

TELL CITY-TROY TOWNSHIP SCHOOL CORPORATION

REGULAR MEETING  
OF THE  
BOARD OF SCHOOL TRUSTEES

TUESDAY AUGUST 14, 2018

TELL CITY HIGH SCHOOL MEDIA CENTER  
900 12<sup>TH</sup> STREET  
TELL CITY, INDIANA 47586

7:00 P.M.

Pledge of Allegiance/Moment of Silence:  
Call to Order:

Roll Call: Sherri Flynn Rick May X Gregg Jarboe Mack Cail X Tony Thomas X

**Adoption of the Agenda of Tuesday, August 14 2018 Board Meeting** M MC S TT V 3-0

Motion is to approve the agenda as presented.

**Approval of the Minutes of the Regular Meeting of July 10, 2018** M TT S MC V 3-0

Motion is to approve the minutes as presented.

**Approval of the Claim Docket** M MC S TT V 3-0

The Annual Financial Report is included in the claim docket and has already been published as required to the PC News. Motion is to approve the claim docket as presented.

**1. Reports:**

- a. Mrs. Noble
- b. Mr. Ramsey
- c. Report from the County Redevelopment Commission

**2. Communications from the Public:**

**3. Old Business:**

**4. New Business:**

a. Resignations and Retirements M MC S TT V 3-0

- 1. Asst. Jr High Football Coach
- 2. Asst. Girls Cross Country Coach

- 1. Greg Hollinden
- 2. Jennifer Chestnut

3. Jr. High Academic Team Coach
4. HS Teacher
5. HS Cafeteria
6. HS Cafeteria
7. WTE On-Target Coordinator
8. HS Volleyball Assistant Coach
9. 8th Grade Girls Volleyball Coach

3. Joyce Stath
4. Katelyn Gehlhausen
5. Bev Esarey
6. Brenda Henson
7. Sharon Noble
8. Logan Flannagan
9. Kelsey Bolin

The motion was made to accept the resignations as a group.

**b. William Tell Elementary School**

**None**

**c. Tell City Jr-Sr High School**

**M MC S TT V 3-0**

1. Jr. High Academic Team Coach (pd)
2. Program Assistant (5.5 Hour)
3. Vex Robotics Co-Coach (pd)
4. Vex Robotics Co-Coach (pd)
5. Special Education Teacher
6. Cafeteria (5.5 hour position)

1. **Hannah Lepper**
2. Eva Brenee Leiberling
3. Daniel Warner
4. Neal Warner
5. **Sharon Noble**
6. Kelly Ammon

Mrs. Noble will be on an emergency permit. Motion to accept the recommendations as a group.

**d. Athletics**

**M MC S TT V 3-0**

1. Junior High Cross Country Coach (pd)
2. Asst. Girls Cross Country Coach (pd)
3. Vol. Asst. Girls Cross Country Coach
4. 7th Grade Asst. Football Coach (pd)
5. HS Volleyball Asst. Coach (pd)
6. 8th Grade Volleyball Coach
7. Vol. Asst. HS Football Coach

1. Greg Hollinden
2. Joyce Stath
3. Jennifer Chestnut
4. Grant Stiff
5. Derrian Jo Zabel
6. Elizabeth Kohnert
7. Brian Beckort

Mr. Beckort has been assisting with the conditioning program of the football team. He will assist as a volunteer coach. Motion is to approve the recommendations together as presented.

**e. Corporation Receptionist/Office Manager**

**M MC S TT V 3-0**

After receiving over 100 applications, inviting 12 to interview, and actually speaking with 6, I am happy to recommend Ryan Sumner for the position of receptionist/office manager. Mr. Sumner has experience as a superintendent at ATTC, accounts payable at Mulzer Crushed Stone, and is currently pursuing a degree in business administration. He has demonstrated working knowledge of the programs we use, and I feel he will make a welcome addition to the office of the superintendent. Motion is to approve the recommendation as presented.

