

**MINUTES OF MEETING OF BOARD OF TRUSTEES  
OF  
CLAY COMMUNITY SCHOOLS**

A regular session meeting of the Clay Community Schools Board of Trustees was held at the Central Administrative Office, 1013 S. Forest Avenue, Brazil, IN 47834, on Thursday, August 10, 2017. Tom Reberger, Michael Shaw, Andrea Baysinger, Ron Scherb, Kevin Kumpf, Amy Burke Adams, and Shane Wiram were present.

**I. Call to Order**

The meeting was called to order at 7:30 p.m. Board President Kevin Kumpf led those in attendance in the pledge, and Superintendent Jeffery Fritz offered the prayer.

Prior to Item II. Consent Agenda, Mr. Kumpf provided an answer to a question that had been posed by Mr. Scherb during the July 31 special session. At that time, Mr. Scherb had asked why the Board was being asked to approve policy at a special meeting. Mr. Kumpf shared agenda items from 2016 and 2015, which showed that more than just personnel had been on the agenda for special sessions in previous years.

Also, Mr. Kumpf referred to a question asked by Mrs. Adams following Mr. Scherb's question that had drawn him back and surprised him. He commented that when the Board had interviewed Superintendent Fritz, the board members had stressed to him that the Board wanted no surprises at the board meetings. It was Mr. Kumpf's opinion that at this time the Board should at least give Superintendent Fritz the same advantage as to not have anything pulled up to him to be surprised. Mr. Kumpf pointed out that in all the emails about agenda items that Superintendent Fritz sends to the board members, Superintendent Fritz always ends the emails with the statement that if anyone has any questions on the agenda item to please contact him. He felt that a lot of questions could be asked by emailing Superintendent Fritz or calling him rather than hashing them out or having them pulled up as a surprise during board meetings.

In rebuttal to Mr. Kumpf's comments, Mrs. Adams stated that she had been blessed to serve on the Board since 2010, and she viewed board meetings through the eyes of Indiana code, which meant that the business of the agency of the corporation is to be discussed at public meetings. If there is data to be requested or clarification needed, the board members absolutely could email or phone Superintendent Fritz. But, she never wanted the perception to be that business was being conducted behind closed doors, away from the public. That is why every one of the board members has been elected, to be their public representative. She pointed out that all emails, including those of employees or board members, are subject to four-year requests because the board is conducting the business of the public. According to Mrs. Adams, any newspaper or individual can request those emails. The ISBA discouraged the use of emails and group emails a few years ago because it could appear that decisions are being made behind closed doors, even though they are not. She acknowledged that she understood where Mr. Kumpf was coming from, but she wanted to emphasize why the board members were elected and why they ran. She asserted that the purpose of the Board was to conduct the corporation's business in a public setting.

## **II. Consent Agenda**

### **A. Claims**

### **B. Board Meetings**

Regular Session Minutes: July 13, 2017

Special Session: July 31, 2017

### **C. Field Trips**

None at this meeting

### **D. Personnel**

#### **A. LEAVES OF ABSENCE**

- |                  |      |  |
|------------------|------|--|
| 1. Certified     | None |  |
| 2. Non-Certified | None |  |

#### **B. RETIREMENTS**

- |                              |      |  |
|------------------------------|------|--|
| 1. Certified                 | None |  |
| 2. Non-Certified             | None |  |
| 3. Place on Retirement Index | None |  |

#### **C. RESIGNATIONS**

- |                                    |      |               |
|------------------------------------|------|---------------|
| 1. Certified                       | None |               |
| 2. Non-Certified                   |      |               |
| a. 29-hour Instructional Assistant | NHS  | Alexis Morris |
| 3. ECA Resignations                |      |               |
| a. JV Softball                     | CCHS | Rachel Kiefer |
| b. Girls' Track                    | NHS  | Cole Schroer  |
| 4. ECA Lay Coaches                 | None |               |

#### **D. TRANSFERS**

- |                  |      |  |
|------------------|------|--|
| 1. Certified     | None |  |
| 2. Non-Certified | None |  |

#### **E. EMPLOYMENT**

- |  |      |               |
|--|------|---------------|
| 1. Certified                             | None |               |
| 2. Non-Certified                         |      |               |
| a. 33.75 hr/week IA/Attendance Secretary | NHS  | Sheryl Eppert |
| b. 29-hour Special Services Instr. Asst. | FPE  | Becky Morris  |

