

**SWITZERLAND COUNTY SCHOOL CORPORATION**  
**MINUTES OF THE JANUARY 16, 2012**  
**EXECUTIVE SESSION BOARD MEETING    4:00 P.M.**  
**REGULAR SCHOOL BOARD MEETING    6:00 P.M.**

The School Board of Trustees met before the regular public meeting for an Executive Session beginning at 4:00 at the Switzerland County School Corporation's Administration Office to discuss I.C.5-14-1.5-6.1(b)(9).

The Board members present were Mr. Phipps, Mr. Roberts, Mrs. Moore, Mr. Daugherty, Mrs. Peters, and Mr. Truitt. Dr. Elizabeth T. Jones, Superintendent; School Board Attorney, Ron Hocker and Matthew Hocker were also in attendance. Mr. Waltz was unable to attend.

The Board discussed no subject matter in the Executive Session other than the subject matter specified in the public notice.

The Executive Session adjourned and the meeting was opened to the public.

**CALL TO ORDER AND PLEDGE TO THE FLAG:**

Mr. Phipps called the regular meeting to order and led those in attendance in the pledge to the flag.

**ATTENDANCE:**

The Board members present were Mr. Phipps, Mr. Roberts, Mrs. Moore, Mr. Daugherty, Mrs. Peters, and Mr. Truitt. Mr. Waltz was unable to attend the meeting.

Others in attendance were Dr. Elizabeth T. Jones, Wilma Swango, Mona Crabtree, Ronald Hocker, Matthew Hocker, Michael Jones, Rhonda Pennington, Ken Pennington, Pat Lanman, Gerry Peters, Janet Hendricks, Gregory Curlin, Tony Spoore, Doug McNeely, Jr., Tammy Hayes, Chastity Scudder, Pansy Covington, Glo Asbury, Tammy Cole, Duane Cole, Emily Powers, Ashley Powers, Angela Powers, Jennifer Miller, Amy Hoskins, Laura Pennington-Hinton, Robert Hinton, Dick Risk, Candi Risk, Ginny Reeves, Woodie Reeves, Steve Bladen, Paul Powers, Brianna Vinup, Connie Vinup, Thomas Hunter Peterson, Shane Peterson, Toni Peterson and Ivan Green.

**ADOPTION OF THE AGENDA:**

Mrs. Moore made a motion to approve the agenda with the omission of item L.2. under Personnel. Mr. Truitt seconded. The Board voted as follows: AYES: Moore, Truitt, Daugherty, Phipps. NAYS: Roberts, Peters.

**APPROVAL OF MINUTES:**

The minutes of the Board meeting of January 09, 2012 were approved unanimously in a motion by Mr. Truitt, seconded by Mrs. Peters.

**FUND REPORT:**

Mr. Daugherty moved to approve the November, 2011 fund report as presented and the motion was seconded by Mr. Truitt. Corporation Treasurer, Mrs. Swango, explained that the Endowment, fund, #2100, was a negative number because the corporation paid for something and has since been reimbursed for that amount. She said some of the grants, such as the Title 1 Grant, fund #4112, are also in the negative for the same reason and are in the process of being reimbursed as well. Mr. Truitt asked about fund #5890. Mrs. Swango said that was actually due to a miscommunication with the state regarding the Drug Free School grant which has now been taken care of. She said the same was true for the Education Jobs Fund, #7965. She said all of funds with numbers in the 9000's were clearings and the Teacher Retirement and PERF funds are only cleared out quarterly. Mrs. Swango said the corporation now has two lead accounts, one in each bank. She said the Corporation is still in the process of switching the lead account to Friendship State Bank and after speaking with the state, the Corporation's funding from the state should now be going into that account and felt that the change could now be completed. The Board voted unanimously to approve the report.

