

MINUTES FOR OCTOBER 14, 2024 REGULAR MEETING – 6:00 P.M.
CHOCTAW/NICOMA PARK BOARD OF EDUCATION

Ind. Dist. 4, Oklahoma County, Oklahoma

Place of Meeting
Westfall Elementary, 13239 NE 10th, Choctaw, OK 73020

Jason Ross, Board President, called the meeting to order at 6:00 p.m. President Ross called roll to establish the following members were present: Janice Modisette, Vice President, Jessica Salinas-Dengler, Asst Clerk and Staci Johnson, Member. Board Clerk, Don Alsup, was absent.

Mr. Ross called for consideration and approval of the agenda. Mrs. Modisette moved and Mrs. Salinas-Dengler seconded to approve the agenda. The vote was unanimous.

Mrs. Salinas-Dengler moved, seconded by Mrs. Johnson to approve the September 9, 2024 regular board meeting minutes. The vote was unanimous.

Shannon Shay, WE Principal, stated that they have three amazing Westfall 5th graders present this evening and she would love for them to share their speeches on “What Freedom Means to Me”. Mrs. Shay stated that these young ladies spoke in front of their school and she would like for them to speak and share their speeches in front of the school board. Mrs. Shay introduced Kambree Anderson, Scarlet Burney and Emma Greene. All three young ladies did an excellent job presenting their speeches.

Board Clerk, Don Alsup arrived at 6:02 p.m.

Ambra Smith, ACT President, stated that she can’t believe we have completed the first quarter of the school year and everyone is looking forward to Fall Break. She reported that she just found out that one of our special education classrooms will be wrapping up constitution week next week by heading to the Capital and Governor’s Mansion.

There were no comments from the floor regarding agenda items.

Superintendent Reid gave the following report:

- Thank you to Shannon Shay and the staff at LW Westfall for hosting us tonight.
- October is National Principal’s Month – Congratulations to each of our amazing Principals.
- The One Act Regional was held at Choctaw High School’s PAC on Saturday. Choctaw performed *Dead Man Walking*. They won the regional and qualified for the state tournament which is being hosted at Muskogee on November 5th.
- Congratulations to CHS Softball for hosting and winning their regional. They qualified for state and will play Thursday vs. Stillwater at 10:00 a.m. Also, we found out this morning that the softball team will be named the 6A State Academic Champions.
- Congratulations to CHS Cheer for winning the Large Co-Ed Varsity State Championship.
- Congratulations to the CHS Band and Color Guard. They placed 1st in their class, best visuals and best general effect. They finished 4th overall winning best visuals again. They won outstanding color guard and for the 1st time won outstanding percussion. This past weekend they had similar results finishing first in their class. They travel to Indianapolis to compete in Bands of America over fall break.
- Volleyball has a regional tomorrow in Moore vs. Stillwater at 6:00 p.m. VoAg/4-H students have been travelling and showing at different events. AFJROTC Drill Team has been attending and competing in events as well.
- We began our annual student advisory meetings held at each of our schools this week. It will take most of the month to get in all the sites. This is a great time for us to meeting with students and let them share their thoughts on school life.
- Fall Break is this Friday and next Monday. Students will also be out on Thursday for a teacher professional development day.

Director of Bond Oversight, Todd Dilbeck reported the following on bond projects. **GME: Ross Group:** Saferoom walls are completed. Structural steel is being set in both the saferoom and the office areas. OG&E has started on the loop for connecting the transformers. Topping out ceremony beam has been signed and ready for installation, a new date will be set. An Engineering shoring plan is being developed to continue elevator pit and shaft wall work. **CNP West: AC Owen:** More trees have been removed along the south and east side of the land. Job trailer has been delivered. Metco is determining how much fill dirt needs to be brought in for the site pad. **High School: Manhattan:** Nichiha (paneling) has continued. Sheet rock continues and tile is starting. Sheathing is being installed on the Band, ROTC, and Tennis Building new areas along with waterproofing. Demo has started on the inside of the ROTC/Tennis Building.

Softball/Baseball Locker Rooms: Letters above the gate entrance “YELLOWJACKETS” have been installed.

Multipurpose Building: Quad Construction: Finalizing slope cuts, leveling the upper and lower pads. Cutting in the lower access road at the far northwest corner of the building. Sixteen lower piers have been drilled and concreted.

