

**Multnomah ESD Board of Directors' Session
Minutes
Tuesday, July 10, 2012**

2011-2013

Agency Goals

- #1 – Reconnecting Youth**
- #2 – Implementation of Legislative Mandates**
- #3 – Positive Work Relationships**
- #4 – Strategic Outreach**
- #5 – Professional Development**
- #6 – Fiscal Stability**
- #7 – Shared Services**
- #8 – Board Operating Agreement**

1. CALL TO ORDER AND ROLL CALL

Vice Chair Schafer called the meeting to order at 6:05 p.m. on Tuesday, July 10, 2012 in accordance with the agenda and public notice of the meeting.

A. Board Members Present: Harry Ainsworth, Chair
Bernie Giusto
Jean Haliski
Doug Montgomery
Sean Schafer, Vice Chair
Kevin Spellman

Board Members Absent: Gary Hollands

Administrative Staff present: Barbara Jorgensen, Chief Program Officer
Leslie D. Nelson, Board Secretary

2. PUBLIC COMMENT - There were no comments from the public.

3. PRESENTATIONS AND RECOGNITIONS – There were no presentations/recognitions.

4. BOARD BUSINESS

A. Election of Officer for 2012-2013:

BALLOT FOR BOARD OFFICERS 2012-2013

Background: Per Board Policy BCB – Board Officers, the Board at its first scheduled meeting after June 30, shall elect one of its members to serve as Chair and one to serve as Vice Chair. No member of the Board may serve as Chair more than two years in succession. If a Board member is unable to continue to serve as an officer, a replacement shall be elected immediately. The replacement officer shall serve the remainder of the officer's term until the following July.

VOTE - CHAIR



Sean Schafer

Nominated by: Director Giusto

The Vice Chair called for additional nominations for the position of Chair. There being no further names placed in nomination for the position of Chair, Director Schafer was unanimously elected Chair.

VOTE – VICE CHAIR**Bernie Giusto****Nominated by: Director Giusto**~~**Doug Montgomery**~~~~**Nominated by: Director Montgomery**~~

Chair Schafer called for additional nominations for the position of Vice Chair. Director Montgomery asked to have his name removed from the ballot for the position of Vice Chair due to unexpected family responsibilities. There being no further names placed in nomination for the position of Vice Chair, Director Giusto was unanimously elected Vice chair.

5. ACTION ITEMS**A. Consent Agenda:**

1. Resolution 12-61 – Personnel – Contract Extensions for 2011-2012
2. Resolution 12-62 – Personnel – Renewal of Non Licensed TSPC Contracts for 2012-2013
3. Resolution 12-63 – Personnel – Contract Extensions for 2012-2013
4. Resolution 12-64 – Personnel – Contracts for TSPC Licensed Probationary Staff for 2012-2013
5. Resolution 12-65 – Personnel – Contracts for TSPC Licensed Teachers for 2012-2013
6. Resolution 12-66 – Personnel – New Hire Contracts for 2012-2013

Motion: **Vice Chair Giusto moved to approve the Consent Agenda. Director Spellman seconded the motion.**

Discussion:

Director Montgomery requested that future personnel resolutions reflect the employee's FTE along with number of days or hours.

Due to unexpected increases in student population for the Alpha High School Alternative Program, reduction in hours for both Principal Peter Kane and Math Teacher Jonna Schuder were voided and will remain at their current 1.0 FTE. Science Teacher Michael Lancaster, will however be reduced from 1.0 to .8 as reflected in the Resolution.

Vice Chair Giusto amended his motion for approval of Resolution 12-65 motion to reflect only the reduction in hours for Michael Lancaster, as below:

***AMENDED* RESOLUTION 12-65 Contracts for TSPC Licensed Teachers for 2012-2013**

Background: March 20, 2012, the Board took action on Resolution 12-32 extending the contracts for TSPC Licensed Contracted Teacher for 2012-2013 and were approved as follows:

Name	2012-2013 Assignment	¹ Length of 2012-2013 Contract (#Days)
Kane, Peter	Principal, Alpha High School	230 — 1.0 FTE
Lancaster, Michael	Science Teacher, Alternative School	190 - 1.0 FTE
Schuder, Jenna	Teacher, Alternative Schools	190 — 1.0 FTE

Since that approval the following contracts have been decreased based on funding:

- ~~Principal, Alpha High School reduced from 230 days at 1.0 FTE to 230 days at .5 FTE due to budget reductions.~~
- Science Teacher, Alternative School reduced from 190 days at 1.0 FTE to 190 days at .8 FTE due to budget reductions.
- ~~Teacher, Alternative School reduced from 190 days at 1.0 FTE to 190 days at .8 FTE, Ms. Schuder, through bumping/Rifing rights, has accepted a new position as a 190 day employee at 1.0 FTE~~

WHEREAS, ORS 342.895 requires the Board to decide on the extension or nonextension of the employment contracts of Contract Teachers; and

WHEREAS, the Local Service Plan for 2012-2013 has been formulated based on the anticipated receipt of the funds necessary to support most of the programs in which the employees listed below will be assigned.

