

MINUTES
REGULAR MEETING OF THE BOARD OF EDUCATION

March 19, 2015

Bryce Valley High School, Tropic, UT

Board members present: Vice President, Cheryl Cox, Melaney Draper, Myron Cottam, and Mike Savage. President Ken Platt was not in attendance due to illness.

Superintendent Ben Dalton, Business Administrator Patty Murphy, and District Maintenance Supervisor Damon Brinkerhoff were present also.

Several members of the public were in attendance.

BOARD MEETING

1. Call Meeting to Order

Vice President Cheryl Cox called the meeting to order.

Welcome

Vice President Cheryl Cox extended a welcome to all who were present.

Pledge of Allegiance

Myron Cottam led the Pledge of Allegiance.

2. Consent Agenda Items

- A. Approve February 2015 Board Meeting Minutes**
- B. Approve February 2015 Financial Reports**
- C. Approve Hiring Recommendations**
- D. Letters of Resignation**
- E. Home School Affidavit**
- F. Letter of Recognition**

Myron Cottam made a motion to accept the Consent Agenda. Mike Savage seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Mike Savage, and Melaney Draper voted Aye. The motion passed 4-0.

Cheryl Cox recognized the PHS Girls Basketball team in general and those who were present in the audience for the letter received for their State Title.

3. Public Comment

Cheryl Cox read the following statement from the Board regarding Public Comments: “We understand that a number of you may be here to comment on a pending personnel matter. Please bear in mind that the Board has a practice of not commenting on the specifics or on the merits of personnel matters, in particular pending personnel matters. The fact that Board members do not comment in response to public statements about such matters does not mean the Board is not hearing and taking those comments into consideration but rather that the Board is following the established process and procedures for personnel matters. Those processes and procedures are established to protect the interests of the employee and other District staff and the District and the Board, and to maintain the integrity of the process. Those procedures and processes include avenues other than public comment in Board meetings through which information can be provided to the administration and the Board about personnel issues.

Whatever the subject of the comments may be, we encourage those commenting to be civil and courteous to all, even when speaking of those with whom there is disagreement. Public comment in this meeting should not be used to slander or defame any individual. In addition, bear in mind that where public comment relates to issues that are not on the Board’s meeting agenda, the Board cannot in any event take action on such issues.”

Justin Fischer read a letter he had written to the Board. The Board each received a copy of the letter.

Brian Bremner stated his support of Kolbi Frandsen as the softball coach and asked the Board to reconsider their decision.

Nick Matthew, Deputy of Garfield County Sheriff Supervisor Inmate Work Crew, reported to the Board that the County Inmate Work Crew are under his constant supervision. He stated that none of the inmates on the work crew are sex offenders. Those with sex offense records are not allowed.

Brianne Bremner represented the PHS Softball Team stating her support of Kolbi Frandsen as the Softball Coach. She stated she has been become emotionally distressed due to the decision. She also gave the Board a letter.

Stephanie Frazier stated that she has presented documentation to the Board and there has been no response to her. She said she has no means of filing harassment charges with our District Office, so she is pursuing more evident avenues.

*NOTE: For further detailed Public Comment, please visit our District website at www.garfield.k12.ut.us where audio minutes are available.

4. Reports

A. Board Reports

Cheryl Cox attended the Escalante Elementary, Escalante High, and Boulder Elementary Schools Community Council meetings. She is glad that parents are a part of making the decisions for the Land Trust monies. She also attended the SWATC meeting in Cedar City. She reported they will not be increasing their fees. They also appointed a new Board member, Jerry Taylor of Escalante.

Melaney Draper attended Region Debate held in Panguitch. She commented that the students did an awesome job and there is a great program in our District.

Myron Cottam attended the Escalante Elementary and Escalante High Community Council meetings that discussed the Trust Land monies.

Mike Savage attended the Panguitch Elementary Community Council meeting where they discussed the Trust Land funds. He felt the meeting went very well and ran smoothly.

B. Superintendent's Report

1. Snow College IVC Schedule 2015-2016

The Snow College IVC Schedule was provided on Board Docs.

2. Legislative Update

Superintendent Dalton presented the updates from the 2015 Legislative session. Schools in the State of Utah will receive about \$510 million in new money. Included in the money is \$48.4 million for enrollment growth and a 4% increase in the WPU. A property tax increase of approximately \$75 million has not been increased since 1981 SB97

HB213 Requires school districts to provide internet filtering for school technology devices whether used on or off campus.

