

**Madison Metropolitan School District
Madison, Wisconsin**

Daniel A. Nerad, Superintendent

**BOARD OF EDUCATION
Minutes for Regular Meeting
June 14, 2010**

**DOYLE ADMINISTRATION BUILDING
545 W. Dayton Street
Madison, Wisconsin**

I CALL TO ORDER

The Regular Meeting of the Board of Education was called to order by President Maya Cole at 6:00 p.m. The mission statement was recited by Ms. Cole: "Our mission is to cultivate the potential in every student to thrive as a global citizen by inspiring a love of learning and civic engagement, by challenging and supporting every student to achieve academic excellence, and by embracing the full richness and diversity of our community."

MEMBERS PRESENT: Maya Cole, James Howard, Ed Hughes, Lucy Mathiak, Beth Moss, Marj Passman, Arlene Silveira

MEMBERS ABSENT: None

STUDENT REPRESENTATIVE PRESENT: Sarah Maslin

STAFF PRESENT: Sue Abplanalp, John Harper, Steve Hartley, Joseph Hill, Kurt Kiefer, Angie Lee, Bob Nadler, Dan Nerad, Sally Schultz, Marcia Standiford, Ken Syke, Lisa Wachtel, Donna Williams, Nancy Yoder, Ann Wilson – Recording Secretary

LEGAL COUNSEL PRESENT: Attorney Dan Mallin

Resolutions of Recognition:

The following Resolutions were presented:

Sarah Maslin – two years as the student representative to the Board of Education;

Gabrielle Banick – received a Governor's Financial Literacy Award from the Governor's Council on Financial Literacy in the Department of Financial Institutions;

Hamilton Teacher Kris Bauer – honored by the Wisconsin Problem Solving Organization, with the Marian Carr Award given to those who have shown exceptional service and dedication to the WI Future Problem Solving Program;

Aristos Grant recipients;

Aristos Scholars completing their three-year terms.

II APPROVAL OF MINUTES

It was moved by Maya Cole and seconded by Marj Passman to approve the minutes from the Regular Board of Education meeting dated May 10, 2010. Motion unanimously carried.

III PUBLIC APPEARANCES

There were no public appearances.

Faye Kubly submitted a written registration regarding the Phoenix Program. She opposes removal/isolation of students, supports the removal/isolation of students only as a final measure, and does not support expulsion.

Kim Neuschel and Ron Chance submitted written registrations in support of an abeyance program.

IV BOARD PRESIDENT'S ANNOUNCEMENTS AND REPORTS

A copy of the report is attached to the original of these minutes relative to the following topics: Schools of Hope received grant funding renewal and will be featured in a national compendium; Madison West and LaFollette competed in the finals of the Wisconsin Finance and Investment Challenge Bowl; Wyatt Jackson has been elected as Student Representative to the Board of Education and Jessica Brooke will be the Alternate for a second year.

V SUPERINTENDENT'S ANNOUNCEMENTS AND REPORTS

- A** Options for Implementing Student Achievement Guarantee in Education (SAGE)/Small class size programming in MMSD Elementary Schools in 2010-2011. Appendix LLL-12-9

Superintendent Nerad noted the recommendations follows changes that were made in the legislation to allow 1-18 class size ratio. The legislation also eliminates waivers for a ratio above 1-18 and eliminates the possibility of blocks for reading, language arts and mathematics. If the previous SAGE block schools were to move to a 15:1 ratio, 8.6 FTE additional teachers would be needed.

It was moved by Maya Cole and seconded by Beth Moss to approve the administration's recommendation to leave the previous SAGE block schools at a ratio of 1:18 and allowing for flexibility of the other schools to be at a range of 1:15-17 as students enter into the attendance area before the third Friday count. Motion unanimously carried.

Discussion:

- . Concern that class sizes would increase during the year. (Have never gone above 18:1.)
- . Specials classes would be 15:1 all day.

Follow-up:

- . Contact DPI to determine legal issues if SAGE classrooms exceed a 1:18 ratio.

- B** Proposed Changes in Board Policy and Procedure - Appendix LLL-12-12

Superintendent Nerad indicated a review of policy was initiated by changes in legislation regarding pupil records.

