

## MINUTES

### MURFREESBORO CITY BOARD OF EDUCATION

March 30, 2010

6:30 p.m.—Council Chambers

#### ATTENDANCE

Board: Chair Mary Wade, Susan Andrews, Ray Butrum, Butch Campbell, Nancy Duggin, David Hopper, and Nancy Phillips. Absent: Council Liaison Ron Washington.

Staff: Director Linda Gilbert, Gary Anderson, Crystal Farris, Cheryl Harris, Michelle Hummel, Priscilla Van Tries, and Lee Wilkerson.

Others: City Staff Attorney Kelley Baker, MEA President Sarah Catalano, principals, and others.

#### ORDER OF BUSINESS

##### I. CALL TO ORDER BY BOARD CHAIR

Chair Mary Wade called the Board meeting to order at approximately 6:33 p.m. followed by the Pledge of Allegiance. A moment of silence was held in memory of Mrs. Ruth Bowdoin for her service to the City Schools, teachers and community.

##### II. APPROVAL OF AGENDA

On motion by Mrs. Phillips and second by Dr. Andrews, the agenda as presented was approved by acclamation.

##### III. COMMUNICATIONS

- Mayor Bragg presented a resolution to outgoing Board member David Hopper in recognition of his service on the Board of Education since 1983 and for his contributions to the education of the children in this community. Mr. Hopper thanked the Mayor and Council for their support of the school system, and the Board members, teachers, and administrators who have provided the leadership and instruction in a system recognized as outstanding.
- Foundation Board member Jeanne Bragg reported that the Foundation's Education Celebration held on March 5 was a huge success. She thanked the Daily News Journal and other sponsors as well as the Valued Vendors whose contributions netted the Foundation \$45,000 to \$50,000. These proceeds will be dispersed to teachers who apply for grants and will also be provided to achieve parity with schools whose PTO's are not able to raise money comparable to other schools in the system. The Discovery School was the featured school this year.

- Dr. Gilbert thanked Danielle Kaminsky for her service to Murfreesboro City Schools and dedication to children as Director of Instruction, wishing her well in her new position. Mrs. Kaminsky's last day with the system will be April 9.
- Dr. Gilbert read the list of School and System Teachers of the Year (Program sponsored by the Council of Chief State Officers). She stated that the teachers would be recognized at an end-of-the-year celebration.
- First Budget Study Session: April 1, 6:30 p.m.; Second Session: April 14, 5:30 p.m.
- Congratulations to Scales Elementary fifth-grade students who earned second place overall in the MTSU Invention Convention for their invention the "Cap Keeper": Julea Bartch, Braden Cloyd, Jenna Kleinschmidt, Cameron Maddux, and Megan West.
- Congratulations to Erma Siegel fifth-grade student Shelby Parker who was a winner in the Captain William Lytle Chapter DAR American History Essay contest. Congratulations to sixth-grade student Alexandria Connell, Mitchell-Neilson Elementary, whose entry titled "The Transcontinental Railroad From the Perspective of an Eleven-Year-Old Pioneer Girl" won and will now be entered in the state competition.
- Congratulations to the Bradley Academy Musical Theatre Department, under the direction of Allison Isom and Cathrine Gordon, as recipients of a \$10,000 General Mills Health and Fitness Grant. The grant will be used to promote positive nutrition choices, snacks, and fitness initiatives.
- Thanks to the Stones River/Oaklands Kiwanis for the \$1,000 donation to Bradley Academy to support the Sixth-Grade Washington, D.C. trip.
- The Salvation Army thanks Mitchell-Neilson Primary for their volunteering and fundraising to donate \$442.62. As the top MCS contributor, they will receive the "traveling plaque."
- MNE/P thanks Pat Hamblen and Adam Booten for participating in their Amazing Alumni program.
- Congratulations to the following students who placed in the Chamber's BEP "Arts for Education" county-wide competition:
  - K-3<sup>rd</sup> Grade Painting:** 1<sup>st</sup> Place--Addasyn Brewington/MNP; 2<sup>nd</sup> Place— Daniel Circosta/MNP; 3<sup>rd</sup> Place—Natalia Austin/MNP; Honorable Mention—Tania Arenivas/MNP.
  - K-3<sup>rd</sup> Potpourri/Mixed Media:** Honorable Mention--Cora Luper/NE.
  - 4<sup>th</sup>-5<sup>th</sup> Grade Painting:** 1<sup>st</sup> Place—Hayden Jones/NE.
  - 4<sup>th</sup>-5<sup>th</sup> Grade Potpourri/Mixed Media:** 2<sup>nd</sup> Place—Mia Simone Huell/NE; 3<sup>rd</sup> Place—Cooper Baugh/Discovery School

