

MINUTES
CLARK COUNTY SCHOOL DISTRICT
REGULAR MEETING OF THE BOARD OF SCHOOL TRUSTEES
EDWARD A. GREER EDUCATION CENTER, BOARD ROOM
2832 E. FLAMINGO ROAD, LAS VEGAS, NV 89121

Thursday, September 2, 2010

4:00 p.m.

Roll Call: Members Present
Terri Janison, President
Carolyn Edwards, Vice President
Dr. Linda E. Young, Clerk
Chris Garvey, Member
Larry P. Mason, Member
Sheila R. Moulton, Member
Deanna L. Wright, Member

Dr. Walt Rulffes, Superintendent of Schools

INVOCATION

Pastor Diego Trujillo, Centro de Victoria/President of Las Vegas Pastoral Council, performed the invocation.

FLAG SALUTE

Canyon Springs High School ROTC led the Pledge of Allegiance.

BOARD MEMBER ARRIVES

Trustee Wright arrived at the Board meeting at 4:04 p.m.

ADOPT AGENDA

Adopt agenda, except delete Item 1.04.

Motion: Young Second: Moulton Vote: Unanimous

Trustee Mason was not present for the vote.

STUDENT REPORTS

Chase Witter, student body president at Moapa Valley High School, Chris Garvey, District F Trustee; Charis Garcia, student body president at Virtual High School, Sheila Moulton, District G Trustee; Ryan Russell and Ivori Thomas, student representatives at Desert Rose High School, Linda Young, District E Trustee gave brief overviews of present and future activities, plans, and goals for their respective schools.

PRESENTATION OF DO THE WRITE THING CHALLENGE PROGRAM

Presentation of the Clark County School District's finalists for the Do the Write Thing Challenge Program, a national essay contest. Joyce Haldeman, Associate Superintendent, Community and Government Relations, Clark County School District; Beverly Mason, Assistant Director, School-Community Partnership Program, Clark County School District; Michelle Azzata, Student, Jack Lund Scholfield Middle School; TyJuan Bell, Student, Kathleen and Tim Harney Middle School.

Mrs. Haldeman briefly explained the Do the Write Thing Challenge Program and introduced the essay contest finalists. Miss Azzata and Mr. Bell read excerpts from their winning essays.

PRESENTATION OF VEGAS VIRTUAL ONLINE EDUCATION PROGRAM

Presentation and overview of Vegas PBS "Vegas Virtual" online education program. Tom Axtell, General Manager, Vegas PBS; Debra Solt, Acting Director, Workforce and Economic Development, and Representative, Workforce Connections, Department of Employment, Training and Rehabilitation, and Southern Nevada Regional Housing Authority.

Trustee Moulton asked if there was a cost associated with the online training program.

Mr. Axtell explained that there is a cost for the training; however, if an individual qualifies, the cost could be subsidized by the state.

Trustee Wright asked if CCSD students are able to access the resources shown in the presentation directly from the CCSD web site.

Mr. Axtell stated that for the online arena where teachers go to download curriculum-specific video clips, teachers must request that a student be given access, and students are given a code that enables them to access it from home. He said for those within the housing environment, CCSD students would be able to access the resources in the Workforce facilities.

STUDENT REPORTS (continued)

Ariel Davilla, student representative at Desert Rose High School, Linda Young, District E Trustee gave a brief overview of present and future activities, plans, and goals for his school.

RECESS: 5:12 p.m.

RECONVENE: 5:30 p.m.

TELECONFERENCE CALL CONNECTED

Teleconference call with Trustee Mason was connected at 5:31 p.m.

APPROVE CONSENT AGENDA

Approval of consent agenda, as submitted, is recommended.

Motion to accept.

Motion: Moulton Second: Wright

APPROVE CONSENT AGENDA (continued)

Trustee Young asked with regard to Item 4.02, whether or not Cheyenne High School was involved in this program.

Karen Stanley, Assistant Superintendent, Curriculum and Professional Development Division, briefly explained the selection process, and she stated that the schools were selected based on the data reviewed in that process, and Cheyenne High School was not selected.

