

# Minutes of Regular Meeting

## The Board of Trustees Lake Travis Independent School District

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A meeting of the Board of Trustees of the Lake Travis Independent School District was held January 29, 2009, at the Educational Development Center, Live Oak Room, 607 Ranch Road 620 North, Austin, Texas 78738.

### Call To Order

President Jim Cummings called the meeting to order at 6:02 p.m.

### Quorum Determination

Trustees Jim Cummings, Susan Tolles, Jason Buddin, Mayo Davidson, Kim Nixon, and Alan Williams were present. Fred Goff was not in attendance.

### Closed Session

Trustees convened into closed session at 6:02 p.m., as permitted under, Government Code Section 551.001 et. seq.

#### **A. Section 551.074 – Personnel Matters**

1. The Board will discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public employees or officials. (This may involve consultation with attorney, as permitted under Section 551.071.)

a. Superintendent's Contract.

#### **B. Section 551.071 – Consultation with Attorney**

1. The Board will discuss and receive legal advice from its attorney regarding pending litigation under Texas Government Code Section 551.071(1)

a. Meadows v. Lake Travis Independent School District, Docket No. D-1-GN-08-003514, in the 250<sup>th</sup> Judicial District Court in Travis County, Texas.

b. Marble Falls Independent School District v. Scott, et. al., Case No. 03-07-00576-CV, in the Third Court of Appeals of the State of Texas

2. The Board will discuss and receive legal advice from its attorney on matters which should be confidential under Texas Government Code Section 551.071(2).

Closed Session adjourned at 6:33 p.m. and the Academic Excellence Indicator System (AEIS) Public Hearing began at 6:33 p.m.

**Academic Excellence Indicator System Public Hearing** – Kathy Burbank, Director of Accountability and Achievement, presented a report on the 2007-2008 Academic Excellence Indicator System (AEIS). Community members attending the hearing were given an opportunity to make comments regarding the AEIS report. Audience comments were made by community member Carol Johnson.

Trustee Goff joined the public hearing at 6:40 p.m.

The full report can be found at [www.itisdschools.org](http://www.itisdschools.org)

Academic Excellence Indicator System (AEIS) Public Hearing ended at 6:43 p.m. and closed session resumed at 6:45 p.m. Closed Session adjourned at 7:03 p.m. and open session resumed at 7:04 p.m.

### **Pledge of Allegiance and Moment of Silence**

The Pledge of Allegiance was led by Trustee Nixon. A moment of silence was observed.

### **Superintendent's Report**

***School Board Recognition*** – Trustees were presented with a gift and cards from each campus in honor of School Board Appreciation Month. Marco Alvarado, Director of Communications, Media & Community Relations, read a proclamation from Governor Rick Perry recognizing school board members for their service.

### **Audience Comments**

There were no requests to address Trustees.

### **Discussion and/or Action**

#### **Administration and Accountability**

***Bond Program Update*** - Jim Ratcliff, Senior Director of Facilities, Construction and Support Services, provided an update on the bond program construction.

***2009-2010 Instructional Calendar*** – Dr. Diane Frost, Deputy Superintendent, provided an overview of the 2009-2010 instructional calendar.

A MOTION was made by Trustee Cummings, seconded by Trustee Nixon, to approve the 2009-2010 Lake Travis ISD Instructional Calendar as presented. All Trustees voted in favor (7-0).

### **Consent Agenda**

1. Revisions, Deletions, and/or Additions to Board Policies
  - a. GRA (Local) Relations with Governmental Entities: Local Government Authorities
  - b. GBBA (Local) School Communications Program: News Media Relations
  - c. GBAA (Local) Information Access: Requests for Information
2. Staff Development and Early Release Waivers for 2009-2010 and 2010-2011
3. November and December 2008 Financials - Statement of Revenues & Expenditures, Balance Sheet, Summary of Tax Collections, and Quarterly Investment Report.
4. Minutes - December 11, 2008; January 8, 2009 Board/Superintendent Team Building; January 15, 2009 Board/Superintendent Summative Conference

A MOTION was made by Trustee Davidson, seconded by Trustee Goff, to approve the consent agenda as presented. All Trustees voted in favor (7-0).

