

**Douglas County School District**  
Regular Meeting  
Douglas High School  
Minden, Nevada  
Tuesday, January 11, 2005  
3:30 p.m.

**Minutes Approved On:  
February 8, 2005**

**MINUTES**

Mr. Louritt called the meeting to order at 3:32 p.m.

Present were:

**Trustees:**

John Louritt, President  
Sharla Hales, Vice President  
Connie Wennhold, Clerk  
Keith Roman, Member  
Loren Orr, Member  
Teri Jamin, Member  
Cynthia Trigg, Member

**Personnel:**

John Soderman, Superintendent  
Rick Kester, Director of Business Services  
Rich Alexander, Assistant Superintendent, Human Resources  
Roy Casey, Assistant Superintendent, Education Services  
Lisa Fontana, Director of Curriculum and Instruction  
Jan Keith, Director of Special Services  
Ken Stoll, Principal, Minden Elementary School  
Cris Etchegoyhen, Principal, Gardnerville Elementary School  
Mark Van Voorst, Principal, Douglas High School  
Susan Lacey, DCPEA President  
Alan and Toni Gumm, Douglas County School District Employees

**Others Present:**

Mike Nivinskus, Legal Counsel

**1. Call to Order**

- A. Mr. Louritt led those present in the Pledge of Allegiance.
- B. Mrs. Wennhold made a motion to adopt the agenda, seconded by Mr. Orr. Motion carried by a unanimous vote of 7/0.

## 2. Election of Officers for 2005

- A. President. Nominations were declared open for the office of President. Mr. Louritt nominated Mrs. Hales. Hearing no other nominations, nominations were closed. Mr. Louritt called for public comment. Hearing none, Mrs. Hales was elected Present by a unanimous vote of 7/0.

Mrs. Hales and Mr. Soderman thanked Mr. Louritt for his leadership and guidance while serving as president. Mr. Louritt expressed his gratitude for the opportunity to serve as President for the 2004 term. Mrs. Hales assumed the duties as President of the Board of Trustees.

- B. Vice President. Nominations were declared open for the office of Vice President. Mr. Roman nominated Connie Wennhold. Hearing no other nominations, nominations were closed. Mrs. Hales called for public comment. Hearing none, Mrs. Wennhold was elected Vice President by a unanimous vote of 7/0.
- C. Clerk. Nominations were declared open for the office of Clerk. Mrs. Wennhold nominated Mr. Orr. Hearing no other nominations, nominations were closed. Mrs. Hales called for public comment. Hearing none, Mr. Orr was elected Clerk by a unanimous vote of 7/0.

## 3. Annual Organization

- A. Mrs. Hales called for public comment on the designation of the Record-Courier as the newspaper to be utilized for all legally required notices. Hearing no public comment, Mr. Louritt made a motion to designate the Record-Courier as the newspaper to be utilized for all legally required notices, seconded by Mr. Roman.

Motion carried by a unanimous vote of 7/0.

- B. Mrs. Hales called for public comment on the designation of the regular meetings of the Board of Trustees to be held on the second Tuesday of each month at 3:30 p.m. at the locations designated in the Agenda. Hearing none, Mrs. Wennhold made a motion to approve the regular meetings of the Board of Trustees to be held on the second Tuesday of each month at 3:30 p.m. at the location designated in the agenda, seconded by Mr. Roman.

Mr. Roman expressed his desire to have at least one meeting in the Topaz Ranch Estates area. Mr. Soderman suggested that the Community Center at Topaz Ranch Estates might be a suitable facility. Mr. Roman agreed with Mr. Soderman's suggestion and added that May or August would be acceptable months as far as weather is concerned. Mrs. Jamin suggested September for the Topaz Ranch meeting.

Mr. Roman made a motion to amend Mrs. Wennhold's motion to state that we have one Board meeting held at Topaz Ranch Estates in the month of September, seconded by Mrs. Jamin.