Vote on Trustee Moulton's motion was unanimous.

AUTHORIZE QUANNAH MCCALL ELEMENTARY SCHOOL SUBSTANCE ABUSE PREVENTION PROGRAM

Authorization to submit and implement the state-funded Luz Community Development Coalition Grant, through the Nevada Division of Mental Health and Developmental Services, to implement substance abuse prevention programs at Quannah McCall Elementary School, that will result in improved educational outcomes for students, effective September 1, 2010, through June 30, 2011, to be paid from Fund 280, in the approximate total amount of \$65,000.00, with no impact to the general fund, as recommended in Reference 4.01.

AUTHORIZE SMALLER LEARNING COMMUNITIES (SLC) GRANT PROGRAM - U.S. DEPARTMENT OF EDUCATION

Authorization to submit and implement, the Smaller Learning Communities (SLC) Grant Program, through the U.S. Department of Education, for the implementation of smaller learning communities within four high schools, in the approximate amount of \$8,750,000.00, to be paid from Fund 0280, from October 1, 2010, through September 30, 2015, with no impact to the general fund, as recommended in Reference 4.02.

APPROVE LICENSED PERSONNEL EMPLOYMENT

Approval to employ licensed personnel, as recommended in Reference 4.03.

APPROVE LICENSED PERSONNEL LEAVES OF ABSENCE

Approval to grant leaves of absence to licensed personnel (Regulations 4353 and 4355 and Articles 16-5 and 16-8 of the Negotiated Agreement between the Clark County School District and the Clark County Education Association), as recommended in Reference 4.04.

RATIFY PURCHASE ORDERS

Ratification of the purchase orders in the total amount of \$942,850.78, as listed, as recommended in Reference 4.05.

APPROVE PURCHASING AWARDS

Approval to purchase goods or services in the estimated total amount of \$864,000.00, in compliance with NRS 332, as listed, as recommended in Reference 4.06.

RATIFY WARRANTS

Ratification of the warrants as listed in the Bills Payable Transmittal and the Board Memorandum #4-10-11 in the total amount of \$83,079,711.58, as recommended in Reference 4.07.

APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE SUNRISE CHILDREN'S FOUNDATION AND THE CLARK COUNTY SCHOOL DISTRICT

Approval to enter into a Memorandum of Understanding between the Sunrise Children's Foundation and the Clark County School District for the renovation, maintenance, and operation of the Sunrise Early Head Start Center to be located on the Desert Rose High School campus, with no impact to the general fund; and for the associate superintendent, Facilities Division, to act as the designee for the Board of School Trustees to sign the Memorandum of Understanding, as recommended in Reference 4.08.

APPROVE BOARD REVIEW OF CLARK COUNTY SCHOOL DISTRICT REGULATION 7111

Approval regarding suggestions for future modification, additions, language changes, and deletions to Clark County School District Regulation 7111, District Attendance Zoning, as requested in Reference 5.01. By direction of the Board, any changes recommended at this meeting will not be implemented unless adopted by the public policy review process at a regular Board of School Trustees' meeting.

Trustee Wright stated that this item comes back before the Board with proposed changes discussed at the July 22, 2010, Board meeting.

Rick Baldwin, Coordinator IV, Demographics, Zoning, and GIS Department, Operations Support Unit, briefly explained the changes derived from the previous discussion.

Trustee Edwards stated that she felt the addition of an overall statement explaining why the District zones would be valuable, as she suggested in the previous discussion. She referred to page 1 of 4 in Reference 5.01, Focus Area, final sentence, and suggested changing the language to, "Focus Areas may be adjusted if deemed necessary." She suggested adding the language on page 3 of 4, "Phasing may be considered by AZAC and can be brought forward as a recommendation to the Superintendent and the Board." She stated that she remains opposed to removing the utilization of facilities as shown on page 3 of 4. She said she would be amenable to changing the language.

Trustees Moulton and Janison agreed with the suggestions made by Trustee Edwards.

