

THE BOARD OF EDUCATION OF INDEPENDENT SCHOOL DISTRICT NUMBER ONE
OF TULSA COUNTY, OKLAHOMA
MINUTES OF THE SPECIAL MEETING OF APRIL 25, 2016

A special meeting of the Board of Education of Independent School District Number One of Tulsa County, Oklahoma was held on April 25, 2016, commencing at 6:15 p.m. (slightly later than the scheduled 6:00 p.m. opening of the meeting) in the Cheryl Selman Room, first floor level, of the Charles C. Mason Education Service Center, 3027 South New Haven Avenue, Tulsa, Oklahoma. Notice of the meeting was given by service of written notice of the meeting to the office of the County Clerk of Tulsa County, Oklahoma, as required by Title 25, O.S. (2001), § 311.5 and by posting the attached agenda and recommendations of the Superintendent of Schools in prominent public view on the inside of the enclosed glass display case on the outside wall at the main door of said Charles C. Mason Education Service Center, 3027 South New Haven Avenue, Tulsa, Oklahoma, on April 24, 2016, at 4:30 p.m., pursuant to the provisions of Title 25, O.S. (2001), § 311.9.

PRESENT: Wilbert Collins
Cindy Decker
Ruth Ann Fate
Shawna Keller
Gary Percefull
Suzanne Schreiber
Lana Turner-Addison

ABSENT: None

A. OPENING EXERCISES

Dr. Lana Turner-Addison, president of the Board of Education, called the meeting to order and declared that a quorum of the Board was present; therefore, the meeting was qualified to consider the agenda items. Dr. Turner-Addison led the flag salute.

B. DUE PROCESS HEARING FOR LINDA PICKENS AND ASHLEE WHITEHEAD

President Turner-Addison read a statement (attached) declaring that the purpose of this portion of tonight's meeting was to allow the superintendent to present her recommendation for a reduction in force and to conduct a hearing for Linda Pickens and Ashlee Whitehead on the superintendent's recommendation for the elimination of their positions and the nonrenewal of their employment contracts for the 2016-2017 fiscal year. Dr. Turner-Addison said that the superintendent's presentation would cover all positions that the superintendent was recommending for elimination, and Ms. Pickens and Ms. Whitehead were challenging the recommendation as it related to their positions. Dr. Turner-Addison noted for the record that Mr. Roger Shideler had requested a hearing, but had withdrawn that request. Mr. Shideler was not present at the meeting.

Dr. Turner-Addison introduced Ms. Karen Long, representative for the superintendent. Neither Ms. Pickens nor Ms. Whitehead had legal representation.

President Turner-Addison asked that each party identify any witnesses that they expected to call to testify during the due process hearing. Ms. Karen Long identified Chief Financial Officer Dr. Trish Williams, Chief Human Capital Officer Ms. Talia Shaul, and Chief of Staff Ms. Paula Shannon. There were no witnesses identified by either Ms. Pickens or Ms. Whitehead.

Dr. Turner-Addison announced that public comments would be heard during this portion of the meeting, and she called Mr. Ed McIntosh who spoke in opposition to the proposed reduction in force.

An opening statement was made first by Superintendent Dr. Deborah Gist, followed by Ms. Pickens and then by Ms. Whitehead.

Ms. Karen Long offered into evidence exhibit documents numbered 1 through 17. There were no objections and the documents were accepted into evidence by President Turner-Addison.

Ms. Karen Long identified the following witnesses for the administration. The witnesses were sworn in by President Turner-Addison.

Dr. Trish Williams – Chief Financial Officer
Ms. Talia Shaul – Chief Human Capital Officer
Ms. Paula Shannon – Chief of Staff

Ms. Karen Long called the following witness to testify for the administration as to the reduction in force and recommendation to eliminate the position held by Ms. Linda Pickens.

Dr. Trish Williams – Chief Financial Officer

The witness was questioned by Ms. Long and by members of the Board. Ms. Pickens did not cross examine the witness.

