

ANNUAL WORKSHOP/RETREAT
City Council Chambers
14600 Dix Toledo, Southgate, MI 48195

**BOARD OF
EDUCATION**

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PROGRAMS DIRECTOR
JILL PASTOR

DIRECTOR OF
HUMAN RESOURCES
GERARD L. MORIN

DATE: August 29, 2017

TIME: 6:00 P.M.

BOARD MEMBERS PRESENT: Craig, Estheimer, Freitas, Green, Kupser, Pomponio, Reed

BOARD MEMBERS EXCUSED:

ADMINISTRATION PRESENT: Chretien, McLachlan, Pastor

ADMINISTRATION EXCUSED:

Review of Board Goals/Topics:

The board met to review the goals they established in July.

- Processes and Procedures
- Visibility in the District
- Marketing the District
- Getting Transportation Back

Board members discussed the goals in terms of meaning, direction and measurability of achievement. They agreed the goals need to be written in goal language. Board members will review templates for SMART goals and come up with a consistent format and create goal setting language. Board members will work in teams and report back to the board on the goal they will work on as follows:

- Transportation-Jason Craig and Neil Freitas
- Visibility and Marketing-Timothy Estheimer and Jason Kupser
- Processes & Procedures/Transparency & Accountability-Rebecca Reed and Dr. Pomponio
- Improving Student Achievement-Rebecca Reed, Andrew Green and Dr. Pomponio

Board members will report back on these goals and they will go on a work session the second meeting of September.

Once they are written as statements, they will then go to an Action Item to be approved as Board Goals the second meeting of October.

Review of Board Expectations:

This topic gave board members the opportunity to discuss and understand what the expectations are for board members' duties and responsibilities. Dr. Pomponio spoke about working together as a team and holding each other accountable, staying positive and not speaking bad of one another.

Board emails were discussed as far as they should not be used for discussion,

and should include a disclaimer stating; the email is not for interactive discussion purposes, the recipient should not reply to it or forward it to any other individual. Discussions should be done in person. Mr. Estheimer asked if the Policy Committee could review this and come up with a policy that speaks directly to email usage. This would help cover the board, because email discussions with the group constitutes a meeting and could possibly violate the Open Meetings Act. He suggested Board Policy could be constructed to help guide the board.

Board President Traditional Expectations:

Dr. Pomponio asked for feedback from the board as it pertains to her role. She stated she has been following past board president practice as well as guidance from MASB in fulfilling her role as the board president.

Mr. Green asked about the roles of board officers; when can the board president call for meeting and when the lawyer can be contacted, is it the will of the board or just the presidents?

Discussion took place about when the board president contacts the attorney; what urgent or emergency situations are being brought to the board president and need to be addressed with an attorney instead of going to the full board. Should the board president have the right to contact the attorney without the consent of the Board. Dr. Pomponio has a confidential resolution she will bring to a work session and for action. She stated that in her position as board president she had to figure out the role of the board and seek help, support and likes to get backup information before she does anything because previous years the superintendent wouldn't let the board president have that information or even know that they were able to do that. Through the many classes and people she has reached out to at MASB, legal support and other board members, it is law driven. There is legislation that has all the language in it. The revised school code has language in it and for her to seek out the legal opinion; the attorney said absolutely. She wants to have support so she is not the one seeking the decision. This is historically, traditionally in law, legislation has guided this. As the messenger she could respond one way, but probably wants to better bring that resource with a resolution so she has the language and support. Board presidents and superintendents are the only ones who can contact the attorney, and that comes from the attorney.

Dr. Pomponio asked for input from Ms. Reed as a former board president. Ms. Reed stated when she first spoke to anyone at Thrun Law Firm she asked what is the role between the board president and the law firm. She was told the president of the board is the only board member who has the authority to contact the attorney and they can do so whenever they like and that is part of their role in monitoring and maintaining the district and overseeing administration and the superintendent. She has that in writing and in an open meeting where the attorney came and spoke about what our role is and why that is. It was not a problem at all until an issue came up and now it seems like we're reliving that. She doesn't know why we call it a confidential document because it's all information that is gathered and just put together in a format as our specific counselors wording. It has been outlined, it's been what it is and the role of having a board president is for that person to keep the checks and balances that they need to do. If that requires contacting the attorney that means they can contact the attorney. She doesn't know why there is a question on it.

