

**Eau Claire Board of Education Minutes
Monday, February 2, 2015**

Generated by Patrice Iverson

Members present

Richard Spindler, Wendy Sue Johnson, Trish Cummins, Chris Hambuch-Boyle, Kathryn P Duax, Charles Vue, Chue Xiong

1. REGULAR MEETING - CALL TO ORDER

Following the Pledge of Allegiance, President Spindler called the meeting to order at 7 p.m. Board Secretary Patti Iverson confirmed that the meeting had been properly noticed and was in compliance with the Open Meeting Law.

2. PUBLIC FORUM

No one signed up to address the Board.

3. BOARD/ADMINISTRATIVE REPORTS**3.1 Superintendent's Report**

Superintendent Hardebeck reviewed the Board's calendar of upcoming events.

Dr. Hardebeck noted that as the District started work on Agenda 2017, it had to organize around the standards movement with the Common Core and new assessments to determine if students have learned what they should and ensure that students have highly-qualified educators through Educator Effectiveness. Dr. Hardebeck said you get to that work through the structure of school improvement plans with work facilitated at the schools by their Professional Learning Communities. The Central Office wasn't organized to provide support for the schools. The Consortium for Educational Change recently conducted a Systems Analysis and they will give the District some recommendations and an assessment to organize in a way to provide better support for the schools. The Board was invited to attend a luncheon with Mark Van Clay from CEC on February 19th at noon.

Dr. Hardebeck said she has received a few inquiries about closing school when dealing with severe cold. Some feel the guideline of closing school when sustained temperatures of -30 degrees is reached is too cold. This could be something to review in the future.

3.2 Communications to Superintendent/Board President

President Spindler announced that WASB will hold a Day at the Capitol on March 18th. In addition, the NSBA Convention will be held in Nashville in March. Board members were encouraged to attend if possible and to let Patti Iverson know if they would like to attend.

4. STUDENT REPRESENTATIVE REPORT**4.1 Student Representative Report**

Hannah Winegarden said that students liked the fact that the 2015-16 school year would finish earlier. There were some concerns about the longer school day for students who have jobs that start at 3:30 p.m. and for issues scheduling gym space. Hannah also said that the new retake policy has been effective and has maximized learning. She shared an update on North activities and events.

Jonah Giese said he met with the Student Council and club leaders to talk about the proposed changes to the 2015-16 calendar. Students liked knowing the final day of school. He asked that the Board consider student input when discussing a comprehensive change of the schedule for later start times at the high schools and earlier start times at the elementary level. He feels that the data supports the benefits for students. Jonah shared an update on Memorial activities and events.

5. OTHER REPORTS**5.1 Board Committee Reports**

The Budget Development Committee heard a report on the 2015-2016 budget and started discussions about a possible referendum in the future.

5.2 Legislative Update

Chris Hambuch-Boyle said Governor Walker will soon announce his 2015-2017 budget proposal. It was anticipated that school aid will remain mostly unchanged. A Milwaukee Education Reform and Economic Development Plan was recently unveiled. This proposal calls for creating a "recovery school district" model that would turn selected Milwaukee Public Schools with failing grades into independent charter schools that would not answer to the Milwaukee School Board. DPI

is planning for the possibility that lawmakers may not fund the Smarter Balanced exams.

6. CONSENT RESOLUTION AGENDA

Motion by Trish Cummins, seconded by Charles Vue, to approve the following consent resolution agenda items:

- Minutes of Closed Session - January 19, 2015
- Human Resources - Employment Report of February 2, 2015
- Revisions to Policy 460 - Student Scholarships and Awards

Motion carried.

Yes: Richard Spindler, Wendy Sue Johnson, Trish Cummins, Chris Hambuch-Boyle, Charles Vue, Chue Xiong.

7. INDIVIDUALLY CONSIDERED RESOLUTION(S)

Kathryn Duax asked that the minutes be amended to include the full name of Charles Vue under Item 9.5.

