

**MINUTES OF THE
CANBY SCHOOL DISTRICT
BOARD OF DIRECTORS**

Workshop Session and Executive Session
January 14, 2010

1.0 CALL TO ORDER

Board Chair Diane Downs called the Workshop Session to order at 6:30 p.m. on January 14, 2010 in the Canby School District, Meridian room. Board members in attendance were Diane Downs, Dick Adams, Andy Rivinus, Marty McCullough, Kristin Downs and Tom Scott. Board member Ty Kraft was absent from the meeting. Also in attendance were Superintendent Jeff Rose, Linda Martin, David Moore, Sabino Arredondo, Joe Morelock, Betty Rivinus, Carol Meeuwsen, Jennifer Turner, Peggy Savage, Melanie Karlik, Staci Damgaard, Pat Johnson, Wayne Layman, Cindy Bauer, Maureen Callahan, Tim Oberg, Christine Taylor, Ricardo Marquez, Kristin Vanloose, Micky Dickson, Jessica Wheeler, Wyatt Wanner, Michelle Sullivan, Daphne Schultz, Lynne Gage, Maryann Emerson, Tom Doman, Jeanna DeRisio, Althea Lattig, Shane J. Hester, Shelly Hester, Cindy McGraw, Dana Stanfiled, Wendy Roth, Mary K. Masinglia, Melissa Bussey, Shannon Augustus, Jason Augustus and Lisa Wing. Several people arrived while the meeting was in progress.

2.0 INTRODUCTIONS

Those in attendance at the beginning of the meeting introduced themselves.

3.0 CHANGES TO AGENDA

None

4.0 PUBLIC FORUM/ANNOUNCEMENTS

Alethea Lattig stated several people are here as concerned Ninety-one School parents. Shelly Hester confirmed her statement.

Superintendent Rose read a statement has follows: "This is an extremely sensitive situation about students. It may be difficult for people to understand that educators cannot disclose information about serious allegations or concerns regarding students. We are accountable for confidentiality of information under the Family Education Rights Privacy Act. Also, we have explicit constraints related to the sharing of information about personnel matters. These laws prohibit the district from giving out information that would provide details on this complicated issue. Therefore, a public comment sharing specifics on this topic would be illegal and inappropriate. I am often asked by principals for advice about situations in their schools. To be clear about this instance, I am confident in saying I was unaware of the circumstances as described to me last Wednesday, January 6th, by a group of parents."

Board Chair Diane Downs said the Board of Directors are aware of the situation and are aware of their concerns.

5.0 CONSENT AGENDA

5.1 Minutes

Minutes of the December 10, 2009 Executive Session, Regular Session and Workshop Session are provided in Addendum 5.1.

5.2 Personnel Changes

Personnel Changes are provided in Addendum 5.2.

MOTION: Andy Rivinus moved to approve the minutes as provided in Addendum 5.1 and the Personnel Changes in Addendum 5.2. Marty McCullough seconded the motion. Motion passed 6-0.

6.0 INFORMATION/DISCUSSION ITEMS

6.1 Audit Presentation

Sabino Arredondo from Wilcox Arredono & Co. thanked Business Manager David Moore for his help and cooperation during the audit process. The auditing staff reviewed the internal controls, policies and procedures on these controls. They gave us an unqualified opinion, the highest available. The auditors did note the District's bank accounts were not reconciled on a timely basis to the general ledger and the segregation of duties, though difficult in a small organization, in the area of cash, David has access to the District's general ledger and accounting system, reconciles back accounts, and has access to the safe where cash and checks are kept until they are deposited at the bank. Sabino noted the comments and recommendations have been discussed with appropriate members of management.

Overall, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of Canby School District No. 86 as of June 30, 2009. David thanked Sabino and his staff for their professionalism.

