The Board of Education of Jordan School District met in closed and study sessions on Tuesday, November 11, 2014, beginning at 4:33 p.m. in the District Auxiliary Services Building, 7905 South Redwood Road, West Jordan, Utah.

**MOTION:** At 4:34 p.m., it was moved by Janice L. Voorhies and seconded by Peggy Jo Kennett to go into closed session. Motion passed with a unanimous vote.

**CLOSED SESSION**

Those recognized or signed-in as present:
- Richard S. Osborn, Board President
- Susan K. Pulsipher, Board Vice President
- Janice L. Voorhies, Board Secretary
- (J. Lynn Crane, Board Member, excused)
- Peggy Jo Kennett, Board Member
- (Corbin White, Board Member, excused)
- Kayleen Whitelock, Board Member
- Patrice A. Johnson, Superintendent of Schools
- John Larsen, Interim Business Administrator
- Scott Thomas, Administrator of Auxiliary Services
- Derk Timothy, Mayor, Bluffdale City
- Carmen Freeman, Mayor, Herriman City

Board President Richard S. Osborn presided and conducted. The Board of Education met in a closed session to discuss property. The closed session discussion was recorded and archived.

At 4:52 p.m., a short break was taken to await the arrival of the South Jordan City officials. The closed session resumed at 5:02 p.m.

**CLOSED SESSION, Continued**

Those recognized or signed-in as present:
- Richard S. Osborn, Board President
- Susan K. Pulsipher, Board Vice President
- Janice L. Voorhies, Board Secretary
- (J. Lynn Crane, Board Member, excused)
- Peggy Jo Kennett, Board Member
- Corbin White, Board Member
- Kayleen Whitelock, Board Member
- Patrice A. Johnson, Superintendent of Schools
- John Larsen, Interim Business Administrator
- Cheryl Matson, Director, Insurance Services
- Derk Timothy, Mayor, Bluffdale City
- Carmen Freeman, Mayor, Herriman City
- Chuck Newton, Council Member, South Jordan City
- Don Shelton, Council Member, South Jordan City
- Chris Rogers, Council Member, South Jordan City

Board President Richard S. Osborn presided and conducted. The Board of Education continued the closed session to discuss potential litigation. The closed session discussion was recorded and archived.

At 5:07 p.m., the meeting adjourned. The Board returned to study session.
STUDY SESSION

Those recognized or signed-in as present:
- Richard S. Osborn, Board President
- Susan K. Pulsipher, Board Vice President
- Janice L. Voorhies, Board Secretary
- (J. Lynn Crane, Board Member, excused)
- Peggy Jo Kennett, Board Member
- Corbin White, Board Member
- Kayleen Whitelock, Board Member
- Patrice A. Johnson, Superintendent of Schools
- John Larsen, Interim Business Administrator
- Jen Atwood, Board member-elect
- Matt Young, Board member-elect
- Anthony A. Godfrey, Administrator of Schools
- June M. LeMaster, Administrator of Human Resources
- Scott Thomas, Administrator of Auxiliary Services
- Teri Timpson, Administrator of Schools
- Sandy Riesgraf, Director, Communications
- Jeri Clayton, Administrative Assistant
- Jennifer Boehme, President, Jordan Education Association
- David Alvord, Mayor, South Jordan City
- Derk Timothy, Mayor, Bluffdale City
- Carmen Freeman, Mayor, Herriman City
- Mark Seethaler, Council Member, South Jordan City
- Chuck Newton, Council Member, South Jordan City
- Don Shelton, Council Member, South Jordan City
- Chris Rogers, Council Member, South Jordan City
- Don Tinge, South Jordan City
- Chip Dawson, South Jordan City

Board President Richard S. Osborn presided and conducted. The Board of Education met in a study session to discuss the following:

A. **Discussion with South Jordan City Elected Officials**

Board members met with South Jordan City elected officials to discuss progress on meeting the requirements of the Interlocal Agreement. Superintendent Johnson noted that copies of the document: Interlocal Agreement Progress & Completion 2014-15 were previously distributed to mayors for review. A copy is attached at the conclusion of these minutes. (Attachment 1)

The District's Five-Year Building Construction Plan was also distributed and reviewed. It was noted that any plans beyond the first year are tentative and will be reviewed annually. A copy of the draft Five-Year Building Construction Plan is attached at the conclusion of these minutes. (Attachment 2)

A discussion was held regarding District finances and the potential for a future bond election. Board members expressed the need for the support of the cities and legislators for passage of a bond for school construction. The mayors and council members expressed the need for a public outreach plan for a positive bond election result. The decision was made to hold a bond planning/strategy meeting in late January or early February to include Board members, city mayors, and all members of the city councils.

