

September 6, 2011

The Marshall County Board of Education met in regular session on Tuesday, September 6, 2011, at 7:00 p.m. in the Board Conference Room at Jones School.

Members present were Curt Denton, Kristen Gold, Harvey Jones, Barbara Kennedy, Mike Keny, Donnie Moses, Randy Perryman, Sam Smith, and Ann Tears. No members were absent. Board attorney Sam Jackson was also in attendance.

Prayer/Pledge

Mr. Dukes opened the floor for nominations for Chairman of the Board. Mr. Perryman nominated Mr. Keny for the position; Mr. Smith nominated Mr. Denton. Ms. Tears made a motion, with a second by Mr. Jones, to close nominations. The vote was as follows:

Mr. Denton	Denton	Mr. Moses	Keny
Ms. Gold	Keny	Mr. Perryman	Keny
Mr. Jones	Keny	Mr. Smith	Denton
Ms. Kennedy	Keny	Ms. Tears	Denton
Mr. Keny	Keny		

Mr. Keny was elected by a vote of 6-3.

Mr. Keny then asked the floor for nominations for Vice-Chairman. Ms. Kennedy nominated Mr. Moses. Mr. Smith made a motion, with a second by Ms. Kennedy, to cease nominations and elect Mr. Moses as Vice-Chairman. The motion passed 9-0.

Mr. Keny then asked the floor for nominations for Chairman Pro-Tem. Mr. Keny nominated Ms. Gold for the position. Mr. Perryman made a motion, with a second by Mr. Jones, to cease nominations and elect Ms. Gold as Chairman Pro-Tem. The motion passed 9-0.

The following additions were made to the agenda: Ms. Gold – Clarification on the final fund balance; Ms. Kennedy – Recent EEOC charges; Mr. Keny – Clarification to the budget. Ms. Kennedy made a motion to approve the agenda with the additions. Mr. Jones seconded the motion, and the motion passed 9-0.

Mr. Perryman made a motion, with a second by Mr. Moses, to approve the minutes of the August 1, 2011, special called session, and the August 8, 2011, regular session. The motion passed 9-0.

In the MCEA report, MCEA president Patty Hill reminded the board that using the Jobs Fund money as bonuses for teachers would be appreciated.

The parent scheduled to address the board was not in attendance.

Mr. Perryman made a motion to approve the use of facility request (see attached). Mr. Jones seconded the motion, and the motion passed 9-0.

The only item on consent agenda was a request by the Lewisburg Middle School Chorus and Band programs to participate in the vocal and band competition Music in the Parks in Gatlinburg on May 11 and 12, 2012. Ms. Gold made a motion, with a second by Mr. Smith, to approve the consent agenda. The motion passed 9-0.

Ms. Kennedy made a motion to approve the fund raiser requests (see attached). Mr. Jones seconded the motion, and the motion passed 9-0.

Ms. Tears made a motion to approve the amended supplement list (see attached). Mr. Moses seconded the motion, and the motion passed 9-0.

Mr. Moses made a motion, with a second by Mr. Jones, to accept the highest bid on the Blue Bird bus (see attached). During discussions, the board once again urged the Transportation Supervisor going forward to have a scrap metal person to look at the vehicles and put a "floor" price on bids. The motion passed 9-0.

Mr. Denton made a motion, with a second by Ms. Kennedy, to accept the highest bid on tires (see attached). The motion passed 9-0.

Ms. Tears made a motion to accept the highest bid on the 1994 Buick Century (see attached). Mr. Denton seconded the motion, and the motion passed 9-0.

Mr. Smith made a motion to approve the lowest bus bid (see attached). Ms. Tears seconded the motion, and the motion passed 9-0.

Ms. Kennedy made a motion, with a second by Ms. Gold, to approve the kindergarten report card. The motion passed 9-0.

Ms. Tears made a motion to approve changes on policy #4.606 Graduation Activities (see attached). Mr. Moses seconded the motion, and the motion passed 9-0.

Ms. Tears made a motion, with a second by Ms. Gold, to approve a new policy on Service Animals (see attached). The policy passed 9-0.

Concerning the final Siemens payment, Mr. Moses made a motion, with a second by Ms. Gold, to defer approving the payment until the October meeting to give Siemens time to complete their work, including items on the punch list. The motion passed 9-0.

Under Old Business, Mr. Perryman made a motion, with a second by Mr. Jones to approve Ms. Aldridge's request to increase the Building Bridges salaries (see attached). The motion passed 6-2-1, with Ms. Gold and Ms. Kennedy voting no, and Ms. Tears abstaining.

Mr. Perryman made a motion, with a second by Mr. Moses, to allow Maintenance Supervisor Sheldon Davis to bid out repairs for the Forrest structural damages. After discussions, the board asked Mr. Dukes to turn in the damage to the insurance company before beginning the bidding process. Mr. Perryman withdrew his motion.

