



10850 East Woodmen Road • Falcon, CO 80831
Tele: 719-495-3601 • Fax: 719-495-0832 • E-mail: d49@d49.org

Mission Statement

Together we are committed to graduating and preparing all children for success in college and careers.

AGENDA
REGULAR BOARD OF EDUCATION MEETING
November 12, 2009
6:30 P.M.
Central Administration – Board Room

- 1.00 Call to Order and Roll Call**
- 2.00 Welcome and Pledge of Allegiance**
- 3.00 Approval of Agenda**
- 4.00 Consent Agenda**
 - 4.01 Approval of October Monthly Financial Update
 - 4.02 Approval of Matters Relating to Administrative Personnel
 - 4.03 Approval of Matters Relating to Licensed Personnel
 - 4.04 Approval of Matters Relating to Educational Support Personnel
 - 4.05 Approval of Minutes for October 8, 2009 Regular Board of Education meeting.
- 5.00 Board/Superintendent Update**
- 6.00 Open Forum**
- 7:00 Action Items**
 - 7.01 Approval of November 13, 2009 to be the Official Survey Date for Impact Aid
 - 7.02 Approval of New Account at Farmer's State Bank for General Fund
 - 7.03 Approval of RFP for ADA Hardware Improvements at Horizon Middle School, Falcon Elementary School, Evans Elementary School and Patriot Learning Center
 - 7.04 Approval of Revocation of The Imagine Classical Academy Forest Meadows Charter Contract
 - 7.05 Approval of Contract Addendum #9 – Wells & West General Contractors
- 8:00 Information Items**
 - 8.01 Student Field Trips
 - 8.02 Expulsion/ Suspension Information
- 9.00 Discussion Items**

- 9.01 Review for Revision and/or Adoption of Board of Education Policy DN – School Property Disposition, DN-R – School Property Disposition Regulation and DN-E – School Property Disposition Exhibit
- 9.02 New Board of Education Policy DLB -Tax Sheltered Annuities and Salary Deferrals and DLB-R – Tax Sheltered Annuities and Salary Deferrals Regulation
- 9.03 Revision of Board of Education Policy DKB, Salary Deductions
- 9.04 Instructional Staff Evaluation Handbook and revision to Board of Education Policy GCOA – Instructional Staff Evaluations GCOA-R – Instructional Staff Evaluations – Regulation
- 9.05 Revision to Board of Education Policy GBGD - Workers' Compensation and GBGD – R Workers' Compensation Regulation

10.00 Open Forum

11.00 Other Business

- 11.01 **Executive Session:** Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators as authorized by section 24-6-402-(4) (e) of the Colorado Revised Statutes and to receive legal advice from our attorney, as authorized by section 24-6-402 (b) of the Colorado Revised Statutes. – Dealing with water damage.
- 11.02 **Executive Session:** Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators as authorized by section 24-6-402-(4) (e) of the Colorado Revised Statutes and to receive legal advice from our attorney, as authorized by section 24-6-402 (b) of the Colorado Revised Statutes. - Dealing with Woodmen Hills Elementary Litigation.

12.00 Adjournment

DATE OF POSTING: November 9, 2009

Loretta Branham, BOE Administrative Assistant



10850 East Woodmen Road • Falcon, CO 80831
Tele: 719-495-3601 • Fax: 719-495-0832 • E-mail: d49@d49.org

**REGULAR
BOARD OF EDUCATION MEETING
November 12, 2009
6:30 p.m.**

**STUDENT SERVICES CENTER—
BOARD ROOM**

Call to Order and
Roll Call
1.00

Welcome and
Pledge of Allegiance
2.00

Approval of Agenda
3.00



10850 East Woodmen Road • Falcon, CO 80831
Tele: 719-495-3601 • Fax: 719-495-0832 • E-mail: d49@d49.org

Mission Statement

Together we are committed to graduating and preparing all children for success in college and

AGENDA REGULAR BOARD OF EDUCATION MEETING November 12, 2009 6:30 P.M. Central Administration – Board Room

- 1.00** **Call to Order and Roll Call**

- 2.00** **Welcome and Pledge of Allegiance**

- 3.00** **Approval of Agenda**

- 4.00** **Consent Agenda**
 - 4.01 Approval of October Monthly Financial Update
 - 4.02 Approval of Matters Relating to Administrative Personnel
 - 4.03 Approval of Matters Relating to Licensed Personnel
 - 4.04 Approval of Matters Relating to Educational Support Personnel
 - 4.05 Approval of Minutes for October 8, 2009 Regular Board of Education meeting.