**f. On-Target Staffing Recommendations**

**M TT S MC V 3-0**

- |  |                                |
|--|--------------------------------|
| 1. On-Target Youth Assistant             | 1. <i>Bailey Little</i>        |
| 2. On-Target Youth Assistant             | 2. <i>Austin Snyder</i>        |
| 3. On-Target Youth Assistant             | 3. <i>Natolie Reid</i>         |
| 4. On-Target Youth Assistant             | 4. <i>Brianna Hamm</i>         |
| 5. On-Target Youth Assistant             | 5. <i>Brianna Ammon</i>        |
| 6. On-Target Program Assistant           | 6. <i>Mary Jo Sabelhaus</i>    |
| 7. On-Target Program Assistant           | 7. <i>Jennifer Schraner</i>    |
| 8. WTE Site Coordinator                  | 8. <i>Michael Paduani</i>      |
| 9. <b>On-Target PM Route Driver</b>      | 9. <b>Truman Daugherty</b>     |
| 10. On-Target PM Route Driver Substitute | 10. <i>Nelly Hoyos-Herrera</i> |
| 11. On-Target PM Route Driver Substitute | <b>11. Loretta Parker</b>      |
| 12. On-Target Tutor                      | <b>12. Laura Wiles</b>         |
| 13. On-Target Tutor                      | <b>13. Danielle Naviaux</b>    |
| 14. On-Target Tutor                      | <b>14. Jill Lacy</b>           |
| 15. On-Target Tutor                      | <b>15. Kassi Harpenau</b>      |
| 16. On-Target Tutor                      | <b>16. Sharon Noble</b>        |
| 17. On-Target Tutor                      | <b>17. Hannah Lepper</b>       |
| 18. On-Target Stem Teacher               | 18. <i>Jackie Jarboe</i>       |

Item 9- Driver has KY CDL and must take the 3 day class to get IN CDL. He has registered, and will not drive until such time as he has a current and valid yellow card. Motion is to accept the recommendations as a group and as presented.

**g. Board Policy Updates (First Reading)**

**No Action**

- Policy 1422 - Nondiscrimination and Equal Employment Opportunity – Revised
  - Policy 1662 - Anti-Harassment – Revised
  - Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity – Revised
  - Policy 3122 – Nondiscrimination and Equal Employment Opportunity – Revised
  - Policy 3362 - Anti-Harassment – Revised
  - Policy 4122 – Nondiscrimination and Equal Employment Opportunity – Revised
  - Policy 4362 - Anti-Harassment – Revised
  - Policy 5517 - Anti-Harassment – Revised
- The revision proposed for these eight (8) policies is to replace language previously included in each of these policies that addresses maintaining public records and student records created during the investigation of a complaint from the section entitled “Privacy/Confidentiality” and replace that verbiage with a new section in each policy entitled “Retention of Public Records, Students Records, and Investigatory Records and Material” that requires Corporations maintain all information, documents, electronically stored information (“ESI”), and electronic media (as defined in Policy 8315) created and received as part of an investigation. Some of this material retained may be public records and some of the material may be exempt from disclosure, but all of the material may be necessary to support a decision rendered.
- Policy 2700 - Annual Performance Report - Revised
- The revision proposed to this policy incorporates the requirement to include in the

Annual Performance Report any seclusions or restraints by School Resource Officers in the number of instances in which either seclusion or restraint is used.

Adoption of the proposed revision to this policy should be recommended, and the Board should take action to do so to keep its policies compliant with Federal and State law as well as informative to staff and constituents.

#### Policy 3120.04 - Employment of Substitutes - Revision

This policy has been revised to incorporate requirements of current Indiana law, the Indiana administrative code, and IDOE procedures related to hiring of substitute teachers.

The Superintendent should recommend adoption of the proposed revisions to this policy, and the Board should take action to adopt the revision to keep policies compliant with State law and regulations and the procedures of the IDOE.