Under New Business, Ms. Gold asked Budget Director Shelia Cook-Jones to update the column under "Estimated Actual 2010-2011" on the front sheet of the budget to reflect the "Actual" numbers at the end of the fiscal year. She also requested the board receive monthly financial statements in the board packet; Mr. Keny asked [Board Secretary] Ms. Poole to add "Financial Statement" to the monthly agenda.

In discussions of recent EEOC complaints, Ms. Kennedy stated the filed documents name the Marshall County Board of Education; she asked Mr. Jackson for clarification as to the board's only employee (Mr. Dukes) and who Mr. Jackson will defend in his prepared response to the EEOC: MCBOE or Mr. Dukes as an employee of the board. Mr. Jackson answered he is defending the administration of the

Marshall County Board of Education which is headed by Mr. Dukes; he added that he has pointed out in the charges to which he has responded that the board is not the entity that needs to be named in the charges.

In the second part of Ms. Kennedy's inquiry, she pointed out that MCBOE has a policy (5.500 Discrimination/Harassment of Employees) that addresses these issues; she asked Mr. Dukes if either he or Dr. Miller were notified before the charges were filed. Mr. Dukes and Dr. Miller responded they had not. When asked if the two employees will be reprimanded for not following board policy, Mr. Jackson stated that could result in a retaliation claim.

Following discussions concerning whether or not any of the lawsuits filed are covered by insurance, Mr. Jackson stated he would read the insurance policy the following day and advise the board in a conference call that same evening.

Continuing New Business, Mr. Keny informed the board and the audience that the county commission passed the school system's budget earlier in the evening by a vote of 14-1-1. He then stated that, in listening to the commission read ethics statements at the earlier meeting, he and Ms. Tears are the only board members who could have a possible conflict of interest when approving a budget (they have spouses employed by the school system). He informed those in attendance that all board members have on file in the Central Office a Code of Ethics statement and that he and Ms. Tears voted their conscience when voting on the budget. Mr. Keny then thanked everyone on the budget committee for their hard work, as well as the commission for supporting the budget.

Under annual budget agenda, Mr. Smith made a motion to keep Lewis, King, Krieg and Waldrop on retainer as the school board's attorney. Ms. Tears seconded the motion, and the motion passed 9-0.

Because the regularly scheduled meeting for October falls within Fall Break, the meeting was moved to Thursday, October 20 at 6:30 p.m. The dates for board meetings following the October meeting will be the second Thursday of every month at 6:30 p.m.

Mr. Keny reminded board members to sign up for committees. Mr. Moses, chair of the Legislation Committee, suggested that since Ms. Tears does an excellent job keeping the board's policies in line with legislation and TSBA keeps the board updated on legislation, that this committee be abolished. Mr. Jones added that he feels perhaps the Teacher Recruitment Committee could be eliminated, as well, since Mr. Dukes does an excellent job going to recruitment events.

In Committee Reports, Ms. Gold stated during the Curriculum Committee on Monday, August 29, Lyn Stacey, Julie Thomas and Vylatte Gooch addressed the committee to provide a better understanding of the shape of collaboration within the schools. At the end of the meeting Suzanne Ingram told the committee she had spoken with Derrick Ledford who would be willing to meet with the members to discuss Virtual School. The Curriculum Committee will meet Monday, September 12 at 6:00 p.m.

In the Policy Committee report, Ms. Tears stated the committee met Tuesday, August 23 during which they discussed Standard School Attire (policy 6.310 Dress Code). The committee plans to get more input from the community and businesses before bringing the policy to the full board. Ms. Tears urged the full board to attend the Policy Committee meeting to take part in the discussions. A Policy Committee meeting was scheduled for Monday, September 26 at 6:30 p.m.

Ms. Kennedy scheduled a Calendar Committee meeting for Thursday, September 15 at 6:00 p.m.

Mr. Moses proposed that between now and the start of the next earnest budget cycle, the board do a quarterly review. He suggested the board set a meeting during the October Board Meeting, to give the finance department time to close the books on the first quarter, to go over July, August and September numbers.

Under Director's Report, Mr. Dukes congratulated Ms. Tears on achieving Level III status as a board member, and Brooks Lamb, the TSBA South Central District Student of the Year. Brooks will go on to compete on the state level. Mr. Dukes thanked Mr. Keny, Mr. Moses and Ms. Tears for attending the TSBA South Central District meeting.

Mr. Dukes stated a full-time payroll clerk position was posted and asked the board for permission to keep interim payroll clerk Gaye Wilson on staff to train this person. Mr. Smith made a motion, with a second by Mr. Jones, to allow Ms. Wilson to remain on staff to train a new payroll clerk, not to exceed 30 days following the hiring of the full-time person. The motion passed 9-0.

The meeting adjourned at 8:50 p.m.

Respectfully Submitted,

Mike Keny, Chairman

Roy Dukes, Director