#### IV. CONSENT ITEMS (Tab 1)

On motion by Dr. Andrews and second by Mrs. Phillips, the following consent agenda items were approved by acclamation:

- A. Minutes of the February 19-20, 2010 Special Board Meeting/Retreat and regularly scheduled board meeting of February 23, 2010
- B. The Negotiations Team for 2010-2011: Lee Wilkerson, Chief Negotiator and Gary Anderson, Team Member
- C. Recommendation of Textbook Adoption Committee: Language Arts Scott Foresman; Handwriting—Zaner-Bloser; ELL—(K-5)—Longman; ELL—(6<sup>th</sup> Grade)—Hampton-Brown

V. ACTION ITEMS

- A. Approval of Licensed Employees Recommended for Tenure (Tab 2)

Mr. Wilkerson read the list of employees who have completed a minimum of 27 months of service within a five-year period and two tenured teachers returning to the system and have been recommended by their principals and director of schools to receive tenure. Mr. Hopper moved to approve the list of teachers as presented for tenure; Mr. Campbell seconded the motion. The motion carried unanimously by acclamation.

- B. Approval of 2010-2011 Calendar (Tab 3)

Dr. Gilbert pointed out that four calendars have been provided behind Tab 3—Traditional, Alternative, Calendar B, and Calendar C. She stated that having two calendars has had an impact on student learning. Going to one calendar would affect vacations in the fall and in the spring. However, Dr. Gilbert stated that if a family has pre-planned a vacation and has evidence of that, she would ask principals to work with them so children are not penalized. She pointed out that during the three weeks between the beginning of the alternative and the traditional calendar schools, an average of 156 students are not attending for various reasons so are considered truant. The document titled “Alternative Calendar Late Enrollment 1<sup>st</sup> 3 Weeks of School” breaks these numbers down for the past three years by schools. During the first three weeks of school, teachers establish procedures and relationships with their students. A teacher must assist a child entering late to catch up with three weeks of missed work. Two calendars cause a great number of days/weeks to be blocked out due to holidays and parent/teacher conferences that don’t coincide; this prevents the system from providing professional development/professional learning communities. With state law mandating that five unexcused absences are unacceptable, it is hard to remain with a calendar that could impact fifteen days of student learning for 156 students considered truant. Students transferring from a traditional calendar school to an alternative calendar school will not be able to request the transfer of their permanent records until the traditional calendar school opens.

Mr. Anderson explained that with the July payrolls, the system must take approximately \$4 million from its fund balance since BEP funding is not received until August 15

causing the system to lose \$37,500 in interest. In addition, the system could save approximately \$24,000 (not including fuel savings) by not running the bus half routes during those three weeks. In response to Mrs. Duggin's question, Mr. Anderson added that the savings would actually be more since it's the same transportation scenario during the extra week at fall break and at spring break. In response to Dr. Butrum, Mr. Anderson stated that there are probably more savings not quite so evident, but there were no negatives on the financial side of going to a unified calendar. The issue also exists of streamlining the system's operations and being able to place teachers efficiently in addressing staffing needs.

Dr. Andrews stated that this is a difficult issue and according to a lot of input she has received, a lot of people are passionate about keeping the alternative calendar. She understands Dr. Gilbert's desire to address the needs of students first, but it's difficult to tell parents who prefer the alternative calendar for a variety of reasons that they have to change. However, she does understand the necessity to put the needs of the students first.

Mr. Hopper asked if the reasons for the change have been communicated to parents. Dr. Gilbert stated that she has communicated the reasons to change to those who have contacted her directly, but had tried to stay out of the process so that it would not appear a decision had already been made and thus to have true input from the stakeholders. Mr. Hopper stated that if the stakeholders had the explanation, which he does see as logical, those wishing to keep the alternative calendar might have a different opinion. He did point out that in an email he received, there was a concern voiced by a parent about having to change custody arrangements. He felt it would be better to give parents more notice on the change.

Mrs. Duggin noted that the reasons given by Dr. Gilbert have impacted her decision. The existing alternative calendar is not the same as was originally implemented, a 9-3 model, and remediation is not focused on as it was at that time during the breaks. Florida has gone from 1,000+ schools on the alternative calendar to only about 19. But looking at our district and the input from administrators and teachers, she would be inclined to move to a unified calendar. Mrs. Phillips noted that it is hard to change from the alternative calendar when the system stepped up to be cutting edge and has popular support, but as a Board member she wants to support Dr. Gilbert who is an innovative Director and does have the best interest of children so supports her in making this decision. Mr. Campbell stated that although Dr. Gilbert will work with parents who have vacations that cannot be changed, employees might have the same problem. He would prefer to wait to make the change until 2011-12.