#### Policy 3131 - Reduction in Force ("RIF") in Certificated Staff - Revised

Following the decision of the 7th Circuit in *Elliott v. Board of School Trustees of Madison Consolidated Schools*, Docket No. 16-4168 (7th Cir. Dec. 4, 2017), *aff'g*, 2015 WL 1125022 (S.D. Ind. Mar. 12, 2015), we are proposing a revision to Policy 3131; however, because a petition for writ of certiorari has been filed in *Elliott*, we believe it makes sense to keep the policy limited to enforcement of "current" law and have developed a new administrative guideline that addresses the specific procedure for a RIF under the *Elliott* decision. This will avoid the need for the Board to approve a revised policy should the U.S. Supreme Court reverse the decision on appeal. Instead, the Superintendent can adopt a new administrative guideline if needed.

Adoption of the proposed revisions to this policy should be recommended, and the School Board should take action to adopt these revisions to keep its policies legally correct as well as informative to staff and constituents.

#### Policy 4162 - Drug and Alcohol Testing CDL Holders and Other Employees Who Perform Safety Sensitive Functions – Revised

The revisions proposed for this policy incorporate the change from opiates to opioids on the substances for which CDL Holders and other employees who perform safety-sensitive functions are to be tested. Other revisions have been proposed to update the language of this policy so that it is even more consistent with the Code of Federal Regulations concerning these tests, incorporating provisions related to testing before return to duty.

Adoption of the proposed revisions to this policy should be recommended, and the Board should take action to do so to keep its policies compliant with Federal and State law and regulations as well as informative to staff and constituents.

#### Policy 5630.01 (V1) – Use of Seclusion and Restraint with Students - Revised

#### Policy 5630.01 (V2) - Use of Seclusion and Restraint with Students - Revised

These policies have been revised to reflect the Indiana General Assembly's revocation of a regulatory exception for school resource officers from the duty to report seclusion or restraint of students. As a result of voiding this regulation, school resource officers now are required to report the use of seclusion or restraint with students. These reports are the same as the report filed by other staff members who may use seclusion or restraint with a student. The reports by school resource officers of the use of seclusion or restraint are to be included by school administrators in the annual performance report to the Indiana Department of education.

Adoption of the proposed revisions to the version of this policy that has been adopted by the Board should be recommended, and the Board should take action to do so to keep its policies compliant with Federal and State law as well as informative to staff and constituents.

#### Policy 6610 – Extra-Curricular Funds- Revised

The revisions proposed for this policy reflect the current requirements of State law and the guidelines of the State Board of Accounts regarding the management of extracurricular funds, as well as the investment of those funds. The revisions to the policy also set forth the duties of the Principal or teacher in charge a school, the Treasurer, and the Superintendent.

The Superintendent should recommend adoption of the proposed revision to this policy, and the Board should take action to do so to keep its policies legally correct as well as informative to staff and constituents.

#### Policy 7510 – Use of Facilities – Revised

The revision proposed for this policy offers Corporations the option of prohibiting the possession, use, or distribution of alcoholic beverages or controlled substances at any function occurring on school premises and prohibiting betting at any function occurring on school premises, and/or permitting Corporation-related organizations to have raffles or similar forms of fund-raising on school premises if the Superintendent has approved of this in advance.

If you would like to include these options in your policy, the Superintendent should recommend adoption of the proposed revision to the policy, and the Board should take action to adopt the policy in order to utilize those options.

#### Policy 7530.02–Staff Use of Personal Communication Devices - Revised

Policy 7530.02 has been revised to enable Corporations to determine whether or not staff members are permitted to conduct Corporation business by text or instant messages on a Personal Communication Device (PCD). The revisions proposed also set forth a requirement to archive texts or instant messages that relate to Corporation business that are sent or received on a PCD. Additional revisions are proposed that more explicitly address the Corporation’s expectations regarding the safe use of PCDs while driving and the records retention requirements for PCD communications that relate to Corporation business of any sort.

The Superintendent should recommend adoption of the proposed revisions to this policy, and the Board should take action to do so to keep its policies legally correct as well as informative to staff and constituents.