- 5.00** **Board/Superintendent Update**

- 6.00** **Open Forum**

- 7:00** **Action Items**
 - 7.01 Approval of November 13, 2009 to be the Official Survey Date for Impact Aid
 - 7.02 Approval of New Account at Farmer's State Bank for General Fund
 - 7.03 Approval of RFP for ADA Hardware Improvements at Horizon Middle School, Falcon Elementary School, Evans Elementary School and Patriot Learning Center
 - 7.04 Approval of Revocation of The Imagine Classical Academy Forest Meadows Charter Contract
 - 7.05 Approval of Contract Addendum #9 – Wells & West General Contractors

- 8:00** **Information Items**
 - 8.01 Student Field Trips
 - 8.02 Expulsion/ Suspension Information

- 9.00 Discussion Items**
- 9.01 Review for Revision and/or Adoption of Board of Education Policy DN – School Property Disposition, DN-R – School Property Disposition Regulation and DN-E – School Property Disposition Exhibit
- 9.02 New Board of Education Policy DLB -Tax Sheltered Annuities and Salary Deferrals and DLB-R – Tax Sheltered Annuities and Salary Deferrals Regulation
- 9.03 Revision of Board of Education Policy DKB, Salary Deductions
- 9.04 Instructional Staff Evaluation Handbook and revision to Board of Education Policy GCOA – Instructional Staff Evaluations GCOA-R – Instructional Staff Evaluations – Regulation
- 9.05 Revision to Board of Education Policy GBGD - Workers' Compensation and GBGD – R Workers' Compensation Regulation

10.00 Open Forum

11.00 Other Business

- 11.01 **Executive Session:** Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators as authorized by section 24-6-402-(4) (e) of the Colorado Revised Statutes and to receive legal advice from our attorney, as authorized by section 24-6-402 (b) of the Colorado Revised Statutes. – Dealing with water damage.
- 11.02 **Executive Session:** Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators as authorized by section 24-6-402-(4) (e) of the Colorado Revised Statutes and to receive legal advice from our attorney, as authorized by section 24-6-402 (b) of the Colorado Revised Statutes. - Dealing with Woodmen Hills Elementary Litigation.

12.00 Adjournment

DATE OF POSTING: November 9, 2009

Loretta Branham, BOE Administrative Assistant

Consent Agenda

4.00



BOARD OF EDUCATION AGENDA ITEM 4.01

BOARD MEETING OF: November 12, 2009

PRESENTED BY: Joleen Schaake, Chief Financial Officer

TITLE OF AGENDA ITEM: October 2009 Monthly Financial Update

ACTION/INFORMATION/DISCUSSION: Consent - Action

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION

Report to the Board of Education the performance of actual revenues and expenditures versus budgeted revenues and expenditures in all funds with comparison to prior year. Reference page one of the report: The 2009-2010 columns start with the approved budget for the full year compared to revenues and expenditures through October.

The 2009-2010 year-end fund balance columns are required by statute. This is showing you the budgeted and anticipated en-of-year fund balance. The 2008-2009 columns are the prior year's total budget and the actual through September 2009. These amounts are provided for comparison to the current year amounts.

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

None

COST OR COST ESTIMATION:

None

MOTION REQUESTED:

I move to approve the October 2009 monthly financial update of all funds as presented.

APPROVED BY: Brad J. Schoeppey Ed. D., Superintendent **DATE:** November 5, 2009



BOARD OF EDUCATION AGENDA ITEM 4.02

BOARD MEETING OF: November 12, 2009

PREPARED BY: Mark McPherson, Executive Director of Human Resources

TITLE OF AGENDA ITEM: Approval of Matters Relating to Administrative Personnel

ACTION/INFORMATION/DISCUSSION: Consent-Action

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION:

- To gain Board of Education approval for personnel changes.

