

MINUTES

Jefferson High School Dist. 1
Regular Meeting

January 17, 2011
JHS Library

Board members present:

Kathy Jackson
Tim Lloyd

Sabrina Steketee
Stan Senechal

Pat Lewis
Lynne Bryant

Administrators present:

James Whealon, Superintendent Lorie Carey, Business Manager

Visitors: Steve McCauley, Jan Anderson, Mark Kelly, Joyce Smartnick, Ron Smartnick, Clint Forrette, Samantha Humphrey, Alan Erickson, Micki LeTexier, Brian Ehli

CALL BOARD TO ORDER Ms. Jackson called the meeting to order at 6:30 p.m. The pledge was said.

STUDENT REPORT

Skills USA is raffling a shotgun. Roses for Valentine's day are being sold by Mariah's Challenge. Freshman had chocolate sales. Seniors had an ice cream party for bringing the most food for a food drive.

NEW BUSINESS

Grievance Hearing concerning the grievance filed by Boulder Association of Teachers.

Mr. Ehli, MEA/MFT representative, addressed the board concerning the Dec. 5, 2011 grievance letter from MEA/MFT. Remedies sought #1 that Mr. Sonsteng be reinstated to his teaching position. This has been done. The remaining 2 remedies have not been addressed.

Mr. Ehli asked about a 2nd letter from Mr. Kosola that was addressed to the board concerning complaints against Mr. Sonsteng's classroom conduct. Is JHS currently investigating Mr. Sonsteng? The answer is no. The only "investigation" would be through the evaluation process rather than any formal investigation.

Mr. Ehli questioned Ms. Steketee's sending the letter as a trustee rather than a private individual. He drew their attention to the fact that she signed it as a trustee of the board.

Policy 1700 – Mr. Ehli reviewed the policy that addressed complaint procedure. He also reviewed Policy 1420 – school board meeting procedure - lines 14-16 concerning a complaint about an employee that requires the use of the complaint procedure. He expressed his concern that the tendency of the board is to not follow the procedure because the policy states "encouraged" and some such words that don't specifically **require** the procedure to be followed in particular instances. He reviewed a JHS e-mail thread from a lawyer that made the statement that the board wouldn't probably be addressing the issue if they were following the uniform complaint procedure. 1420 and 1700 address the employees like classified staff but it doesn't address certified staff. Ms. Jackson asked if the coaching position is part of the CBA. Mr. Whealon said that the general consensus is that coaching is outside of the agreement except for the stipend of that coach. Mr. Ehli said that the board chose to make the teaching part of the coaching when he was suspended from that position until the investigation was complete. He added that the policy 1700 in lines 8-10 addressed that the CBA applied. Ms. Lewis followed with the fact that 1700 also goes on to say..... Further down.

Mr. Ehli stated that the board didn't follow 1700 in that the CBA wasn't followed. The board didn't follow either 1700 or CBA. The complaint procedure in 7.6 of the CBA is the item that was violated. The Board placed it in the teacher arena when the employee was placed on administrative leave for the coaching complaint. Contractual violations 7.3, 7.5, 7.6, 8.1, 8.3, and 9.9. Complaint form mutually developed by the Association and the Board. The form did exist according to Mr. Dyer. What has happened to the high school complaint form is a mystery. Parent filed a complaint regardless of whether he filed a FORM or not. Mr. Ehli reviewed all the violations concerning the notification of the employee. Mr. Sonsteng needed to receive the complaint and the opportunity to respond to the complaint. Mr. Whealon notified Mr. Sonsteng of the complaint on November 23. Mr. Whealon gave Rex a copy of the complaint that he signed Dec. 13, 2012. The investigator asked no questions about teaching. Mr. Ehli contended that the complaint wasn't given to Mr. Sonsteng timely. Ms. Steketee asked Mr. Whealon whether he had received the "official" (original) on the 6th of December and then replied by Dec. 13, 2011 to follow the 7-day requirement. Mr. Ehli asked if the Board had suspended the employee on Dec. 1. Due process wasn't given the employee.

Investigation notification is limited to an agreement about the information concerning the allegations in the letter of November 23, 2011. The **notification** was limited to the Nov. 23 letter information but the investigation was not limited to that letter. He added that the representative of the board (Kerri Langoni) couldn't produce a copy of the allegations.

Mr. Ehli then proceeded to read from e-mails previous to the incident. He also read from e-mails following the incident. Many of them, in his opinion, were judgments by board members. The e-mails he read were from single board members to administration. Mr. Koenig asked if Mr. Sonsteng was disciplined for "allegations" these e-mails brought up. (He was not.) Ms. Steketee asked if Mr. Ehli thought that e-mail was inappropriate for the board members to use for communications.