#### Policy 8315 – Information Management - Revised

This policy has been revised to more generally address a litigation hold, which requires a Corporation to identify and preserve information that has been created and maintained by the Corporation and is related to a specific matter.

The Superintendent should recommend adoption of the proposed revisions to this policy, and the Board should take action to do so to keep its policies legally correct as well as informative to staff and constituents.

#### ADMINISTRATIVE GUIDELINES

These following guidelines have been revised to support the aforementioned policy changes. It is recommended that the use of these revised guidelines be approved in order to keep the procedure current.

AG 2260.01A – Section 504/ADA Prohibition Against Discrimination Based on Disability, Including Procedures for the Identification, Evaluation, and Placement of Students Suspected of Having a Disability, and the Right to FAPE - Revised

This guideline has been revised to reflect current terminology and to reflect decisions of the Office for Civil Rights in Section 504 complaints and the current timeline for educational evaluations under the IDEA, which demonstrates compliance with Section 504. It is recommended that the use of this revised guideline be approved so that the guidelines are consistent with the Corporation's policies and to keep the Corporation's procedures consistent with current law.

AG 2260.01B – Section 504/ADA – Complaint and Due Process Procedures - Revised

This guideline has been revised to reflect current terminology and to reflect decisions of the Office for Civil Rights in Section 504 complaints and the current timeline for educational evaluations under the IDEA, which demonstrates compliance with Section 504.

It is recommended that the use of this revised guideline be approved so that the guidelines are consistent with the Corporation's policies and to keep the Corporation's procedures consistent with current law.

AG3120.04–Employment of Substitutes- Revised

This guideline has been revised to incorporate requirements of current Indiana law, the Indiana Administrative Code, and IDOE procedures related to hiring of substitute teachers.

It is recommended that the use of this revised guideline be approved so that the guidelines are consistent with the Corporation's policies and to keep the Corporation's procedures consistent with current law.

AG 3131 – Reduction in Force (RIF) in Certificated Staff – New

The new guideline is designed to assist Corporation administrators in conducting a RIF following the decision of the 7th Circuit in Elliott v. Board of School Trustees of Madison Consolidated Schools, Docket No. 16-4168 (7th Cir. Dec. 4, 2017), aff'g, 2015 WL 1125022 (S.D. Ind. Mar. 12, 2015). Because a petition for writ of certiorari has been filed in Elliott, we have developed a new administrative guideline that addresses the specific procedure for a RIF under the Elliott decision. This will avoid the need for the Board to approve a revised policy should the U.S. Supreme Court reverse the decision on appeal. Instead, the Superintendent can adopt a new administrative guideline if needed.

It is recommended that the use of this revised guideline be approved so that the guidelines are consistent with the Corporation's policies and to keep the Corporation's procedures consistent with current law.

AG 4162A – Alcohol Testing Program for CDL Holders and Employees Who Perform Safety Sensitive Functions – Revised

The revisions proposed for this guideline incorporate the change from opiates to opioids on the substances for which CDL Holders and other employees who perform safety-sensitive functions are to be tested. Other revisions have been proposed to update the language and procedures of this guideline so that it is even more consistent with the Code of Federal Regulations and State law concerning these tests, incorporating provisions related to background checks, recordkeeping, a change in the alcohol concentration level, removal from safety sensitive functions, testing before return

to duty, recollection and testing under direct observation, a change in the percentage of employees subject to random testing, and procedures for reasonable suspicion testing. It is recommended that the use of this revised guideline be approved so that the guidelines are consistent with the Corporation's policies and to keep the Corporation's procedures consistent with current law.

**AG 4162B – Handling of Test Results, Record Retention, and Confidentiality – Revised**  
The revisions proposed for this guideline incorporate the change in responsibility from the Federal Highway Administration to the Federal Motor Carrier Safety Administration. Other revisions have been proposed to update the language and procedures of this guideline so that it is even more consistent with the Code of Federal Regulations and State law concerning the required recordkeeping for these tests.

