



BOARD OF EDUCATION  
Minutes  
Tuesday, February 21, 2017

1. Call to Order and Roll Call

- Attachment #1: Menu

RECOMMENDATION: Presiding Board Member calls meeting to order and roll call

The meeting of the Board of Education of Douglas County School District Number RE1 was called to order by President Silverthorn at 5:14 p.m.

BOARD MEMBERS PRESENT: Geddes (arrived 5:17 p.m.; departed 10:34 p.m.), Lemieux, Peck (arrived 5:23 p.m.), Ray, Reynolds, Silverthorn, Vogel

ALSO IN ATTENDANCE: Interim Superintendent Kane, Deputy Superintendent Cook, Assistant Superintendent Knight, Chief Financial Officer Betz, Chief Technology Officer Sethi, Chief Assessment & Data Officer Reynolds, Personalized Learning Officer Ingalls, Chief Communications Officer Barber, General Legal Counsel Trachman, N. Eichelberger, Secretary

2. Pledge of Allegiance

3. Board of Education: Department Budget Worksheet(s)

- Attachment #1: BoE Department Worksheet January 2017

President Silverthorn asked board members for unanimous consent to add the proposed policy revisions to GP 1.8 Board Members' Code of conduct to the Consent Agenda, because it was inadvertently left off during the agenda planning meeting.

Director Ray objected because, in his opinion, the public had not had a chance to view the proposed revisions to the policy.

Director Geddes arrived at 5:17 p.m.

NEW - Motion

Member Silverthorn moved, Member Vogel seconded that the Board of Education adds the proposed policy revisions to GP 1.8 Board Members' Code of Conduct as Agenda Item 27.5 for board consideration.

Geddes, abstain; Lemieux, aye; Ray, nay; Reynolds, aye; Silverthorn, aye; Vogel, aye. Upon a roll call vote being taken, the vote was: Aye: 4 Nay: 1 Abstain: 1 The motion carried 4-1-1.

4. 15-minute Recess Called to Serve Dinner and Move to Conference Room for an Executive Session (a closed session)

RECOMMENDATION: Information only

Convene in Executive Session I

5. Convene in Executive Session (a closed session)

Real Estate matters e.g. the purchase, acquisition, lease, transfer or sale of real, personal or other property pursuant to C.R.S. § 24-6-402(4)(a); to hold conference with the Board's attorney to receive legal advice concerning pending legal questions, pursuant to C.R.S. § 24-6-402(4)(b); to be advised on specialized details of security arrangements and investigations pursuant to C.R.S. § 24-6-402(4)(d); to determine positions relative to matters that are or will be subject to contract Negotiations, developing strategy for those negotiations, and instructing negotiators, pursuant to C.R.S. § 24-6-402(4)(e); Personnel Matters, including actions, updates, and Superintendent recommendations involving individual employees, pursuant to C.R.S. § 24-6-402(4)(f); to consider documents protected by non-disclosure provisions of Colorado Open Records Act pursuant to C.R.S. § 24-6-402(4)(g); and/or to be advised on Individual Student matters, where public disclosure would adversely affect the person or persons involved, pursuant to C.R.S. § 24-6-402(4)(h). Recommendation: That the Board of Education convenes in Executive Session (a closed session) to discuss: - Personnel Matters, including actions, updates, and Superintendent recommendations involving individual employees, pursuant to C.R.S. § 24-6-402(4)(f), specifically: Dismissal of Licensed Teacher - Legal Matters to hold conference with the Board's attorney to receive legal advice concerning pending legal questions, pursuant to C.R.S. § 24-6-402(4)(b), specifically: Colorado Department of Education Notification of Charges Against an Individual

Member Reynolds moved to convene in Executive Session, a closed session, to hold conference with the Board's attorney to receive legal advice concerning pending legal questions, pursuant to C.R.S. § 24-6-402(4)(b), specifically Colorado Department of Education Notification of Charges Against an Individual; and Personnel Matters, including actions, updates, and Superintendent recommendations involving individual employees, pursuant to C.R.S. § 24-6-402(4)(f), specifically: Dismissal of Licensed Teacher. Hearing no second, the motion failed.

Director Peck arrived at 5:23 p.m.

6. 15-minute Recess Called to Break and Return to the Board Room for the Regular Session

7. Re-Convene Regular Session

President Silverthorn reconvened the regular session at 6:00 p.m.

The Student Voice for the Board of Education meeting was Alec Greven, Student Advisory Group Chair.

8. Student and Staff Recognitions

RECOMMENDATION: Information Only

Interim Superintendent Kane announced that Douglas County Schools have become a powerhouse when it comes to cheerleading and poms. Mrs. Kane said that State championships were held in December at the Denver Coliseum and District schools won three of the titles. Mrs. Kane invited the Rock Canyon Cheer Team to the front of the room along with their Coach Amanda Mundaca, Athletic Director Tom Brieske and Principal Andy Abner. Mrs. Kane shared that during the competition Rock Canyon became the 5-A Cheer Champions, overcoming a fourth place finish in the prelims to top Eaglecrest and Grand View.