- a. It was moved by Maya Cole and seconded by Marj Passman to accept the changes recommended by the administration regarding Policy and Procedure 3731 relating to internet access for students. Motion unanimously carried.
- b. It was moved by Maya Cole and seconded by Arlene Silveira to accept the changes recommended by the administration regarding Policy and Procedure 4151 relating to student records (definitions). Motion carried 5-0-1 with Marj Passman out of the room, and James Howard abstaining.

Discussion:

- Ways that parents are informed.
- There are instances when information exchange is allowed with attorneys, contractors.

It was moved by Maya Cole and seconded by Beth Moss to accept the changes recommended by the administration regarding Policy and Procedure 4156 relating to student records (directory data/information).

Follow-up:

- Suggest broader discussion of the information that should be included as directory information.

Attorney Mallin noted that if the words "permitted or" in paragraph A5 were removed, the remaining language would mirror what is required by state statute.

A substitute motion was made by Beth Moss and seconded by Arlene Silveira to strike the words "permitted or" in paragraph A-5. Motion failed 2-4-1 with Ed Hughes and Arlene Silveira voting aye and James Howard abstaining.

The main motion failed on a vote of 3-3-1 with Lucy Mathiak, Marj Passman and Maya Cole voting no and James Howard abstaining.

V SUPERINTENDENT'S ANNOUNCEMENTS AND REPORTS (continued)

B Proposed Changes in Board Policy and Procedure - Appendix LLL-12-12 (continued)

It was moved by Maya Cole and seconded by Arlene Silveira to accept the changes recommended by the administration regarding Policy and Procedure 4157 relating to student records (disclosure).

Discussion:

- Policy that does not comply with state law put employees in untenable situation.
- State law prevails over board policy.
- Need to develop a way to notify parents and guardians regarding state law.
- Examples of how the policy might be utilized.

Student representative advisory vote – no. Motion failed 3-3-1 with Lucy Mathiak, Marj Passman and Maya Cole voting no and James Howard abstaining.

Follow-up:

- Administration will address concerns expressed by Board members regarding changes to policies 4156 and 4157.

C Protocol for the Evaluation of MMSD Programs – Appendix LLL-12-18

Superintendent Nerad noted a written report is provided and will be included on the next agenda for discussion.

Follow-up:

- Include in the evaluation statements by staff/students who are most involved regarding strengths and weaknesses, potential problems, personal input.

D MMSD Engagement and Communications Plan – Appendix LLL-12-15

Superintendent Nerad reviewed the written information provided. He noted that the development of an engagement and communication plan was included in the Strategic Plan. Although there is no budget and reductions have been made in the Public Information office, the need still exists. Dr. Nerad contacted Wood Communications and they have offered to assist the District in assessing the need for and developing a plan. They have also offered to raise any funds necessary for this purpose, so no district funds would be used. Mr. Nerad asked for direction in working with Wood Communications on the plan.

Discussion:

- The Board would be involved in selecting a broad range of stakeholders. Reach out to all communities. Key is establishing active commitment to inclusion of all communities in this process.
- At logical decision points, involve Board in decisions regarding the kind of plan that will be developed.
- Appreciation to Wood Communications for proposing this collaboration.

Dr. Nerad indicated all ideas will be incorporated into discussions as a plan is developed. He will keep the Board informed of progress.

VI STANDING COMMITTEE REPORTS AND ACTION ON ITEMS THAT PROCEEDED THROUGH COMMITTEES

A Student Achievement and Performance Monitoring

1 The minutes of the June 7, 2010 committee meeting were tabled for action until the next meeting.

2 Report from Meeting dated June 7, 2010

- a) Several items relating to High School Initiatives were discussed in committee: Appendix LLL-12-3
- (1) Individual Relationships/Engagement/Learning (REaL) School Action Plans for 2009-10
 - (2) Real District Action for 2009-2010
 - (3) American College Testing (ACT) Educational Planning and Assessment (EPAS) Overview and Implementation Plan
 - (4) Advancement Via Individualized Determination (AVID) Overview
 - (5) Individual Learning Plan (ILP) Overview and Implementation Plan

VI STANDING COMMITTEE REPORTS AND ACTION ON ITEMS THAT PROCEEDED THROUGH COMMITTEES (continued)

A Student Achievement and Performance Monitoring (continued)

2 Report from meeting dated June 7, 2010 (continued)

- b) Revised MMSD "Student Conduct & Discipline Plan" – Appendix LLL-12-11 and Appendix LLL-12-19

Superintendent Nerad noted that action is scheduled for this item in July. The revisions represent a philosophical change by blending the teaching and modeling of pro-social skills and behavior approach of PBS (Positive Behavior Supports) with the traditionally discipline focused Code of Conduct. He asked for any questions or comments.

