

CHURCHILL COUNTY BOARD OF SCHOOL TRUSTEES

Fallon, Nevada

REGULAR MEETING

August 27, 2015

CALL TO ORDER

President Evans called to order the regular meeting of the Churchill County School District Board of Trustees at 7:00 p.m. at the Churchill County School District Administration Office, 690 South Maine Street, Fallon, Nevada.

PLEDGE OF ALLEGIANCE

Trustee Schank led the pledge of allegiance

VERIFICATION OF POSTING OF AGENDA

President Evans confirmed the posting of the agenda.

ROLL CALL

Trustees Present

President Ron Evans
Vice President Clay Hendrix
Trustee Carmen Schank
Trustee Rich Gent
Trustee Kathryn Whitaker
Trustee Greg Koenig
Trustee Matt Hyde

Others Present

Phyllis Dowd, Director of Business Services
Sharla Hales, Legal Counsel
Kimi Melendy, Director of Educational Services
Patty Fleming, TOSA
List Bliss, TOSA
Debra Shyne, Secretary
(Interested Staff/Community Members per Attached List)

REVIEW AND ADOPTION OF AGENDA

Dr. Sheldon requested Mr. Jensen's presentation delayed until 7:30 as he was attending an Ice Cream Social at Northside Early Learning Center. Trustee Whitaker requested Consent Agenda Item "H" pulled; Trustee Schank requested Consent Agenda Item "D" pulled.

PUBLIC COMMENT

Jim Falk spoke regarding the State's settlement with Measured Progress and provided articles to Board members regarding hand-held devices.

Patty Fleming, teacher with CCSD assigned to the Northwest Regional Professional Development Program, reported on professional development that occurred throughout the District today (August 27, 2015). Ms. Fleming thanked all administrators, teachers, families who took care of their children during professional development days, and the Board for their support. Professional development supports teachers in their instructional delivery.

Tanya Fergus commented that since specials were reduced, she wanted the Board to be aware that they have started a GoFundMe campaign to raise money for art supplies and that parents are willing to volunteer time to teach students art. They would like to use a gymnasium at one

of the schools. Until funds come through, she would like to teach students Improv, which does not require much money and helps students with creativity.

Lisa Nordmann voiced concern that elementary schools end at 2:20 while middle and high school release at 3:00. Regarding teacher development, Ms. Nordmann questioned why professional development was not a week earlier, instead of students losing two days of school.

Kim Cecil has two secondary and one elementary child that attend CCSD. She relies on her older children to watch her younger child. Now, her elementary son gets home with nobody there to watch him. It puts parents in a bind.

Crystal Smotherman stated that her seven-year-old child was affected by the first day of school, voiced concern about the different release times and the time students sit on buses in the heat at the end of the day, and supported utilizing parent volunteers at recess or in the cafeteria.

SUPERINTENDENT'S UPDATE

A. Report regarding disruptive students in the classroom and changes to bullying laws

Will Jensen stated that the risk assessment (see BoardBook), is not just for disruptive students or misbehaving students. It is also for students who display behavior with risk factors to ensure those students get the correct intervention. Most of the behavior seen in the District does not rise to the level of the need for a risk assessment. A team comes together and makes a decision on what the next steps will be. Mr. Jensen explained the crisis prevention and intervention program, which is a de-escalation program that deals with verbal and physical outbursts in class. The training is most available to special education teachers, but is also available to regular education teachers. There are trainers at each elementary school that can support teachers and they can get instant feedback. Mr. Jensen spoke about the Instructional Consultation Facilitator and behavior intervention.

Trustee Schank asked if all schools have a team in place. Mr. Jensen stated that the team varies. The psychologist and site administrator are continuous, but the rest of the team depends on staff members who have contact with the student. The same team is not used for every incident and every child. There has only been the need to form a crisis intervention team three times so far.

