

**MINUTES OF MEETING
BOARD OF EDUCATION
SCOTTSBLUFF PUBLIC SCHOOLS**

A regular meeting/work session of the Board of Education, in the School District of Scottsbluff, in the County of Scotts Bluff, in the State of Nebraska, was held at 5:30 p.m., on Monday, February 8, 2010, in the Senior High School Meeting Room, 313 East 27th Street, Scottsbluff with the following members present: Bob Kinsey, Mark Lang, Kim Magana, Megan Massey, Michael Shedd and Paul Snyder. Notice of meetings was given by publication of time and place thereof in the Star-Herald on February 5, 2010.

President Kinsey called the meeting to order at 5:30 p.m. Paul Snyder entered the meeting at 5:36 p.m.

Motion to approve the Consent Agenda items to include: adopt agenda, January 11, 2010 - Reorganizational/Regular Meeting Minutes, and expenditures, in the amount of \$1,561,433.41, as presented, passed with a motion by Megan Massey and a second by Kim Magana. Yes: Massey, Magana, Shedd, Snyder, Lang, Kinsey; No: None; Motion carried.

President Kinsey introduced Mr. Rick Myles, newly appointed Superintendent, who will begin employment on July 1, 2010.

The Board recognized the UNL-Omaha Honors Orchestra recipients and Lake Minatare "Over-Night" Reading Program awards.

There was no one from the community to address the Board.

Dr. Michael Shedd, Vice President, reported the Curriculum/Technology Committee met and discussed testing at the senior high school, noting they currently use a variety of methods which take a lot of time from the students' day and discussed if it was possible to do the testing all in one day or at least in an efficient fashion and the scheduling of tests in the future.

Mark Lang reported the Facilities Committee met and discussed SHS parking lot/traffic flow, BMS project update, 08-09 summer projects, and short-term, mid-term and long-term planning ideas which will be discussed later in the work session portion of the meeting.

Wendy Kemling, Director of Student Services, and Michel Rousch, Program Coordinator, updated the Board on the Senior High School TREC (Truancy Reduction Education Credit Program) which monitors student attendance, meets with students who have attendance issues, schedules home visits, create plans/problem solving with students, works with expelled/suspended students outside of the school hours, and assists with credit recovery. Mrs. Rousch provided statistics regarding truancy reduction, reduced number of students referred to county attorney, increased numbers of student completing credit recovery, and decrease in dropout rate. Mrs. Kemling noted the program is expended through Special Education dollars, flex funding, and through the early intervention services and noted

there were 13 students retained in school due to this program or \$89,000 in savings. Mrs. Massey noted she was encouraged by the statistics provided and thanked Mrs. Rousch for implementing this program.

Larry Davis, Maintenance Supervisor, provided an update on the BMS project progress noting the project was 70% complete on the 3rd floor main/annex; 50% complete on the 2nd floor main/annex; 35% complete on the 1st floor; concrete will soon be poured in the gym and cafetorium areas; and the roof over the cafetorium should be complete by the end of the week. Mr. Davis noted a BMS project tour was scheduled for Friday, February 19th at 3:00 p.m.

President Kinsey noted the Roosevelt Elementary PIRC minutes were on file in written form for review.

Dr. Reynolds reported the Scottsbluff Schools/City of Scottsbluff Crossing Guard Agreement was recommended for approval noting there were no changes to the agreement.

Motion to approve the SCB/City of Scottsbluff Crossing Guard Agreement, as presented, passed with a motion by Megan Massey and a second by Mark Lang. Yes: Massey, Lang, Magana, Shedd, Snyder, Kinsey; No: None; Motion carried.

Lavon Hood, Director of Business Services, reported that during the most recent audit the auditors noted there was a lack of a whistleblower policy; therefore Dick Douglas, School Attorney, was requested to draft a policy for consideration. Mrs. Hood noted this was first reading on Board Policy #403.07, Whistleblower Policy and noted it will be placed on the March 8th board meeting agenda for action.