It is recommended that the use of this revised guideline be approved so that the guidelines are consistent with the Corporation's policies and to keep the Corporation's procedures consistent with current law.

**AG 5630.01V1 – Seclusion and Restraint – Revised**

Board Policy 5630.01V1 sets forth the School Corporation's plan for the use of seclusion and restraint with students. This administrative guideline details the responsibilities for implementing Policy 5630.01V1 and the Corporation's seclusion and restraint plan.

If the Corporation has elected to use Policy 5630.01V1 (as opposed to Policy 5630.01V2), it is recommended the use of this new guideline be approved by the Superintendent to delineate responsibilities for implementing Policy 5630.01V1 and to provide consistency in implementing the Corporation's Seclusion and Restraint plan.

**AG 7510A – Use of Corporation Facilities – Revised**

This guideline has been revised to offer the option of prohibiting betting at any function occurring on school premises, and/or permitting Corporation-related organizations to have raffles or similar forms of fund-raising on school premises if the Superintendent has approved of this in advance.

It is recommended that the use of this revised guideline be approved if you would like to include these options in your guideline.

**AG8315–Litigation Hold Procedure - New**

The new guideline is designed to assist the administration in managing litigation hold, which requires a Corporation to identify and preserve information that has been created and maintained by the Corporation and is related to a specific matter.

**FORMS**

**Form 5330F3 – Authorization for the Possession and Use of Asthma Inhaler/Other Emergency Medication(s) - New**

This new form provides for parent authorization of the possession and use of emergency medications at school. Policy 5330 references the use of this form in those situations. It is recommended that this form be utilized whenever a student has a known need for an emergency medication at school.

**Form 5630.01F1 – Seclusion and Restraint Incident Form - New**

This new form provides the information required by Policy 5630.01 to be recorded when Corporation staff must implement a seclusion or restraint with a student.

It is recommended that this form be utilized whenever a student is placed in a seclusion or restraint at school.

**h. Overnight Field Trip Approval** **M TT S MC V 3-0**

The JSHS Cross Country Team is requesting permission for the following athletic overnight trips due to the distance to the respective venues:  
HS Girls/Boys: August 31-September 1. State preview, Terre Haute IN  
HS Girls/Boys: September 7-8. Brown County HS Eagle Classic  
JHS Girls/Boys: September 14-15. Brown County JH Eagle Classic  
Transportation costs are covered by the athletic department. Lodging and food are covered by the athletes. Motion is to approve the field trips as presented.

**i. Approval of Band Volunteers** **M MC S TT V 3-0**

Included is a list (and background checks) for volunteers for the Marching Marksmen this season. These are parents/family members that often help with set up, tear down, and show production. They are not in charge of student groups without a paid corporation representative present. Motion is to approve the volunteers as presented.

**j. Surplus Computer Equipment** **M TT S MC V 3-0**

Included in your packet is a list provided by Mr. Dant of computer equipment. This equipment is in Mr. Dant's opinion beyond salvage or repair. We are recommending it the equipment be recycled. Mr. Dant has identified one machine that was purchased with federal funds and has completed the necessary paperwork to dispose of it. Motion is to approve the surplus as presented.

**k. Special Meeting to Advertise the 18-19 Budget** **M MC S TT V 3-0**

This meeting was discussed at the July meeting and set for August 21, 2018. This action will confirm the date, with a time of 7:00 PM to be held at the Tell City Jr/Sr High School Media Center.

**l. Adult Lunch Prices** **M MC S TT V 3-0**

In submitting the information for Tell City School Corporation's Sponsor Packet through the School Nutrition Program, the Indiana Department of Education is requiring us to raise the Adult Lunch price to greater than \$3.15. I am proposing to raise Adult Lunch to \$3.25 per meal. Adult Breakfast will stay the same price at \$2.10. Motion is to approve the increase in adult lunch prices as presented.

