

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

Monday, December 19, 2016

6:02 p.m.

Roll Call: Members Present
Linda E. Young, President
Chris Garvey, Vice President
Patrice Tew, Clerk
Kevin L. Child, Member
Erin Cranor, Member
Carolyn Edwards, Member
Deanna L. Wright, Member

Pat Skorkowsky, Superintendent of Schools

Also present were: Mary-Anne Miller, Board Counsel, District Attorney's Office; Carlos McDade, General Counsel, Office of the General Counsel; Kim Wooden, Deputy Superintendent, Educational and Operational Excellence Unit; Joe Caruso, Deputy Chief of Staff/Liaison to the Board, Office of the Superintendent; Elizabeth Carrero, Executive Manager, Office of the Superintendent; and Lisa Chrapcynski, Administrative Secretary II, Board Office.

TELECONFERENCE CALL CONNECTED

Teleconference call with Trustee Edwards was connected at 6:02 p.m.

FLAG SALUTE

Trustee Wright led the Pledge of Allegiance.

ADOPT AGENDA

Adopt agenda, except note reference material provided for Item 3.01.

Motion: Garvey Second: Child

Trustee Edwards objected to this meeting in its entirety. She disagreed with this meeting being held without the Superintendent present and without all Board members present.

Vote on Trustee Garvey's motion: Yeses – 5 (Young, Garvey, Tew, Child, Wright); No – 1 (Edwards)

The motion passed.

Trustee Cranor was not present for the vote.

PUBLIC COMMENT PERIOD

Elena Rodriguez expressed concern that this meeting was being held with many people being out of town during the holidays and with the Superintendent being on vacation. She said she feels it is dishonest and unethical. She said she believes this move to hire a consultant for the Trustees infringes upon the Superintendent's contract.

TELECONFERENCE CALL CONNECTED

Teleconference call with Trustee Cranor was connected at 6:14 p.m.

PUBLIC COMMENT PERIOD (continued)

Jana Pleggenkuhle said as health insurance costs rise, the contribution the District provides has not kept up with those increases. She asked the Board to consider this as the time for negotiations approaches.

Robert Cowles said the leadership the Board exhibited at their previous meeting concerning AB448 was needed long ago, and now the argument needs to be made that we need to give AB394 a chance to work.

APPROVE ADOPTION OF CONSENT AGENDA

Approval of consent agenda, as submitted, as recommended.

TELECONFERENCE CALL CONNECTED

Teleconference call with Jan Jones Blackhurst, Executive Vice President of Government Relations and Corporate Responsibility, Caesars Entertainment Corporation, was connected.

APPROVE CONSULTANT SERVICES FOR THE CLARK COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES

Approval to accept the donation from Caesars Entertainment Corporation of the in-kind consultant services of its Executive Vice President of Government Relations and Corporate Responsibility, Jan Jones Blackhurst for a period of one-year at no cost to the District. Jan Jones Blackhurst will serve as an advisory mentor and coach to the CCSD Board of Trustees in the fields of, but not limited to, community, business, and legislative engagement and policy development aligned to the Trustees' Strategic Imperatives and to their Vision Statement, "All students progress in school and graduate prepared to succeed and contribute in a diversity global society".

Trustee Young discussed the reasons why this meeting was scheduled. She said there is an upcoming Legislative Commission meeting, there is an urgency to move forward with the implementation of AB394 being moved up one year. She said the Trustees want to be engaged and work together with the Superintendent as a team.

Trustee Garvey offered that this about the Trustees having a resource to help them in areas they need assistance in and to help them connect with the community.

APPROVE CONSULTANT SERVICES FOR THE CLARK COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES (continued)

Regina Ford, Vice President of Diversity and Inclusion, Caesars Entertainment Corporation, read the letter provided in Reference 3.01 into the record. She said this is something Caesars Entertainment and Caesars Foundation do as a matter of course to extend their advisory services to a number of different organizations.

Mrs. Jones Blackhurst spoke briefly about her background and experience and her commitment to public education.

