



Douglas County School District
Learn Today. Lead Tomorrow.

**BOARD OF EDUCATION
Minutes
Tuesday, March 25, 2014**

For Your Information (Reading File)

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

- Attachment #1: BoE Department February 2014 Worksheet

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: Information only

2. Board of Education Department Proposed Budget 2014-15

- Attachment #1: Proposed Budget

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: Information only

3. 40-minute Recess to Serve Dinner

APPROVED AS TO FORM BY THE SUPERINTENDENT

4. Call to Order and Roll Call

- Attachment #1: Meeting Summary
- Attachment #2: Menu

Governance Process 1.2.4

APPROVED AS TO FORM BY THE SUPERINTENDENT

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

The meeting of the Board of Education of Douglas County School District RE1 was called to order by President Larsen at 6:05 p.m.

BOARD MEMBERS PRESENT: Benevento, Geddes, Larsen, Reynolds, Richardson, Silverthorn

ALSO IN ATTENDANCE: Superintendent Fagen, Interim Assistant Superintendent Knight, Chief Financial Officer Betz, Chief Human Resources Officer Cesare, Chief Technology Officer Sethi, Legal Counsel Ross, Community Relations Officer Watson, Internal Communications Officer Barber, N. Eichelberger, Secretary.

5. Pledge of Allegiance

Governance Process 1.8 Board Members' Code of Conduct

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: Information only

6. Director District F Vacancy – Final Interviews

APPROVED AS TO FORM BY THE SUPERINTENDENT

7. Appointment of Board of Education Director, District F

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: that the Board of Education appoints _____ to fill the Board vacancy and complete the term for Director District F

AMENDED – Motion

Member Richardson moved, Member Benevento seconded that the Board of Education appoint Richard Robbins to fill the Board vacancy and complete the term for Director District F.

Benevento, aye; Geddes, aye; Larsen, aye; Reynolds, nay; Richardson, aye; Silverthorn, nay. Upon a roll call vote being taken, the vote was: Aye: 4 Nay: 2. The motion carried 4-2.

8. Director District F Oath of Office

- Attachment #1: Sample Script

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: Presiding Board member will administer the oath of office to newly appointed Board member and new Board member will be seated.

President Larsen administered the Oath of Office to newly appointed Board member Richard Robbins and Director Robbins was seated at the dais.

9. Superintendent Reports

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: Information only

10. Board Report: President and Vice President Items

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: Information only

11. Board Committee and Liaison Reports

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: Information only

Board/Superintendent Linkage 1.0; Executive Limitation 1.8:

District Accountability Committee (Reynolds, Silverthorn)

Fiscal Oversight Committee (OPEN)

Long Range Planning Committee (Larsen)

Douglas County Education Foundation (Benevento)

Douglas County Safety Committee (Geddes)

Rocky Mountain School of Expeditionary Learning (Larsen)

Partnership of Douglas County Governments (Rotating Board representation)

Douglas County Youth Initiative (OPEN)

Student Advisory Group (Silverthorn)

Government Relations (Richardson)

Other Board Updates

APPROVED AS TO FORM BY THE SUPERINTENDENT

The Board heard committee and liaison reports.

NEW – Motion

Member Larsen moved, Member Geddes seconded that the Public Comment portion of the meeting immediately follow Board Committee and Liaison Reports.

Benevento, aye; Geddes, aye; Larsen, aye; Reynolds, aye; Richardson, aye; Robbins, aye; Silverthorn, aye. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7-0.

20. Public Comment

During the Public Comment portion of the meeting, members of the public may address the Board of Education on any item on the meeting's agenda. Speakers must complete a Public Comment form online and submit it electronically to the Board of Education secretary prior to 3 p.m. on the day of a regularly scheduled Board meeting. Those who sign up after 3 p.m. will have an opportunity to speak at the next regularly scheduled board meeting. Groups representing a consistent viewpoint are encouraged to select one spokesperson to address the Board.

Thirty minutes have been reserved for Public Comment and each person will have three minutes to speak. Any speakers who have not been called during that period will be invited to speak during the next scheduled Board meeting.

