

DES MOINES PUBLIC SCHOOLS
REGULAR SCHOOL BOARD MEETING
CITY BOARDROOM — 400 ROBERT D. RAY DRIVE
MINUTES
NOVEMBER 2, 2010

PUBLIC FORUM – 5:45 p.m.

The Board of Directors met in regular session on Tuesday, November 2, 2010, in the city hall boardroom at 400 Robert D. Ray Drive., Connie Boesen presiding.

Present: Boesen, Caldwell-Johnson, Murphy, Link, Strong, Woods
Absent: None

REGULAR MEETING – 6:00 p.m.

The Board of Directors met in regular session on Tuesday, November 2, 2010 in the city hall boardroom at 400 Robert D. Ray Drive., Connie Boesen presiding.

Present: Boesen, Caldwell-Johnson, Murphy, Link, Strong, Woods
Absent: None

Ms. Strong moved to approve the agenda. Second by Murphy.

Aye: Boesen, Caldwell-Johnson, Link, Murphy, Strong, Woods
Nay: None
Motion carried.

APPROVAL OF MINUTES OF October 19, 2010

Ms. Link moved approval of the minutes of October 19, 2010. Second by Strong.

Aye: Boesen, Caldwell-Johnson, Link, Murphy, Strong, Woods
Nay: None
Motion carried 6-0.

DISTRICT RECOGNITIONS

Dr. Sebring recognized three elementary math teachers, John Butz, 2nd grade teacher at Jefferson , Zac Christensen, math leader at Perkins Academy and Barb Leise, kindergarten-1st grade teacher at Downtown School. These three educators have been identified as the only state mathematics finalists for the Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST). The PAEMST is the highest recognition that a kindergarten through 12th grade mathematics or science teacher may receive for outstanding teaching in the United States. It is awarded every other year for elementary teachers and alternate years for secondary science and math teachers.

CONSENT ITEMS – 6:10 p.m.

7. Construction Payments ----- 1
8. Contracts for approval ----- 3
9. Award of Contract on Bid ----- 7
10. Personnel Recommendations ----- 9
11. List of Bills for Approval ----- 11

Minutes

Ms. Caldwell-Johnson moved approval of the consent items including payment of bills previously authorized and certified by the secretary and reviewed by her as paid in the amount of \$4,176,204.74 and unpaid bills in the amount of \$1,096,237.44. Second by Strong.

Aye: Boesen, Buckton, Link, Murphy, Strong, Woods
Nay: None
Motion carried 6-0.

OTHER — 6:10 p.m.

12. Cattell Elementary Roof Replacement Project ----- 13
13. Monitoring Report for Management Limitation 2.3 — Financial Conditions and
Activities for the Quarters Ending June 30 and September 30, 2010 ----- 15
14. Monitoring Report for ML 2.2 — Treatment of Faculty and Staff ----- 19
15. Monitoring Report for ML 2.1 — Treatment of Students/Public/Volunteers ----- 21

REQUESTS FOR INFORMATION — 6:35 p.m.

- Ms. Caldwell-Johnson reminded the Board of the discussion that took place earlier regarding the decision not to join IASB and suggested that Board members discuss using that money for professional development, etc. She also asked for updated information regarding a conference in Louisville on college readiness attended by Terrence Martin as a delegate of the district.
- Ms. Link requested an organizational chart. She also asked for clarification on middle school promotion standards. Bryce Amos responded there is a committee meeting regarding this issue on November 18. Ms. Link also asked about enrollment numbers. Bryce Amos responded that is in process and will have enrollment numbers by the next Board meeting.
- Mr. Murphy reminded the Board of its earlier expressed intention to involve the community in a broad discussion of emergency funding scenarios before the next one actually arises. This may be a topic for consideration at a future work session.

CHAIR’S REPORT — 6:40 p.m.

Ms. Boesen disclosed the process and criteria by which the Board will appoint a replacement for the recently resigned Margaret Buckton no later than December 1 in order to avoid incurring the costs of a special election. The appointee will serve until the next regularly scheduled election in September, 2011. She said that anyone interested in serving on the Board should contact her to indicate their interest and submit a resume and she will compile a list of candidates for the Board to consider.