During her testimony, Dr. Trish Williams presented a PowerPoint presentation describing the district's current revenue failure and budget shortfall, and she described the positions that were being recommended for elimination with specific reference to the position held by Ms. Pickens.

Ms. Karen Long called the following witness to testify for the administration as to the reduction in force and recommendation to eliminate the position held by Ms. Ashlee Whitehead.

Ms. Talia Shaull – Chief Human Capital Officer

The witness was questioned by Ms. Long, cross examined by Ms. Whitehead, and questioned by members of the Board.

During her testimony, Ms. Talia Shaull presented a PowerPoint presentation describing the processes followed to determine the positions that would be recommended for elimination or defunding with specific reference to the position held by Ms. Whitehead.

Ms. Karen Long called the following witness to testify for the administration as to all aspects of the reduction in force.

Ms. Paula Shannon – Chief of Staff

The witness was questioned by Ms. Long and members of the Board. The witness was not cross examined by Ms. Pickens or Ms. Whitehead.

During her testimony, Ms. Paula Shannon presented a PowerPoint presentation describing organizational changes within the areas of strategies and communications, and changes within the offices of the Chief of Staff and Deputy Superintendent.

The meeting recessed from 8:13 p.m. until 8:26 p.m.

The meeting continued with the presentation of employees' evidence and cross examination.

Ms. Linda Pickens testified on her own behalf. She was sworn in by President Turner-Addison and cross examined by Ms. Long. During her testimony, Ms. Pickens offered three exhibit documents into evidence. Ms. Pickens' exhibits were identified by her as Attachments A, B and C. There were no objections and the documents were accepted into evidence.

Ms. Ashlee Whitehead testified on her own behalf. She was sworn in by President Turner-Addison, cross examined by Ms. Long, and questioned by members of the Board. During her testimony, Ms. Whitehead offered one exhibit document into evidence. There were no objections and the document was accepted into evidence.

Rebuttal statements were made by first by Ms. Linda Pickens followed by Ms. Ashlee Whitehead.

Closing arguments were made first by Ms. Whitehead, followed by Ms. Pickens, and Ms. Long. Ms. Long provided the Board with the Administration's proposed findings of fact; neither Ms. White nor Ms. Pickens presented proposed findings.

Ms. Ruth Ann Fate made a motion to go into executive session to discuss and deliberate on the possible elimination of positions and possible non-reemployment of the individuals holding those positions, pursuant to Title 25, O.S. 307(B)(1) of the Oklahoma Statutes. The motion was seconded by Ms. Suzanne Schreiber and passed by the following vote: AYE: Wilbert Collins, Cindy Decker, Gary Percefull, Suzanne Schreiber, Shawna Keller, Ruth Ann Fate and Lana Turner-Addison; NAY: None; ABSTAIN: None; ABSENT: None.

At 9:55 p.m., the Board of Education adjourned to executive session in Room 200A.

At 11:37 p.m., the Board of Education acknowledged its return to open session upon a motion made by Ms. Shawna Keller and seconded by Ms. Ruth Ann Fate. The motion passed by the following vote: AYE: Wilbert Collins, Cindy Decker, Gary Percefull, Suzanne Schreiber, Shawna Keller, Ruth Ann Fate and Lana Turner-Addison; NAY: None; ABSTAIN: None; ABSENT: None.

Executive Session Minute

Dr. Lana Turner-Addison said that during the executive session, the Board of Education discussed and deliberated on the possible elimination of positions and possible non-reemployment of the individuals holding those positions, pursuant to Title 25, Section 307(B)(1) of the Oklahoma Statutes. She said that all of the members of the Board present at the meeting were present at the executive session; nothing else was discussed or occurred in executive session, and no votes were taken.

Ms. Shawna Keller made the following motion.

