

Minutes of the Swan Valley School District #92 School Board Meeting
August 14, 2013

1. Call to Order

Chairman Hicks called the meeting to order at 7:00 PM.

2. Roll Call

Board members in attendance were Chairman Tara Hicks, Vice Chairman Joseph Lundquist, and Trustee Bill Steffes. Others in attendance were Superintendent Dan Keck, Board Clerk Fran Howell, and special legal counsel Dale Storer.

Patrons in attendance were: Joy Jacobson, EllaRae Hasselstrom, Tom Walsh, Laura Baarda, Linda Sargent, Amy Sailer, Pauline Scholes, Chenoa Allen, Marie Hammon, Rayni Kopp

3. Agenda Amendments:

Mrs. Hicks stated that late yesterday we received a complaint from a former employee concerning the District's compliance with the Idaho Open Meeting Act at the May 9, 2013 Board Meeting. At that time the Board voted to eliminate a full-time IT position and replace such position with a part-time classified position. Because of the late delivery of such complaint, this matter was not included on the original Board agenda posted in conjunction with this meeting. In order to promptly address this matter, Chairman Hicks called for a motion to amend the agenda by addition of that matter and the means for its correction. She also asked for a motion amending the agenda as follows: to remove Action Item #1 "Approval of Part Time Aide Hire" and to replace it with Action Item #1 "Open Meeting Act Violation Acknowledgement", and add Action Item #2 "Elimination of IT position", and to keep Action Item #3, "Grievance Panel Decision". Bill Steffes moved that the agenda be so amended. Joseph Lundquist seconded. The motion passed unanimously.

4. Executive Session

Chairman Hicks asked for a motion to move into executive session for the purpose of meeting with legal counsel to discuss probable litigation. Bill Steffes moved that the Board retire into executive session pursuant to Idaho Code Section 67-2345(1)(f) for the purpose stated. Joseph Lundquist seconded. The roll vote was as follows: Tara Hicks, Yes. Joseph Lundquist, Yes. Bill Steffes, Yes. Motion passed unanimously.

5. At 7:47 Chairman Hicks asked for a motion to retire back into Open Session. Bill Steffes so moved. Joseph Lundquist seconded. The motion passed unanimously.

6. The Board reviewed the minutes of the July 10, 2013 Board meeting and the revision to the June 12, 2013 Board meeting minutes per request of Chenoa Allen. Chairman Hicks ordered the minutes to stand as read.

7. The Board reviewed the August accounts payable and there was no discussion. Chairman Hicks asked for any public input, and there was none. Bill Steffes moved to pay the bills. Joseph Lundquist seconded. The motion passed unanimously.

8. The Board reviewed the current budget. Mrs. Hicks had a question about technology benefits and a technology purchase.

9. Information Items:

Mr. Keck gave the Board an update on the iSchool program and stated that we are going ahead with the implementation. He hoped that installation would be complete before the start of school.

Chairman Hicks asked for any public comment. Pauline Scholes asked about the security system, and she was advised that it would be on next month's agenda. Tom Walsh asked if the bids on the security system had expired. Chenoa Allen asked about our STARS rating and quoted statistics that concerned her. Tom Walsh handed Chairman Hicks a public records request asking for the District's remediation plan.

10. Action Items:

#1 Open Meeting Act Acknowledgment: Mrs. Hicks stated that on May 9, 2013, the Board retired into executive session for the purpose of discussing evaluations of classified employees employed by the District. During the course of the executive session, a discussion ensued regarding potential elimination of the full-time IT position and replacement of such position with a part-time classified position. At the conclusion of the executive session, and while in open session, the Board approved a motion to eliminate the full-time IT position and replace it with a part-time classified position with a job description to be determined at a later time. The agenda for the meeting did not include an item providing for discussion of such action, nor were minutes prepared for such executive session.

The Superintendent has discussed this matter with legal counsel who is of the opinion that the discussion regarding the elimination of the IT position went beyond the scope of the initial discussion regarding the evaluation of a classified positions and strayed into a discussion of general staffing needs. A discussion of general staffing needs in executive session is specifically prohibited by the Idaho Open Meeting Act. Although the motion to eliminate the IT position was made in open session, the discussions preceding that action were conducted in executive session and would therefore not comply with the Idaho Open Meeting Act. The District's special legal counsel therefore recommends that the Board publicly acknowledge the violation and void the Board's action regarding the IT position. There were no questions or comments from the Board members. Chairman Hicks asked for any public input, and there was none.

Chairman Hicks called for a motion publicly acknowledging such violations and declaring as void any actions regarding the elimination of the IT position. Bill Steffes so moved. Joseph Lundquist seconded. The roll call vote was: Tara Hicks, Yes. Joseph Lundquist, Yes. Bill Steffes, Yes. Motion passed unanimously.