Trustee Gent asked about the length of the training. Mr. Jensen stated that he and Mike Ansotegui are the trainers for crisis intervention training, which is one day for teachers to receive certification. Some teachers find the instructional consultation process for behavior to be long. Mr. Jensen stated that he could understand why. They have a student in their classroom and they don't necessarily know what to do with that student. Delivering skill sets to teachers takes time. It is determined whether there should be a full-blown instructional consultation case or to work in conjunction with one of the behavioral specialist, first with an observation, and then working together to form a common understanding of the problem. Once there is agreement on the behavior, for example, the student is out of his seat four or five times each hour. Pinpoint the behavior, work on a plan, set goals, and collect data on what is actually happening. Then, work with the interventions.

Mr. Jensen stated that at the last legislative session SB504 changed dealing with bullying. The definition has changed and the timelines when the administrator and parents are notified has changed. The reporting requirements are more specific.

B. Report regarding flags in classrooms

Dr. Sheldon reported that after surveying classrooms, approximately half of the classrooms had flags. Brian Byrd, Director of Maintenance, purchased fifty flags and the maintenance crew has been installing flags, with a completion date expected by the end of next week.

Trustee Schank asked if all classes still have a Moment of Silence at the beginning of the day. Dr. Sheldon will check with principals and report to the Board.

C. Update regarding District related matters.

Dr. Sheldon thanked Patty Fleming for her report on professional development. The State does not allow the District to have professional development days before the first day of school. Professional development days have been placed towards the beginning of the school year so that teachers can build on their skills and work with new strategies for students. "Read by Third Grade" is a big push by the governor's office. Kindergarten and first grade teachers are spending both days in training with the new reading intervention program called Read Well. Second and third grade teachers worked today with math and science standards, along with a kinesthetic style of taking notes. Fourth through eighth grade teachers worked with Patty Fleming and Brenda Boone with Eureka Math learning strategies and implementation of math. The second and third grade teachers will switch with the fourth through eighth grade teachers on Friday. The middle school worked on anti-bullying and creating a positive school climate. The high school worked on the Nevada Performance Educator Performance Framework (NEPF) - the new teacher evaluation system. On Friday, the high school will work on grading practices and more continuity on formative and summative assessment and grading strategies, and the middle school will work on the NEPF. Dr. Sheldon stated that meaningful professional development gives teachers skills to be better at their trade, which benefits students.

BUSINESS SERVICES UPDATE

A. Budget to Actual Report (written report provided)

B. Budget time line for 2015-16 and for 2016-17 fiscal years

Ms. Dowd stated that the District is close to working on the revision to the 2016 budget. Because the average enrollment for funding levels is not yet known, the District is not yet ready to sit down and have discussions. More information will be known within four to six weeks, so the committee meetings can then be identified. The revised budget is due to the Department of Taxation by December 31.

C. Update regarding general business items

Ms. Dowd reported that she received information regarding class size reduction. The State moved some of the class size reduction funds into a grant program or focus programs through the Department of Education, like the Read by Third Grade initiative, as an example, which will be a competitive grant. They also moved some funds into the full-day kindergarten classes.

The District is funded \$863,000 for class size reduction, which is a tentative amount based on enrollment. The District budgeted \$1,115,000 in that category, which represents a \$250,000 drop. The District budgeted \$250,000 for kindergarten and received \$457,000. Between those two programs, the District is down approximately \$40,000.

The first DSA payment was based on count day last year. Our District has had a steady decline of enrollment and prefers reimbursement based on quarter-to-quarter comparisons.

EDUCATIONAL SERVICES UPDATE

A. Budget to Actual Report (written report provided)

UPCOMING BOARD EVENTS

A. November 20-21, (Friday/Saturday) NASB 2015 Annual Conference, Reno

CONSENT AGENDA

- A. Approval of Recommended Personnel Action (Attachment A)**
- B. Approval of Vouchers**
- C. Approval of July, 2015 Payroll**
- D. Approval of August 13, 2015, Regular Board Meeting Minutes**
- E. Approval of Student 15-09 Exemption from receiving immunizations based on religious reasons (NRS 392.435)**
- F. Approval of Student 15-09 Exemption from receiving immunizations based on religious reasons (NRS 392.435)**
- G. Approval of Student 15-10 Exemption from receiving immunizations based on religious reasons (NRS 392.435)**
- H. Approval of Classified Directors' and Coordinator contracts**

Items "D" and "H" were pulled. Trustee Gent made a motion, seconded by Trustee Hendrix, to approve Consent Agenda Items A, B, C, E, F, and G, as provided. There were no public comments. The motion passed unanimously.