#### **F. EXTRA-CURRICULAR**

- |                                   |      |              |
|-----------------------------------|------|--------------|
| 1. Extra-Curricular Certified     | None |              |
| 2. Extra-Curricular Non-Certified | None |              |
| 3. Extra-Curricular Lay Coach     |      |              |
| a. Assistant Cross Country Coach  | NCMS | Aaron Slater |
| 4. Supplemental                   | None |              |

#### **G. CHANGES**

- |                    |      |  |
|--------------------|------|--|
| 1. Certified       | None |  |
| 2. Non-Certified   | None |  |
| 3. ECA-Lay Coaches | None |  |

H. VOLUNTEERS	
1. CLASSROOM	None
2. ATHLETICS/ECA	None
I. TERMINATIONS	None

Mrs. Adams moved to approve the consent agenda. Mr. Scherb seconded, and the motion was approved by a 7-0 vote.

**III. Comments from Patrons**

None at this meeting

**IV. Old Business**

**A. Building Project Update**

Mr. Lance Gassert of Garmong Construction Services provided an update of the building projects at Clay City Jr/Sr High School and Northview High School.

Because the Board had toured Clay City prior to the board meeting, Mr. Gassert began with discussion of the progress at Northview High School. He noted that their focus at both projects had turned to the Student Activities Center spaces now that school had started back. At Northview, Unit H, which is the new classroom wing, is now in use, and there is a temporary roof in place over that area. It is expected that the new roof panels will be ordered in the next couple of weeks, and it is expected they will be on this fall. The English wing is all in use, and the new carpet is very impressive. Upstairs, four of the six restrooms are operational, and the other two are just waiting on the toilet partitions to be installed. In the Student Activities Center, a large section of the floor slab in the gymnasium has been poured, and work on connecting the pre-cast box to the existing school is continuing. It is expected that the changeover to the Student Activities Center will happen over the Christmas break when the space will transition and teachers will have the opportunity to move in and start utilizing it.

At North Clay Middle School, work is about 95% complete; students are back in the space, and the new lockers are being utilized. There are some punch-list items to be done in that space. The area from which lockers were removed is nice and open now, and it is pretty impressive.

At Clay City Jr/Sr High School, the band addition flooring was just installed last week, and the final ceiling tiles and new sound panels are being installed. That area is expected to be turned over at the end of this month. Work in the auditoria is in full swing, with a mid-September completion date. On the second floor, the media center now has a lot of nice, bright windows and has been opened up to the corridors. All of the classrooms upstairs have been turned over, and students are currently using them. There is some locker work to finish, but it is substantially complete. The shop area is complete; the old shop space has been transformed into a new teaching classroom, and that space is operational. In the Student Activities Center, a large floor slab pour will be made on Saturday. The final pre-cast panels for both jobs are to be set at the end of this month and will close up the open holes, which will allow the paint to be finished and the glass to be installed. That Student Activities Center completion date is scheduled

for mid-November. After taking a look at the Clay City restrooms, some dollars have been earmarked for the restrooms at Clay City, so at the end of the project the plan is to change out some of the ceramic tile and change the look of those spaces.

Under discussion, Mr. Reberger wanted to know about what percentage of the project was complete. Mr. Gassert estimated the project to be approximately 50% complete, nine months in on a 28-month project. He stated that the pace of the project had been tremendous, and the completion date was still projected to be February of 2019 when everything is wrapped up and they walk away.

#### **B. Board Policy 6150 – Out of District Transfer Students and Appendix T – Revision – Second Reading**

Superintendent Fritz noted that this policy change and the next two policy changes/additions were required by the state.

Before Mr. Kumpf asked for a motion, Mr. Scherb asked for clarification as to whether this was 100% out-of-district students, students that live out of Clay County. Superintendent Fritz confirmed that Mr. Scherb was correct, for this particular policy.

Next, Mr. Scherb wanted to know what the policy was for students that live in the district. Superintendent Fritz's response was that there was a separate policy for that, but he didn't have that policy with him this evening.

Mr. Scherb then stated that he was a little unclear on some of these things, particularly in relation to the students that live in Clay County. He was not real comfortable at this time, and he asked if the policy could be discussed in executive session; however, Mr. Scherb was told that, as policy, it did not fall under the guidelines of discussion in executive session.