As a reminder to all present, the Board and Staff generally do not engage in discussion or Q&A directly with those persons participating in Public Comment or directly with members of the audience. This is the Board's opportunity to hear from students, parents and other stakeholders for deliberation later in the agenda or on future agendas. The Board and Staff may or may not choose to address any point or issue raised during Public Comment, as they deem appropriate.

As an additional reminder, only those persons whom the Chair calls upon to speak during Public Comment may speak, and they may do so strictly during the time they are allotted at the podium. Other members of the audience are not permitted to speak at any time during the Board's meeting, including during Public Comment, during any remarks or comments made by the Board or Staff, or at any other time before adjournment. In addition, public outbursts, applause, hissing, booing, or expressions of support or disapproval of any speaker's comments are strictly forbidden. Failure to adhere to this important policy promoting the decorum, good conduct, and good order of the Board's meeting will result in the immediate conclusion of Public Comment. If necessary, those who do not comply will be asked to leave.

The Chair appreciates your cooperation, understanding, and compliance. Thank you.

APPROVED AS TO FORM BY THE SUPERINTENDENT
RECOMMENDATION: Information only

- Gary Colley of Parker representing the Community Accountability Committee addressed the Board of Education on the appointment of a new School Board Director District F and the second reading of Board File BEDH Public Participation at Board Meetings.
- Cindra Barnard of Highlands Ranch addressed the Board of Education on the placement of the Certificates of Participation Policy revision on the Consent Agenda and urged the Board to share with the public their discussion of the work. Ms. Barnard

- also commented on Board File BEDH Public Participation at Board Meetings.
- Katie Vogel, a 2009 Douglas County School District graduate, addressed the Board of Education on the District's ability to prepare high school graduates for college and the workforce.
 - Taylor Vogel of Highlands Ranch and a current Douglas County School District student addressed the Board on school choice. Taylor believes he is not offered choices that best meet his needs in middle school.
 - Trevor Vogel of Highlands Ranch and a current Douglas County School District student addressed the Board of Education on stakeholders/community input. Trevor stated that his successes are a direct result of his personal motivation.
 - Laurie Vogel of Highlands Ranch addressed the Board of Education on community input. Ms. Vogel appealed to the Board to utilize the expertise of the community they represent and requested that Board discussion and public comment on Board File BEDH Public Participation at Board Meetings be held prior to Board action.

12. Acceptance of Agenda

Governance Process 1.5.3.4

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: that the Board of Education accepts the Agenda as presented.

AMENDED - Motion

Member Benevento moved, Member Richardson seconded that the Board of Education approves the Agenda as amended.

Benevento, aye; Geddes, aye; Larsen, aye; Reynolds, aye; Richardson, aye; Robbins, aye; Silverthorn, aye. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7-0.

13. Adoption of the Consent Agenda: Staff recommendations, detailed in Agenda Items #14 - #18, organized for Board of Education block approval.

APPROVED AS TO FORM BY THE SUPERINTENDENT

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

- Performance Contracting - ThunderRidge High School/Wilcox Building
- RTD Lease Extension - Northeast Elementary School
- DCSD Certificates of Participation Policy - Revision
- Unofficial Board of Education Minutes
- Personnel Changes

AMENDED - Motion

Member Larsen moved, Member Richardson seconded that the Board of Education adopts the Consent Agenda as amended by moving agenda item #16 *DCSD Certificates of Participation Policy - Revision* to an action item.

- Performance Contracting – ThunderRidge High School/Wilcox Building
- RTD Lease Extension – Northeast Elementary School
- Unofficial Board of Education Minutes
- Personnel Changes

Benevento, aye; Geddes, aye; Larsen, aye; Reynolds, aye; Richardson, aye; Robbins, aye; Silverthorn, aye. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7-0.

14. Performance Contracting – ThunderRidge High School/Wilcox Building

- Attachment #1: Resolution

In consideration of our ongoing capital reinvestment priority needs at ThunderRidge High School and the Wilcox Building, staff has been pursuing alternative funding options. Staff has been working with McKinstry (ESCo) Energy Service Company to identify an energy performance contract that meets some of our highest capital priorities at these two sites. McKinstry was selected through a standard RFP process and is an approved ESCo by the Colorado Energy Office as our Performance Contracting partner – this is Phase Two of our on-going work.