Discussion:

- Needs inclusion of bullying issues – opportunity to work on this as a priority for the board.
- Methods of communication with staff, students, parents, especially at middle and high school.
- Many districts are making the shift in focus; need to assure good balance between teaching and discipline.
- Need good transition plan as staff members leave who developed the plan, including legal component.
- Also need focus on intervention and prevention.

Follow-up:

- Board members submit comments, questions, suggestions to Barbara Lehman for further discussion regarding bullying issues.
- Communication plan.

- c) Student Expulsion Process – Abeyance Program Option – Appendix LLL-12-5 and Appendix LLL-12-17

It was moved by Maya Cole and seconded by Marj Passman to create and fund an abeyance program option to be implemented as an alternative to expulsion in some cases, as recommended by the administration, specifically called the Phoenix Program.

Discussion:

- Source of allocation. Consider using ARRA funds instead of IDEA funds.
- Effective September 1, not retroactive.
- Costs, location, furniture.
- Lack of information regarding effectiveness, outcomes. If the program is modeled after an MMSD program, is there evaluation information? Provide materials from previous presentation.
- Concern about locating middle and high school students together.
- Percentage of special education students.
- Earning credits while out on expulsion eventually is cost effective.

Follow-up:

- Potential of using ARRA funds.
- Evaluation information – materials from previous presentation.
- Percentage of special education students.
- Summary of how information is communicated to parents; difficult to understand.

Student advisory vote – aye. Motion carried 6-1 with James Howard voting no.

- 3** Date and possible agenda items for the next committee meeting have not been set.

B Planning and Development

- 1** It was moved by Ed Hughes and seconded by Arlene Silveira to approve the minutes from the June 7, 2010 committee meeting. Student representative advisory vote – aye. Motion carried 6-0 with Marj Passman out of the room.

VI STANDING COMMITTEE REPORTS AND ACTION ON ITEMS THAT PROCEEDED THROUGH COMMITTEES (continued)

B Planning and Development (continued)

2 Report from Meeting dated June 7, 2010

- a) The committee received information about the First Annual Review of the MMSD Strategic Plan – Appendix LLL-12-7.

3 Date and possible agenda items for the next committee meeting have not been set.

C Operational Support

1 It was moved by Lucy Mathiak and seconded by Maya Cole to approve the minutes from the June 7, 2010 committee meeting. Student representative advisory vote – aye. Motion carried 6-0 with Marj Passman out of the room.

2 Report from Meeting dated June 7, 2010

- a) The committee reviewed Monthly Financial Statements dated April 30, 2010 – Appendix LLL-12-8
- b) It was moved by Lucy Mathiak and seconded by Maya Cole to approve the carriers and policies as recommended to the Board in Appendix LLL-12-13 for the following lines of insurance: Workers Compensation, General Liability, Auto Liability, Crime, Boiler and Machinery, Errors and Omissions, Umbrella, and Property.

Additional written information was provided (attached to the original copy of these minutes) related to the RFP process and Donna Williams and Angie Lee were present to answer questions.

On the advice of Counsel, the mover and seconder agreed to amend the motion to include the phrase, “and to authorize the binding of coverage under said policies effective July 1, 2010”.

On the amended motion, Student Representative advisory vote – aye, motion carried 6-0-1 with Lucy Mathiak abstaining.

For the record, it was noted the funding source is general funds.

Follow-up:

- It was requested the funding source be noted on all future agendas.

3 The date and agenda for the next committee meeting has not yet been set.

VII ITEMS HANDLED VIA CONSENT AGENDA

It was moved by Maya Cole and seconded by Arlene Silveira to adopt and approve all of the motions stated in Section VII.A through and including Section VII.D of the agenda prepared for the June 14, 2010 Regular School Board meeting exactly as said motions are printed on the agenda.