Motion by Trish Cummins, seconded by Chue Xiong, to approve the minutes of January 19, 2015 as amended.

Motion carried.

Yes: Richard Spindler, Wendy Sue Johnson, Trish Cummins, Chris Hambuch-Boyle, Charles Vue, Chue Xiong.

8. ADJOURN TO COMMITTEE

9. COMMITTEE REPORTS/ITEMS FOR DISCUSSION

9.1 Discussion on High School Credits and Graduation Requirements

Tim Leibham, Executive Director of Administration, explained that in 2013 the Wisconsin Legislature passed Act 63, which increased the credit requirements for high school graduation in math and science from 2.0 credits to 3.0 credits. This increase will be required of students in the graduating class of 2017. In addition, Act 138 was also passed, which provides middle school students the opportunity to earn high school credit.

The Board will need to consider policy implications relative to Policy 345.6 and the associated rule because it currently reflects the lower credit requirements in math and science. The Board may also consider increasing graduation requirements from 22 credits to something greater. A comparison of graduation requirements for Big Rivers Conference schools as well as similar-sized school districts was shared.

Jim Schmitt, Director of Assessment & Technology, reviewed the percentage of students who earned math and science credits for the last three years. Approximately two-thirds of students earned over three credits in math and science. He also showed the breakdown of total credits earned by graduates since 2010.

South Principal Dianna Zeegers shared the implications of the legislation for middle school students. She also showed a diagram of the pathways to advanced mathematics in the District from the universal (typical) pathway to a significantly accelerated pathway. The Board asked to get specific numbers of students in each pathway to advanced mathematics. In addition, the percentage of minority and low socio-economic students in the advanced pathways was also requested.

Suggested changes to policy language that meet the requirements of Acts 63 and 136 were shared. The Policy & Governance Committee will look at policy language and bring back a draft policy for the Board to consider.

High school principals Dave Valk and Dave Oldenberg talked about Project-Lead-the-Way, which is a national, state of the art Science, Technology, Engineering, and Math (STEM)-based curriculum. It is very high rigor in math and science and very hands on. This program would allow students to receive required math and science credits.

A question was raised about those students who are on the bubble and just barely graduating and whether these additional credits will make graduating unattainable for them. Data was requested on these at risk students. Others felt it was important to set high expectations for students and challenge them to be prepared for post-secondary success.

9.2 Wisconsin Public Education Network (WPEN) Membership Discussion

Chris Hambuch-Boyle said that the District was approached to become part of the Wisconsin Public Education Network (WPEN). She said WPEN serves as a conduit for grass root groups that are concerned about school funding. They would like to hire a half or full time person to help organize community conversations in the state relative to school funding. There would be an annual fee to join.

Board members discussed this and were interested in the concept but wanted more information on how the group would stay non-partisan and what the funding would cover. Board members were asked to send questions they may have to Patti Iverson so answers could be sought out.

9.3 Discussion & Possible First Reading of Policy 424 - Public School Open Enrollment

Board members shared the first reading of Policy 424 - Public School Open Enrollment:

This policy shall be administered in accordance with the state public school open enrollment laws and the administrative rules established by the Department of Public Instruction (DPI).

Subject to the exception that the School Board, each January, shall act upon any annual space availability determinations for purposes of nonresident open enrollment into the District, the Board authorizes the Superintendent, or any administrative-level designee of the Superintendent, to make all other decisions and determinations that are necessary or permitted in connection with any open enrollment application or any open enrollment student under this policy and under any related Board-approved Rule. However, this delegation of authority shall not be construed to prohibit the Superintendent from bringing any such decision or determination to the Board as he/she deems necessary or prudent.

Nonresident Open Enrollment Students

A nonresident student may apply for full-time enrollment in a public school in the District under the open enrollment program. Applications may be completed and submitted using DPI's online system or by completing the DPI's paper application form and submitting the paper application to the Superintendent's Designee.