Mrs. Woods proposed a process for appointing the candidate to replace Margaret Buckton. She recommended the Board appoint Felipe Gallardo to fill the vacancy left by Ms. Buckton. Mr. Gallardo was the next highest vote getter in the most recent school Board election.

SUPERINTENDENT'S REPORT — 7:00 p.m.

Dr. Sebring reminded the Board about the IASB conference and the legislative breakfast later this month and recommended their attendance at whatever sessions their respective schedules permit.

She also noted the absence of DMEA representative Melissa Spencer due to the death of her father and expressed condolences to the family.

ADJOURN 7:05 p.m.

Item No. 7
Page 1 of 1**Subject: CONSTRUCTION PAYMENTS****For: ACTION****Contact: BILL GOOD**

(harold.good@dmps.k12.ia.us; 242-8321)

Attachments: None**Issue:** Payment of contractor invoices**Superintendent's Recommendation:** The superintendent recommends that the following contractor and supplier payments be authorized.

<u>Contractor</u>	<u>Percent Paid</u>	<u>Estimated Fee</u>	<u>Previous Payments</u>	<u>Current Payment Due</u>
<u>Absolute Concrete</u> Studebaker Elementary (SWP) RETAINAGE RELEASE Sealed Bid No. B6124	100%	\$198,038.00	\$188,136.10	\$9,901.90
<u>Two Rivers Glass</u> Mitchell Learning (SWP) RETAINAGE RELEASE Sealed Bid No. B6070	100%	\$165,110.01	\$156,854.51	\$8,255.50
			TOTAL	\$18,157.40

Presenters: None**Background:** None

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Subject: CONTRACTS FOR APPROVAL

For: ACTION

Contact: Various

Attachments: None

Contract No. 10-065

Project: COPS Secure our Schools IP Video Equipment

Contractor: Johnson Controls, Inc

Background: This is for the installation of IP video management surveillance system equipment at Central Campus in support of a COPS Secure our Schools grant.

Financial:

Revenues: 0

Expenses: \$25,475.00

Funding Source: Account DWCOPSZN

New or Renewal: New

Contact: Bill Good

(harold.good@dmps.k12.ia.us; 242-8321)

Contract No. 10-066

Project: 28E Agreement for Installation of Fiber Optic Cable to the City of Pleasant Hill

Background: The project will provide access to the east side of the University Ave railroad bridge and allow DMPS to install fiber optic cable at Pleasant Hill Elementary School.

Financial:

Revenues: \$0

Expenses: \$8,600

Funding Source: PPEL

New or Renewal: New

Contact: Bill GOOD (harold.good@dmps.k12.ia.us; 242-8321)

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Contract No. 10-067**Project:** KDPS 28E Agreement**Contractor:** DMPS**Background:** Grandview College uses the KDPS radio broadcast facility and air time on evenings and weekends in order to continue operation of its student broadcast program. DMPS operates the radio station for educational purposes and shares certain portions of the facility and air time for the benefit of the community.**Financial:**

Revenues: \$14,000

Expenses: none

Funding Source: NA**Term:** The previous agreement between Grandview and DMPS is in effect until June 30, 2011. This agreement will be effective from July 1, 2011, until June 30, 2014.**New or Renewal:** Renewal**Contract:** 28E Agreement**Contact:** Kirk Johnson, Tim Coleman, Julie Rosin

(kirk.johnson@dmps.k12.ia.us; 242-7846/tim.coleman@dmps.k12.ia.us; 242-7846/Julie.rosin@dmps.k12.ia.us; 242-7846)

Contract No. 10-068**Project:** Charter School Classroom Lease Agreement**Contractor:** Orchard Place/PACE Juvenile Center; 620 8th Street, Des Moines**Background:** The Des Moines Independent Community School District Charter School is in need of classroom space. Approximately 100 students are enrolled in the program.**Financial:**

Revenues: \$0

Expenses: \$1,000 per month through November 2010, then \$350/classroom for approximately four classrooms to be used initially.

