

Board Meeting
Special Session
May 15, 2007

Mr. David Day called the special session of the Charles A. Beard Memorial School Corporation to order at 7:43pm. The meeting was held at Kennard Elementary School located at 232 Vine Street, Kennard, IN 47351. This special session was held immediately following the regular session of the School Board of Trustees. Mr. David Day, serving as the hearing officer introduced himself and stated a court reporter was present to record the hearing for an official record.

The School Board Members were all present. Mr. Day stated this special session was at the request of Mr. Meeks Cockerill on behalf of Mr. D. Jan Crouch in regards to the reduction in force and cancellation of his teaching contract. He stated this meeting was open to the public as required by law.

Each party then introduced himself and those present as witnesses. Mr. Michael Wallman, attorney for the school corporation introduced himself, Dr. David McGuire, Superintendent of Schools and Mr. David Bundy, Business Manager for Charles A. Beard Memorial School Corporation.

Mr. Thomas Cockerill, attorney, then introduced himself and Mr. D. Jan Crouch, choir teacher, whose teaching contract is in jeopardy.

Mr. Day asked if anything had been stipulated to. Both parties stipulated to joint exhibit #1 which is attached.

Mr. Wallman gave a brief opening statement stating that the elimination of positions is not done lightly. This is a matter of financial impact on the corporation and nothing to do with the performance of the teacher in question. Mr. Cockerill then gave a brief statement asking to consider a better way to accommodate financial issues other than to eliminate an entire department.

Mr. Michael Wallman proceeded with his case. Mr. David Bundy was called to the stand. The court reporter swore in the witness. He was asked to state his name and his position. He stated that Mr. Tim Armstrong prepared the 2007 budget and brought concerns to the school board. The concerns were a result of the maximum tax levy amount was not requested the previous year. This resulted in a decrease of revenue for the general fund in the amount of \$290,000.00. Mr. Bundy stated the corporation enrollment has consistently dropped during the past four years. Enrollment projections from the Indiana Department of Education (IDOE) were marked as school exhibit #1. No objection from the opposition on the admission into evidence. Mr. Bundy stated the funding provided by the state is based on enrollment.

A 2006 to 2007 Funding Comparison was entered as school exhibit #2, with no objection from the opposition. This document is provided by the IDOE and talks about state support and state funding.

This is a projection that is updated as the state's budget is redefined. This document is used by the school corporations as they prepare their budgets.

School exhibit #3 is a document created by David Bundy. The information was compiled as a source of information needed to prepare future budgets. No objection was made. The document shows the history of tuition support from the state of Indiana and details enrollment and tuition support. Mr. Bundy stated the corporation enrollment projections are more optimistic than the IDOE, however, it still is showing a decrease in revenue due to a projected drop in enrollment.

Mr. Cockerill questioned the witness. Mr. Bundy stated he began his employment with the corporation on February 8, 2007. Mr. Cockerill asked how Mr. Bundy was able to make decisions of this importance in a matter of a few weeks. Mr. Bundy stated that Dr. Ray Pavy had been serving as interim Business Manager prior to February. The projections were compiled by Dr. Pavy and Mr. Bundy the end of March and first of April. Mr. Bundy stated his role is to provide pertinent information to Dr. McGuire. Funding projections from the IDOE, enrollment figures, and kindergarten enrollment numbers as well as tax levy information provided by the state were all sources of information gathered and given to Dr. McGuire, which in turn was shared with the CTA.

Mr. Michael Wallman asked if there were other expenses incurred this past year that impacted the general fund. Mr. Bundy responded affirmative. Due to contract settlements and retroactive pay for salary and health benefits, the additional amount reflected in the general fund was approximately \$260,000. The witness was excused.

Mr. Michael Wallman called Dr. David McGuire. Dr. McGuire was sworn in by the Court Reporter. He stated he had been in school management since January 1990. He was first informed of budgetary concerns when Mr. Tim Armstrong informed him of the impact of the decision not to request the maximum tax levy. Dr. McGuire looked at a five year history of the corporation. By using a five year average of state tuition support, enrollment figures and kindergarten round-up numbers, the enrollment projections prove to be worrisome.

Mr. Wallman entered school exhibit #4 with no objections. The document is a copy of School Board Policy regarding procedures for reduction in force. The policy was followed by the school board and administration during this reduction in force action. The policy only deals with teaching staff, however, as a courtesy the policy was followed for all staff affected by the reduction in force.

Mr. Wallman entered school exhibit #5 with no objections. The exhibit was a preliminary list of potential cuts developed by Superintendent and shared with the Certified Teachers Association (CTA). Through discussion with the CTA, possible solutions were discussed in order to make a determination as to which positions would have the least amount of impact on students.