Trustee Young referred to the Criteria on pages 2 and 3 of 4 and asked how it would be handled if a senior was grandfathered in at his school, but his younger siblings also at that high school were rezoned to another school, and there was only one parent in the household responsible for getting the children to school.

APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE SUNRISE CHILDREN'S FOUNDATION AND THE CLARK COUNTY SCHOOL DISTRICT (continued)

Mr. Baldwin explained that staff had been discussing phasing and how to implement it, and the transportation costs associated with the high school phasing can sometimes be a barrier. He continued that the discussion has been to allow AZAC to make the determination of whether to include the phasing option in their recommendation to the Board, and the Board would decide whether that phasing option would be with or without transportation.

Trustee Young referenced page 3 of 4, Diversity, and asked how staff monitors diversity in the schools.

Mr. Baldwin explained that staff reviews the different demographics of the entire area and the demographics of the proposed area for rezoning.

Trustee Young asked for a clarification of "temporary" as it is stated on page 4 of 4, Use of Portables.

Trustee Wright responded that while staff cannot provide a definitive explanation of "temporary," the District's bond fund and the available monies to build new schools or to add to existing facilities is a factor.

Trustee Young suggested implementing a system whereby the length of time portables are used on a campus could be tracked.

Mr. Baldwin stated that there is an inventory of all portables, and an analysis of that inventory is also kept.

Trustee Wright stated that with regard to the over and underutilization figures, her experience has been that that number has placed the District in a predicament in the past. She stated she was concerned about the percentages, and she suggested developing other language for describing over and underutilization.

Trustee Moulton stated that she felt strongly that there needs to be some sort of limit or utilization figure in the regulation.

Trustee Edwards agreed with Trustee Moulton, but suggested that perhaps there could be a review of how the schools are using their space in the assessment of their utilization.

Trustee Moulton pointed out that there was language which spoke to how space was utilized in determining utilization of a school.

Lauren Kohut-Rost, Deputy Superintendent, Instruction Unit, offered that the language Trustee Moulton was referring to is in Regulation 7124.

APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE SUNRISE CHILDREN'S FOUNDATION AND THE CLARK COUNTY SCHOOL DISTRICT (continued)

Trustee Janison stated that the changes need to come back before the Board on September 16, 2010, as a Notice of Intent.

AUTHORIZE EDUCATION JOBS PROGRAM

Authorization to submit and implement, through the Nevada Department of Education, the Education Jobs Program, to save or create education jobs for the 2010-2011 school year, for the anticipated project period of September 1, 2010, through August 31, 2011, in the approximate amount of \$55,000,000.00, to be paid from Fund 0280, with no impact to the general fund, as recommended in Reference 6.01.

Dr. Ruffes explained that this grant is based on a reimbursement model, so as the District spends the funds, it is reimbursed from the state. He stated one of the conditions of the grant is that it is not a permanent solution, and it is intended to provide 900 jobs. He provided a summary developed by Paul Gerner, Associate Superintendent, Facilities Division, which shows how the schools would benefit. He stated that staff's recommendation to the Board is to focus on teaching staff primarily, but also on support staff and administrative staff and to reverse the previous formula for decreasing staffing down to 97 percent, giving principals latitude. He recommended that the Board should also discuss addressing special needs.

Trustee Edwards said she would be inclined to use the funds in the first year as opposed to over two years, and she recommended reducing the District's use of Manpower for staffing as much as possible.

Trustee Janison stated that she felt that the money should be given to the schools and giving the principals the latitude to make the decision as they were allowed to do when making the decreases. She agreed with using the funds in one year.

Trustee Moulton stated she would like to consider the two-year timeframe or possibly extending it through the summer of 2011 and using the funds creatively. She suggesting considering a use of the funds for summer school for students who have not passed the high school proficiency exam (HSPE) or for students in middle school who are not ready to move on to the 9th grade, for example. She said there must be accountability for the spending of the funds to show that the schools have helped students achieve.

Trustee Garvey stated that she would be agreeable to earmarking 20 percent of the funds for a summer program. She agreed with giving some autonomy to the schools and the accountability piece.

