

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

A regular session of the Clay Community Schools Board of Trustees was held at the Central Administrative Office, 1013 S. Forest Avenue, Brazil, IN 47834, on Thursday, May 7, 2015. Tom Reberger, Kevin Kumpf, Scott Hill, Fred Froderman, Ron Scherb, Amy Burke Adams and Shane Wiram were present.

I. Call to Order

The meeting was called to order at 7:31 p.m. Board President Ron Scherb led those in attendance in the pledge and offered the prayer.

Prior to acting on Item II. Consent Agenda, the board elected Kevin Kumpf by acclamation to fill the vacant board secretary position. Mr. Kumpf then resigned his position as assistant secretary. Shane Wiram was then elected by acclamation to the position of assistant secretary.

II. Consent Agenda

A. Claims

B. Board Meetings

Regular Session Minutes for April 9, 2015 (accepted with amended language)
Special Session Minutes for April 24, 2015 and April 29, 2015
Executive Session Certification for April 8, 2015, April 9, 2015, April 17, 2015,
April 22, 2015, April 24, 2015, April 25, 2015, April 29, 2015 and May 2, 2015

C. Field Trips

- 1) Clay City Jr/Sr High School FFA members to Indiana FFA Center in Trafalgar, Indiana, July 6-9, 2015, for Indiana FFA Summer Challenge Conference/Camp, requiring overnight stay
- 2) North Clay Middle School/Clay City Jr/Sr High School 8th grade students who wish to participate to Washington, D.C., March 17-22, 2016, requiring out-of-state travel and overnight stay
- 3) Northview High School French class members to London and Paris, July 13-20, 2016, requiring out-of-country travel and overnight stay

D. Personnel

None at this meeting. Personnel recommendations will be presented for approval during the special session to be held on Wednesday, May 20, 2015.

Mr. Kumpf moved to approve the consent agenda items. Dr. Froderman seconded, and the motion was approved by a 6-0-1 vote with Mrs. Adams abstaining.

III. Comments from Patrons

Leo Southworth, 216 W. Ridge Street, Brazil, addressed the board concerning three topics. First, he stressed the importance of clear communication with the public and within the school corporation. As an example, he noted that recently the board had been notified that a member of the board had, or was intending, to move beyond the geographic limits of the corporation which, by law, would create a vacancy on the board.

Mr. Southworth asserted that, regardless of the language contained within the communique received from the departing board member, the term “resigned” in any of its forms should not have been used by the corporation in any manner in reference to the event. He pointed out that a resignation by a member of the board invokes a procedure prescribed by Indiana statute that must be followed for the resignation to be lawful, while a vacancy on the board may occur for many reasons and falls under another statute. He also pointed out that a resignation would cause a vacancy, but a vacancy may be created by other events. Mr. Southworth noted that upon learning that the clerk of the circuit court must be informed of resignations on the board, a copy of the communique was delivered to the clerk; however, the statute specifies that written notice be given by the resigning party. It was Mr. Southworth’s opinion that it raised serious concerns that a communique that was sent to the corporation was sent to another party to be taken as if it came directly from the sender. Mr. Southworth’s understanding was that the corporation, or any other person, could not conduct the legal business of a person without legal authority, such as power of attorney. While corporate policy addresses these issues, it could and should do so more clearly.

Another topic Mr. Southworth addressed was the manner in which the board sought interested parties to fill the vacancy. He noted that *The Brazil Times* article directed the public to the corporation web site for more information. Mr. Southworth pointed out that the first article mentioning the vacancy appeared in a Monday paper, which is delivered to every mailbox in the corporation or county, but the second article appeared in the 3,400 newspapers sent to paid subscribers on the day of the 4 p.m. deadline. As a result, the corporation received only two letters expressing interest. As for the corporation’s notice on the web site, Mr. Southworth noted that it went into detail as to who would be qualified to apply and how to apply; however, there was no mention of the timeframe stipulated by the board in which to apply.

These two issues kicked off a search by Mr. Southworth through policy and statute. It was his contention that there is a probable conflict between corporate policy and Indiana statute concerning selection of the board. Board policy states under Policy 1220 that the corporation is organized under “the provisions of Indiana Code 20-23-4-35 to 20-23-4-37”. However, Mr. Southworth asserted the corporation is not in compliance with all the specifications contained within 20-23-4-35 and, to his knowledge, never has been. That statute, under Section 20-23-4-35 (b) (2), specifies that the board will establish three residential districts along township lines within the corporation boundaries in addition to the four electoral districts. The difference, according to Mr. Southworth: the three at-large members must come, one each, from those residential districts, but they are still voted on by the county at large.