#2 Elimination of IT Position: Given the preceding action, Chairman Hicks stated that we now need to take up the matter of the elimination of the full-time IT position and replacement thereof with a part-time classified position. She asked the Board and Mr. Keck if there was any need for discussion. Mr. Keck advised that he still recommended elimination of the full-time IT position and moving forward with a half time position for a data coordinator. He further stated his belief that IT issues and concerns could be outsourced. Chairman Hicks agreed. Bill Steffes concurred with the Superintendent's recommendation, and Joseph Lundquist likewise felt that we did not need the full-time position. Chairman Hicks asked for public comment. Tom Walsh asked what the cost was to outsource the IT, and Mr. Keck replied. Mr. Walsh then asked the Chairman to explain its decision to outsource and not pay the former IT employee. Chairman Hicks stated the decision was based on what the Board felt was in the students' best interest, and that moving forward with the iSchool program met that criteria. Mrs. Allen asked if keyboarding would still be taught to the students, and how would word processing be taught? Mr. Keck stated that keyboarding would still be taught in the lab and that teachers would cover word processing through apps on the iPads. There were no more comments.

Chairman Hicks asked for a motion to proceed with the elimination of the full-time IT position and replacement thereof with a part-time classified position. Bill Steffes so moved. Joseph Lundquist seconded. The roll call vote was: Tara Hicks, Yes. Joseph Lundquist, Yes. Bill Steffes, Yes. Motion passed unanimously.

#3 Grievance Panel Decision: Chairman Hicks called for a discussion of the results of the grievance panel decision concerning Joy Ghetia. As the Board is aware, the grievance panel conducted a hearing concerning Mrs. Ghetia's grievance on July 18, 2013.

During the course of the hearing, Mrs. Ghetia asserted that her rights as a renewable contract teacher were violated by the Board's earlier decision to eliminate the IT position. This matter was not previously raised in Mrs. Ghetia's previous grievance and was asserted for the first time at the grievance hearing. After reviewing the matter, the grievance panel concluded that it was not the proper venue to hear Mrs. Ghetia's complaints concerning her asserted renewable contract rights, and therefore declined to take action on that matter.

Because this matter was not asserted in Mrs. Ghetia's original grievance and was raised for the first time at the grievance hearing, the Superintendent was not prepared at the grievance hearing to respond to such allegations. Following the conclusion of the grievance hearing, the Superintendent discussed this matter with the two previous Superintendents of the District who were involved in the issuance to Mrs. Ghetia of a one year contract of employment as a classified employee. The Superintendent has provided the Board with a letter summarizing those discussions and outlining his conclusion that Mrs. Ghetia did not have renewable contract rights. The Superintendent further recommends that the Board decline to offer a teaching contract to Mrs. Ghetia because she does not currently hold a teaching certificate.

Notwithstanding the foregoing, the Board believes that Mrs. Ghetia should be afforded an opportunity to have her concerns heard by the Board if she so desires. Chairman Hicks asked for public comment, and there was none. Accordingly, Chairman Hicks asked for a motion to authorize the Board Chairman to advise Mrs. Ghetia of the Board's willingness to conduct a hearing if she so requests and to provide her with a copy of the letter from the Superintendent outlining the results of his discussions with the prior two Superintendents. Bill Steffes so moved. Joseph Lundquist seconded. Roll Call: Tara Hicks, Yes. Joseph Lundquist, Yes. Bill Steffes, Yes. Motion passed unanimously.

Coming events include: 8/19 on site audit, 8/22, 23, 26, 27, 28, 29 teacher in-service and work days, 8/20 Paul Elementary on-site training for teachers for education apps, 8/23 Parent Meeting with iSchool, 9/3 First day of school, 9/5 Back to School Night.

September Board meeting was set for Tuesday, September 10, 2013 at 7 PM.

The Board then adjourned the meeting at 8:11 PM.



Approved


Attested
9/10/13

Date

Minutes of the Swan Valley School District #92 School Board Meeting
Special Board Meeting
August 19, 2013

Called to Order: 7:35 a.m.

Those Board Members present were Chairman Tara Hicks, Bill Steffes. Joseph Lundquist was excused as he was abstaining from a vote due to a conflict of interest.

Others present were: Superintendent Dan Keck and Board Clerk Fran Howell

The hiring committee for the Part-Time Data Assessment Aide position recommends Jamie Pruett be hired for this position. Chairman Hicks called for a motion to hire Jamie Pruett as the Part Time Data and Testing Aide for the 2013-2014 school year. Bill Steffes so moved. Tara Hicks seconded. The motion passed unanimously.

Mrs. Hicks adjourned the meeting at 7:45 a.m.



Approved



Attested

9/10/13

Date