Lucy Mathiak requested separation of items C-1-g, C-1-h, C-1-j, C-1-k, and C-2-d

The vote on the motion to approve Section VII.A through and including Section VII.D with the named items separated out: Student Representative advisory vote – aye; motion carried 6-0 with Beth Moss out of the room.

A Student Achievement and Performance Monitoring

1 It was moved to approve the Evaluation of Learning Materials Committee purchasing adoptions in the amount of \$3,839.13 – Revised Appendix LLL-12-1.

2 It was moved, pursuant to the provision of Section 118.15 of State Statutes, to excuse two students from school attendance for the purpose of allowing them to enroll in programs for high school equivalency diplomas.

VII ITEMS HANDLED VIA CONSENT AGENDA (continued)

B Planning and Development

There were no consent items.

C Operational Support

1 Business and Finance

- a** It was moved to authorize the payment of Interim Bills covering the period May 5, 2010 through June 1, 2010, amounting to \$26,745,266.43 – Appendix LLL-12-10.
- b** There were no School Building Fund Bills.
- c** MSCR Program Guide Production and Distribution Contract with Madison Newspapers

It was moved to approve the contract with Capital Newspapers in the amount of \$75,000 for production, advertising coordination, and distribution (by mail, insertion and rack) for MSCR Program Guide using funds from the Community Services Tax Levy.
- d** Mansfield Stadium and Lussier Stadium Track Repairs

It was moved to approve the bid of \$50,085 from Athletic Field Services for Mansfield and Lussier Stadium track repairs from the 2009-2010 and 2010-2011 Building Services General Operating Budgets.
- e** Business Intelligence System

It was moved to approve a contract with Versifit Software for the Edvantage Business Intelligence Software System and implementation and training services in the amount of \$179,610 with funding from the 2009-2010 Strategic Plan budget and Information Services Department 2010-2011 operating budget.
- f** Cabling and Wireless Access Point Installation in Two High Schools

It was moved to award to Forward Electric in the amount of \$55,566 for cabling and installation of wireless access points in LaFollette and Memorial High Schools. It is also recommended that an award be made to Core BTS., under Wisconsin State Contract #15-20664-501, in the amount of \$69,719 for the purchase of 100 wireless access points and associated controllers and software to serve these schools and contribute toward the wireless infrastructure needs at other schools to be identified this summer. Funding comes from 2010-11 Information Services operating budget to be reimbursed from the qualified loan funds (QZAB and QSCB) as these become available.
- g** This item was separated.
- h** This item was separated.
- i** City of Madison Community Development Block Grant

It was moved to accept a grant in the amount of \$10,000 from the City of Madison Community Development Block Grant to fund enclosure of the Meadowood Neighborhood Center office and reception area.
- j** This item was separated.
- k** This item was separated.
- l** It was moved to accept all grants and other donations received by the MMSD since May 10, 2010 as specified in Appendix LLL-12-6.

VII ITEMS HANDLED VIA CONSENT AGENDA (continued)

C Operational Support (continued)

2 Human Resources

- a It was moved to approve the Human Resources Transactions report identified in Revised Appendix LLL-12-4, items 1 through 108 and Items 219-224.
- b It was moved to approve the offering of a one-year extension of the employment contracts of the employees identified in lines 110-211 of the attached human resources transactions report, with said extensions to run from July 1, 2011 until June 30, 2012; it was further moved that the administrative employment contracts currently held by the employees identified in lines 212-218 of the attached human resources transactions report shall not be extended beyond the current contract expiration date of June 30, 2011 due to pending or potential reorganization within the District.
- c It was moved to suspend, effective immediately and as applied to the salaries of all employees holding contracts as administrators, the salaries/wages of all non-represented professional employees, and the salaries/wages of all MSCR limited-term employees, the application of the terms and conditions of any and all previously approved salary schedules, compensation plans, and any related policies or procedures that may otherwise have had the effect of granting or authorizing a step-based salary increase or other increase to base wages/salary which may otherwise have taken effect at any point between the date of this motion and the close of the 2010-11 fiscal year. This motion is intended to have the effect of implementing wage/salary freezes in a manner consistent with the Board's decisions in connection with the adopted 2010-2011 budget, and excludes any merit pay adjustments to any administrator's salary (merit levels 1 and higher) that may be made pursuant to the existing merit pay plan for administrators.
- d This item was separated.

