CALL TO ORDER
President Whitaker called to order the regular meeting of the Churchill County School District Board of Trustees at approximately 4:36 p.m. at the Churchill County School District Administration Office, 690 South Maine Street, Fallon, Nevada.

PLEDGE OF ALLEGIANCE
Trustee Hyde led the pledge of allegiance.

VERIFICATION OF POSTING OF AGENDA
President Whitaker confirmed the posting of the agenda pursuant to NRS 241.

ROLL CALL

Trustees Present
Trustee Kathryn Whitaker, President
Trustee Matt Hyde, Vice President
Trustee Carmen Schank, Clerk
Trustee Phil Pinder, Acting Clerk
Trustee Tricia Strasdin
Trustee Amber Getto
Trustee Fred Buckmaster

Others Present
Dr. Summer Stephens, Superintendent
Sharla Hales, Legal Counsel
Phyllys Dowd, Director of Business Services
Debra Shyne, Executive Assistant
(Interested Staff/Community Members per Attached List)

REVIEW AND ADOPTION OF AGENDA
Trustee Schank moved to adopt the agenda as presented, seconded by Trustee Buckmaster. There were no public comments. The motion passed unanimously.

PUBLIC COMMENT
There were no public comments.

GRIEVANCE HEARING
The Board will hold a grievance hearing and will take action on the Level 3 Grievance brought by the Nevada Classified School Employees Association regarding rotating assignments for Maintenance Technicians to clean the Maintenance Department bathrooms every eight weeks.

President Whitaker reviewed the grievance procedures.

Mr. Langton, attorney for the Nevada Classified School Employees Association (NCSEA), commented that the Association was trying to avoid going to arbitration and that they went
through steps one and two of the grievance process. Mr. Langton introduced Gaylene Drinkut, the president of Churchill’s NCSEA chapter. Mr. Langton stated that the District initially denied the grievance based on it being untimely filed. It is the Association’s position that this is a continual contract violation. Mr. Langton presented the Association’s case. Superintendent Stephens presented the District’s case.

Dr. Stephens questioned Ozzie Henke, Director of Maintenance. The Association cross-examined Mr. Henke. Dr. Stephens questioned Kevin Lords, Director of Human Resources. The Association did not have any questions of Mr. Lords. The Association presented its rebuttal. The District presented its rebuttal. Board members asked questions.

At approximately 5:46 p.m., Trustee Strasdin requested the Board move into closed litigation session. The meeting reconvened at approximately 5:56 p.m. Ms. Hales explained that before the litigation session began, she reminded Board members that they have the responsibility to look at all of the evidence and make their own independent judgment. Open meeting law allows Ms. Hales to provide the Board with information and answer questions about potential litigation.

The Board deliberated prior to the motion. Trustee Strasdin moved to deny the Level III Grievance brought by the Nevada Classified School Employees Association regarding rotating assignments for Maintenance Technicians to clean the Maintenance Department bathrooms every eight weeks, seconded by Trustee Schank. There were no public comments. The motion passed unanimously.

[The Board took a break at approximately 6:14 p.m. and returned at approximately 6:36 p.m.]

SUPERINTENDENT UPDATE

A. Mr. Derild Parsons will provide an update regarding the pre-kindergarten program.

Derild Parsons reported receiving clarification of the legislative intent provided by the Nevada Department of Education regarding the pre-kindergarten funding. On June 26, the State agreed to provide funding for 82 seats at $7,875 per seat, so staff moved forward and began to recall staff and prepare Northside. On July 11, Mr. Parsons received an email from the State indicating that funding had changed. They received clarification that the legislative intent was to fund programs using fiscal year 2019 expenditures, not including transportation, indirect, and classroom improvement grants. The State will provide funding amounts as soon as possible. On July 31, Mr. Parsons received a memo from the State requesting costs to operate Northside. Though previously provided, the District submitted operating costs to the State. The memo identified our District’s allocation to be $8,969 per seat, which is more than previously, but they lowered the fully funded seats from 82 to 52 and provided for 80 partially funded seats at $4,485 per seat.

Board members asked questions about funding. There were some funds available through current District grants, but it will likely cost the District approximately $30,000 more out of the general fund. Mr. Parsons explained that he called and emailed State Superintendent Jhone Ebert and others to inform them of the impact of funding on our District.
B. Update regarding District-related matters

Dr. Stephens reported that a number of district level administrators and licensed staff would be attending a conference to observe and learn more about competency learning programs. The conference paid for Dr. Stephens and Amy Word’s registration. President Whitaker will attend as a representative of the Board. Also attending the conference will be a teacher and principal from E.C. Best and Numa, two teachers and the principals from the middle and high schools, Nate Waite (through RPDP), and Michelle Richardson. Title II and Block Grant funding will pay expenses.