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

Pros – None
Cons – None
Alternatives – None

COST OR COST ESTIMATION:

None

MOTION REQUESTED:

I move to approve the recommendation of the administration for personnel changes listed on the attached sheet.

APPROVED BY: Mary E. Guinn, Ed. D., Deputy Superintendent **DATE:** October 30, 2009



BOARD OF EDUCATION AGENDA ITEM 4.03

BOARD MEETING OF: November 12, 2009

PREPARED BY: Mark McPherson, Executive Director of Human Resources

TITLE OF AGENDA ITEM: Approval of Matters Relating to Licensed Personnel

ACTION/INFORMATION/DISCUSSION: Consent-Action

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION:

- To gain Board of Education approval for personnel changes.

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

Pros – None
Cons – None
Alternatives – None

COST OR COST ESTIMATION:

None

MOTION REQUESTED:

I move to approve the recommendation of the administration for personnel changes listed on the attached sheet.

APPROVED BY: Mary E. Guinn, Ed. D., Deputy Superintendent **DATE:** October 30, 2009



BOARD OF EDUCATION AGENDA ITEM 4.04

BOARD MEETING OF: November 12, 2009

PREPARED BY: Mark McPherson, Executive Director of Human Resources

TITLE OF AGENDA ITEM: Approval of Matters Relating to Educational Support Personnel

ACTION/INFORMATION/DISCUSSION: Consent - Action

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION:

To Gain Board Approval for Personnel Changes

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

By addressing this action item, the Board allows the district to continue its function of hiring, and other personnel actions.

By not addressing this action item, it would create problems with contracts and service being rendered.

COST OR COST ESTIMATION:

None

MOTION REQUESTED:

I move to approve the recommendation of the administration for personnel changes for these persons listed on the attached sheet.

APPROVED BY: Mary E. Guinn, Ed. D., Deputy Superintendent **DATE:** November 2, 2009

Consent agenda item
4.05

Minutes of the October 8,
2009 Regular Board of
Education Meeting will be
posted on the district web site
after approval.

Board – Superintendent
Update
5.00

Open Forum
6.00

Action Items
7.00



BOARD OF EDUCATION AGENDA ITEM 7.01

BOARD MEETING OF: November 12, 2009

PREPARED BY: Joleen Schaake, Chief Financial Officer

TITLE OF AGENDA ITEM: Recommendation of November 13, 2009 to be the Official Survey Date for Impact Aid.

ACTION/INFORMATION/DISCUSSION: Action

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION

Each year the school district must set an official survey date for Impact Aid, Public Law 103-382. This survey determines where students are federally connected. The district receives federal revenue for each federally connected student as of the official survey date. Last year the official survey date was November 21, 2008.

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

Setting the date of November 13 is approximately one year from last year and keeps the survey on an annual cycle. The impact aid application must be finalized and turned into the federal government by January 31, 2010.

An alternative course of action, the Board of Education could choose another official date for the survey.

COST OR COST ESTIMATION:

None

MOTION REQUESTED:

I move to approve November 13, 2009 as the Official Impact Aid Survey date.

APPROVED BY: Dr. Brad J. Schoeppey, Ed. D., Superintendent **DATE:** November 3, 2009



BOARD OF EDUCATION AGENDA ITEM 7.02

BOARD MEETING OF: November 12, 2009

PREPARED BY: Joleen Schaake, Chief Financial Officer

TITLE OF AGENDA ITEM: New Account at Farmer's State Bank for General Fund

ACTION/INFORMATION/DISCUSSION: Action

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION

We would like to open up a new bank account that generates interest revenue at Farmer's Bank in Falcon. This will be a general fund account to facilitate the movement of cash owed from Nutrition Services (fund 51) to the General Fund (fund 10) each month for payroll, purchasing, or any expenses that have been paid from the General Fund on behalf of the Nutrition Services Fund. We have been handling this by withdrawing funds from Farmer's Bank at various intervals and depositing those funds into the General Fund account at UMB Bank. It will be much easier to manage cash movement from the Nutrition Services fund into the General Fund if we have an account set up at Farmer's. By setting up an interest-generating account we hope to increase revenue into the General Fund.

