

MINUTES OF THE REGULAR BOARD MEETING
BOARD OF TRUSTEES OF JT. SCHOOL DISTRICT NO. 151
SCHOOL CENTRAL OFFICE ON TUESDAY, JUNE 24, 2014 AT 7:00 P.M

BOARD MEMBERS: Steve Lynch Zone 2, Chairman
Ryan Cranney Zone 1, Vice-Chairman
Linda Petersen Zone 3
Kathy Millar Zone 4
Heber Loughmiller Zone 5

ADMINISTRATORS: Gaylen Smyer Superintendent

LEGAL ADVISOR: Doug Whipple

TREASURER: Chris James

CLERK: Pam Teeter

NEWS MEDIA: Debbie Critchfield District Public Relations

Meeting called to order for open session by Steve Lynch, Board Chairman (7:00 p.m.).

GUESTS: Eric Bedke, Adam Haynes, Carl Voigt, Curtis Richins, Rickie Spearin, Kelly Bowen

PLEDGE: Pledge of Allegiance was led by Steve Lynch, Board Chairman.

APPROVAL OF MINUTES: Motion by Heber Loughmiller and seconded by Linda Petersen to approve the minutes for the following board meetings: motion carried. The board meetings are as follows: May 20, 2014, May 27, 2014, May 28, 2014, and May 29, 2014

BILLS: Motion by Heber Loughmiller and seconded by Linda Petersen to approve the bills for last month; motion carried.

FACILITIES COMMITTEE REPORT: The Co-Chairmen, Eric Bedke and Adam Haynes presented a brief Facilities Committee report to the Board. Mr. Bedke reported they have toured each facility. Mr. Haynes reported all community committees are in agreement in their findings of each facility and how surprising it was to the committees of the pressing needs of the schools in each community. The next Committee meeting will be held on July 10, 2014.

HEALTH INSURANCE: Motion by Ryan Cranney and seconded by Heber Loughmiller to accept the health insurance renewal. Kelly Bowen gave a review on the health insurance renewal with the Board. Mr. Bowen presented to the Board an update on the Health insurance.

POLICIES:

POLICY 403.50 EMPLOYEE DRUG AND ALCOHOL TESTING: Motion by Kathy Millar and seconded by Linda Petersen to approve Policy 403.50; motion carried. Policy 403.50 will read as follows:

It is the intent of the Board of Trustees of the Cassia County Joint School District to promote an alcohol and drug-free workplace, thereby enhancing workplace safety and increased productivity. Chapter 17, Title 72, Idaho Code, allows employers, including school districts, to adopt policies to test employees or prospective employees for the presence of drugs or alcohol as a condition of hiring or continued employment, provided the testing requirements and procedures are in compliance with 42 U.S.C. 12101.

It is the policy of this district to require drug and/or alcohol testing of any employee reasonably suspected of being under the influence of an illegal substance and/or alcohol while on duty or during work hours on district property or at a district-sponsored activity, function, or event, regardless of location.

In Keeping with the Cassia County Joint School District's objective to provide a safe and healthy work environment, it is the District policy that:

1. All employees must report any convictions under a criminal drug statute for violations occurring on or off the district's premises. A report of a conviction must be made to Cassia School District within forty-eight (48) hours after the conviction. This includes pleas of nolo contendere.
2. If the employee's job description includes the operation of a motor vehicle, they must report any DUI citation to their immediate supervisor prior to transporting children or operating any district owned vehicle.
3. When supervisory personnel determine there are reasonable grounds to believe an employee is under the influence of or in possession of any substance prohibited by these standards or is otherwise in violation of these policies, the district may:
 - a. Search any of the employee's personal property found on the district's premises. Such search can include locker, desk, office, or any other district property.

DEFINITIONS

"Alcohol" means the product of distillation of any fermented liquor, rectified once or more, whatever may be the origin thereof, or synthetic ethyl alcohol. Alcohol includes any alcoholic beverage as defined by Idaho Code Sections 23-105 and 23-1001.