Tentatively, the week of October 21, copper-level piers will start. After Fall Sports, the Southeast light pole at the

stadium will be removed from concrete foundation, this will allow the north retaining wall to begin. **Bill Jensen Field:**

Quad Construction: Dirt work is completed on the building pad. Tentatively, the week of October 21 the underground work will start. **Choctaw Elementary: Goldsby:** Additional removal of brick continues on the east side of the building.

The footing has been poured on the west side. The east side is scheduled to be poured this week. The new hall way connecting the special ed rooms to the existing hall way is dried in. **Show Barn:** A zoom meeting was held on Tuesday, October 1, 2024, with CWA to discuss and review this project.

There were no comments from board members.

Mrs. Salinas-Dengler motioned, seconded by Mrs. Johnson to approve April 9th (amended from April 19th) as a virtual day at Choctaw High School to give the ACT Test. The vote was unanimous.

Kevin Berry, Chief Financial Officer stated that we presented a balanced budget at last month’s board meeting during the budget hearing. We have adjusted the budget in a couple of line items but the total budgets in our appropriated funds have not changed. These total budgets match our Estimate of Needs, which was approved by the County Excise Board. The appropriated fund budgets were adopted. Mr. Berry stated that our school district revenue is coming in as normal and on target at this time to date for this fiscal year. State revenue is also coming in close to targets set by the State Treasurer. As of September 30, 2024, state revenue was down 0.3% from estimates but up 0.9% from this period last year. If this trend continues, we anticipate no budget cuts will need to occur this fiscal year. He added that it appears our October 1 student count will be very close to last year’s count. This means we are growing slowly, which is what is ideal for a school district our size. While our actual number of students is steady, we do anticipate an increase in our weighted average daily membership, which is what our state aid is based on. This is due to an increase in special needs students and the start of all-day pre-kindergarten. We receive more funding for all-day pre-kindergarten students than we did for half-day pre-kindergarten students. In closing, Mr. Berry stated that we are in the process of spending down some of our fund balance in our Child Nutrition Fund for new cafeteria equipment. We ended the year with a larger than normal allowable fund balance in this fund. However, this fund balance was permitted the past several years due to the additional federal money provided to the district for Covid-19 relief. We will be below the maximum limit with the additional spending this fiscal year.

Mrs. Modisette motioned, seconded by Mr. Alsup to approve encumbrances. Approved were the following: Fund 11 – #’s – 700 – 813 – \$94,119.21; Fund 21 – #’s 109-121 - \$104,674.95; Fund 22 - #’s – 57-59 - \$331.65, Fund 33 - #’s 45-52 - \$100,361.11; Fund and Fund 86 - #’s 13-15 - \$13,556.88. The vote was unanimous.

Mrs. Salinas-Dengler moved, seconded by Mrs. Modisette to approve the 2024/25 budget. The vote was unanimous.

Mr. Alsup moved, seconded by Mrs. Johnson to approve board sanctioning of Booster Clubs/PTO’s. The vote was unanimous.

Mrs. Modisette moved, seconded by Mr. Alsup to declare a 2001 Dodge Durango, VIN#1B4HR28Z81F28519 as surplus. The vote was unanimous.

Kelli Hosford, Assistant Superintendent of Student Services shared that Choctaw Elementary will be celebrating White Cane Day this week. She stated that that are currently making curriculum adjustments to help everyone as far as how the work is assigned. Mrs. Hosford reported that the BRIDGES teachers have begun compiling their own lesson plans for students that are attending BRIDGES. Mrs. Hosford closed by reporting that the first meeting with the Student Services Advisory Council will be held on Tuesday from 3:45 to 4:45. She stated that this council is made up of teachers/administrators from each site and parent reps from each site. This gets us bonus points on our data analysis, is something desired by OSDE, and opens communication between our sites, parents and Student Services.

Mrs. Salinas-Dengler moved, seconded by Mrs. Johnson to approve an agreement with Larry L. Mullins, Ph.D. for behavioral services for the 2024-25 school year. The vote was unanimous.

Dr. Jean Ann Gaona, Deputy Superintendent of Academic Affairs reported This school year, as Mr. Reid mentioned, continues to be a successful year so far for all of our school sites. This evening, Mrs. Worley and Mrs. Nay are hosting an Author’s night at the administration building for our Title VI students served by Indian Education. And this afternoon, the mentor teachers and building leaders throughout our district participated in the third Webinar through Wink Ed that supports the new educators in our district by training our veteran, experienced teachers to guide them and offer opportunities for growth. Unfortunately, I am usually happy to report by this time of year that our Consolidated Application for all of our Federal Title Applications have been submitted. However, this year, the application process