**m. Motion to Accept Bread Bids** **M MC S TT V 3-0**

Receiving no bids during the initial bid process, we reached out to Bimbo (our previous supplier) and Mr. May made contact with Klosterman. Both submitted a bid, and they have been included for your review. The per item price has been submitted, and at this



time I recommend the contract be awarded to Bimbo Bakeries for the 18-19 school year. Motion is to approve the bid as submitted by Bimbo Industries.

**n. Administrative Evaluation Reports/Contracts M RM S MC V 3-0**

At this time we are unable to calculate summative evaluation scores for certified staff as we are lacking state data on SLO and school letter grade. I am able to report that the administration continue to perform admirably and meet expectations. Their evaluations have been included, and while incomplete I recommend the renewal of their contracts as any information provided to by the state will only increase their scores. All fall within the effective/highly effective score range. Motion is to extend the contracts of administration as recommended by the superintendent.

**o. Annual Staff TER Review No Action**

At this time, the principal's report that we have only one staff member whose TER Score is under 2.5 (Effective). As these are only TER scores and we are lacking data from the state (SLO and school score) we expect that all teachers will receive an effective or better rating. Remember that the points awarded by the state are added to the TER score.

**p. Policies as Required by Law No Action**

Age Discrimination- Policy 4122  
Asbestos Hazard Emergency Response Act- Policy 8431  
Americans With Disabilities Act- Policy 4123  
Healthy, Hunger-Free Kids Act of 2010- Policy 8510  
Children's Internet Protection Act- Policy 7540.03  
Copyright Act- Policy 2531  
Drug-Free Workplace Act- Policy 4122.01  
Fair Labor Standards Act- Policy 6700  
Family and Medical Leave Act of 1993- Policy 1630.01  
Health Insurance Portability and Accountability Act- Supplied by health service provider- Anthem and Benefits 7, Policy 4420  
Public Health Service Act- Policy 4420  
Individuals with Disabilities Education Act (IDEA)- Procedural safeguards as provided by the special education co-op, 2460.02, 8410D  
McKinney-Vento Homeless Assistance Act- Policy 5111  
NCLB- Policy 2600, 2261.01, 5463, 8410  
Moving Ahead for Progress in the 21st Century- Policy 2220A, 2221, 9555  
Protection of Pupil Rights Amendment- Policy 2416  
Section 504 of the Rehabilitation Act- Policy 2260  
Safe and Drug-Free Schools and Communities Act- Policy 5530  
Title IX of the Education Amendments of 1972- Policy 1422  
Uniformed Services Employment and Reemployment Rights act of 1994- Policy 4437

These are the policies mandated for yearly notification. There is no board action required.

**q. Resolution to Establish the Education Fund and the Operations Fund**      **M   RM   S   TT   V   3-0**

This resolution does away with the General, Transportation, Bus Replacement, and Capital projects funds and creates the Education and Operations fund. This is a mandatory transition with the passing of HB 1009. Motion is to approve the resolution as presented and establish the appropriate funds.

**5. Such Other Business As May Come Before the Board:**

- a. Communications from the Superintendent
- b. Communications from the Board of School Trustees

**Adjournment:**

**1. Motion to Adjourn:                      Adjourned by RM 7:43 PM**

In accordance with the Americans with Disabilities Act, if anyone wishes to attend, hear or present evidence a the public meeting on the above referenced matter(s), and is in need of reasonable accommodation, please contact the Office of the Superintendent of the Tell City-Troy Township School Corporation, so that accommodations can be made. The Superintendent may be contacted by mailing to Tell City-Troy Township School Corporation, 837 17<sup>th</sup>., Tell City, IN 47586, or by telephoning (812) 547-3300.

This meeting is a meeting of the School Board in public for the purpose of conducting the business of the Tell City-Troy Township School Corporation and is not to be considered a public community meeting. There will be time for public participation as indicated by agenda item "Communications from the Public."

**These minutes have been approved by the Tell City-Troy Township School Board of Trustees.**

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**Board Secretary**

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**Date**