

Emery County School District | Board of Education

The June 2013 meeting of the Emery County School District Board of Education, held at the School District office, was called to order at 11:45 AM by Board President Laurel Johansen. Other Board members present were Marie Johnson, Sam Singleton and Nanette Tanner. Vice-President Royd Hatt was absent. Superintendent Kirk Sitterud was also present as were Business Administrator Jared Black, Secondary Supervisor Gwen Callahan and Elementary Supervisor Jed Jensen.

WORKING SESSION

Policy Discussions: Superintendent Sitterud explained the following policy actions to the Board:

- **KCBC—School Community Councils:** revision due to changes in the law concerning elections being in the fall of the year, how long a parent can serve, posting of information on the school website, and elimination of the requirement for a “Child Access Routing Plan.”
- **EBC—Emergency Response Management:** new policy required by law and that outlines the components required in the District emergency response plan.

Mr. Black explained that most of the remaining policy actions relate to two laws. The first is the Affordable Care Act, which requires the District to provide affordable insurance only to employees working 30 or more hours a week. The second is Utah House Bill 255, passed in 2013, that redefines eligibility for participation in the Utah Retirement System. The new definition of eligibility for employees hired after July 1, 2013 is that they must work a regular schedule of 20 or more hours per week (classified) or be employed on a half-time basis or greater (licensed), and receive fringe benefits from their employer. Consequently, District policies have been rewritten to coordinate with these two laws.

- **GDA—Support Staff Positions and Classifications:** revision intended to meet requirements of the new classified employee law, including definitions of full-time, part-time and at-will support staff employees.
- **GDQ—Support Staff Orderly Dismissal:** revision changing the definition of “at-will” for support staff employees to those working less than 30 hours per week. The current policy is 20 hours per week. Also changes the definition of insubordination to include “an intentional display of disrespect toward a school or district administrator, supervisor or board member, while acting in their capacity as an administrator, supervisor or board member.”
- **GCQ—Professional Staff Orderly Dismissal:** revision changing the definition of “at-will” for professional staff employees to those working less than half-time. The current policy is less than 20 hours per week. Also changes the definition of insubordination to include “an intentional display of disrespect toward a school or district administrator, supervisor or board member, while acting in their capacity as an administrator, supervisor or board member.”
- **GDI—Support Staff Probation and Tenure:** revision intended to meet requirements of the new classified employee law, specifically that career status for support staff employees applies to non at-will employees.
- **GDBD—Support Staff Fringe Benefits:** Revision that creates a separate fringe benefits policy for support staff employees. Adds eligibility definitions for fringe benefits, excluding all at-will employees hired on or

Emery County School District | Board of Education

after 7/1/2013. Categorizes explanations of eligible benefits by full-time, part-time and eligible at-will support staff employees. Based on Board input during the working session, specifies that District will fund 100% of life insurance premium for all benefits eligible employees. Further defines benefits eligibility for district dual-employed spouses.

