

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**

December 16, 2010  
Bryce Valley High School

Board members present: Board President Ken Platt, Vice President Gladys LeFevre, Gregg Christensen, Brian Bremner, and Kay Englestead. Board member elect Cheryl Cox was also in attendance.

Superintendent Janice Hatch and Business Administrator Lark Reynolds were also present.

**BOARD MEETING**

**Call Meeting to Order**

Board President Ken Platt called the meeting to order. He also recognized people who were in attendance.

**Welcome**

Board President Ken Platt extended a welcome to all who were present.

**Pledge of Allegiance**

Ken Platt led the Pledge of Allegiance.

**Superintendent Recognition – GEA and School Board**

Debbie Pollock read a letter from GEA thanking Superintendent Hatch for her years of service in Garfield County School District. There were also gifts from schools to Superintendent Hatch.

Ken Platt then read a letter from the board of education recognizing Superintendent Hatch for her service highlighting the many things she has accomplished during her educational career. They then presented her with an appreciation plaque and a gift.

Superintendent Hatch thanked everyone for the gifts and commented how it has been an honor to serve in the District. She commented how the retirement laws have affected so many individuals and the legislature realizes that law needs to be tweaked.

**Open Forum to Discuss Improving the Education of Students**

There were no comments.

## **Agenda Changes**

There were no agenda changes.

### **1. Consent Agenda Items**

#### **A. Approve Board Meeting Minutes**

#### **B. Approve November 2010 Financial Reports**

#### **C. Approve December Hiring Recommendations**

- i. Pauline Hansen – BVHS Para. She will be paid up to 19 hours a week at a rate of \$9.54 an hour. She will be paid from Federal IDEA Funds.
- ii. Substitute Teacher – Yolanda Cowan. She will be paid \$65 a day for substituting and will be paid from General Education/Instruction funds.
- iii. LaDora Baugh – BVE Volunteer. She will not be paid as she is volunteering her services
- iv. Kimberly Muller – EES Volunteer for the Art Program. She will not be paid as she is volunteering her services.

There were no minutes to approve in the board packets. Brian Bremner then asked the business administrator to look into the current policy on travel to make sure that it is being followed as directed by the Board and to report back to the Board. Ken Platt and Gladys LeFevre both asked about the amounts that were paid for the Boulder well testing, and asked the business administrator to look into it. Brian then asked about an area of the budget (Support Services, Purchased Services) that was 124% of budget meaning we over expended. He asked what this was, and was told that it was the professional fees we paid Kane County School District when the CTE Director Brent Judd transferred offices from Garfield to Kane at the beginning of the year.

After the discussion Gladys LeFevre proposed a motion to accept the consent agenda with no minutes to approve and the financials would be approved after questions were addressed. This motion was seconded by Kay Englestead. A vote was called for. Ken Platt, Gladys LeFevre, Gregg Christensen, Brian Bremner, and Kay Englestead all voted aye. The motion passed unanimously.

### **2. Public Comments**

Quentin Gilbert commented on his concerns about the amount of money the District is spending.

### **3. School Board Proposals – Comments**

President Platt noted he had received a letter from the Five County of Government Association. He also noted he will take that assignment over now that Gladys LeFevre's term is over.

Brian commented on the economy in Escalante and discussed a meeting that was going to be held tentatively on Wednesday January 26<sup>th</sup>, and they wanted to meet in the EHS auditorium. After discussing Brian's comments the Board decided to contact Chris Christensen to make sure the public could use the auditorium on that date as they felt that it was good public use of a district building.

Kay Englestead, Gregg Christensen, and Ken Platt commented on the legislative meeting they attended on December 15<sup>th</sup> in St. George and how they felt it benefited the District.

### **4. Superintendent's Report**

- A.** Legislative Update – Equalization Bills. Janice commented on this and stressed how Garfield could be a big loser if an Equalization Bill is passed. She also talked about how optional extended day kindergarten and K-3 funding could also be cut.
- B.** Medicare is one of the major issues as they look at the funding problem.
- C.** Home School/Dual Enrollment  
This is an agreement that the parents have followed through with their part. It is completing the paperwork. This is documentation for paper trail purposes. There was some discussion concerning home schooled students paying fees, riding the bus and checking eligibility.
- D.** Northwest Accreditation. All three high schools passed.
- E.** Trailer delivered from SEDC. SEDC paid the expense of moving the trailer. SEDC gave Garfield School District the trailer free of charge. We may have to move the trailer due to a city ordinance. Superintendent Hatch has spoken with Panguitch City Manager Allen Henrie. He is willing to work with us. The trailer has air and heat.
- F.** Update on Swimming Pool and Capital Projects  
Superintendent Hatch asked Damon Brinkerhoff to report on the pool and heating system. Panguitch City gave the District \$15,000 to go towards the filters for the pool. The District is awaiting the arrival of bids.
- G.** Updated Common Core Implementation schedule. Superintended Hatch noted she hopes the Title II-A funds will be used to pay for the teachers to attend the Core Academy. The teachers will have standards. Professional development will be very important.
- H.** SRS Update. The Obama budget will come out in early February. Brian Bremner noted there are several public land counties that are type "A" counties under PILT. PILT is a different formula. PILT is Interior

Department funding and Secure Rural Schools is Department of Agriculture funding. What happens is type "A" counties when you take that secure rural schools fund it impacts your PILT and it is reduced dollar for dollar. Every county in Utah is a type "A" county. We have been able to use some state legislature and create some special service districts so we bypass the problem.