Mr. Roman's motion to amend carried by a vote of 4/3. (Mr. Louritt, Mrs. Hales, and Mrs. Wennhold dissenting)

Mrs. Hales called for a vote on the main motion. Motion carries as amended by a vote of 6/1. (Mr. Louritt dissenting)

The meetings of the Board of Trustees for the 2005 year are as follows:

<b>Date</b>	<b>Location</b>	<b>Time</b>
Friday, January 28, 2005	Douglas High School	Strategic Planning
Tuesday, February 8, 2005	Douglas High School	3:30 p.m.
Tuesday, March 8, 2005	Kingsbury Middle School	3:30 p.m.
Tuesday, April 12, 2005	Douglas High School	3:30 p.m.
Wednesday, May 18, 2005	Kingsbury Middle School	3:30 p.m.
Tuesday, June 14, 2005	Douglas High School	3:30 p.m.
Tuesday, July 12, 2005	Kingsbury Middle School	3:30 p.m.
Tuesday, August 9, 2005	Douglas High School	3:30 p.m.
Tuesday, September 13, 2005	Topaz Ranch Estates Community Center	3:30 p.m.
Tuesday, October 11, 2005	Douglas High School	3:30 p.m.
Tuesday, November 8, 2005	Kingsbury Middle School	3:30 p.m.
Tuesday, December 13, 2005	Douglas High School	3:30 p.m.
Tuesday, January 10, 2006	Douglas High School	3:30 p.m.

**Additional meetings will be scheduled as necessary.**

#### **4. Appointment of Board Representatives**

After a brief discussion, Mrs. Hales called for public comment. Hearing none, the following appointments, or reappointments, of Board members were made for 2005 as follows:

A. Debt Management Commission	Keith Roman
B. Nevada Association of School Boards - Board of Directors	Sharla Hales
C. Nevada Association of School Boards Legislative Committee	Sharla Hales
D. Douglas County Parks and Recreation Board	John Louritt
E. Liaison Between Board and County Commission and Planning	John Louritt Loren Orr
F. Liaison to Douglas County Education Foundation	Connie Wennhold Teri Jamin Cynthia Trigg
G. School Safety Task Force	Cynthia Trigg
H. Expulsion Hearing Subcommittee	John Louritt Keith Roman Connie Wennhold Loren Orr Sharla Hales
I. Truancy Advisory Board	Keith Roman
J. Employee Relations Communications Committee	Sharla Hales Connie Wennhold Teri Jamin

K. Liaison to Parent Teacher Organizations	Connie Wennhold Teri Jamin
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*Appointment of Board Representatives, continued*

L. Sabbatical Leave Committee	Keith Roman
M. Liaison to Tahoe/Douglas Chamber of Commerce	Cynthia Trigg
N. Liaison to Carson Valley Chamber of Commerce	Loren Orr

**5. Consent Items**

Mr. Roman asked that Item K, "Family Life, Sex Education, AIDS Advisory Council Members" be pulled from the consent agenda for further discussion, then asked Mr. Casey why there are no Board Members appointed to the Family Life, Sex Education, AIDS Advisory Council Members. Mr. Casey answered that this item returns to the Board for discussion and approval later in the school year.

Mrs. Hales called for public comment on Item K, Family Life, Sex Education, AIDS Advisory Council Members. Hearing none, Mr. Roman made a motion to approve Item K, Family Life, Sex Education, AIDS Advisory Council Members, seconded by Mr. Louritt.

Motion carried by a unanimous vote of 7/0.

Mrs. Hales called for public comment on remaining consent items. Hearing none, Mrs. Wennhold made a motion to approve the following consent items (A – M), with item K being pulled, seconded by Mr. Orr:

- A. Minutes of the Regular Meeting of December 14, 2004
- B. Personnel actions described in Personnel Report No. 05-01 as follows:

2004-2005 SCHOOL YEAR - HIRING RECOMMENDATIONS FOR CLASSIFIED PERSONNEL:				
Name	Position/Location	Effective Date	Salary	Replacing
Sarah Ferris	Health Aide – JVES	01-03-05	14EE2	New Position
Michael Swanson	Custodian – PHES	12-20-04	23EE1	Larry Griffis
Sherry Duncan	Health Aide – KMS	01-03-05	14EE3	Tami Crosby
Ryan Haltom	Special Ed Aide/IEP – DHS	01-03-05	14EE2	Melinda Schuler
Angela Lundy	Interpreter – Hearing Impaired – PWL	01-03-05	23EE3	Mary Merry
Gerald Wensmann	Bus Driver – Transportation	01-03-05	EE (P)	Shannon Henderson
CLASSIFIED RESIGNATIONS:				
Name	Position	Effective Date		
Steven Tharp	Custodian – District Office/GES	12-17-04		
Shannon Henderson	Bus Driver – Transportation	12-17-04		
CLASSIFIED TERMINATIONS:				
Name	Position	Effective Date		
Angelyn Nichols	Program Aide- SES	12-10-04		
CERTIFIED REQUEST FOR LEAVE 2004-2005 (LONG TERM):				
Name	Position/Location	Dates	Reason for Leave	
Michelle Rank	Teacher/CVMS	2 <sup>nd</sup> Semester 04-05	5-D	

C. Payments listed in Accounts Payable Voucher 1028 for FY 2004-2005

D. Excuse from compulsory attendance of the students listed below for 2004-2005:

Ms. Jeanette Symons – 7 year-old son, 2nd grade. First year homeschooling. Using an approved correspondence program. Performance objectives delineated.
Ms. Sharon Lugone – 16 year-old son, 11th grade. First year homeschooling. Performance objectives delineated.

E. Request submitted by Kyle (Kylund) Rebideaux to take the GED exam

F. Changes to the 2005-06 calendar that move the District Wide Inservice Day to October 5, 2005 and the last Elementary Conference Day to June 9, 2006.

G. Authorize the District to apply for entitlement and competitive grant funds during 2005 including, but not limited to, the following:

- No Child Left Behind Act – Title IX, Part C, Sections 9301-9306 of the Elementary and Secondary Education Act
- Title I, Part A – Basic
- Title I, Part A – School Improvement
- Title I, Part A – Comprehensive School Reform Demonstration Projects
- Title I, Part B – Even Start Family Literacy Program
- Title I, Part D – Neglected and Delinquent
- Section 2121 – Title II, Teacher Quality (includes Class-Size Reduction)
- Section 3412(a)(s)(A), Title II, Technology Formula Grant
- Section 3412(a)(s)(A), Title II, Technology Competitive Grant
- Title III – Limited English Proficient Students
- Section 4112(b)(1) – Title IV, Safe and Drug-Free Schools
- Section 5112(a) – Title V, Innovative Program
- P.L. 105-17, Special Education Early Childhood
- P.L. 105-17, Individuals with Disabilities Act (IDEA) and related mini grants

- P.L. 105-17, District Assistance Center Subgrants
- P.L. 106-554, School Repair and Renovation Grant
- P.L. 101-382, Carl Perkins Vocational Education Act – Formula and Competitive Subgrants
- Adult High School Diploma
- Federal and State School-to-Career Subgrants
- Advanced Placement Incentive Subgrants
- Federal and State Technology Subgrants
- Federal and State Literacy Subgrants
- Federal and State Special Education-related Subgrants
- Federal and State Remediation Subgrants
- Federal and State Pre-school Education Subgrants
- Federal and State Drug and/or Safety-Related Subgrants
- Grant funding related to the implementation of the District's Strategic Plan that may have become available during the Nevada legislation Session of 2005

H. Dual credit course additions to master list as submitted.

I. Approve the firm of Richard J. Peters, Jr. & Co. as the District's financial auditor for fiscal year 2004-05, and direct the Administration to seek proposals for the District's 2005-06 audit.

J. Increase in the District's employee mileage reimbursement rate from 36.0 cents per mile to 40.5 cents per mile effective January 1, 2005.