**CLAIMS:**

Mr. Truitt made a motion to approve **Vendor** Claims #42159; #42253 through #42460; and #42466 and #42467; and **Payroll** Claims for 12/21/2011 and 01/06/2012. Mr. Roberts seconded the motion. Mrs. Swango said she wanted to mention that claims #42466 and #42467 were additional claims to Dave O'Mara for a change order and to USPS for postage for Forever stamps since the price will be increasing this month. Mrs. Peters asked about claim #42449 to Surpass Support for \$2,975.00. Mrs. Swango said it was a library software program for checking out books. Mr. Phipps asked about claim #42285 for \$19,000.00 to Milan School Corporation. Mrs. Swango said our school corporation has seats in that remediation program. She said there are two parts to the charge, one for membership and the other for our corporation to have seats for students. She said this was a contract that our corporation is in the process of trying to get out. She said it was similar to the NovaNet. Dr. Jones said the Learning Center was actually housed at the Career Center but Milan was the fiscal agent so that is why the check was going to Milan. The Board's vote to approve the claims as presented was unanimous.

**CELEBRATE SUCCESS:**

In the Celebrate Success part of the meeting, the School Board recognized the nominees for each of the schools. Board President, Phipps congratulated each student and presented them with a medal. The nominees are as follows:

Jefferson-Craig Elem.: Brianna Vinup, gr. 6, nominated by Mrs. Pennington  
Switz. Co. Elem.: Thomas Hunter Peterson, gr. 5, nominated by Mr. Jones

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

The Board unanimously voted to approve holding a Book Fair at Switzerland County Elementary School in order to raise money to add more books to its library. The motion to approve the ECA fund raiser was made by Mrs. Moore and seconded by Mr. Truitt.

Mr. Roberts moved to approve a High Ability Grant in the amount of \$29,807.99. Mrs. Peters seconded the motion. Mrs. Hendricks was on hand to explain that the grant was mainly for Math and English and was being used for training AP teachers and for testing materials. The Board voted unanimously to approve the grant.

The Board unanimously approved the acceptance of a \$1000 donation from Jerry and Lisa Fisher for the High School Cheerleaders in a motion made by Mr. Truitt and seconded by Mrs. Moore.

Mrs. Moore made a motion to approve a donation of \$1500 from Gallatin Steel to the High School Wrestling Team. Mr. Truitt seconded the motion and the Board's vote was unanimous.

In a motion by Mr. Roberts and seconded by Mrs. Moore, the Board voted unanimously to approve the following donations to Switzerland County Elementary School:

- Target: \$53.31 to General Account (% from sales to parents)
- Lee Jaye Lohide: \$180 to Student Council (Wine Festival charity)
- Steve Ward: \$104.98 to Music Account (from Music program)

Bus Bids were read aloud by Dr. Jones who thanked the Transportation Director, Ivan Green and Mrs. Swango for their hard work on the project. In a motion by Mr. Daugherty, seconded by Mr. Roberts, the Board voted unanimously to accept the following bids and waive any irregularities in the bidding process:

Bidder	Route #	Offer	Accept or Reject
R. Christman	1	\$255.00	ACCEPT
	4	\$252.00	ACCEPT
R. Christman w/Vocational	9	\$412.00	ACCEPT
	20	\$255.00	ACCEPT
	29	\$261.00	ACCEPT
	32	\$250.50	ACCEPT
	41	\$262.00	ACCEPT
Roger Christman with Express	10	\$275.50	ACCEPT
Roger Christman with Express	14	\$252.00	ACCEPT
Agloria Asbury	26	\$259.49	ACCEPT
Jerry Monjar	63	\$225.00	ACCEPT
Tammy Cole	17	\$245.25	ACCEPT
Pansy Covington	23	\$241.00	ACCEPT
Switz. Co. Corp. Routes	2		KEEP
	3	No Bid	KEEP
	5	No Bid	KEEP
	21	No Bid	KEEP
	24	No Bid	KEEP
	25	No Bid	KEEP
	27	No Bid	KEEP
	30	No Bid	KEEP
EXPRESS	31	No Bid	KEEP
	33		KEEP

### **PUBLIC COMMENTS:**

Jennifer Miller said she was the parent of a Kindergartener at Jefferson-Craig Elementary. She said she was shocked when she first learned that the Board was considering the non-renewal of Mrs. Pennington's contract. She said Mrs. Pennington was a teacher at Switzerland County Elementary School when she was in grade school. She said she felt Mrs. Pennington has the best interest of the students at hand. She said Mrs. Pennington sends out newsletters every month and attends a lot of functions. She said she felt Mrs. Pennington was doing a fantastic job and she would hate for her not to be there next year. Ms. Miller said she felt confident that she could talk with Mrs. Pennington about anything and thought it would be a shame to lose her.