through the OSDE has undergone changes that are resulting in a very glitchy system. I am waiting for several items to be taken care of on their side. These funds, are very important to our district, we pay for reading teachers, Title I money at schoolwide sites, summer school, professional development and equipment throughout our school district. This money provides substantial funding to our school district and remains important for all of our services to students. This completes my instructional report if you would like to move onto the other numerous items I have tonight. Dr. Gaona reported that regarding agenda item B, the Annual School Dropout and Annual Student College Remediation Reports were provided to you in your board packets. As a reminder, the College Remediation Reports are two years behind, so the numbers reflected are students in college in the 2022-2023 School year. In addition to the results of CHS, I included in the report the ten other schools that CHS is often compared to regarding student body composition, location and size. We had fewer students reporting as true Freshmen from previous years, this is most likely due to the increasing number of students participating in concurrent enrollment. Our percentage of students entering college during the 2022-23 school year who needed remediation classes in Reading decreased; however, the percentage was not statistically significant. The same is reflected in math. In fact, these percentages only represent a handful of students. However, the remediation rate in English increased after dropping profoundly from 16.9% in 2020 to 7.1% in 2021. This is a very statistically significant drop. The fall 2022 numbers show that 10.9% of our students required remediation. The number of students requiring remediation in Math dropped for a second year in a row. However, the number is not significantly different. Happily, no students required remediation in Reading. Regarding our current drop out report from the high school, at this time, we have a drop-out rate of 1.3%. This remains well below the state average of 4.2% in 2022 which is the most recent state average reported. I recommend that you approve this report. Agenda item C, the Choctaw-Nicoma Park Comprehensive District Academic Plan will be implemented this school year and continue until the spring of 2027. At that time, another three-year plan will be developed based upon numerous data points including standardized test performance, graduation and attendance rates and other factors including those that impact student learning such as the percentage of experienced teachers within the classroom. Dr. Gaona added that we are required to complete this plan in order to receive federal funding. This plan is actually a plan consolidated from each of our eight sites using teacher, support personnel, parent, student and administrator input.

Mrs. Modisette moved, seconded by Mr. Alsup to approve the Annual School Dropout and Annual Student College Remediation Reports. The vote was unanimous.

Mrs. Salinas-Dengler moved, seconded by Mrs. Johnson, to approve the 2024-27 Comprehensive District Academic Plan (CDAP). The vote was unanimous.

Dr. Gaona introduced Westfall Elementary Principal, Shannon Shay to share information regarding Westfall Elementary and Dads at the Door. Mrs. Shay expressed her appreciation for every one for coming this evening. Mrs. Shay also introduced her Assistant Principal, Angie Fortune. Mrs. Shay stated that she just wanted to talk about a couple of things that are happening at Westfall. Mrs. Shay stated that she prepared a short video to focus on things that are going on at Westfall Elementary. Mrs. Shay stated that she has 15 first year staff members this year and she wants to express her appreciation to her staff for pouring in to the new staff members. Mrs. Shay stated that they tried something different with Student Council this year and stated that Student Council is bigger than it has ever been. She stated that students interviewed in front of an interview panel and answer questions about the committee that they wanted to serve on. Mrs. Shay continued by sharing the PTO goals for this school year. The next thing is a program that was started last week. She stated that it is a program that is very exciting to her. She stated that we always see Mom's in the building but this program allows the Dads to just be present. The new program, named Dads at the Door, is where Dads welcome the kids in the car rider line or bus line with a hand shake or high five. They help students help to carry things and just present for the students. Mrs. Shay stated that should would end with the video highlighting Westfall Elementary.

Mrs. Modisette moved, seconded by Mr. Alsup to approve the consent agenda. The vote was unanimous.

Mrs. Modisette moved, seconded by Mrs. Salinas-Dengler to open a Level 3 Grievance Hearing for Melonie Marz, Robert Chilton and Jaquelyn Welch, represented by SECNP. The vote was unanimous.

Mr. Reid stated that at this point he would step down. He stated that he and Lyndell Kiesel had previously met to discuss the layout and how to make this as seamless and easy as possible for all involved. Lyndell indicated that they needed up to 30 minutes. Five minutes for Lyndell to present, six minutes for each grievant to speak, five additional minutes for Lyndell to recap followed by 2 minutes for questions. Mr. Reid stated that he would then make his presentation followed by any questions that the board might have. Below is a summary of the hearing.

