents think Mr. Hering's talents would be wasted at North. She said North students were very disappointed that Mr. Power had to leave the program after his time was reduced because he developed an amazing program. Students are excited about Mr. Hering coming to North to keep band thriving at that school.

Laurie Osberg, 3505 Leslie Lane, Eau Claire, said she has been a North band parent for six years and there have been three directors during that time. There were several

years during that time when the band program suffered at North, and Mr. Power has really made great strides to create a vibrant program. She acknowledged that the Board does not get involved in staffing issues. She was glad that North students will have a fine director in their school.

President Craig said that the band director decision is a staffing matter and the Board does not discuss those issues during the public forum. Administration will be asked to share their rationale for the decision with the Board in closed session.

BOARD/ADMINISTRATIVE REPORTS

Superintendent's Report

Superintendent Heilmann said that since revenue limits were imposed during the 1993-94 school year, the ECASD has reduced its overall budget by \$32.2 million; \$18.5 million of that total came in the last five years. He said the majority of those reductions were taken from areas least affecting student programs and services, but unfortunately the district is now at a point where all reductions are felt by students and families. The list of reductions is posted on the website. Dr. Heilmann said that many of the reductions have to do with personnel, which isn't surprising given 80% to 83% of school district budgets across the state are for personnel costs.

Dr. Heilmann explained how staffing relates to Transformational Readiness (TR). He said that TR is based on educating all students to a minimum level of educational proficiency based on measureable outcomes. These measureable outcomes include areas of academics, career awareness, social/emotional, and enhancements. Basic opportunities in art, music, and physical education are part of academics; more advanced choices would be considered student aptitudes and interests. Staffing in aptitudes and interests has taken a hit in previous budget reduction efforts. The number of students taking general music at the middle school level has steadily decreased. As the overall numbers have declined, it has necessitated a reduction in the overall music teacher full-time equivalents.

Locust Lane Elementary was featured by the National Education Association and Wisconsin Education Association Council to celebrate Dr. Seuss's birthday. Mary Bell, NEA President, was one of various dignitaries present to read to students.

Communication to Superintendent/Board President

President Craig expressed the Board's gratitude to Brittany Landorf for her leadership in Memorial's State of the School event.

Student Representative Report

Brittany Landorf said the State of Schools meeting at Memorial went really well and she was very impressed with the students who spoke. She said their words need to be heard. She has been approached by many people about the band issue.

Other Reports

State of the Schools Report – Meadowview Elementary School

Dr. Del Boley, Meadowview Principal, was out of the district participating in racial equity training so teachers Sharon Asselin, Deb Erickson, and Randy Richter shared the report for Meadowview. Meadowview is 20 years old and is committed to developing lifelong learners who are respectful, productive members of a diverse world. Enrollment has stayed pretty stable at Meadowview; however, there has been an increase in the ELL population and the number of families living in poverty.

The teachers shared information on their building goals. In 2007 a two-year goal was established to work to increase proficiency and advanced levels of students in math constructed responses. Staff focused on students work on writing within the math curriculum. The WKCE goal was met and each grade level increased with rubrics and assessments. Meadowview WKCE scores are above the state and district averages and the majority of students are performing at advanced or proficient at all grade levels in math.

The leadership team was pleased with progress made in math, so they decided to look at language arts scores where they were seeing relative inconsistencies in scores. Compared to other areas of academics, language art was a relative area of weakness. In 2009 a goal was developed to implement research-based, best practices in writing instruction so 80% of students in K-5 perform at proficient or advanced on the district/building writing rubric. Staff is developing a writing rubric to use K-5 to provide an assessment tool that is aligned with the writing program.

Meadowview is a Responsive Classroom school and participates in district training initiatives and book studies. There are at least four all-school meetings held each year with students leading the meetings. The school is also in its first year of implementing PBIS and school-wide rules have been developed. Staff is piloting the Response to Intervention model that brings teams of teachers, specialists, and parents together in developing educational and social/emotion plans for students who are working below grade level expectations. Home and family connections have been strengthened by developing new family welcome bags. There are action teams that meet monthly to address staff and student wellness, Responsive Classroom initiatives, and sustaining the past math goal and current writing goal. Meadowview also participates in the Girls on the Run program, which focuses on building self esteem and physical well-being with preadolescent girls.

Policy and Governance Committee

President Craig shared a document showing six policies that have been determined by the Policy & Governance Committee to be top priorities for updating or adopting. An additional list of policies for Board consideration was shared, and President Craig asked that the Board members communicate with Com. Duax with their top three priorities.

Budget Development Committee – No report was given.

CONSENT RESOLUTION AGENDA

Board members asked to pull Resolutions 7, 8, 9 from the consent agenda.