Interim Superintendent Kane asked Ponderosa's Poms Team to join her at the front of the room along with their Coach Angela Ottmann, Principal David Haggerty and Athletic Director Tim Ottmann. Mrs. Kane shared that during the Spirit Championships, the Ponderosa Poms Team became jazz champions and that this was the eighth State Championship in the jazz division for Ponderosa. Mrs. Kane said that the Ponderosa Poms program had also won two State championships in the pom division garnering ten total State Championships. Mrs. Kane announced that the Mustangs had also won nine continental league titles and seven CHSAA All-Academic Team Championships. Mrs. Kane said that this was an incredible achievement and to put it into perspective, the poms team was now tied with Ponderosa's fabulous wrestling program for the most State championships not only in the history of Ponderosa, but any school in Douglas County. Congratulations!

Douglas County Clerk & Record Merlin Klotz and Deputy of Elections Sherie Davis thanked the District for the partnership between the District and the Douglas County Elections Division. Mr. Klotz shared the benefits of working collaboratively in many areas, but the evening's celebration was in recognition of the Junior Election Judges program. Ms. Davis presented a check in the amount of \$5250.00 to the school district, dollars earned by the students who serve as Junior Elections Judges on Election Day. Ms. Davis shared that the students donate their earnings to a program of their choice and they receive community service credit for their participation.

#### 9. Public Comment

RECOMMENDATION: Community input that can help the District meet the challenge of becoming the best school system possible is always welcome.

- Justin Gerstner of Parker addressed the Board of Education regarding research pertaining to the educational growth of elementary school students who are struggling with their homework. Mr. Gerstner attributed significant success to the use of specific software to keep kids engaged. (A handout was provided.)
- Michelle Grissom of Denver, a social studies teacher at Mountain Ridge Middle School, shared some research as part of Douglas County Federation of Teachers Education Research Series. Ms. Grissom urged the board to budget what they value. (A copy of the leadership folder was provided to each board member as well as the superintendent.)
- Tim Krug of Franktown recognized Interim Superintendent Erin Kane. Mr. Krug shared that he did not think Mrs. Kane was the appropriate person for the position, because he thought a superintendent should have as much

prior experience as possible. However, Mr. Krug said he was extremely impressed with Erin Kane. Mr. Krug stated that Mrs. Kane has an unbelievable work ethic, demonstrated intelligence, resiliency in a very tough district and demonstrated a willingness to listen. Mr. Krug has faith, confidence and excitement about Mrs. Kane being the superintendent in Douglas County. Mr. Krug urged the board to be unified in their selection of Mrs. Kane as the superintendent. Mr. Krug volunteered to participate in the outreach efforts to educate and advocate for the need of a bond and mill levy override.

- Dave Usechek of Parker asked the School Board Directors to reconsider its current policy on funding local mill levy override funds in supporting charter schools and enrolling out-of-district students. Mr. Usechek believes that the intent of voters approving additional revenue to District schools was intended for our local students. Mr. Usechek shared charter school enrollment statistics. Mr. Usechek agreed that the District needs more money to repair the schools and make teachers' salaries competitive, but when the District gives away money to a platform of privatizing education and to provide new charters, how can the District ask the voters to give more when it does not go to District students, but to others.
- Steven Reese of Parker, a parent of three Douglas County School District graduates, addressed the Board of Education about retaining the best teachers in the classroom. Mr. Reese believes that the two indicators that point out the importance of the matter are the high teacher turnover and the loss of the accreditation with distinction rating. Mr. Reese provided three recommendations he urged the board to act upon - hire a top flite superintendent; increase teacher level pay; and cultivate an environment that attracts and values great talent in the classroom.
- Amy McDowell of Highlands Ranch and speaking on behalf of Douglas County Parents, a grassroots organization representing several thousands of parents and community members, shared that on February 12 almost 200 concerned citizens came together with the District's upper administration team to search for solutions in hopes of avoiding drastic budget cuts to middle and high schools. Ms. McDowell stated that the children of Douglas County deserve to have their education funded appropriately. Ms. McDowell affirmed that trust was easy to lose and hard to regain and highlighted several scenarios where trust erodes. Ms. McDowell urged the board to restore trust and fully fund middle and high schools first.
- Kevin Leung of Castle Pines commented on Agenda Item #27 Board File BE/BEA/BEB Board Operations. Mr. Leung suggested that if board members were not committed to serve the students of the District, then they should resign. Mr. Leung stated that in his opinion the reform majority has continued to exercise poor judgement in many board affairs. Mr. Leung said he has heard the minority board members complain loudly that they are rarely involved in the agenda setting meetings. Mr. Leung commented on the retention rider for upper administration as compared to staff. Mr. Leung asked for a review of the process to appoint a board member in the event of a vacancy. Currently, he feels the president has too much authority. Mr. Leung urged the board to add more transparency and common sense in its governance. Mr. Leung thanked the minority board for their work.