The Superintendent's Designee shall consider and apply the following criteria when deciding whether or not to accept (or, in some situations, revoke acceptance of) a nonresident student's application for full-time open enrollment:

1. Space Availability and Waiting Lists

The Superintendent's Designee shall consider the availability of space in the schools, programs, classes or grades within the District. When determining space availability, consideration may be given to desired class size limits, desired student-teacher ratios, overall building capacity, future enrollment projections, the projected number of sections of particular grades or courses, desired program-size limitations, and known or projected limitations on available staffing and other resources. Based upon a review of the relevant considerations, the Superintendent may recommend establishing space limitations applicable to nonresident open enrollment as needed at a Board meeting held in January. At that time the Board may act on that recommendation.

At a minimum, any annual determination of space availability shall involve at least a declaration of the District-wide number of nonresident open enrollment applications that the District intends to accept in conjunction with the subsequent regular application period, broken down (1) by grade (although two or more grades may be combined and treated as a single grade); and (2) by any established special education program or service that has identifiable space limitations. However, in any year in which the Board establishes a space limitation in any grade/program/service, the Board's determination of space availability may also indicate, at the Board's discretion in light of its assessment of the relevant factors, that no space limitations are needed in certain other grades/programs/services.

If the Board has taken action in January to limit the number of spaces that will be available in any grade(s), programs(s), or service(s) for applications that are submitted during the regular application period (i.e., for enrollment in the following school year), then the District's consideration of nonresident alternative applications for open enrollment shall be limited as provided under DPI's administrative rules. The District's consideration of nonresident alternative open enrollment shall be denied.

The Method of Random Selection Used to Determine Which Applications Will Be Approved When There Are More Applications Than Available Spaces

If the District receives more student applications during the regular application period for full-time enrollment than there are spaces available, the District shall determine which students to accept on a random basis, subject to the following exceptions:

- a. Students who are currently enrolled in and attending school in the District (excluding part-time attendance by a student who is enrolled in another public school district, a private school, a tribal school or home-based private educational program).*
- b. The siblings of any student who is currently attending school in the District (excluding part-time attendance by a student who is enrolled in another public school district, a private school, a tribal school or home-based private educational program).*

As individual applications are selected and considered within the random selection process, the District grants consideration to certain sibling-applicants as required by DPI rule. Specifically, if the District determines during the random selection process that there is space available to accept the individual student whose application is under immediate consideration, then the District shall give immediate consideration to the application(s) of any remaining sibling-applicants in the same family who applied for open enrollment at the same time. The application of any sibling who is entitled to preferential consideration under this paragraph shall be denied if there is no remaining space in such sibling's grade and/or in any special education program or service that may be required for the sibling.

The method used to randomly select applications will need to be different depending on, for example, the District's approach to the guarantee/preference issue identified above in the policy. The procedures should also describe whether

the random selection is conducted from a District-wide pool of the remaining applications, or after first segregating the remaining applications "by grade." The procedures should also account for specific requirements found in Chapter PI 36 of the Wisconsin Administrative Code that directly affect the random selection process. For example, the DPI rules currently provide that (1) if a district policy establishes a separate random selection for each grade, then the district shall first randomize the order in which each grade is drawn; (2) a student who is a child with a disability shall be included in any random selection for the student's grade, prior to consideration of the availability of and space in the special education required by the student's IEP; and (3) if neither currently-attending students nor siblings of currently-attending students are guaranteed approval, then both such groups of applicants shall be granted equal preference to available spaces.

Waiting Lists for Acceptance of Open Enrollment Applications into the District

- a. The Superintendent's Designee creates and administers waiting lists for applications received during the regular application period that are initially denied due to space limitations.
- b. The Superintendent's Designee does not administer waiting lists for current-year open enrollment applications submitted by nonresident students under the alternative application procedure.
- c. The Superintendent's Designee creates and administers waiting lists for the assignment of accepted open enrollment applicants to specific schools/programs for which the applicant has expressed a preference.