"Controlled substances" include, but are not limited to, opiates; opium derivatives; hallucinogenic substances, including cocaine and cannabis or synthetic equivalents of the substances contained in the plant, any material, compound, mixture, or preparation with substances having a depressant effect on the central nervous system; and stimulants.

"Drugs" include, but are not limited to, any alcohol or malt beverage, any tobacco product, any controlled substance, any illegal substance, any abused substance, any substance which is intended to alter mood, and any medication not prescribed by a physician for the employee in possession of the medication, including those substances identified in Schedules I, II, III, IV, and V of Idaho Code Section 37-2701.

“Reasonable suspicion” means a good faith suspicion, based on objective facts, which is sufficient for a prudent person to conclude that the employee is using or appears to be presently under the influence of alcohol and/or drugs.

“Under the Influence” covers not only all well-known and easily recognized conditions and degrees of intoxication but any abnormal mental or physical condition which is the result of indulging to any degree in unlawful alcohol or illegal drugs, and which tends to deprive one of that clearness of intellect and control of himself or herself which he or she would otherwise possess.

VIOLATIONS OF THIS POLICY

An employee is in violation of this policy, and may be subject to disciplinary action up to and including discharge for work-related misconduct, under the following circumstances:

1. The employee tests positive for illegal drugs and the positive test is confirmed.
2. The employee tests positive for alcohol, as indicated by a blood alcohol content (BAC) result of .02 or more, and the positive test is confirmed.
3. The employee refuses to provide a sample for testing.
4. The employee alters or attempts to alter a test sample by adding a foreign substance for the purpose of making the sample more difficult to analyze.
5. The employee submits a sample that is not his or her own.
6. The employee otherwise attempts to obstruct the testing process.

REASONABLE SUSPICION TESTING

All employees in the district are subject to reasonable suspicion drug testing. The district may require any employee to submit to a chemical test of the employee’s breath, saliva, or urine if the superintendent or designee has reasonable suspicion to believe that the employee is using or is under the influence of alcohol or an illegal substance while on duty on district property or at a district-sponsored activity, function, or event, regardless of location.

Factors that may be considered in determining that reasonable suspicion exists include, but are not limited to, the following:

1. Observed use, possession, or sale of illegal drugs and/or alcohol.
2. Marked decrease in work productivity, either in quantity or quality, not reasonably attributable to other causes.
3. Apparent impairment of psychomotor functions, reasoning, judgment, or concentration not reasonably attributable to other causes.
4. Erratic or marked changes in behavior not reasonably attributable to other causes.
5. Involvement in an accident or deviations from safe working practices, whether the incident involves actual or potential injury to person(s) or property.
6. Physical indicators such as a disheveled appearance; odor of drugs or alcohol; blurry or dilated eyes; difficulty walking; or slurred, slow, or erratic speech.

The superintendent or designee may rely on report(s) from persons who report suspected drug or alcohol use by an employee if the individual is determined to be reliable and has based such reports upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee.

REQUIREMENTS FOR SAMPLE COLLECTION AND TESTING

The superintendent or designee shall designate entities to provide the collection and testing services necessary to implement this policy. Further, the superintendent or designee is responsible for ensuring that all procedures for sample collection and testing comply with the following requirements:

1. The collection of samples shall be performed under reasonable and sanitary conditions.
2. The individual employed by the collection site or laboratory who is responsible for collecting the sample will be instructed as to the proper methods of collection.
3. Samples shall be collected and tested with due regard to the privacy of the individual being tested and in a manner reasonably calculated to prevent substitutions or interference with the collection or testing of reliable samples.
4. Sample collection shall be documented and the documentation procedure shall include: (a) labeling of samples so as to reasonably preclude the possibility of misidentification of the person tested in relation to the test result provided; and (b) handling of samples in accordance with reasonable chain-of-custody and confidentiality procedures.
5. Sample collection, storage, and transportation to the testing laboratory shall be performed so as to reasonably preclude the possibility of sample contamination and/or adulteration.
6. Sample testing shall conform to scientifically accepted analytical methods and procedures.
7. Drug testing shall include a confirmatory test before the result of any test is used as a basis for disciplinary action by the district. A confirmatory test refers to the mandatory second or additional test of the same sample that is conducted by a laboratory utilizing a chromatographic technique such as gas chromatography-mass spectrometry or another comparable reliable analytical method.
8. Positive alcohol tests resulting from the use of an initial screen saliva test must include a confirmatory test that utilizes a different testing methodology meant to demonstrate a higher degree of reliability. The test will be considered positive if the BAC results are .02 or more.
9. Positive alcohol tests resulting from the use of a breath test must include a confirmatory breath test conducted no earlier than fifteen (15) minutes after the initial test; or the use of any other confirmatory test meant to demonstrate a higher degree of reliability. The test will be considered positive if the BAC results are .02 or more.

All employees subject to testing are required to sign any documents necessary to authorize the testing and disclosure of information to the Medical Review Officer (MRO) or other qualified person, and the superintendent or designee.

RIGHT TO EXPLAIN POSITIVE TEST RESULT AND REQUEST RETEST

Any employee who tests positive for drugs or alcohol will receive written notice of that test result, specifically identifying the substance for which he or she tested positive. The employee will be given an opportunity to discuss and explain the positive test result with a Medical Review Officer or other qualified person.

Any employee who has a positive test result may request that the same sample be retested by a mutually agreed upon laboratory. A request for retest must be made within seven (7) working days from the date of the first confirmed positive test notification and will be paid for by the employee requesting the test. If the retest results are negative, the district will reimburse the cost of the retest and compensate the employee for lost pay, if suspended without pay. If terminated solely because of the positive test, the employee shall be reinstated with back pay.

REMEDIAL ACTION

If the district determines that an employee has violated this policy, the district may take disciplinary action up to and including suspension, with or without pay, and/or termination from employment due to misconduct. Termination for work-related misconduct may result in the denial of unemployment benefits. Additionally, workers' compensation benefits may be reduced by 50% for injury due to intoxicants.

The district may also require the employee to enroll in and successfully complete a district-approved rehabilitation, treatment, or counseling program, which may include additional drug and/or alcohol testing, as a condition of continued employment. An employee's willingness to enroll in a rehabilitation, treatment, or counseling program may be considered when determining what, if any, personnel action will be taken.

The district may grant sick and personal leave for an employee enrolled in a rehabilitation or treatment program until the leave is exhausted and then may grant leave without pay for a period not to exceed one (1) year. The district will not pay the cost of medical or rehabilitation services for the employee. Such costs are the sole responsibility of the employee and/or the employee's insurance provider.

TESTING COSTS

The district will pay all costs of drug and alcohol testing, unless the test is a retest requested by the employee. If the retest establishes a negative test result, the district will reimburse the employee for the cost of such test.

District employees will be compensated at their regular rate of pay for the time during which they are undergoing any drug or alcohol testing, including transportation time.

CONFIDENTIALITY

All information, interviews, reports, statements, memoranda or test results, written or otherwise, received through a substance abuse testing program shall be kept confidential and securely maintained in a file separate from the employee's personnel file. Confidential information will be used or disclosed only on a need-to-know basis and to the extent necessary for the conduct of the district's business, subject the following exceptions: in a proceeding related to any disciplinary action taken by the district as a result of the drug and/or alcohol test; any other dispute between the district and the employee; as required to be disclosed by the United States department of transportation law or regulation or other federal law; or as required by service of legal process.

The district will not disclose information to third parties regarding drug and alcohol testing without the written consent of the employee.