- I. UCA Update. We have received another \$1500.00 for the state funds. Those funds are starting to go through now. A budget and a narrative have to be written and all the things that are required in that matrix and then sometimes they cut those budgets back then you have to go back in and address the budgets. If they don't like the response it gets kicked back and has to be reviewed. The money does not flow automatically. It's a process that takes a lot of tweaking.
- J. Graduation Rates. Right now Garfield County School District has a 98% graduation rate. There are students that move away from the district and are marked as unknown. Unless we receive a request for transcripts/records from another district and the secretary goes into SIS and changes the status it remains as unknown. There will be a lot of training on the new graduation requirements and the graduation calculations. The unknown status of students will affect our graduation rate.
- K. PHS Teacher Chad Reeder received an award through the water conservation.

## **5. Discussion and Actions Items**

### **A. Board Member Recognition**

Superintendent Hatch recognized and thanked Vice President Gladys LeFevre for her 12 years of service to the Garfield County School District as a board of education member. Ken Platt then presented Gladys with an appreciation plaque and a gift.

### **B. USBA Insurance Premium Refund Recommendation**

Superintended Hatch addressed this issue. This refund is due to employees holding down costs. Many districts are using the refund for employee benefits. Superintendent Hatch met with leadership of both associations and discussed this item. Both associations were in agreement that with the economy and the budget the way it is, they are supportive of putting the refund into a reserve account that could be used next year to offset premium increases for employees or other ways to reduce the loss of employees. Superintendent Hatch and President Platt recommended putting the funds into a reserve fund.

Gladys LeFevre made a motion to put the \$50,000.00 USBA insurance refund into a reserve account to possibly offset insurance increases or other employee related costs for the upcoming year. Kay Englestead seconded the motion. President Platt called for a vote. All members voted affirmative. The vote passed unanimously.

### **C. Education Jobs Funding**

Superintendent Hatch discussed this as well. She reported the original amount Garfield was to receive was \$287,000.00. However, the legislature has pulled funds and Garfield will be receiving \$142,567.00. She has discussed this with leadership of both associations. This was discussed during negotiations and all agreed it should be earmarked and be placed in a reserve account to offset costs for next year. Superintendent Hatch and President Platt both recommended placing these funds in a reserve account to offset unknown costs for the upcoming year.

PHS Teacher Debbie Pollock spoke petitioning the Board if possible to restore two days prior to school beginning for teacher preparation days.

Brian Bremner made the motion to put these funds in a reserve and target it for the instruction budget for next year. Gladys LeFevre seconded the motion. President Platt called for a vote. All voted aye. The vote passed unanimously.

### **D. PHS Security Cameras**

Superintendent Hatch asked Garfield District IT Director Gerald Talbot to address this item. He noted he had gathered several bids. Gerald noted realistically the District would be able to do a school for \$15,000.00/23 cameras per school with him and SEDC staff performing the labor. He recommended doing this as a summer project. Brian Bremner proposed a motion to table this item until the Board feels there is adequate funding. Gladys LeFevre seconded the motion. President Platt called for a vote. All board members voted aye. The vote passed unanimously.

### **E. Early Retirement Window**

The Board decided to address this item after executive session.

## **6. Board Business**

### **A. Set January 2011 School Board Meeting time, date, and location.**

The January board meeting is scheduled to be held at Bryce Valley High School on Thursday January 20, 2011. The location was changed to Escalante High School. The board meeting will begin at 6:00 p.m.

There was no motion.

In the work meeting the Board decided to hold a board meeting on January 3<sup>rd</sup>, 5:00 p.m. at the District Office.

## **7. Public Comments**

Cheryl LeFevre and Kaye Lynn Neilson presented Superintendent Janice Hatch with a gift.

There was discussion as what to discuss in open meeting and what to discuss in executive session. The Board decided to talk about the policy issues at this time. President Platt asked the board members how they felt. Brian Bremner noted he felt like it was logical to go by contract dates, particularly where the early retirement policy is more tiered to someone who is working through the whole school year not retiring midterm. Mr. Bremner asked are you going to have one policy for everyone or split it up, how are you going to do it?

President Platt addressed Lark Reynolds, noting he had laryngitis, and asked if he had information for the Board. Mr. Bremner noted the information was in the packet.

Lark Reynolds whispered, I can tell you what you want, but since there is a name attached to it I would rather discuss it in executive session, don't want to discuss it out in open. We need to let this individual know what we are going to pay her.