Lyndell Kiesel introduced himself and stated that he has been an employee of the district for eleven years. He stated that he will be sharing a lot of information in a short period of time and handed a pamphlet out to the board member to hopefully make it easier to follow along. He expressed his appreciation to the board for having them at the meeting this evening. He stated that they appreciate every new hire and this grievance has nothing to do them with and they have been a great addition. He added that this is about having seniority earned and the contract that is used against seniority. Mr. Kiesel said that he is sure everyone will have a better understanding when we are finished and no matter what, things will

be kept respectful. He stated that the grievance has been a journey and the SECNP has followed the wording in the policy. The purpose of the grievance is to resolve issues at the lowest level first. He stated that they tried the informal communications level first in July of 2024. He stated that he informed the Transportation Director that his phone had been ringing off the hook regarding this issue and to please reconsider but it was not reconsidered. On August 1, 2024, Mr. Kiesel met with the Assistant Superintendent to try and get things resolved verbally. He stated that this didn't work out but he did appreciate the communication. He added that they notified the Transportation Director and Superintendent of their findings from the research of promotions and that they had not been awarded to the person with seniority. He stated that the same year in 2018-19 during negotiations, the team and board requested to change to the following where it states, "drivers in order of seniority shall be given first opportunity and drivers in order of seniority shall be given first consideration". He reported that they received a fact-finding letter from the Assistant Superintendent with a few facts for consideration to address the scenarios printed in the letter. Mr. Kiesel presented a copy of the job posting from July 1st with a seniority list. He gave examples of previous job postings and hirings. He explained that this has caused a lot of problems and a lot of turmoil because anyone that has any time invested wants this particular job or at least wants a shot at the job. He stated that since this job was given to the employee, she has had an additional \$8,500 stipend added to it so it made it much more valuable and more of a problem to miss. He reported that the posting was only ran for a total of 3 days. On the contract, page 8 chapter 2.06, it states that minimum of 5 days to run a job posting. You can run it longer but it has to run at least 5 days. Mr. Kiesel gave others examples from several years ago to show that it did happen and has happened. Mr. Kiesel referred back to the letter from the Assistant Superintendent and referenced the third paragraph that referred to the part where it references the wording change in the master contract and initialed by both parties requesting the wording change. He presented copies of documents from ESPO and the other is from the board. Regarding the contract wording changes, he said that they did not request it but they granted it. He stated that they did not agree that consideration takes away from the contract that we all employed as support employees agreed to have our earned rights by being loyal taken and given to personnel. Mr. Kiesel then stated he would like to introduce Melonie Marz so she can tell you about her qualification.

Melonie Marz introduced herself and stated that she would like to tell the board about herself and her qualifications. She joined the army and learned a lot as a soldier and learned that she has always been strong, physically and mentally. She added that both of her sons were diagnosed with special needs so she started learning everything she could to help them. She gave examples of some of her workshops she has attended in various states. She also gave a brief background of her employment history where she has worked with children with special needs. She stated she moved to Oklahoma in 2013 and sought employment in our district as a special needs bus driver. There wasn't a special needs route available so she took a regular route and had some special needs students were on her route. She stated that she had been waiting for the opportunity for a special needs route to be open and she finally had her chance. She stated that she was devastated that she did not receive the promotion due to safety concerns. She stated that she has been driving children, including special needs children, for 30 years. She stated that she has over forty years of experience dealing with special needs and over twenty years of seminar and classes and workshops for special needs. She stated that she is feeling like an outcast for being punished twice for one incident. The Transportation Director wrote her up for an incident. She stated that she went to the eye doctor and received her glasses and she is just wondering why did he punish her again by taking my promotion and extra money away. She closed stating that attitude reflects leadership.

Robert Chilton introduced himself to the board members. He wanted to thank the board for allowing them to come tonight to speak. He stated that he has been a bus driver for 8 years and last summer one of our long-time special needs bus drivers suddenly passed away. Her route needed to be filled before the beginning of the 24-25 school session. The job was put up for consideration for anyone that would be interested regardless of their seniority. He stated that his wife had served as the bus driver's monitor for this route and had established a good relationship with the children. He added that he and his wife had operated a DHS home daycare for over 30 years and they both have numerous certificates and letters from colleges/universities such as Rose State College and Oklahoma University. His reason for applying for the route, after much discussion with his wife, was that they could be of great help to the special kids in managing the death of their bus driver by at least having a familiar person, his wife, to be their mentor. He realized that he didn't have all the seniority that he would need because he was 14th of 44 drivers regarding seniority of the bus drivers. His reason for applying was for the children and their needs more than the promotion or the money. He stated that he had received a letter from the supervisor after they asked about it and after they had their interviews and it stated that it was awarded to the driver whose performance outweighed the candidate with the most seniority by a substantial margin. Mr. Chilton stated that the position was offered to the overall most qualified candidate. All of the drivers are given an evaluation each year and he has always been told he is doing excellent and keep up the good work. The driver that got the promotion, he believes, has yet to be evaluated. He was rejected because of his driving record and gave examples of some of the incidents. Finally, he still feels that after the letter they received that he feels he is considered to be a very unsafe driver which weighs on you when you are doing your route. He stated his is not whining over the loss of the promotion but he is grieving the precedence of all of the previous promotions that were given with longevity being the number one consideration, provided that the applicant is qualified for the job. This is how it has been handled in the past and it is the most standard of practices. Mr. Chilton stated that they are asking for this policy to be the standard policy and become part of the heart of any future promotions. Seniority first, along with qualifications. He added that they don't expect for the board to rescind what has already been done but asked that it not be botched in the future as it was with this route