Trustee Schank stated that her motion was not accurately represented in the minutes of August 13, where it states: that the Nevada Performance Plan Committee is still the central committee and add to the title curriculum and assessment. It will become a central committee and that subcommittees which are other entities out there have one-person report to that committee.

Ms. Hales explained that the motion is verbatim, but Trustee Schank's thoughts could be included in the minutes explaining the motion.

Trustee Hendrix made a motion, seconded by Trustee Gent, ***to table item 11D until Debra has a chance to go back and check the recording against the actual minutes and report back to the Board.*** There were no public comments. The motion passed unanimously.

Trustee Whitaker asked if it is necessary that the Director of Food Services have 260 days. Dr. Sheldon stated that since she has been here that is what was contracted and it has not

changed. Dr. Sheldon would have to work with Ms. Whitten to see how many days are required for her to complete her job.

Trustee Whitaker inquired about Steve Russell, Director of Transportation, with a pay increase of \$12,000. Dr. Sheldon stated that Mr. Russell has also taken on the position of Director of Safety and Security, and felt that Mr. Russell had not been compensated appropriately over the past few years having that additional responsibility, and that it is not out of line to ask for this increase in salary. Trustee Whitaker commented that teachers have taken on more students, the warehouse position was eliminated, and there are a lot who have taken on more without compensation. Trustee Whitaker voiced concern about giving Mr. Russell what amounts to a 20% raise.

Dr. Sheldon stated that Mr. Russell is the most experience director in the District having spent many years in a variety of private and public transportation settings. He is the oldest of the District's classified directors and the most experienced, and paid the least. He is in a protected class, which could be a Title 9 issue, as he is paid significantly less than other directors are. Adding the Director of Safety and Security has added a significant amount of responsibility and he has handled that very well without compensation.

Trustee Hyde commented that the Director of Food Services works as many days and is not getting a raise. He doesn't buy into the age factor, young or old, as long as the employee is qualified.

Trustee Schank stated that it is more of a 23% raise, with benefits included. People have been laid off, specials were cut, this raise was not previously budgeted and there are no resources for teachers. The District is down 260 students from last year and every student brings in around \$7,000.

Trustee Schank asked Dr. Sheldon why director contracts were part of the consent agenda, as in years prior they were part of new or old business and listed separately. Trustee Koenig stated that it is President Evan's agenda, not Dr. Sheldon's. President Evans commented that it was his understanding that the contracts were reviewed so that benefits would be the same across contracts.

Ms. Hales, legal counsel, stated that the objective was to go through the contracts and make them standard and uniform, so they have the same amount of vacation days, sick days, vacation buyout days, etc. The Board can separate the contracts and approve them one at a time, approve all of the contracts except for the salary increase for the Director of Transportation, or do something in between.

Trustee Gent asked if other Directors had collateral duties. Dr. Sheldon stated that Mr. Russell is the only one in a dual role as the Director of Security and Safety and the Director of Transportation.

President Evans commented that Agenda Item "H" can be tabled if the Board so chooses.

Trustee Hyde asked how Director's salaries were determined. It was noted that each individual contract came before the Board at different times for approval. Trustee Koenig stated that the Board set the salary range when the position was advertised and then negotiated their salary. If they are not all the same, it is the fault of the Board. Dr. Sheldon

commented that if she had to replace the Director of Transportation, it would be more than \$53,000. Dr. Sheldon stated that she understands that the amount is significant, but equitable due to responsibilities he has compared with the Director of Maintenance, which is a comparable position.

