

THE BOARD OF EDUCATION OF SALT LAKE CITY SCHOOL DISTRICT

Board Business Meeting
and Closed Executive Session

October 6, 2015

The Board of Education of Salt Lake City School District met in a Board Business Meeting and Closed Executive Session at 6:05 p.m. on Tuesday, October 6, 2015, in the Board Room of the Administration Building, 440 East 100 South, Salt Lake City, Utah.

ROLL CALL

Members Present: President Heather Bennett, Vice President Tiffany Sandberg, J. Michael Clára, Rosemary Emery, Melissa Ford, Katherine Kennedy, Kristi Swett, and Cristian Cortes, Student Member (leaving at 8:29 p.m.).

Also Present: Superintendent McKell Withers; Janet Roberts, Business Administrator; Patrick Garcia, Associate Superintendent School Support; Kristina Kindl, Director of Policy and Legal Services; Paul Schulte, Executive Director, Auxiliary Services; Christine Marriott, Director, Assessment and Evaluation; Michael Williams, Director of Development and External Relations; Shelley Halverson, Director, Special Education, and representing Salt Lake Association of School Administrators; Julie Atwood, Director; Educational Technology and School Leadership Support; Deborah Cluff, Principal, Highland Park Elementary; Ana Park, representing the Salt Lake Education Association; Janet Clark, representing the Child Nutrition Employees Association; Cindy Mills, representing the Salt Lake Educational Office Personnel Association; Jason Olsen, Public Information Officer; Lisa Alleman, Superintendent's Office, and others in the audience

In accordance with the agenda prepared for the Board Business Meeting of October 6, 2015 eleven motions were made. Items are reported as listed in the agenda and not necessarily in the order they were considered.

The meeting was called to order by President Bennett, who presided.

1. CLOSED EXECUTIVE SESSION

A. Litigation, Negotiations, and/or Property

At 6:05 p.m. a motion was made, after which members excused the audience and remained in the board room:

*(1)That the board meet in Closed Executive Session to consider litigation, negotiations, and/or property.

** (Swett and Sandberg)

Present for Closed Session for litigation, negotiations, and/or property were Heather Bennett, Tiffany Sandberg, J. Michael Clára, Rosemary Emery, Melissa Ford, Katherine Kennedy, Kristi Swett, McKell Withers, Janet Roberts, Patrick Garcia, Kristina Kindl, and Flo Vincent, board legal counsel from Prince, Yeates and Geldzahler.

B. Character, Professional Competence, or Physical or Mental Health of an Individual

There was no Closed Executive Session for Character, Professional Competence, or Physical or Mental Health of an Individual.

Board members adjourned from the Closed Executive Session for litigation, negotiations, and/or property at 6:23 p.m. and returned to the Board Business Meeting at 6:30 p.m.

VOTE RECORD	AYE	NAY	ABSTAIN
BENNETT	X		
CLÁRA	1,2,8,11	9	5
EMERY	X		
FORD	X		
KENNEDY	X		
SANDBERG	X		
SWETT	X		
A Absent	Ab Abstention	F Failed	
N "No" Vote	NA No Action	T Tabled	
W Withdrawn	*Unanimous Approval		
**Members Making Motion			

2. BOARD BUSINESS MEETING

- President Bennett welcomed everyone to the Board Business Meeting. She recognized the presence of Shelley Halverson, representing the Salt Lake Association of School Administrators; Ana Park representing the Salt Lake Education Association; Cindy Mills, representing the Salt Lake Educational Office Personnel Association; and Janet Clark, representing the Child Nutrition Employees Association. Later in the meeting students from Westminster college studying Foundations of Education were recognized for their attendance.
- Paul Schulte led the audience in reciting the Pledge of Allegiance to the Flag.
- Board Member Swett presented a Certificate of Recognition to Michael Williams and the Salt Lake Education Foundation, recipient of the Committed Community Partner Award from the University of Utah Bennion Center. This partnership has resulted in great experiences for students including Project Youth, which gives 800 students an opportunity to experience a day on campus at the University of Utah. He accepted the recognition on behalf of his staff, whose hard work makes everything they do possible.

