

DAVENPORT COMMUNITY SCHOOL DISTRICT
ACHIEVEMENT SERVICE CENTER
JIM HESTER BOARD ROOM
1606 BRADY STREET
DAVENPORT, IOWA 52803
MONDAY, DECEMBER 4, 2017

COMMITTEE OF THE WHOLE MEETING

The Board of the Davenport Community School District in the Counties of Scott and Muscatine, State of Iowa, met on Monday, December 4, 2017 for the Committee of the Whole Meeting. The meeting was held at the Achievement Service Center, 1606 Brady St., Davenport, Iowa, in said District. President Johanson called the meeting to order at 5:30PM. Present: Director's Johanson, DeSalvo, Hayes, Beck, Potts, Mayfield and Gosa.

1. District Affirmative Action Plan

Dr. Tate explained this is a follow up to the meeting on minority hiring and promotions in the district and to further a discussion on how and when the District's Affirmative Action Plan can be used to achieve those goals. Ms. Meyer said that when Dr. Tate or Dr. Goldstone call her with an idea on how to increase minority representation she has to say no many times to their suggestions because equal opportunity employment and affirmative action and looking at protected status means everyone is protected under the law so it is equal employment opportunity for everyone. She explained that the Affirmative Action Plan is a vehicle for looking at existing disparities and coming up with a plan on how to address those disparities whether it be a policy or practice that is in place. Iowa law has requirements on what is to be included in an Affirmative Action Plan and generally the plan starts with the quantitative analysis. In this analysis the District is to look at the relevant employment market and compare it to the school district employees. For example then, it is not so much a matter of just looking at the percentage of African American employees/population in our district as it is looking at the relevant labor market when doing that analysis. So when looking analyzing the data it is looking at district data in comparison to the relevant labor market.

She stated there were comments from the last meeting regarding our student population in comparison to employees, and that is appropriate, however, we have to remember we are working within the constraints of people who apply for positions, live in the community, and who want to work for the district. The quantitative analysis determines whether there disparities. The district has been focusing the hiring process, process for posting jobs, and the interview process. These were the areas that were reviewed and changed as a result of the 2013 meeting with the Thomas Mayes from the Department of Education and a review of the Affirmative Action Plan at that time. The district put many different procedures into place, for example, with the interview process to make sure the interview team was diverse. Another thing the district has done historically is recruited at colleges where there is a traditional minority representation, even though this has not proven very successful in the past.

Ms. Meyer said that Dr. Tate has sent her a specific list of questions/suggestions that came directly from the NAACP and other individuals regarding the possibility of creating mandates or revising the Affirmative Action Plan. She reviewed this list of questions and provided answers to the following questions:

1. *Question:* Can we use the Affirmative Action Plan to direct, mandate or encourage the selection of minority teachers and administrators? *Answer:* The District is trying to recruit and hire other individuals with the caveat that we are always required to hire the most qualified individual.
2. *Question:* Can the board publish a strong statement about the positive effect of hiring minority teachers and administrators? *Answer:* Much of the documentation from the District includes statements saying the district encourages minorities or those with disabilities to apply for positions and that is appropriate.

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3. *Question:* Can the district establish a quota for hiring minority teachers and administrators? *Answer:* No. A quota is illegal.
4. *Question:* Can we direct the superintendent to hire a certain number or percentage of teachers and administrators during the current school year and use during his next evaluation? *Answer:* If you are looking at a certain percentage of teachers who are minorities that is illegal.
5. *Question:* Can we provide additional hiring incentives and salary to minority teachers? *Answer:* No. She explained that if you are looking at why someone's salary is higher than another person and the reason is due to them being female, African American, disabled, etc. the district would be treating someone differently and this is illegal.
6. *Question:* Can the board write into policy that special consideration will be given to minority teacher and administrator applicants during the hiring process? *Answer:* She advised to be very careful about this. She would want to review this to see what it says exactly because again, you can encourage individuals who are minorities or disabled to apply for positions, but to the extent you would want special consideration that they would have a certain box that would be checked or they would be moved higher up in the ability to interview or be hired, this would not be legal.
7. *Question:* Can the district provide courses and orientation for minorities to assist them with applying and interviewing for vacancies? *Answer:* Yes, but it would have to be done across the board and offered to everyone.
8. *Question:* Can the district adjust hiring practices to include additional points awarded during an interview for minority candidates, including having a place on the application for an individual's ethnic background? *Answer:* Adding additional points based on this criteria is not allowed.
9. *Question:* Can the district give additional credit for minority candidates during the screening process for selection to be interviewed? *Answer:* To the extent it is only being based on whether someone is male, female, or a certain race is not allowable.
10. *Question:* Can the district during internal or external advertising for vacancies, indicate that minority candidates are specifically being sought? *Answer:* The District can put an encouragement in the opening.
11. *Question:* Can the district advertise internally and externally exclusively for minority candidates? *Answer:* The district would not be allowed to specifically say for example, "looking for African American male for teacher position" but the district is allowed to post positions in publications that target a specific audience.