promotion. It is already causing what is known now as quiet plague of all the driver's that feel they have been thrown under the bus and that they don't trust the transportation department any more. Mr. Chilton closed by thanking the board for their time and consideration.

Jaculyn Welch introduced herself and stated that she has been employed by the CNP Transportation Department for 9 years. Seven of those years as a sub driver. She thanked the board for their time and stated she would make it short and simple. As a sub driver she has worn many different hats anywhere from working side by side with Transportation Department office staff creating, merging and making maps for routes, creating seating charts and communicating with site administrators, clerical work such and answering phones, opening and closing the transportation office, training new employees including our current route coordinator and our current director, fleet management, keeping communication between the office and garage staff, driving all routes including all special needs routes, running all of our different shuttles and she is certified by Oklahoma Corporate Commission for our petroleum storage tanks. She added that she has been certified for 23 years with a commercial driver's license. She stated that she applied for the same priority special needs route that we are all talking about this evening. She added that she was one of the top senior persons that applied for the position and that it was not offered to the most senior person. She was informed by the Transportation Director that the team considered seniority, qualifications and that performance outweighed the candidate with the most seniority by a substantial margin. All of those who applied for the position had been with the district longer and had equal or more qualifications. One of the other candidates that applied for this position has over 30 years hands on experience with special needs kids and many certifications from big universities. She was informed by the Transportation Director that she was not chose because the Director felt he had a safety concern. A safety concern that was investigated and found to be false allegations. She added that the false allegations prevent her from receiving this promotion on a permanent basis; however, as a sub-driver she stated that she covers this position on a regular basis when the Route Coordinator and Transportation Director deems necessary. She stated that she has gone above and beyond her job duties in this district for 9 years completing duties and performed responsibilities outside of her scope of employment. She stated that her 23-24 school year evaluation exceeded expectations all the way across the board. Evaluation comments from the Director states that Jay demonstrates an incredible ability as a sub-driver. Jay has outstanding student management and builds rapport with students she drives. Jay often goes above and beyond by helping with street index, maintenance, cleaning of the fleet, organization of maintenance and is always willing to help when needed. Jay has been very helpful to the Director and office staff with suggestions to improve which is much appreciated. The CNP Transportation Department is grateful to have Jay on staff. She stated that she has a clean driving record, has been tasked to drive all of our special need's routes and students multiple times over the last seven years and has continuously fulfilled this task. She stated that she has been assigned to do so by our Director and Route Coordinator. She stated that she has transported special education students for three different school districts over past 23 years and she has no former disciplinary in her personnel file from any of the districts. She stated that she was hand selected by our last Director to train our current Route Coordinator. She stated that she was not the senior sub-driver; however, she was selected because she has the knowledge and skills to complete the task successfully and continue to work alongside the Route Coordinator for the following three years. In conclusion, Ms. Welch stated that they feel the decision that was made does not meet the gold standard of excellence or follow the support negotiated agreement. The district's decision has made current and dedicated Choctaw-Nicoma Park employees feel unappreciated and of no value. I believe the decision that was made will leave dedicated support employees questioning their value to the district. Students in the CNP district are expected to conduct themselves in a manner that will continue to bring honor to the school and community. Shouldn't we expect the same of our administration? She stated that she has demonstrated and been recognized for her excellent work ethics time and time again and her evaluation performance reviews reflects just that. She is a valuable employee to the district and she meets the expectations of the gold standard of excellence. She added that if you the board does not agree with their grievance, she implores the board to look at the hiring practices and if those practices do not reflect the gold standard of excellence, she encourages the board to uphold the Administration to the gold standard of excellence. The journey of a thousand miles begins with a single step. She expressed her special thanks go to those organizations that have participated in their meetings and have provided valuable, substantial input to this meeting. In closing, Ms. Welch stated that she would like to express her gratitude to all those who have continued to help them in the preparation and conduct. Thank you for your time.

