

SCHOOL BOARD MEETING
MARCH 20, 2012
SCHOOL ADMINISTRATION OFFICE

TRUSTEES PRESENT: Chairman Alexander, Trustee Reynolds, Trustee Checketts

OTHERS PRESENT: Tim McMurtrey, James Gilbert, Cliff Ogborn, Sharon Whitman, LTC Estes, Tara Handy, Jeff Johnson, Albert Longhurst, Nikki Cruser, Anita Straw, Polly Sanders, Sherri Ybarra, Mike Jewell and son, Mike Curtis, Robin Walker, Curt and Shauna Perry and their son and daughter

At 7:32 p.m., Chairman Alexander convened the regular meeting of the Board of Trustees and called for the first item of business.

Prior to the first agenda item, Chairman Alexander stated there was an addendum to the agenda regarding adding a resignation to the personnel item. He asked for a motion to approve the addendum in accordance with Idaho Code 67-2343 (4)(b)(c). Trustee Reynolds called for a motioned to approve the addendum to personnel, with a second from Trustee Checketts. Chairman Alexander called for a roll call vote:

Roll Call Vote as follows:

Chairman Alexander	Aye
Trustee House	Absent
Trustee Reynolds	Aye
Trustee Murray.....	Absent
Trustee Checketts.....	Aye

and no less than two-thirds (2/3) of the membership in favor thereof, motion granted.

- I. **APPROVE THE MINUTES OF THE SPECIAL BOARD MEETING OF FEBRUARY 21, 2012, THE REGULAR BOARD MEETING OF FEBRUARY 21, 2012, THE SPECIAL BOARD MEETING OF FEBRUARY 28, 2012, AND THE SPECIAL BOARD MEETING OF MARCH 9, 2012.** Chairman Alexander called for a motion to approve the minutes of the special board meeting of February 21, 2012, the regular board meeting of February 21, 2012, the special board meeting of February 28, 2012, and the special board meeting of March 9, 2012. There being no comment, Trustee Checketts moved to approve the minutes of the special board meeting of February 21, 2012, the regular board meeting of February 21, 2012, the special board meeting of February 28, 2012, and the special board meeting of March 9, 2012, with a second from Trustee Reynolds. Motion approved.
- II. **FINANCIAL REPORTS** – Cliff Ogborn. Mr. Ogborn reported on the financial statements for February 2012. The statements for February reflected a balance of \$2,607,655. Investments in the State Investment Pool are \$5,679,664. Unobligated cash and investments are \$6,799,632 net of interfund payables. The Income Statement reflected revenue through February is \$18,346,779. We received our first Impact Aid payment for FY2012 in the amount of \$1,222,582, and the February SDE Foundation payment. Expenses show salaries are at \$8,500,760 of original budget, and benefits are \$2,586,922. As of February 29, we have a net margin of revenues in excess of expenses of \$5,017,047. Trustee Reynolds asked how much was the SDE Foundation payment. Mr. Ogborn replied the amount was for approximately \$850,000 reimbursement for last year's transportation expenses and about \$430,000 for maintenance and operations. Trustee Checketts moved to approve the financial report as presented by Mr. Ogborn. Motion seconded by Trustee Reynolds. Motion passed.
- III. **CONSIDERATION OF BILLS** – Cliff Ogborn. Mr. Ogborn presented the district bills for approval. Trustee Checketts inquired as to what kind of shopping was done at Wal-Mart. Mr. Ogborn replied mostly classroom supplies. Trustee Checketts moved to authorize payment of the district's bills as presented, with a second from Trustee Reynolds. Motion carried. (A full and complete listing of the District's bills may be reviewed at the District Office, Accounts Payable.)

IV. **STAFF/STUDENT RECOGNITION – None**

V. **DELEGATION – None**

VI. **PUBLIC INPUT – None**

VII. **REPORTS –**

A. MOUNTAIN HOME AFB UPDATE – MHAFB Liaison. LTC Estes reported that the base is very busy getting ready for several hundred airmen to deploy for about six months. He informed the Board of the command changes at the airbase. LTC Estes also informed the Board that the base would be going through many exercises for the next year that will involve base lockdowns, but they will try to minimize interruptions with bussing.