- Gary Colley of Parker, speaking on behalf of the Community Accountability Committee (CAC), noted that Interim Superintendent Kane was a good communicator and has developed a good reputation. Mr. Colley supposed that the Interim Superintendent, as the board's employee, would be a great resource for the board and the board should take her advice under advisement. Referencing the resolution regarding the support of volunteers, Mr. Colley stated that it should be acknowledged that some volunteers step away from committees due to perceived attacks from the board and central administration liaisons. Mr. Colley said that the District needs an effective grievance procedure to address volunteer, staff, parent and community concerns.
- Stephanie Van Zante addressed the Board of Education on the secondary school cuts. Ms. Van Zante noted that she had heard Interim Superintendent Kane speak to the District's funding challenges for the next year. Ms. Van Zante said cabinet members misstate funding for high schools and include fees for academics and athletics to the per pupil revenue number. Ms. Van Zante believes the numbers are fluid and change from meeting to meeting. Ms. Van Zante said that per pupil revenue from 2008-2009 has increased \$537, yet the breakout by level was - elementary up 6%; middle up 3.3%; high school down 4.1%. Ms. Van Zante recounted statistics from the February 2016 budget presentation. Ms. Van Zante compared the Colorado Department of Education's enrollment numbers from 2008-2009 to 2016-2017 and stated that elementary enrollment had increased 5%; middle school increased 21% and high school increased 19%.
- The Reverend Dr. Tom Yondorf of Castle Rock, a parent of two Douglas County graduates, commented on the recent news of a decline in the District's performance and the loss of the rating of distinction in our schools. Dr. Yondorf encouraged board members to find out what other districts were doing right and what we were doing wrong. Dr. Yondorf suspected that the District was over emphasizing new charters and was not spending enough time looking for excellence for the rest of the schools. Dr. Yondorf believes the board has a history of making bad management choices and highlighted some examples. Dr. Yondorf stated that Douglas County was the fifth wealthiest county in the country and yet, the District pays thousands of dollars less to teachers. Dr. Yondorf said excellent teachers are the key added value for the classroom. Dr. Yondorf concluded by urging the board to stop pursuing new charter applications, and put together a taskforce to find out what other districts are doing right.
- Tiffany Martin of Castle Rock, a parent of two Douglas County School District students, commented on the recent town hall meeting and shared questions that she posed to Chief Financial Officer Betz regarding a discrepancy in the Human Resources budget for 2015-2016 compared to 2016-2017. Ms. Martin wants to believe that the District has her children in its best interests; however, at every turn, questions are evaded, deflected and mislead. Ms. Martin urged the board members to put the interest of students first in their decisions. Ms. Martin recounted that two years ago, her daughter addressed the Board of Education asking for more funding to the schools, and now, Ms. Martin was pleading with the board on behalf of her daughter and son.

10. Acceptance of Agenda

RECOMMENDATION: that the Board of Education approves the Agenda as presented

AMENDED - Motion

Member Vogel moved, Member Reynolds seconded that the Board of Education approves the agenda as amended by adding the proposed policy revisions to GP 1.8 Board Members' Code of Conduct as Agenda Item 27.5 for board consideration.

Geddes, aye; Lemieux, aye; Peck, aye; Ray, aye; Reynolds, aye; Silverthorn, aye; Vogel, aye. Upon a roll call vote being taken, the vote was: Aye: 7  
Nay: 0. The motion carried. 7-0.

Superintendent Reports

11. Superintendent Reports

- Attachment #1: Presentation

Director Lemieux commented that the DRAFT agenda was changed to remove the discussion regarding CMAS/PARCC, Balanced Assessments and the Colorado Department of Education Accreditation Report and stated that she had asked for several months that these issues be addressed. Director Lemieux believes that by removing these matters, the board has placed the Interim Superintendent out of compliance with Executive Limitation 1.8 Communications With and Support of the Board. Director Lemieux asked that these agenda items be added to an agenda as soon as possible.

Mrs. Kane summarized the District's philosophical shift and highlighted that a consideration moving forward was the high school budget matter. Interim Superintendent Kane introduced the market based pay and budget presentations. Mrs. Kane thanked Chief Financial Officer Betz for the work of her team.

Chief Financial Officer Betz introduced Director of Compensation Mary Chesla for a presentation on compensation.

12. Market Based Pay Updates (20-minute presentation; 20-minute Q&A)

- Attachment #1: Comp Teacher Salary Bands 16-17
- Attachment #2: Licensed Salary Range Proposal 17-18
- Attachment #3: Market Based Pay presentation

RECOMMENDATION: Information only

Director of Compensation Mary Chesla shared some data regarding compensation and presented the proposal from the Human Resources department.

Board discussion followed.

13. FY 2016-2017 2nd Quarter Financial Report and 2017-2018 Budget Update (20-minute presentation; 20-minute Q&A)

- Attachment #1: FY 2016-2017 2nd Quarter Financial Report
- Attachment #2: FY 2017 Adopted Budget Book Human Resources Department
- Attachment #3: FY 2016-2017 Adopted Budget Book School Summaries with Budgeted Spend Per Pupil

- Attachment #4: Presentation

Enclosed is the FY 2016-2017 Second Quarter Financial Report for the Board of Education's review. This report is in compliance with Colorado State Statute and the District's Policy. The report includes information for all District Funds with a comparison from prior year versus current year. A brief presentation will be shared highlighting key points of the Quarterly financials.

RECOMMENDATION: Information item only.

Chief Financial Officer (CFO) Betz introduced Budget Director Scott Smith. Mr. Smith reviewed the general fund numbers and some notable changes from prior year. CFO Betz reviewed the FY 2018 current projected cost increases as well as the increased budget allocations and next steps.

Board discussion followed.

Director Lemieux stated for the record that board members should not be cut off by the Board President when they are asking questions, because the questions are important and impact District students. Director Lemieux asked for clarification on why charter schools were omitted from the budget reports.

Director Reynolds asked how much of the contingency dollars are spent on a yearly basis.