AUTHORIZE EDUCATION JOBS PROGRAM (continued)

Dr. Kohut-Rost offered that the District has designated a portion of Maintenance of Effort (MOE) dollars allocated to the District to the Areas where schools can apply to provide summer school opportunities to students among other things. She cautioned against using the Education Jobs funds for duplicate efforts.

Trustee Moulton asked about the accountability component associated with the use of the MOE grant monies.

Dr. Kohut-Rost stated that staff is currently collecting data. She explained that the schools are required to report various things online.

Trustee Janison asked Dr. Rulfes what it would cost to increase staffing in the schools from 97 percent to 100 percent.

Dr. Rulfes guided the Trustees to the memorandum regarding utilization of the Education Jobs funds, page 5 of 7.

Trustee Wright asked if this were approved, when the hiring process would begin.

Dr. Rulfes answered it would begin immediately.

Trustee Wright asked when the schools would actually see any additional staff they would get.

Martha Tittle, Chief Human Resources Officer, Human Resources Division, briefly explained the process and the different components that would need to be considered.

Trustee Wright asked if the principals would be included in the interview process of the employees placed on their campuses.

Mrs. Tittle stated that the staffing process would remain the same as it is currently.

Trustee Mason agreed with giving that latitude to the schools and staffing schools back to 100 percent.

Trustee Young agreed that it is important that the schools have some input on how these funds should be spent. She expressed support of utilizing the funds in one year.

Trustee Moulton stated that prep buybacks are not the same as hiring individuals, that it is not creating jobs.

Dr. Kohut-Rost stated some principals have expressed the need for that flexibility in addressing larger class sizes in connection with student achievement.

AUTHORIZE EDUCATION JOBS PROGRAM (continued)

Trustee Moulton asked if there were any existing programs that allow the District to bring back retirees.

Dr. Rulfes stated that information would be coming to the Board at the September 16, 2010, Board meeting.

Trustee Mason asked what the guidelines are of the grant funds.

Dr. Rulfes stated that the general guidelines are that money is to be used for some form of salary and compensation at school-based locations.

Trustee Garvey suggested that the message to the schools needs to be clear that they have the latitude to use the funds in a way that is best for their school but in a way that creates jobs.

Public Hearing – Stephen Augspurger, John Carr, Terri Shuman, Ruben Murillo, Kevinn Donovan
Mr. Augspurger spoke in support of the plan submitted by Dr. Rulfes, and he expressed appreciation for comments made by Trustee Janison and Trustee Young. He urged the Board to use caution in utilizing the funds in a way that helps schools but may create a problem for the following year.

Mr. Carr stated that the Education Support Employees Association (ESEA) believes there is enough money in the Education Jobs bill to hire back all those employees who have been affected by the reduction in force (RIF) process or have been hired by Manpower or Apple One.

Ms. Shuman spoke about the importance of helping the students be successful. She suggested that some of the funds should be used to create a program that would assist students in passing the HSPE.

Mr. Murillo brought forward proposed changes to the Education Jobs Fund Utilization Plan before them and asked the Board to consider those changes. He suggested earmarking the 20 percent estimated to be left over at the end of the year for benefits and salaries. He expressed a concern with using the funds for prep buyouts.

Mr. Donovan disagreed with only one plan being submitted and considered. He suggested that the District should wait until count day before any decisions are made. He asked if Dr. Rulfes and the Board would provide an itemized list of the individuals who are hired and how they are impacting students.

Trustee Wright disclosed that she has a family member employed by CCSD.

Trustee Moulton also disclosed that she has family members employed by CCSD.

AUTHORIZE EDUCATION JOBS PROGRAM (continued)

Trustee Janison asked if that 20 percent could be earmarked as proposed by Mr. Trujillo.

Dr. Rulfes explained that since it is a reimbursement model, the District would not get the money until it spends the money. He clarified that the 100 percent staffing restoration does not include reducing class sizes in grades 1 through 3 back to the previous level. He asked the Board if they were agreeable to staff receiving strong encouragement to use these funds to employee people and only make in-house increases in exceptional circumstances.

Motion to accept the Education Jobs Funds Utilization plan submitted to the Board.