Dr. Pomponio commented that this ties with so many different things legally. There are checks and balances, the superintendent cannot just come in and say, you know what I'm going to do this, I'm going to shift this, this is what I'm doing; everything is good. There has to be oversight and there's board precedence and that's just the way it is. She asked if the board does not want a board president. That's part of the authority, part of the duties and responsibilities of the board president.

Mr. Kupser stated he thought that was the authority of the board. He understands there are different officers and different tasks and responsibilities that come with each of those roles. The authority comes with the board not an individual.

Ms. Reed stated accept in this case.

Mr. Kupser asked for clarification of that; was it when it comes to contacting the lawyer.

Ms. Reed replied yes.

Mr. Kupser said it feels like there are rights and privileges that seem to be extending from Dr. Pomponio running as board president that he doesn't know if he can agree with. One of those was the last Finance Committee meeting. The cancellation of that committee was discussed. He doesn't believe she has the right or the authority to cancel that.

Dr. Pomponio asked if we should vote to not have a board president because there has to be officers. There's a chain of command and throughout the policies it links to those chains of command. Most of which are law driven.

Mr. Kupser agreed that as it relates to the roles and responsibilities of the officers yes, but wasn't sure if that is the chain of command exactly.

Ms. Reed stated the finance committee was established before Mr. Kupser came on board. She was on that committee. So if the change was being made, what is the change; has the use of the Finance Committee changed, has the way the committee works changed. Ms. Reed said Dr. Pomponio is on the Finance Committee and has the background of some of the stuff, but no one who's on the Finance Committee who was on it for years leading up. That opinion is also with no ill feeling whatsoever, but we just set up a visibility and marketing team of the only two people on the board who don't have children in our district and that seems like it is o.k. She said there seems to be a lot of confusing, baffling things to her lately.

Dr. Pomponio called for a point of order because she did not want to go in to attacking personalities, she wants to stay focused on the issues.

Dr. Pomponio stated she is going to do what she is directed to do. She is not here to be an authoritarian and override any of the board members. She is following along what her predecessors have done in other districts and throughout the state and what the attorneys have told her. If it should be different, she does not have an agenda, she doesn't want to do anything different. If it is not law driven, if it skewed or if there is any other way they want it, she is here to run the meeting, here to start the discussion; she has done her research and based on all of the information she has, she is able to cancel the committee. It is spelled out in the policy.

Mr. Kupser handed out the policy as it relates to committees and the activities ran within the committee itself. He pointed out the area of the policy as it relates to the board president's role and read that portion. 'Ad Hoc committees may be created and changed at any time by the board President or a majority of the board members present at any meeting in which the need for a committee becomes evident to the superintendent with the approval of the board'.

Dr. Pomponio stated this refers to Ad-Hoc committees.

Mr. Kupser asked if she believed the Finance Committee was an Ad-Hoc Committee.

Dr. Pomponio said no that's what he was pointing out.

Mr. Kupser said he was pointing out she tried to cancel the Finance Committee that was the discussion. He did not believe she had the authority to do so. He does not believe this is an Ad-Hoc Committee, it is a long standing committee and been here long before anybody on the board has been here. There are a lot of references to that committee in our policies. The policy doesn't say cancel, it says create or change. He thinks she is extending her authority of this position specifically on this topic.

Dr. Pomponio stated she also cancelled the Curriculum Committee and brought it back, and the Finance Committee is one of those committees.

Mr. Kupser commented that whether she cancelled it and brought it back does not mean she had the authority to. Mr. Kupser said his point is that this is a standing committee not an Ad-Hoc committee. He asked if the board could read it themselves and give their interpretation of what her authority was to either cancel or not cancel this committee.

Ms. Reed agreed the Finance Committee is a standing committee that was established four years ago.

Dr. Pomponio replied that for the eight years she has been here, the board president created and eliminated whatever they felt necessary because the board president had that responsibility. She will have to look at this and have to get a legal opinion on this. She commented that's what this board has done but if they want to change it, it can be discussed as a full board. She wanted to point out that at that time for the Finance Committee, every single item that was discussed that was on the agenda or including the full board budget had been gone through with the entire board exactly. Except for decisions that were made in the Finance Committee, which no decisions should be made in any committee because it's treated equally within every committee we have.

Mr. Kupser spoke of the language in the policy on committees; 'members shall perform the duties as assigned by the Board, which may include deliberating, making decisions/recommendations or taking other action specifically authorized by the Board'. He stated that ideally, within committee there should be decisions that are made that not every decisions needs to come back to the board.

Ms. Reed said that it does because you need a quorum vote, the decision of the committee can come back and say this is our recommendation.