B. ALTERNATIVE SCHOOL UPDATE – Jeff Johnson. Mr. Johnson reported that he and a seven-member team, including the superintendent, visited the Kuna and Caldwell school districts to discuss their alternative schools, Initial Points and Canyon Springs. He said this was an eye-opening and great experience and it confirmed that our district definitely needed to establish an alternative school. Mr. Johnson mentioned that the Kuna and Caldwell alternative school staff were very helpful and shared their information, including policies and handbooks, with us and gave us some great ideas on how to best start an alternative school.

Mr. Johnson reported that upon returning, they visited the annex at Hacker Middle School to determine what would be needed to use that building as the alternative school.

Mr. Johnson stated that when they returned to the high school, he gave surveys to students to see what their reactions would be to having an alternative school. He reported that the surveys came back reflecting students having a positive attitude.

Mr. Johnson informed the Board that information that came back to him was staffing decisions would be a very important component of having a successful alternative school. He said he asked teachers if they would be willing to teach at an alternative school and some of his best teachers responded that they would teach at an alternative school. Mr. Johnson explained that the alternative school would need to use some of our best teachers to work with these most at-risk students. He informed the Board that he would come up with a final proposal for the next board meeting.

Chairman Alexander said that in his experience, one has to remove the traditional school rules from an alternative setting because too much pressure on these at-risk students may cause them to leave school. He stated that he thinks that this is a great idea.

Discussion began regarding alternative school settings and expectations along with curriculum. The discussion continued into what the alternative school might look like in a few years, and how with the assistance and experience of Canyon Springs, the district would not have to reinvent the wheel, per say.

Chairman Alexander asked if there were any high school teachers experienced in teaching in an alternative school setting. Mr. Johnson replied that he has one who is interested and some of his summer school teachers in which summer school is an alternative setting, expressed an interest.

Chairman Alexander also asked if this would be a stand-alone school or would the students go back and forth from the alternative school to the high school. Mr. Johnson replied the survey showed that Professional-Technical classes are very important to these students, but he doesn't think it is doable for the alternative students to go back and forth. He said that he has spoken with some of his Professional-Technical teachers about having a rotating schedule that the alternative students would go to after school and still be able to take the course. He said his teachers were onboard with that idea. Discussion continued regarding classes, curriculum, etc.

Mr. McMurtrey spoke and said that Canyon Springs, which has had an alternative school for ten years, suggested that we start small and build. He said that he was intrigued that some of the Caldwell 4.0 students opted to go to the alternative school rather than the traditional high school because of the small classrooms; that's how the whole culture of that school has changed.

Trustee Reynolds asked what qualifies a student to go to the alternative school. Mr. Johnson replied that we would have to establish criteria, but suggested looking at other districts and see what best would work for our students. He said that generally, students behind in credits, students who are pregnant, students referred to us by the court, etc, would all qualify. Discussion then continued to include dress codes, summer school, etc.

Chairman Alexander wanted to make sure that the alternative students would graduate with a Grade "A" Diploma rather than a substandard diploma, because some of these alternative and charter schools can only give the substandard diploma, and the substandard diplomas aren't acceptable by some organizations such as the Armed Forces. The Armed Forces will not accept students with substandard diplomas.

Mr. Johnson finished by saying that he is concerned about the timing of starting up the alternative school and the upcoming levy and having people wrongly accuse us of being liars and having money to start this school, when in fact, this building would have to be a self-sustaining school. Chairman Alexander stated that the money follows the students.

VIII. UNFINISHED BUSINESS –

Mr. Gilbert asked for approval of the second reading of the following three policy revisions, PPRA, Special Education and/or Related Services, and Restraint or Seclusion of Students.

Mr. Gilbert presented the second reading of the proposed revisions to the PPRA, Special Education and/or Related Services, and Restraint or Seclusion of Student Policies. He said that language was revised to meet federal regulations and to help clarify the policies. There has been no staff or patron input and all the revisions meet Idaho Code.

