

Eau Claire Board of Education Minutes
Monday, February 15, 2016

Generated by Patrice Iverson

Members present

Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, and Chue Xiong.

Member absent

Chris Hambuch-Boyle

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

Melissa Greer asked the Board to support the more flexible leave system. After 13 years she is still at Step 3 on the District's pay scale because salaries were frozen. She said the changes to the leave system would give staff something in the interim before a new compensation system is worked out.

3. BOARD/ADMINISTRATIVE REPORTS

3.1 Superintendent's Report

Dr. Hardebeck reviewed the upcoming Board of Education events.

Superintendent Hardebeck said that Locust Lane and Longfellow are being recognized as "Wisconsin Title I Schools of Recognition" for the 2015-16 school year! This distinction is awarded to schools with high levels of poverty and remarkable successes in educating their students. This is Longfellow's eleventh time receiving the award and Locust Lane's fifth consecutive year receiving the award. They will receive their awards at a State Capitol ceremony next month.

Both schools received the "Beating the Odds Schools" award. This means that they are in the top 25% of high-poverty schools in the state and have above-average student achievement in reading and mathematics when compared to schools from similarly sized districts, schools, grade configurations, and poverty levels.

3.2 Board President's Report

President Spindler reminded the Board about the joint legislative breakfast meeting on February 22 in Chippewa Falls.

He said that WASB will be hosting a Legal & Human Resources Conference in Wisconsin Dells on February 25 & 26 if anyone is interested in attending.

4. STUDENT REPRESENTATIVE REPORT

4.1 Student Representative Report

Jason Lin congratulated Baily Yang who is one of 250 applicants to be selected as a Regional Finalist in the Kohl's Scholarship program. He also said that the North and Memorial swim/dive team won the conference championship.

Jason shared the results of a survey that was developed to get feedback from students on school start times at Memorial. There were 921 ninth and twelfth grade students who took the survey during English class and he reviewed their responses.

5. OTHER REPORTS

5.1 Board Committee Reports

Policy & Governance met and discussed Policy 480 – Student Wellness and changes being required by the USDA. The committee also discussed Policy 185 – Board Committees and will be bringing that forward. They will also review Policy 382 – Animals in Schools and Policy 222 - Administrative Contracts.

The Parent Advisory Council reviewed the roles and responsibilities of PAC members and discussed the proposed 2016-17 calendar and start time proposal.

The Charter/Choice Committee discussed the process that staff could use to propose innovation zones.

5.2 Legislative Update

Joe Luginbill reported that Assembly Bill 751, pertaining to the special needs scholarship program, is being voted on February 16th. There was an additional amendment added to the legislation that WASB strongly opposes. The amendment would reduce the revenue limit authority of the 142 public school districts that currently have resident pupils participating in the statewide voucher programs by \$14.2 million annually. This revenue limit authority protects the affected school districts against the loss of state aid that follows resident pupils to the voucher school. This would fund private school voucher students at the expense of public school students.

6. CONSENT RESOLUTION AGENDA

Motion by Chue Xiong, second by Kathryn P Duax, to approve the following Consent Resolution Items:

- Minutes of February 1, 2016
- Minutes of Closed Session - February 1, 2016
- Financial Report - January 2016
- Human Resources - Employment Report
- Revision to Sick Leave/Flexible Leave
- Revisions to Policy 221 - Recruitment/Employment of Superintendent
- Adopt New Policy 665 - Fraud Prevention & Reporting

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

7. INDIVIDUALLY CONSIDERED RESOLUTION(S)

7.1 Gift Report

Motion by Kathryn P Duax, second by Joe Luginbill, to accept gifts in the amount of \$21,658.68 for the period of January 1, 2016 through January 31, 2016.

Wendy Sue Johnson said she would abstain on approval of large gifts that go to only one school, which she believes creates inequities.

Motion carried

Yes: Kathryn P Duax, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

Abstain: Wendy Sue Johnson

7.2 Payment of Bills and Payroll

Motion by Wendy Sue Johnson, second by Chue Xiong, that the Board of Education approve payment of all bills in the amount of \$9,043,965.73 and net payroll in the amount of \$3,068,664.52 for the period of January 1, 2016 through January 31, 2016.

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

7.3 Petitioner's Request to Alter School District Boundaries

President Spindler stated that the Board received a petition from Nicholas and Rebecca Semling who reside in the Mondovi School District to alter school district boundaries to move their property into the Eau Claire Area School District.

Motion by Joe Luginbill, second by Chue Xiong, to suspend rules so petitioners can address the Board.

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

The petitioners were not present. Mr. Spindler said that the District received notification that the Mondovi School Board denied the request on February 8, 2016. This property is not contiguous to the ECASD.

Motion by Kathryn P Duax, second by Joe Luginbill, to deny the request of Nicholas and Rebecca Semling to attach their property to the Eau Claire Area School District.

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

7.4 Strategic Plan

Motion by Wendy Sue Johnson, second by Kathryn P Duax, to adopt Option 2 for the District's Mission Statement: "To inspire and prepare our students to live creative, fulfilling and responsible lives."

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

Charles Vue suggested that the term "PreK-12" be used consistently across all three documents.