In response to a question regarding the current bond repayment schedule, Mr. Larsen stated that the District will have all of its General Obligation Bonds repaid by 2021. He noted that the sale of future bonds, in the event of a successful bond election, could be structured in such a way that there would be very little incremental change in tax rate. Discussion was also held on whether it would be in the best
interest of taxpayers for the District to postpone capital projects and use capital reserves to build new schools in order to have a lower bond election amount, or if the District should increase the bond election amount and utilize its capital reserves for ongoing capital project needs. Varying views and ideas were expressed with the idea that this will need to be an ongoing discussion.

President Osborn stated that the cities benefit greatly when Jordan School District is successful in educating students and in turn, the success of each of the cities is a benefit to Jordan School District. He thanked the mayors and South Jordan City council members for attending the meeting.

At 6:45 p.m., the meeting ended. The study session resumed at 7:00 p.m.

**STUDY SESSION, Continued**

Those recognized or signed-in as present:
- Richard S. Osborn, Board President
- Susan K. Pulsipher, Board Vice President
- Janice L. Voorhies, Board Secretary
- (J. Lynn Crane, Board Member, excused)
- Peggy Jo Kennett, Board Member
- Corbin White, Board Member
- Kayleen Whitelock, Board Member
- Patrice A. Johnson, Superintendent of Schools
- John Larsen, Interim Business Administrator
- Jen Atwood, Board member-elect
- Matt Young, Board member-elect
- Anthony A. Godfrey, Administrator of Schools
- Teri Timpson, Administrator of Schools
- Sandy Riesgraf, Director, Communications
- Jeri Clayton, Administrative Assistant
- Jennifer Boehme, President, Jordan Education Association
- Wayne Harper, District 6, Utah State Senate
- Aaron Osmond, District 10, Utah State Senate
- Howard Stephenson, District 11, Utah State Senate
- Dan McCay, District 41, Utah House of Representatives
- Kim Coleman, District 42, Utah House of Representatives
- Earl Tanner, District 43, Utah House of Representatives
- Rich Cunningham, District 50, Utah House of Representatives
- John Knotwell, District 52, Utah House of Representatives

Board President Richard S. Osborn presided and conducted. The Board of Education continued its study session to discuss the following:

**B. Legislators Night: Discussion in Preparation for the 2015 Legislative Session**

Board members invited the legislators representing residents living within the boundaries of Jordan School District to meet with them to discuss District concerns regarding legislation for the 2015 session and to allow the senators and representatives to express any concerns they may have.

**Statewide Equalization**

Senator Osmond explained that his current proposal for statewide property tax equalization is one that generates new money. His plan would freeze the minimum basic rate and through the freeze or an adjustment for inflation, new money would be generated at the state level. This funding would be returned through the Capital Outlay Foundation program and the Capital Outlay Enrollment Growth program to the districts that need it the most, and he said Jordan is clearly one of those districts.
Senator Stephenson discussed the disparity between rich and poor districts and the fact that some Districts are funded below that of charter schools which he said is unfair and needs to be addressed. Senator Stephenson said if it appears that Senator Osmond’s bill is not going to pass, then he will seek to amend it by diminishing the amount of the WPU increase by, for instance, one percent, and then use that one percent to bring the lowest districts up over several years. He said the reason this is fair is because the Park City-type districts are already well-funded and districts like Jordan need to be at least equal to charter school funding.

**Parent Responsibility Law**

Mrs. Voorhies referred to a letter she received from an English teacher who expressed concerned about having 155 student absences during the first five weeks of the school year which was dramatically higher than in the past. Mrs. Voorhies said it seems that the new parent responsibility law made it possible for parents to remove students from school without restrictions. Mrs. Voorhies presented data that in the first quarter of this school year, absences were up 24 percent over this same period last year in every high school except West Jordan. In one class, eight students were checked out during one period.