2. Students with Disabilities

If the special education or related services required for a student with a disability are not available in the District or if there is no space available in the relevant program/service(s), then the application shall be denied.

In any instance where an application is submitted by a student with a disability but there is no current IEP available for the student, the District will use the procedures defined in DPI's administrative rules to determine whether the District has the appropriate special education program or space and also to estimate the amount of basic and special education cost for the student.

If a nonresident student receives his/her initial individualized education program (IEP) while attending the District under open enrollment, or if a nonresident student's IEP changes after the student begins attending school in the District, or if the District has approved an application for a student without an IEP and it is subsequently determined that the student is a child with a disability for whom there is either a record of a previous special education evaluation or a prior IEP based upon such evaluation, then the student may be returned to his/her resident district if the District determines either that the special education or related services required for the student are not available in the District or that there is no space available.

3. Students Referred for a Special Education Evaluation

An open enrollment application shall be denied if the nonresident student has been referred or identified as having a possible disability but has not yet been evaluated by an IEP team in the resident district. To the extent permitted by DPI, and assuming other acceptance criteria are and continue to be met, such a student's parent or guardian may request that the District reconsider a denial under this criteria if the IEP (or a finding of no disability) is forwarded to and reviewed by the District and if the District concludes that such reconsideration would not be prejudicial to any other applicant.

4. Discipline-Related Criteria

- a. The term of an applicant's expulsion overlaps with the proposed period of open enrollment. Consistent with state law authority, the District may deny the application and prohibit the enrollment of any student whose term of expulsion (for any lawful reason and regardless of when the expulsion occurs) from any public school, independent charter school in Wisconsin, or out-of-state public school overlaps with the proposed period of open enrollment. Superintendent or designee will meet with the student and family/responsible adult to determine appropriate educational programming. The student shall be enrolled in the ECASD. Acceptance of a student does not automatically allow them access to a specific school or specific program. Placement of a student is conditional based on consultation with the resident district.
- b. The term of an applicant's recent expulsion from school does not overlap with the proposed period of open enrollment. The District may deny an application for full-time open enrollment in the District if a review of the student's disciplinary records indicates that the student-applicant has been expelled by any Wisconsin school district at any time during the current school year or preceding two school years for conduct falling in any of the four specific categories listed in the open enrollment statutes.
- c. Disciplinary matters that are pending or that become pending while the application is under consideration. Subject to the limited exception defined in paragraph 4-e, below, if any disciplinary proceeding involving alleged conduct falling in any of the four specific categories listed in the open enrollment statutes is pending at the time the District notifies the student of his/her application status, the District may deny the application.

d. Applicants must continue to meet discipline-related approval criteria after initial acceptance. The District may revoke the prior acceptance of an open enrollment application if the District determines that student is, in fact, subject to a current expulsion order that would have disqualified the student's application under paragraph 4-a, above. In addition, subject to the limited exception defined in paragraph 4-e, below, the District may revoke the prior acceptance of an open enrollment application if, at any time prior to the beginning of the school year in which the student will first attend school in the District, the District determines that the student either has been expelled or become subject to a pending disciplinary proceeding, as described in either paragraph 4-b or paragraph 4-c of this policy, above.

e. Limited Exception. In situations where a student's application was denied (including as a result of the revocation of an initial acceptance) due to a pending disciplinary matter, the District, upon the written request of the student's parent or guardian, will reconsider the status of the student's application if both of the following conditions are satisfied: (1) The District is able to determine that the prior pending disciplinary matter has been concluded in favor of the student; and (2) the District concludes that considering possible acceptance of the application would not be prejudicial to any other applicant.