D Other Items of Business Proposed to be Considered Under a Consent Agenda

There were no other items.

E Any Individual Items Identified within Section VII.A, VII.B, VII.C, or VII.D, above, that were Separated from the Motion Consolidating the Consent Agenda Items

C-1-g Wireless Mobile Computing for Libraries

It was moved by Maya Cole and seconded by Beth Moss to approve the expenditure of \$120,400.80 for the purpose of purchasing 260 Dell netbooks under Wisconsin State Contract 15-20400-905 to be used in District LMCs with funding from the Library Media Services 2009-2010 program budget.

Kurt Kiefer explained the process for developing the recommendations and pricing of netbooks.

Follow-up:

- Provide a distribution plan.
- Agendas should include deadlines for action to take place, e.g., the Common School fund purchasing deadline.

Student representative advisory vote – aye. Motion unanimously carried.

C-1-h Allis Elementary Technology

It was moved by Maya Cole and seconded by Beth Moss to award to Dell, under Wisconsin State Contract #15-20400-904, in the amount of \$10,650, for the purchase of 23 Latitude 2100 netbooks, to Tierney Brothers Inc., MMSD Bid #3167, in the amount of \$11,440, for 22 Epson Powerlite 83+ projectors and to CDWG, MMSD Bid #3164, in the amount of \$11,615 for 23 AVerVision CP355 document cameras. Funding comes from 2009-2010 Allis Title 1 Basic grant funds. Student representative advisory vote – aye. Motion unanimously carried.

VII ITEMS HANDLED VIA CONSENT AGENDA (continued)

E Any Individual Items Identified within Section VII.A, VII.B, VII.C, or VII.D, above, that were Separated from the Motion Consolidating the Consent Agenda Items (continued)

C-1-j It was moved by Maya Cole and seconded by Beth Moss that Teaching and Learning be granted authority to process Learning Materials orders from June 7, 2010 through July 12, 2010 with formal approval of these materials included on the July 12, 2010 Regular Board of Education meeting agenda.

Superintendent Nerad indicated an alternative option would be to request approval for Learning Materials orders that have been received to date on the June 21 Board Retreat agenda. Approval for additional Learning Materials orders could be reviewed at the July and August Regular Board meetings. Furniture requests could be made at the July and August meetings, but there may be a request for an additional meeting. This would allow for most materials to be purchased before school begins.

Student representative advisory vote – abstained. Motion fails 2-4-1 with Ed Hughes and Beth Moss voting aye, James Howard abstaining.

C-1-k It was moved by Maya Cole and seconded by Beth Moss to grant authority to Purchasing Services to approve bid/RFP awards and execute contracts from Jun 7, 2010 through July 12, 2010 with formal actions of these awards included on the July 12, 2010 Regular Board of Education meeting agenda. Student representative advisory vote – abstained. Motion carried 4-3 with Lucy Mathiak, Marj Passman and Arlene Silveira voting no.

It was moved by Lucy Mathiak and seconded by Marj Passman to reconsider items C-1-j and C-1-k. Student representative advisory vote – aye. Motion carried 4-2-1 with Maya Cole and Arlene Silveira voting no and James Howard abstaining.

It was moved by Maya Cole and seconded by Marj Passman to approve item C-1-j (that Teaching and Learning be granted authority to process Learning Materials orders from June 7, 2010 through July 12, 2010 with formal approval of these materials included on the July 12, 2010 Regular Board of Education meeting agenda) and C-1-k (to grant authority to Purchasing Services to approve bid/RFP awards and execute contracts from Jun 7, 2010 through July 12, 2010 with formal actions of these awards included on the July 12, 2010 Regular Board of Education meeting agenda). Student representative advisory vote – aye; motion carried 6-1 with Arlene Silveira voting no.