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Funding Source: General Funds

Term: September 1, 2010–July 31, 2011

New or Renewal: New

Contact: Bill Good/Nina Rasmusson

(harold.good@dmps.k12.ia.us; 242-8321; nina.rasmusson@dmps.k12.ia.us)

Item No. 9**Page 1 of 1****Subject: AWARD OF CONTRACT ON BID****For: ACTION****Contact: Dan Warren****Attachments: None**

(dan.warren@dmps.k12.ia.us; 242-7997)

Issue: Bids have been advertised, issued and received for various equipment items, supplies, and services as outlined below.

Superintendent's Recommendation: The superintendent recommends the contract as shown below be approved

Background: The suggested bid awards and detailed information for each bid are as shown below.

Where cost comparisons are shown, they are merely a representative sample of the item on the bid, and are not intended to be all inclusive.

Digital presentation cameras are used to facilitate instruction throughout the district.

A. Digital Presentation Cameras

Berg Audio & Video	Carlisle, IA	1 item	\$ 76,050.00
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Bids were examined by the purchasing and technology departments.

A complete tabulation of the bid is available for review.

91 bids were mailed, 14 bids were received, 11 no bids and 66 did not respond.

Funding Source: Funds are provided in district-wide technology accounts.

Item No. 10**Page 1 of 1****Subject: PERSONNEL RECOMMENDATIONS****For: ACTION****Contact: Twyla Woods****Attachments: None**(twyla.woods@dmps.k12.ia.us; 242-7972)

Superintendent's Recommendation: The superintendent recommends the Board approve the personnel recommendations.

Background:**ELECTIONS - GENERAL EDUCATION**

Name	Class	Step	Effective Date	Amount
Borgheiinck, Holly	1	1	10/25/10	\$38,757

BSE from Drake University, Des Moines, IA; Address/West Des Moines, IA; East/Math.

Nelson, Meredith	1	1	11/01/2010	\$17,166.00
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BA Grandview University, Des Moines, IA Address: West Des Moines, IA, Assignment: Orchard Place .4/Art, Cowles .1/
Art

Osborn, Carinne	1	5	10/18/10	\$41,327
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BS from Iowa State University, Ames, IA; Address/Waukee, IA; Health Services/Float Nurse.

Van Haecke, Joseph	5	2	10/25/10	\$43,682
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BS from Iowa State University, Ames IA; 2 MA's from Drake University , Des Moines, IA ; Address/Urbandale, IA; North/Reading.

ELECTIONS-SPECIAL EDUCATION

Name	Class	Step	Effective Date	Amount
Sage, Karen	1	12	10/26/10	\$50,820

BSE from Iowa State University, Ames, IA; Address/Ankeny, IA; Ruby Van Meter/Multicategorical.

RESIGNATION

Name	School, Position	Effective Date	Reason
Sayaxang, Lee Khoua	Weeks, ELL	06/03/11	Personal
Waech, Paul	Oak Park, Music	10/05/10	Personal

Item No. 11

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Subject: LIST OF BILLS FOR APPROVAL

For: ACTION

Contact: Patricia Schroeder

(patricia.schroeder@dmps.k12.ia.us; 242-8527)

Attachments: None

Issue: A list of bills will be furnished to the Board of Directors at the Board meeting for approval. The secretary will be glad to furnish information as requested on any of these items. Prior to the meeting, one member of the board will have checked this list with the invoices.

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Subject: CATTELL ELEMENTARY ROOF REPLACEMENT PROJECT

For: INFORMATION

Contact: Bill Good

(harold.good@dmps.k12.ia.us 515-242-8321)

Attachments: None

Issue: Due to water leaks from roofing deterioration the building is in need of a complete roof replacement.

Background: To correct the moisture infiltration problems, roofing will be removed and replaced with new TPO single ply membrane. Bids will be solicited as detailed in Chapter 26 of the Iowa Code. A public hearing will be advertised and conducted at the November 16th, 2010 Board meeting. Bids are due on January 11, 2011. Facility management will seek Board approval of the lowest responsive, responsible bid at the January 19, 2010 Board meeting. Plans are available at the Des Moines Public Schools Operations Center, 1917 Dean Avenue, Des Moines IA.