Com. Bollinger moved, seconded by Com. Wogahn, to approve the consent resolution agenda consisting of the following items:

- ◆ The minutes of Board meeting of March 1, 2010, as mailed.
- ◆ The minutes of closed session of March 1, 2010, as mailed.
- ◆ The budget adjustments as presented.
- ◆ The financial report as presented.
- ◆ The gifts in the amount of \$17,021.17 for the period of February 1 through February 28, 2010.
- ◆ The matters of employment of March 15, 2010, as presented.
- ◆ Revisions to *ECASD Policy 345.3 – Extended Learning/Homework*
- ◆ Revisions to *ECASD Policy 420 – School Admission and Placement*
- ◆ Revisions to *ECASD Policy 431 – Compulsory Student Attendance*

Consent resolution agenda items approved by unanimous roll call vote.

INDIVIDUALLY CONSIDERED RESOLUTIONS

Resolution #7 -- Eau Claire – Memorial – North Alumni Association Request to Obtain a 501(c)(3)

Com. Duax moved, seconded by Com. Faanes, to table Eau Claire – Memorial – North Alumni Association request to obtain a 501(c)(3). Carried by unanimous roll call vote.

Resolution #8 -- ENGAGE Charter School Planning Grant

Com. Bollinger suggested that the Board receive an update from the committee at each step along the way during the planning phase.

Com. Bollinger moved, seconded by Com. Wogahn, to approve the Board serving as the authorizing agent for the ENGAGE Charter School planning grant with the understanding that the ENGAGE Committee will provide regular updates to the Board during the planning phase. Carried by unanimous roll call vote.

Resolution #9 -- Remaining 2010-2011 Components of the Five-Year Capital Improvement Plan

Com. Faanes said it was his understanding when discussions took place two years ago that the North tennis courts would be redone last summer and the Memorial track would be the next improvement completed. Because of the possibility of funding running out,

this would allow at least one venue in town for track and tennis. The tracks at both high schools need replacing.

Mr. Kramer said the administration at Memorial strongly favored the new tennis courts there. The courts are used as a teaching station. The track is used infrequently for physical education for running or walking. Maintenance staff has been able to do repairs on the track so it is usable. Tracks at North and Memorial are on the five-year schedule.

Com. Bollinger asked to see the letters of intent to order materials for the previous projects approved by the Board. The Board asked that discussions on maintenance projects happen in October or November in the future so any concerns can be addressed so that work can be done in the summer.

Com. Bollinger moved, seconded by Com. Wogahn, to approve the remaining 2010-2011 components of the five-year capital improvement plan as presented. Carried by the following roll call vote: Ayes: Bollinger, Craig, Duax, Johnson, and Wogahn. Nay: Faanes.

Resolution #13 – Payment of Bills

The payment of all bills in the amount of \$4,535,555.01 and net payroll in the amount of \$3,128,820.94 for the period of February 1, 2010 through February 28, 2010. Carried by the following roll call vote: Ayes: Bollinger, Craig, Duax, Johnson, and Wogahn. Abstained: Faanes.

Regular meeting adjourned.

Submitted by Patti Iverson, Board Secretary

**COMMITTEE MEETING
BOARD OF EDUCATION – EAU CLAIRE, WISCONSIN
MARCH 15, 2010**

1. Call to Order – Committee Meeting

Members present: Bollinger, Craig, Duax, Faanes, Johnson, and Wogahn.
Absent: Shiel. Student Representatives Brittany Landorf and Marcus Liddell were also present. (Marcus arrived at 8:25 pm)

2. Committee Reports/Items for Discussion

A. Discussions of Format of Charter School Contracts

Superintendent Heilmann shared a history of discussions about charter school contracts including minutes from Board meetings on the topic on November 5, 2007; December 17, 2007; and a listing of information shared by Dr. Heilmann on December 21, 2009. The December 21st document included 12 contract issues that need to be addressed while developing a template. The Board reviewed each of the 12 considerations provided by Dr. Heilmann and asked questions, commented, or received clarification as follows:

1. Length of contract: There was overall agreement with going with a shorter, two-year contract. Com. Bollinger asked about adjusting the renewal criteria in light of the shorter contract length.

2. Not mentioning a specific site or address for the charter school in the contract: There were no questions on this item and the Board was in agreement.

3. Self-sustainability of capital improvement and program specific costs: The Board discussed what would happen in the event that a charter school would need more money for its own unique program and was no longer part of an implementation grant. Would the district make a commitment or require a self-sustaining budget to meet those needs? The Board policy on charters says that the district will provide equitable distribution of resources. The Board would have to develop sustainability criteria. Com. Bollinger said the intent was to have equitable distribution of funds and there would be a sustainability factor for anything unique for the charter schools. The sub-committee felt that resources shouldn't be taken from the rest of the district for charter needs. Mr. Van De Water noted that charter schools and funding should be viewed through the TRS lens as well. They should be prioritized with the needs of all other educational initiatives in the district and should be sustainable.