A. CONSENT AGENDA

*(2) A motion was made to approve four of the five items, including eight of the ten policies in the Consent Agenda. These items are listed below. Items #A3, Minutes of the Board Business Meeting held September 1, 2015; #A5a, Policy, B-1 Board of Education Legal Status, Responsibilities, and Ethics; and #A5c, Policy, C-7 Records Access and Management, were moved to the Action Agenda.
**(Kennedy and Emery)

1. The Purchasing/Accounting Report, included a breakdown of items costing over and under \$50,000, increases to existing purchase orders, a payment voucher report that includes travel and professional expenditures, and a budget report for August 2015.
2. The Human Resources Department Report, included new contract employment for twelve employees, non-contract to contract employment for eight, changes for six, and releases for six.
3. Minutes of the Board Business Meeting held September 1, 2015. *This item was moved to the Action Agenda*
4. Minutes of the Board Study Session held September 15, 2015.
5. Board Policies New/Revisions/Deletions:
 - a. Policy B-1, Board of Education Legal Status, Responsibilities, and Ethics. *This item was moved to the Action Agenda*
 - b. Policy C-5, Distributing and Posting of Promotional Materials
 - c. Policy C-7, Records Access and Management. *This item was moved to the Action Agenda*
 - d. Policy F-1, Accounting
 - e. Policy G-15, Nursing Mothers in the District
 - f. Policy I-16, School and Student Clubs – Equal Access Act
 - g. Policy I-17, Student Fundraising Activities
 - h. Policy I-20, School Publications
 - i. Policy I-21, School Media and Publications
 - j. Policy P-4, Discipline of District Employees

B. REQUESTS TO SPEAK

There were no requests to speak

C. REPORTS

1. Highlights from School Improvement Plans.

Highland Park Elementary School. Deborah Cluff, Principal, Highland Park Elementary School, introduced Michael Sorensen, 5th grade teacher; Sarah Allred, School Community Council Chairperson; Mary Taylor, 6th grade teacher; Sonal Ker, parent over arts program; Christina Leavitt, past SCC Chairperson; Isaac Simpson, 6th grade student; and Bruce Simpson, parent and math coach.

Ms. Cluff said Highland Park has a long tradition having a great arts program, as well as a hands-on science program that has made a tremendous impact on students. She said the Professional Learning Community (PLC) is very focused on overcoming schedule challenges with arts programs to ensure student success in Math. They have a plan to create common assessments that teachers can discuss to make sure they are focusing on student needs.

Ms. Cluff said leadership and developing problem solving skills is a focus for students and teachers. They have developed a leadership team and focus on a different leadership skill, such as “be proactive” each month. Parents shared how learning about leadership skills at

school has helped their children at home. Ms. Cluff said another way they are working to develop leadership is to have all the assemblies led by students.

President Bennett and Superintendent Withers thanked Ms. Cluff for the report and the good work they are doing.

2. AP, IB, ACT, SAT Results. Christine Marriott, Director of Assessment and Evaluation explained data produced by AP, IB, ACT and SAT test results. She said when looking at the data slides it is important to note the “n” number to see how many students were included in each particular data set. In some areas, large numbers of students took the tests, and in others very few did.

Ms. Marriott said some possible barriers to taking the tests for students participating in the AP and IB classes are cost, some colleges don’t accept the scores, and scheduling conflicts with the SAGE test. Even with these barriers, we have double the number of students taking the tests than would be expected for our population size, compared to the rest of the state.

Ms. Marriott spoke about benchmarks and said there are still groups of students who are not doing well. Superintendent Withers said benchmarks are not always great predictors, and different tests disagree about what the most important things are. Board members discussed how we might be able to incorporate goals into the Student Achievement Plan to help students who aren’t at the benchmarks.

Ms. Marriott answered questions from board members and thanked the board for the opportunity to present. President Bennett thanked her for coming.

D. DISCUSSION AGENDA

1. Athletics – Access, Equity and Development. Paul Schulte, Executive Director, Auxiliary Services, presented the Extra-Curricular Activities Statistics Report. He said in light of all the data presented about academic benchmarks, AP has cited participation in extracurricular activities as one of the best indicators of college readiness.

Mr. Schulte said the data shows a discrepancy between the number of girls and boys who are participating in athletics, but feels the numbers are skewed because the report only defines very specific sports in the category of “extra-curricular activities,” and it doesn’t include athletic activities like dance and cheerleading.

Mr. Schulte said they are in the process of evaluating school facilities and looking through the buildings for inequities. He said he would make looking at accommodations for adaptive sports part of the evaluation process.

Mr. Schulte said students who have been playing one sport from the time they are little are more prone to sports related injuries. Coaches encourage students to participate in multiple sports to avoid being a one-sport athlete. It was noted Clayton Middle School has a high quality lunchtime and intramural sports program, which other schools can learn from.

Mr. Schulte said he is looking for ways to get students from diverse backgrounds more involved, and agreed with concerns expressed by the board about the lack of physical activity for students who do not participate on a team.