Paul Powers said he was at the previous month's meeting, as he felt compelled to speak with its members about past and future actions taken by the Board, specifically any votes taking place concerning administrative staff without the recommendation of the Superintendent. He said he had expressed to them his view that this was in direct violation of the published Code of Ethics which each member of the Board had sworn to uphold. He said he wanted to remind the Board that any votes, whether for or against an issue, without the guidance of the Superintendent are a direct violation of those codes. Mr. Powers said he was once again driven to address the Board because there appears to be a misunderstanding of his comments and how they affect the community and students. He said over the last few weeks he has contacted twenty-two people ranging from current employees, past employees, teachers, staff and parents and others who no longer have children enrolled in the school system but are still have an intense interest in the school system and its elected officials who were very excited to address his concerns. He said what he did not expect were additional allegations against the Board which he did not want to discuss at this time. Mr. Powers said many community members shared his views that the Board has willingly and knowingly grossly exceeded the mandate of the people. He said what he needed to relay to the Board was facts. He said each one of the Board members took an oath that in summary swore to support the Constitution of the United States, to subscribe to a Code of Ethics recommended by the Indiana School Board Association and to faithfully execute those duties of the governing body. He said, in addition, Policy #2.32 of the Switzerland County School Board's Policy Manual, states that because of the vital role played by the Board of School Trustees in the public education of this community, the Board readily and energetically subscribed to the Code of Ethics recommended by the Indiana School Board's Association. Mr. Powers said each Board member did not follow that Code of Ethics by understanding that the basic function of the School Board is policy making, not administrative, and by accepting the responsibility of learning to discriminate intelligently between these two functions; by becoming well informed concerning the duties of Board members and the proper functions of public schools; by giving the Superintendent full administrative authority for properly discharging his/her professional duties and also holding him/her accountable for accepting the results; by having the Superintendent present at all meetings of the Board except when his/her contract is in consideration; by striving to provide adequate safeguards around the Superintendent and other staff members to the end that they will live happily and comfortably in the community and discharge their educational functions on a thoroughly professional basis; by insisting that all school business transactions be on an open, ethical, and above-board basis; by winning the community members' confidence that all is being done in the best interests of school children. He said he looked into the 11 duties of a board member in the Switzerland County School Board of Trustees own policy manual and none were administrative, but he did find a very specific reference under the Dismissal Policy, #3.18, which states upon recommendation of the Superintendent, administration personnel may be dismissed subject to Board action and applicable law. Mr. Powers said he looked up the applicable law and found the Indiana state law, and the Board's policy manual which specifically state how the Trustees get their authority. Mr. Powers said under Policy #2.7, the Switzerland County School Corporation Policy Manual states that the General Assembly has given the school board discretionary power, and in exercising discretionary power, a Board of School Trustees

performs a legislative function which cannot be delegated to others. He said according to this policy, this is the legal background making a School Board of Trustees a policy making body which performs legislative or discretionary functions, while the Superintendent, as executive officer, carries out the policies through the administrative or managerial function. He said his simple concern has now escalated to what he considers a serious issue that must be pursued. He asked how any teacher, parent or student can follow the rules in their contract or school manuals when people perceive the Trustees as not following their own. He asked how students can be taught to respect teachers, follow rules and have a good work ethic when elected officials ignore them. Mr. Powers said these specific issues regarding the board members are requiring him to act. He said in accordance with Switzerland County School Corporation's Board of Trustees Policy, he will present specific complaints in writing to the Superintendent of Schools, signed and verified by him, on Wednesday of this week. He said in the official response to his complaint, if he is found to be in error, he will require a written explanation of his errors and references. He said also, in accordance with Indiana Code 5-14-13-1 under Public Policy, Construction, Burden of Proof, and Non-Disclosure, he read that a fundamental philosophy of the American constitutional form of representative government is that government is a servant of the people and not their master. He said in accordance with Indiana Code, 5-14-3-2 (b)(g), section two, he will be requesting any and all emails, electronic media and such, from all Switzerland County School Board members, concerning any and all hiring and firing discussions of any person within the Switzerland County School Corporation within the last 360 days. He said according to the Indiana Code, all names and personal information must not be included but referred to as employee one, two, etc., in order to protect personally identifiable information. Mr. Powers said an official request for this information will be submitted in writing to the Public Access Officer on Thursday of this week, per Switzerland County School Corporation Policy #2.36. He said if the Board continues with this behavior and does not change its course and do what is ethically right, it will severely damage their community, their schools, and their credibility.