Mrs. Voorhies said Bingham High personnel are especially concerned because of the school’s strict attendance policy. She provided background information about why this policy was created. A group of Bingham teachers, which included Mrs. Voorhies, visited businesses in the Salt Lake Valley to speak with CEOs, Human Resource directors, etc., to get input about what teachers can do to prepare students for work. There were four main recommendations: 1) teach the kids to show up every day; 2) teach them to show up with a good attitude; 3) teach them to communicate in writing and the spoken language; and 4) teach them to do accurate mathematical calculations. Mrs. Voorhies said this information was taken back to Bingham and presented to the School Improvement Committee and the result was the creation of Bingham High School’s current attendance policy. Over the next few years, this attendance policy was implemented in every Jordan District high school because it worked and students started showing up for class.

Mrs. Voorhies said there is a feeling among District personnel that this law is undermining efforts to help kids learn to show up and to work and the decrease in attendance is because it is easier for parents to sign their kids out of class.

Senator Stephenson suggested that absenteeism is a result of extracurricular school activities. Mrs. Voorhies said when she was teaching, if a student was legitimately involved in an extracurricular activity, they were not marked absent from the classes they were required to miss. Senator Stephenson replied that it appears absenteeism is worse than the numbers represent and suggested ball games and activities be held on Saturdays; however, he said he knows the District would have to deal with the High School Activities Association and sometimes the tail wags the dog, but the legislature can over-ride the High School Activities Association if enough school board members were to say they wanted to respect the school day.

Senator Osmond said the bill was written with the intent to empower the parent with control over the child’s educational experience, to insure a reasonable accommodation to parents, and was relative to students leaving on extended family trips. It was not to allow the student to be checked in and out. He said the bill also gave principals the authority to push back and the power to deny an absence if the child was not performing at academic expectations. Senator Osmond said there may need to be some clarity added to the law and the rules. He also said an administrator or school secretary can’t be expected to make split moment decisions about whether a student can leave. He expressed alarm about the 24 percent absence increase and stated he would be willing to look at the law and its unintended consequences.

Mrs. Voorhies informed the legislators that the District already has a policy in place that allows parents to notify the school of a planned absence and students can get classwork ahead of time so they don’t fall behind. She said the problem now appears to be that some parents are using this law to avoid the
attendance policy and, unfortunately, there are some parents that are not as responsible as others. The ability for parents to check a child out for whatever reason is undermining the idea that school is your job and when you go to a job you can’t take three days off because you’re bored or you want to go with your friends to St. George because it’s a nice weekend.

Senator Osmond said he remembers the conversation he had with Dr. Johnson where she told him she feared this would happen. He said the law was written with the intent to empower parents to take their kids out of school without having to get a doctor’s note, and to empower the state board and local districts to put controls in place because not every parent is responsible.

Superintendent Johnson stated that the teachers and administrators are held accountable now for student achievement and they don’t want students missing instruction time. Several teachers in attendance agreed with Dr. Johnson and said it is unacceptable for parents to be allowed to check students out of school and then for teachers to be held accountable for a failing student.

Transportation

Mrs. Kennett said she had a couple items from the Interlocal Agreement that Board members agreed to discuss with legislators. She said one of the cities is hopeful that the legislature might reduce the 1.5 mile requirement for busing. She asked for feedback on this issue, and also if there was any possibility for an increase above 65 percent in state funding for transportation for students.

Senator Stephenson said it depends on what school boards recommend to the Appropriations Subcommittee. He suggested that the percentage not increase equally, but rather the formula be changed so that more money is given to the poorer districts and those below the charter school amount. He responded to the 1.5 mile question by stating that it makes more sense to keep the 1.5 mile requirement, but to increase the percentage of state funding to the poorer districts for transportation.

Closed Sessions

Mrs. Kennett asked about a proposed bill regarding allowing mayors to attend closed sessions. Senator Harper said his bill has not been drafted but will add clarification regarding closed meeting attendees.