Open Session adjourned at 7:38 p.m. and closed session resumed at 7:41 p.m. Closed Session adjourned at 8:51 p.m. and open session immediately resumed at 8:51 p.m.

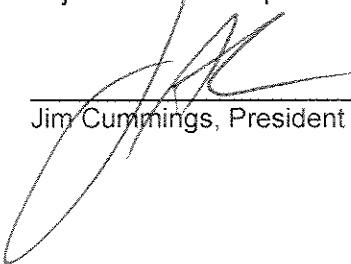
**Governance and Legal Services**


***Superintendent's Contract***

A MOTION was made by Trustee Cummings, seconded by Trustee Nixon, to authorize the Board President to sign and execute the Superintendent's employment contract on behalf of the Board of Trustees, as discussed in Closed Session, and to attach to the official minutes of the January 29, 2009 Board meeting the statement regarding said contract authored by the Board President. All Trustees voted in favor (7-0).

**Adjournment**

There being no further action, the January 29, 2009, Board of Trustees' meeting adjourned at 8:57 p.m.

  
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Jim Cummings, President

  
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Jason Buddin, Secretary

The next item on the agenda deals with the Superintendent's Contract. Annually, in either December or January, the Board of Trustees conducts the summative evaluation of the Superintendent. A few weeks ago we completed that evaluation, and tonight's consideration, then, takes that evaluation into account.

Before I call for a vote on this item, I have a few comments that I would like to make which focus in on some the major pieces of Dr. Kirk's evaluation and performance in our District.

- First, and foremost, concerning our Academic performance: it continues to increase. On the Texas Academic Skills test, or TAKS, in the "All Student" category, in each and every subject area tested, Lake Travis ISD students scored above 90%. Further, our District is one of only a handful of districts in the Austin region to earn a Recognized rating for this past school year. And in those areas where the district is challenged to do even better, Dr. Kirk and his team have a proactive and energetic plan for improvement.
- Second, in 2003 and again in 2005, Lake Travis voters approved bond program packages of \$36 million and \$126 million respectively. In both cases, those bond programs have been implemented with the highest levels of accountability and integrity. And, every component within those two bond programs has been / will be delivered as promised to the community. I just can't say enough about the professionalism and competency that has been brought to bear in this area of our district operations. It speaks well of the leadership provided by Dr. Kirk and his team. They have made this happen.
- And, finally, as evidenced by the success of the team involved with our bond programs, we see clearly that one of Dr. Kirk's strengths is hiring the highest quality people to serve with and around the students of Lake Travis. Our teachers are some of the best in the state. The support staff, the administrative team, and everywhere in between, we have an exceptionally high performing staff. And, this is without question one of the hallmarks of Dr. Kirk's leadership in our district.

As President of the Board, I believe I echo the sentiments of each Board member in communicating publicly the confidence and appreciation we have in Dr. Kirk's leadership, and the desire we have to ensure that he continues to do that work in our District for many years to come.

Turning towards our vote on Dr. Kirk's contract, please let me make some further specific comments about it:

- First of all, we desire to keep the Superintendent employed under a five-year contract, which is the longest term allowed by state law.
- Second, it is the desire of every member of this Board to compensate the Superintendent in a manner that is competitive within the context of other high performing districts around the state, regardless of size. Because these are the districts who have already tried, and/or will try in the future, to seek out Dr. Kirk's interest to serve in their districts.

Having said that, Dr. Kirk has asked for a change in his contract for this coming year that is somewhat unprecedented. Although within his current contract, he is eligible for a minimum 4% salary increase, he has requested that the Board reduce this increase by 50% to a 2% salary increase. In making this request, he has shared his concern about the national economy in general and the impact that it is having on the Austin region, and to some extent on the Lake Travis ISD community.

As a Board, we are humbled by this request. And, we want to make it perfectly clear that this reduction is in no way a function of his performance. Instead, it is a reflection of Dr. Kirk's humility and his sensitivity to the current economic situation, showing in yet another way just how great a leader we have in this district.