Records showing an employee tested negative will be kept for at least one (1) year. Records showing that an employee tested positive, including the reason for the test, identification of the substance(s) used by the employee, and the disposition of each employee will be kept for the length of employment plus at least three (3) years. Such records will be kept confidential and will not be considered part of an employee's personnel file.

NOTICE

The district shall provide a copy of this policy to each employee upon its adoption and to future employees at the time of hire. Additionally, a copy of the policy shall be available for review on the district website.

SCHOOL BUS DRIVERS

District employed school bus drivers operating under a commercial driver's license (CDL) must meet the U.S. Department of Transportation's (DOT) drug and alcohol testing requirements, which are addressed in Bus Driver Drug and Alcohol Testing Program, Policy 744. The district shall comply with this policy as well as Policy 744 regarding bus drivers.



LEGAL REFERENCE:

Idaho Code Sections

23-105

23-1001

37-2701

37-2705 through 2713

72-1701, et seq.

42 U.S.C. 12101

ADOPTED: June 6, 2014

POLICY 770.50 CHARGING SCHOOL MEALS: Motion by Heber Loughmiller and seconded by Linda Petersen to approve Policy 770.50 for adoption; motion carried. Policy 770.50 will read as follows:

The goal of Cassia County Jt. School District 151 Food Service Program is to provide nutritious meals for students at a reasonable cost. The district recognizes that situations may occur where an individual is not able to purchase a meal ticket. Students may charge a meal under the following provisions:

ELEMENTARY STUDENTS

Elementary school students in the district are limited to five (5) charged meals. After five meals have been charged, students will receive an alternate meal of peanut butter and jelly (PBJ) sandwich, fruit, vegetable and a carton of milk until their account is paid in full or the building administrator has personally contacted the parents/guardians of the student. The PBJ meals will

be charged to the student's account. Students with an allergy to peanuts will receive a cheese sandwich. Students with a negative account balance are not allowed to purchase a la carte items.

When a student account drops below \$5 on the low balance report, the parent/guardian will be notified of the balance through a note being sent home with the student. Another notice will be sent home when the student charges their first meal. Once a student has reached the limit of 5 charged meals, an attempt will be made by school lunch staff to contact parents via the telephone.

In the event parents do not respond to notices sent home with students or cannot be contacted by telephone, notification will be mailed with an attached application for free or reduced-price meals.

In the event that a student has been issued PBJ for three (3) days the building administrator will personally attempt to meet with the parents. Parents will have five (5) days to satisfy the balance, return a completed free or reduced-price meal application, or make other arrangements with the building principal. If no attempt has been made to satisfy the account or provide for the student's meal within five (5) school days after the meeting with the administrator, the building principal may notify the Idaho Department of Health and Welfare.

SECONDARY STUDENTS

Middle school students (6th, 7th & 8th Grade) in the district are extended the same policy and procedures outlined for elementary school students.

High School Students are limited to one (1) charged meal. No high school students will be allowed to charge a meal during the last month of school. The Food Service staff will notify students at the point of service when the student has a low balance. It is the responsibility of the student to notify their parents. Students with a negative account balance are not allowed to purchase a la carte items. If no attempt has been made to satisfy the account or provide for the student's meal within five (5) school days after the meeting with the administrator, the building principal may notify the Idaho Department of Health and Welfare.

ACCOUNT BALANCES

A parent/guardian may call the school cafeteria or the food service director to place a block on his/her child's account to prohibit the purchase of a la carte items.

All negative accounts must be settled at or before the end of the school year. Parents/guardians will be notified one (1) week before the last day of school for elementary students whose accounts are low or negative.

Account balances will rollover to the next school year. Students who are graduating at the end of the year will be given a refund of their balance. Funds can be transferred to a sibling's account with a written request from the parent/guardian. Students who withdraw from the district must submit a written request for a refund of any money remaining in their account.