The consensus of the Board was to table this item.

POLICIES

A. For Discussion and Possible Action: SECOND READING – Approval of Changes to Policy 8340.0 - Meetings

Trustee Koenig made a motion, seconded by Trustee Hendrix, *to approve the changes to Policy 8340.0.*

Trustee Schank asked if Board members were okay with the wording without including that consent from the Board be required. Trustee Whitaker commented that this wording actually protects Board members, as the Board President cannot remove an item unless it meets the specific criteria.

There were no public comments. The motion passed unanimously.

B. For Discussion and Possible Action: FIRST READING – Modification to Policy 3520.0 – Administration of Special Funds

1. For Review Only: Regulation 3520.1 – Participation Fees

2. For Review Only: Regulation 3520.2 – Secondary Summer School Fees

3. For Review Only: Regulation 3520.3 – Distance Education Student Fees RENAMED from “CCSD On-Line Part-Time Student Fees”

4. For Review Only: New Regulation 3520.4 – Class Credit Recovery School Fees

Ms. Phyllis Dowd stated that review of this regulation is part of the general review of the business office policies. Ms. Dowd explained the policy and associated regulations.

Trustee Schank asked if the Athletic Director and Mr. Lords feel that \$50 for athletic fees is adequate. Principal Lords stated that he has never been in favor of a participation fee as it is an extra cost to athletes and families. It does help with stipends and transportation and they collect approximately \$10,000 each year.

Principal Lords commented regarding 3520.2, .3 and .4, summer school fees, distance education fees and credit recover fees, though the policy states to send the money to the district office, they have kept the money at the high school for use for those programs. Mr. Lords' understanding is that when summer school teachers are paid they fill out a time sheet and the business office pays their salary. The high school then reimburses the District out of those funds. Other fees from the high school have been used for online classrooms. Last year they bought ten computers for the online classroom, purchased the Hero Program, focused on student management with tardies and dress code, and some positive reinforcement for those programs. This year the high school bought calculators. Principal Lords recommends .2, .3, and .4 be changed so that the high school would handle those fees, as they do for other classes.

Phyllis Dowd stated that she would work with Principal Lords for a discretionary increase to give back some of the money to manage those items like calculators and printing for distance education. Distance education fees pay for the software used, about \$20,000, so if those fees returned to the district office they could pay for software costs as well. Textbook waivers went away, so the District could include those dollars out of discretionary funds for the high school and get credit for instructional materials purchased. If it is through student activity funds, the District does not get credit, even if curriculum is purchased.

Dr. Sheldon stated that her concern is that it is very easy to mix student funds and District funds and once mixed there are audit concerns. Funding that comes in to pay for a program or class is much cleaner if handled through the district office with an allocation versus the school collecting those fees, putting in a school account, and paying out of that account.

Dr. Sheldon stated that staff can come back with some language both ways, and Ms. Dowd can provide a spreadsheet that shows the different ways money can be expended.

C. For Discussion Only: FIRST READING – Modification to Policy 4815 – Modification to Policy 4815.0 – Priority Placement, Temporary Modified Duty Reassignment, Transfer and Medical Leaves of Absence: Occupationally Injured Workers

1. For Review Only: Regulation 4815.0 – Light (Limited) Duty Following an On-The-Job Injury

Phyllis Dowd explained that this policy is in the personnel section, but the business office handles this process. This light duty policy has been revised so that it benefits the employee and the District. The worker returns to productive work and the District reduces payment to the injured worker, the total claim is less, and the injured worker does not have their income reduced, as workers' compensation only pays two-thirds of the worker's pay when they are not working due to an injury. Ms. Dowd explained that one of the main goals is to extend the twelve-week limit, as some injuries require more time for healing.

Deby Smotherman, NCSEA President, voiced concern that a Human Resource Analyst would be reviewing the employee's physical restrictions. This is a huge responsibility for a classified employee to decide what kind of limitations. It also states that the Account Technician will prepare a light duty job offering outlining work restrictions. In the past, the Human Resources Director did this.