Director Vogel asked if the increase to the Student-Based Budgeting (SBB) cost to schools was one time or ongoing. Director Vogel asked about the increase to high and middle schools and if the increase will make them break even for their budget.

Interim Superintendent Kane said that the issue of additional SBB dollars puts the schools' budgets very close to meeting their needs.

Director Vogel asked how salaries are calculated, and if there was a better system for funding schools.

Interim Superintendent Kane stated that the District was examining the school funding formula for FY 2018-2019 which includes talking to other districts.

Chief Financial Officer Betz said the District does true up charges to charter schools for purchased services.

Director Vogel asked about the Mill Levy Override purchasing power loss due to enrollment increases.

Director Ray asked for clarification about responsibility pay, specifically why the dollars are allocated but not spent. Director Ray asked what happens to the highly impacted dollars.

Director Peck said although enrollment has increased, the administration budgets have remained flat and central administration decreased and these efforts should be applauded. Director Peck asked if there was a waiver or exception from the Gallagher Amendment passed in 1992.

President Silverthorn thanked the budget department for their work. President Silverthorn asked Director Vogel to submit her additional questions in writing.

Adoption of Joint Motion Agenda

14. Board of Education: Unofficial Minutes

- Attachment #1: Unofficial Minutes Board of Education Retreat, January 27, 2017
- Attachment #2: Unofficial Minutes Board of Education Retreat, January 28, 2017
- Attachment #3: Unofficial Minutes Board of Education Meeting, January 17, 2017

RECOMMENDATION: that the Board of Education approves the minutes as presented under the Adoption of the Joint Motion Agenda

ORIGINAL - Motion

Member Reynolds moved, Member Peck seconded that the Board of Education approves the minutes as presented under the Adoption of the Joint Motion Agenda.

Geddes, aye; Lemieux, aye; Peck, aye; Ray, aye; Reynolds, aye; Silverthorn, aye; Vogel, aye. Upon a roll call vote being taken, the vote was: Aye: 7  
Nay: 0. The motion carried 7-0.

Adoption of Consent Agenda

15. Adoption of Consent Agenda: Staff recommendations, detailed in Agenda Items #16 - #21, organized for Board of Education block approval.

RECOMMENDATION: That the Board of Education adopts the Consent Agenda as presented:

- Revision to the Fiscal Oversight Committee Bylaws
- Appointment of new members to the Fiscal Oversight Committee filling existing vacancies
- Changes to School Accountability Committee (SAC) Bylaws
- Renaissance Secondary Charter School Utility Easement
- Recommendation for Dismissal of Licensed Teacher
- Personnel Changes

ORIGINAL - Motion

Member Peck moved, Member Ray seconded that the Board of Education adopts the Consent Agenda as presented:

- Revision to the Fiscal Oversight Committee Bylaws
- Appointment of new members to the Fiscal Oversight Committee filling existing vacancies
- Changes to School Accountability Committee (SAC) Bylaws
- Renaissance Secondary Charter School Utility Easement
- Recommendation for Dismissal of Licensed Teacher
- Personnel Changes

Geddes, aye; Lemieux, aye; Peck, aye; Ray, aye; Reynolds, aye; Silverthorn, aye; Vogel, aye. Upon a roll call vote being taken, the vote was: Aye: 7  
Nay: 0. The motion carried 7-0.

16. Revision to the Fiscal Oversight Committee Bylaws

- Attachment #1: Memo FOC Bylaws February 21, 2017
- Attachment #2: FOC Bylaws Revised February 2017 Redline
- Attachment #3: FOC Bylaws Final February 2017

Highlights of proposed revision to FOC Bylaws: - Membership - Director District or Region - Agenda Setting Participation - Standing Subcommittee's  
RECOMMENDATION: The Board of Education adopts the Fiscal Oversight Committee Bylaws as presented.

17. Appointment of new members to the Fiscal Oversight Committee filling existing vacancies

- Attachment #1: A brief summary of interest from each nominee

On February 9, 2017, the Fiscal Oversight Committee unanimously approved a motion to recommend six new members to the committee, and respectfully forwards its recommendation to the Board of Education for approval. The FOC will have appropriate representation throughout the District. The FOC is providing a summary of the nominees; Sasha Franger, Lisa Gillette, Vincent Pirrello, Judi Dinkel, Lisa Geringer, and Ted Stroud. This brings the total FOC membership to maximum fifteen members per the FOC bylaws.

RECOMMENDATION: That the Board of Education approves the appointment of six members to the Fiscal Oversight Committee.

18. Changes to School Accountability Committee (SAC) Bylaws

- Attachment #1: Copy of current SAC Bylaws, strike through version
- Attachment #2: Proposed final version of SAC Bylaws

The current District Accountability Committee leadership is proposing an annual review of the SAC By-Laws, because they receive numerous requests to change them on a regular basis. They feel reviewing the SAC bylaws annually simply streamlines their response and gives the system an ongoing framework to remind everyone what the purpose of the SACs are and why the bylaws are what they are.

RECOMMENDATION: That the Board of Education approves the changes to the School Accountability Committee Bylaws.

19. Renaissance Secondary Charter School Utility Easement

- Attachment #1: Easement

RECOMMENDATION: that the Board of Education approves the Renaissance Secondary Charter School Utility Easement as proposed.