Dr. Andrews moved that for 2010-11, Modified Calendar C be approved for the current traditional calendar schools and that the alternative calendar schools remain on the alternative calendar, with the school system using all media outlets to get students into school on time, and then move to the unified Modified calendar C in 2011-12. Mr. Hopper seconded the motion.

Dr. Butrum stated that the timing for a calendar change is now with the new director and new leadership programs (PLC's) being implemented. There will be pockets of people with special circumstances regardless of whether change is implemented, when it is, etc. But with the potential savings of \$70,000 which would fund two new teachers, the budget situation, and it being the right thing for children, the time to change is now. Mr. Campbell noted that statistics show that a small percentage of people read the newspaper, but he encouraged people to get the news to help address truancy/delinquency. Mrs. Duggin noted that a piece of legislation is being considered to move TCAP testing to the first two weeks of May. If this takes place, it would mandate that schools not begin until August 15 or after which would impact whatever is done.

Dr. Gilbert stated that if a unified calendar is not chosen, she would recommend that the system keep both the traditional and alternative because there would be no reason to shift the traditional calendar to Modified C. Dr. Andrews agreed to modify her motion to retain the traditional and alternative calendars for 2010-11 and move to Modified C in 2011-12; Mr. Hopper as second agreed. In response to Mr. Hopper, Dr. Gilbert stated that the ad that is run in the newspaper regarding registration dates does not address all of the causes for students entering late and referred to Mrs. Hall's list provided to the Board. She added that this is a tough call, but this year there is a potential of seeing 156 more students receive the help they need. Mr. Hopper stated that he thought more people would understand the need for the change if the reasons had been better communicated.

Mrs. Wade stated that it does not take a year for parents to get ready for change. At the special meeting, she charged the Board to come back with what needs to be done. When she asked Dr. Gilbert her vision before she was appointed Director of Schools, Dr. Gilbert's first response was the children, and she explained the pyramid that placed children at the top. She stated that it would be tough if you waited to change the calendar next year or in two years. But looking at it from the children's and financial aspect, it would be difficult not to go ahead and make the change to support Dr. Gilbert's vision. She noted that Dr. Gilbert had involved principals, teachers, and staff in making the decision. The Board must decide if you want to go forward, stay where you are, or go backward. The Board needs to support Dr. Gilbert's vision.

On roll call: Andrews—yes; Butrum—no; Campbell—yes; Duggin—no; Hopper—yes; Phillips—no; Wade—no. The motion failed.

Dr. Butrum moved that the Board accept Dr. Gilbert's recommendation to move to a single Modified C calendar for the 2010-11 school year; Dr. Andrews seconded the motion.

On roll call: Butrum—yes; Campbell—yes; Duggin—yes; Hopper—yes; Phillips—yes; Andrews—yes; Wade—yes. The motion carried.

Dr. Gilbert thanked the Board for making this difficult decision reiterating that she will work with parents. Mrs. Duggin again asked that Dr. Gilbert contact MEA to request a proposed 2011-12 calendar be presented to her by October. Dr. Andrews asked that the

system also look at a truly unified calendar. In response to Mr. Hopper, Dr. Gilbert stated that it is unlikely we can unify with MTSU because their calendar is set by TBR, but Modified C does closely align with the county.

## VI. REPORTS/INFORMATION

### A. Explanation of Board Policy BO 13—Board/Staff Communications (Tab 4)

Mrs. Baker referred to the policy regarding visits to schools and social interaction:

*Board members are encouraged to visit schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as “inspections” or visits for supervisory or administrative purposes. Official visits by board members will be carried on only under Board authorization and with the full knowledge of staff including the Director of Schools, principal, and other supervisors.*

She also quoted the section regarding social interaction:

*Staff and board members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss matters as educational trends, issues, innovations, and general school problems. However, staff members are reminded that individual board members have no special authority except when they are convened at a legal meeting of the Board vested with special authority by board action.*

Mrs. Phillips stated that she was the one who requested this item be placed on the agenda. She explained that her concern regarded board members attending faculty meetings that are not open meetings but are actually business meetings. She contacted Joel Moseley at TSBA and read aloud his response:

Individual Board members have no authority, except when they act as part of the Board as a corporate entity. While they do not give up their rights as citizens by accepting the position, they do not gain, individually, other rights and privileges. Tenn. Code Ann. § 49-2-203(a)(5) places the duty of school visits on the local Board, when that Board deems “. . . such visits are necessary.” Individual Board members cannot exercise that authority on their own. I want to be very clear that this does not mean that Board members are forbidden by law to visit schools. However, if they do so without the authority of the Board, then they must be very careful to follow all of the policies and procedures that any other member of the public must follow. It is for this reason that I must say that, unless the Board as a whole authorized the attendance, individual Board members should not attend closed meetings, however informally.