House Bill 104 and Charter Schools

Mrs. Whitelock asked Representative Cunningham whether he would be bringing back H.B. 104, School Planning and Zoning Compliance.

Representative Cunningham said Senator Vickers is sponsoring the bill this year and he is aware that a compromise has been made by all of the stakeholders except for the Superintendents Association. He said the bill’s purpose is to bring the standard of the charter schools up to what the district schools are already doing. Passage of the bill will help Senator Stephenson’s bill to allow kids within a one to two mile radius of a charter school have first choice to attend.

Mrs. Whitelock asked if Senator Stephenson’s bill creates direct competition with District schools. She stated that the bill creates some confusion because she thought the whole point of charter schools was to have an innovative school where parents can choose to take their children, not to have it conveniently located.

Senator Stephenson said the rationale is that new charter schools will take the pressure off district growth and become community schools in the district. He said it is kind of a back door approach to school building equalization because a district like Jordan with high enrollment and no money to pay for new buildings can help guide the location of a charter school and meet the housing needs of its students.
Mrs. Whitelock said according to Senator Stephenson’s explanation, it sounds like the purpose of charters is being changed from innovation to a school to house children. She asked whether the rule would also be changed that says the district still needs to provide a seat for that child in the event the parent decides they want to bring them back to the District school. She gave the example of a friend who took her children to Ascent Academy this year and decided to put them back in the District school. Mrs. Whitelock encouraged her to do it before October 1 and explained how the money for students is distributed. Mrs. Whitelock asked if the legislature planned to make a rule that if a parent chooses a charter school path, the student is required to stay at the school for a year. She said students returning from charter schools after the start of the school year create class load problems for district teachers. She said this is a concern because if the District is required to supply a seat for that child, then her taxpayer dollars are paying for two entities that compete against each other.

Senator Stephenson said the competition is worse when a charter school is locating in an area of Jordan that has declining enrollments. He said he would rather see a charter school located in a high growth area than in a declining area that robs students from already partially filled buildings while there are portables in use in other areas.

President Osborn suggested tying the funds to the student even after the October 1 enrollment count.

Mr. Larsen, interim business administrator, said he had a few items to add to the discussion. He said a committee was formed that included representatives from the Utah State Office of Education, charter schools, schools districts, and legislators to discuss student funding. They agreed upon a proposal they will be presenting to the legislature that equalizes, not necessarily the funding, but how charters and school districts are funded. He said charter schools right now have the greater of October 1 enrollment or ADM plus growth. School districts are limited to ADM plus growth. He said funding should be equal for both charters and district schools so there is a level playing field. He said this committee also discussed a transparency issue related to how charter schools are funded with the local replacement dollars because as it is now, the districts are named on the tax notices as taxing this money, but then the money is passed on to the charter schools. Because of this lack of transparency, the public does not realize that charter schools actually cost money on their property tax bill. It was the committee’s recommendation to have the charter school money labeled as such on a property tax bill. He said the recommendations of the committee are important, not just for the financial piece, but charters and districts need to be aligned in our mission to serve kids and if they are funded differently and that fact is not transparent to the public, it is confusing and not what is best for kids.

**County-wide Equalization**

Mrs. Pulsipher asked how legislators intend to end the county-wide capital equalization since the legislation was not specific and said how it ends could have an impact upon Jordan District.

Senator Harper said he was speaking yesterday with staff in the Tax Commission about this issue but they do not have a solution as yet.

Senator Osmond said it is important to note that the legislators attending this meeting understand and recognize that there is a problem. He congratulated Mr. Larsen for summarizing so well the issue and challenge with which they are faced. Senator Osmond said from his perspective, the logical and right thing to do is to reverse the original model and allow the District to restore the funds, without having to do truth in taxation and to have the other districts go through truth in taxation if they want to maintain the funds.

Mrs. Pulsipher said the sooner the District knows how the county-wide equalization will end, the better, especially in light of the fact that the District is in the planning stages for a future bond election and will begin meeting in February. She said it will be difficult for Jordan District to have a bond election and then to explain to the taxpayers the need to go through truth in taxation to restore the $10 million which is a result of the county-wide equalization problems. She said the District is trying to be very upfront and
transparent with its taxpayers and they would like to have answers before starting the process for bonding.