Motion by Chue Xiong, second by Kathryn P Duax, to amend Item #1 of the Strategic Priorities under Academic Achievement to read, "Articulate and align a culturally relevant, rigorous and engaging curriculum and assessment system PreK-12."

Motion carried

Yes: Kathryn P Duax, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

No: Wendy Sue Johnson

Motion by Wendy Sue Johnson, second by Joe Luginbill, to amend Item #2 of the Strategic Priorities under Academic Achievement to read, "Implement a clearly-defined system for goal setting and shared accountability for student achievement and for the development of the whole child."

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

Motion by Richard Spindler, second by Wendy Sue Johnson, to amend Item #2 of the Strategic Priorities under Student Social and Emotional Growth to read, "Provide experiences and instruction that address the needs and the growth of the whole child."

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

Motion by Wendy Sue Johnson, second by Chue Xiong, to amend Item #3 of the Strategic Priorities under Collaborative Cultures to read, "Promote and support strong staff and student relationships."

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

Motion by Richard Spindler, second by Kathryn P Duax, to amend Item #1 of the Strategic Priorities under High Quality Staff to read, "Create a district-wide professional development strategy that acknowledges and supports staff collaboration and leadership."

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

Motion by Chue Xiong, second by Charles Vue, to approve Strategic Plan with amendments.

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

7.4 2016-17 School Calendar/Start Time Implementation

James Martin, Director of Technology and member of the School Calendar Committee, shared the draft of the 2016-17 calendar that the Board reviewed at the last meeting. He clarified that if the Board considers changes in start times in the future, the same calendar format could be used with the same number of instructional and professional development days utilized but the number of minutes in the day could be adjusted. By adjusting class times by two minutes per day for the year, there could be an equivalent of a full day of instruction at any level. Adjustments could also be made to the number of built in inclement weather days.

Wendy Sue Johnson said she would not support approval of the calendar because she felt it was created by staff without parent involvement.

President Spindler said that the agenda setting committee will discuss when to bring the Start Time proposal back to the Board.

The Board talked about adding questions to the parent survey about the calendar and start time proposal. If there were any specific questions Board members wanted asked, they were to get them to Dr. Hardebeck so they could be shared with *K12 Insight*.

Motion by Kathryn P Duax, second by Charles Vue, to approve the 2016-17 school year calendar as presented.

Motion carried.

Yes: Kathryn P Duax, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

No: Wendy Sue Johnson

8. ADJOURN TO COMMITTEE

9. COMMITTEE REPORTS/ITEMS FOR DISCUSSION

9.1 Equitable Access for Students Related to Gender Identity

Dr. Kaying Xiong, Director of Student Services, shared a presentation on equitable access related to gender equity in the District. She explained that a person's deeply held sense of psychological knowledge of his/her own gender is defined as gender identity. Gender nonconforming describes people whose gender expression differs from stereotypical or prevailing social expectations. Transgender is an adjective that describes people whose gender identity is different than their biological sex assigned at birth.

The working definition of a transgender student is that the student holds a deep belief about how he/she feels, follows the belief consistently over a period of time, is supported by the student's parent/guardians, has sought counseling or has begun medical treatments.

Dr. Xiong reviewed the current laws on equal opportunity and nondiscrimination.

There is an Assembly Bill (469) that is being considered that would require schools to designate student restrooms for the exclusive use by students of only one sex (defined as being male or female as identified at birth). This would also require schools to provide reasonable accommodations to a student to use a single-occupancy restroom or changing room if gender nonconforming. This bill, if passed, would contradict federal guidance of Title IX and other court rulings regarding access to bathroom facilities.

The District has two policies dealing with equal educational opportunities and nondiscrimination: Policy 411 for students and Policy 511 for staff. Sexual orientation is included as a protected class in both policies.

Key considerations and implications in the schools could include changing official student records, having restrooms and locker room accessibility, participating in sport activities and educating staff.

Dr. Xiong said that gender nonconforming students have come forward at all levels in the District. The District has worked with students/families on an individual basis to understand the situation, develop supports unique to each child, and to provide accommodations as appropriate for the child and his/her family.

Joe Luginbill said he discussed this with the Policy & Governance Committee in May and June. He called the National Center for Transgender Equality and they said that many districts interpret their policies to say that sexual orientation includes gender identity. But research is saying that sexual orientation is very different than gender identity. P & G looked at Policy 411 and have added gender identity and gender expression as protected classes and asked that this come to the full Board for approval. He felt the District has gone about this in a measured way to protect the system moving forward as well as its students.

9.2 Special Education Assistant Position Reclassification

Abby Johnson, Acting Executive Director of Business, said that historical documentation shows the process for reclassification of Special Education Assistants (SEAs) began back in 2009. This request was initiated as a result of modifications to the job functions and expectations. Through a series of meetings at that time and the implementation of Act 10 regulations, the reclassification failed to move forward. This request would be outside of the normal CPI increase so administration asked the Board to consider this change.

Ms. Johnson said that moving from a level 30 to a level 40, effective July 1, 2015 would have an impact of \$33,647. The pay range at level 30 is \$12.89 to \$14.96/hour, and by moving to level 40 the new range would be \$13.17 to \$15.23/hour.