There were over 80 education legislation bills that passed, some of which involved:

- Sun protection and encouraging kids to wear hats on the playground.
- Suicide prevention.
- Suspension of students – a change to policy and procedures requiring Board approval if a student is suspended for more than one day.
- Equity and opportunity for military students.
- Military-connected spouses can be employed by the school districts in Nevada in a more streamlined fashion.
- Legislation surrounding early childhood and special education.
- NEPF evaluations for teachers and administrators scores based on Student Learning Goal worth 15% instead of 40%.
- Evaluation process about learning and growth instead of so punitive.
- English Language Learners.
- Mandatory reporting.
- Pest management.
- Bullying incidents.
- Safety plan.
- New funding model.
- Sales tax changes and excise tax from marijuana sales added to education funds.
- Open meeting law changes.
- Purchasing requirements
- Variance for pupil-teacher class sizes
- Accountability model.

Dr. Stephens and President Whitaker will work together to determine legislation that impact policies and regulations.

BUSINESS SERVICES UPDATE

A. Update regarding other business items.

Phyllys Dowd reported on the recent surplus online public auction where buyers paid approximately $9,000 and another $700 at last week’s auction at West End. Ms. Dowd was happy that the District raised more money than projected, which covers the cost of having someone work to prepare the items for auction.

Debra Shyne and Selena Gomes assisted the Business Office by sending communications to parents requesting they complete their free and reduced meal applications through their
Infinite Campus Parent Portal. Applications received electronically through the portal take Business Office staff ten seconds to approve the family, versus the paper process where parents turn in their application, the school sends it to the Business Office, and staff manually reviews and processes the application. Incomplete applications are returned to the parent for correction. The automated program does not allow parents to submit an incomplete application.

UPCOMING BOARD EVENTS

A. Friday, August 16, 8:00 a.m., Welcome Back All Staff Meeting, Churchill County High School Auxiliary Gym (This was moved to the Main Gym)
B. Monday, August 19, First Day of School
C. Friday-Saturday, November 22-23, 2019, NASB Annual Conference, Atlantis Casino Resort Spa, Reno

CONSENT AGENDA

A. Approval of Recommended Personnel Action (Attachment A)  
   THERE WILL BE ADDITIONAL NAMES RECOMMENDED FOR HIRE AT THE MEETING.
B. Approval of Vouchers
C. Approval of July, 2019, Payroll
D. Approval of June 17, 2019, Regular Board Meeting Minutes
E. Approval of Modifications to Policy 5119.1 - Attendance Policy – Churchill County School District
   a. For Review Only: Regulation 51191. – Attendance Regulation – All Churchill County Schools
F. Approval of Class Size Reduction Report, Quarter 4
G. Approval of the District’s List of Surplus items to sell
H. Approval to modify the District’s contract with Chartwells with a new guarantee amount
I. Approval of contract with Oasis Online regarding funding a Technician utilizing grant funds

Trustee Hyde moved to approve consent agenda A with revisions, and B-I, seconded by Trustee Pinder. There were no public comments. The motion passed unanimously.

REPORTS BY BOARD MEMBERS

Trustees Pinder and Schank reported on their attendance at the Policy Committee Meeting. The Committee is working on policies and regulations related to budget development and stress the importance that Board members review those policies and regulations when they come to the for review and approval.

Trustee Schank reported that she, Trustee Getto, and Trustee Strasdin submitted five nominations for the NASB awards.
NEW BUSINESS

A. **For Discussion and Possible Action:** The Board shall consider all efforts made by the school district to fill the positions through other means and designate our vacant teaching positions as critical positions – (1) Auto Mechanics Teacher, (1) Counselor, (3) Elementary School Teachers, (1) English Teacher, (1) Math Teacher, (1) Music Teacher, and (1) Special Education Teacher, pursuant to NRS 286.523.

Kevin Lords reported that his letter of recommendation is in BoardBook. They filled the auto mechanics and English teacher positions and have plans to fill other positions with either critical needs or long-term subs, with the exception of the counselor position, as the District does not have any applications at this time. Mr. Lords requested approval by the Board so that he could notify the Nevada Public Employee Retirement System and the Department of Education, and then, fill these positions.

Trustee Schank asked about the process of filling critical needs positions. Mr. Lords explained that if the District cannot find a qualified person then the District could hire a retired teacher. This does not affect the retired teacher’s retirement. The retired teacher must receive their first PERS paycheck to be eligible for hire. A couple of retired teachers have agreed to teach, but they cannot start work until September 25, the date of their first retirement paycheck. Others have been retired longer and can start teaching immediately.

President Whitaker inquired whether these positions meet the criteria in Steve Canavero’s memo. Mr. Lords commented that he did not have a new letter, but these positions were recognized by the State.