Mr. Ehli moved on to the open meeting law. Because of pending litigation, questions would have to be directed to Tony Koenig. He stated that no questions would be answered. Mr. Ehli read more e-mails concerning the actions taken by board members i.e. information shared, gathered, etc. It is his opinion that the board violated policies and the CBA. Ms. Steketee asked if the board had violated a section of the CBA concerning placing the teacher on administrative leave. 7.6 complaint wasn't given to the staff member within the 7 days. Mr. Ehli stated that the complaint needed to go to the Superintendent and then a copy to the staff member. The earlier e-mail copy should have been the initial complaint in his opinion. 7.3 is due process and Mr. Ehli felt that it was violated. Mr. Koenig stated that the staff member wasn't disciplined, dismissed, terminated, or discharged without due process. Mr. Ehli stated that the essence of due process is that "you do it right." 7.5 deals with the evaluation process. 7.6 Mr. Koenig asked what would happen if the board denies that they have violated any process. Ms. Bryant asked if the board admitted to violations of 7.5 what would happen. Mr. Ehli stated that the grievance committee would receive either and decide at that point. He added that it was a "mess" with all the issues before the board currently concerning open meeting laws, complaints by parents and students, etc. He was concerned that not all the information was shared with MEA/MFT and the necessary parties. Ms. Lewis requested that the board take the allowed number of days to respond to the grievance. Mr. Senechal reviewed the timeline of the complaint. He followed with the fact that Mr. Whealon had addressed the issue with Mr. Sonsteng the very day of the issue. It took a long time for the original written complaint to reach Mr. Whealon and then he gave it to Mr. Sonsteng within 7 days. Mr. Koenig advised the board to take the allowed time to address this issue because of the pending issues that this could affect.

Mr. Ehli's hope is that once this issue is resolved that the board and the association need to get together to make sure that this doesn't happen again.

Jeff Hindoien, attorney assigned by the insurance company to follow the cases concerning open meeting and represent the district on the cases until the insurance company makes a determination concerning the "coverability" of those.

Ms. Lewis asked if the board could meet privately with the attorney. Mr. Koenig responded that it was allowed and would be happening soon.

A 5 minute break was taken. 8:35 At 8:40 the board went into executive session for Superintendent Evaluation. At 9:45 the regular session resumed.

Mr. Senechal moved to accept the recommendation of hiring the two substitutes. Ms. Bryant seconded the motion which passed unanimously.

Ms. Steketee moved to accept the resignation of RoyAnn Wolfe as head volleyball coach. Ms. Lewis seconded the motion which passed unanimously.

D. d. Superintendent Contract possible renewal – Mr. Whealon said that the way it was currently set up that he wouldn't be interested in a contract.

Establishment of Fund 285 – Ms. Steketee moved to establish fund 285. Mr. Senechal seconded the motion which passed unanimously.

UNFINISHED BUSINESS

Strategic Planning – February 6 or 7

COMMUNICATIONS AND COMMENTS

Ron Smartnick - football. Mr. Whealon gave each board member a copy of the information that Ron submitted. The evaluation that the parents complete on-line is a tool that the board approved for use. He felt that it was constructed in such a manner that people are allowed to

“take shots” at coaches or their kids. The board has created a vehicle through which students can be abused. Even though the board can’t control what people say on that instrument, they have provided the instrument. He believes that the instrument should be revised so that the evaluation process would prevent that from happening. Ms. Jackson stated that a written apology to Mr. Smartnick and his son would not be out of line. She also stated that the board should revise the website so that only multiple-choice, program-oriented questions would be part of that evaluation. Ms. Steketeer said that she would take responsibility for a part of this because it has been on the policy committee’s agenda to address the athletic program evaluations. Mr. Smartnick added that it was important to him that the public be educated regarding the use of the evaluation forms. Mr. Whealon will arrange to have an apology put on the website for any students who were injured by comments made on this evaluations form.

Sabrina Steketeer letter. Jan Anderson asked if any other members of the board were part of the letter. None were.

She also asked about the statement of Ms. Steketeer’s letter about Mr. Sonsteng’s player manuals that include processes out of line with board policy and asked whether that was information that was discussed in closed session. She gave each member of the board a copy of the code of ethics. Ms. Steketeer stated that the coaching information came to the board through the parent letter of November 28.

COMMITTEE REPORTS

Committees: None had met.

CONSENT AGENDA

Consent agenda – Ms. Anderson asked if the \$739.30 for charges on December 1 were acceptable. A conference with Debra Silk was also included. She questioned the fact that there were charges on the bill previous to the actual hiring of them as counsel. She asked for a written explanation, more detail about those charges. Mr. Whealon will call Tony Koenig to ask if those charges are legitimate.

Mr. Senechal moved to accept the minutes and pay the claims and accounts. Mr. Lloyd seconded the motion which passed unanimously.

COMMENDATIONS

Commendations and Recognitions

CLERK REPORT

Clerk Report – minimum wage has increased.

SUPERINTENDENT REPORT

Superintendent report – Legal items that were given to each board member.

AD REPORT

AD report – Recommended that the football and cross country coaches be hired for the 2012-13 season. Volleyball head and 1st assistant coaches resigned. The 2nd assistant was willing but Mr. Sturdevant wanted to wait until a head coach was hired. The cheer coach resigned and the dance coach wasn’t interested in the position. Mr. Whealon and he had talked to Mr. Scott Connolle about the golf position and wished to offer the position to him if the board approved. He stated that the board needs to look at what is happening lately with the many resignations and felt that it was affecting the number of people applying for those positions.

Mr. Senechal moved to offer the position of golf coach to Mr. Scott Connolle. Mr. Lloyd seconded the motion which passed unanimously.

TOPICS FOR FUTURE AGENDAS

Volleyball assistant and cheer resignations.
Board review of coaching manuals.
Falls sports recommendations.
Spanish Club -

ADJOURNMENT

Meeting adjourned at 10:47 p.m.

Chair, Jefferson High School Board

Clerk, Jefferson High School Board

Negotiations/Personnel: P. Lewis, S. Senechal, T. Lloyd

Policy/Handbook: P. Lewis, S. Steketeer, L. Bryant

Budget/Insurance/Investments: S. Senechal, K. Jackson, K. Eckman

Building/Grounds/Transportation: K. Jackson, K. Eckman, T. Lloyd

Teaching/Learning: S. Steketeer, L. Bryant