Energy performance contracting provides for a financing mechanism where the cost of the project is paid for by ongoing energy and maintenance savings over a specified time period. In no case does the term of financing exceed the life cycle of the equipment or system being replaced. The project scope includes the complete replacement of the current HVAC control system at TRHS and nearly complete replacement at Wilcox, chiller replacement at both locations as well as fine-tuning and other efforts. Further process and performance work that began at 11 other district schools during Phase 1 will continue during this Phase.

APPROVED AS TO FORM BY THE SUPERINTENDENT

FUNDING: The total cost of the project is estimated to be \$4.6 million which includes \$2.1 million in avoided capital reinvestment already identified in our Capital Improvement Plan.

RECOMMENDATION: Staff recommends the approval to execute this project using financing terms that are both efficient and effective that consider our interest rate and term of financing.

15. RTD Lease Extension – Northeast Elementary School

- Attachment #1: Agreement

Presented for approval is the eighth one-year extension of the lease agreement between the Regional Transportation District and the School District for the Park-n-Ride lot located in a portion of the Northeast Elementary School site. DCSD and RTD legal counsels have reviewed and approved the lease extension.

APPROVED AS TO FORM BY THE SUPERINTENDENT

FUNDING: There are no cost implications associated with this agenda item, however, the Regional Transportation District pays rent to the School District in the amount of 1,000 per month.

RECOMMENDATION: A motion to approve the Eighth Extension of the lease agreement between Douglas County School District and the Regional Transportation District.

Agenda Item #16 *DCSD Certificates of Participation Policy – Revision* was moved to an action item for further discussion at the Board's discretion.

17. Unofficial Board of Education Minutes

- Attachment #1: Board of Education AMENDED Minutes, January 21, 2014
- Attachment #2: Unofficial Board of Education Minutes, February 18, 2014
- Attachment #3: Unofficial Board of Education Minutes, Retreat February 22, 2014

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: That the Board of Education approves the amended minutes of January 21, 2014, and the minutes of February 18 and 22, 2014 as presented under Adoption of Consent Agenda.

18. Personnel Changes

- Attachment #1: Certified CON Bd List March 25, 2014
- Attachment #2: Certified PUB Bd List March 25, 2014
- Attachment #3: Classified CON Bd List March 25, 2014
- Attachment #4: Classified PUB Bd List March 25, 2014

APPROVED AS TO FORM BY THE SUPERINTENDENT

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

Action Items

16. DCSD Certificates of Participation Policy - Revision

- Attachment #1: DFC-Certificate of Participation Redline Draft
- Attachment #2: DFC-Certificate of Participation Draft

Financial stability of the Douglas County School District (DCSD) is dependent upon establishing appropriate limits on the use of Certificate of Participation lease agreements to meet District ongoing capital needs. Consideration regarding this policy includes the impact on the District's credit rating (which directly impacts the county taxpayer), an assessment of facility needs focused on health and safety issues, the need for classroom space accommodating growth, and an assessment of the District's General Fund capacity to meet ongoing lease payment requirements.

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: Staff recommends review and approval of DFC DCSD Certificates of Participation Policy.

Dr. Fagen invited Bonnie Betz, Chief Financial Officer, to provide further specifics regarding the proposed revision.

AMENDED – Motion

Member Richardson moved, Member Benevento seconded that the Board of Education approves the DFC Certificates of Participation Policy as presented

Benevento, aye; Geddes, aye; Larsen, aye; Reynolds, aye; Richardson, aye; Robbins, aye; Silverthorn, aye. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7-0.

19. Second Reading: Board File BEDH Public Participation at Board Meetings

- Attachment #1: BEDH draft A red line
- Attachment #2: BEDH draft A
- Attachment #3: BEDH draft JR red line
- Attachment #4: BEDH draft JR

- Attachment #5: BEDH draft JG red line
- Attachment #6: BEDH draft JG
- Attachment #7: BEDH-R draft JR proposed regulation
- Attachment #8: BEDH revision final

Board File revised at the discretion of the Board of Education.