Dr. Reynolds noted there was a request to modify the proposed policy from under “wrongful conduct/good faith report”, change “b. a serious violation of board policy” to “b. **any** violation of board policy”. Mr. Snyder noted that “any” is certainly easier to define than “serious” and if we want regulation to be understood then we should go with something that is easier to understand, simpler and not subject to interpretation. **It was the consensus of the Board to modify under “wrongful conduct/good faith report”, change “a serious” to “any” for second reading/adoption at the March 8th board agenda for action.**

President Kinsey reported the first reading on proposed Board Policy #604.01a, Teaching about Controversial Issues, based on his research, was a pretty standard and common policy utilized by school districts across the United States. Dr. Shedd, Vice President, stated his biggest concerns were: 1) who decides what is controversial; and 2) what is the remedy. He felt there was a need to define who is going to decide if a topic is controversial and if a teacher is found to be in violation of the policy what is the remedy.

Mrs. Magana stated there are two sides to every issue and teachers need to allow students to have their own opinions and let them make up their own minds up rather than providing a one-sided presentation on any subject.

President Kinsey stated Dick Douglas, School Attorney, noted that the policy should not be interpreted as being nothing more than a requirement to follow established curriculum by presenting facts in an accurate and balanced manner, and further directing all employees to refrain from expressing their own political or social views while teaching and feels this serves the purpose noting the staff should be teaching the curriculum established based on the specific directions of the curriculum/technology committee; therefore if there is a violation it should be considered as insubordination. President Kinsey stated teachers should provide balanced presentations and that the goal of the district is to provide students with the skills to make their own decisions on various topics and is what the proposed policy reinforces.

Dr. Shedd stated he still feels there is going to have to be someone who decides and defines what controversial means. Mrs. Magana stated she has received several calls from parents about teachers and students who are bullying other students in the classroom because they have different points of views. Dr. Shedd stated the district already has a policy that addresses bullying.

Mr. Snyder stated he was troubled with the policy as it currently reads and has also had the same conversations with parents and knows that the problems does exist in the classroom. He doesn't like the policy as it is drafted because it does not address the issues happening in the classroom that need to be addressed and particularly does not like trying to define or lead to later definition the subject of what is controversial and what is not. If the word "controversial" was omitted from the policy and the bullet points were left in from a legal point of view in terms of the understanding what is being talked about then it may be a better policy. If the word "controversial" is left in the policy Mr. Snyder felt there may be some legal and free speech issues and noted he would vote against the proposed policy if left as is but feels the problem in the classroom does need to be addressed. Mrs. Massey stated she understands why board members are passionate about the problem in the classroom and isn't sure by creating a policy that it is the best way to address the problem but a need to address the particular teachers through evaluations instead of creating a policy.

Galen Nighwsonger, Senior High Principal stated the administrators will deal with issues when they are brought to their attention and noted in the current evaluation tool there was nothing that addresses conduct in the classroom on controversial topics of discussion. Dr. Reynolds noted administrators do have the opportunity to write comments about concerns, issues, changes, etc. when evaluating teachers. Mrs. Magana questioned if the word "controversial" was omitted would the policy be better or if there were still problems that need to be addressed? Mr. Snyder stated he would have fewer problems with "controversial" being omitted but still has concerns with the policy because he feels the policy is still to gray of an area to wrap his arms around; therefore would like to take the policy completely off the table for second reading. Mr. Lang stated he felt there was a

need for a policy to be in place but suggested there may be a need to wordsmith the policy to provide direction for the administrators to work with. Mrs. Massey questioned if there was a need for a policy to deal with the concerns that are happening in the classroom? Mr. Nighswonger stated there are issues that are out there that have not been talked about with regard to what will be done if there is a violation by someone who would fall into this category and didn't feel there was a need for a policy but needed accurate information on the teachers who are not doing what they are suppose to be doing in classroom.

President Kinsey stated through his research on the policy he found that this type of policy is used in several school districts. He stated he didn't have a problem with changing the word "controversial" but feels that policies provide the board with methods to ensure the goals and objectives are carried out, makes it clear to employees what the expectations are and doesn't see it as a threat but reinforces if a teacher is covering subject matters that has different points of views that they fairly present both sides.