20. Recommendation for Dismissal of Licensed Teacher

- Attachment #1: Personnel Matter CONFIDENTIAL

RECOMMENDATION That the Board of Education accepts the recommendation to dismiss a licensed teacher.

21. Personnel Changes

- Attachment #1: Licensed\_Admin\_ProTech CON BD List 2.21.17
- Attachment #2: Licensed\_Admin\_ProTech PUB BD List 2.21.17
- Attachment #3: Classified CON BD List 2.21.17
- Attachment #4: Classified PUB BD List 2.21.17

RECOMMENDATION: That the Board of Education approves the Personnel changes as presented.

Action Items  
(no presentation; request for board action)

22. Increase to Starting Teacher Salary, Position Movement Increases, and Added Pay Allowance for CTE (Career and Technical Education) Educators with CTE Credentials

- Attachment #1: Analysis Chart

In order to be competitive during the Spring hiring season, we are recommending a DCSD starting salary increase from \$36,000 to \$39,000. This starting salary can be as high as \$40,000 if the alternate sick leave plan is chosen by a new hire. The cost associated with bringing all current teachers to this new minimum as well as the costs associated with moving positions to "Hard to Hire" or "Specialist" is about \$755,000 to include PERA and Medicare. The intent is to bring all current teachers to their new minimums prior to applying any merit increases for the 2017-18 school year. The starting salary comparative analysis is attached. In addition, we are proposing to add an allowance for CTE teachers with CTE credentials in the subject they are teaching. It is anticipated that this will increase the CTE program overall and will increase the CTE reimbursement amount from the Colorado Department of Education. Currently, adding this allowance will cost \$120,000.00 for existing teachers - these are teachers who already have the needed credentials. It will be more as this change is expected to incentivize CTE teachers to obtain these credentials in the future. It is expected that this cost increase will be partially offset by increases in reimbursement from CDE.

RECOMMENDATION: In order to be competitive during the Spring hiring season, we are recommending a DCSD starting salary increase from \$36,000 to \$39,000. In addition, we are recommending that CTE teachers with initial credentials receive a \$1,000 annual allowance in addition to base salary, and those teachers with professional credentials receive a \$2,000 annual allowance in addition to base salary provided they are teaching the CTE class which requires the credential.

Chief Financial Officer Betz provided an overview of the proposal.

Interim Superintendent Kane shared that on the starting salary recommendation the District acknowledges that there are internal pay gaps across the system and the District is committed to rectify the matter.

Board discussion followed.

Director Ray said it was about logistics in terms of why we are paying attention to teachers that we have not hired yet before the teachers already in the system.

Director Vogel asked if there was a plan for subsequent years since no funding source has been identified. Director Vogel also asked about the Human Resources department budget variances.

Director Reynolds talked about the Career & Technical Education credential bonuses and asked if the proposal revolves around teachers that are in hard to hire positions.

Director Ray asked if the District has a difficult time recruiting first year teachers.

Director Geddes asked what would happen if the 3% was added to the other end of the scale, if the goal was to retain excellent teachers.

Director Lemieux said that teacher morale is affected by low salaries.

NEW - Motion

Member Lemieux moved, Member Vogel seconded to change the March 7<sup>th</sup> Board of Education Regular Session to a Special Meeting to revisit the increase to starting the teacher salary proposal and perhaps, hear a Plan B.

Director Lemieux called a point of order that there was a motion on the table.

President Silverthorn stated the motion was unnecessary and called the March 7<sup>th</sup> Board of Education meeting as a Special Meeting.

Director Lemieux withdrew her motion.

ORIGINAL - Motion

Member Reynolds moved, Member Geddes seconded that the Board of Education, in order to be competitive during the Spring hiring season, approves the staff recommendation that a DCSD starting salary increase from \$36,000 to \$39,000 go into effect. In addition, the Board of Education approves the staff recommendation that CTE teachers with initial credentials receive a \$1,000 annual allowance in addition to base salary, and those teachers with professional credentials receive a \$2,000 annual allowance in addition to base salary provided they are teaching the CTE class which requires the credential.

Geddes, aye; Lemieux, nay; Peck, aye; Ray, nay; Reynolds, aye; Silverthorn, aye; Vogel, nay. Upon a roll call vote being taken, the vote was: Aye: 4 Nay: 3. The motion carried 4-3.

23. Board of Education Resolution Requesting a Waiver by Providing Notice of the Two-Year, Fall Application Cycle to Charter Applicants (10 minutes)

- Attachment #1: DRAFT Resolution

Recommendation: that the Board of Education adopts the resolution as presented

General Legal Counsel Trachman provided background for the request to require charter applicants to apply two years in advance of opening.

Director Vogel asked what the urgency was with asking for this change.\

Mr. Trachman said that this request would cancel the Spring 2018 application window.

Interim Superintendent Kane stated that the time for constructing new buildings was driving the request.

Director Geddes supported the waiver.

ORIGINAL - Motion

Member Geddes moved, Member Reynolds seconded that the Board of Education adopts the resolution requesting a waiver by providing notice of the two-year, fall application cycle to charter applicants as presented.

Director Ray offered a friendly amendment to strike the clause "Whereas the School District seeks to make facilities available to charter schools and has done so in the past with sufficient time to plan and negotiate such facility use arrangements."

Director Geddes accepted Director Ray's friendly amendment.

Director Vogel offered an additional friendly amendment to strike the line in the 6<sup>th</sup> "Whereas" paragraph that states "actively seeking charter applications."