Trustee Checketts motioned to approve the second reading of the proposed revision to the PPRA, Special Education and/or Related Services, and Restraint or Seclusion of Students Policies as presented by Mr. Gilbert. Trustee Reynolds seconded the motion. Motion approved.

A. POLICY REVISIONS – 2nd Reading – James Gilbert

1. Protection of Pupil Rights Act (PPRA), Student Privacy, and Parental Access to Information Policy –

MOUNTAIN HOME SCHOOL DISTRICT NO. 193 MOUNTAIN HOME, IDAHO 83647

P O L I C Y

PROTECTION OF PUPIL RIGHTS ACT (PPRA), STUDENT PRIVACY, AND PARENTAL ACCESS TO INFORMATION

The Protection of Pupil Rights Act (PPRA) affords certain rights to parents and students eighteen (18) years of age or older ("eligible students") with regard to ~~the surveying of students~~ **surveys**, if the survey is funded in whole or in part by a program of the U.S. Department of Education **that ask questions of a personal nature.**

PPRA requires schools and contractors make instructional materials available for inspection by parents if those materials will be used in connection with a Department of Education funded in whole or part, survey, analysis, or evaluation in which their children participate, and that schools and contractors obtain prior written parental consent before minor students are required to participate in any U.S. Department of Education funded survey, analysis, or evaluation that reveals information concerning the eight areas identified below. ~~Further, the PPRA addresses the collection and use of information from students for marketing purposes and certain non-emergency medical examinations.~~

The PPRA governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight areas:

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental **and/or** psychological problems of the student or the student's family, **or potentially embarrassing to the student or the student's family**;
3. Sex behavior **and/or** attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parent; or
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

Further, the PPRA addresses the collection and use of information from students for marketing purposes and certain non-emergency medical examinations. The requirements of PPRA do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA).

These requirements do not supersede any of the requirements of FERPA.

ANNUAL NOTIFICATION REQUIREMENTS

The PPRA requires that parents or eligible students be directly notified at least annually at the beginning of the school year, by direct mailing, e-mail, website, or etc., of their right to consent or opt-out of the participation in certain school activities, **physical examinations or screenings that the school may administer to students**, and the specific or approximate dates of each activity. Mountain Home School District (MHSD) will meet this requirement by publishing this notification, **at the beginning of the school year**, on the school webpage and in the Mountain Home Newspaper, as well as having it available during registration.

RIGHT TO INSPECT

Parents or eligible students ~~upon request~~, have the right to inspect, upon request, **and** prior to any administration or use: protected information surveys of students; instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; **or any instrument used in the collection of information; a survey created by a third party before the survey is administered or distributed by a school to students**; any instructional materials used in connection with any survey that concerns one or more of the protected areas; and any instructional material used as part of the educational curriculum for the district **and students**; **any physical examinations or screenings that the school may administer to students**. This does not apply to academic tests or academic assessments.

RIGHT TO CONSENT OR OPT OUT

Parents or eligible students, upon completion of the Consent/Opt-Out for Specific Activities Form, have the right to opt-out of participating in events or activities involving the collection, disclosure, or use of personal information for marketing, sales, **or providing the information to others for these purposes**, or distribution purposes; any non-emergency, invasive physical examination or screening (any physical examination or screening that is permitted or required by state law is permitted without parental notification) that is an attendance requirement, or administered by the school and scheduled by the school in advance, or not necessary to protect the immediate health and safety of the student, or of other students; the administration of any survey containing one or more of the eight protected areas of information listed above and that is not funded in whole or in part by Department funds **to include a third party (non-Department of Education funded) survey**. If the survey is funded in whole or in part by Department of Education funds, the district must obtain active consent, and may not use an opt-out form.

The requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to,

students or educational institutions, such as the following:

1. College or other postsecondary education recruitment, or military recruitment;
2. Book clubs, magazines, and programs providing access to low-cost literary products;
3. Curriculum and instructional materials used by elementary schools and secondary schools;
4. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;
5. The sale by students of products or services to raise funds for school-related or education-related activities; and
6. Student recognition programs.