I move, based on the evidence presented at this hearing, that the Board of Education adopt the following findings of fact and implement the following action:

1. The superintendent has made a recommendation for the elimination of 130 central office positions and defunding of another 12 central office positions for a total of 142. Of the positions to be eliminated or defunded, 86 are currently vacant or will be vacant on or before June 30, 2016, as a result of resignations or retirements. The remaining 56 positions are presently staffed with either certified or non-certified employees. The superintendent further recommends the non-reemployment of the individuals holding those positions. Each of these employees was provided notice of the superintendent's recommendation and offered a hearing before the Board of Education to challenge the superintendent's recommendation.
2. Among the employees whose positions are recommended for elimination and contract nonrenewal are two support employees who requested a hearing to challenge the superintendent's recommendation as to them. These employees are

Linda Pickens and Ashlee Whitehead. Ms. Pickens holds the position of payroll analyst. Ms. Whitehead holds the position of human capital recruiter.

3. The reason for the superintendent's recommendation for the elimination and defunding of certain positions and non-reemployment of individuals holding those positions is a lack of funds due to the financial crisis facing the district. The Board finds that in making her recommendation to address this financial emergency, the superintendent and her leadership team carefully considered the duties and responsibilities encompassed by each position.
4. The Board has reviewed the superintendent's written recommendation dated March 28, 2016, and finds, based on the evidence presented at this hearing, that it sets out sufficient justification for a reduction in force as recommended by the superintendent.
5. With regard to the elimination of payroll analyst, the Board finds that the needs of the district can still be adequately met through the remaining payroll analysts. More than one individual holds the position of payroll analyst. In identifying which individual should be non-reemployed, the collective bargaining agreement between the district and AFT 6049 states that in all cases of decreasing the workforce, the factors to be considered will be all job evaluations and written disciplinary actions, if any, seniority and job skills, and the qualifications to perform the available work. Ms. Pickens is the only payroll analyst who has been given a personal development plan (PDP), which she received in November 2015. Therefore, Ms. Pickens is the employee who must be non-reemployed as a result of the elimination of one payroll analyst position.
6. With regard to the position of human capital recruiter, the Board finds that due to the financial crisis the district's recruiting needs in the 2016-2017 fiscal year will be significantly decreased, and that any recruitment activities that must be performed in 2016-2017 can be absorbed by other positions in the district. Ms. Whitehead is the only individual who holds the position of human capital recruiter. Therefore, Ms. Whitehead is the employee who must be non-reemployed as a result of the elimination of this position.
7. The Board finds that the superintendent's written recommendation for the elimination and defunding of the positions identified on Exhibit A, which is incorporated herein by reference, and the non-reemployment of the individuals holding those positions, including Ms. Pickens, Ms. Whitehead and all employees who did not request a hearing, is supported by a preponderance of the evidence, and is made in good faith in order to maintain the fiscal integrity of the district.
8. Based on the foregoing, good cause exists for the elimination or defunding of each of the positions on Exhibit A, and the nonrenewal of the employment contracts of Ms. Pickens, Ms. Whitehead and all employees who did not request a hearing or waived a hearing for the 2016-2017 fiscal year.
9. All employees whose positions have been eliminated and contracts non-renewed for the 2016-2017 fiscal year are strongly encouraged by the Board to apply for any vacant or newly created position for which they believe they are qualified.

The motion to adopt the findings of fact and approve the superintendent's recommendation was seconded by Ms. Ruth Ann Fate. Following comments from members of the Board, President Turner-Addison called for the vote **and the motion passed by the following vote:** AYE: Wilbert Collins, Cindy Decker, Gary Percefull, Suzanne

Schreiber, Shawna Keller, Ruth Ann Fate and Lana Turner-Addison; NAY: None; ABSTAIN: None; ABSENT: None.

C. Approve the elimination of seven (7) Instructional Technology Coach positions and fourteen (14) Instructional Coach positions. These positions are extra duty assignments.