Motion: Garvey

Trustee Garvey stated that it sounds as if further discussion needs to be had with regard to any funds that have not been utilized within a year.

Dr. Rulfes stated that he would like to bring back the discussion regarding summer program options at a future date.

Second: Mason

Trustee Edwards asked if the motion would include a report back to the Board on the accountability factor, which should include how many individuals were hired at how many schools.

Trustees Garvey and Mason agreed that the accountability report is included in the motion.

Trustee Wright stated she would like to see the accountability report be on a school-by-school basis so that if there are increases in specific areas, those could be identified.

Trustee Janison agreed with points made by Trustee Wright.

Trustee Mason also agreed with comments made by Trustee Wright and felt that the reporting could be satisfied with the principals reporting to their Area Superintendents.

Trustee Young also agreed.

Dr. Rulfes agreed to provide that report.

Vote on Trustee Garvey's motion was unanimous.

TELECONFERENCE CALL DISCONNECTED

Teleconference call with Trustee Mason was disconnected at 7:15 p.m.

APPROVE FACILITIES CHANGE ORDER PROCESS

Approval on the Change Order process, to include the approval to maintain the current thresholds of 3 percent over the contract amount for new construction projects and 5 percent over the contract amount for modernization projects, as recommended in Reference 6.02.

Mr. Gerner stated that the policies and procedures in Item 6.02 were brought before the Bond Oversight Committee (BOC) last month in an attempt to have them deleted from the motions and taskings list. He recommended to the BOC and recommended here to the Board that the proven procedures be left as they are and close out the 1998 bond without and procedural interruptions.

Trustee Edwards stated that she believed this discussion would be about what the procedure is and whether or not it is doing what it was intended to do.

Mr. Gerner said Item 6.02 does outline the procedure with a brief historical background. He added that he felt the procedure in place has been proven and should not be changed.

Trustee Edwards stated that since this issue keeps coming back, something still needs to be addressed. She said she believed this discussion would be to resolve the issues and give direction to BOC or to acknowledge to BOC that the procedures in place are sound.

Trustee Janison said there were some members of the BOC who felt that the Board did not clearly state that they approve the change order process.

Trustee Moulton asked if it is a small number of BOC members who have a concern and whether they have taken a vote. She compared the BOC to the Board in the instance where a concern is placed on an agenda and voted on, and when the motion passes with a majority vote, the issue is put to rest.

Trustee Janison stated that at this point, the Board could approve the change order process, request more information, or send it back to the BOC.

Mr. Weiler said the change order procedure was addressed in a 2005 Jefferson Wells audit, and it was recommended that the levels at which change orders required approval of the Board be raised to 5 percent in new construction and 7 percent in modernization. He stated that this has been the genesis for the discussion in BOC, and that staff is not under any obligation to follow that audit recommendation. He said the current process and levels have been efficient. He stated that the process is shared in detail with any member of the BOC who is interested.

Trustee Young asked if any analysis of other entities' change order processes have been conducted.

APPROVE FACILITIES CHANGE ORDER PROCESS (continued)

Mr. Gerner offered that he believes the reason this issue keeps coming back is because the BOC's recommendations made in January 2006 to raise the levels to 5 and 7 percent, along with other changes, including some delegation of authority, were not brought before the Board. He said he believed the change order threshold for McCarran International Airport is 10 percent.

Trustee Edwards said she believed much of the concern stems from the fact that the only change orders the Board sees are the larger ones over 3 and 5 percent because of the threshold. She suggested that staff complete an analysis at the closing of the bond identifying an overall percentage of change orders and what the percentage was in each category.

Mr. Weiler stated that information is currently generated.

Motion to maintain the 3 and 5 percent thresholds.

Motion: Edwards Second: Moulton

Trustee Young asked if the 3 and 5 percent thresholds are the core concern for BOC. She said it was her understanding that the concerns regarding the change order process were issues such as transparency, accountability, and oversight.

Mr. Gerner stated that those issues are different than what is before the Board tonight.

