

MINUTES OF THE
Special Meeting of the
DOUGLAS COUNTY SCHOOL DISTRICT
BOARD OF TRUSTEES
Douglas High School
November 18, 2009
5:00 p.m.

*Minutes Approved
December 8, 2009*

Present:

Trustees:

Cynthia Trigg	President
Thomas Moore	Vice President
Keith Roman	Clerk
Karen Chessell	Member
Randy Green	Member
Sharla Hales	Member
Teri Jamin	Member

Others Present:

Mike Malloy	Attorney
Jim Huge	Consultant
Susan Lacey	President, Douglas County Education Association

Mrs. Trigg called the meeting to order at 5:05 p.m. Mr. Green led those present in the Pledge of Allegiance.

Mr. Moore arrived at 5:10 p.m.

1. Public Comment

Public Comment was announced.

Dave Brady, stated he was speaking as a parent and taxpayer, not as a County Commissioner. Comments made were in regard to Item 2 on this agenda and with reference to the November 10th Board Meeting wherein this agenda item was first listed. Points addressed included the following:

- 1) The termination of employment information and Superintendent Contract were not provided November 10th.
- 2) The Release agreement was not provided prior to the meeting
- 3) Adequate public comment time was not allotted.
- 4) Section 4 of the original Superintendent contract stated the Board could unilaterally terminate the superintendent's contract with a minimum of 90 days notice with payment of \$120,000. Prior superintendents were stated to not have this language within their contract.
- 5) The proper terminology for the separation, in Mr. Brady's opinion, was a "unilateral termination."

Susan Lacey, teacher and President of the Douglas County Professional Education Association, asked the Board to look ahead using creative thinking with respect to hiring of the interim Superintendent. Concern was expressed for the amount of change incurred as Superintendent's moved in and out of the position. Additionally, Mrs. Lacey asked, should a current District employee be chosen for the interim, access to personnel information be limited.

The public was offered another chance to come forward for public comment. There were no more comments presented.

2. Possible reconsideration of settlement with Superintendent Lark regarding the terms and conditions of her voluntary resignation as Superintendent (Action)

Mrs. Trigg read Item 2 from the agenda.

Mr. Malloy clarified this reconsideration of Mrs. Lark's Settlement Agreement had been brought forth publicly to put to rest any open meeting law concerns, not to review the terms of the proposed Settlement Agreement due to the Trustees having been previously informed. The Agreement was noted to be a compromise between the two parties, Mrs. Lark and the School Board. Accepting the compromise, the Board would need to move to approve the terms of the written agreement and reaffirm the signatures of November 10th.

Mrs. Trigg called for public comment and Board discussion. There were no further comments.

Mr. Moore moved that the Board accept the Employment Settlement Agreement and reaffirm signatures on the agreement from November 10th, seconded by Mrs. Jamin.

Mrs. Trigg called for further discussion.

Ms. Jamin stated she had reviewed language within the Superintendent's contract, addressed by Mr. Brady in public comment, with the District's attorney.

Motion carried, 6/1, Mrs. Trigg nay.

3. Discussion and possible adoption of a process and time frame for selection of an interim and a permanent Superintendent (Action)

Mr. Huge began the meeting by handing out a sheet of talking points and school calendars for use in discussing the interim superintendent selection process.

Mrs. Trigg offered additional information that had been prepared by herself and Mrs. Chessell while attending a recent Risk Management conference.

The list prepared by Mr. Huge was reported to contain all information that might be used in the process. Mr. Huge discussed the items listed in order to determine how the Board might proceed. The Trustees were reported to be the only persons charged with deciding upon a Superintendent and for the division of duties of staff prior to the naming of either an interim or permanent person.

A hiring timeline for the Superintendent was suggested. Should the Board decide to hire an interim Superintendent, the maximum time frame was noted to be about six months of service. A goal of hiring the permanent person was March or April. This would allow for both community and staff input.

Board members questioned details of the process, commented on both the hiring of an interim and permanent Superintendent, and the process as it had occurred in the past. Advantages and disadvantages of selecting an interim person who had been a previous employee were discussed. An individual who knew District personnel was noted to be a plus, in that trust among personnel at this time, was "very low."

Mrs. Trigg called for public comment. There was none.

Mrs. Trigg inquired with Mr. Malloy regarding how the Board might continue with Mr. Huge's assistance. Mr. Malloy stated this was not agendaized and would need to be decided upon at the next meeting.

Offering to continue due to the Board's previous request for his service, Mr. Huge added that he would work to gather information following this meeting, without a formal contract, in order that the process would continue to move forward.

Discussion ensued regarding legal necessities. Mr. Malloy stated the Board President could be the signatory for legal documents or the President could designate the Assistant Superintendents to perform this function. Mrs. Trigg responded she was "comfortable with that situation with all three" Cabinet members. Mr. Huge added an additional meeting was not necessary for this determination.

Next, Board members commented with regard to whether or not they would allow an interim person to apply and obtain the permanent position.

Mr. Moore moved that the interim superintendent would not be eligible for the permanent superintendent position, seconded by Mr. Roman.

Mr. Huge stated a determination of criteria of duties for an interim position would need to be decided upon.

Mr. Alexander informed the Board the Leadership Team had an upcoming meeting, at which time they would be informed who to contact for various needs during the period the District was without a Superintendent.

There was no further discussion.

Motion carried, 7/0.

Public input on the hiring process was addressed. Consensus was a survey would be placed on the District Web site for public input, as well as, public meetings would be scheduled. Suggestions for information to be provided on the Web site included:

- 1) Responses would be emailed directly to Mr. Huge
- 2) A statement was requested to note the interim Superintendent would not be considered for the permanent position.
- 3) A hiring time line would be provided.

Mr. Huges offered to return in the next week to meet with the Leadership Team at their upcoming meeting. His goal would be to gather recommendations including individual names and report to the Board at the December 8th Regular Board Meeting. The Board would inform him prior to this meeting, through discussions individually with Mr. Huges, if they might desire to interview several individuals on December 8th.

Mr. Malloy informed the Board that in the event they approve a contract to hire Mr. Huges for the Superintendent Search process, although Mr. Huges would have begun work prior to a formal signing, the contract would serve as a basis for payment for all of his services.

Questions arose regarding the need for a Request for Proposal process to continue with the Superintendent Search service. The general consensus, following Board comments, was to not initiate an RFP process to interview other search firms.

The Board discussed their possible attendance at the upcoming Leadership Team Meeting.

Mr. Malloy reminded the Board that in order to not create a subcommittee requiring Open Meeting Law compliance, Board members would need to listen only and not comment at an administrative meeting.

Mrs. Hales moved that the Board ask Mr. Huges to move forward with the plan as presented and the items that they had come to consensus on with considerations that this may change as needed, seconded by Mrs. Chessell.

Mrs. Trigg called for public comment and further Board discussion. There was none.

Motion carried, 7/0.

Mrs. Chessell moved to adjourn the meeting at 6:23 p.m., seconded by Ms. Jamin.

Motion carried, 7/0.

Submitted by,

Carolyn Moore
Secretary to the Board of Trustees

Approved:

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.