5. Truancy-Related Criteria

a. An open enrollment application shall be denied if the student was habitually truant during any semester of attendance at a District school in the current or previous school year.

b. Pursuant to the District's applicable truancy and attendance policies, if the District determines that a nonresident student attending school in the District under the open enrollment program is habitually truant from school during either semester in a given school year, the District may prohibit the student from continuing to attend school in the District as an open enrollment student in the succeeding semester or school year. Under no circumstances shall any student have their open enrollment terminated under this paragraph unless the District has clear documentation that (1) the parent or guardian or student knew or should have known that the student's open enrollment could be terminated for habitual truancy; and (2) the student had at least one notice and opportunity to correct the truant behavior before being found to be habitually truant or before terminating the open enrollment. The District's relevant truancy and attendance policies are as outlined in Policy 431.

6. "Best Interests" Determinations under the Alternative Open Enrollment Application Criteria and Procedures

If a parent or guardian applies for open enrollment under the alternative open enrollment application criteria and procedures and relies on the "best interests of the student" criteria, the District shall review the information and rationale provided by the parent(s) or guardian(s) and make a determination as to whether the District agrees with the parent(s) or guardian(s) that attending school in the District pursuant to the application is in the student's best interests. If the District determines that attendance would not be in the student's best interests, the application shall be denied on that basis.

A full-time open enrollment application can also be denied if the nonresident student is ineligible for open enrollment under state law (e.g., the student does not meet the age requirements for school attendance or for early admission, the resident district does not have a 4-year-old kindergarten program as offered by the District, etc.) or the application is determined to be invalid (e.g., the application is incomplete, untimely, or in excess of the number of allowable applications).

Assignment of Accepted Applicants to a School/Program

The District shall assign nonresident students accepted for full-time open enrollment to a school or program. Any preferences identified by the applicant cannot be guaranteed. In making such assignments, the District may give preference in attendance at a particular school or program to residents of the District. Any admission requirements and pre-requisites for attendance in any specialized school or program that apply to resident students also apply to nonresident students. In addition, any nonresident open enrollment student must meet the in-person/physical attendance requirements established by law.

Requests for Early Admission to Kindergarten

The District does not evaluate a nonresident open enrollment applicant for possible early admission to 4-year-old kindergarten.

The District does not evaluate a nonresident open enrollment applicant for early admission to 5-year-old kindergarten.

Early Admission: See Policy 421.

Reapplication

After a nonresident student is accepted for full-time open enrollment in the District and begins attending school in the District, no re-application is required in order for the student to maintain continuous open enrollment.

Transportation

Student transportation and the costs thereof shall be the responsibility of the nonresident student's parent(s) or guardian(s), subject to the following exceptions:

- 1. Low income parents and guardians may apply to the DPI for reimbursement of costs of transportation in accordance with DPI's procedures.*
- 2. The District shall provide transportation for a nonresident open enrollment student with a disability who is attending school in the District if it is required in the student's IEP or otherwise required by law.*
- 3. Upon request of the student's parent or guardian, the District shall provide transportation to nonresident full-time open enrollment students without charging any fee if there is room available on a bus on a regular route and the student is picked up or dropped off at a bus stop on the established route, except that if the bus stop on the established route is located within the boundaries of the student's resident school district, the resident school district must also approve the transportation arrangement.*

Rights and Privileges

To the extent required by state law, nonresident open enrollment students attending school in the District shall have all of the rights and privileges of similarly-situated resident students and shall be subject to the same rules and regulations as resident students. An open enrollment student's eligibility to participate in interscholastic athletic activities is subject to the rules and regulations of the Wisconsin Interscholastic Athletic Association (WIAA).

Resident Open Enrollment Students

Resident students may apply for full-time open enrollment in another public school district in accordance with state law. An application may be denied if the resident student is ineligible for open enrollment under state law (e.g., the student does not meet the age requirements for school attendance or for early admission, the District does not have the same program offered by the nonresident district, etc.) or the application is determined to be invalid (e.g., the application is incomplete, untimely, or in excess of the number of allowable applications).

