

APPROVED
MINUTES

SPECIAL BOARD
MEETING
1/5/10

A special meeting of the Essexville-Hampton Board of Education was held on Tuesday, January 5, 2010, in the Mark Jaffe Administration Office conference room, 303 Pine Street, Essexville, Michigan.

CALL TO ORDER

The meeting was called to order by President Martin at 5:25 p.m.

ROLL CALL
- Members Present

John Martin, Charles Rochow, William Mahoney, Joseph Pergande, Jill Urban, Michael Rowley.

- Member Absent

David Lovely (excused).

ALSO PRESENT

John Mertz, Doug Trombley, Lori Flippin, Mike Leppek, Paul Sansburn, Ann Hebert.

ADDITIONAL ITEMS

There were no additional items from Board members or the superintendent.

STATEMENTS FROM
THE AUDIENCE

Garber Assistant Principal Lori Flippin invited board members to attend the showing of "*Bilal's Stand*" this Thursday, January 7th, at the State Theatre, beginning at 8:30 a.m.

MINUTES
APPROVED

Moved by Bill Mahoney, supported by Charlie Rochow, to approve the minutes of the regular board meeting, closed session and executive session held December 14, 2009, as presented.

Roll Call: Yes: Martin, Rochow, Mahoney, Pergande, Urban, Rowley

No: None

"RACE TO THE
TOP" (RT3)
LEGISLATION

Superintendent Mertz thanked the board members for attending this special meeting on such short notice. Events at the state level have left the district with very few options. There have been a number of changes that have taken place since the board's discussion at the December 14, 2009, board meeting regarding Race To The Top (RT3) legislation. At that time, the House and Senate were working on legislation that had not been approved. During that meeting, Mr. Mertz presented concerns he had with the plan and the board tabled the issue.

Since that time, new information has presented itself and a decision must be rendered to the Bay-Arenac Intermediate School District by 4:00 p.m. on Thursday, January 7th. Mr. Mertz wanted the board to have all of the latest information so that it could perform its due diligence by examining the new information regarding Race To The Top.

Area superintendents met on Monday afternoon where a great deal of time was spent discussing this issue. Boards of education of local districts will be holding meetings within the next day or two to discuss this legislation.

Assistant Superintendent Doug Trombley gave an overview of the legislative analysis as reported by the House Fiscal Agency. A preliminary summary of House Bills 4787, 4788 and 5596 and Senate Bills 926 and 981 as enrolled includes the following:

- Identify the lowest achieving five percent of public schools, and place them under the supervision of a state school reform/redesign officer, and then employ various models to improve student achievement in those schools.
- Allow for the modification of collective bargaining agreements based on a model chosen for low-achieving schools.
- Create new charter schools referred to as “schools of excellence,” as well as the creation of “cyber schools” aimed at serving at-risk students online.
- Raise the school-leaving age from 16 to 18, beginning with students who enter grade 6 after 2009.
- Evaluate teachers and administrators, in part, based on student growth.
- Provide for an alternative method of teacher certification.
- Require the certification of school administrators.
- Allow for some additional flexibility in the state-mandated high school curriculum.

The first piece of the Race To The Top plan is the legislation; the second piece is the Michigan Department of Education’s Draft Plan.

Mr. Trombley reviewed the Draft Plan that was recently revised December 22, 2009. Even though a large segment of the legislation is tied into the plan, there is also a large piece that causes concern, especially with the MEA as well as the public. Mr. Trombley reviewed and explained the following four pieces of legislation: (1) Standards and Assessments; (2) Struggling Schools and Districts; (3) Effective Teachers and Leaders; and (4) Data Systems, including 12 elements of a Statewide Longitudinal Data System (SLDS).

Mr. Mertz commented that, prior to becoming superintendent, much of his time and energy was focused on the Grade Level Content Expectations (GLCEs). With the new plan that was signed into law last Monday, the GLCEs will no longer be in existence. The Michigan Merit Exam will be replaced by a national standardized test. To adhere to the new legislation, the development of assessments and curriculum at the local level will be unprecedented. Students in grades 3-12 will be assessed more often, which takes up instructional time.

The estimated allocation for our district if we choose to participate in the Race To The Top is \$70,026. It is believed that these would be one-time grant dollars and is contingent upon Michigan receiving a \$400 million grant award from the U.S. Department of Education.

On December 15th, Thrun Law Firm issued a legal opinion on the Race To The Top Memorandum of Understanding (MOU) indicating that they were unable to recommend that districts sign the MOU at that time. Their opinion was based on the fact that not enough information was provided.

On December 18, State Superintendent of Public Instruction Mike Flanagan sent an e-mail to LEA superintendents clarifying whether the MOU can be reconsidered by districts if the state's federal RT3 application is approved and awarded. If an LEA determines that it wants to terminate the MOU, the LEA should submit a letter requesting this termination, along with the reason. He would not force an LEA to participate in the plan if it ultimately determines that it is not in its interest to do so.

In response to the previous e-mail, Thrun Law Firm issued another letter dated December 22 relaying specific information that should be included in board minutes, specifically that the board resolution include language documenting that the board has expressly relied on the December 18, 2009, written statements made by Superintendent Flanagan that "the parties may mutually agree to terminate the MOU" and that he "would not force and LEA to participate in the plan if it ultimately determines that it is not in its interest to do so." Thrun Law Firm prepared a sample resolution for the board's approval, if they so desired. Further, Thrun Law Firm could not give an unequivocal legal recommendation to sign the Memo of Understanding because the Draft Plan has not been finalized.

The MEA and AFT-Michigan advised their local affiliates not sign the MOUs.

Superintendent Mertz received an e-mail from Superintendent Flanagan today stating that he would accept the Memo of Understanding with only the signatures of the board president and superintendent; the teachers' union signature is not required.

Superintendent Mertz summarized the discussion points as follows:

- The district is bound by legislation regardless whether the district signs the MOU and accepts the funds.
- The grant funds, in all likelihood, represent one-time dollars.
- It is his belief that it will cost the district more than \$70,000 to implement the legislation.
- MDE will accept MOUs signed by the board president and superintendent only.
- Districts have been given the ability to opt-out.

Board members discussed in detail their serious concerns and reservations about this process, but since it has been signed into law they felt that they needed to go along with the request from the state.

- Motion

Moved by Bill Mahoney, supported by Joe Pergande, to approve the resolution prepared by legal counsel authorizing the superintendent and board president to enter into a Memo of Understanding with the state, making specific reference to the opportunity for the district to opt out if the district determines that it is in our best interest to do so.

Roll Call: Yes: Rochow, Mahoney, Pergande, Urban

No: Rowley, Martin

STATEMENTS

Superintendent Mertz thanked the board again for taking the time to attend this meeting.

Mrs. Urban requested that board members be informed of any updates and opportunities for the board to op-out if this would be in the district's best interest.

Superintendent Mertz will continue to monitor this situation on a daily basis and will provide the board with updates as they become available.

ADJOURN

Moved by Mike Rowley, supported by Bill Mahoney, to adjourn.

Roll Call: Yes: Mahoney, Pergande, Urban, Rowley, Martin, Rochow

No: None

President Martin adjourned the meeting at 6:35 p.m.

Respectfully submitted,

Jill M. Urban
Secretary