Account balances may be checked at any time by accessing the designated website with appropriate login information or by calling the school cafeteria.



LEGAL REFERENCE:

Idaho Code Sections

33-512 – Governance of Schools

33-603 – Payment of Fees or Returning of Property

ADOPTED: June 6, 2014

POLICY 518 STUDENT MEAL CHARGES: Motion by Heber Loughmiller and seconded by Kathy Millar to nullify Policy 518 Student Meal Charges; motion carried.

ITEMS FROM THE SUPERINTENDENT:

EXECUTIVE SESSION: (7:18 p.m.) Motion by Ryan Cranney and seconded by Linda Petersen to reconvene executive session in accordance Section 67-2345 1(b); motion carried.

Voting Aye: Ryan Cranney Linda Petersen Kathy Millar, Heber Loughmiller, Steve Lynch, motion carried.

OPEN SESSION: (10:52 p.m.) Motion by Linda Petersen and seconded by Heber Loughmiller to reconvene open meeting in accordance with Section 67-2345

Voting Aye: Ryan Cranney Linda Petersen Kathy Millar, Heber Loughmiller, Steve Lynch, motion carried.

NEGOTIATED AGREEMENT: Motion by Linda Petersen and seconded by Kathy Millar to approve the negotiated agreement between the Cassia County District Team and the Cassia County Education Association Team; motion carried. The following proposal was agreed upon:

- Minimum salary at \$31,750
- The District will offer on (1) buy-back day to be used for professional development by certificated employees as appropriated by the legislature. The employees participating in the professional development will be paid one day at their daily rate
- 0.5% increase will be added into the district salary schedule using funds appropriated from the state and approximately \$50,000 from the District
- Employees will receive on (1) step (years of experience up to 13) on the salary schedule
- Employees will be allowed to move as many lanes (additional education) as they have earned
- A one-time longevity bonus of \$500 will be paid to teachers who have been locked in the bottom tier of the district salary schedule for the prior year and who would not be eligible for a step or lane advancement in the current year
- The district will continue to pay 60% of the health insurance premium

The CCEA ratified this agreement on June 10 2014.

STUDENT TEACHING REQUEST: Motion by Heber Loughmiller and seconded by Kathy Millar to approve Judy Bennett from Western Governor's University to student teach at Dworshak Elementary under the supervision of Ms. Beth Greer as a cooperating teacher, teaching kindergarten starting fall semester 2014.

TRIP REQUEST: Motion by Heber Loughmiller and seconded by Steve Lynch to approve a travel request for Jimmy Jolley to attend a boiler training in Salt Lake City, Utah, July 15-18, 2014; motion carried.

SCHOOL HANDBOOK REVISIONS: Motion by Linda Petersen and seconded by Kathy Millar to approve the Burley High School 2014-2015 Parent and Student Handbook; motion carried.

Motion by Linda Petersen and seconded by Kathy Millar to approve the Declo Jr. High School 2014-2015 Student Handbook; motion carried.

Motion by Linda Petersen and seconded by Kathy Millar to approve the Oakley Jr/Sr. High School 2014-2015 Student Handbook; motion carried.

Motion by Linda Petersen and seconded by Kathy Millar to approve the Raft River Elementary School 2014-2015 Student Handbook; motion carried.

Motion by Linda Petersen and seconded by Kathy Millar to approve the White Pine 2014-2015 Student Handbook; motion carried.

SEPARATIONS: Motion by Heber Loughmiller and seconded by Linda Petersen to approve the following separations from employment; motion carried.