School exhibit #6 was presented by Mr. Wallman with no objection. This was a Board Action report prepared by Dr. McGuire in preparation of the April 17, 2007 school board meeting. This

document was generated after discussion with the CTA and included the recommendation of the elimination of five positions and reassignment of six positions. The board approved notification of personnel at that board meeting.

Dr. McGuire stated the teaching license of Mr. Crouch had expired in March of this year and he has fewer years service than the remaining employees in the music department. The music department consists of three positions. Mr. Crouch began in 1993, another began in 1989 and the remaining in 1975. Dr. McGuire stated the corporation will be able to offer choir for one period next school year and a choral stipend could also be utilized.

As per the policy, Mr. Crouch will have a recall right, if the situation changes. The reinstatement of the teaching contract would be contingent upon fall enrollment and state funding. The renewal of Mr. Crouch's teaching license would be mandatory before reinstatement.

Mr. Cockerill questioned Dr. McGuire on how choir would be administered next school year. He answered that one choir class will be included in the course curriculum. He asked how the determination of eliminating choir was made. He explained this would have the least impact on the student population. The elimination of one elementary teacher would affect approximately 100 students; the elimination of a school would displace not only students but would change the atmosphere of a community. The elimination of choir impacts approximately 30 students at the high school level during the course of the school day. Mr. Cockerill asked if musicals and social events were a duty of the choir director and was this a consideration prior to making his decision. Dr. McGuire responded consideration was given to all students. Mr. Cockerill had nothing further.

Mr. Michael Wallman stated the school administration concluded their case.

Mr. David Day stated there would be a brief recess.

The Special Session was called back to order at 8:44pm.

Mr. D. Jan Crouch was called and sworn in by the court reporter. Mr. Thomas Cockerill asked if he had something he would like to say. Mr. Crouch apologized for taking the time of each member present. He thanked the board for the opportunity to speak and for 14 years of service. Speaking as a farmer, he also thanked the board for their decision on the location of the new high school. He commented on the beautiful school, new auditorium. He explained his original plans were not to return next year, however the hours needed to renew his hours have been completed. He read a resolution from the state legislature that was passed April 25, 2007. The resolution states the importance of the arts and music in the educational system.

Mr. Wallman had no questions from the school administration.

Mr. Thomas Cockerill called Ms. Brianna Hoon, student. She was sworn in by the court reporter. She read a statement and told of the importance of music in her life. She stated she had many memories from choir and did not want to see the program cut. She stated others deserved the same opportunities.

Mr. Wallman had no questions from the school administration.

Mr. Thomas Cockerill called Mrs. Claire Bradshaw, parent. She was sworn in by the court reporter. She read a statement of the importance of music in not only her children's life, but also in the lives of other students. She had seen many children flourish by the opportunities choir; band and drama productions provide and did not want to see this program end.

Mr. Wallman had no questions by the school administration.

Mr. Thomas Cockerill called Mr. Crouch. Mr. Crouch again stated his appreciation for the opportunity to speak. He demonstrated his closing remarks by singing eight bars of Amazing Grace. He stated his performance was technically correct, general music will meet the minimum requirements for this task. He repeated the same eight bars and stated the difference between the first and second was the addition of heart and soul. He said when you take away choral you take away the heart and soul of the music department.

Mr. Wallman had no questions from the school administration.

Mr. Day had one question from the board. He was asked to describe a typical school day.

Mr. Crouch stated:

Period 1 & 7 - General music-may dance; discover different composers, different ethnic music, and different music styles. Period 2 - Choral performance with 5th grade students. Period 3 - Jr. High Choir, performance choir through variety of music styles. Period 4 - Lunch Duty at high school both A & B lunch schedules. Period 5 - High School Choir, performance choir through a variety of music styles and composers. Period 6 – Preparation for upcoming classes. Period 7 – assist with band under the direction of the band director.

There were no further questions by the school board.

There were no rebuttal questions or comments from the school administration.

Mr. Wallman gave closing remarks. The school administration does not claim vocal music is not important or devalued. The school corporation position is simply a result of the financial status of the school corporation. The decision must be made to enforce the integrity and financial independence of the corporation. There are reductions in other areas as well as teaching staff.

Mr. Cockerill gave closing remarks. He requests more discussion and thought be put into this kind of decision before a cut is made that will eliminate a department. The numbers can be crunched but not to the detriment of eliminating a department.

Mr. Wallman made a formal recommendation to the board that Mr. Crouch's teaching contract not be renewed for the 2007-2008 school year as was previously submitted.

Mr. Day adjourned the hearing at 9:05pm.

PRESIDENT

MEMBER

VICE PRESIDENT

MEMBER

SECRETARY

MEMBER

MEMBER