Trustee Wright expressed disappointment in the Board's behavior and in how the scheduling of this meeting was handled.

TELECONFERENCE CALL DISCONNECTED

Teleconference call with Mrs. Jones Blackhurst was disconnected.

APPROVE CONSULTANT SERVICES FOR THE CLARK COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES (continued)

Trustee Edwards talked about the ways in which this agenda and meeting have come forward that are unprecedented, such as a number of Trustees being kept from seeing the agenda before it was posted and the fact that the Superintendent is not present. She addressed the comments made by Trustee Young and Trustee Garvey regarding why this meeting was scheduled for this time, and she agreed with Trustee Wright's comments.

There was further discussion and disagreement among the Board regarding bringing this item forward at this time.

TELECONFERENCE CALL RECONNECTED

Teleconference call with Mrs. Jones Blackhurst was reconnected.

APPROVE CONSULTANT SERVICES FOR THE CLARK COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES (continued)

The discussion continued regarding the timing of these matters before the Board.

Trustee Garvey asked Mrs. Jones Blackhurst if she would be willing to sit down with each individual Trustee and have a separate discussion.

Mrs. Jones Blackhurst said she would want to speak with each Trustee separately to get an understanding of the Trustee's priority concerns and the direction they want to go in.

Discussion continued regarding the timing of this meeting and the opportunity for mentorship for the Board.

APPROVE CONSULTANT SERVICES FOR THE CLARK COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES (continued)

Public Hearing

Bob Sweetin suggested that the Board wait until January when everyone is present. He asked about agenda Item 3.02 to hire a law firm and asked what the purpose of that law firm would be. He disagreed that Trustees are disrespected in the community as mentioned by Trustee Young and said if a Trustee feels that way, they could step aside and not run for reelection.

David Gomez disagreed with the recommendation in Item 3.01. He agreed with comments made by Trustee Wright, and he applauded her and Trustee Edwards for their comments.

Annette Dawson Owens asked what legal right the Board had to hire someone possibly in violation of the Superintendent's contract. She expressed confidence in the Superintendent to move the implementation of AB394 forward.

Jana Pleggenkuhle said she understood wanting help through the implementation of AB394 but questioned why this meeting was being held at this time. She asked how the consultant would be important to the Legislative Commission meeting to be held on December 21. She asked why the Superintendent was not present since this decision would affect him.

Lindsey Dalley said no one is questioning Mrs. Jones Blackhurst's intentions or commitment to the community. He noted that just because something is free does not mean it is helpful. He spoke in support of Superintendent Skorkowsky and said it is important for the Board to give him the support and latitude to effectively manage.

Senator Michael Roberson clarified that the Legislative Commission does have a meeting scheduled for December 21 because they have to consider a number of regulations before the end of the year, but there are no regulations coming forward for AB394 or AB448. He said the regulations for AB394 have been passed by the Legislative Commission and by the Nevada Department of Education (NDE). He said he did recommend to the state superintendent that the Board's concerns with the regulations be considered. He said it was his understanding that the NDE decided that those concerns should go through the Community Implementation Council (CIC) first before going to the NDE. He said with regard to AB448, he had previously said if the NDE delivered revised regulations to the Legislative Commission in a timely manner, they would be considered at their December 21 meeting, but those revised regulations would not be ready for consideration.

Sylvia Lazos asked everyone to commit to better communication so everyone can work together for the students

Robert Cowles asked if a discussion could be had regarding "hitting the pause button" on AB448 to allow AB394 to work.

APPROVE CONSULTANT SERVICES FOR THE CLARK COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES (continued)

Brent Husson agreed with the Board wanting to move quickly and also with wanting to engage the business community to help the Trustees in certain areas. Given the concerns that were expressed by some of the Board members, he suggested that the Board could schedule a meeting to discuss this again at a later time, and in the interim individual Board members could call Mrs. Jones Blackhurst for advice.