Mr. Bremner noted that for the record, Lark Reynolds indicated that he's provided information and he feels it is his personal opinion that it's tied to an individual's name that it needs to go to executive session. When we talk about an individual's character, competence, physical health, or mental health those are available things for executive session. It doesn't say retirement or insurance payments. It doesn't say vacation accrual. Those are not in the law. They are outside the law.

There was more discussion on contract versus calendar year. They read the policy. The policy did not state either. Superintendent Hatch said, "I'm just asking that we follow the policy."

*(Lark Reynolds is whispering something about employee competence to Mr. Bremner at this point in the meeting. @1:43 on the recording of Part I.)*

The policy says it is the highest three years out of the last ten years. It does not say it has to be a full year. Lark Reynolds noted the URS goes on months.

Kay Englestead made a motion they go with a calendar year being seconded by Gladys LeFevre. Lark Reynolds noted that everything to this point has been calculated on the fiscal year.

Kay Englestead withdrew his motion.

Gladys LeFevre made a motion to go by the contract/fiscal year for everyone. Mr. Bremner seconded the motion. There was no vote taken at this time. There was more discussion.

Mr. Christensen noted he was in disagreement. He also noted the policy does not state a person has to work a full year.

Debbie Pollock noted that Superintendent Hatch had the right to have it calculated at her current salary. That is ethical, fair and moral.

President Platt called for a vote. Gladys LeFevre and Brian Bremner voted aye. Kay Englestead, Gregg Christensen and Ken Platt voted nay. The motion failed 3-2.

Kay Englestead presented a motion to use whichever is highest, fiscal or calendar. Gregg Christensen seconded the motion. President Platt called for a vote. Gladys LeFevre stated she was present. Brian Bremner voted no. Kay Englestead, Gregg Christensen and Ken Platt voted aye. The motion passed 3-1-1 present.

Mr. Bremner says, "Now Mr. Chairman I would like to make a motion and that is as I understand that vacation leave 2010 accrual and vacation 2009 - 2010 carryover actually has to do with employee competence and how we have carried it out not necessarily regarding a certain individual. He made a motion to go into executive session to discuss possible disciplinary action for wrong doing, and UPPAC issues regarding two employees and also potential litigation regarding employees in the early retirement window and the employee competence regarding the vacation leave and the 2009 - 2010 carry-over.

Gregg Christensen inquired, "I want to know how calculation of vacation leave, it is stated plainly in the policy, how that has to do with employee competence?"

Brian Bremner responded, "Because Lark whispered in my ear and said the issue with that has to do with employee competence of the person who has been calculating it and that's why it's on the agenda. If it strictly has with policy and accrual I will agree with that. But he whispered to me that it had to do with employee competence and I am taking it at face value." Gladys LeFevre seconded the motion. All board members voted aye. The motion passed unanimously.

President Platt noted there would be motions coming out of the executive session.

## **8. Executive Session**

Brian Bremner made a motion to return to regular meeting. The motion was seconded by Gladys LeFevre. President Ken Platt called for a roll call vote. All board members voted affirmative. The vote passed unanimously.

### **E. Early Retirement Window continued**

President Platt noted from a Board's standpoint they have interpreted vacation leave accrual as being accrued one day a month or whatever it might be, so if you're here for half a year for instance and you have 20 days then what you have accrued is 10 days, even though your contract says 20 days. If you're here for half of that contract or any percentage of the contract we will interpret that to be proportionate to the percentage of the time here. Does any board member have anything to say to that? Mr. Bremner asked, "That is the Board's interpretation so the employees can take that and use it for ever more, correct?"

Kay Englestead made a motion that superintendents can carryover leave, therefore Janice Hatch should be able to carryover the time she accrued while working as our superintendent. Gregg Christensen seconded the motion. A vote was called for. Ken Platt, Kay Englestead and Gregg Christensen voted aye while Brian Bremner voted nay, and Gladys LeFevre noted she was present. The voted passed 3-1-1 present.

Brian Bremner says, "Okay, I would like to make a motion, if it is in order Mr. Chairman, that in dealing with UPPAC cases, the Utah Professional Practices cases, in those cases that are being prosecuted by them, they are not being prosecuted by the District and therefore they are not District cases, so the employees that are involved in those do so at their own cost. The District does not pay for time off, unless they have vacation or whatever that is appropriate to leave, don't pay for travel or motels or other things, but that's their, you know, issue. That's my motion." President Platt asked if there was a second to that motion. Gladys LeFevre seconded the motion. All board members voted in the affirmative. The motion passed unanimously.

President Platt announced there would be a regular meeting January 3, 5:00 p.m. at the district office and prior to the meeting Cheryl Cox would be sworn in.

### **9. Adjournment**

President Platt entertained a motion to adjourn. The motion was seconded by Gladys LeFevre. Ken Platt, Gladys LeFevre, Gregg Christensen, Brian Bremner, and Kay Englestead all voted aye. The motion passed unanimously.

### **NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS**

In compliance with the American's with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and service) during this meeting should notify Annie Eldredge at 676-8821 at least three days prior to the meeting.