NOW THEREFORE BE IT RESOLVED, that the employment contracts of the following Contract Teachers are extended for the 2012-2013 and 2013-2014 fiscal years.

Name	2012-2013 Assignment	¹ Length of 2012-2013 Contract (#Days)
Kane, Peter	Principal, Alpha High School	230 — .5 FTE
Lancaster, Michael	Science Teacher, Alternative School	190 - .8 FTE
Schuder, Jenna	Math Teacher, Alternative Schools	190 — .8 FTE

¹The number of days indicated opposite each name is a maximum and that employment contracts for less than the specified number of days may be issued by the Superintendent, but in no case will employment contracts for more than the maximum number of days be issued without prior approval by the Board.

BE IT FURTHER RESOLVED that the salaries for the above individuals shall be in accordance with existing negotiated Agreements, applicable Board Policies, and established practices of the District.

BE IT FURTHER RESOLVED that if anticipated revenues are not received each and every position is subject to reduction or elimination.

Action: There being no further discussion the amended motion carried with Directors Giusto, Montgomery, Schafer, and Spellman voting aye. Motion passed 4-0.

B. Action Agenda:**1. Resolution 12-67– Designation of Superintendent as Chief Administrative Officer, Clerk, and Budget Officers**

Background: Each year at the first meeting after June 30, the Board of Directors are required by ORS 332.515 and ORS 294.331 to designate the Superintendent as Chief Administrative Officer, Clerk and Budget Officer of the district.

Motion: Director Spellman moved to approve Resolution 12-67. Director Montgomery seconded the motion.

Action: There being no further discussion the motion carried with Directors Giusto, Montgomery, Schafer, and Spellman voting aye. Motion passed 4-0.

2. Resolution 12-68 – Designation of Business Manager and Custodian of Funds

Background: Each year at the first meeting after June 30, it is recommended that the Board of Directors designate a Business Manager as Custodian of funds under ORS 328.441, and ORS 328.445. Due to the current vacancy for a Director of Business Services, it is recommended that the Chief Operating Officer be designated until such time as a Director of Business Services is hired, at which point, the Director of Business Services will be designated as said Business Manager and Custodian of funds.

Motion: Director Montgomery moved to approve Resolution 12-68. Vice Chair Giusto seconded the motion.

Action: There being no further discussion the motion carried with Directors Giusto, Montgomery, Schafer, and Spellman voting aye. Motion passed 4-0.

3. Resolution 12-69 – Appointment of Auditor

Background: Talbot, Korvola & Warwick, LLP began providing audit services to MESD with our 2008-2009 audit.

Motion: Director Spellman moved to approve Resolution 12-69. Vice Chair Giusto seconded the motion.

Discussion:

Vice Chair Giusto asked if we needed to begin the process of an RFP for services next year. Board Secretary Nelson responded that this had been discussed with Chief Operating Officer Rose and we would be beginning the process.

Action: There being no further discussion the motion carried with Directors Giusto, Montgomery, Schafer, and Spellman voting aye. Motion passed 4-0.

4. Resolution 12-70– Appointment of Insurance Agent of Record

Background: Beecher Carlson Insurance Agency, LLC has been Multnomah Education Service District's Insurance Agent of Record for non-employee insurance and workers compensation since July 1, 2002.

Motion: Director Montgomery moved to approve Resolution 12-70. Director Spellman seconded the motion.

Action: There being no further discussion the motion carried with Directors Giusto, Montgomery, Schafer, and Spellman voting aye. Motion passed 4-0.

5. Resolution 12-71 – Designation of Depository of Record

Background: Bank of America has provided responsive and otherwise satisfactory checking account services to MESD since 2003.

Motion: Director Spellman moved to approve Resolution 12-71. Vice Chair Giusto seconded the motion.

Action: There being no further discussion the amended motion carried with Directors Giusto, Montgomery, Schafer, and Spellman voting aye. Motion passed 4-0.

6. Resolution 12-72 – 2012-2013 Calendar for Fiscal Year 2013-2014 Budget Development

Background: Although the law does not require the adoption of a Budget Calendar by education service districts, there are certain legal requirements in the development of the budget. It is, therefore, in the best interest of the agency that the Board adopt the Budget Calendar as a guide for the orderly development of the proposed budget for the ensuing year.

Motion: Director Spellman moved to approve Resolution 12-72. Vice Chair Giusto seconded the motion.

Action: There being no further discussion the amended motion carried with Directors Giusto, Montgomery, Schafer, and Spellman voting aye. Motion passed 4-0.

7. Resolution 12-73 – Board Meeting/Activity Calendar for 2012-2013

Background: The attached calendar is prepared for the information of the Board and includes only those Board meetings and activities that are proposed at this time. Additional entries or changes will be made as the year progresses.

Motion: Vice Chair Giusto moved to approve Resolution 12-73. Director Spellman seconded the motion.