Lyndell Kiesel stated that these three employees said a lot and they are very qualified. It is hard not to come before the board and bring people like this. In his opinion, Mr. Kiesel said that he feels the support contract is the board's contract to them and if they do what they are suppose to do, the board will do what they are supposed to do and what it says they will do. Consideration does not take out or add anything. He gave examples of what he feels the word consideration means and said it is being used time and time again to devaluate seniority. Mr. Kiesel stated that you either have seniority or you don't, you either have qualifications or you don't have qualifications, you either perform the task or you can't perform the task. Mr. Kiesel referred to the back of the August 5th letter which the board was provided a copy of and he stated that he has all of the examples of how many times this has happened. He stated that it is over and over and over again and its not just one time or two times its been just about every time since the word consideration has been thrown at them. Mr. Kiesel stated that it is all about following the contract book. He stated that they are expected to follow the book and we respect that you will follow this book. This is what it all comes down to, you follow what the book says. Its not about a bunch of opinions. Its about what the board says they give us and what we say we will give you. It is simple.

Everything that he has looked up in the book is explained clearly and what's been getting complicated is all the add in to it. You cannot prove that anyone considered anything. He stated that someone that has seniority hasn't been considered since that word was put in. He further stated that it wasn't put in by them, not by the association, it was put in by the board. It was agreed upon but consideration means a lot of things. Consideration was not meant to take out and squash seniority. He added that this is why they are here just to get this confusion cleaned up and get some fairness back in this program. He stated that a lot of the drivers, if you would have told them 6 years ago that seniority has no value, that makes their decision harder whether they stay here or move here or move over to another school that might pay more. He stated that this issue isn't just with drivers, it with cooks. He stated we are all support staff. We are either support staff or administration. Treat us fair. Don't trick us with words or use it as a weapon against us. One thing seniority does is takes the bias out of all of it. One thing that all three of the grievants came forward with was that all three of them would have been good with any of them getting it and that's what made this so strong to come forward. He stated that we know that it has been going on. We have one guy that has documents all over the place, a formal education and another one that has lived the life for many years and another one that has done everything and performed every task that there is. In closing, Mr. Kiesel stated that he respects their decision and appreciates their time.

