

January 15, 2009

The Marshall County Board of Education met in regular session on Thursday, January 15, at 6:30 p.m. in the Board Conference Room at Jones School.

Members present were Ann Tears, Mike Keny, Todd Tietgens, Delinda Owens, Mark Wilkerson, Curt Denton, Kristen Gold, and Craig Michael. Randy Perryman was absent.

After the prayer, students from Marshall County High School led the pledge, followed by a viewing of Channel 4's Cool Schools at MCHS presented by MCHS Student Council sponsor Kim Anderson and students Jakerra Simmons and Dan Whitaker.

To open the meeting, Mr. Michael made a motion to approve the evening's agenda. Mr. Tietgens seconded the motion and the motion passed 8-0.

Mr. Michael made a motion to approve the minutes of the December 11, 2008, meeting. Ms. Owens seconded the motion and the motion passed 8-0.

Colin Beatty, president of the Marshall County Education Association, presented the MCEA report. He informed the board that he was "pleased to announce" the MCEA held a vote on the proposed contract on Monday, January 12, 2009, and ratified the contract. "We are looking forward to the board ratifying the contract and working together to provide the best education for all of the students of Marshall County." He reminded the board of the upcoming MCEA County-wide Spelling Bee to be held on Tuesday, February 10 at 5:30 p.m. at Westhills Elementary School.

Ms. Gold made the motion to approve Lewisburg Water and Wastewater's request of the donation of a 40'x40' plot of land at Cornersville Elementary School to be used to install a water pumping station (see attached). Mr. Tietgens seconded the motion. Mr. Denton commented that "With the times that we're in and the difficulty we're going to have to make a budget, we're \$1.7 million behind already. We spend at Cornersville High School and Elementary approximately \$37,230 a year with the Water Department. The county appropriated money to buy this property with, and it came from county taxpayers. And I just don't see that it would be appropriate, with the times that we're in, to give a piece of property away." Mr. Wilkerson added, "I would have to agree with Curt. I think giving it away is a mistake." Ms. Owens: "Not only that, they're going to be making money off of the pumping stations they put in place there. It's not just for the residents on Lynnville Highway, it is also for Giles County Water Utilities, as well as Fairview Water Department. It's not just for Marshall County." Mr.

Michael turned to Kenneth Carr, Lewisburg Water and Wastewater Assistant Superintendent who was in attendance, and asked how the school board could explain to the commission why the commission buys land to build schools on, then the school board turns around and gives the land to a separate entity. Mr. Michael questioned Mr. Carr if someone else in the community was willing to donate the property; Mr. Carr answered yes. "As far as the use of this land," Mr. Carr said, "if you do not want to sell it to us or donate it to us, obviously the request was for a donation. That's not the only site we can place a pump station, but we thought it was a very appropriate site because of the elevation. But we can move down the road just slightly from you and do it. That decision's strictly up to you all." Mr. Keny asked, "I heard you say sell. Is that an option for you, to buy that land?" "No, it's not an option," Mr. Carr said. Ms. Gold told the board her understanding was the corner piece of property in question is not in a location that would damage the school system's ability to use the property. "If we don't donate it to them, fine, but we're not going to sell that corner lot for anything else, and there is something to be said for goodwill with working with other county entities when we expect county entities and other people in the community to donate to the schools and to help do a lot for us." Mr. Michael responded, "I think 37,200-plus dollars is pretty good fair amount of goodwill." A show of hands was taken with Mr. Tietgens, Ms. Gold, and Ms. Tears voting to approve the Lewisburg Water and Wastewater request; Mr. Keny, Ms. Owens, Mr. Wilkerson, Mr. Denton and Mr. Michael voted to turn down the request. The motion to approve the request failed 3-5.

Mr. Wilkerson made a motion to approve the graduation dates (see attached). Mr. Denton seconded the motion. Mr. Denton then questioned if Cornersville High School and Marshall County High School could graduate on different dates or times; this would allow friends/family members of students at each of these schools to attend both ceremonies. Dr. Curtis stated he would work with the principals in reaching a compromise. The motion to approve the graduation dates failed 0-8. Mr. Denton made a motion to allow Dr. Curtis to explore the possibility of changing the graduation dates to allow citizens to attend all three high school graduations; Mr. Wilkerson seconded the motion and the motion passed 8-0.

Ms. Owens made a motion to approve fund raising requests from Oak Grove Elementary School (see attached). Ms. Tears seconded the motion. In discussions, Ms. Gold asked for a description of the "scratch off cards" fund raiser. OGES Parent Club president Renee Burrahm, who was in attendance, explained that someone would scratch off a section of the card to reveal what the "donation" would be: from 30 cents to \$3.00; in return, the donor would receive coupons from local merchants. Mr. Keny asked Dr. Curtis if he was comfortable with this fund raiser; he responded that he would like to remove this fund raiser from the

request. Ms. Owens amended her motion to accept the Yard Sale and the Burger King receipt collection. The motion passed 8-0.