Ms. Dowd stated that the classified job descriptions are being revised and the physical requirements are listed at the end of job descriptions. Reviewing employees' physical restrictions means that the HR Analyst would identify the lifting restrictions on the job description and compare that to the lifting restrictions from the doctor. Ms. Dowd stated that it was probably not too onerous for the HR Analyst to make that determination.

Dr. Sheldon stated that the HR Analyst identifies the restriction and meets with her and the supervisor so that it can be determined if the employee can go back to full duty or if they are in need of light duty accommodations.

Deby Smotherman stated that she did not see in the regulation where it states that the supervisor or director would review the accommodations, and felt this should be added.

REPORTS BY BOARD MEMBERS

There were no reports by board members.

OLD BUSINESS

A. For Discussion and Possible Action: regarding sending automated calls before budget hearings.

Trustee Schank requested, as a courtesy for parents, that automated calls go out to parents for budget hearings, and stated that she would like this to be her motion. Ms. Hales stated that Ms. Dowd provided her with helpful suggestions. Automated announcements sent to staff when board action eliminates positions, to parents when board action increases or initiates student fees and when graduation requirements are changed, and to staff and parents when board action would eliminate programs.

Trustee Hendrix stated that he was not in favor of a motion for this and would rather find a place where this would fit nicely. The Board directed staff to return this, providing general guidelines for sending automated calls.

NEW BUSINESS

A. For Discussion Only: Report on bus schedules and bus drivers' hours.

Mr. Steve Russell, Director of Transportation, stated that the first day did not go as planned. He stated that there are no excuses for problems that happened and that the Transportation Department has worked on the knowledge of the events to make changes. Mr. Russell stated that the transfer system used the past fifteen years worked with success.

With current staffing, nine buses need to be set up in such a way to get all students home. These buses go to Lake Lahontan, the reservation, Hazen and outlying areas, where the population in the county is sporadic. The Department doesn't have the funding or equipment to send home elementary students and then make a second run to take home secondary students. Mr. Russell explained the he has worked with staff to change the traffic flow at Lahontan Elementary School and have staff directing traffic.

Buses currently operate in the morning with a transfer system. The afternoon has staggered end times. Mr. Russell stated that some students had trouble with numbers on their nametags so they have started utilizing animals, characters and colors on their tags, which has helped.

Mr. Russell stated that they have utilized information to update the rosters and the transportation secretary is inputting bus numbers into PowerSchool, expected to be complete by the middle of September. One of the biggest complaints was the lack of communication coming from the Transportation Department. Besides using the LVN Insert and website, the Transportation Department will mail bus routes and transfers to those who request it. The Transportation Department is looking into create a FaceBook page to provide information such as route changes. Mr. Russell stated that the Department does not have enough staff, as they are three bus drivers short. Mr. Russell discussed expected traffic issues associated with Northside and noted that they provide transportation to daycare programs.

Trustee Gent asked if the Fallon Police Department works with the traffic flow. Mr. Russell indicated that they do at Merton and Taylor. The City paved the sidewalks on Babb and Merton on the west side of Taylor, which has helped.

Public Comment:

Rebecca Glinka relayed her experiences from the first day of school and voiced concern about the time students spend sitting on the bus.

Michelle Zinger, Manager of Oasis Mobile Home Park, also relayed her experiences from the first day of school, stating that there used to be one bus dropping students off at Oasis, and now there are three.

Kim Cecil stated that she spoke with Mr. Russell who stated that her child would ride Bus 38 to the high school, wait until 3:00 and go home with her secondary child. She asked about supervision and was told that he could sit on the bus with the bus driver. She didn't find her elementary child until two hours after school released at the high school on the first day of school. Her child has anxiety problems and refuses to transfer buses and demanded a cell phone so that he would feel safe riding buses again. She didn't get return calls from the bus sheds, Steve Russell, or Dr. Sheldon.