Mr. Reid stated that he is going to speak on behalf of transportation and he 100% agrees with what was asked to uphold the agreed upon contract and that is exactly what he will present. He wants to focus on the current grievance because that's the only thing that they have to go off of, the three that we are dealing with now. He stated that retroactive going back to 2016-18 there were different people involved that doesn't play any part in any of this. He stated from his time in HR through Superintendent which is now working on 8 years, we have never had a grievance over this issue until this one so we will focus on these three. Mr. Reid stated that he respects and admires bus drivers and that they have one of the hardest jobs in the District. They are looking forward while they have 55 kids behind them and it is a very difficult job to do. He said that he would say maybe the hardest and maybe even harder than his job is the Bus Transportation Director who has to also be a bus driver, help coordinate the routes, take all the phone calls, and appease all the parents. He continued stating that he hopes what he just heard that drivers are losing trust with the Transportation Department Administration was not meant that way. He stated that Matt McFarland, when he was considered the position of Transportation Director, was found to be one of the most ethical and professional employees that he has ever seen. Mr. Reid stated that he asked him to come out of the classroom to take this job as an Administrator because he had an Administrator certificate. He added that it has been a pleasure to work alongside him. In this process, Mr. Reid stated that he won't review all of the information because the board has already heard most of it, but Matt McFarland followed the negotiated and agreed upon contract when making the decision for the bus route. An interview committee consisting of Karen Johnson, Suzy Lawson, and Matt McFarland was used to determine the decision. Mr. Reid stated that the job was posted during the summertime with the exact date of July 15, 2024. Six current employed notified of intent to apply and interviews were set for all interested. The same eight questions were asked of each candidate. After the interviews (held on July 22, 2024), the committee met and discussed criteria such as seniority, job performance, and qualifications. The committee decided the most qualified applicant with all aspects considered was also the most tenured applicant. This applicant was offered the position but turned it down indicating that he may be interested at some point in the future but really only applied to see how the interviews would be conducted. The committee then reconvened and decided the next best applicant considering the negotiated agreement criteria of seniority, job performance and qualifications was Cynthia Kinnamon. On July 25, 2024, Matt McFarland then offered the position to Cynthia who accepted the position. He then called the remaining four candidates and informed them of the decision. On August 13, 2024, Mr. McFarland was notified of a Grievance Level 1. On August 22, 2024, Matt McFarland, Dr. James, and Mr. Kiesel met with the three grievants to explain the rationale used to make the decision and individual rationale used for each individual candidate. After the Level 1 notice, Mr. Reid stated that he met with Mr. Kiesel about the grievants desire to move to a Level II hearing. Mr. Reid reported that he let Mr. Kiesel know that he would assign Kelli Hosford to be the Assistant Superintendent to hear the case as she had not been in any of the discussion leading up to the Level 1 Hearing. The Level II hearing was held on September 4, 2024 and the following was Mrs. Hosford's decision. Decision: My decision is to uphold that the Director of Transportation followed the Master Contract. Reasons: The position was posted on July 15, 2024. Of those that applied for the job, the person with the most seniority was given the opportunity to pick their interview time first. As stated in the 24/25 Master Contract page 7 under item 2.06, seniority, job performance and qualifications for the job will be some of the criteria to be reviewed. This process was followed. At the end of each school year, drivers in order of seniority, shall be given consideration to fill all routes which become vacant or were newly created during the year. Vacancies occurring during the school year will be filled temporarily. This statement does not read that drivers with seniority will be given the position. The statement reads, and was approved by the negotiating team, that seniority will be given consideration. In regards to the statement that the position was posted during the school year and should be filled temporarily. The position was posted over the summer, and not the school year, therefore, not requiring the position to be filled temporarily. The person with the most seniority, qualifications and job performance was offered the position. This person declined the position stating that he just wanted to see how the process worked. Moving forward, after the position was declined by the most senior person with qualifications and performance, 2.06 continued to be followed by the Director of Transportation and seniority, qualifications and job performance was considered when looking at the other candidates. Mr. Reid continued stating that after Mrs. Hosford had notified the grievants of the Level II Hearing Decision, he was notified of the desire to move to a Level III Hearing which states the decision of the Board shall be final. This is the hearing we are conducting. Mr. Reid stated that he would recommend

that the board uphold Matt McFarland and the interview team's decision based on the following: All postings and interviews were conducted in the manner and timeframe as outlined in the agreed upon SECNP Support Employee Master Contract. On page 9, the contract states: Qualified support employees of the district applying for job vacancies within the district shall be interviewed by the program administrator/supervisor prior to non-district applicants. This indicates that a director has the administrative discretion to hire an employee with no experience in the district if he/she feels they are best qualified for the position as long as internal applicants are interviewed prior to non-district applicants. In this case, Matt and his team only did in-district interviews because they felt they had qualified candidates within the district. On page 9 under 2.06 of the Master Contract, seniority, job performance and qualifications for the job will be some of the criteria to be reviewed. Each candidate was given consideration based on seniority. However, in the eyes of the committee making the selection the best candidate, considering seniority, qualifications (driving skills, patience, communication, calm under pressure, time management, interpersonal skills, attention to detail, driving record, problem solving, respect, ensuring passenger safety, holding students accountable to procedures and expectations, etc.) and performance outweighed the candidate with the most seniority by a substantial margin. Therefore, the position was offered to the overall most qualified candidate. On page 9, the contract goes on to state: At the end of each school year, drivers in order of seniority, shall be given consideration to fill all routes..... This statement does not read that drivers with seniority will be given the position. The statement reads, and was approved by the negotiating team that seniority will be given a consideration. If a driver with the most seniority was guaranteed the spot, then it would be pointless to conduct interviews. The Transportation Director would simply go down the list of most seniority until a person claimed the position. In 2018, the wording in the ESPO contract was negotiated to make it clearer. During these negotiations, the former director of CNP Transportation and myself presented the current language and stated the rationale was to allow those with seniority to be a consideration, but it would not be the only qualifier, meaning, if all things were equal between two candidates then the one with the most seniority should be offered the position; however, if in the eyes of the interviewing team the candidates are not equal, then the one with the better qualifications should be offered the position. Mr. Reid added that if all things are equal among candidates, then you give it to the one with the most seniority, that is fair. But if you have candidates where you feel that one is superior to the other and the qualifications are obvious in the eyes of the management and the evaluating team doing the interviews, then you give that position to the person with the most qualified. Mr. Reid stated that this is the process that is followed for every other job position in the district. From the Superintendent's job, administrators, teachers, para's, anyone can request and be interviewed but seniority does not guarantee the position. If seniority only guaranteed an employee the position, then we would take the most senior teacher in the district, as long as they have the qualifications of superintendent and they would automatically be the superintendent, when the job becomes open. He added that in fact, if seniority was the only thing that mattered why would we even hold interviews and just go to the person and say, "you are the one with the most seniority – do you want the job and go down the list until someone accepted it". We don't do that because it is not in the contract that way, it is a consideration and can definitely be a tie breaking consideration but it is not the only consideration. This language was agreed upon and signed off by Support Negotiation Leadership and has been voted and approved by the support groups since 2018. Every two years is a language year for negotiations. This means since the contract wording was approved in 2018, the support group has had the opportunity to ask for a change in the wording. This has not happened in any of the negotiated years of 2020, 2022, now the current year of 2024. Not once since the change in 2018 has that clause been brought up to be redone or changed until now and negotiations are obviously over. With that said, I believe that Matt and his team did everything possible to follow the letter of the law and the letter of the negotiated and agreed upon contract since 2018 and I recommend that the board uphold Matt's decision. Mr. Reid asked if the board had any questions. Janice Modisette stated that she just has one question. She stated that Mr. Reid had said that initially it was offered to the most qualified and the most senior person that applied. She asked Mr. Kiesel if she had missed that part or did he not previously mention it. Mr. Kiesel stated that he was glad that she brought that up because he was the one offered the job. He stated that he went over and put it for it because just a few months before there was a five- year person that put in for a sub job and it too was given to someone with less seniority. Mrs. Modisette stated that she just wanted to make sure she hadn't missed that part and she was just trying to wrap her head around everything.