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

Pro – by moving cash at more timely intervals, due to the relative ease afforded by having that account in the same bank, the General Fund will enjoy the benefit of new interest revenue. The anticipated minimum interest revenue (1%) gained would be approximately \$15,000.

Alternative Course – Leave things as they are.

COST OR COST ESTIMATION:

None

MOTION REQUESTED:

I move to approve the opening of an account at Farmer's State Bank in the name of Falcon School District and to account for these funds in the General Fund of the District.

APPROVED BY: Brad J. Schoeppey, Ed. D., Superintendent **DATE:** November 3, 2009



BOARD OF EDUCATION AGENDA ITEM 7.03

BOARD MEETING OF: October 28, 2009

PREPARED BY: Marian Nall, Director of Facilities

TITLE OF AGENDA ITEM: Request for Proposal for ADA hardware Improvements at Horizon Middle School, Falcon Elementary, Evans Elementary and Patriot Learning Center.

ACTION/INFORMATION/DISCUSSION: Action

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION:

- An RFP went out on September 24, 2009 on 4 schools for ADA hardware replacement.
- The bids were due October 5, 2009.
- Five Bids were received / Low Bid is Colorado State Safe & Lock.
- Work to be completed by the end of January.

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

Pros – They were the lowest bid. Will assist in bringing us in ADA Compliance.

Cons –

Alternatives –

COST OR COST ESTIMATION:

Bid - \$48,661.71

MOTION REQUESTED:

I move to approve Colorado State Safe & Lock Company for ADA hardware replacements at a cost of \$48,661.71.

APPROVED BY: Mary E. Guinn, Ed. D., Deputy Superintendent **DATE:** October 15, 2009



BOARD OF EDUCATION AGENDA ITEM 7.04

BOARD MEETING OF: November 12, 2009

PRESENTED BY: Brad Miller

TITLE OF AGENDA ITEM: Revocation of The Imagine Classical Academy Forest Meadows Charter Contract

ACTION/INFORMATION/DISCUSSION: Action

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION

The Imagine Classical Academy, Forest Meadows (“TICA II”) charter contract was approved in December, 2007 for an opening in fall, 2009. Due to circumstances beyond its control, that opening date has been forced back. For statutory reasons and in order to afford the District flexibility to consider other choice options, it is recommended that the charter contract be revoked without prejudice. TICA II will be eligible to reapply for a contract in 2010 for a proposed opening in fall, 2011.

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

Pros:

- Revocation at this time will ensure that the District remains in compliance with the Colorado Charter Schools Act which provides that approval of charter contracts should be for a specified opening date, preferably in the following year.
- This action will ensure that any new charter contract will comply with all new state requirements for charter approvals, including potential new rules concerning best practices for authorization and funding opportunities from the federal Race to the Top program.
- Will ensure that new approvals of charter schools will be conducted on an even playing field for all potential applicants.

Cons:

- Requires full re-application process with some cost to the District and potentially greater costs to TICA II.

COST OR COST ESTIMATION:

Limited impact.

MOTION REQUESTED:

I move (not) to approve the revocation of the Imagine Classical Academy Forest Meadows Charter Contract.

APPROVED BY: Brad Schoeppey, Ed. D., Superintendent **DATE:** October 22, 2009



BOARD OF EDUCATION AGENDA ITEM 7.05

BOARD MEETING OF: November 12, 2009
PRESENTED BY: Jim Walsh, Construction Manager
TITLE OF AGENDA ITEM: Approval of Contract Addendum #9 – Wells & West General Contractors
ACTION/INFORMATION/DISCUSSION: Action

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION

Subsequent to commencing construction of the CMU remediation project, it was discovered that upper window sills at Elementary buildings have an unfinished outer edge that requires a metal cap to prevent water intrusion and to protect the finish surfaces. The affected buildings include Meridian Ranch, Odyssey, Ridgeview, Springs Ranch and Woodmen Hills. 141 total caps are to be installed.