It is the policy of MHSD to assure the provisions of PPRA are adhered. To facilitate implementation of this policy, procedures have been established. These procedures are available to all patrons, students, and school district employees.

DEVELOPMENT OF POLICIES

MHSD will, when necessary or as required, and with parental input, adopt policies regarding the rights set forth in the PPRA, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or distribution purposes and in compliance with FERPA.

2. Special Education and/or Related Services Policy –

**MOUNTAIN HOME SCHOOL DISTRICT NO. 193
MOUNTAIN HOME, IDAHO 83647**

P O L I C Y

SPECIAL EDUCATION AND/OR RELATED SERVICES

School District No. 193 will provide for the educational needs of all ~~resident-exceptional~~ students **with disabilities who reside** within the **geographical** boundaries of this district. All exceptional students, between the ages of three and ~~the semester they turn~~ twenty-one, shall receive a free and appropriate public education designed to meet their unique learning needs in accordance with State and Federal rules and regulations.

It is the responsibility of School District No. 193 to have a plan to **locate**, identify, and evaluate any **student who is suspected of having a disability** ~~resident-exceptional student~~, between the ages of three and ~~the semester they turn~~ twenty-one, **and** who may be in need of special education and/or related services. Students with a disability may require special education and/or related services that are supplemental to, and different from, regular **general education** class instruction in order to provide appropriate educational opportunities under the concept of a free and appropriate public education. School District No. 193 will provide a **continuum of services and programming in order** ~~broad spectrum of programs~~ to serve ~~these~~ students with ~~varied~~ disabilities in a ~~wide~~ variety of delivery models.

The district administration will implement this policy through a specific procedure manual, approved by the **Idaho State Department of Education, Division of Student Achievement and School Accountability** ~~Bureau of Special Populations Services~~, to ensure compliance with all pertinent laws, rules and regulations governing special education and related services.

SECTION 504 OF THE 1973 REHABILITATION ACT

The district acknowledges that some students needing assistance may not be eligible for special education services under Federal and State regulations. It is the responsibility of the district to determine if these students are eligible for ~~special education or~~ reasonable accommodations, within the context of **general regular** education, under Section 504 of the 1973 Rehabilitation Act.

3. Restraint or Seclusion of Students Policy –

**MOUNTAIN HOME SCHOOL DISTRICT NO. 193
MOUNTAIN HOME, IDAHO 83647
P O L I C Y
PHYSICAL RESTRAINT OR SECLUSION OF STUDENTS**

PURPOSE:

The Mountain Home School District recognizes our responsibility in providing an appropriate education program in a safe environment conducive to learning for all students enrolled in the district. **As some students may exhibit behavior that poses a risk of harm to the student, other students, staff members, or district property, the Board recognizes that it may be necessary for a qualified staff member to place in seclusion or restrain a student to protect students, staff, and/or district property from harm.** The following policy is to assure that our commitment to providing an education program is not disrupted and that a safe learning environment is maintained at all times.

EMERGENCY BEHAVIORAL INTERVENTIONS:

Emergency Behavioral Interventions may only be used to control unpredictable, spontaneous behavior, which poses **imminent** danger of physical harm to the individual or others, or results in property damage endangering student safety. This **imminent** danger and damage is that which cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior; i.e. physical restraint of the individual exhibiting the behavior **or placing the individual into a clean and safe area or room.**

Legal Reference: Idaho Code Section 33-512

IX. **NEW BUSINESS –**

- A. **OUT-OF-DISTRICT OPEN ENROLLMENT APPLICATIONS** – James Gilbert. Mr. Gilbert requested approval of the open enrollment application for the 2011-2012 and 2012-2013 school years.

1. Chris & Dixie Black for Bridget, 10th grade, MHHS, for both 2011-12 & 2012-13 school years. The parents/student will provide transportation to and from school.

Trustee Checketts motioned to approve the Out-of-District Open Enrollment Application of Chris and Dixie Black for Bridget, 10th grade, MHHS for both 2011-12 and 2012-13 school years, as presented by Mr. Gilbert, with a second from Trustee Reynolds. Motion granted.