Mr. Ross called for consideration and possible vote to close the Level III Hearing. Mrs. Modisette moved, seconded by Mrs. Salinas-Dengler. The vote was unanimous.

At 7:30 p.m. with a motion made by Mrs. Salinas-Dengler and seconded by Mrs. Johnson, the board entered into executive session. The vote was unanimous. At 7:44 p.m., the Administration stepped out of executive session for the board to discuss the Level 3 Grievance Hearing.

At 8:20 p.m. with a motion by Mr. Alsup and seconded by Mrs. Johnson, the board voted to return to open session. The vote was unanimous.

Mrs. Modisette moved and seconded by Mr. Alsup to uphold the decision on the Level 3 Grievance Hearing. The vote was unanimous with Mrs. Salinas-Dengler abstaining from the vote.

Mrs. Modisette moved, seconded by Mrs. Johnson to approve the following certified resignations: Lindsey Sanders, effective 10/16/24 and Janette Daigle, effective 9/27/04. The vote was unanimous.

Mrs. Modisette moved, seconded by Mrs. Johnson, to approve the following support recommendations: Erin Basinger, effective 9/16/24; Haverdy McCausey, effective 9/23/24; Andrianna Montoya-Rua, effective 10/22/24; Angela Manning, effective 9/25/24; Melissa Dunn, effective 9/25/24; Kimberly ginn, effective 9/24/24; Landyn Eccles, effective 9/23/24; Aryn Whitmoyer, effective 9/27/24; Aubree Roberts, effective 10/2/24; Brandi Buys, effective 10/10/24; Buffie Martin, effective 10/7/24; Alexander Farmer, effective 10/7/24; Jessica Eldridge, effective 10/22/24; David Jackson, effective 10/22/24; Catherine Jackson, effective 10/10/24; Caryan Yeary, effective 10/9/24; Kim Lynch, effective 10/8/24; and Marty Brown, effective 10/10/24. The vote was unanimous.

Mrs. Modisette moved, seconded by Mrs. Johnson to approve the following support resignations: Emily Peters, effective 9/9/24; Tricia Christopher, effective 10/15/24; Laura Gravador, effective 9/30/24; Issabella Sorrels, effective 10/4/24; Angelina Erwin, effective 10/4/24; Joann Miller, effective 9/23/24; Denise McCarrell, effective 9/19/24; Josh Ponder, effective 9/20/24; and Kimberly Ginn, effective 10/8/24. The vote was unanimous.

There being no further new business, at 8:28 p.m. a motion was made by Mrs. Modisette and seconded by Mr. Alsup to adjourn. The vote was unanimous.

BOARD OF EDUCATION:

Jason Ross, President

Janice Modisette, Vice President

Don Alsup , Clerk

Jessica Salinas-Dengler, Asst. Clerk

Staci Johnson, Member