6.2 GASB 45 Actuarial Valuation of Retiree's Health Care

David Moore shared information regarding the actuarial valuation of postemployment benefits for the Canby School District as of October 1, 2008. The purpose of this report is to determine the annual required contribution and required financial disclosures under the Governmental Accounting Standards Board State No. 45 (GASB 45). By law we have to include retirees in our health plan. This does not impact the budget, only the financial statement showing an additional liability of \$738,000. For auditing purposes we would get a qualified opinion if we did not do this.

6.3 Baker Prairie Middle School History

Superintendent Rose wanted to bring new board members up to date on the heating and cooling challenges faced at Baker Prairie Middle School. Some areas of the building have not met District expectations with some being too hot and some too cold depending on the time of year. The District was unaware that

temperatures would not fall within our standards. Final payment was refused and Wayne Layman, Facilities Manager explained making continued adjustment to the controls. At this time the heating problem is under control. Wayne also reported two units came with cooling units and were designed to add cooling units later. Adding cooling units will solve the problem. At this time the building is more efficient than first expected. Board member Dick Adams asked Wayne or David to check with the architect to see if they can calculate the energy increase if units are added.

6.4 Superintendent Evaluation Subcommittee Discussion

Chair Diane Downs asked the Board for volunteers to participate in a subcommittee for the mid-year process for the evaluation of Superintendent Rose. Kristin Downs volunteered to chair the committee with Diane Downs and Dick Adams as committee members. They will use the proposed goals and move forward.

6.5 Board Contact for Canby Adult Center

Alice Merrill from the Canby Adult Center Board of Directors contacted Andy Rivinus asking for a CSD Board Liaison with a request from the new Adult Center Director. Andy volunteered to be the contact with the Board in agreement.

6.6 Policy First Reading

DBDB, General Fund Balance

Dick Adams reviewed the draft of the above policy dated January 11, 2010 with some changes made. The policy will be brought for a 2nd reading at the next meeting on January 27.

Due to several parents arriving late and not knowing or understanding the procedure for public comment, Jeanna DeRisio addressed the Board and asked for them to be given the opportunity to speak if they wished to do so.

MOTION: Andy Rivinus moved to amend the agenda and add another public forum opportunity. Dick Adams seconded the motion. Motion carried 6-0.

ADDED PUBLIC FORUM

Tom Doman from the Ninety-One community shared concerns about the timing of the emails sent and the letter received from Jeff Rose and the lack of correspondence from the school. He does understand this is a volatile and touchy subject.

Melanie Karlik is a very concerned Ninety-One parent and gave a tearful testimony saying she never thought she would have to sit with her child and four other adults and have a conversation with her child that she should not have had to have. Her son feels punished for not being allowed to play on the playground with other children and the boy involved.

Cindy McGraw has a child in the middle building and when arriving late on Tuesday the news media were at the school. She went to the office and got brushed-off. She feels betrayed by the school and the communication policy.

Wyatt Wanner assumes the Student Rights and Responsibilities are upheld, are they?

Shelly Hester with support from her husband Shane, feel betrayed because these issues came up last year. Her daughter is terrified by the student in question with him kissing her and pulling clothes off. She comes home ill and it is hard to get her to go to school. Her concerns were brought to the principal and told to keep it hush, hush. She also expressed concern that staff were such as the IA's were not aware of the situation.

Superintendent Rose stated once again we are accountable to confidentiality of information under the Family Educational Right to Privacy Act (FERPA) and discussed the complaint procedure. He appreciates those having gone through the protocol process and also understands their concerns and confusion. FERPA is extremely strict and any information has to be made according to the FERPA law. The District is being legally advised and making a great deal of progress and moving quickly towards a legal announcement. He has set aside Tuesday, January 19 to meet with parents having gone through the protocol process.

Board Chair Diane Downs thanked everyone for sharing their concerns and told the audience the Board was aware of some of the issues and understands it is sometimes difficult to understand the laws.

Melissa Bussey asked what the Board's role was in this situation and Chair Downs explained the Board hires and retains the Superintendent and he is responsible for protocol.