Next on the agenda was the approval of the School Breakfast Waiver. Ms. Tears said she had been in contact with Larissa Delk, Food Service Supervisor for the school system, who explained that if a school has more than 25% free and reduced students enrolled, that school must have a breakfast program; Forrest School has 30% of the student population designated as free and reduced lunch. Ms. Delk, who was in attendance, told the board that due to Forrest School's schedule and busing issues, implementing a breakfast program at this time would disrupt the educational program at Forrest. "I do think it's something we definitely need to look into and hopefully add for next year," Ms. Delk said. Mr. Tietgens made a motion to approve the School Breakfast Waiver; Mr. Keny seconded the motion. Mr. Michael asked if the school system receives money per student on the program. Ms. Delk said the reimbursement amount is per meal per student (breakfast is a certain amount; lunch is a certain amount). He went on to question why the number of students on free and reduced lunch is higher on the elementary level than on the high school level. Ms. Delk said, in her experience, the older a child gets, he becomes embarrassed by the situation, or he wants the lunch money to purchase other things. She went on to say that the school system is part of a program with the Department of Human Services in the Direct Certification process: in the month of June, any child whose family is receiving food stamps automatically receives free lunch for the entire school year. Ms. Delk also said that several families have come to the Central Office over the last couple of months to sign up for Free and Reduced Lunch. In addition, Ms. Delk said if a child is on Free and Reduced Lunch at the end of the school year, he will be on the program for the first thirty days of the following school year, giving the student plenty of time to return the application. "Each of my [cafeteria] managers is diligent about sending a letter home [stating], 'Your child was on Free and Reduced Lunch last year. Please contact us, or me, by this date to let us know and to get your application in.'" The motion passed 8-0.

The following were presented in the consent agenda: the Cornersville FFA and Forrest FFA to attend the national farm machinery show in Louisville, KY, on 2/11/09. Mr. Denton made a motion to approve the consent agenda with the second by Mr. Michael. The motion passed 8-0.

Mr. Michael made a motion to ratify the contract with the MCEA "as per [attorney] Mr. Cagle's recommendation." Mr. Wilkerson seconded the motion. Ms. Gold read the email received that afternoon from Mr. Cagle (see attached). Ms. Gold expressed her concerns and reservations about the wording and some of the clauses in Article 13 ("Academic and Personal Freedoms"), but she felt "fairly completely comfortable with going with our attorney's recommendation. If

he feels comfortable with it, I guess I will trust him on that.” Mr. Keny said, “You’re not the only one.” Mr. Keny was also disappointed in the late arrival of Mr. Cagle’s email, which was received by Budget Director Janet Wiles at 4:00 the afternoon of the board meeting. Mr. Michael followed up with “There was a lot of language that I wasn’t all that comfortable with, from a business standpoint, probably because of the way I think with contracts and business. In sitting at the table, it became so obvious that this good faith effort, that it was just putting on paper, for the most part, doing the right thing. Yes, this was late in coming from Mr. Cagle, but if you look at what the TSBA lawyer sent us, and it was five or six issues, he states that the only one he had the real concern with was Article 10, ‘Just Cause’. Dr. Curtis, Mitchell Byrd, myself, and Janet sat in a room on a conference call [with Chuck Cagle] and formed the language for ‘Just Cause’ Article 10. So this may be late in getting to the board members, but I can tell you is he approved this when we did this whenever we had the last meeting. So it may seem late, but it’s really not.” The motion passed 8-0, with Mr. Michael, whose wife is a teacher in the system, reading the following disclosure before voting yes: “Concerning the matter currently pending for the vote before this board, there may exist on my part the appearance of an indirect conflict of interest. However, I declare that my argument and my vote answer only to my obligations to this board, to my constituents, and to the citizens this body represents and not to any indirect interest that I may possess.”

Under new business, Chairman Tears told the board she had spoken with Randell Bennett at TSBA about a retreat for the Marshall County Board of Education. She distributed information about the cost (\$950.00 per day) for the facilitator (Bennett or Tammy Grissom), and information about a TSBA two-day retreat in Pigeon Forge. Ms. Tears suggested the retreat be held sometime in February. After discussion, the board recommended the retreat be held locally, possibly even in the Central Office board room, to minimize the cost of hotel rooms and meals, as well as travel time. Ms. Tears will also check to see if anyone besides the TSBA can facilitate the retreat. The target date is Saturday, February 28, 2009. Ms. Tears will report back to the board with additional information.