Board members thanked Mr. Schulte for his report.

E. ACTION AGENDA

1. Minutes of the Board Business Meeting held September 1, 2015

^{NA}(3) A motion was made to approve the Minutes of the Board Business Meeting held September 1, 2015. No action was taken on the motion.

** (Swett and Sandberg)

The board discussed the last sentence of the 2nd paragraph on page 5, Discussion Item 2b, Policy C-7, Records Management, which read “Although no vote was necessary on this policy, board members agreed, and instructed Ms. Kindl to charge for GRAMA requests requiring time and hard copies of information.”

Ms. Emery, who had opposed the decision at the last meeting, requested the word “most” be added before the phrase “board members agreed” to indicate the support was not unanimous.

^{NA}(4) A motion was made to amend the previous motion to include a revision to the minutes in the 2nd paragraph on page 5, Discussion Item 2b, Policy C-7, Records Management, that reads “Although no vote was necessary on this policy, most board members agreed...” No action was taken on the motion.

** (Swett and Emery)

Ms. Kindl stated she didn’t feel the last part of that sentence which reads “...instructed Ms. Kindl to charge for GRAMA requests requiring time and hard copies of information.” reflects the instructions she received. She said she was instructed to follow the policy and administrative procedures, which allows for the first half hour of time to be free of charge.

^{Ab}(5) A substitute motion was made to approve the minutes of the Board Business Meeting held September 1, 2015, with the following revision in the last sentence of the 2nd paragraph on page 5, Discussion Item 2b, Policy C-7, Records Management, “...Although no vote was necessary on this policy, most board members agreed and instructed Ms. Kindl to follow the existing Board Policy and Administrative Polices. The motion was approved on a vote of 6 to 0, with Mr. Clára abstaining from the vote.

** (Bennett and Swett)

2. B-1, Board of Education Legal Status, Responsibilities, and Ethics

^W(6) A motion was made to approve Policy B-1 Board of Education Legal Status, Responsibilities, and Ethics. The motion was withdrawn by the maker and second after Motion #7 was made.

** (Sandberg and Swett)

Prior to approval of the motion, board members discussed why the last section of "Responsibilities", item "F" which says "approve evaluation methods for other district employees" was being recommended for removal. Ms. Kindl explained it was redundant because the district has a personnel evaluation policy.

Mr. Clára passed out a Deseret News editorial, and included section 53A-3-401 of the Utah Code. He asked that point number 5 be added to this policy as letter 'G' under 'Responsibilities.' Board members recommended rather than adding this now it be brought to the subcommittee for review. Mr. Clára was also asked to submit his comments and recommendations in writing for the board policy subcommittee's review. A copy of the handout has been added to the official minutes.

Ms. Kindl explained the reference section of this policy includes this portion of Utah code, so although this section is not written in the policy, it is included. She said the complete code is so lengthy it would not be possible to list all of the responsibilities in our Administrative Procedures, and listing it in the references is the best way to include the entire code.

^{NA}(7) A motion was made to return Policy B-1 Board of Education Legal Status, Responsibilities, and Ethics to the board policy subcommittee. No action was taken on the motion due to approval of substitute motion #8.

** (Kennedy)

Ms. Swett noted another area that needs to be corrected on page 2, 'Appointment of the Superintendent and Business Administrator.' It states the board evaluate the Superintendent and Business Administrator "according to state law", but it is not in the law they be evaluated by the board. The evaluation is part of their contracts, and is Board Policy, but stating the board does it to comply with the state law is incorrect. Board members discussed possible solutions.

Board members discussed pros and cons to approving the policy now and again next month after the board policy subcommittee's review. It was decided it would be more clear to approve it now so only changes to the two areas being discussed would appear in red with the next revision.

^{*}(8) A motion was made to approve Policy B-1 Board of Education Legal Status, Responsibilities, and Ethics, except for the section titled "Appointment of the Superintendent and Business Administrator," and to return the policy to the policy subcommittee for review of that section, as well as for consideration of the addition of Utah Code 53A-3-401 subpart 5.

** (Swett and Kennedy)

3. C-7, Records Access and Management

^N(9) A motion was made to approve Policy C-7, Records Access and Management. The motion was approved on a vote of 6 to 1, with Mr. Clára voting 'no'.

** (Swett and Sandberg)

Prior to approval of the motion board members discussed the last sentence of the first paragraph, which is being recommended for removal stating "...protect individuals' rights to expect that personal data gathered by the school district will only be released as allowed by

state and federal law and board policy.” Ms. Kindl said the prior sentence “...establish processes for maintaining, classifying, preserving, accessing, releasing, protecting and destroying district records in accordance with all applicable state and federal laws.” provides protection under FERPA, GRAMA, and any privacy law.