Steve Bladen said he was there to publicly chastise the Board for being so dismissive toward Dr. Jones. He said when Dr. Jones was hired as the Superintendent of the Switzerland County School Corporation a palpable weight was lifted in the community. He said Dr. Jones had already proven herself to be a most capable educator and administrator through her tenure at Switzerland County Elementary School. He said this fine new Administration Building and improved traffic control and parking for students and fans has taken place under her watch. Mr. Bladen questioned why the board did not value her judgments, now, given her impeccable record as a teacher and administrator, and the unanimous vote with which the Board selected her for the position as Superintendent. He said every one of Mrs. Pennington's evaluations by Dr. Jones have been excellent or outstanding and Dr. Jones told him personally that Mrs. Pennington is a very good principal. Mr. Bladen said the two of them together have initiated a tremendous sweep in the technological capabilities of their students through such things as the use of I-Pads. He said anyone who oversees the education of our children must change with the times. He said the demonstration Mrs. Pennington's students and teachers displayed at the November board meeting prove that this technology is not a

wave of the future but the tsunami of now. Mr. Bladen said even though Mrs. Pennington's forward thinking and understanding of state mandated policies has been proven, certain members of the Board cannot be made to believe in them. He said he did not think the people of this county are served well by such intransigence by our elected officials. He said there were members of the Board he liked and respected. He said petty employee grievances and personal friendships and relations should not enter into the decisions this Board is entrusted to make. He said he feels that is what has happened here. Mr. Bladen said he also believed Dr. Jones might be persuaded to change her mind about retiring, and if there was such a chance, the Board should pursue it.

### **PERSONNEL:**

The Board unanimously approved the employment of Angela Powers to serve as Business Office Secretary, effective December 20, 2011 in a motion by Mr. Truitt, seconded by Mr. Phipps.

In a motion by Mrs. Moore, seconded by Mr. Daugherty, the Board approved the employment of Karen Noel as the Attendance Secretary at Switzerland County Elementary School, effective December 20, 2011.

### **USE OF FACILITIES:**

In a motion by Mr. Truitt and seconded by Mr. Daugherty, the Board unanimously approved April Koons to use Switzerland County Elementary School for Girl Scouts, Daisys, Brownies & Juniors, Thursday, February 9, 2012 from 3:00 to 5:00p.m.

### **ANNOUNCEMENTS AND REPORTS: (SUPERINTENDENT)**

Dr. Jones announced that the next Endowment meeting will be held on January 24, 2012. She said there will be a regular monthly meeting on February 20, 2012, and a special Board meeting for an open working session will be held on February 6, 2012. She said at the February 6<sup>th</sup> meeting, there won't necessarily be any votes taken, but some broad issues and goals for the coming year will be discussed.

### **BOARD REPORT AND COMMENTS:**

Mr. Phipps said he would be unable to attend the meeting about the R.I.S.E. evaluations systems on the 25<sup>th</sup>. Mrs. Peters said she would be attending. Mr. Phipps asked her as a Board representative to give them an update on the system.

Mrs. Peters said she needed to say that the motion to non-renew Jefferson-Craig's Principal portion of the contract should have been made and put to a vote.

**ADJOURNMENT:**

Mr. Roberts moved to adjourn the meeting. Mr. Truitt seconded and the vote was unanimous. The meeting was so adjourned. (6:40 p.m.)

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James Phipps, President

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William Roberts, Vice President

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Tonya Moore, Secretary

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Wayne Daugherty, Member

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Nancy Peters, Member

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Andy Truitt, Member

UNABLE TO ATTEND  
Vernon Waltz, Member