Certified: Jerrod Dastrup, Raft River Elementary School Principal/Sp Ed Teacher, Kasey Heward, Declo High School Head Cross Country Coach (still teaching); Meghan Corsi, Oakley Elementary teacher; Lyle Sager, Declo High School teacher; Gary Elsensohn, Burley High School teacher; Mary Miller, Burley High teacher; Robert Pavlock, District Mentor; Brittni Darrington, Oakley High School teacher;

Classified: Yolanda Vergara, Declo Elementary Para-educator; Krishna Haynie, Declo High School Asst. Coach; Julie Silcock, Burley High School Dance Team Advisor; Whitney Cheney, Declo High School Asst. Cheer Advisor; Gary Mabey, Oakley Head Custodian; Karleen Robinson, Declo High School Asst. Volleyball Coach; David Mensing, Declo Jr. High School Coach; Bethany Gochmour, Burley High School Asst. Dance Advisor; Steven "Matt" Cook, Burley Asst. Football Coach; Ciara Bailey, Maintenance; Jennifer Bott, Maintenance; Jacobee Benavidez, Maintenance; Phillip Wolfe, Maintenance; Patty Gailey, Substitute; Sheri Lisle, Substitute; Hayley Baker, Substitute; Marilyn Lightfoot, Substitute; Rosemary Winslow, Substitute; Mitzi Brooks, Substitute

NEW HIRES: Motion by Heber Loughmiller and seconded by Kathy Millar to approve the following new hires; motion carried.

Certified: Jonathan Kendell, Burley Jr. High School teacher; Meggan Perez, White Pine teacher; Monet' Thomander, Declo Elementary teacher; Melissa Draper, Burley Jr. High School teacher; Curtis Richins, Cassia Regional Tech Center Principal; Kayla Cook, White Pine teacher; Mitchell Tilley, Burley High School teacher; Diandra Nero, Mountain View teacher; Alan H Ward, White Pine teacher; Andrea Gochnour, Mountain View/Cassia High School counselor; Jerry Coulson, Burley High School teacher; Margaret Chesley, Declo Elementary Library Par-educator; Michael Chesley, Declo Elementary Teacher; Terryl Johnson, Raft River Elementary School

Classified: Kaci Larsen, Oakley High School Custodian Aide; Logan Wright, Maintenance; Shyla Pincock, Mainenance; Brendon Gorringer, Oakley Elementary Head Custodian; Russell Thompson, Declo Jr. High School Head Custodian, Abby Critchfield, Maintenance; McKynley Sagers, Maintenance; Cody Millward, Maintenance; Ashley Ludlow, Declo Jr. High School part-time custodian; Carrie Simkins, Declo High School Secretary; Lucille Valdez, Declo Elementary secretary; Jeanette Lierman, Pre-School secretary; Brooke Jensen, Burley High School Asst Dance Coach; Laura Greener, Burley High School Head Dance Coach; Stephanie Shirley, Burley Asst. Volleyball Coach; Cody Powers, Burley Asst. Girls' Basketball Coach; Holden Garrard, King Fine Arts Student Aide; Grace Campos, Graduation Specialist/Migrant

EXECUTIVE SESSION: (11:33 p.m.) Motion by Steve Lynch and seconded by Kathy Millar to reconvene executive session in accordance with Section 67-2345 1(b) personnel.

Voting Aye: Ryan Cranney, Linda Petersen, Kathy Millar, Heber Loughmiller, Steve Lynch; motion carried.

Present: Steve Lynch, Ryan Cranney, Kathy Millar, Superintendent Gaylen Smyer, Attorney Doug Whipple, Fiscal Manager/Treasurer Chris James, Clerk Pam Teeter.

(12:46 a.m.) Motion by Kathy Millar and seconded by Linda Petersen to reconvene open session; motion carried.

Motion by Steve Lynch and seconded by Heber Loughmiller to give a .5% pay increase to administrators, a 1.0% pay increase for the Maintenance supervisor, Steve Bennett, and 1.5% pay increase for the Transportation supervisor, Jim Hamilton; motion carried.

Motion by Kathy Millar and seconded by Heber Loughmiller to adjourn; motion carried. (12:48 a.m.)

Steve Lynch, Board Chairman

Pamela Teeter, Board Clerk