Board members asked a variety of questions and Ms. Meyer emphasized that with the Affirmative Action Plan the district always needs to do the quantitative analysis that looks at the diversity of our employees vs. the community, not just the community we live in, but also the community that provides the hiring pool to determine if there is an imbalance or disparity. Ms. Meyer said that statistically, the district is actually doing quite well. Director Mayfield asked if this means there is no area that the district lacks in terms of proportion. Ms. Meyer said that based on the 2013 Affirmative Action Plan there were areas lacking but they were for individuals with disabilities. Director Mayfield noted that recent data may be different and he would like to see the most recent data if possible. President Johanson asked if an outside entity could bend the rules according to the Affirmative Action Plan and Ms. Meyer said the same rules would apply for any outside entity acting on behalf of the District and the only exception would be if you have been sued and it was shown there was a history of not hiring certain people but the District does not have this issue. Director Beck advised that the best area of focus for the district should be targeting a particular audience with job announcements and openings.

Director Mayfield provided an example of asking who would be more qualified for a position. There was continued discussion concerning this and Director Mayfield made the point that there was a position where the person with the PhD was hired instead of the person with the experience working with the students and he felt the person who could better relate to the students would have been a better fit for the position and these opportunities don't come along very often. Dr. Tate closed the discussion by stating he will be working on a statement to be included in the Affirmative Action Plan.

2. Energy Conservation Projects

Dr. Tate distributed a sheet with the Long Range Facility Plan (LRFP) Priorities established at the March 3rd, 2017 Committee of the Whole Meeting and explained that before the meeting is over he would like feedback from the board on whether they want to make changes to these priorities. The priorities for the board to review on the list were the following:

- 1) Health and Safety
- 2) Conformance to education specs to improve academic achievement
- 3) Pre-K at elementary schools, new multipurpose/dining rooms on main floor
- 4) District of Distinction program to attract enrollment and offer excellence
- 5) Projects that reduce the negative impacts of poverty on our families
- 6) Energy efficiency project to lower general fund utility costs
- 7) Using capital funds for eligible expenses currently in general fund.

Dr. Tate emphasized the board needs to provide the administration with guidance on these priorities. The first presentation consisted of Mike Maloney providing an update on the progress with the Energy Efficiency Measures (EEM) because this is part of the LRFP. He explained the total projected incentives the district will receive from MidAmerican Energy resulting from the EEM's shown on one of the data sheets is \$361,477. The total annual energy savings projected to result for the EEM's is \$158,665 annually. The total net cost after incentives is 1.1 million. This is from the EEM's implemented at five buildings so far which includes Adams, Central, North, Williams and West. Assessments are now underway at Buchanan, Fillmore, Hayes, Jefferson and Washington. A new Request for Proposals for a solar power purchase agreement was issued this week and proposals are due in January. Mr. Maloney added that due to the complexity of the inter-related systems their team has indicated that a three year implementation rather than two years is more realistic. Their goal is still to achieve energy savings of up to 1 million annually by FY20/21.

3. Long Range Facility Plan Discussion

Mike Maloney reviewed the Long Range Facility Plan (LRFP) priorities and reviewed the list of LRFP projects and unmet needs and some of the projects that were delayed due to the emphasis on pursuing energy efficiency measures throughout the district. After reviewing the projects he stated that he and his team believe it is clear that some reprogramming of the LRFP project sequence needs to take place. The team recommends spreading out the EEM's over a couple more years and allocate more to other district priorities. Board members were agreeable to this recommendation.

There was some extended discussion about the North Athletic Facility project. Mr. Maloney explained he met with staff at North High and explained what they could do for them with \$450,000 and they decided this plan was inadequate and said they would rather wait and do fundraising or go to the board for additional funds. Director DeSalvo read the list of funds spent at each high school and noted there is a big disparity on how much has been spent for North High School. She asked the board to consider this athletic facility a priority. Mr. Maloney said they are on hold with the project pending further direction. Director Gosa asked about the PreK project and the number of kids in preschool. Bill Schneden stated that 465 current kindergarten students had not been in any pre-school this past year. Director Mayfield asked if the pre-school expansion would involve new construction and Mr. Maloney said they think it can be done with renovating existing structures.

Board members provided their feedback concerning the LRFP priorities:

President Johanson indicated that he is not ordering these items in any particular priority and accepts the priorities as written but added the North Athletic Facility and would also add Athletics and Skilled Trades as additional priorities.

Director DeSalvo: 1) Health and Safety; 2) PreK; 3) North Athletic Facility 4) Projects that reduce poverty; 5) District of Distinction programs to attract enrollment; 6) Conformance to education specs; 7) Energy efficiency; 8) Using capital funds.

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Director Mayfield: 1) Health and Safety; 2) Pre-K; 3) Conformance to education specs 4) District of Distinction Programs; 5) Projects that reduce impact of poverty; 6) Energy efficiency; 7) Using capital funds.

Director Potts: 1) Health and Safety; 2) Conformance to education specs; 3) District of Distinction program; 4) Pre-K; 5) Projects that reduce impact of poverty; 6) Energy efficiency 7) Using capital funds.

Director Gosa: 1) Health and safety; 2) Pre- K; 3) Athletics and the Arts 4) Energy efficiency 5) Projects that reduce impact of poverty; 6) District of Distinction programs 7) Conformance to education specs; 8) Using capital funds.

Director Beck: 1) Health and safety; 2) Pre-K; 3) Energy efficiency; 4) Conformance to education specs; 5) Projects that reduce impacts of poverty; 6) District of distinction programs; 7) Using capital funds.

Director Hayes: 1) Health and safety 2) Energy efficiency 3) Pre-K 4) Conformance to education specs 5) District of Distinction programs; 6) Projects that reduce impact of poverty; 7) Using capital funds.

ADJOURNMENT

By consensus President Johanson declared the meeting adjourned at 9:00 PM.

Mary Correthers, Board Secretary/Treasurer