COR #33	Wells & West	Sill caps at elementary windows	\$ 11,439.14
Total:			\$ 11,439.14

ALTERNATIVE COURSES OF ACTION

The Board could choose not to approve this amendment, in which case the window sills will appear unfinished, and the sills will be subject to water intrusion.

COST OR COST ESTIMATION:

Firm Quotes have been received and are detailed above. The total cost change is \$11,439.14 to be paid from project contingency funds.

MOTION REQUESTED:

Approve Contract Addendum #9 with Wells & West General Contractors for the CMU Remediation Project in the amount of \$11,439.14.

APPROVED BY: Brad J. Schoeppey, Ed. D., Superintendent **DATE:** October 29, 2009

Informational Items

8.00

Information Item for Falcon School District 49 Board of Education 8.01

Travel Study Trip request:

Stetson Elementary School Washington DC Trip

Departing 3/24/10 Returning 3/28/10

10-15 students would attend (4th & 5th grade)

Cost of trip per student-\$1768, (includes airfare, busses, all meals & snacks, lodging (4 people per room plus security) as well as entrance fees).

The goal of this trip is to teach students about the early history and founding of our country.

Fundraising will help defray the cost of this trip.

Travel Study Trip request:

FHS Band

Canon City Music & Blossom Festival in Canon City, CO

Departing 4/30/10 Returning 5/1/10

70 students would attend

Cost of trip per student \$125 (includes transportation-\$35, meals-\$25 & lodging-\$40).

This trip will allow the Falcon High School band to receive feedback from nationally acclaimed music judges.

Fundraising will help defray the cost of this trip.

Travel Study Trip request:

Evans International Elementary School 5th grade YMCA of the Rockies Outdoor Education in Estes Park, CO

Departing 5/10/10 Returning 5/12/10

Approximately 80 students would attend (All 5th grade students)

Cost of trip per student-\$150, (includes charter bus rental, meals (Day 1-1 meal, Day 2-3 meals & Day 3-2 meals), lodging (2 nights-YMCA of the Rockies cabins), students will participate in the courses listed below and a nurse will attend with the students.

This trip supports and will provide real-life, hands-on applications of the district science standards: 1, 3, 4, 5 & 6. The students will also participate in the following classes: outdoor living skills, beaver ecology and a night walk to explore our nocturnal neighbors.

This trip also correlates with the IB (International Baccalaureate) unit of study in fifth grade (ecosystems).

Fundraising will help defray the cost of this trip.

Travel Study Trip request:

Woodmen Hills Elementary School Washington DC Trip

Departing 10/11/10 Returning 10/14/10

Number of students attending is TBD (5th & 6th grade students during the 2010-2011 school year)

Cost of trip per student-\$1495, (All inclusive).

The goal of this trip is to teach students about the early history and founding of our country. This trip will also reinforce history and geography standards.

Fundraising will help defray the cost of this trip.

Discussion Items

9.00



BOARD OF EDUCATION AGENDA ITEM 9.01

BOARD MEETING OF: November 12, 2009

PREPARED BY: Joleen Schaake, Chief Financial Officer

TITLE OF AGENDA ITEM: Review for Revision and/or Adoption of Board of Education Policy DN – School Property Disposition, DN-R – School Property Disposition Regulation and DN-E – School Property Disposition Exhibit.

ACTION/INFORMATION/DISCUSSION: Discussion

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION

This policy needed to be updated to allow for the separation of policy from regulation, as well as update the form (exhibit) to include new information not requested on the current form (i.e., whether the equipment was purchased with grant funding). Current policy is outdated and lists a very low dollar threshold (\$200) in today's dollars. It also does not take into account all current methods of advertising available to the District (e.g., online).

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

Pro: The revised policy and regulation give clear instructions and guidelines for the staff to allow the legitimate disposal of obsolete or damaged items in our District where space is at a premium.
Con:

COST OR COST ESTIMATION:

No additional costs.