Trustee Buckmaster moved to designate the positions that the District has not filled as critical positions for Churchill County School District including one counselor, three elementary school teachers, one math teacher, one music teacher, and one special education teacher pursuant to NRS 286.523, seconded by Trustee Hyde. There were no public comments. The motion passed unanimously.

B. **Approval to hire labor law attorney to represent Churchill County School District in negotiations, mediation and interest arbitrations with the Nevada Classified School Employees Association, which has declared impasse in negotiations.**

Sharla Hales, the District’s legal counsel, reported that the Board has been updated regarding negotiations with the Nevada Classified School Employees Association. In June, the Association declared impasse, after which a few more sessions occurred to try to come to an agreement. Those meetings did not resolve into an agreement. The Association reiterated that they had the impasse letter and that they wanted to choose arbitrators. Ms. Hales’ contract specifically excludes interest arbitration; however, the Board needs representation by an experienced attorney in interest arbitration. Dr. Stephens asked Ms. Hales to provide recommendations and information about who the District might retain to represent the Board. After some phone calls and discussions with colleagues, Ms. Hales recommended the law firm of Allison MacKenzie. Joel Locke is a partner in that firm and was at the meeting. Mr. Locke works closely with Charlie Cockerill, an attorney of counsel to the firm. Ms. Hales and Dr. Stephens had a long conversation with Mr. Locke and Mr. Cockerill regarding where the District is currently at with the Association. They talked about the history of this year’s negotiations. Allison MacKenzie’s letter of representation was...
provided to the Board. Ms. Hales stated that she read it carefully and that nothing concerns her. The typical rate for Allison MacKenzie is $350 to $400, but they offer a discount rate for public entities at $275, which is within range of what any other attorney who could do this work would charge. They have clarified that if both Mr. Locke and Mr. Cockerill are working on this matter at the same time, they would charge for just one attorney.

Ms. Hales stated that her understanding is that a 1% salary increase for all employees would be approximately $270,000. None of the current Board members has been on board during interest arbitration. The total estimated amount for attorney fees would be $20,000 to $40,000, dependent upon how far the proceedings go.

Mr. Locke reported that he is a shareholder and partner in the Allison MacKenzie law firm, formed in 1968 in Carson City by three founding members. One of the founding members, George Allison, still works with them four or five days a week. Their firm has a history of representing local governments and school boards for counties and towns in Nevada at a reduced rate, mostly in the rural areas. In the vast majority of the cases, the two sides come to an agreement before or during a binding arbitration or prior to the decision. It is less expensive for both parties if a decision is reached prior to arbitration. Each party pays one-half of the arbitrator’s fee.

Trustee Hyde commented that he has prior experience with Charlie Cockerill and that the District would be in good hands. The Board’s budget would pay for Allison MacKenzie and for the cost of the arbitrator. Ms. Hales stated that if the Board approves Allison MacKenzie’s contract, they could meet in negotiations right after the meeting.

Trustee Schank moved to hire labor law attorneys Allison McKenzie to represent the school district in negotiations, mediation, and interest arbitrations with the Nevada Classified School Employees Association and to approve their August 16, 2019 contract. Trustee Pinder seconded the motion. Walt Henderson inquired whether the District could afford arbitration. The motion passed unanimously.

PUBLIC COMMENT

Nate Waite thanked the Board, and provided Board members with stickers in support of the strategic plan to hand out to constituents. The stickers help the District focus efforts in communicating information about our strategic plan more clearly with the public. Trustee Hyde suggested that the Profile of a Learner information be placed on the District’s home page.

DISCUSSION AND POSSIBLE ACTION REGARDING FUTURE AGENDA ITEMS AS REQUESTED BY THE BOARD OF TRUSTEES AND CLARIFICATION OF REQUESTED AGENDA ITEMS

Trustee Buckmaster requested an agenda item to discuss bringing back the Warehouse Worker at West End, and a report of the first couple of weeks of school at the high school.

SET DATE AND TIME FOR NEXT BOARD “AGENDA SETTING” MEETING

Trustees Whitaker, Hyde, and Strasdin will meet on August 19 at 4:00 p.m.
CLOSED SESSION

A. Discussion of negotiations and strategies regarding Churchill County Administrators’ Association, Churchill County Education Association, and the Nevada Classified School Employees Association pursuant to NRS 288.220.

Trustee Hyde moved to go into closed session for negotiations and strategies regarding Churchill County Administrators’ Association, Churchill County Education Association, and the Nevada Classified School Employees Association pursuant to NRS 288.220, seconded by Trustee Buckmaster. There were no public comments. The motion passed unanimously.

RECONVENE OPEN SESSION

The meeting reconvened at 7:43 p.m.

ADJOURNMENT

The meeting adjourned at approximately 7:43 p.m.

Prepared by Debra Shyne

Carmen Schank, Clerk of the Board