- **G CBD—Professional Staff Fringe Benefits:** Revision that creates a separate fringe benefits policy for professional staff employees. Adds eligibility definitions for fringe benefits, excluding all at-will employees hired on or after 7/1/2013. Categorizes explanations of eligible benefits by full-time, part-time and eligible at-will professional staff employees. Based on Board input during the working session, specifies that District will fund 100% of life insurance premium for all benefits eligible employees. Includes language from previously separate policy “Staff Death Benefits.” Further defines benefits eligibility for district dual-employed spouses.
- **GCC/GDC—Benefitted Staff Leaves and Absences:** Revision that consolidates all benefitted leaves and absences into one policy. Includes language from previously separate policies, “Staff Sick Leave Payout”, “Education Association Leave”, and “Catastrophic Sick Leave Bank”. Includes eligibility definition for receiving benefitted leaves and absences. Clarifies approval process for leave without pay.
- **DLB—Tax Sheltered Annuity Programs:** Revision clarifying that eligibility to participate in a tax sheltered annuity program through the School District is based on Federal requirements and is not considered a District fringe benefit.
- **GBGD—Employee Worker’s Compensation:** Revision clarifying that eligibility for Worker’s Compensation Insurance through the School District is based on Utah law and is not considered a District fringe benefit. Based on Board input during the working session, will be amended to clarify that benefits eligible employees receiving compensation through Worker’s Compensation insurance can use sick or other leave to augment income up to the level of regular income received by the employee.
- **GCCAC/GDCC—Family and Medical Leave:** Revision to clarify eligibility for certain aspects of family and medical leave.
- **GCBDA/GDBDA—Staff Death Benefits:** recommendation to rescind policy due to policy language being moved to the fringe benefits policies.
- **GCBDB/GDBDB—Staff Sick Leave Payout:** recommendation to rescind policy due to policy language being moved to the benefitted leaves and absences policy.
- **GCCAG/GDFC—Education Association Leave:** recommendation to rescind policy due to policy language being moved to the benefitted leaves and absences policy.
- **GCCAAA/GDCAA—Catastrophic Sick Leave Bank:** recommendation to rescind policy due to policy language being moved to the benefitted leaves and absences policy.

Mr. Black explained that the following two revisions are not related to the Affordable Care Act or House Bill 2013.

Emery County School District | Board of Education

- **G CBD-R/G DBD-R—Health Insurance Waiver Rules:** Revision creating a frozen Tier 1 stipend level for employees participating in the waiver program as of June 30, 2013. Creates a separate Tier 2 stipend level for employees who choose to participate in the waiver program as of July 1, 2013. Based on Board input during the working session, the Tier 1 stipend levels will be amended so as to be rounded to the nearest \$100 amount.
- **G CBDC/G DBDC—Staff Longevity Benefit:** Revision eliminating language pertaining to retro-pay and catch up-pay amounts since these payments have been completed and will not apply from now on.

REGULAR SESSION

At 1:00 PM, Mrs. Johansen welcomed all in attendance and led the audience in reciting the Pledge of Allegiance.

Presentations (B): Kenzi Guymon stated to the Board her desire to start a Girl's Golf program at Emery High School. Mrs. Guymon presented a variety of research and information that she has compiled over the last few weeks. She mentioned that the program would require annual funding of approximately \$1,600 plus transportation. Board President Johansen indicated that the District would be assessing interest in all potential sports and activities at Emery High School at the beginning of the 2013-14 school year. In addition, the District has to evaluate Title IX impacts and numerous other considerations. She stated that this type of request takes time to evaluate and the Board is not prepared to make a decision right now. It would likely be in October, at the earliest, when the Board would be willing to take action.

Troy Winter presented information he has compiled related to his request to add Boys Soccer at Emery High School. He indicated that the program would be able to fund itself and that he understood the need for the survey and was willing to wait for the results before pursuing his request further. President Johansen thanked him for the information he had gathered and indicated that the Board would look at both of these requests once the interest survey at Emery High has been compiled. She thanked all who attended Board meeting to show their support of these proposed programs.

Public Hearing (C): A motion was made by Sam Singleton and seconded by Marie Johnson to adjourn the regular meeting to a public hearing to receive comment on opening and adjusting the final legal budget for fiscal year 2013. The motion passed unanimously.

Business Administrator Black gave a short presentation on the pre-final legal budget for fiscal year 2013 as well as the tentative budget for fiscal year 2014. He explained that some minor adjustments would need to be made to the 2013 budget over the next two weeks before it could be considered the final legal budget. He recommended that the Board approve the pre-final legal budget for fiscal year 2013 as presented, and in July, the Board could ratify their approval of the final legal budget. No other public comments were made. Marie Johnson made a motion to declare the hearing closed and the general session reconvened. Sam Singleton seconded the motion and it passed unanimously.