A question posed by Mr. Scherb: What do you do if you have a concern about a student transfer, just hypothetically since the Board cannot talk about a particular case in an open meeting? Superintendent Fritz asked to clarify whether Mr. Scherb was talking about an individual student or about the policy itself. When Mr. Scherb replied that he was asking about both, Superintendent Fritz explained that the Board could not talk about policy itself as a policy item in executive session, but the Board could talk about a particular student in executive session, if it was within the realm of what was acceptable for an executive session.

When asked by Mr. Scherb if an executive session had been advertised for tonight, Mr. Kumpf replied that it had not. Mr. Scherb wanted to know if an executive session could be advertised for next month. Mrs. Adams then asked if Mr. Scherb wanted to table this item until next month so he could get some more information. Mr. Scherb agreed that was his view because he didn't feel comfortable.

Mrs. Baysinger pointed out that this policy was about out-of-district transfers, not in-district transfers; they were talking about two different subjects. Superintendent Fritz noted that was correct and stated that the policy wording had been taken directly from ISBA wording and the guidelines ISBA had given. According to Superintendent Fritz,

the major change in this particular out-of-district transfer policy was only in regard to attendance issues. Previously, a transfer could not be denied or revoked if a student had major attendance issues. Corporations now can make attendance applicable to transfer students as well, so the state provided schools the opportunity to deny or revoke a transfer if a student had major attendance issues.

Mrs. Adams asserted that, although ISBA was advising this change, Indiana law was not requiring the school corporation to change the policy at this time or by a deadline. Superintendent Fritz countered that the state was requiring the school corporation to change it, but he did not know what the deadline was.

Mrs. Adams then moved to table this item to the September meeting until Mr. Scherb could get his questions answered. Mr. Kumpf pointed out that Mr. Scherb's question didn't cover this policy; his question covered another policy. This policy was for out-of-district transfers, and Mr. Scherb's discussion was in regard to in-district transfers.

An example given by Mr. Reberger to illustrate his understanding of this policy's intent was to hypothetically suppose the school corporation had a student from another county, another school corporation, that requested a transfer into Clay Community Schools, and the transfer was granted. Then, for some reason, such as attendance, the student was expelled from Clay Community Schools. It was Mr. Reberger's understanding that all the policy said was that for the next school year, the student had to go back to where they had been prior to the transfer, not Clay Community Schools. Superintendent Fritz agreed that Mr. Reberger's example was correct. He explained that when considering denying a transfer the following year, building principals have the option, for students with an attendance issue or for students that have been suspended or expelled for ten or more days the previous school year or have had major discipline violations (such as those involving drugs or alcohol or threats or harm to a student or staff member or weapons issues), to deny that transfer.

Mrs. Adams then began discussion of expulsions/suspensions with her assertion that last school year the school corporation had a record number of expulsions. Superintendent Fritz did not believe it had been a record number. Mrs. Adams clarified that it was a record number to her knowledge as a board member because she had yet to see so many expulsions. She stated that she had that question a few months ago, and at that time the number of students that had been expelled up to March was not known. It was her contention that the first time the school board members were notified of an expulsion was in January when two children were expelled. Then, in March or May, two more were expelled. To her, four in a few months is a record. Mrs. Adams suggested that was maybe something she would like to know in September. She asked for data for the last five years as to how many kids had been expelled from Clay Community Schools.

At this point, Mr. Reberger stated that he thought this policy had been confused with another policy. Mrs. Adams countered that her point was whether this policy, in the rush to pass it, was with these students that had been expelled in mind. To her, expulsion for the rest of the year was their punishment for their deeds or misdeeds by denying them entrance. As she saw it, it was not the school corporation's job to

jeopardize the safety of the kids in the school systems, but it was the school corporation's job to make sure they got where they needed to be and make sure one mistake wouldn't derail their education for a lifetime.

Mrs. Adams referred to her reason for bringing up the expulsion/suspension issue by asking if this policy would then exclude kids that transferred in for a reason last year, then messed up and did their time being expelled, and now would be prohibited from returning.