Trustee Janison agreed with Trustee Moulton's comments, and she stated that she was in support of the current process. She agreed that if the change order processed is approved by the Board, and the BOC has other concerns that are still not resolved, they should take a vote as a group and move forward in that manner.

Public Hearing – Ken Small, Kevinn Donovan

Mr. Small claimed that the Board members are misinformed as it relates to management of the bond fund, and that the Board does not understand how the BOC operates and is not responding to their concerns appropriately. He said the BOC should do a complete overhaul of the change order process.

Mr. Donovan stated that this process needs to be corrected, and he gave examples of his experience with change orders.

Trustee Edwards wondered if the District's change order process could be included as one of the areas to be reviewed by Matt Crosson, president and CEO, Las Vegas Chamber of Commerce, and his group of expert volunteers.

Dr. Rulfes agreed that would be appropriate.

APPROVE FACILITIES CHANGE ORDER PROCESS (continued)

Trustee Edwards incorporated into her motion that the change order process would be reviewed by an outside party.

Trustee Moulton concurred with that addition to the motion.

Vote on Trustee Edwards' motion was unanimous.

Trustee Mason was not present for the vote.

EMPLOYEE LABOR RELATIONS

None.

BOARD AND SUPERINTENDENT COMMUNICATION

Dr. Andre Denson, Associate Superintendent, Area Service Center 1; Dr. Jacqueline Allen, Director, Area Service Center 2; Dr. Jolene Wallace, Associate Superintendent, Area Service Center 3; Dr. Patrice Johnson, Associate Superintendent, Area Service Center 4; and Mrs. Rayford, Associate Superintendent, Superintendent's Schools, each gave a brief report on the opening of their schools for this school year.

AGENDA PLANNING: ITEMS FOR FUTURE AGENDAS

Trustee Janison requested an agenda item to discuss policy development of empowerment and/or site-based management in connection with a request from Senator Joyce Woodhouse and the Legislative Committee on Education.

BOARD REPORTS

Trustee Edwards reported on the Clark County Black Caucus inaugural brunch, the opening of the West Career and Technical Academy (CTA), and Evelyn Stuckey Elementary School's opening.

Trustee Moulton reported on the initial One Read Book meeting and information regarding vandalism costs, which as decreased.

Trustee Garvey reported on the Vincent L. Triggs and Ruby Duncan Elementary Schools' ribbon-cutting ceremonies, and the Southern Nevada Immunization Coalition meeting.

DISCUSSION AND REQUEST FOR SPECIAL MEETINGS

None.

PUBLIC COMMENT PERIOD

Public Records Request/Questions for Trustees – Karen Gray

Mrs. Gray asked for an explanation of the "reversion" of funds when the funds are federal dollars. She asked for a copy of the change order reports that will be provided to the Trustees. She asked specific questions regarding the superintendent search activities and interview schedule. She requested a copy of an email sent by Trustee Janison on August 5, 2010, inviting certain individuals to the "superintendent search kickoff."

PUBLIC COMMENT PERIOD (continued)

Superintendent Search/Unanticipated Concerns – Stephen Augspurger

Mr. Augspurger asked the Board to reconsider the authority it has allowed the search firm in determining who the top three candidates would be. He suggested that the search firm could give their opinion of which they feel are the top candidates, but that every applicant should come before the Board who should then decide who the best candidate is.

Undecided – Andres Mendoza

Mr. Mendoza requested a copy of all the letters of support that the Board has received on behalf of Jim Rogers being hired as CCSD Superintendent of Schools by the September 16, 2010, Board meeting. He requested that legal counsel conduct an investigation into Trustee Edwards' meeting with Jim Rogers on April 15, 2010, to ensure that she did not violate any Open Meeting Law (OML) or any processes or regulations and to release to the public any findings of wrongdoing on Trustee Edwards' behalf.

Unidentified – Ken Small

Mr. Small explained his understanding of the difference between verification and passing an audit and why the District always passes an audit.

ADJOURN: 8:13 p.m.

*Motion: Young Second: Wright Vote: Unanimous
Trustee Mason was not present for the vote.*

Meeting minutes transcribed by Stephanie Gatlin.