4. Removing references to charter school employees being provided by CESA: If charter employees are ECASD employees, it would alleviate issues such as the recent grievances with the union.

5. Removing references to specific staffing levels: The Board was in agreement philosophically with this item. The current language calls for specific staffing levels based on student enrollments. Dr. Heilmann felt the new language would provide for ongoing dialogue between the charter and administrative representatives at the school and District Office administration to review staffing needs on an annual basis depending on the needs of school, student needs, etc. Administration would have more flexibility in dealing with this issue rather than having specific criteria for staffing.

6. Increasing/decreasing the scope of services and/or grades that are served by a particular charter school: The Board leaned towards having more specificity on the scope of services provided as well as the likely number of students to be served. The shorter contract allows more flexibility but it was felt the Board should know what specific population the charter would serve and have it defined.

7. Parameters for student enrollment, generally, and contract language that would provide for charter school expansion, specifically: The Board talked about having more specificity rather than less on this issue.

8. Equity of resources: The charter policy demands that equity be provided. This is linked to #3, which includes sustainability.

9. Accountability provisions: Given the transformational readiness standards, it is likely that sections of the existing contracts with McKinley and Montessori will likely need to be altered. It was felt that TRS should be a consideration but it shouldn't be articulated in the language itself. Mr. Leibham said that the post-secondary preparation just needs to be embedded. In the traditional program it may be measured in one way and in a charter school it could be measured in a different way. There should be some method of accountability and it should be measured.

10. Sharing of best practices: This reflects state and federal mandates. The Board was in agreement with this.

11. Clarification of what policies/practices a charter school is exempted from during the term of the contract: It was thought the governance boards and the district's attorney could come to agreement on this to provide overall protection to the ECASD. Personnel are excluded as part of this.

12. Consideration of a dispute resolution process to address contract issues during the term of the contract: This provides a process to use should two parties have a dispute or need an interpretation of part of the contract. The shorter length of the contract should also help.

Dr. Heilmann said the oversight of charter schools will be shared by the district leadership team members. The Board directed administration to have the template reviewed by legal council by August 2010. The governance boards should also review the template.

B. Discussion and Potential First Reading of Revisions to *ECASD Policy 830 – Use of School Facilities*

President Craig said the Policy & Governance Committee was charged with reviewing the current facility use policy to ensure it reflects a philosophy that encourages community access in a fair and user-friendly manner. The Board had an opportunity to discuss the policy as well.

Mr. Van De Water shared a fee schedule and conditions of facility use with the Board. He said the Board's policy has many layers to it. Those layers are addressed by creating multiple rate schedules and different user classifications.

The user classifications would be as follows:

Class 1—All ECASD activities, booster clubs and PTA/PTO organizations.

Class 2—Activities organized by and under the jurisdiction of the EC City Parks & Recreation Department that serve primarily students of the ECASD.

Class 3—Activities organized by and under the jurisdiction of the EC City Parks & Recreation Department that serve primarily adults of the ECASD.

Class 4—Organizations, community groups and neighborhood associations that are not for profit; are located in ECASD; are service, civic, recreational, or educational in nature; and serve primarily students of the ECASD.

Class 5— Organizations, community groups and neighborhood associations that are not for profit; are located in ECASD; are service, civic, recreational, or educational in nature; and serve primarily adults of the ECASD.

Class 6—For-profit organizations with headquarters located within the ECASD.

Class 7—Not-for-profit organizations located outside of the ECASD.

Class 8--For-profit organizations with headquarters located outside of the ECASD.

There would be three rate schedules. All users would be charged a processing fee which varies between the numbers of times the facilities would be used. Operating hours would be considered from Monday through Friday when school is in session and a custodian is present as part of their normal duties.

A target date of July 1, 2010, was set for implementation of the transition to the new fee schedule. Mr. Van De Water said the fee schedule is ready; the conditions of use must be finalized; the data needs to be loaded into software; the software must be implemented; building staff must be trained and users must be inserviced. He said the usage would be run out of Fund 80.

Mr. Van De Water said he could have the full rate schedules available for the Board at the next meeting. He noted that there wasn't a recommendation for additional staff at this time to manage facility use. He felt there could be benefits of having a limited term position that would be a contact person to answer questions and handle training. This could be a position for a two-year term. The first year would be for training staff and users as well as working out the bugs. It is hoped that in the long run various users could access the information independently on the web.

Mr. Van De Water pointed out that student age groups using the facilities would not have a local charge attached. The Board asked that the Parks & Recreation adult users be encouraged to use the facilities later in the evening so they are available to youth in the early evening.

