

December 14, 2009

The Marshall County Board of Education met in regular session on Monday, December 14, 2009 at 6:30 p.m. in the Board Conference Room at Jones School.

Members present were Curt Denton, Kristen Gold, Harvey Jones, Barbara Kennedy, Mike Keny, Craig Michael, Delinda Owens, Randy Perryman, and Ann Tears. No members were absent.

After the Prayer/Pledge the Marshall County High School Men's Chorus sang the National Anthem and a Christmas song.

Beth Leftwich and Mr. Dukes presented a powerpoint presentation showing what is happening at the individual schools.

The following changes were made to the agenda: Ms. Gold asked to combine the Budget Committee report with the Resolutions section, Mr. Denton asked to pull the discussion of the EEOC complaints, Ms. Kennedy wanted to discuss the minutes of the Board meetings and work sessions, Mr. Keny wanted to add the election of a chief negotiator to the negotiating team and to set a date to meet with Mr. Sam Jackson, School Board Attorney, Ms. Kennedy wanted to add the discussion of posting the Director's job and Mr. Michael wanted to discuss the hours that the maintenance department performed county work in November. Ms. Kennedy made a motion to add these to the agenda. This passed 9-0 and the amended agenda passed 9-0.

Dr. Larry Thomas addressed the Board concerning the status of the Director's job.

Ms. Owens made a motion to approve the minutes of the November 17, 2009 meeting with the second by Mr. Perryman. The motion passed 8-1 with Ms. Kennedy voting no.

In the MCEA report, Colin Beatty, President, welcomed Mr. Dukes as Director and offered him the support of the MCEA. He reported that he had signed the Memorandum of Understanding for the Race to the Top initiative and said that the MCEA would like to work with the Board on this. He also said that the MCEA is

willing to meet with the Board's Negotiating team to discuss settling the insurance grievance.

The following dates were proposed for graduations: Cornersville High, May 20, 2010 at 7:00 p.m., Marshall County High, May 21, 2010 at 7:00 p.m., and Forrest High, May 22, 2010 at 9:00 a.m. Mr. Perryman made a motion to approve these dates with the second by Mr. Denton. The motion passed 9-0.

A motion was made by Ms. Kennedy to approve the bid by Community Safe for \$10,700 for a web based contact system. The second was made by Mr. Perryman and the motion passed 9-0.

Ms. Gold, Chairman of the Budget Committee, reported that the committee met on December 7 and approved four resolutions (see attached). Ms. Gold made a motion to approve these resolutions with the second by Ms. Owens. The motion passed 9-0. She also reported that the committee reviewed the budget calendar for the 2010-2011 year and that the first step of collecting/assessing system needs will be presented at their January 25, 2010 meeting. The committee also reviewed anticipated changes to the budget.

Mr. Michael made a motion to Amendment #2 to the IDEA, Part B, ARRA budget (see attached). Ms. Owens seconded the motion and the motion passed 9-0.

In the discussion of the Director of Schools job description, Ms. Kennedy made a motion that the qualifications on the job description match those listed in Board policy #5.802. Mr. Perryman seconded the motion and the following roll call vote was taken:

Jones	Yes	Denton	No
Kennedy	Yes	Gold	Yes
Owens	Yes	Michael	No
Tears	No	Perryman	Yes
Keny	Yes		

The motion passed 6-3.

Ms. Tears made a motion that the remainder of the job description match Policy #5.802 starting at line 7. Ms. Kennedy seconded the motion and the motion passed 9-0.

There was a discussion of #4 of the qualifications “Such other qualifications as the Board deems desirable.” Mr. Keny made a motion to add to the posting that the Director must reside/relocate in Marshall County during term of office. Ms. Gold seconded the Motion. Mr. Michael made a motion to amend Mr. Keny’s motion by adding that the Director must be a law abiding citizen of Marshall County. This motion to amend failed due to the lack of a second. The original motion passed 7-2 with Ms. Tears and Mr. Michael voting no.

Ms. Tears, Chairman of the Policy Committee, reported that the committee met on December 3, 2009 and discussed Policy 1.700, 6.2001 and 3.500. All of these had been sent to TSBA for their review and upon receipt from TSBA will be presented to the full Board.

Under new business, Ms. Kennedy made the motion to limit Board meeting minutes to the following items, exclusively:

- A recitation of the agenda item to be discussed-if a policy change, a statement of the policy as currently worded and a statement of the proposed change and if the item is a budget amendment resolution, the resolution should be either replicated in the minutes or attached as an exhibit to the minutes,
- The name of the member making the motion to act or not act (accept or reject),
- The member seconding the motion,
- The name(s) of persons offering amendments,
- The person seconding the motion to amend,
- The substance language of any amendment proposed,
- A roll-call vote on each amendment (or an indication of a voice vote if no roll call is requested), and
- The vote (either voice vote or roll call vote) on the final version of the item.