Superintendent Fritz offered the following response to Mrs. Adams' assertions. First, he noted that the school board members only receive the expulsions that are appealed to the school board; the vast majority of expulsions never reach the Board, if there is no appeal. With regard to this policy being rushed, the information was sent out by ISBA (Indiana School Boards Association) earlier this year, and this policy and the two following on this agenda were sent by ISBA in the same email as needing to be changed in policy. Superintendent Fritz stressed that the administration was not initiating this policy change in response to anything that had come up recently. In fact, the wording in the policy with regard to expulsions was not being changed at all; that wording is the same that has been on the books for years, and it also follows state law. When looking at state code, the code explicitly says that when a student has been expelled or suspended for ten or more days, a school corporation does not have to accept that student the following year. The reason for that is very simple; a student is not being denied an education. They have a county they are living in and they have a school within their district, and they can certainly attend that school. So they are not being denied an education; rather, they are just being told that because of past behavior or past attendance, they are not being taken back for the current school year. That puts some of the responsibility back on the parents and the students, and it also secures the corporation's own students, and the students living within this corporation's boundaries are the corporation's first obligation.

Mr. Scherb wanted to know if Mr. Kumpf had sought legal advice on the question he had presented to Mr. Kumpf a couple of days ago. Mr. Kumpf replied that he had not, but he had received legal advice anyway because the attorney had sent him an email.

Mr. Reberger moved to accept the recommendation of approving policy. Mrs. Baysinger seconded.

Mrs. Adams reminded Mr. Kumpf that she had made a motion to table to September. Mr. Scherb then seconded Mrs. Adams' motion to table.

Under discussion, Mr. Scherb stated that he would like to see legal advice, to which Mr. Kumpf responded by stating that Mr. Scherb should have an email on his server. Mrs. Adams noted that she had not seen the email or the advice from the attorney; she felt there were board members who were privy to information that she was hearing about for the first time. She continued by saying that if the school corporation had consulted an attorney that was on the payroll, she thought that legal advice should be disseminated. To this, Mr. Reberger responded by commenting that it had been his interpretation that the changes in the policy were written at the written suggestion from

ISBA, who would be the school corporation's legal advice. It was Mrs. Adams' contention that ISBA was not the school corporation's legal advice; rather, she believed it to be an independent board, an association that was not the school corporation's legal advice, which is why the corporation had Michelle Cooper and Jeff Boyll, whom Mrs. Adams asserted were paid every year in a retainer fee. It was her view that the school corporation sometimes took recommendations because ISBA had their attorneys on retainer, but those were not the school corporation's attorneys.

Superintendent Fritz attempted to clarify the situation by noting that this afternoon the administration had received a call from Michelle Cooper requesting information about board policy. A board member had contacted her; the administration did not contact her. She was sent the board policy. It was established that the board member who had contacted Michelle Cooper had been Ron Scherb.

Mrs. Adams then wanted to know what Michelle Cooper's advice had been. Superintendent Fritz replied that her advice had not been about this policy. He pointed out that there were two different policies; there is an out-of-district transfer policy and there is an in-district transfer policy. According to Superintendent Fritz, the out-of-district transfer policy was the policy being discussed at this meeting. The in-district transfer policy concerned students who were the school corporation's students; they would not be denied an education.

Superintendent Fritz described a hypothetical situation to illustrate how the in-district transfer policy would be implemented. He offered a scenario in which a student who attended Van Buren Elementary and lived in the Van Buren Elementary district wanted to transfer to Forest Park Elementary. However, the hypothetical student, who lived in Clay County and in the Van Buren district, had been a discipline problem or had been an attendance problem. In that particular in-district transfer policy, there is a line-item that states if the building administrator felt it was not in the best interests of the student or the school, he or she may deny that transfer. Superintendent Fritz added that this had been on the books, in the form, and in board policy ever since he could remember. Building principals have denied in-district transfers for that very reason. Whether that was legal was the question that had been asked of Michelle Cooper.

Mrs. Adams asked to clarify that the question that had been posed to Michelle Cooper had been about in-district policy, which was not what the Board was discussing at this meeting. Superintendent Fritz stated that was correct.

The motion to table to September was denied by a 2-5 vote with Mrs. Adams and Mr. Scherb voting in favor and all other board members voting against.

Mr. Reberger then moved to accept the policy as recommended. Mrs. Baysinger seconded, and the motion was approved by a 5-1-1 vote, with Mr. Scherb voting against and Mrs. Adams abstaining.