Funding source: Physical Plant and Equipment Levy (PPEL)

Minutes

Mr. Good explained that the district has a five-year prioritization plan for roof repairs and replacements. He said that the level of deterioration at Cattell places it at the top of that list.

Item No. 13**Page 1 of 2****Subject: MONITORING REPORT FOR MANAGEMENT LIMITATION 2.3 —
FINANCIAL CONDITION AND ACTIVITIES FOR THE QUARTERS
ENDING JUNE 30, 2010 AND SEPTEMBER 30, 2010****For: ACTION****Contact: Patricia Schroeder****Attachment: 10-044**

(patricia.schroeder@dmps.k12.ia.us; 242-8527)

Issue: Board Governance Policy 3.4 — Monitoring Superintendent Performance includes a schedule of monitoring reports that requires a quarterly update on Management Limitation 2.3 — Financial Condition and Activities.

Superintendent's Recommendation: The superintendent recommends that the Board receive, discuss and take action on the quarterly monitoring report for Management Limitation 2.3 — Financial Condition and Activities for the quarters ending June 30, and September 30, 2010.

Background: The Management Limitation 2.3 — Financial Condition and Activities Monitoring Report is included as Attachment 10-044. This report covers the quarterly period from April 1, 2010 to June 30, 2010 and from July 1, 2010 to September 30, 2010, unless otherwise stated.

Management Limitation 2.3 states: With respect to actual ongoing condition of the district financial resources, the superintendent shall not cause or allow the development of fiscal jeopardy, or a material deviation of actual expenditures from the Board's Ends priorities.

Accordingly, the superintendent shall not:

1. Fail to provide quarterly summaries of the financial condition of the district.
The monitoring report has been updated to include summaries for the quarters ending June 30 and September 30, 2010.
2. Fail to settle district payroll obligations and payables in a timely manner.
3. Fail to implement prudent competitive quoting procedures for all facility improvement projects in an amount that meets or exceeds the competitive quote threshold as established by Iowa law.
4. Fail to implement prudent competitive bidding procedures for all facility improvement projects in the amount of \$100,000 or more.
5. Fail to implement prudent competitive procedures, including but not limited to RFP's for purchasing products and securing contractual and professional services.
6. Obligate the district to contracts or expenditures greater than \$25,000.
7. Acquire, lease or dispose of real property.
8. Invest funds in securities contrary to state law.

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9. Allow tax payments or other governmental ordered payments or filings to be overdue or inaccurately filed.

All "in progress" reports have been completed prior to their deadlines.

Minutes

Ms. Schroeder described fiscal year 2010 as one of unusual uncertainty in terms of budgeting and accounting, primarily due to the factor of one-time federal stimulus funds and other aspects of the recession which were felt throughout the economy and resulted in the state's 10% across-the-board budget cut. She said the timing of the district's receipt of some of the stimulus funding impacted the preparation of this report since she wanted it to be as current as possible when it was presented to the Board.

With regard to the district's solvency ratio, one element of the report, she said that the district is certainly solvent but not in the best of shape in the event of an emergency.

Ms. Caldwell-Johnson asked for clarification of some of the "dual calculation" contained in the report.

Ms. Schroeder explained that the state DOE requirements included some principles she doesn't necessarily agree with that were consequences of the 10% ATB cut. She noted that state revenue trends have improved and lessened her concerns about the possibility of another ATB cut in FY 2011.

Mr. Murphy said that the district has absorbed ATB cuts in the last two fiscal years by cutting expenses as opposed to raising revenue streams other than the state general fund appropriations. Other districts did exercise their option to tap one-time emergency levy sources. He said he is concerned that any future shortfalls will also be on the backs of employee groups that have already stepped up to the plate in the wake of the most recent budget crises. He wondered if the district would be able to enact emergency funding measures quickly enough in the event of another state funding cut to ensure the ability to meet payrolls.