The Board asked for an annual review with the City of Eau Claire to address the quid pro quo agreement and to make sure the new format continues to provide a fair and equitable balance.

Com. Bollinger suggested that the words "nor set any schedule precedent" be added to the very last sentence of the policy. Board members concurred with that.

Com. Duax shared the first reading of *Policy 830 -- Use of School Facilities*:

The Board of Education recognizes that school district facilities belong to the citizens of the Eau Claire Area School District. The Board accepts its responsibility for making designated facilities available to groups and individuals of the community when facilities are not in use for school purposes. School purposes include all district sanctioned student activities, PTO/PTA activities, and Booster Club activities.

Uniform rates shall be established to recover reasonable usage fees from all groups using facilities that are not directly related to “school purposes” as defined above. Such fees shall be differentiated based on whether the usage is during regular school operating hours/calendar or usage is during hours not within the regular school operating hours/calendar. Additionally, uniform rates shall be differentiated based on whether the activity is designed primarily for school-age children or for adult activities. Any fees that may be assessed shall not exceed direct costs to the district. Specific priority designations and fees shall be approved annually by the Board and shall be found in the regulations associated with Policy 830.

A district-wide reservation system shall be used to provide fair and equitable procedures to reserve designated district facilities for groups that are not directly related to a school purpose. The reservation system shall provide a reservation priority hierarchy to reflect the district’s mission, values and goals. Highest priority shall be assigned for ECASD “school purposes,” followed by groups that are not under the definition of “school purposes” but provide activities for school-age children. Information about school facility reservations and utilization priorities shall be on the district’s website.

All groups and individuals who reserve a facility shall provide proof of indemnification before being allowed to use any district facility.

All use of district facilities shall be governed by federal and state law, Board policies and district administrative rules and shall be consistent with the district’s mission, values and goals.

Authorization of use shall not be considered a district endorsement of any individual, group or organization, the activity or its content, nor set any schedule precedent.

C. Review of Recent Work by the Board Budget Development Committee

Mr. Van De Water said the projected gap between revenues and expenditures for 2010-11 is \$2.8 million and over the next five years the gap will be approximately \$25.6 million. Since revenue limits were instituted in 1993-94 the district has cut \$32.2 million from its budget; \$18.5 million of those reductions were made in the last four years.

Mr. Van De Water said that sustainable significant new revenue streams are not likely to materialize, and the impact of budget reductions will become increasingly dire. Referendums may be necessary to exceed revenue limits. The district’s most important responsibility is preparing all students for post secondary readiness. Given that information, administration developed a TR ranking protocol which provided a prioritized listing of reductions in an order that is least impactful on the TRS work.

Com. Duax suggested looking at the possibility of offering some of the district property for sale.

The Board was asked to give input on the list for items A-EE and if there were any items the Board would like to take off or add to the list, they should let Coms. Shiel and Bollinger know so they could share that with the Budget Committee.

Com. Johnson asked that the Board consider adding field trips back into the budget. She understood that would mean that something else would have to be cut from the budget. The Board asked to get information on the amount spent on 'staff field trips' for professional development. Dr. Heilmann said they would have to make comparisons on the money spent to send staff out for professional development and money spent to cover sub costs by bringing groups together in the district as well as paying the curriculum writing rate. Dr. Heilmann said whatever may be added to the budget should be linked to TRS.

The Board asked to have a list showing the percentage of cuts that have been made for staff over the last ten years in all areas. Mr. Van De Water said he could provide that.

Com. Johnson suggested sending out a press release asking the public to consider purchasing naming rights.

Doris Nelson, 3348 Jill Lane, was concerned about the many personnel cuts made in the buildings. She said she volunteers a lot in the schools and has seen staff under a great deal of stress with the many cuts that have been made. She said a referendum may be something the district has to do. She urged the community to come together so that the district can keep providing the best education possible to its students.

3. Request for Future Agenda Items

Superintendent Heilmann added the following items to upcoming agendas: Shared use of facilities with the City of Eau Claire, review of charter schools contract template, and recommended 2011-12 capital projects.

Com. Bollinger said he would like to see a report on the impact of moving funding for middle school athletics to Fund 80 as well as the impact on elementary art after those reductions were made. Com. Johnson asked for a report on the Board's goal to work on a communication plan. Superintendent Heilmann said there is an agenda item in September for this discussion.

4. Other Business

5. Motion to go into Closed Session

Com. Wogahn moved, seconded by Com. Faanes, to go into closed session under 19.85 (1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to discuss employee negotiations. The Board will discuss the development of bargaining strategies for negotiations with Local 560 –Buildings & Grounds and Local 560-B – Food & Nutrition as well as teacher negotiations; 19.85 (1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved; and 19.85 (1)(f) to consider financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. Carried by unanimous roll call vote.

6. Meeting adjourned at 10:35 pm.