**C. Board Policy 6830 – Before and After School Program – Revision – Second Reading**

Mr. Scherb moved to accept the revision to Board Policy 6830 – Before and After School Program. Mrs. Adams seconded, and the motion was approved by a 7-0 vote.

**D. Board Policy 6935 – Reporting Child Abuse/Child Neglect – New Policy – Second Reading**

Mrs. Baysinger moved to accept new Board Policy 6935 – Reporting Child Abuse/Child Neglect. Dr. Shaw seconded.

Prior to the vote, Mr. Kumpf stated that he assumed all of the new information on reporting child abuse had been given out to teachers. Superintendent Fritz assured him that it would go out to the teachers tomorrow.

The motion was approved by a 7-0 vote.

**V. Superintendent's Report**

Superintendent Fritz noted the following:

- A welcome to the school family was offered to Sheryl Eppert, Northview High School, and Becky Morris, Forest Park Elementary.
- A great start to the new school year was noted by Superintendent Fritz.
- A positive opening teachers' meeting had been held.
- Thanks were offered to *The Brazil Times* and *The Clay City News* for continued positive publications and articles. In particular, Superintendent Fritz commented about a nice article in *The Brazil Times* recently with Mike Howard, Cathy Rodgers, and Lisa Stevenson regarding the Transportation Department.

**VI. New Business**

**A. Request for Permission to Advertise the 2018 Budget, 2018 Capital Projects Plan, and the 2018 School Bus Replacement Plan**

Mrs. Adams moved to accept the plan to advertise the 2018 budget, 2018 Capital Projects Plan, and the 2018 School Bus Replacement Plan. Mr. Wiram seconded, and the motion was approved by a 7-0 vote.

**B. Request for Permission to Advertise for Bids for Buses**

Dr. Shaw moved to grant permission to advertise for bids for buses. Mrs. Adams seconded.

Under discussion, Mr. Reberger asked how many buses were going to be purchased. The answer was six.

The motion was approved by a 7-0 vote.

**C. Salary and Hourly Step Systems**

As requested by Mr. Scherb, reports regarding the hourly and salary step systems were offered by both Superintendent Fritz and Director of Human Resources Ernie Simpson. A copy of their PowerPoint presentations will become a part of the official minutes.

At the conclusion of the presentations by Superintendent Fritz and Mr. Simpson, Mr. Scherb stated that they had not seen the \$756,000 in wage increases that was approved last year. When asked by Mr. Simpson what \$756,000 he was talking about, Mr. Scherb stated that everyone had been given a pay raise last year. Mr. Simpson agreed that was correct, and he explained that \$286,000 was for teachers and the rest would have been between administrators and classified employees.

Regarding another point that Mr. Scherb said he had tried to make earlier, he shared his opinion that this information really should have been presented before the fact, when it was being discussed by the Board. Superintendent Fritz responded by pointing out that, with full disclosure, he and Mr. Scherb had several meetings on this, and there had been a first reading and a second reading; if Mr. Scherb had asked for information, Superintendent Fritz would certainly have given it to him. Mr. Simpson added that he meant zero disrespect, but he thought that when he, Mr. Shayotovich, and Superintendent Fritz had met with then-board president Mr. Scherb in Superintendent Fritz's office following a board meeting they had given him the exact information that he had asked for, and at that time Mr. Scherb had seemed comfortable with it. To Mr. Scherb's assertion that he received the information after the vote, Mr. Simpson responded that he didn't believe it was. Mr. Scherb also asserted that it had been \$600,000 at that time, not \$756,000.

It was suggested by Mrs. Adams that perhaps projected numbers could be provided when the Board considers any kind of raises or stipends again. She also suggested providing the information at public meetings where that information would be disseminated to the public and would not be behind a closed-door meeting, with which Mr. Simpson agreed.

Mr. Kumpf concluded discussion by noting that he believed the step system helped the school corporation keep track of its finances.