Discussion:

Director Montgomery asked the Board why it is necessary to meet every month and especially in August. Vice Chair Giusto responded that August is a key month prior to the opening of school. Chair Schafer suggested that this be a topic for discussion at the August 6, 2012 Board Semi Annual Planning meeting along with a discussion on the possibility of changing the time of day to allow for some day meetings, and length of meeting time.

Action: There being no further discussion the amended motion carried with Directors Giusto, Montgomery, Schafer, and Spellman voting aye. Motion passed 4-0.

8. Resolution 12-74 – Appointment of Legal Counsel

Background: On April 17, 2012, the Multnomah Education Service District Board of Directors approved Resolution 12-41 – Approval of Personnel New Hire Contract, Director of Human Resource Services/Legal Counsel. As recommended by OSBA, a Board should appoint their legal counsel at their July organizational meeting.

Further, Administration recognizes that there will be those situations when outside legal services will be required for specialized services, over and above the inside legal counsel. We currently use two additional firms: The Hungerford Law Firm, L.L.P. and Garrett Hemann Robertson.

Motion: Vice Chair Giusto moved to approve Resolution 12-74. Director Montgomery seconded the motion.

Discussion:

Vice Chair Giusto expressed that the Board needed to have a clear understanding of the legal requirements of Ms. Nickerson, i.e., legal advisor to the Board, labor relations, bargaining and compensation issues, and whether or not she is compensated for that work.

Chair Schafer asked the Superintendent to prepare a cost analysis of legal expenses for 2011-2012 for discussion at the August 6, 2012 Board Semi Annual Planning Session. He feels it would be helpful to see an honest estimate as to what the agency is paying for legal services.

Superintendent Jorgensen responded that Ms. Nickerson was hired as HR Director and Legal Counsel and is compensated for both. The Board budget for 2012-2013 has a line item for outside legal consultation in the amount of \$45,000.

Action: There being no further discussion the amended motion carried with Directors Giusto, Montgomery, Schafer, and Spellman voting aye. Motion passed 4-0.

9. Resolution 12-75 – Ratification of the Collective Bargaining Agreement between Multnomah Education Service District and MESDEA

Background: The negotiations between the Board authorized representatives and authorized representatives of the Multnomah Education Service District Education Association (MESDEA) have resulted in an agreement for covering July 1, 2012 through June 30, 2014.

Motion: Director Spellman moved to approve Resolution 12-75. Director Montgomery seconded the motion.

Discussion:

Cabinet Director Nickerson explained that the contract posted in the Board packet included an additional four Memorandums of Understanding, plus the two from previous years as follows:

1. MOU – remains the same
2. MOU – Education Credit for Specialty Certification – remains the same
3. MOU – NEW Reduction in Force procedure
4. MOU – NEW Establishment of Workgroup in Health Services Department
5. MOU – NEW Article 23, Section K Weekly Stipend for Outdoor School
6. MOU – NEW Establishment of New Standards for Teacher Evaluation

Action: There being no further discussion the amended motion carried with Directors Giusto, Montgomery, Schafer, and Spellman voting aye. Motion passed 4-0.

B. Other Board Business

1. Decision on Print Shop Review and Discussion Outcomes

Printing and Graphics submitted a letter to the Board notifying them that it was not feasible to become financially sustainable within the six month time frame proposed by administration. They propose to close Printing and Graphics, as it currently operates, by July 31, 2012 allowing them time to notify their current clientele that services would no longer be available and to prepare for the new structure of the High Speed black and white digital press and one IRA operator.

Superintendent Jorgensen shared that three meetings were held with Printing and Graphics staff to discuss what it would take to be solvent in six months. Director Nickerson reported that in the final meeting, after evaluating all of the options available, Printing and Graphic's staff didn't feel they could meet the request.

Vice Chair Giusto expressed that he wasn't surprised by the response but felt that the Board had shown due diligence by addressing their issues and allowing everyone involved to work through possible options.

Superintendent Jorgensen explained that an inventory is currently underway and decisions on equipment no longer to be used will be made in the near future. The budget will be amended to reflect the closure of Printing and Graphics at the August of September Board meeting. The Board does not have to take formal action; just acknowledge receipt of their letter.

Director Haliski shared that she had appreciated the letter that Printing and Graphics sent to the Board and wasn't surprised that they couldn't put it together in a six month period.

Director Montgomery suggested that the Board Chair should send a letter to Printing and Graphics thanking all of them for their work over the years.

2. Decision on the E-2 Foundation Review and Discussion Outcomes – No Report

6. REPORTS

A. Fiscal Report - NONE

7. ACTIVITY CALENDAR

A. Activity Calendar

1. August 6 – Board Planning Retreat, 8:00 to noon @ MESD -- A regular session to be posted after the planning session at noon
2. August 21 – Board Meeting, 7:00 p.m. @ MESD – Possibility of cancellation

8. ADJOURNMENT

There being no further business the meeting was adjourned at 6:50 p.m. The next Board meeting will be held at 7:00 p.m. on Tuesday, August 21, 2012 at the MESD Ainsworth building.

Barbara Jorgensen, Superintendent