Board Action Item (D): A motion was then made by Nanette Tanner and seconded by Marie Johnson to approve the pre-final legal budget for fiscal year 2013, and to authorize the Business Administrator to adjust final fiscal year 2013 budgets to reflect revised amounts as necessary. The motion passed unanimously.

Emery County School District | Board of Education

Public Hearing (E): A motion was made by Marie Johnson and seconded by Nanette Tanner to adjourn the regular meeting to a public hearing to receive comment on the tentative budget for fiscal year 2014. The motion passed unanimously.

Mr. Black commented that the proposed tentative budget for fiscal year 2014 is balanced but also very tight. Only a small amount of contingency is built into the budget. A motion was made by Marie Johnson and seconded by Sam Singleton to declare the hearing closed and the general session reconvened.

Board Action Item (F1): Sam Singleton motioned to adopt the tentative budget for fiscal year 2014 as presented. Nanette Tanner seconded the motion and it passed unanimously.

Board Action Item (F2): Members of the Board considered the warrants, minutes for the May 2013 Board meeting and financial reports for May 2013. A motion was made by Marie Johnson to approve the warrants, minutes and financial reports as presented. Nanette Tanner seconded the motion and it passed unanimously.

Board Action Item (F3): Mr. Sitterud indicated that there were no personnel actions for approval. Consequently, no action was taken on this item.

Board Action Item (F4): Mr. Black presented a list of recommended surplus vehicles from District Transportation Supervisor Roger Swenson. He explained that each vehicle recommended for surplus would not run without significant repairs and the cost of repair outweighs the expected benefit. A motion was made by Nanette Tanner and seconded by Marie Johnson to declare the following vehicles as surplus and authorize the Business Administrator to advertise them for sale: D46, a 1998 Chevrolet Lumina; D45, a 1997 Dodge Truck, and 011, a 2002 Bluebird bus. The motion passed unanimously.

Board Action Item (F5): Superintendent Sitterud recommended that the Board approve the policy actions explained and discussed earlier in the day during the Board meeting working session.

Marie Johnson made a motion to approve the policy actions as discussed in the working session, including alterations to proposed policy revisions GDBD, GCBD, GBGD and GCBD-R/GDBD-R. These alterations as well as a general overview of each policy action are detailed in the working session section of these minutes. Nanette Tanner seconded the motion and it passed by unanimous vote.

Report Item (G1): Superintendent Sitterud presented a letter from the Utah High School Activities Association, congratulating Emery High School on the 2013 Baseball Championship. He also congratulated Reed Fehlberg who recently received the Arch Coal Teacher Recognition Award.

Report Item (G2): Mr. Black reported that the District recently received a draft copy of the facilities master plan from VCBO Architecture. The facilities committee will meet on July 10th to discuss the plan and make any revisions prior to it being finalized. Marie Johnson and Royd Hatt are Board representatives on this committee.

Public Comments: No public comments were made.

At 2:15 PM a motion was made by Marie Johnson and Seconded by Sam Singleton to move into a closed meeting for a discussion related to the character, professional competence or health of an individual. Member voting on this motion was as follows:

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| • Laurel Johansen | Aye | • Sam Singleton | Aye |
| • Royd Hatt | Absent | • Nanette Tanner | Aye |
| • Marie Johnson | Aye | | |

Certification of Closed Executive Session (Utah Code 52-4-206)

I, Laurel Johansen, President of the Emery County School District Board of Education, certify and swear that the purpose of the above closed executive session was to review and discuss the character and professional competence of an individual. Under the code referenced above, a closed executive session discussion of the character, professional competence, or physical or mental health of an individual is exempt from recording requirements and therefore, this portion of the closed session was not recorded.

Laurel Johansen

Upon reconvening at 2:40 PM, a motion was made Marie Johnson and seconded by Sam Singleton to adjourn. The motion passed unanimously and the meeting adjourned at 2:40 PM.