MOTION REQUESTED:

None

APPROVED BY: Brad J. Schoeppey, Ed. D., Superintendent

DATE: November 3,
2009

School Properties Disposition

It shall be the policy of Falcon School District to dispose of surplus, worn-out, and unusable school property. Board policy encourages competitive bidding for surplus or obsolete property at public sales whenever possible.

Books, supplies, and materials

Any district administrator may declare books, supplies and/or materials as obsolete. The obsolete articles shall be offered to all other administrators. If no administrator wishes to use the obsolete articles for district educational purposes, the administrator shall attempt to sell the articles. If sale of the obsolete articles is not possible, the obsolete articles shall be offered to nonprofit organizations and/or district students. Any remaining articles shall be destroyed.

Obsolete or worn-out equipment equal to or in excess of \$200.00 salvage value shall be sold or otherwise disposed of only upon approval of the Board of Education. Equipment with replacement value of less than \$200.00 may be sold or otherwise disposed of upon approval of the superintendent.

District encourages the "trading in" of obsolete or worn-out equipment in contrast to outright sale whenever feasible.

Real property and equipment

After the Board had declared real property as surplus, notice of the surplus real property shall be posted in order to notify the public that the property will be sold. Notice shall be by legal advertisement in a local newspaper and shall include the general details of the sale. Adjacent property owners shall be notified by regular mail of the proposed sale.

After the Board has declared equipment to be surplus, the surplus shall be sold by formal bid, informal bid or any other method determined by the Board. A record of all bidders and prices submitted shall be included with the receipt of funds record and shall be maintained with the financial records of the district.

Land and buildings shall be sold only upon approval of the Board of Education under such terms and conditions as the Board may direct. The Board has the authority to sell any district property which may not be needed in the foreseeable future upon such terms and conditions as it may approve. If the property is sold to a state agency or political subdivision of the state or if the Board anticipates that the district will become the tenant of the property under a lease, with or without an option to purchase, it shall not be necessary to find that the property may not be needed.

Administrators must declare books, supplies, materials, and equipment as obsolete on the appropriate form (File: DN-E).

The Board has the authority to sell or lease any district property, which may not be needed in the foreseeable future upon such terms and conditions as it may approve. The superintendent or designee shall follow the guidelines in the accompany procedure (DN-R) for disposal of obsolete equipment and/or materials including books.

The Board may determine that certain buildings and/or land may no longer be needed and direct the administration to present a plan for disposition.

Adopted: July 19, 1984.

Revised: December 21, 1989.

Revised: November 4, 1999.

Revised:

Cross Refs: DN-R (School Properties Disposition),
DN-E (Equipment Relocation/Disposal Request Form)

LEGAL REFS.: C.R.S. 22-32-110 (1)(e)
C.R.S. 24-18-202

School Properties Disposition - Regulation

1. Equipment

- a. No district employee may dispose of any district property without prior approval of the superintendent or designee.
- b. A district employee who feels there is a district property to be disposed of shall contact his/her supervisor in writing using the district's "Equipment Relocation/Disposal Request Form."
- c. The supervisor shall review the list of items. If he/she feels that the item will not be needed in the foreseeable future, the form will be signed and forwarded to the district purchasing department.
- d. The Purchasing Agent will make the list of items available known to all other district facilities at least annually.
 - i. However, equipment can be declared obsolete without advertising the item to other District facilities if there are District standards for that type of item in place where the item in question does not meet those current District minimum standards.
- e. If no other unit expresses an interest in the item, the superintendent or designee shall declare the item as surplus.
- f. Items not dispersed may be advertised for competitive bid or may be sold at an advertised public auction conducted by the district or taken to a local auction house. An internal notice of the proposed sale by bid or district auction shall be prepared and distributed to the superintendent and a copy posted in each district facility and posted on the district's website for at least one week prior to the sale or disposal of such property. All notices shall specify the date and time of bid opening or auction.
- g. Items remaining unsold after advertisement for sale or auction may be declared non-salvageable by the Financial Services Department, which shall determine the most advantageous method of disposal.
- h. Items shall first be offered to at least two salvage dealers in an attempt to derive some monetary gain for the District. If salvage dealers will not accept the property, the items may be taken to a refuse fill or given to a public tax exempt agency.