Mr. Clára provided a handout of an email from the district he believes is an example of a violation of this policy. President Bennett explained the example he provided pertained to a law enforcement investigation which is separate from this policy. No changes made to district policies are affected by the laws the district is required to follow. Ms. Kindl provided additional clarification stating differences in law enforcement investigations and information protected through GRAMA and FERPA. A copy of the handout has been added to the official minutes.

^W(10) A motion was made to call for the question. The motion was withdrawn by the maker upon realization there was a second issue for discussion.

** (Kennedy)

Mr. Clára raised an additional concern with the policy and distributed a handout. He asked that under this policy the district classification for documents be the same as the classification for GRAMA, and explained the example provided in the handout which he believed didn't follow the guidelines. A copy of the handout has been added to the official minutes.

Board members discussed differences in items available for board members to view versus what is available to the public through GRAMA. Ms. Kindl explained the document in question had been marked confidential by the preparer of the document, not by the district, but once it was subject to the rules of GRAMA it was found to be a public document. President Bennett said this change in classification isn't a double standard, it is a difference in what board members are allowed to view versus the public.

^{*}(11) A motion was made to call for the question.

** (Sandberg)

F. SUPERINTENDENT'S REPORT

1. Miscellaneous Updates:

Superintendent Withers thanked the board for the work they have done on the Student Achievement Plan. He said that the transition plan for administration would focus on student learning, and the organizational structure will focus on the Student Achievement Plan. He also said we have great resources due to unanticipated growth revenue from personal property, and wonderful staff whose careful management of budgets have provided additional opportunities.

2. Other Superintendent Reports.

Superintendent Withers thanked more than 270 GE Medical employees who worked to clean up West High last Friday as part of their day of service. They also spent time in classrooms teaching students about technology.

Superintendent Withers said as part of the redesign of Lincoln Elementary School, the SCC is considering a proposal to rename the school "Liberty Elementary School" as it was originally named when it was built. He said more information would be available in future meetings.

Superintendent Withers shared news about a \$3,060,500 donation made by the Ray and Tye Noorda Foundation for the Lincoln Community Learning Center. He said this is the largest single donation any school district foundation has ever received, to his knowledge. Mike Williams shared additional details about the donation.

President Bennett expressed the urgency of starting a search for a new superintendent, and proposed scheduling a special meeting to develop a timeline and discuss hiring a consultant. A special meeting was scheduled for Monday, October 26, 2015, at 5:00 pm. This will be a public meeting.

Mr. Clára distributed a letter and timeline from a neighboring district regarding the hiring of a new superintendent that he would like to discuss at the meeting on the 26th. A copy of the handout has been added to the official minutes.

G. ADJOURNMENT

Following a motion by Ms. Sandberg, seconded by Ms. Swett, the meeting was adjourned at 9:18 p.m.

Janet M. Roberts
Business Administrator

Lba

Salt Lake City School District
Addition to the Minutes of the Board Business Meeting 10/06/2015

*The Official Minutes of the Board Study Session held on October 6, 2015, will be posted upon approval by the Board of Education.

OFFICIAL EXHIBITS OF BOARD MEETING

Official exhibits provided to the board and made available to the public as part of the meeting agenda can be found [here](#).

ADDITION TO THE MINUTES

The Board of Education of Salt Lake City School District acts by vote of a majority of the board members in an open and public meeting. Statements by individual board members, in or out of board meetings, written, oral or in social media, do not necessarily represent the views of the majority of the board or any other board member. Nevertheless, out of respect to the elected office that each board member holds and consistent with state law and board policy, the board allows its members to attach to board meeting minutes any other information that any member requests. When the board votes to approve minutes, that vote signifies that the minutes are a correct record of what occurred and what was asked to be included in the minutes. It does not signify any individual board member's agreement with the substance of the content.

The following information was distributed in the public meeting of the board, and has been included in the minutes at the request of the board member(s):

Deseret News Editorial and Section 53A-3-401 from Utah Code

– distributed by Board Member Clara

[Agenda Item E2](#)

Handout of email – distributed by Board Member Clara

[Agenda Item E3](#)

Email and letter handout re classification for documents

– distributed by Board Member Clara

[Agenda Item E3](#)

Letter re Superintendent Search Agenda Request and

example of timeline – distributed by Board Member Clara

[Agenda Item F2](#)