SB196 Requires high school seniors to demonstrate math competency to enter college or technical certificate w/o having to take remedial math.

HR5 No funding tied to a requirement for students to have four years of math in high school.

SB60 Requires student to pass an immigrant citizenship test before graduating high school.

SB235 Requires schools that perform in the bottom 3% of the school grading system to implement academic turnaround initiatives with outside help. Financial rewards tied to the

turnarounds and changes in school management for those that don't turn around.

\$16 million in performance based compensation for college instructors

HB203 Increase of \$4,100 salary raise for STEM teachers

"eligible teacher" means a teacher who has an assignment to teach a secondary school level mathematics course, integrated science in grade 7th and 8th, Chemistry, Physics or Computer Science.

SB204S02 Establishes a state wide procedure for excusing a student that does not place an undue burden on a parent or guardian and may be completed online to "opt-out" students from standardized testing. LEA's will be audited for verification of compliance.

3. SRS Letter

Superintendent Dalton reported that the District will receive \$34,465.33 from the Secure Rural Schools program. This program expired on September 30, 2014, and was not reauthorized by Congress. Because the SRS Act has not been reauthorized, the 1908 Act, as amended, requiring 25% payments will now govern the distribution of payments to states.

The complete letter was included on Board Docs.

4. State School Board Update

In its March 6, 2015 meeting, the Utah State Board of Education:

- Voted to direct State Superintendent Brad C. Smith to seek a one-year renewal to the state's Elementary and Secondary Education Act (ESEA) waiver if the Utah Legislature adjourns on March 12 without funding the Board's request for additional money to allow districts and charter schools the flexibility granted under the waiver.
- Gave preliminary approval to an update to Board rule clarifying parental rights to opt their children out of state-mandated assessments. The measure will be further considered on April 10.

5. Graduation Requirement Update

Please note that the graduation page of the USOE website <http://schools.utah.gov/CURR/gradinfo/Home/High-School-Requirements-by-Year.aspx>

has been updated to reflect recent changes in Board rule and current timelines. The Applied and Advanced approved course list has also been updated.

The major changes you should be aware of include.

- There are several Language Arts courses that meet the graduation requirements which you can see on the Applied and Advanced list. Students using these courses to meet foundational graduation requirements will be assessed using SAGE assessments.
- The Board of Education has separated the Financial Literacy requirement from social studies and now requires a full three credits of social studies for graduation. One half credit is left to LEA discretion to provide full-year social studies courses where desired or to allow for student choice in meeting the full three credit requirement.
- AP Computer Science is recognized for foundation science credit.
- This is the last year that Algebra, Geometry, and Algebra 2 are recognized for graduation credit. They have been removed from the Applied and Advanced list.

6. UETN Board Update

Superintendent gave a brief update of the bills relating to the UETN. A complete list of the Bills and their descriptions was included on Board Docs.

7. Stakeholder Survey

The District has been working with the University of Utah to develop a stakeholder survey. These surveys will be for students, parents, and teachers to complete. The surveys will be available from April 1 – April 17, 2015. The results of the survey will be reported to the Board.

8. Decrease in State Funding 2008-2015

From 2008 to 2015 the District has had a decrease in State funding from \$8,386,582 to \$7,946,348 equaling \$(440,234).

Superintendent Dalton read the following statement: I understand that a number of the people in attendance may wish for me to make comments about a pending personnel matter. Because of concerns with privacy and with appropriate procedural fairness, I am not able to comment on the substance of such matters. However, I would ask all to bear in mind that in personnel matters the District has to weigh and take into account not only the impact on an individual employee but also the impacts on other employees and on the District's ability to supervise and direct its employees and on potential legal liability to the District. I and other District administrators do our best to be careful and thorough in considering all information provided relating to personnel matters and to

be fair in making our decisions. This is not a decision I or Mr. Quarnberg volunteered to make but never the less a decision must be made. Because of the increased influence of a coach on the lives of our young men and women, a coach has to be held to a higher standard; they should expect to be held to a higher standard. I support Principal Quarnberg's decision and action. I believe that such action will satisfy the duty of the School District to guarantee the safety of our children while also satisfying the desire to handle things in a fair and equitable manner. If additional information that we have not considered is brought forward, I will review the information subjectively.

C. Business Administrator Report

Patty Murphy reported that there will be a Child Nutrition Programs Audit on April 8, 2015 and also a School Land Trust Audit on April 9, 2015. She reported that with the decrease in State Funding and the increase in the WPU by 4% that the District remains at nearly the same funding. A copy of the FY15 MSP Summaries and FY15 Mid-Year MSP were also available on Board Docs. She invited anyone who would like to talk numbers or those who have general questions to please come in and visit with her.