Jeanna DeRissio asked Jeff if he would be willing to meet in a community forum at the school to discuss policies and procedures. Jeff stated he would like to get through this process first and put some thought how to proceed with a community forum. At this time we need to ensure communication, resolution and healing.

7.0 ACTION ITEMS

7.1 Amendment to Clackamas County Construction Excise Tax

MOTION: Andy Rivinus moved to approve the Amendment to The Construction Excise Tax Intergovernmental Agreement Between Clackamas Country and Canby School District. Marty McCullough seconded the motion. Motion passed 6-0.

7.2 Amendment to Construction Excise Tax Exemptions

MOTION: Marty McCullough moved to approve the Resolution of the Board of Directors of the Canby School District No. 86 amending the allowable exemptions under the Construction Excise Tax previously enacted on December 13, 2007. Tom Scott seconded the motion. Motion passed 6-0.

7.3 Award Baker Prairie Middle School Additional Cooling Bid

Due to the current economic climate and the low bid received from the original contractor for the cooling units, Facilities Manager Wayne Layman believes it would be beneficial beyond the financial aspect. He also noted a large part of the budget is the controls.

Business Manager David Moore is looking in to using part of the \$400,000 in the bond contingency. He also feels we may be able to get the bid down further due to the controls already installed and we may not need additional controls. Also, ClimaTech, a sub-contractor is familiar with the with the units. Tom Scott asked about any guarantees and Dick Adams asked about Boora's role. David explained Boora Architects is offering their services at no fee as a goodwill agreement.

Tom Scott felt is there were any changes over the \$249,400 bid the District should come back to the Board. Superintendent Rose agreed to do so.

MOTION: Andy Rivinus moved to award the contract for Baker Prairie Middle School Additional Cooling Project to the low bidder, Hydro-Temp Mechanical, Inc. in the amount not to exceed \$244,400 and not to exceed \$249,400. Marty McCullough seconded the motion. Motion passed 6-0.

7.4 Memorandum of Understanding on Statewide In-Service Day

Chair Downs noted this understanding is consistent with the intent of the language negotiated for the Work Years of the Collective Bargaining Agreement.

MOTION: Andy Rivinus moved to approve the Memorandum of Understanding between Canby School District and Canby Education Association in regards to the October Statewide In-Service Day. Marty McCullough seconded the motion. Motion passed 6-0.

7.5 Approval for adding March 4, 2010 Workshop Session

Chair Downs noted due the length of the November and December combined Regular Session and Workshop Sessions and with an upcoming combined session in March along with the unknown outcome of the upcoming election, there has been discussion on adding a Workshop Session early in March.

MOTION: Marty McCullough moved to add a Workshop Session on March 4, 2010. Andy Rivinus seconded the motion. Motion passed 6-0.

8.0 ADJOURNMENT

Chair Downs adjourned the Workshop at 9:00 p.m. and will reconvene to Executive Session after a short break.

EXECUTIVE SESSION

Chair Downs called the Executive Session to order at 9:06 p.m. Board members in attendance were Diane Downs, Marty McCullough, Tom Scott, Andy Rivinus, Tom Scott and Kristin Downs. Also in attendance were Superintendent Rose, Linda Martin and Peggy Savage.

The Executive Session is call in accordance with ORS 192.660 (2) (d). It is requested information discussed in the Executive Session not be disclosed.

Due to not being prepared at this time to discuss the above topic the meeting will be rescheduled to a later date.

Chair Downs adjourned the meeting at 9:08 p.m and reconvened the Workshop Session.

WORKSHOP SESSION

Chair Downs noted Nutrition Service Director Wilma Hartung will be attending the Board meeting on January 27 and they as a Board need to decide how to acknowledge her retirement. Andy Rivinus volunteered to check out some ideas and the cost will be divided by each of the Board members.

The meeting adjourned at 9:11 p.m.

Respectfully submitted,

Linda Martin

Diane Downs
Board Chair