K. The composition of the Family Life, Sex Education, AIDS (FLSEA) Advisory Council as follows:

<b>Name</b>	<b>Role</b>	<b>New or Returning</b>
Amanda Nooner	Student	New
Arline Zeidler	Counselor	Returning
Caroline Longré	Nurse	New
Julie Schulz	Counselor	New
Karen Green	Teacher	Returning
Lin Nooner-Vana	Parent	New
Linda Everson-Sharp	Nurse	Returning
Lisa Fontana	Parent	Returning
Marci Appleton	Parent	Returning
Maria Tracy	Student	New
Michael Caughlan	Counselor	Returning
Rachela Fazio	Religion	Returning

L. Instructors to teach the FLSEA program as follows:

<b>Teacher</b>	<b>School</b>
Stacy Chambers	JVES
Bill Harvey	MES
Sarah Hillenbrand	PHES
Caroline Longré	DHS
Jan Matts	JVES
Debbie Moore	SES
Bruce Porter	JVES

M. Inclusion of the video, "Time to Wait for Sex with Pam Stenzel," in the 9th grade FLSEA curriculum instruction materials.

Motion carried by a unanimous vote of 7/0.

## **6. Administrative Reports and Program Reviews**

### **A. Principal's Report (Minden Elementary School)**

Ken Stoll, Principal of Minden Elementary School, presented a PowerPoint presentation on MES' progress towards their School Improvement Plan goals. He compared assessments results for 2002-2003 with assessments results for 2003/2004 that indicated improvement in all areas but Reading CRTs. He also shared results of "Teach for Success" observations as compared to last year's "Data-In-A-Day" results.

He then provided an overview of the goals outlined in MES' School Improvement Plan in the area of reading, math, and parent involvement. He concluded his presentation by describing the next steps for MES in providing staff development, providing remedial interventions, and monitoring student progress.

Following questions, the Board and Mr. Soderman commended Mr. Stoll for his instructional achievements.

## **7. Information and Discussion**

### **A. Superintendent's Report**

Superintendent John Soderman reported to the Board that the Douglas High School Band is very close to reaching their fundraising goal that will enable them to participate in the 2005 Inauguration in Washington, D.C. It was suggested by the Board that the band might address the Board about their experience, perhaps in March 2005. He commended the Douglas County School District Administration for their handling of the transportation issues that arose as a result of the recent snowstorms and described the process by which the determination is made to cancel school due to snow and reminded the Board that student safety is the first consideration.

He reminded the Board of the Board Workshop to be held on February 22 at 1:00 p.m. at the Sierra Nevada Golf Ranch, as well as other upcoming meetings and events they may be interested in attending.

Regarding the meetings held to address the boundary change issue, Mr. Soderman explained that the meetings are going very well overall and that parents seemed to appreciate having the opportunity to ask questions. Mr. Roman and Mrs. Wennhold stated that Mr. Soderman and the Gardnerville Elementary School's principal, Cris Etchegoyhen, explained the situation to parent and faculty very well, and that bringing other affected principals to the meeting was a very good idea.

Mr. Soderman mentioned that he is examining data and trends in the accelerated math program with Dr. Janice Florey, Lisa Fontana, and Roy Casey. In conclusion, Mr. Soderman invited Board members to the NIAA meeting to be held on February 2. Mr. Roman stated that he planned to

attend that meeting. Ms. Trigg stated that she planned to attend the Principal's roundtable at 5:30 on February 3, at George Whittell High School.

Mrs. Hales called for public comment at 4:35 p.m. and advised those present that public comment would be called again at 6:00 p.m.

Mr. David Myers addressed the Board regarding academically advanced students. He stated that he was happy to hear that Superintendent Soderman has moved forward with recognizing accelerated math problems and is looking forward to upper level curriculum availability to students. Dianne Jennings also appeared before the Board on the issue of accelerated math opportunities for students.

Mrs. Hales called for a brief recess at 4:46 p.m.

The meeting reconvened at 5:06 p.m.

## **8. Items Requiring Discussion and Action**

### **A. Level III Grievance**

A Level III Grievance has been filed by Toni Gumm alleging violations of the Negotiated Agreement and Nevada Revised Statutes. Ms. Gumm has requested a hearing of this grievance by the Board. Since this matter concerns issues surrounding the alleged failure of the District to adhere to the Negotiated Agreement and NRS, and it does not directly involve the character or performance of an individual employee, this hearing is being held in public session.