5. Board Action Items

A. Softball Fee Schedule

A copy of the fee schedule was included on Board Docs. This is the amount that each player will pay. Mr. Quarnberg submitted the schedule for Board approval.

Myron Cottam made a motion to accept the PHS Softball Fee Schedule. Mike Savage seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Mike Savage, and Melaney Draper voted Aye. The motion passed 4-0.

B. Spring Sports Schedules

Escalante High School presented their track schedule. A copy was included on Board Docs.

Mike Savage made a motion to approve the EHS track schedule. Myron Cottam seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Mike Savage, and Melaney Draper voted Aye. The motion passed 4-0.

C. Winter Sports Schedules 2015-2016

Each high school presented their winter sports schedules for the 2015-2016 school year. A copy of each of the schedule was included on Board Docs. Mike Savage stated that he appreciated the coaches working to keep activities from Tuesday nights. Myron Cottam made a motion to approve the winter sports schedules from each of the high schools. Melaney Draper seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Mike Savage, and Melaney Draper voted Aye. The motion passed 4-0.

D. 150 Mile Contest

Each high school submitted a request for trips over 150 miles. Myron Cottam made a motion to accept the requests for trips over 150 miles. Melaney Draper seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Mike Savage, and Melaney Draper voted Aye. The motion passed 4-0.

E. School Trust Land Plans

Boulder Elementary and Bryce Valley Elementary plans were being approved for updates to their current year plans. Mike Savage made a motion to accept the plans with the updates for the current year. Melaney Draper seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Mike Savage, and Melaney Draper voted Aye. The motion passed 4-0. Mr. Quarnberg and Mr. Brinkerhoff both presented their plans to the Board. Mike Savage made a motion to accept the plans pending the research of the plans to make sure they are in compliance. Myron Cottam seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Mike Savage, and Melaney Draper voted Aye. The motion passed 4-0.

F. IRS Penalty

Garfield School District is being assessed a penalty for failure to make a proper federal tax deposit. A copy of the 2014 3rd Quarter 941 Tax Filing was included on Board Docs as well as the letter from the IRS for this penalty. The policy of the School Board requires payments over \$10,000 to be approved by the School Board.

Melaney Draper made a motion to accept and pay the penalty being assessed by the IRS. Myron Cottam seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Mike Savage, and Melaney Draper voted Aye. The motion passed 4-0.

G. FCCLA National Competition

Panguitch High School FCCLA Chapter had students win first and second place gold medals at the State FCCLA convention on March 10th. The students qualified to compete at the National FCCLA Leadership Conference in Washington D.C. this summer, July 4-10th. The students compete against all FCCLA students 1A-5A, it is a great accomplishment to win first or second place in the State. Advisor Tammi Bennett requested help in funding these students with their trip.

Mike Savage made a motion to award \$500 to each student. Melaney Draper seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Mike Savage, and Melaney Draper voted Aye. The motion passed 4-0.

H. Textbook Adoption Committee Recommendation

This item was tabled until additional bids are received from the vendors.

Myron Cottam made a motion to table this item. Mike Savage seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Mike Savage, and Melaney Draper voted Aye. The motion passed 4-0.

6. Board Discussion Items

1. EBD Proposed Policy Change

The following people had public comment regarding this policy. The policy was included on Board Docs and the proposed changes were shown in red.

Curtis Barney was in favor of changing the policy to allow activities on Monday and Tuesday nights.

Clint Barney was in favor of changing the policy to allow activities on Monday and Tuesday nights.

Tyson Brinkerhoff was in favor of changing the policy to allow activities on Monday and Tuesday nights.

Colin Marshall stated he did not want schedules to not be approved because of a Tuesday night meets when they are trying their best as coaches to steer clear of those nights.

Lewis Barney stated he appreciates the hardship that is placed on the coaches to try to keep activities off of Tuesday nights. He stated he wanted to encourage the Board to think about the implications that their votes would have on Tuesday nights.

Kelly Holman asked about the possibility of combining boys and girls basketball on the same night or having some games on Saturday nights.

Myron Cottam stated everyone is right. He reminded everyone that this issue has been before the Board other times over the years. He shared what a previous State Superintendent said, 'We are not in the business of protecting mutual night. We are in the business of providing families with at least two nights out of the week that they can choose whatever they want to do with their kids.' He feels that the Board and coaches have been working well together. The only way to make it work is to work together.