The District may deny a resident student from attending school in another public school district, or from continuing to attend school in another public school district, if the costs of the special education and related services required in the student's IEP would place an undue financial burden on the District, taking into account the District's total economic circumstances. However, if a student with a disability has submitted an alternative application based upon a determination that the student has been a victim of a violent criminal offense, as further defined and addressed under state law, then the District may not deny the application based upon a finding of an undue financial burden.

If the student has applied for open enrollment under the alternative open enrollment application criteria and procedures authorized by law, the District shall deny the student's open enrollment if the District determines that none of the criteria relied on by the student to submit the application apply to the student. However, prior to denying an alternative application on the basis that the parent or guardian did not provide enough information to allow the District to assess whether the student has been the victim of repeated bullying or whether open enrollment would be in the best interests of the student, the District shall offer the parent or guardian an opportunity to provide additional information.

Transportation. *The parent(s) or guardian(s) of a resident open enrollment student shall be responsible for student transportation, except as otherwise provided by law. Requests from other school districts to provide optional transportation to resident open enrollment students to/from locations within the boundaries of the District shall be denied.*

Appeals of Open Enrollment Decisions

The student's parent(s) or guardian(s) may appeal a District decision regarding full-time open enrollment to the DPI by following the deadlines and other procedures established by the DPI, except as otherwise specifically provided under state law or under DPI rules.

This policy will be brought forward as a consent resolution item at the next meeting.

9.4 Follow Up on WASB Resolutions

Chris Hambuch-Boyle served as the District's delegate at the WASB Delegate Assembly in January. She reported that all of the resolutions being considered were passed. The most controversial was Resolution 15-17, which dealt with teacher shortages and licensure.

9.5 2015-2016 Proposed School Year Calendar

Superintendent Hardebeck said the feedback that was received from staff, parents and principals was shared with the Calendar Committee. She shared the analysis done by the Committee and the priorities that were identified based on that information. Three options were shared in detail with the Board: Calendar 1 was the proposed calendar the Board originally reviewed, Calendar 2 was similar to the first calendar except that it has fewer inclement weather days built in and it reduces the number of minutes needed for that time at the secondary level, and Calendar 3 was a more

traditional calendar.

Heather Grant and James Martin were members of the Calendar Committee and provided additional information based on questions asked during past meetings. The snow days that were proposed to be added into the calendar would not only cover school closure days but two-hour delays and early dismissal days due to inclement weather as well. The issue of "summer slide" was also reviewed and it was learned that whether summer is 10, 12 or 14 weeks students will experience summer slide. As a result, the elementary summer school program will be revamped and will be designed to remediate that summer slide piece. With regards to having fewer instructional days for students and more collaboration and professional development for staff, research shows that staff who spend more time in collaboration and PD offset losses due to students having fewer days in the classroom. It is felt that having better prepared teachers provides for a higher quality of instruction and improved student achievement. Mr. Martin said it would be important to help the community understand that research shows that investing in professional development of teachers has a direct impact on student performance. It also keeps teachers in the classroom for continuity of instruction.

Dr. Hardebeck said that the parameters given to the committee regarding teacher work days was to keep the work year the same as it has been in the past. She said she wasn't ready to recommend additional days to the contract or to require that staff do professional development without pay.

Dr. Hardebeck will make a formal recommendation to the Board and bring it back for Board consideration and approval.

10. REQUEST FOR FUTURE AGENDA ITEMS

11. OTHER BUSINESS

12. ADJOURN

12.1 Adjourn the Meeting

Motion by Chris Hambuch-Boyle, second by Trish Cummins, to adjourn meeting.

Motion carried.

Yes: Richard Spindler, Wendy Sue Johnson, Trish Cummins, Chris Hambuch-Boyle, Kathryn P Duax, Charles Vue, Chue Xiong

Meeting adjourned at 9:45 pm