In this grievance, the same arguments brought forth at the Level II hearing with the Superintendent were presented to the Board of Trustees. Rich Alexander provided extensive exhibits. Those documents speak for themselves. Mr. Gumm provided one piece of evidence, which was a memo from the law firm of Rowe and Hales, LLP, dated October 10, 2002.

Mr. Gumm continued to maintain that the placement of Toni Gumm on the salary schedule for the 2002/2003 school year was not in error, and that she should have been given experience credit on the teacher's salary scheduled for the year she transported her son to Reno for specialized educational services. He asserted that because her son was denied FAPE, it was necessary to provide that transportation, and that the hearing officer's decision in regard to that case lead the Gumm's to believe that the salary schedule advancement was appropriate.

Rich Alexander asserted that because the issue of over or underpayment of contract amounts is not referred to in the Negotiated Agreement, it is not subject to arbitration, and the Board's decision is final.

Mr. Alexander started by discounting the argument that the hearing officer awarded Toni Gumm a salary and that the salary then should have resulted in a salary schedule advancement based on experience. He referred to the documents notebook he provided and used Exhibit "A" page 12, second to the last paragraph, where it states, "In the Ninth Circuit Court of Appeals, the Hearing Officer does not have the authority to award damages. Lost wages is determined to be a damage remedy, rather than compensatory reimbursement for education services and is, therefore, outside the jurisdiction of the Hearing and Review Officers. Since it is not an available remedy under IDEA in the Circuit Court of Appeals, to interpret the Review Officer's Order for reimbursement for "out-of-pocket expenses" as contemplating this remedy is an unwarranted reach." He also maintained a



long history of Douglas County School District correcting both overpayments and underpayments as soon as they are discovered. In the case of overpayments, the District seeks to be reimbursed over time depending on the size of the reimbursement. In the case of underpayment, the District makes an immediate adjustment to correct any errors.

The point was also made that the salary schedule rewards additional teaching experience and education related to teaching, not driving. The contract is clear that no salary experience accrues during an unpaid leave. The point was also made that the hearing officers order could not be considered because it was not offered as evidence to the Board members.

Each side was allowed to provide a rebuttal. The Board asked extensive questions. The discussion resulted in the following motion and decision by the Board of Trustees.

Mr. Louritt made a motion to deny the grievance and uphold the remedies offered at the Superintendent's Level II hearing, seconded by Mrs. Wennhold.

Motion carried by a unanimous vote of 7/0.

### **Public Comment**

Mrs. Hales called for public comment at 6:47 p.m. Becky and Brian Crowe requested that supervised Physical Education be included in the curriculum. Their twin daughters are involved in a very rigorous gymnastics training program in Reno, and that Washoe County School District has adopted supervised Physical Education as part of their curriculum. Roy Casey committed to look into the issue.

Mr. Bob Pohlman approached the Board with concerns about proposed construction of a roundabout at Heybourne and Buckeye Road near Minden Elementary School. He stated that the Board should be proactive in voicing their concerns about the possible safety hazards of a roundabout in that area as many school children walk to school, and this proposed roundabout would be very dangerous.

### **9. Correspondence**

There was no correspondence.

### **10. Possible Agenda Items for Future Board Meetings**

Mr. Roman stated that he was sympathetic to the Crowe's problem and that the Board may want to look into a policy to allow students to receive P.E. credit for off-campus supervised Physical Education programs. Mrs. Wennhold supported this future agenda item.

### **11. Executive Session**

There was no executive session.

## 12. Adjournment

Mr. Louritt made a motion to adjourn, seconded by Mr. Orr.

Motion carried by a unanimous vote of 7/0.

Meeting adjourned at 7:15 p.m.

Submitted by:

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Rebecca C. Winter  
Secretary to the  
Superintendent and Board of  
Trustees

Approved:

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Clerk of the Board

Note: Upon approval by the Board of Trustees in a public meeting, these minutes become the official minutes of the meeting held on the above date. Board minutes are kept on a permanent basis and are available for public review in the office of the Superintendent.