C-2-d It was moved by Maya Cole and seconded by Beth Moss to, due to not yet having a General Legal Counsel hired to replace Dan Mallin, continue Mr. Mallin's full-time employment through the end of the June 16-July 15, 2010 pay period, with no new vacation days or additional sick leave granted/accrued as of July 1, 2010, but with 5 days of vacation carryover from 2009-2010 available during that period and with ongoing availability of accrued sick leave (if needed). By virtue of continuing full-time into July, all benefits will continue through July, 2010 with the exception of health and dental insurance coverage that will continue through August, 2010 at the normal contribution rates.

Robert Nadler explained the current policy related to administrator benefits and gave an update on the progress of hiring a replacement for Mr. Mallin. He indicated the district will look for ways to fill needs while the position is open, including services available through WASB. Superintendent Nerad indicated he received an offer on behalf of WASB to assist with district legal needs and that such assistance would be helpful for new items that arise. There are also items that need closure for which Mr. Mallin's services would be preferable.

Follow-up:

The Superintendent and Mr. Nadler will provide information about an alternative plan for legal services during the time that Mr. Mallin is not employed and a replacement has not been found.

Student representative advisory vote – aye. Motion carried 6-1 with Lucy Mathiak voting no.

VIII. OTHER REPORTS TO THE BOARD

A Common Council/Board of Education Liaison

- 1 The committee has not met since the last Regular Board meeting.
- 2 The next meeting is in the process of being scheduled.

B Student Senate

- 1 Sarah Maslin reported that the Student Senate reviewed all of the items they had discussed during the year and their strengths and weaknesses, including the Strategic Plan Initiative, Student-Teacher Relationships, Student Senate Board Policy Modifications relative to officer roles, election/recruitment, the agenda for next year and went bowling as their year end social event.
- 2) The next meeting date has not yet been set.

C Legislative Liaison Report

- 1 Federal Legislation Establishing a Federal Education Jobs Fund

It was moved by Maya Cole and seconded by Ed Hughes to direct the Superintendent to write a letter to legislators on behalf of the Board of Education in support of federal legislation establishing a Federal Education Jobs Fund. Student representative advisory vote – aye. Motion carried 5-0-1 with Beth Moss out of the room and James Howard abstaining.

Follow-up

It was requested that the Superintendent send a draft of the letter to Board members for review before it is mailed.

- 2 Legislative Council Committees – Appendix LLL-12-14

Superintendent Nerad provided written information summarizing the current Legislative Council studies that have a relationship with PreK-12 education. He will provide follow-up information as it becomes available.

IX OTHER BUSINESS

- A It was moved by Marj Passman and seconded by Maya Cole to approve proposed contracts between Google, Inc. and MMSD for the provision of "Google Apps" education edition, including but not limited to "Google Docs" and "Gmail" electronic mail system functionality and services, and for the provision of email archiving functionality and services, at a first-year cost to the District of \$67,320 for 2010-11 with funding from the 2010-11 Technical Services Division operating budget with prorated allocations coming from Cy Pres Buildings in the Microsoft settlement - Appendix LLL-12-20.

Attorney Mallin indicated there would be an additional cost for a changeover fee in the amount of \$900.

It was agreeable to the mover and seconder to amend the motion by adding \$900 to the first year cost, resulting in a first-year cost of \$68,220.

Attorney Mallin asked whether the Board wished to include an indemnification agreement clause and recommended an insurance rider as the best option. He explained the need for such a clause and indicated he would be able to provide information by the end of the week regarding the types of claims that might be filed.

Attorney Mallin noted the price quoted for the Google contracts is in effect only through the end of June. He also stated there are still some unresolved issues regarding contract compliance under Board policy 6600.

IX OTHER BUSINESS (continued)

A (continued)

Because there are still issues outstanding regarding this contract, Maya Cole suggested that this item be postponed until the Board meets on June 23, 2010. Other Board members preferred to vote on the motion. The question was called.

On the amended motion, Student Representative advisory vote – aye, motion failed 3-4 with James Howard, Marj Passman, and Ed Hughes voting aye.

Follow-up:

Need for indemnification clause and information about the types of claims that might be filed against the district.

B Old and New Business

There was no old or new business.

X ADJOURNMENT

It was moved by Lucy Mathiak and seconded by Marj Passman to adjourn the meeting at 9:20 p.m. Student representative advisory vote – aye. Motion unanimously carried.

Respectfully submitted,

Erik Kass
Secretary to the Board of Education

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