Ms. Suzanne Schreiber made a motion to approve item C. The motion was seconded by Dr. Cindy Decker and passed by the following vote: AYE: Wilbert Collins, Cindy Decker, Gary Percefull, Suzanne Schreiber, Shawna Keller, Ruth Ann Fate, and Lana Turner-Addison; NAY: None; ABSTAIN: None, ABSENT: None.

D. Authorize the superintendent to eliminate up to twelve (12) bus driver positions that become vacant in the future as a result of normal attrition.

Ms. Shawna Keller made a motion to approve item D. The motion was seconded by Ms. Suzanne Schreiber. Dr. Deborah Gist responded to questions from members of the Board. Dr. Lana Turner-Addison called for the vote and **the motion passed by the following vote:** AYE: Wilbert Collins, Cindy Decker, Gary Percefull, Suzanne Schreiber, Shawna Keller, Ruth Ann Fate, and Lana Turner-Addison; NAY: None; ABSTAIN: None, ABSENT: None.

E. Approve the creation and funding of new positions identified in the supporting information, effective July 1, 2016.

Ms. Shawna Keller made a motion to approve item E. The motion was seconded by Dr. Cindy Decker.

Dr. Turner-Addison said that she was not comfortable with the recommendation being submitted for approval at this time. She said that the Board had not been given adequate time to review the recommendation. Dr. Turner-Addison said that if the recommendation had followed normal protocol, it would have been presented first to the Human Capital Committee, and then presented on the information agenda before the Board was expected to consider approving the recommendation. She said she was unable to support the recommendation to create new positions because of the lack of time allowed for review and discussion. Dr. Turner-Addison concluded by saying that Board members should be adequately informed before making decisions.

Dr. Lana Turner-Addison called for the vote and **the motion passed by the following vote:** AYE: Wilbert Collins, Cindy Decker, Gary Percefull, Suzanne Schreiber, Shawna Keller, and Ruth Ann Fate; NAY: Lana Turner-Addison; ABSTAIN: None, ABSENT: None.

F. Approve title changes for the positions identified in the supporting information.

Dr. Cindy Decker made a motion to approve item F and the motion was seconded by Ms. Shawna Keller.

Dr. Turner-Addison stated that she had the same concerns with this item that she had with the previous item and that the Board had not been given adequate time to vet and review the proposed title changes.

Dr. Lana Turner-Addison called for the vote and **the motion passed by the following vote:**
AYE: Wilbert Collins, Cindy Decker, Gary Percefull, Shawna Keller, and Ruth Ann Fate;
NAY: Suzanne Schreiber and Lana Turner-Addison; ABSTAIN: None, ABSENT: None.

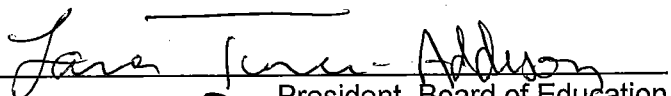
Dr. Turner-Addison announced that the next regularly scheduled meeting of the Board of Education would be held on Monday, May 2, 2016, at 6:30 p.m. in the Cheryl Selman Room at the Charles C. Mason Education Service Center, 3027 South New Haven Avenue, Tulsa, Oklahoma.

There being no further business to come before the Board, the meeting was adjourned at 12:30 a.m. on a motion made by Ms. Shawna Keller and seconded by Ms. Ruth Ann Fate. The motion passed by the following vote AYE: Gary Percefull, Ruth Ann Fate, Suzanne Schreiber, Shawna Keller, Cindy Decker and Lana Turner-Addison; NAY: None; ABSTAIN: None; ABSENT: Wilbert Collins.

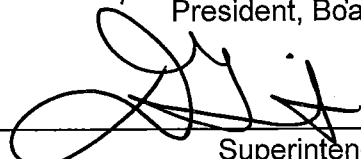
Let the record show the meeting was digitally recorded. The recording is on file as a matter of record.



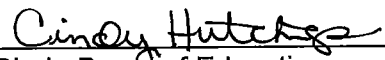
Attorney for the School District



President, Board of Education



Superintendent of Schools



Clerk, Board of Education