The Board agreed to bring this item forward as a resolution at the next meeting.

9.3 Discussion and Possible First Reading of New Policy 133 - Board Vacancies

The Policy & Governance Committee brought this new policy forward for Board consideration. It follows the procedures used to fill a Board vacancy earlier in the year and also takes additional WASB language into consideration.

It was suggested that the term 'will' be changed to 'shall' throughout the policy and that the fourth paragraph regarding taking the oath of office be moved to the end of the policy rather than under "Filling Vacancies."

The Board shared a first reading of Policy 133 – Board Vacancies.

Cause of Vacancies

Board Member Resignation: If for reasons of health, change in domicile, or any other compelling reason a Board member decides to terminate service, the Board requests earliest possible notification of intent to resign so that the Board may plan appropriately for this exigency/urgent need.

Resignations shall be made in writing and delivered to the Board Clerk. The resignation shall take effect at the time indicated in the written resignation, or if no time is therein indicated, then upon delivery of the resignation.

Filling Vacancies

Vacancies on the School Board shall be filled in accordance with state law and in substantial compliance with the procedural guidelines outlined in this policy.

Temporary Vacancies for Military Leave

If a Board member enters the armed forces of the United States and removes himself or herself temporarily from the School District, such temporary removal shall constitute a temporary vacancy of office.

Temporary vacancies shall be filled as other vacancies are filled, except that no election need be held to fill any part of a temporary vacancy. The term of the person appointed shall not extend beyond the expiration of the term of the Board member who entered federal service. In the event the original Board member completes the federal service and returns to the District during his or her original term of office, the Board member may file with the Clerk of the District within 40 days of completing the federal service, a statement under oath that the federal service has terminated and that the Board member elects to resume office. Upon the filing of the statement, the term of the temporary Board member shall cease, and the returning Board member shall be entitled to resume the duties of the office.

Appointment Guidelines

Applicants must complete and submit the Commissioner Application to the Eau Claire Area School District as given in the application instructions. The application shall be advertised in a variety of communication mediums. All completed applications shall be provided to Board members. Applicants shall be required to give a maximum three minute statement. The Board may ask questions of the candidates but may not ask questions about how they may vote on future matters before the Board. After all candidate statements have been made, the Board shall select a candidate as follows:

- 1) *Board members shall be given a prepared ballot with applicants' names. Board members shall vote and sign their names to the ballots. Ballots shall be collected and the votes with Board member names read aloud and tallied by the Clerk or Clerk Designee.*
- 2) *The successful applicant must receive a majority vote of all members – four votes.*
 - a. *If there are more than two applicants, a first ballot shall be taken. If no one receives a majority (four votes), then the candidates receiving the lowest number of votes shall be dropped. If there is more than one candidate with the lowest number of votes, then all shall be dropped, unless there would be only one remaining candidate. In that situation, then the vote shall be taken repeatedly until there are at least two remaining candidates after dropping those with the lowest number of votes.*
 - b. *Once a candidate or candidates have been dropped, then a vote shall be taken on the remaining candidates.*
 - c. *This elimination process shall be continued until one candidate receives at least four votes.*
 - d. *If a tie occurs between two remaining candidates, then voting shall occur two more times, for a total of three. If there is a tie on the third vote, then heads and tails shall be assigned to the two candidates and a coin shall be flipped by the Clerk or Clerk Designee to determine the appointment.*
- 3) *The person so appointed shall serve in that capacity until a successor is elected in the next School Board election.*
- 4) *A qualified elector who is selected to fill a Board vacancy shall not take office unless and until he/she has taken and filed the oath of office. The oath shall be filed on or before any date or deadline that the Board establishes for the appointee to take office.*

The Board agreed to bring this policy back on the Consent Resolution Agenda at the next meeting.

9.4 Update on Membership Count as of January 8, 2016

Tim Leibham, Executive Director of Administration, shared an update on District enrollments based on the Second Friday Count. The PreK-12 enrollment is 11,070. The Demographic Trends Committee uses data from the Applied Population Laboratory to project enrollments. The current APL study projected enrollments between the range of 10,898 and 11,001. Their projections for 2019-2020 are 10,942 – 11,282 and in 2024-2025 are 10,842 – 11,711. The current projections across all levels, with the exception of the high schools, are at or above the range. High school numbers are a little below the range of 3,121 – 3,133 at 2,949.

10. REQUESTS FOR FUTURE AGENDA ITEMS

Joe Luginbill asked that the Policy & Governance Committee's draft changes to Policy 411 be brought to the Board for consideration. He also asked for a written report with more information about what assessment tools and accommodations the District makes for students with dyslexia. He wanted to know if staff are currently being trained for this and what the District's plans are moving forward.

11. ADJOURN

Motion by Kathryn P Duax, second by Chue Xiong, to adjourn meeting.

Motion carried

Yes: Kathryn P Duax, Wendy Sue Johnson, Joe Luginbill, Richard Spindler, Charles Vue, Chue Xiong

Meeting adjourned at 8:45 p.m.