Ms. Tears then introduced Suzanne Ingram, Technology Supervisor for the school system, who explained the new Community Safe program, an automated phone system that instantly alerts parents/guardians in the event of early school closings or emergencies. Community Safe, funded by Federal Projects Supervisor Linda Williams-Lee’s Safe and Drug Free Schools program, allows the school system as a whole to notify parents of issues, or individual schools to inform parents of events. The system was used recently to inform parents/guardians of the late distribution of report cards. “It’s really going to be a good thing,” Ms. Ingram said. “Principals can put their faculty there and instead of a phone tree it can instantly

call those teachers. We're working through the kinks, like we do everything in technology, but I'm excited about it, and I'm really grateful for Federal Projects for doing this for the school system." Mr. Michael stated, "A recent update on technology. To me it would be good if we worked with the Education Committee and gave them an update on the rollout and where we stand." Ms. Ingram agreed to get together with the Committee in the near future to work on the update.

Mr. Michael made a motion to discuss issues of concern for placement in Dr. Curtis's personnel file; Mr. Wilkerson seconded the motion. Mr. Michael distributed a sheet containing a "Timeline of Director's Inappropriate Actions," (see attached) which includes six points. "These are not opinions, these are facts," Mr. Michael said. "Unfortunately, we cannot meet and discuss things without being in public, which makes it very uncomfortable for everyone. I understand that." Ms. Tears stated she would like some back-up, because she had not seen some of the items on the list; Mr. Michael said he would get it for her. Ms. Gold stated she could not make a decision on #3 and #4 on the list without more details and an explanation from Dr. Curtis about the circumstances surrounding them. Mr. Michael responded that #3 was included in the evaluation of every principal; "I don't promote intimidation. Intimidation is not condoned by the Marshall County School Board. I assumed that; maybe that was a mistake of mine." Ms. Gold: "I certainly don't promote intimidation either, but not knowing what the requirements are and what the conversations were or what else had been involved with those. As a manager and a supervisor of people, at some point in time you have to say, 'Follow these rules, or you don't.' I just am not familiar enough with the circumstances, what the requirements were, and how it had been laid out to the employee. I'm just saying I don't have enough information." Mr. Michael: "I've done a lot of reviews at very high levels and low levels, and you do not have to tell people in general terms they will be fired or replaced. If they're not smart enough to understand that to begin with, then we probably have an issue, would be my response." Mr. Wilkerson: "I kind of agree with Kristen about #3. And #6 and #5 were before my time; I can't attest to those particular situations. I can attest to #1 and 2." Mr. Michael: "Well, I wasn't the only board member here, so I'm not going to be the only one to address these issues if no one else is going to answer questions. We shall live with what we shall live with." Mr. Keny: "I think that there's give and take on both sides. I'm the youngest one here this time around, and I haven't seen enough yet to sit here and say, 'This is the way it's got to be.' I do expect certain things. There's certain things that I don't like, there's certain things I do like. I was sitting here Monday night, and I think we all left here kind of shell-shocked. That was a lesson learned, I think, for everybody. I would hope it never happened again. I certainly hope it doesn't, and as a board we probably re-iterate that and re-iterate that. Those are things we have to work on, per se. How we address staff, how we want to work our school

system together. I think the board needs to give that vision, give that insight. I know a lot of upset people now; the assemblies and the athletics, and the extracurricular activities are two hot-button issues that have been circulated around. I'll be very honest, I don't necessarily agree, in fact, I don't agree. I'm happy with the status quo the way we are. I'm not going to argue that we're not for academic progress; that's the number one goal for everybody. I want the complete school system. Right now I still have faith that you're the man (Dr. Curtis) to get us there. I've been here three months and I would love to give you the benefit of the doubt. I think it's a situation where we have to work close as board members, as individuals to each other, as individuals to Dr. Curtis and try to make this thing go forward, and go forward in a positive way. I want to see our school system get better. I don't like #3, I'll be very honest. Of course, I'm like Kristin, I don't know what led up to it. You can catch more flies with honey than you can with vinegar; there are other ways that we need to deal with things. I think our system has come a way...we just ratified a contract with our teachers saying let's go forward, let's promote ourselves. And now we start tearing ourselves down. We're going to get in trouble. Now, it may come time that there may have to be a decision made, but I think after eight months, I don't think we're ready to make any such decision. I know after three months I'm certainly not ready to make that decision. I want to see more before we jump in." Mr. Michael: "Did I misstate something? I thought I said [in opening statement] that we wanted to help him; we needed to address behavior to keep him from going in the wrong direction. If people do not think this is the wrong direction, some of these items, that is certainly your privilege and your opinion. There was no comment by me...and we can play the tape back if we need to...about anything except helping an individual who had no experience a year ago; he ran a school with 102 students." Mr. Keny: "I am for helping him. That's why I want his help in us going forward. Just like the letter; I think we addressed that and I think I got a pretty satisfactory response. So let's move forward now. I want to be proactive and not reactive." Ms. Tears: "I think there should be some action taken because of one, two, and...well, I was here for six and five. I mean, we do need to take some action, because we want to go forward. Thus, we're having a retreat; thus, we're going to talk out our issues and concerns and move forward. But, the conduct and the way things have transpired on these dates is not acceptable, and it just needs to be documented and then we can evaluate and see how we move forward from this incident on. But I think it does need to be documented." Mr. Wilkerson: "I agree. It needs to be documented on certain occasions like from what happened the other night. Going back to my original point. We have an annual evaluation. Are there any other procedures or processes or plans or policies in place to, so-called, reprimand an individual?" Mr. Michael: "The point is to help Dr. Curtis understand that the Board does have one employee. And there's a pattern of insubordination; it's clearly established. You are doing a