2. Textbooks/Library Books/Instructional Materials

- a. When deemed appropriate by the superintendent's designee for Learning Services, books may be sold to companies who purchase used books.



BOARD OF EDUCATION AGENDA ITEM 9.02

BOARD MEETING OF: November 12, 2009

PREPARED BY: Joleen Schaake, Chief Financial Officer

TITLE OF AGENDA ITEM: New Board of Education Policy DLB -Tax Sheltered Annuities and Salary Deferrals and DLB-R – Tax Sheltered Annuities and Salary Deferrals Regulation

ACTION/INFORMATION/DISCUSSION: Discussion

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION

This is a new policy and regulation addressing tax-sheltered annuities (TSA). Although the District has made these investments available to its employees through a payroll deduction, it did not have a policy or regulation addressing them. This policy makes clear the District's responsibilities as well as the employee's responsibility when choosing a TSA as part of a salary deferral. The regulation clarifies the District's relationship with vendors by providing a list of criteria and procedures to be followed when offering a 403(b) investment option. The regulation supports the District's 403(b) plan and is consistent with the requirements of Section 403(b) of the Internal Revenue Code.

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

Pro: This new policy and regulation support the implementation of the 403(b) administration plan as well make clear the responsibilities of the employee, the District, and the vendors involved in tax-sheltered annuities.

Con:

COST OR COST ESTIMATION:

No additional costs.

MOTION REQUESTED:

None

APPROVED BY: Brad J. Schoeppey, Ed. D., Superintendent **DATE:** November 3, 2009

Tax Sheltered Annuities and Salary Deferrals

The District may make tax-sheltered annuity and deferred compensation programs available to employees. All employees are entitled to take advantage of the provision of Section 403(b), 457 AND 401(K) of the Internal Revenue Code. Any such programs shall meet the requirements of the Internal Revenue Code, and the State of Colorado. The District assumes no responsibility for the viability, safety, financial stability or performance of any tax-sheltered annuity program and has not performed an investigation as to any such matters. The District will not provide investment performance analysis or advice to employees. Employees are encouraged to conduct their own investigation of tax-sheltered annuities and vendors.

Adopted:

Cross Refs: DLB-R (Tax-Sheltered Annuities)

Tax Sheltered Annuities

Selection of Vendors and other procedures:

The following is a list of criteria and procedures to be followed in selecting and working with vendors who offer tax-sheltered annuity investment options:

- 1. Vendors may offer either fixed or variable contracts to the extent that Section 403(b) of the Internal Revenue Service regulations permit making a change from one contract to another without tax penalties.**
- 2. The contract must be flexible in allowing increases or decreases in contributions. Contributions are subject to the maximum allowed per Section 403(b) of the Internal Revenue Code.**
- 3. Vendors will offer tax-sheltered annuity programs to employees, and will only offer these via payroll deductions. Life insurance and other products cannot be added to or sold in conjunction with tax-sheltered annuities.**
- 4. Vendors will submit to the school district the names of not more than two representatives who are authorized to sell the tax-sheltered annuity investment options to employees of the district. One such representative is to be designated as the official representative for all communications with the district on tax-sheltered annuity matters.**
- 5. Persons employed by the school district who have had a payroll deducted tax-sheltered annuity investment option with a previous employer may be allowed to transfer the investment into the District plan using one of the authorized vendors.**
- 6. Prior to becoming an authorized vendor, the vendor must have twenty-five (25) signed applications for a tax sheltered annuity investment option from district employees before the company will be permitted to be a participating vendor in the school district plan. If the quota is not reached, the vendor is obligated to notify the individuals who have signed and the school district that the vendor has not qualified to participate as an authorized vendor of the District plan. If at any time a vendor falls below the twenty-five (25) participant threshold it may be deselected from the District authorized vendor list.**
- 7. All tax-sheltered annuity contracts, changes and terminations are to be dated as of the first day of the month in which they are to become effective.**
- 8. Any employee who is enrolled in a tax-sheltered annuity investment option may change or terminate contribution to the investment option by notifying the district payroll office and the vendor in writing by the 5th calendar day of any month in which he/she wishes such change or termination to become effective.**