Ms. Hales, legal counsel, commented that the public is free to send emails or written comments to board members

Linda Thompson stated that she has lived in Fallon for twenty years and her children and grandchildren ride the bus and there has never been a situation like what happened on the first day of school. She commented that there is no excuse for those children to not have a bathroom or water.

Beth Crainer stated that she did not post a note on her daughter's shirt, and figured that the teacher knew what bus she should take. The nurse called Ms. Crainer's husband to find out the bus their daughter should take, but were never notified of the change in bus numbers.

Dawn Park commented that it took her one hour and forty-five minutes to pick up her son from Lahontan at the beginning of school.

B. For Presentation and Discussion: The District's general counsel, Ms. Hales, will update the Board regarding some of the changes made by the 2015 legislature impacting school districts.

Ms. Hales updated the Board on several pieces of legislation and stated that she could provide a more in depth review at a later time, if they preferred.

SB241 had three provisions that differ from what is in the collective bargaining agreements at this time. If an association officer takes time off to deal with association matters all of the costs must be borne by the association. The evergreen clause involves the expiration date of the collective bargaining agreements. It used to be that if the new agreement were not ratified, the old one would continue until the new contract was in place. The new law states that when the bargaining agreement expires and if there is no successor agreement, then employees in the association are only entitled to the amount of the contract when it expired; there would be no roll-ups (automatic step increases). The only exception to that is the first quarter of the year after the contract has expired, those roll-ups could occur. It

also changes the deadline for notifying the District if they want to bargain to one month earlier. The overall intent of the legislature is to have these contracts more timely decided and put into place before they expire. It will be easier in years coming to meet this cycle contemplated by the legislation, but this year it is difficult due to time constraints.

Trustee Koenig stated that he understands that if there were not an agreement that the first quarter steps would happen, but if there is not an agreement by the end of the first quarter, the employees would have to pay the step increases back. Ms. Hales stated that even if the step raises were given, at the end of the first quarter if the contract is not ratified then they can be undone. Does that mean they would have to be paid back? Ms. Hales was not sure and needs to study the law. This transition year is difficult, but after this year, it would be more accepted and planned.

SB241 states that you must pick an arbitrator 330 days before an expiration of a collective bargaining agreement. This is very difficult to do. The arbitrator must agree to set aside three days and agree to render a decision in a pretty short time frame.

SB92 states that no matter what your reduction in force provisions are in your collective bargaining agreement for licensed staff, the reduction in force must take into account performance evaluations, specifically, ineffective teachers must be reduced before minimally effective, effective or highly effective teachers are reduced. Ms. Hales further elaborated on other factors that affect the reduction in force process.

Ms. Smotherman, NCSEA President, commented that if the agreement is not renewed the new legislation does not state that the District can take the step increases back.

Ms. Hales explained that if the contract is not ratified within the first quarter, the District does not have the option to give retro pay. That consequence was put in place by the legislature to expedite negotiations.

PUBLIC COMMENT

There were no public comments.

DISCUSSION AND POSSIBLE ACTION REGARDING FUTURE AGENDA ITEMS AS REQUESTED BY THE BOARD OF TRUSTEES AND CLARIFICATION OF REQUESTED AGENDA ITEMS

Trustee Schank requested discussion on the morning preparation time to alleviate the 2:20 debacle with the bus situation.

Trustee Schank requested discussion on specials, possibly having them on Friday afternoon with volunteers.

CLOSED SESSION

Trustee Whitaker made a motion to adjourn into closed session pursuant to NRS 288.220 at 9:30 p.m.

A. Discussion of negotiations and strategies regarding Churchill county Administrators Association, Churchill County Education Association, and the Nevada Classified School Employees Association pursuant to NRS 288.220.

The Board met in negotiation session.

RECONVENE OPEN SESSION

ADJOURNMENT

Trustee Koenig made a motion, seconded by Trustee Schank to adjourn the meeting at approximately 10:02 p.m. The motion passed unanimously.

Carmen, Schank, Clerk of the Board

Prepared by Debra Shyne