IV. Old Business

A. Job Description – Assistant Principal/Director of Secondary Academic At-Risk Programs – NEW: Second Reading

Mr. Reberger moved to approve the new Assistant Principal/Director of Secondary Academic At-Risk Programs job description. Mr. Kumpf seconded, and the motion was approved by a 7-0 vote.

B. Job Description – Director of Human Resources - REVISION: Second Reading

Mr. Reberger moved to approve the revision to the Director of Human Resources (formerly Director of Personnel, Data, and Food Services) job description. Mr. Wiram seconded.

Under discussion, Mrs. Adams stated that she was disappointed to see that the valid Indiana teaching license was removed from the certifications that were acceptable. She believed that had served the school corporation well in the past. Mr. Reberger responded, noting that the change gave additional parameters in seeking a qualified person, such as someone who had worked in HR in another company. The way the job description was written required candidates to hold a valid teacher's license. All Mr. Reberger wanted to do was not eliminate a good candidate; an applicant could still be a teacher.

The motion was approved by a 6-1 vote with Mrs. Adams opposed.

V. Superintendent's Report

None at this meeting

VI. New Business

A. Termination Recommendation

A personnel matter was heard by the Board in executive session on April 29, 2015. Dr. Tucker requested the board uphold the Administration's recommendation to terminate Stephen Auterson.

Dr. Froderman moved that the Board uphold the termination recommendation of the Administration. Mr. Kumpf seconded, and the motion was approved by a 6-0-1 vote with Mrs. Adams abstaining.

The Board instructed Board counsel to prepare proposed findings for the Board's consideration, which Michelle Cooper had done. Those findings in support of the termination decision also required approval by the Board.

Mr. Wiram moved to approve the findings prepared by Board Counsel that uphold the Administration's termination recommendation. Dr. Froderman seconded, and the motion was approved by a 6-0-1 vote with Mrs. Adams abstaining.

B. Permission to Bid for Clay City Jr/Sr High School Track

Mrs. Adams moved to grant permission to advertise for bids for the Clay City Jr/Sr High School track. Mr. Wiram seconded.

Under discussion, Mrs. Adams stated that she was glad to see this happen. Mr. Reberger asked if the plans and bid documents were available for the board to view. Mr. Howard replied that the plans and bid documents were in his office.

The motion was approved by a 7-0 vote.

C. 1:1 Presentation

Dr. Rayle presented a video showing students using the 1:1 technology in the classroom. Dr. Rayle also presented results of a survey conducted with teachers and students. A copy of the survey results will become a part of the official minutes.

D. Northview High School Purchase Request – Perfect Attendance Awards

Mr. Kumpf moved to grant permission for Northview High School to purchase laptop computers for students who have had perfect attendance for all four years at Northview. Mrs. Adams seconded, and the motion was approved by a 7-0 vote.

E. Northview High School Purchase Request – Class of 2015 Lunch

Dr. Froderman moved to grant permission to Principal Ernie Simpson to purchase lunch for Northview High School's graduating class of 2015. Mr. Hill seconded, and the motion was approved by a 7-0 vote.

Mrs. Adams clarified that the funds to be used for both the laptops for perfect attendance and the senior lunch were ECA (Extra Curricular Activity) funds.

F. Jackson Township Elementary Acceptance of Donation

Dr. Froderman moved to approve a donation from the Jackson Township PTO to Jackson Township Elementary to help pay the cost of the fifth grade field trip to Beef and Boards Dinner Theatre on May 21, 2015. Mrs. Adams seconded, and the motion was approved by a 7-0 vote.

VII. Board Member Comments

Ron Scherb offered thanks to the newspapers for running articles for the school board vacancy. He clarified that the start time for the May 20 special session would be 7:30 p.m.

Shane Wiram offered congratulations to the senior classes at Clay City and Northview. He thanked Dr. Rayle for the 1:1 information, and he offered condolences to the family Betty Jackson, who had worked for the school corporation for 29 years and had recently passed away.

Amy Burke Adams congratulated the upcoming graduates on their accomplishment, their parents who helped get them to school all those years, the bus drivers who drove them, the coaches who coached them, the community who supported them, and the teachers who taught them.

Scott Hill thanked the board for allowing him the opportunity to serve the public.

Kevin Kumpf stated that he was looking forward to the graduations.

Tom Reberger noted that the school corporation had three 4-star elementary schools, and lots of school corporations bigger than ours don't have that many.

VIII. Future Agenda Items

None at this meeting

IX. Adjournment

Having exhausted all agenda items, the meeting was adjourned at 8:17 p.m.

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