- B. **BEREAVEMENT/SICK LEAVE BANK COMMITTEE MEMBERS** – James Gilbert. Mr. Gilbert presented the status of the Bereavement/Sick Leave Bank and the annual request of the appointments to the Sick Leave and Bereavement Leave Banks. The committee is to consist of three MHEA members, one classified employee, and two members appointed by the Board of Trustees. The classified employee serving on the committee is Kelly Bitterman. Both the Sick and Bereavement Leave Banks have ample days in reserve. Mr. Gilbert mentioned that he and Jim Alexander are the two Board appointed members. He requested that the Board reappoint Chairman Alexander and him to the committee. Trustee Checketts moved to approve that Mr. Gilbert and Chairman Alexander continue to serve on the Bereavement/Sick Leave Bank Committee. Seconded by Trustee Reynolds. Motion approved.

- C. **DRIVER'S EDUCATION BUDGET** – Cliff Ogborn. Mr. Ogborn presented the Driver's Education Budget for FY2013 to the Board for approval. He stated that the student fees would remain the same. Mr. Ogborn informed the Board that another used vehicle would have to be purchased, which would put us in the red for profit wise for this current year but we do have sufficient funds from retained earnings from previous years to offset the deficit in the Driver's Education Fund Balance. Mr. Ogborn reminded the Board that the Driver's Education class is self-sustaining and doesn't cost the taxpayers any money. He said the funds come from student fees and a small reimbursement fee from the state, so the used vehicle purchase is coming from this

fund. Chairman Alexander asked Mr. Ogborn to look into cutting this course. Mr. Ogborn stated that the State prefers students take driver's education through the schools versus private businesses, but he will look into it. Trustee Checketts motioned for the approval of the Driver Education Budget for 2012-2013 as submitted by Cliff Ogborn. Seconded by Trustee Reynolds. Motion passed.

- D. **DISPOSAL OF CAPITAL ASSETS** – Cliff Ogborn. Mr. Ogborn informed the Board that the district would like to dispose of a donated van, from the juvenile services, that is unusable, unsalvageable, and of no value to the district. He notified the Board that the item is on the website should someone from the community want the van; if no one responds within a reasonable amount of time, then the van will be disposed of in accordance to Idaho Code. Trustee Checketts moved to authorize the disposal of the Dodge Van as presented by Mr. Ogborn. Trustee Reynolds seconded it. Motion authorized. *(A full and complete listing of the item to be disposed of may be reviewed on the MHSD website, www.mtnhomesd.org, or reviewed at the District Office, Director of Fiscal Operations.)*
- E. **PROPOSED RESOLUTION 12-05 – DECLINE TO REPORT EMPLOYEE EVALUATIONS OR PERFORMANCE RATINGS TO ISEE** – Tim McMurtrey. Mr. McMurtrey informed the Board that Superintendent Luna wants all the school districts to submit individual teachers' and administrators' ratings to the ISEE report, when it is against the law according to Idaho Code. He said Mr. Luna has been notified that it is against Idaho Code, but he still insists upon receiving that information. Mr. McMurtrey said the SIC has gone to legal counsel and legal counsel drafted this resolution for school districts to use to protect themselves. He did state that this doesn't mean that we wouldn't give the group information. This protects the school districts from being sued; Meridian was first to submit this resolution, Kuna is going to soon, and the other SIC school districts plan to submit their declination of submitting individual teachers'/administrators' ratings. After a full and complete discussion and upon motion duly made by Trustee Checketts and seconded by Trustee Reynolds, the following resolution was presented:

**MOUNTAIN HOME SCHOOL DISTRICT NO. 193
MOUNTAIN HOME, IDAHO**

**RESOLUTION 12-05 DECLINE TO REPORT EMPLOYEE EVALUATIONS OR PERFORMANCE
RATINGS TO ISEE**

WHEREAS, the Idaho Public Records Act provides that specific types of personnel records of state employees, specifically performance evaluations, are exempt from disclosure pursuant to Section 9-340(C)(1), Idaho Code; and