**Invitation to Visit Schools**

Superintendent Johnson invited legislators to join them on a school bus tour of the District on either January 20 or 22, whichever works best for them. She said Board members would like to show the legislators some of the District’s schools and facilities and the good things happening in Jordan District. She asked legislators to confirm with Mr. Anderson, administrator of schools, about which of these two dates will work best for them.

**Senate Bill 64**

Superintendent Johnson addressed Senator Osmond and said in talking with JEA and the Superintendents Association they have a concern about a clause in S.B. 64, related to unintended consequences with conduct and performance being lumped in the same bill. She asked if there is a plan to fix this.

Senator Osmond said the issue with the educator evaluation law is that the text of the new law says that a teacher must go through remediation for either conduct or performance and that was not the intent so legislators are looking seriously at opening that bill for review. He said the question becomes the level at which they make the change and what other unintended consequences will result from opening up that particular piece of legislation. He said for those that remember, the bill was very divisive and a difficult piece of legislation. It took an enormous amount of effort to get everyone at the table (UEA, USSA, USOE, etc.). Senator Osmond said HR directors across the state have been asked to provide actual examples of the problems and to identify the scope of the issue. When that information is received, legislators will make a decision about what action to take. He said another issue that needs to be determined is whether or not classified employees are included in the statute. It was never intended for classified employees to be included but it has been inferred legally that it was, so legislators need to provide clarity about that as well.

**2015 Proposed Legislation**

President Osborn invited legislators to discuss proposed 2015 legislation.

Representative Cunningham said in the State of Utah, for every STEM job there is a need for seven individuals trained in the skills to support STEM. He said a BYU professor gave a talk at a conference and said currently the state is 75,000 jobs short of meeting work force requirements to support STEM. Representative Cunningham said he is looking at getting the skilled trades back into the high schools to prepare students to be electricians, plumbers, machinists, etc. He said he has the support of the Governor’s Office of Economic Development and has spoken with the new state superintendent about getting these programs back into the high schools. One problem he said he has encountered is that “everybody has their own little kingdom” and “nobody wants to work together” and his opinion is “come hell or high water we’re going to make sure that we get a handle on this.” He said this may not come forward as a bill this year because there is a lot of organization that will need to be accomplished.

Senator Stephenson suggested that this could become a bill this year by capturing another bill. He said Higher Ed Appropriations has been looking at equity funding among CTE programs and they might be able to get some momentum for Representative Cunningham’s proposal.

Senator McCay said he had spoken to several Board members about the State School Board nomination changes. He said first, there is a movement to have these positions partisan; however, currently 14 of the 15 members are Republican. Second, there is push for a direct election, and third, he has a bill for a constitutional amendment that would permit the governor to appoint members and the senate to ratify the selection. He said it has been difficult for State School Board members to run for office given the size of their constituency. He has had concern about the election process and said it
appears the person at the top of the ballot wins more frequently than the person at the bottom and when that is the level of analysis on the part of the voter that goes into electing state school board members, he sees it as a problem. He suggested that this issue may be one of the hotly contested issues in the upcoming session.

Senator McCay also said he is working on a bill that would provide a tax credit for teachers that have been in the profession for five years or less and for teachers in Title I schools. He said the fiscal note is significant so they are looking at how to fund the bill. He indicated the reason for the bill is because teachers with less than five years are leaving at record rates and he is looking for a way to incentivize them to stay. He said there is also value in making sure something is available to teachers who stay in Title I schools.

Representative Tanner said he had been thinking about an idea and wondered if there was a particular reason why the state should not take on the job of providing the bricks and mortar for schools and take that responsibility out of the districts. He suggested looking into having a statewide program for school construction and standards.

Senator Harper said during the next year he is planning a review of redevelopment agencies, i.e. RDA, CDA, and EDA projects. He said he is not sure the agencies are doing what they are supposed to do and is planning to gather a group of 18-25 stakeholders during the next year to study exactly what redevelopment agencies are, have been, and should be, and whether they should be limited to seven or twelve years.

At 8:45 p.m., the meeting adjourned.

/jc
Attachments

[Minutes approved 12-9-14]