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: That the Board of Education approves the Policy BEDH Public Participation at Board Meetings as presented

ORIGINAL – Motion

Member Benevento moved, Member Richardson seconded that the Board of Education approves Board File BEDH, draft A as presented. Board discussion followed.

AMENDED – Motion

Member Richardson moved, Member Benevento seconded that the Board of Education approves Board File BEDH, draft A as amended to include: limiting Public Comment to agenda items that are on the meeting agenda, during that time on the agenda, and to include an end-of-meeting, five minute Public Comment opportunity, one minute per speaker, to suggest topics for Board's consideration with the Board's president having the discretion to relax the time period in the interest of the Board. Board discussion followed.

AMEND THE AMENDMENT – Motion

Member Richardson moved, Member Benevento seconded that the Board of Education amend the amendment to include: limiting Public Comment to agenda items that are on the meeting agenda, during that time on the agenda, and to include an end-of-meeting, five-minute Public Comment opportunity, one minute per speaker, "for members of the public to suggest topics for the Board to consider for future meeting agendas, or other issues, subject matters or concerns to bring to the attention of the Board for potential future action," with the Board's president having the discretion to relax the time period in the interest of the Board. Board discussion followed.

SUBSIDIARY – Motion

Member Richardson moved, Member Benevento seconded to call the question. Benevento, aye; Geddes, aye; Larsen, aye; Reynolds, aye; Richardson, aye; Robbins, aye; Silverthorn, nay. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion carried 6-1.

AMENDED – Motion

Member Richardson moved, Member Benevento seconded to adopt Board File BEDH *Public Participation at Board Meetings*, draft A, as amended. Benevento, aye; Geddes, aye; Larsen, aye; Reynolds, aye; Richardson, aye; Robbins, aye; Silverthorn, nay. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion carried 6-1.

Item #20 *Public Comment* was moved to immediately follow the Board Committee and Liaison Reports.

Executive Session (a Closed Session)

21. Convene in Executive Session (a Closed Session)

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: That the Board of Education convenes in Executive Session to discuss 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 on specific 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 Negotiations pursuant to C.R.S. § 24-6-402(4)(e) or Personnel Matters 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 pursuant to C.R.S. § 24-6-402(4)(h).

AMENDED - Motion

Member Benevento moved, Member Robbins seconded to approve the motion that the Board of Education convenes in Executive Session (a closed session) to discuss Legal Issues to hold conference with the Board's attorney to receive legal advice on specific legal questions pursuant to C.R.S. § 24-6-402(4)(b), specifically: DCFT v DCSD, LaRue v DCSD Appeal and Contracts subject to negotiation; and Negotiations pursuant to C.R.S. § 24-6-402(4)(e), specifically: Performance contracting; and Personnel Matters pursuant to C.R.S. § 24-6-402(4)(f), specifically: Superintendent evaluation.

Benevento, aye; Geddes, aye; Larsen, aye; Reynolds, aye; Richardson, aye; Robbins, aye; Silverthorn, aye. Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7-0.

Director Geddes departed the meeting.

The Board of Education convened in Executive Session (a closed session) at 9:35 p.m. The Executive Session was recorded pursuant to the requirements of State law.

22. Adjournment

APPROVED AS TO FORM BY THE SUPERINTENDENT

RECOMMENDATION: That the Board of Education adjourns the meeting.

ORIGINAL - Motion

Member Silverthorn moved, Member Robbins seconded 'that the Board of Education adjourns the meeting.'

Benevento, aye; Larsen, aye; Reynolds, aye; Richardson, aye; Robbins, aye; Silverthorn, aye. Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 0. The motion carried 6-0.

There being no further business to come before the Board, the meeting was adjourned at 10:59 p.m. The next regular meeting of the Board of Education is scheduled for April 15, 2014.

These minutes summarize the final decisions made by the Board at the referenced meeting. This meeting was audio recorded and that recording is available for review by accessing the following link: <https://www.dcsdk12.org/board-of-education/march-25-board-of-education-meeting>

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

Kevin P. Larsen
President

ATTEST

Nona Eichelberger
Secretary

Unofficial