Director Peck was not in support of the waiver, because it would slow the process down.

Director Vogel asked if charter applications have to be reviewed by the Board of Education.

Mr. Trachman said it would be unusual for the board to not review charter applications.

President Silverthorn contemplated what the term "review" meant and suggested that the review process begins at the CART level.

Mr. Trachman affirmed that the board does not have the obligation to review a withdrawn application; however, if a charter applicant, despite the denial of the CART, comes before the board, the board may review the submission.

Director Vogel talked about raising the bar for charter applicants. Director Vogel asked how the board can be empowered to deny applications.

Director Vogel offered another amendment to the motion to strike the line in the 6<sup>th</sup> "Whereas" clause "actively solicits charter applications."

Director Lemieux seconded.

Board discussion continued.

Director Geddes disagreed and stated that the District should actively solicit charter applications.

President Silverthorn added that she agreed the District should welcome high quality applications that will have a positive impact on the system.

Director Lemieux asked for clarification on the definition of "solicits" applications and why it was important to the resolution. Director Lemieux offered a friendly amendment to Director Vogel's motion, rather than strike the line in the 6<sup>th</sup> "Whereas" clause, change the phrase to read "actively welcomes high quality charter applications."

Director Vogel accepted the friendly amendment.

AMENDED - Motion

Member Geddes moved, Member Reynolds seconded that the Board of Education adopts the resolution as amended to strike the clause "Whereas the School District seeks to make facilities available to charter schools and has done so in the past with sufficient time to plan and negotiate such facility use arrangements" and changes the line in the 6<sup>th</sup> "Whereas" clause "actively solicits charter applications" to "actively welcomes high quality charter applications."

Geddes aye; Lemieux, aye; Peck, nay; Ray, aye; Reynolds, aye; Silverthorn, nay; Vogel, nay. Upon a roll call vote being taken, the vote was: Aye: 4 Nay: 3. The motion carried 4-3.

24. Board of Education Resolution in Support of District Volunteers (10 minutes)

- Attachment #1: DRAFT Resolution

RECOMMENDATION: that the Board of Education approves the resolution as presented

Director Reynolds introduced the resolution.

Director Vogel said the proposed resolution was a result of District volunteers asking the board to demonstrate leadership, set an example of mutual respect and model civil decorum.

Director Lemieux asked if there was yearly training for committee chairs and members.

Director Reynolds stated that the support varies from committee to committee.

Director Lemieux supported the resolution as a commitment that the board will appreciate the meaningful work, support and insight of the volunteers.

ORIGINAL - Motion

Member Geddes moved, Member Ray seconded that the Board of Education approves the resolution as presented.

Geddes, aye; Lemieux, aye; Peck, aye; Ray, aye; Reynolds, aye; Silverthorn, aye; Vogel, aye. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7-0.

25. Board of Education Legislative Platform (10 minutes)

- Attachment #1: Proposed 2017 Legislative Platform

RECOMMENDATION: That the Board of Education approves the legislative platform as proposed.

Director Reynolds asked about bullet #2 and if the intent was to restore funding levels to 2009 numbers. Director Reynolds suggested a change to read "DCSD supports restoration of state funding that uses a funding formula that is reflective of funding needs."

Board discussion followed.

Director Lemieux suggested the verbiage: "DCSD supports restoration of state funding that includes, but is not limited to addressing the negative factor."

The friendly amendment was accepted by Director Vogel.

Director Geddes said legislators want to fund K-12 education adequately and that this sentiment was not expressed in the proposal. Director Geddes suggested that a review of the state funding formula be added to the platform.

AMENDED - Motion

Member Vogel moved, Member Ray seconded that the Board of Education approves the legislative platform as amended under the "School Funding" section, the second bullet to read "DCSD supports restoration of state funding that includes, but is not limited to addressing the negative factor."

Board discussion continued.

Director Reynolds commented on the last sentence of the first paragraph that requires a "two-thirds" vote of the board. Director Reynolds also stated that it was her understanding the liaisons would thoroughly review bills and if they could not come to agreement, they would bring them to the board for a vote.

President Silverthorn suggested that there be a separate motion after the Legislative Platform discussion for granting the Government Liaisons, Directors Silverthorn and Vogel, the authority to review proposed legislation and if there was not agreement between them, the proposed bill will come before the board for consideration.

Director Vogel asked if there was agreement among board members to support the Legislative Platform if the "two-thirds" provision was removed from the first paragraph.

AMENDED - Motion

Member Vogel moved, Member Ray seconded that the Board of Education approves the legislative platform as amended under "School Funding" section, the second bullet, to read "DCSD supports restoration of state funding that includes, but is not limited to addressing the negative factor" and in the first paragraph, to strike the last sentence "Unless a minimum of two-thirds of the board are in agreement, DCSD will take no position."

Geddes, nay; Lemieux, aye; Peck, aye; Ray, aye; Reynolds, aye; Silverthorn, nay; Vogel, aye. Upon a roll call vote being taken, the vote was: Aye: 5 Nay: 2. The motion carried 5-2.

NEW - Motion

Member Reynolds moved, Member Lemieux seconded that the Board of Education grants the Government Liaisons, Directors Silverthorn and Vogel, the authority to review proposed legislation and if there was not agreement on a position between the two, the proposed bill will come before the board for consideration.