*NOTE: For further detailed Public Comment, please visit our District website at www.garfield.k12.ut.us where audio minutes are available.

2. **Sterling Scholar Information**
The Southwest Utah Sterling Scholar Banquet Awards Program will be held April, 9, 2015 at the Sharwan Smith Center in Cedar City, Utah.
3. **USBA 2015 Spring Regional Meeting**
The USBA 2015 Spring Regional meeting will be held April 8, 2015 at the Iron County School District beginning at 6:00 pm.
4. **New FuelEd Online Classes for 2015-2016**
A copy of the 2015-2016 FuelEd Online high school course list was included on Board Docs.
5. **Escalante Elementary Preschool Parent Letter**
Amanda Vandewater addressed the Board asking for a preschool to be provided by the District.
Chris Kupfer, Federal Programs Director for Garfield School District, presented the cost analysis for preschools in the District. The analysis included figures for Bryce Valley, Escalante, and Panguitch preschools. A copy of each analysis was included on Board Docs.
6. **USBA and Local Policy Update**
The ECH Policy will be available for public comment during the next three weeks. The School Board will consider adopting the policies in the April 2015 Board meeting.

7. Board Business

A. Set April 2015 School Board Meeting

The date of the April Board meeting will be April 30, 2015 and will begin at 4:00PM. The meeting will be held at Escalante High School. A Board Work meeting will be held on April 28, 2015 beginning at 4:00PM over IVC.

B. Future Board Items

No items discussed at this time.

8. Public Comment

Kelly Holman conveyed his support of Kolbi Frandsen and asked if she could be reinstated as a coach or volunteer to help the team. Also, can she apply to coach the team next year?

Brienne Birch stated her support for the softball team and Kolbi Frandsen and asked for her punishment to be reduced.

Chris Hatch expressed her appreciation for the District giving the inmate work program an opportunity to work and help them potentially have a better career once they are released. She stated she feels very bad that the inmate program was brought into the softball coach issue. If there is a problem with the work crew it should be brought to her or Sheriff Perkins attention and it will be addressed immediately and on the spot.

Sheriff Perkins stated there are no sex offenders on the work crew. They are screened and no armed robbers, murderers, or those who have assaulted have been ever been allowed on the work crew. If there are any problems he asked that they please contact the Sheriff's department.

Brian Frandsen stated he respects Superintendent and his decision to terminate his wife. He also understands policy and procedure. He stated his wife loves the girls and never would allow anything to happen. He said there was more information regarding this person that would show she is allowed to work with children. A sex offender may not be within 1000 feet of a school. He believes they will be able to provide evidence to show this person may work with children. He also said his wife has a unique ability to help others with their self-esteem.

Melissa Veater felt the actions taken against Kolbi Frandsen were severe. She thought it may be a good idea to review our policies and train coaches.

Superintendent Dalton expressed his appreciation to Brian Frandsen for taking the time to come and visit with him. He stated that he has been a supporter of the softball program and getting it into the school. He said that when the District is in a legal liability, the District has to answer, "When did you know and what did you do about it?" The quicker the action the more secure the District is legally. Action is taken on the information that is available. We have a responsibility to keep the students safe and provide a safe environment. He supports Principal Quarnberg and his decision.

Brian Frandsen does not want Superintendent Dalton or his wife to be ridiculed and asked the students and parents to keep from ridiculing or slandering them no matter what the decision ends up being.

*NOTE: For further detailed Public Comment, please visit our District website at www.garfield.k12.ut.us where audio minutes are available.

9. Executive Session

A. Discussion of the character, professional competence, or physical or mental health of an individual.

B. Strategy session to discuss pending or reasonably imminent litigation.

Myron Cottam made a motion to go into an Executive Session for Discussion of the character, professional competence, or physical or mental health of an individual. Mike Savage seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Melaney Draper, and Mike Savage voted Aye. The motion passed 4-0.

Mike Savage made a motion to come out of the Executive Session. Myron Cottam seconded the motion. A vote was called for. , Cheryl Cox, Myron, Cottam, Melaney Draper, and Mike Savage voted Aye. The motion passed 4-0.

10. Adjournment

Melaney Draper made a motion to adjourn the meeting. Myron Cottam seconded the motion. A vote was called for. Cheryl Cox, Myron Cottam, Melaney Draper, and Mike Savage voted Aye. The motion passed 4-0.

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 LyNese Miller at 676-8821 at least three days prior to the meeting.