Motion to table proposed Board Policy #604.01a, Teaching About Controversial Issues for further study, passed with a motion by Paul Snyder and a second by Mark Lang. Yes: Snyder, Lang, Massey, Shedd, Magana, Kinsey; No: None; Motion carried.

It was the consensus of the Board to appoint the Curriculum/Technology Committee and President Kinsey to review the policy and obtain input from administrators and teachers at the senior high school.

Dr. Reynolds noted the revisions to Board Policy #1003, Public Examination was reviewed by Dick Douglas, School Attorney, to help establish procedures and costs for public requests regarding school records copies.

Motion to approve the Revised Board Policy #1003, Public Examination/Request of School District Records, as presented, passed with a motion by Michael Shedd and a second by Kim Magana. Yes: Shedd, Magana, Lang, Snyder, Kinsey, Massey; No: None; Motion carried.

Lee Dick, Activities Director, reported a proposal to increase activity pass prices will help cover the cost of things such as: lodging, food, uniforms and other miscellaneous activity related expenses. The increases will be as follows: varsity tournaments-\$5 to \$6; varsity contests-\$4 to \$5; JV contests, 9th tournaments, 9th contests, 7-8 tournaments-\$3 to \$4; BMS pass-\$12 to \$15; and adult pass-\$40 to \$50. It was noted that Gering will also be taking action on the same proposed increases at their next board meeting.

Motion to approve the Activity Pass Prices as follows: varsity tournaments-\$5 to \$6; varsity contests-\$4 to \$5; JV contests, 9th tournaments, 9th contests, 7-8 tournaments-\$3 to \$4; BMS pass-\$12 to \$15; and adult pass-\$40 to \$50., effective for the 2010-2011 school year, as presented, passed with a motion by Kim Magana

and a second by Megan Massey. Yes: Magana, Massey, Shedd, Snyder, Lang, Kinsey; No: None; Motion carried.

Lavon Hood, Director of Business Services, reported the present software for the cafeteria program is no longer supported and the company is no longer in business. The system requires extensive manual process with no interfaces with other software applications. Also, the existing hardware is very old and is no longer supported and requires the IT department to invest many hours and much effort to keep it up and running. The recommendation is to purchase a module from the district's existing Infinite Campus platform that will provide the needed services along with an integrated solution so parents/guardians will have real time access to student meal selection and establish daily spending limits. Approval is recommended for acquisition of the cafeteria module with associated hardware from Infinite Campus, for first year costs to be approximately \$27,948 plus reimbursable travel expenses and in-house setup costs with an annual ongoing support and subscription expenses of \$7,382.00 which will be funded through the Depreciation Fund.

Motion to approve the acquisition of the cafeteria module with associated hardware from Infinite Campus, for first year costs to be approximately \$27,948 plus reimbursable travel expenses and in-house setup costs with an annual ongoing support and subscription expenses of \$7,382.00, as presented, passed with a motion by Megan Massey and a second by Paul Snyder. Yes: Massey, Snyder, Lang, Magana, Shedd, Kinsey; No: None; Motion carried.

Motion to award BMS bid package #03-13 Exterior Insulation & Finish System to Monarch, in the amount of \$98,800.00, as presented, passed with a motion by Megan Massey and a second by Kim Magana. Yes: Massey, Magana, Shedd, Snyder, Lang, Kinsey; No: None; Motion carried.

The Board recessed for supper at 6:40 p.m. and reconvened into open session at 7:10 p.m. to discuss various district topics including: budget priorities, wage projections, array data, district projects, athletic costs, parking proposal, grants, and proposed 2010-2011 school calendars. **There was no action taken.**

President Kinsey read future meetings and dates.

Motion to adjourn the meeting at 9:13 p.m., passed with a motion by Megan Massey and a second by Michael Shedd. Yes: Massey, Shedd, Snyder, Lang, Magana, Kinsey; No: None; Motion carried.

Katherine A. Reyes, Secretary
Board of Education