Mr. Kupser commented that policy may need to be change; 'the committee shall perform duties which may include deliberating, making decisions, recommendations or taking action specifically authorized by the board'. This is what the policy says.

Ms. Reed commented that the entire time she was on the committee they met with Ms. McLachlan whenever they met. If there were 5 bids going out she would wind down what her choice was, the committee was given all the information and the committee would make a choice to make the recommendation to the board. A vote has to be a quorum and committee cannot be a quorum.

Dr. Pomponio said when they discussed this as a policy we discussed that making decisions or recommendation were all part of one. It is something that is decided by the group like when we have a policy committee we decided that this was important enough to move to the full board as a recommendation. That's why it was decisions or recommendations.

Mr. Kupser said he felt there should be language that gives some discretion and direction as to what is the responsibility of the committees level of decision and what is discretionary that should be brought to the board.

Dr. Pomponio said that since there is an issue with the understanding of this, she is going to forward it to the Policy committee.

Dr. Pomponio said her point on the Finance Committee was to bring all the information to the board so that there is transparency on all things dealing with finances. She has friends and family who ask financial questions saying things don't add up or what's going on with this. Questions about childcare, latchkey or the big fund of \$2.4 million in the budget that was spent in 2008. Bringing it to the board would put it out there for all to see and hear especially after coming out of a deficit.

Ms. Chretien asked if Dr. Pomponio could clarify the \$2.4 million that was spent in 2008, as we have a viewing audience.

Dr. Pomponio said that was a curriculum budget. In the curriculum committee the information from that time period was from the budget for the curriculum which stated over a period of four or five years that totaled \$2.4 million. In fairness to our students and with student achievement being the focus and the teachers that had to give up money for the time we were in deficit and we are now giving Ms. Pastor a curriculum budget because we are long overdue for textbooks and new materials for our students because they are being copied and we have old tattered books. The curriculum department has a concern saying- well I know this happened back in 2008- but you got a community that's looking at that and saying \$2.4 million, five years; Dr. Pomponio looked at line items and it says blank, blank or AC, it was vague. As a community member she is concerned saying, o.k. I want to know more about the finances, let's just keep it transparent. Not a lot of people go to the committee meetings. She thought it was best for accountability and transparency that we stay on track with where we are in the budget with the millage and everything. Finances is a big deal, it's not just a small, little committee. It makes a difference when people are looking at what we have. We are sending our kids to school here to take assessments and to improve their student achievement. Ms. Pastor has a budget now she is going to have new materials, but we don't want people in the community saying- wait a minute you had this big budget where did it all go. She does not want the emphasis on Ms. Pastor, she wants it all in the open so they can discuss it.

Ms. Chretien asked a question for clarification on Ms. Reed's comment about the Finance Committee being 4 years old. She is not sure when it was first established as a standing committee. If it is 4 years old that would have been around 2012 or 2013. Which would mean there was no finance committee in the five years leading up to 2008 when we went into deficit. Ms. Chretien stated she is struggling to understand the relationship between the Finance Committee at that point in time. She was not in the district in 2008 or the years leading up to that but she imagines those amounts of the curriculum budget were approved during the budget process during the budget hearing, by the full board.

Dr. Pomponio said it was brought to our attention and even to her as a citizen and a parent. It's concerning if there are no books or new curriculum. They are trying to set up a schedule that brings each program in alignment with what's needed to be updated. Even though that was voted on and approved or recommended to a board, she thinks it is important that we monitor this in an open forum because it's not the first thing or the first time they have come across things where they say, how did that happen, how did this happen over at Asher. We have long lengthy discussions in an open meeting and the same thing is in the Finance Committee. So she just thinks it should be transparent and we need to have an open full board discussion which we already do.

Ms. Pastor commented, in an effort to be transparent, looking at the historical spending in curriculum there were some years leading up to the deficit that she found large amounts of money allocated and spent in curriculum. When looking at specific line items and trying to figure out what we spent in those years on textbooks, instructional equipment, there were some journal entries that say; reclassification with no explanation. There are large amounts that were done during those five years. We don't have journal entries to go back and look at. Ms. Pastor agrees with Ms. Chretien, she was not sitting at the board at that time but would have to believe that those budgets were brought to the board at some point. She was investigating the spending to try and look at what to project, what we might be looking at in the future and what she found was a 'can of worms', that she frankly does not think it helps us to move forward in the curriculum. We know the current state of our textbooks, we have the copyright dates, we know how old they are, we can see the condition and her idea was we can't change what happened in 2008/09 and before. We can now just move forward in making sure those things don't ever happen again and we have a finance director that does not allow those things to happen.