Ms. Schroeder said such action would have to be part of the annual budget process and as such would not take effect until the following year. She said the short-term solution in Mr. Murphy's scenario would be to borrow money pending receipt of funds that would eventually flow to the district from any increased levy instrument.

Mr. Murphy reminded the Board that they had previously discussed making the community aware of the possibility of such measures so that if/when they are necessary the action would not seem sudden and unforeseen.

Mr. Murphy moved acceptance of the report. Second by Strong.

Aye: Boesen, Link, Murphy, Strong, Woods

Nay: None [Ms. Caldwell-Johnson passed on the grounds that she had not been at the meeting when Part I of the report had been received and discussed.

Motion carried 5-0-1.

Item No. 14**Page 1 of 2****Subject: MONITORING REPORT FOR MANAGEMENT LIMITATION 2.2 —
TREATMENT OF FACULTY/STAFF****For: ACTION****Contact: Twyla Woods****Attachments: 10-046**

(twyla.woods@dmps.k12.ia.us; 242-7972)

Issue: Board Governance Policy 3.4 — Monitoring Superintendent Performance includes a schedule of monitoring reports that requires an annual update on Management Limitation 2.2 — Treatment of Faculty/Staff.

Superintendent's Recommendation: The superintendent recommends that the Board receive, discuss and take action on the annual monitoring report for Management Limitation 2.2 — Treatment of Faculty/Staff.

Background: The Board adopted Policy Governance on November 21, 2007, which included a schedule of monitoring reports. The Management Limitation 2.2 — Treatment of Faculty/Staff is included as Attachment 10-046.

Management Limitation 2.2 states: With respect to the treatment of volunteers and employees, the Superintendent shall not cause or allow conditions that are unsafe, unfair or unprofessional.

Accordingly, pertaining to staff, the superintendent shall not:

1. Operate without a written personnel manual, approval by legal counsel, which clarifies personnel rules for employees, provides for effective and timely handling of complaints and grievances, and protects against wrongful conditions.
2. Retaliate against an employee for reporting to management or to the Board of Directors acts or omissions by personnel, management or the Board of Directors that the employee believes, in good faith and based on credible information, constitutes a violation of state or federal law or a governing policy of the Board.
3. Prevent staff from appealing a complaint to the board when (1) all internal complaint procedures have been exhausted and (2) the employee provides a substantive and credible allegation that Board policy has been violated. This policy does not apply to grievances as contemplated under the respective

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collective bargaining agreements governing the Des Moines Education Association union and the American Federation of State, County, and Municipal Employees union as grievances under those contracts follow contractual provision and state law.

4. Fail to acquaint staff with this policy, and the Superintendent's interpretations of their protections under this policy.

Minutes

Ms. Boesen announced that items 14 and 15 would be received by the Board with discussion and action deferred until the next meeting on November 16. She said that practice will allow for fuller consideration of monitoring reports in the future.

Item No. 15

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**Subject: MONITORING REPORT FOR MANAGEMENT LIMITATION 2.1—
TREATMENT OF STUDENTS/PUBLIC/VOLUNTEERS**

For: ACTION

Contact: Dr. Nancy Sebring/Bryce Amos

Attachments: 10-045

(superintendent@dmps.k12.ia.us; 242-7660/Bryce.amos@dmps.k12.ia.us)

Issue: Board Governance Policy 3.4 — Monitoring Superintendent Performance includes a schedule of monitoring reports that requires an annual update on Management Limitation 2.1 — Treatment of Students/Public/Volunteers

Superintendent's Recommendation: The superintendent recommends the Board receive, discuss and take action on the monitoring report for Management Limitation 2.1.

Presenters: Dr. Nancy Sebring/Bryce Amos

Background: The Management Limitation 2.1— Treatment of Students/Public/Volunteers Report is included as Attachment 10-045. Management Limitation 2.1 states: With respect to interactions with students, volunteers and the public the Superintendent shall not cause or allow conditions or procedures that are unfair, unhealthy, unsafe, untimely, unprofessional or unnecessarily intrusive.