WHEREAS, Section 08.02.02.120.5 of the Idaho Administrative Procedures Act requires that permanent records of each certificated employee's evaluation will be maintained in the employee's personnel file and that all evaluation records will be kept confidential within the parameters identified in federal and state regulations regarding the right to privacy; and

WHEREAS, the Idaho Education Code and District Board Policy Personnel Files, considers personnel files of each employee, which includes the employee's performance evaluation, to be confidential and excepted from public access under any provision of the Idaho Code, with the exception of information contained in the file pertaining to public service or employment history, classification, pay grade and/or step, longevity, gross salary and salary history, status, workplace and employing agency in accordance with Idaho Code 9-340(C)(1) and 33-518; and

WHEREAS, the Idaho State Department of Education has made a request to Mountain Home School District No. 193, associated with its ISEE reporting system and its ARRA reporting requirement to release generalized statistical performance data, seeking to have the District provide information as to the general performance level rating for each of the District's teachers and principals, on an individual basis.

WHEREAS, the language of Section 33-1004D, Idaho Code relating to IBEDS reporting obligations for school districts and district employees, required to be completed prior to October 15th of each school year is

inapplicable to the ISEE reporting requirements and has not been amended by the Idaho Legislature to address this ISEE reporting request; and

NOW THEREFORE, the Board of Trustees of Mountain Home School District No. 193 directs the Administration of Mountain Home School District No. 193, by and through the Office of the Superintendent or such Superintendent's designee, consistent with American Reinvestment and Recovery Act ("ARRA") fund receipt requirements and consistent with the Idaho Attorney General guidance to the Idaho State Department of Education on May 19, 2010 entitled "Release of Statistical Information Regarding Teacher and Principal Evaluations", to release to the Idaho State Department of Education statistical information relating to teacher and principal performance evaluations, disclosing only the number and percentage of teachers in the district who rated in each of the identified performance levels for applicable High School, Junior High School, Middle School, and Elementary School teacher groupings, and for all principals as an entire individual grouping; and

FURTHER, the Board directs the Administration of Mountain Home School District No. 193, by and through the Office of the Superintendent or such Superintendent's designee, to not disclose the individual performance level rating for each teacher and/or principal of the District to the Idaho State Department of Education as has been requested by the Idaho State Department of Education for its ISEE reporting, absent any further direction or resolution by this Board.

Passed and approved this 20th day of March 2012.

Chairman Alexander

Vice-Chairman Murray

Trustee House

Trustee Reynolds

Trustee Checketts

Clerk Whitman

Vote being had on the above and foregoing resolution, and the same having been counted and found to be as follows:

Roll Call Vote as follows:

Chairman Alexander.....	Aye
Trustee House.....	Absent
Trustee Reynolds.....	Aye
Trustee Murray.....	Absent
Trustee Checketts	Aye

and no less than two-thirds (2/3) of the membership in favor thereof, Resolution 12-04 adopted.

- F. **PERSONNEL** – James Gilbert. Mr. Gilbert requested approval of the personnel items including the addendum. Trustee Checketts motioned to approve the personnel items, appointments, resignations, non-renewable, and addendum, as presented by Mr. Gilbert, with a second from Trustee Reynolds. Motion carried.

APPOINTMENTS

Brown, Connie D., Part-Time Title I Paraeducator, North Elementary
Lovejoy, Mary Ashton, Title I Paraeducator, North Elementary & East Elementary

RESIGNATIONS

Schroeder, Geoffrey A., Part-time Study Skills Paraeducator, MHHS, effective: March 3, 2012
Kerfoot, Tony R., Head Boys' Basketball Coach, MHHS, effective: March 5, 2012

NON-RENEWABLE

Gordon, Karen S., Head Cheerleading Coach, MHHS, effective: 2012-2013 School Year

X. **EXECUTIVE SESSION – None**

- XI. **ADJOURNMENT** – All business of the Board having been completed, Chairman Alexander called for a motion to adjourn. A motion from Trustee Reynolds to adjourn was seconded by Trustee Checketts. Motion carried. Meeting adjourned at 8:14 p.m.

Chairman Alexander

Clerk Whitman