disservice to that individual, to that organization, to the students, to the teachers if you continue to allow a pattern of disrespect and insubordination to develop.” Ms. Tears: “Well, I think we need to document it and move forward. We know what we need to work on.” Mr. Tietgens: “Personally, I don’t feel comfortable going back over the ones that have been over a period of time. I don’t know what the legalities are on that if they weren’t written up at the time; I don’t know how far you can go back. If it wasn’t a problem before the last meeting; that’s the way I feel about it.” Mr. Michael: “That is a great point, Todd, and that is my point. We’d better start getting something on paper because it is a continued pattern of behavior.” Ms. Gold: “I’m comfortable with documenting one and two; that’s the most recent circumstance that brought us to this conversation. I can’t speak to three and four and don’t have an issue with five and six. I don’t think that was necessary, and that’s just my opinion, and I was there for both of those (5 & 6). I don’t think those incidences are cause for reprimand.” The motion to accept all six issues and place in Dr. Curtis’s personnel file failed 1-7, with Mr. Michael voting in favor of the motion. Mr. Keny made a motion to place one and two in the file, study supporting documentation to be provided by Mr. Michael for numbers three and four and give strong direction of what the board will and will not accept, and delete numbers five and six. Mr. Michael seconded the motion and the motion passed 8-0.

In the Director’s report, Dr. Curtis pointed out the handouts showing the Homeschool Students, and information on the GASB45. He pointed out the circular concerning the TSBA Day-on-the-Hill, and informed the board to let Ms. Poole know if they would like to attend. Also in the packet were Academic Needs; Dr. Curtis said he is working with Ms. Wiles about getting numbers on these needs in time for the Budget Committee meeting. Ms. Tears complemented the format of the needs submitted by Lewisburg Middle School. Cost Cutting Measures were also found in the back packet. Mr. Denton stated that perhaps there was a way to buy out individual copier contracts in the schools in order to lease in bulk, in hopes of getting a better deal. Mr. Michael brought attention back to the GASB45 information; he asked Ms. Wiles if “we’ve started reserving for that this year.” Ms. Wiles responded: “Yes, there’s two ways to do it. We’ve been working on it. We can pay as you go, and that’s my recommendation, with the economic times that we’re in. Because we don’t have a lot of extra money to set aside.” Mr. Michael: “I understand that. What I didn’t understand it said that you had to do it. But it also said it wasn’t mandatory.” Ms. Wiles: “Yes, we have auditors down and it’s not mandatory.” Dr. Curtis pointed out the personnel changes which included two terminations; one did not meet qualifications and the other was an employee the system had to deal with on a legal matter. Mr. Michael pointed out, in regards to the Cost Cutting measures (which indicated cuts in personnel), that he encourages board members and Dr. Curtis to look at

other ways of cutting costs; Dr. Curtis said he told principals that was the last thing he wanted to do, but that “we would have to evaluate each school to see if there were any inequities. So it may not necessarily be those are the cuts we would go through. In the conversation, if we get to that point, then I’m going to look at BEP, look at a lot of the things with each school and try to determine, are we over here more than here to make it equitable across the district and still be able to service our needs at each school. So that was a generalization I put in. That just gave me some input from principals, because it’s their schools.”

After announcing that schools would be closed the following day due to frigid temperatures and that the county’s athletic teams could play scheduled games, Dr. Curtis read a letter of apology (see attached) to the Marshall County Board of Education concerning his behavior during the January 12th work session. Ms. Gold asked that a copy of the statement also be included in Dr. Curtis’s file.

Ms. Tears scheduled a Policy Committee meeting for Thursday, January 22, 2009, at 5:30 p.m. Mr. Denton set a Transportation Committee meeting for immediately following the Policy Committee meeting. Ms. Gold changed the Budget Committee meeting from January 22 to Tuesday, January 27, 2009, at 5:00 p.m.

The meeting was adjourned.

Respectfully Submitted,

Ann Tears, Chairman

Dr. Stan Curtis, Director