The minutes should indicate whether the meeting was a regular or specially-called meeting, the date and time of the meeting, the place of the meeting, the names of the members in attendance and the existence of a quorum.

The motion failed 2-6 with Mr. Perryman abstaining (Ms. Kennedy and Ms. Gold voted yes).

Mr. Keny made a motion with a second by Mr. Denton to name Mr. Michael as Chief Negotiator of the Board's negotiation team. The motion passed 8-1 with Ms. Gold voting no.

Mr. Keny reported that Mr. Sam Jackson, School Board Attorney, was willing to come in January to meeting privately with the Board regarding potential litigation including EEOC complaints. It was determined that they would meet on January 16, 2010 at 9:00 a.m.

In the discussion of the posting of the Director of Schools position, Mr. Michael made a motion, seconded by Mr. Denton to not post the position of Director of Schools. The roll call vote was as follows:

Jones	No	Denton	Yes
Kennedy	No	Gold	No
Owens	Yes	Michael	Yes
Tears	Yes	Perryman	No
Keny	No		

The motion failed 4-5.

Ms. Tears made a motion, seconded by Mr. Denton, that the posting be postponed pending legal advice regarding the various options regarding the employment of Mr. Dukes as permanent Director. The roll call vote was as follows:

Perryman	No	Tears	Yes
Michael	Abstain	Owens	Yes
Gold	No	Kennedy	No
Denton	Yes	Jones	No
Keny	Yes		

The motion failed 4-4-1.

Ms. Kennedy made a motion, seconded by Ms. Gold, to proceed with the posting of the Director of Schools position as per Board policy. Ms. Kennedy then amended the motion to add that the position be posted December 15, 2009 for

45 days. Ms. Gold seconded the amendment. The roll call vote on the amendment motion was as follows:

Perryman	Yes	Tears	No
Michael	No	Owens	Abstain
Gold	Yes	Kennedy	Yes
Denton	No	Jones	Yes
Keny	Yes		

The motion passed 5-3-1.

The roll call vote on the amended motion was as follows:

Jones	Yes	Denton	No
Kennedy	Yes	Gold	Yes
Owens	No	Michael	No
Tears	No	Perryman	Yes
Keny	Yes		

The motion passed 5-4.

A discussion was held regarding the billing to the County for maintenance hours worked on county property in the month of December. Mr. Denton requested that Sheldon Davis keep track of the hours he is spending on county property. Ms. Tears asked for a report listing the employees hired for the two maintenance positions and their credentials.

Because the Board had previously decided to have their meetings quarterly at one of the schools, Mr. Dukes drew a name to determine the location of the February, 2010 meeting. Cornersville Elementary was selected.

In the Director's report, Mr. Dukes told the Board that he is ready to fax the Memorandum of Understanding for the Race to the Top program. Mr. Perryman made a motion, seconded by Mr. Denton, to show the Board's support of this effort. The motion passed 9-0.

Mr. Dukes presented a letter from the Director of the Office for Civil Rights, Tennessee Department of Education in reference to an OCR Title IX Corporal Punishment Complaint. The letter states that the OCR has agreed to close the

complaints if school systems will revise their corporal punishment policies by deleting the following: *"In determining the use and degree of corporal punishment, consideration will be given to the age, sex, size, physical and emotional conditional of the child."* Ms. Kennedy made a motion that this language be deleted from Policy #6.314, *Corporal Punishment*. Mr. Michael seconded the motion and the motion passed 9-0.

Mr. Dukes informed the Board that there would be a free H1N1 vaccination clinic on December 17, at Lewisburg Middle School from 3:30 to 7:00 p.m. He gave the Board a copy of a letter that was going home with all students informing of the clinic.

Mr. Dukes reminded the Board that there would be no bus service on December 18, except for special needs students.

A copy of an agreement for Capital Projects Solutions was presented. Mr. Michael made a motion to reject this contract and request a simpler document. Ms. Tears seconded the motion and the motion passed 9-0.

Mr. Keny informed the group that the Oak Grove Choir would be singing at the school on December 15, at 6:00 p.m.

Mr. Denton made a motion to send a request from Sheldon Davis, Maintenance Supervisor, about the purchase/lease of a bucket truck to the Maintenance Committee. Mr. Jones seconded the motion and the motion passed 9-0.

The meeting was adjourned.

Respectfully Submitted,

Mike Keny, Chairman

Roy Dukes, Interim Director