Ms. McLachlan would like a little assurance or some comments of what the boards' perspective is on what happens in the business office now.

Dr. Pomponio replied that it is great, Ms. McLachlan is doing a good job. But because of some of the things they have encountered through board business, just with things that have been even brought to Ms. McLachlan's attention, and it's nothing against Ms. McLachlan it's just that she thought it was valid arguments to say this happened, this happened, let's just bring it temporarily to the full board and let's just see how that goes, there's a full board discussion. She is elected and when she has 4 or 5 people asking her these kind of things it's important she brings that information here. That's why she thought it was a good solution. The whole board can talk about it and decide, get down to the policy statements.

Mr. Green commented that he can respect the fact that Dr. Pomponio and Ms. Reed have seen the tough times, and they care about this community and that's why they both have been elected and why they are both involved. They have that aspect of experience which has been pointed out over and over again. In that same time they got burned a little bit because they were on the board when some of the decisions were made, even if they didn't make the decision; there may be some mistrust. The new board members may not know that, but somewhere along the way this is our current administration, this is our current board. We can look in the past all we want, and we can oversee, but we have to trust each other at a point to let everybody do their job and find some happy balance. It feels like it's us versus them, what's the president's role, what can the president do, what can this person do what can that person do. Somewhere along the way we have to bridge this gap and move forward and put some trust into each other, with the oversight that the board is supposed to do.

Ms. Reed made a comment about the superintendent making a statement when she was first hired that we had all new textbooks.

Ms. Chretien asked Ms. Reed if she was referring to her and stated she never made that comment.

Ms. Reed said it was made at the June 13, 2017 meeting and could be heard at the 50 minute mark.

The board spoke about public perception, working as a team and building trust. Remaining objective and professional. Disagreements will occur but should not be taken personal, agree to disagree.

Conflict/Resolution:

Dr. Pomponio stated this was already covered.

Board Professionalism:

Dr. Pomponio stated this was already covered.

Dr. Pomponio asked for everyone to get along and respect each other. Board goals will be researched and firmed up.

Mr. Freitas addressed Dr. Pomponio regarding the statement she made when speaking of her role, that it is her legal right to contact the law firm. His personal opinion is, every time she contacts the law firm it costs the district money. He thinks that if it's pressing yes, but if there are some issues that aren't pressing she should ask the board if she should get a legal opinion. The law firm is going to say 'yes, contact me all the time', because every time we contact them they charge you.

Dr. Pomponio said they are only allowed to talk to board presidents' and superintendents. The first thing she did was to contact them about the superintendents' contract because she was the only one that was able to. They couldn't speak to the whole board on that.

Mr. Freitas said his point is that the board should give her direction to contact.

Dr. Pomponio said that is not how it has been with any board.

Mr. Freitas said it is his personal opinion there should be policy that the board should give the directive to contact.

Dr. Pomponio said she absolutely agrees, when she was a board member and there was another board president she didn't get a lot of information. She didn't know who spoke to who and why and when. She felt like she didn't know everything. So she does understand what Mr. Freitas is saying, but she is doing what she has been told was appropriate.

Mr. Estheimer commented when talking about the traditional expectations of the board president; specifically in directing our superintendent, making specific directives to her. One of his first conversations with the superintendent was that she responds to the board, not an individual board member. She didn't specifically say she doesn't respond to the president, she said specific board members. He would like clarification or discussion on that topic because he knows that has been a bone of contention as far as Dr. Pomponio feeling that at different times her voice wasn't being heard. He would like to know what her opinion is on that or discussion from other board members. He feels when we get past that, it will help things move a little bit more smoothly.

Dr. Pomponio stated there is a policy that directs the board president to other duties and responsibilities with respect to the superintendent. She didn't have the policy with her as she wasn't prepared to speak on this, but it's in the policy when it talks about other duties.

Mr. Estheimer said it would be o.k. to table that discussion for a future meeting.

ADJOURNMENT

201/18-23 It was moved by Mr. Kupser supported by Mr. Green, the board adjourn the meeting at 8:00 p.m.

YES: Craig, Estheimer, Freitas, Green, Kupser, Pomponio, Reed

NO:

Respectfully submitted by: Theresa Grzechowski

Andrew A. Green-Secretary
Board of Education

Board meetings may be viewed in their entirety on our website: www.southgateschools.com