Mrs. Baker clarified that faculty meetings are not open meetings under the open meetings law. The open meetings law only deals with those meetings held by bodies that make decisions for a governmental entity such as a school board, council, parks and recreation commission, etc., that takes votes and makes decisions for the governmental entity. Faculty meetings are considered business meetings, administrative meetings. It is the principals’ prerogative of who can attend those meetings so that business can be conducted. An official visit would be one in which the Board as an official body approved a motion that a particular Board member go out to faculty meetings to relay information or to go into the schools to observe classrooms and report information back to the Board. It cannot be secret visits but must be announced to the staff, principal, Director of Schools, and other supervisors. The informal visit would be one in which the

Board member stopped by the school to visit with the principal, eat lunch in the cafeteria, to be involved in the school. The Director does not have to be informed about informal visits. She clarified, however, that when a Board member acts outside of the direction of the Board, he/she is “Joe Citizen” and is held to the same policies and procedures followed by the general public. Mr. Hopper recommended that the policy be rewritten to specify that Board members should not attend staff meetings at schools and staff meetings with the Director. Dr. Andrews stated that the policy must be in compliance with state law but that Board members put principals in an awkward position when they request to attend these meetings.

Mrs. Baker explained that the principal can invite a Board member or Director to attend a meeting; but it is her recommendation that if one Board member is invited, all Board members should be invited. However, this does become an Open Meeting if more than one Board member attends, so it might require a series of meetings. In response to Mrs. Phillips’ question, Mrs. Baker replied that there is nothing in law that would prohibit the principal or Director from inviting an individual Board member to a particular meeting, but that Board member is not there to act as a Board member. He/she may be able to listen and then share that information with the Board, but they are not an official acting on behalf of the Board.

Mrs. Phillips moved that the policy be revised to read: *Official visits by board members which would include but not be limited to staff meetings and any other business meetings of the school system will be carried on only under Board authorization and with the full knowledge of staff including the Director of Schools, principal, and other supervisors.* Mr. Hopper seconded the motion.

On roll call: Campbell—yes; Duggin—yes; Hopper—yes; Phillips—yes; Andrews—yes; Butrum—yes; Wade—yes. The motion carried.

#### B. Personnel Update (Tab 5)

Mr. Wilkerson shared the following personnel information:

1. Completion of Ninety Days: None to Report
2. Licensed Employees Recommended for Advancement to a Professional License at the End of the 2009-10 School Year
3. Licensed Personnel, Retirements and Resignations, 2009-10

#### C. Monthly Revenue and Expenditure Report (Tab 6)

Mr. Anderson reported that the system now has a positive in net income of \$25,527, but last year at this time the fund balance was -\$166,641, so the system is doing well. The system has completed 66.7% of the fiscal year. Local option sales were short \$270,000 and property tax was \$2,000 off. We are at 64.7% of revenue and at 64.1% on expenditures. The system has done well but there is still a concern about sales tax collections.

D. Attendance Report (Tab 7)

The sixth-month enrollment is 6,965 students, a decrease of ten students from last month's report. The system is still 75 students over the budgeted amount. The attendance percentage is 95.7%, which is very good. The pupil:teacher ratio in K-3 is 19.6 and in 4-6 is 20.3 with an overall ratio of 19.6. The growth money in the past was based on 2% or better growth; but in the last few years, the state fully funded the BEP in growth. The system's growth this year came after the cut-off date for the first half, so we missed that funding; but, in talking to the state, we have since grown 35 students so might still be eligible to receive growth money.

VII. OTHER BUSINESS

Mrs. Phillips and Dr. Andrews thanked Danielle Kaminsky for her expertise, hard work, time and energy she brought to a difficult position and wished her well in her new endeavor.

VIII. ADJOURNMENT

Chair Wade adjourned the Board meeting at approximately 8:20 p.m.

---

Director of Schools

**MISSION STATEMENT**  
*To assure academic and personal success  
for each child.*