Courtney Sweetin shared that her community is excited about the reorganization. She urged the Board not to spend time or money on a system that is not working. She said the community may be interested in hearing an alternate plan and not just a list of concerns from the Board.

Jose Solorio commended the Board for the discussion they are having here. He said he does not view Trustee Tew's term as ending until her last day on the Board, and he said the Board president has the authority to call a meeting. He said whatever the Board decides, they must move forward.

Ed Gonzalez expressed concern that if the Superintendent is not safe from the actions of the Board, how the principals and teachers are supposed to be able to make decisions based on what is best for their students through working with the School Organizational Teams.

Chuck Scorpiniti said he believes much of the concern with holding this meeting is based on appearances. He said whether or not this meeting was set with good intentions, because of appearances, it is tainted. He said it appears that Mrs. Jones Blackhurst already had the job before being discussed here.

Zhan Okuda-Lim said he shared the concerns expressed regarding the timing of this meeting and the comments of the previous speaker. He said in his time of serving on the Board of School Trustees Student Advisory Committee, the students looked to the Board as an example of how to work together as a team and what good working relationships and a good meeting style should look like. He encouraged the Trustees to go back to those principals.

Angie Sullivan spoke about why she believes the Board is obstructing the law on purpose. She said the only time the Board acts or holds a special meeting is when it affects them.

Elena Rodriguez noted that the CCSD Community and Government Relations Department is a resource to the Board, as well as Board counsel and other resources. She suggested that the Board could also reach out to the business community for help.

Trustee Child said he was unhappy with the way this meeting was scheduled, but if a meeting had to be scheduled, he knows it is important, and it is about the students. He asked if the Board is in violation of the Superintendent's contract by holding this meeting.

APPROVE CONSULTANT SERVICES FOR THE CLARK COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES (continued)

Ms. Miller said she does not believe that by having this discussion and posting the agenda, the Board is violating the Superintendent's contract.

Motion to hold this agenda item to a date and time certain of January 4, 2017, at 8:00 a.m.

Motion: Wright Second: Edwards

Trustee Cranor said she was in support of the motion. She requested that those who are sponsoring this proposal more thoroughly distinguish the current proposal from the previous proposal. She also asked that the Board is careful to ensure that any discussion and action taken in this matter moving forward is done in the presence of Superintendent Skorkowsky.

Trustee Garvey said part of tonight's discussion did include that clarification. She said during the previous discussion, the Superintendent said he did not object to having the conversation regarding Mrs. Jones Blackhurst's services; that he specifically asked for help in the areas of the weighted funding formula, the human capital management system and the petition items; and that he continuously speaks to the urgency by which these things must be accomplished. She said Mrs. Jones Blackhurst would be able to help the Board connect to those they need to in order to be successful.

Trustee Garvey said she does not support delaying this, and she would be making a motion to move forward. She said other Trustees are not required to use this resource, but she encouraged the other Trustees to bring in other individuals to be a possible resource, as is their right.

Trustee Young said she would be glad to have someone work with her tomorrow under the support of CCSD to help her work more efficiently and be more effective on a more technical and legislative level.

Trustee Cranor said she is in support of the motion primarily because the distinction between the first proposal and the current proposal has not been made clear enough.

Trustee Garvey directed Trustee Cranor to the Memorandum of Agreement.

There was continued discussion regarding the Trustees' concerns and how they would be willing to move forward.

Vote on Trustee Wright's motion: Yeses – 4 (Wright, Edwards, Cranor, Tew); Noes – 3 (Young, Garvey, Child)

The motion passed.

APPROVE LEGAL COUNSEL FOR THE CLARK COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES

Approval on the creation and hiring of a Legal Counsel Position to serve the CCSD Board of Trustees. Such legal counsel shall be selected by the Trustees to serve full-time and at their direction. Placement of the Board Legal Counsel Office shall be at the Office of the Board School Trustees. Funding for this position shall be acquired from the existing CCSD Budget allocated for outside legal services.