#### **D. Big Buddy/Little Buddy Program**

Assistant Superintendent Dr. Tim Rayle explained that the Big Buddy/Little Buddy program was a six-week program that took place at elementary schools, one day per week for six weeks. Second-grade big buddies would read books to preschool little buddies. The preschoolers would be brought in by parents and would keep the books. The books cost approximately \$1,700, paid out of either Title I or the General Fund. Supplies for the program were approximately \$400 per building and were paid for out of each school's Student Activities Fund. The program was canceled after 2015-2016 under the recommendation of the principals and teachers due to: 1) loss of instructional time; 2) pulling staff from assigned duties; 3) the district organizer retired and was not replaced; 4) no time for advance preparation of materials; 5) pulling instructional assistants from their duties to pull books and schedule the pre-school kids to come in; and 6) overall lack of participation.

Mr. Scherb's question: Why are we canceling a reading program? Dr. Rayle's reply: Because we are handling the reading within kindergarten now. The school corporation has excellent teachers who are doing that, fantastic principals, and instructional assistants who are able to work with that right within their buildings. Some buildings

even have fourth- and fifth-grade students doing the exact same thing. Mr. Scherb interpreted that to mean that there is still a Big Buddy/Little Buddy program, it's just different. Dr. Rayle agreed that was occurring, in some of the schools. Mr. Scherb thanked Dr. Rayle for that and stated that the person who had asked him that question had been a retired teacher, and she was not happy about canceling a reading program.

## **VII. Board Member Comments**

**Tom Reberger** shared comments regarding the school buses and how he had noticed they were able to stay on schedule by the second day of school. Also, he noted that the Clay Community Schools buses always follow the speed limit on the Knightsville Road, and he appreciated that.

**Michael Shaw** stated that it had been a nice tour this evening at Clay City, and things were looking good and progressing nicely down there. He commented that it had been good to see the Boy Scouts at this meeting. He thanked the administrators and teachers for their attendance at this meeting, and he expressed his appreciation for their dedication and commitment to the community and schools.

**Ron Scherb** shared his opinion that the start of a new school year might be a good time to encourage putting GPS systems on the school buses.

**Kevin Kumpf** welcomed everybody back to school. He also noted that he appreciates all of the work the administrators and teachers have done. He added that when talking about how smooth the first day of school had gone, it is because of the organization and the efforts of the teachers and the administrative staffs, and the Board appreciates what they do.

**Amy Burke Adams** added her appreciation for what teachers and administrators do, day in and day out, to make this corporation successful, to educate the kids and keep them safe, and to get them fed and back and forth to school. She then referred to her time as a student teacher in 1989 under Dan Ullery at Northview. Mrs. Adams commented that he had taught her to never, ever, ever give up on a kid. She credited Mr. Ullery and Carol Mayrose with helping to shape her view not only of teaching, but also interacting with other individuals.

**Shane Wiram** also thanked the teachers, administrators, staff, and anyone involved with employees in this school corporation for having a good start to the school year. He found the tour at Clay City tonight to be very encouraging. He thanked Lance Gassert, Superintendent Fritz, and the administration for addressing the oversight on the bathrooms at Clay City Jr/Sr High School. Mr. Wiram encouraged teachers, administrators, and staff members to please pay attention to details during this time of construction and renovation and then follow the chain of command and let somebody know if it appears something isn't being done right or there is an oversight of an issue.

## **VIII. Future Agenda Items**

**Amy Burke Adams** requested the following:

- 1) For September, expulsion data, including how many per year between 2010 and 2017, by grade level. Also, what the offenses were, by code. In addition, data for discipline involving suspension, from 2010 to 2017, what grade levels, and for what offense, by code.
- 2) A brief update of the laptop program, specifically when they will be replaced or upgraded, and who is responsible for buying batteries and power cords.

- 3) A brief update regarding the balanced school year, in the next few months but maybe not for September, as to what administrators, teachers, and parents think of the calendar and whether it has been successful in reducing discipline issues and increasing achievement on tests.

Superintendent Fritz asked to clarify with Mrs. Adams if it was OK to meet with the teachers' association to prepare and bring a recommendation for the calendar for the next school year, which has historically been done in September or October, prior to getting the requested information to her. Mrs. Adams agreed that would be OK because it was probably too late to make any major changes for even next year, just as long as the dialogue started and they were seeking opinions that people actually felt.

#### **IX. Adjournment**

Having exhausted all agenda items, the meeting was adjourned at 8:44 p.m.

The meeting was audio recorded and copies may be requested by contacting the Central Administration Office.