Board discussion followed.

President Silverthorn shared that she and Director Vogel would participate in a weekly conference call with the lobbyist who would inform and review proposed legislation, the conversations at the capitol and possible implications.

Director Vogel asked for clarification regarding when a bill moves to the board for consideration, specifically HB 1087.

President Silverthorn called for a vote on the new motion.

Geddes, aye; Lemieux, aye; Peck, aye; Ray, aye; Reynolds, aye; Silverthorn, aye; Vogel, aye. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7-0.

President Silverthorn called for a recess at 9:53 p.m.

President Silverthorn reconvened the regular session at 9:58 p.m.

#### Policy Revisions

26. 2nd Reading: Board Policy DB Annual Budget Revision adding Site Based Budgeting and Carryover Statements (10 minutes)

- Attachment #1: Board Policy DB Annual Budget - Final
- Attachment #2: Board Policy DB-R Budget Adoption Procedures - Final

The attached policy revision includes language that formalizes the DCSD site based budget development process and allows for the continued award of carryover discretionary dollars. The attached regulation outlines the carryover process to improve transparency of carryover dollars.

RECOMMENDATION: That the Board of Education adopts Board Policy DB Annual Budget and DB-R Budget Adoption Procedures.

ORIGINAL - Motion

Member Vogel moved, Member Peck seconded that the Board of Education adopts Board Policy DB Annual Budget and DB-R Budget Adoption Procedures.

Board discussion followed.

Director Ray asked if it was appropriate to add something in the policy relating to the zero-based budgeting model for departments.

Interim Superintendent Kane stated that the recommendation came from the Fiscal Oversight Committee and proposed changes may need to be submitted through the committee.

NEW - Motion

Member Lemieux moved to amend "1c" under Fund Balance to read "When it is appropriate for fund balance to be assigned, the Board of Education shall vote on distribution of these funds after a presentation by the Superintendent and/or the Chief Financial Officer."

President Silvethorn noted that the board does approve the final budget.

Chief Financial Officer Betz commented that the board does approve the revised budget in January in which all of the assignments are allocated and after the Comprehensive Annual Financial Report (CAFR) presentation which is the final distribution of the assignments.

Hearing no second, the motion failed.

President Silverthorn called for a vote on the original motion.

ORIGINAL - Motion

Member Vogel moved, Member Peck seconded that the Board of Education adopts Board Policy DB Annual Budget and DB-R Budget Adoption Procedures'. Geddes, aye; Lemieux, nay; Peck, aye; Ray, aye; Reynolds, aye; Silverthorn, aye; Vogel, aye. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion carried 6-1.

27. 2nd Reading: Proposed Policy Revisions to Board File: BE/BEA/BEB Board Operations (10 minutes)

- Attachment #1: Proposed Revision BE/BEA/BEB Board Operations redlined
- Attachment #2: Proposed Revision BE/BEA/BEB

RECOMMENDATION: That the Board of Education approves the revisions to Board File BE/BEA/BEB as proposed

Director Reynolds introduced the proposed revisions to Board File BE/BEA/BEB and stated that the purpose was to respect board members time and those who wish to participate in the board meetings.

ORIGINAL - Motion

Member Geddes moved, Member Peck seconded that the Board of Education approves the revisions to Board File BE/BEA/BEB as proposed.

Board discussion followed.

Director Ray says the board has mechanisms in place to control agendas - plan agendas more accurately; table the remaining items on the agenda for a future meeting; and change the work session to a regular session for action.

Director Lemieux was in agreement that board meetings are too long; however, she opposes the proposed policy revisions and suggested the board look at the root cause rather than change policy.

Director Vogel questioned how the board would handle agenda items that were not addressed before the time limit.

President Silverthorn called for a vote on the original motion.

ORIGINAL - Motion

Member Geddes moved, Member Peck seconded that the Board of Education approves the revisions to Board File BE/BEA/BEB as proposed.

Geddes, aye; Lemieux, nay; Peck, aye; Ray, nay; Reynolds, aye; Silverthorn, aye; Vogel nay. Upon a roll call vote being taken, the vote was: Aye: 4 Nay: 3. The motion carried. 4-3.

27.5 2nd Reading: Proposed Policy Revisions to GP 1.8 Board Members' Code of Conduct (10 minutes)

President Silverthorn introduced the revisions to GP 1.8 Board Members' Code of Conduct and the revision includes a new section 1.8.3.4 *Members shall not meet alone with students in their capacity as Board members without obtaining parental permission in advance. This restriction is not intended to prohibit a Board member from attending public meetings, performances, athletic events, graduations, visiting classrooms, or similar open events during which Board member interactions with students are expected and encouraged.*

Mr. Greven opposed the revision, because it unnecessarily restricts board members from meeting with students. Mr. Greven said it was a cumbersome policy with unintended consequences.

Director Geddes stated that you have to trust people to conduct themselves appropriately, particularly in positions of responsibility. Director Geddes said the proposal was restrictive and demeaning to board members.

Director Ray stated that the additional verbiage adds a layer of protection as adults and volunteers, and that board members have a whole level of liability they need to be aware of when in a school. Director Ray was excited that Grace Davis was in the audience, and because of Grace, her actions caused the board to be more thoughtful about how to treat individuals. Director Ray said that the board owes it to Grace to pass the resolution to show Grace that all of her hard work pays off, when you become active for the sake of all students. Director Ray thanked Grace for starting the process.