Trustee Young and Trustee Tew discussed the reasons why it is necessary for the Board to have an attorney dedicated specifically to them.

Trustee Edwards asked what the cost would be, whether this person would be a full-time District employee on payroll or whether it would be an hourly rate. She asked that this item also be brought back with more information and more detail perhaps at the Board's January 12, 2017, regular meeting.

Trustee Garvey said she asked for budget information for last year and the current year for outside legal counsel.

Mr. McDade said the amount budgeted for outside counsel is \$765,000. He said when that is used a request for more money is submitted to the finance department.

Trustee Garvey asked how much was actually expended last year.

Mr. McDade said the amount expended for 2015 was \$3.3 million.

Trustee Garvey asked that a list of law firms the District utilized last year and a breakdown of how much they received last year come forward at the next discussion on this item.

Ms. Miller shared that she had been contacted by various lawyers in the community who said that in the case the Board was not interested in a full-time employee, they could consider having someone on retainer for a certain amount with a guaranteed minimum number of hours or an hourly contract.

Trustee Wright suggested looking at how many approximate hours Ms. Miller was available to the Board and how many approximate hours she was unavailable.

Public Hearing

Robert Cowles said the public was shocked to hear the amount that was spent on outside legal counsel. He said the Board could employ an entire legal team for less than \$3.3 million. He agreed with holding this item until the next regular Board meeting to further investigate.

APPROVE LEGAL COUNSEL FOR THE CLARK COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES (continued)

Stephen Augspurger said \$3.3 million sounded like a lot of money because the public had not heard that dollar amount before. He said an important question to ask is how much was paid to settle judgments and awards that did not come before the Board for approval.

Jose Solorio agreed that the Board should have its own attorney separate from a District staff attorney. He suggested that the Board employ someone who specializes in the area the Board would need expertise in.

Motion to bring this item back at the January 12, 2017, Board meeting and that a directive be given to the Superintendent through Deputy Superintendent Wooden that the Board would require information including a list of outside legal counsel the District utilized last year and those on the list for this year and a breakdown of how much money was expended for those outside counsel last year and the amount that was spent on settlements.

Motion: Garvey Second: Edwards

Trustee Edwards asked that since this would become public record, nothing that would jeopardize any current ongoing legal proceedings be disclosed.

Ms. Miller said they would make sure nothing impacts any ongoing litigation.

Trustee Garvey amended her motion to include that Ms. Miller and Mr. McDade, working together, would ensure that no current litigation is jeopardized by information being brought forward.

Trustee Edwards concurred.

Vote on Trustee Garvey's motion was unanimous.

AGENDA PLANNING: ITEMS FOR FUTURE AGENDAS

Trustee Child asked for an agenda item on the January 4, 2017, work session agenda for discussion regarding the cost of three employee positions created by the Superintendent. He asked for an agenda item on the January 12, 2017, regular meeting agenda for discussion regarding an investigation of the Superintendent for violation of NRS 391.281 and an agenda item for information to come forward regarding CU credits for teachers.

DISCUSSION AND REQUEST FOR SPECIAL MEETINGS

None.

PUBLIC COMMENT PERIOD

Senator Aaron Ford extended an offer to work with the Board on trying to bring the legislature and the Board together in finding an understanding and an agreement on how to move forward.

PUBLIC COMMENT PERIOD (continued)

Nathaniel Waugh acknowledged the necessity of the Open Meeting Law (OML).

David Gomez commended Trustee Tew for the position she took at this meeting, and he thanked Trustees Tew, Wright, Cranor, and Edwards for moving these items to another meeting.

Jose Solorio said the organization on which he chairs would be interested in knowing the diversity representation of the parents that serve on each of the School Organizational Teams and the diversity of the school itself, as well as the diversity of the teachers and support staff.

ADJOURN: 9:35 p.m.

Motion: Tew Second: Wright

Trustee Edwards thanked Trustee Tew for her services and her commitment and her representation of her community.

Vote on Trustee Tew's motion was unanimous.