Director Peck asked how many districts have language similar to the proposal.

President Silverthorn stated that she was not aware of any.

Director Lemieux stated that she brought the proposal to the board because, as a former educator, it was important that when she was with students that it was in an appropriate place and time. Director Lemieux believes the proposal protects the adults as well as the students.

President Silverthorn had concerns with the word "alone" and noted she already follows the policy and has not met with a student alone without parental permission. Although, she understood the sentiment behind the proposal, President Silverthorn further stated that she had reservations about setting a precedent with using policy to target certain board members. President

Silverthorn would like to balance understanding student concerns and ideas with parental concerns.

Director Lemieux declared for the record that the policy revision was not a targeted decision and that the intent was to help protect our students, because the District puts safety first, and to protect volunteer board members.

Director Vogel said that the policy revision aligned with the resolution regarding support of volunteers. Director Vogel felt that the proposal came out of a concern and was suggested in an effort to rectify an identified gap.

Director Ray asked to understand President Silverthorn's concerns. Director Ray offered a friendly amendment to add "individual" before student in the following phrase: "Members shall not meet alone with an individual student in their capacity as Board members without obtaining written permission of the parent or guardian in advance." Director Ray stated that the board had the opportunity to demonstrate a student can influence policy and have a voice in the District.

Director Geddes said that adults need to use good judgement. Director Geddes believes the proposal was a burdensome requirement and would impair good communications.

Director Ray countered that students on public school property are protected.

Mr. Greven stated that there were actual remedies in place if, in fact, board members had bullied, harassed or intimidated a student. Mr. Greven asked if conversations with board members on school property were prohibited.

Director Lemieux pointed out that in the proposal, it specifically states "...shall not meet alone with students in their capacity as Board members." Director Lemieux affirmed that Grace Davis did feel bullied, harassed and intimidated.

**AMENDED - Motion**

Member Ray moved, Member Vogel seconded that the Board of Education approves the revisions to GP. 1.8 by adding subsection 1.8.3.4 as amended to read "Members shall not meet alone with an individual student in their capacity as Board members without obtaining written permission of the parent or guardian in advance."

Geddes, nay; Lemieux, aye; Peck, nay; Ray, aye; Reynolds, aye; Silverthorn, nay; Vogel aye. Upon a roll call vote being taken, the vote was: Aye: 4 Nay: 3. The motion carried 4-3.

Director Geddes departed the meeting at 10:34 p.m.

**Board of Education Reports**

**28. Board Report: President and Vice President Items (5 minutes)**

**RECOMMENDATION: Information Only**

Vice President Reynolds provided a brief update on the recent board retreat. Director Reynolds suggested that the board take a look at the recommendations

from the meeting facilitator and consider taking action on some of them. Director Reynolds thanked Patrick O'Rourke for his expertise.

President Silverthorn invited Director Reynolds to send an email to School Board Directors to begin working on Mr. O'Rourke's recommendations.

Director Ray concurred with Director Reynolds and trusts her prioritization of the board's work.

President Silverthorn encouraged board members to attend the upcoming District Accountability Committee's Winter Forum on February 28 at Rocky Heights Middle School. President Silverthorn thanked board members for following the agenda timelines. President Silverthorn pointed out a clarification on the Roberts Rules of Order that reading from a document was prohibited without board consent.

29. Board Committee and Liaison Reports (10 minutes)

- Attachments #1 - #5: Douglas County Educational Foundation documents
- Attachments #6 - #8: Partnership of Douglas County Governments documents

Board/Superintendent Linkage 1.0; Executive Limitation 1.8:  
District Accountability Committee (Reynolds, Silverthorn, Vogel)  
Fiscal Oversight Committee (Peck, Reynolds)  
Long Range Planning Committee (Silverthorn)  
Douglas County Educational Foundation (Lemieux)  
Rocky Mountain School of Expeditionary Learning (Lemieux)  
Partnership of Douglas County Governments (Board Member Rotation)  
Douglas County Safety Committee (Geddes)  
Douglas County Youth Initiative (Vogel)  
Student Advisory Group (Silverthorn) Government Relations (Silverthorn, Vogel)  
Other Board/Superintendent Updates  
RECOMMENDATION: Information Only

Director Vogel announced the deadline date for the Douglas County Youth Initiative's Outstanding Student Award nominations as March 31. Director Vogel thanked Chief Financial Officer Betz and Interim Superintendent Kane for all of their work on the budget.

30. Adjournment

RECOMMENDATION: That the Board of Education adjourns the meeting

ORIGINAL - Motion

Member Vogel moved, Member Ray seconded that the Board of Education adjourns the meeting.

Lemieux, aye; Peck, aye; Ray, aye; Reynolds, aye; Silverthorn, aye; Vogel, aye. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion carried 6-0.

The meeting was adjourned at 10:44 p.m. The next meeting of the Board of Education is a Special Meeting scheduled for Tuesday, March 7, 2017.

These minutes summarize the final decisions made by the Board of Education at the referenced meeting. View the meeting via live stream by accessing the following link: <https://livestream.com/accounts/142979>.

Supporting document(s) attached to agenda items may be viewed by accessing the following link: <http://eboard.dcsdk12.org/>.

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Meghann Silverthorn  
President

ATTEST

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Nona Eichelberger  
Secretary