9. There shall be no conducting of tax-sheltered annuity business with district employees during the working day on district premises. The district will not provide a directory of district employees to companies. Mass telephone solicitation is not to be practiced. Vendors may request authorization from the district to distribute advertising materials through the district mail service in March and September of each year.
10. An authorized official of a participating vendor shall acknowledge in writing that the vendor agrees to meet and follow the criteria established in a procedure and contained in the Investment Provider Service Agreement through the signing of the agreement.
11. A proven violation of the procedural criteria contained in this regulation and in the above noted Investment Provider Service Agreement shall be cause for discontinuing a vendor from further writing of tax-sheltered annuity investment options in the district.
12. All Tax-Sheltered Annuity Program Vendors must have signed the Investment Provider Service Agreement with the school district prior to conducting business and must agree to abide by such agreements for the duration of the agreement.
13. All Tax-Sheltered Annuity Program Vendors and employees participating in Tax-Sheltered Annuities will comply with the District's Plan Document and compliance programs.
14. The District has full authority and complete discretion to construe, interpret and apply any provision of these regulations, to determine the eligibility of any employee or Tax-Sheltered Annuity Program Vendor to participate in the plan, to determine allowable amount of salary reduction contributions and determine any issue of compliance with the requirement of Section 403(B) of the Internal Revenue Code. The district's determination of any issue that may arise under these regulations or the plan shall be final and binding on the employee and/or the employee's Tax-Sheltered Annuity Program Vendor.

The regulations and/or the plan may be amended or modified in whole or in part or terminated by action of the District at any time in a manner which is consistent with the requirement of Section 403(b) of the Internal Revenue Code.

Adopted:

Cross Refs: DLB (Tax-Sheltered Annuities and Salary Deferrals)



BOARD OF EDUCATION AGENDA ITEM 9.03

BOARD MEETING OF: November 12, 2009

PREPARED BY: Joleen Schaake, CFO

TITLE OF AGENDA ITEM: Revision of Board of Education Policy DKB, Salary Deductions

ACTION/INFORMATION/DISCUSSION: Discussion

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION

Revisions have been made in order to address tax-sheltered annuity (TSA) deductions in conjunction with new policy DLB and regulation DLB-R.

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

Pro: These revisions support the implementation of the 403(b) administration plan as well as update the old policy with minor revisions.

Con:

COST OR COST ESTIMATION:

No additional costs.

MOTION REQUESTED:

None

APPROVED BY: Brad J. Schoeppey, Ed. D., Superintendent **DATE:** November 3, 2009

Salary Deductions

Deductions shall be made from the paychecks of all employees for retirement; **and** federal and state income tax and any other legally required purpose in keeping with federal and state requirements; and Medicare tax if applicable. **In addition court ordered deductions (i.e. wage garnishments, court-ordered child support, etc.) will be withheld from employees salaries and remitted to the appropriate recipient according to the order received.**

Salary deductions shall be made for absences not covered by leave policies adopted by the Board of Education. Such deductions shall be calculated **at the employee's current per diem rate based** on the basis of the employee's **current** work year **calendar**.

Employees may elect to have amounts withheld from their paychecks to be used by the district to pay a third party. Examples of such deductions include health insurance and tax-deferred annuities.

All employees are entitled to take advantage of the provisions of Section 403(b) of the Internal Revenue code of 1954, as amended, whereby a public school employee may have his pay reduced by an amount which is credited to his/her account with a firm which will establish this sum as an annuity account. The superintendent shall be authorized to issue written regulations covering the acceptance of Tax Shelter Annuity Companies to assure an orderly processing of the employee's fund. The district does not endorse any tax shelter company. It shall be the employee's responsibility to select the company that best meets his/her needs, provided such company has made the necessary arrangement with the district Finance Office.

All employees are entitled to take advantage of the provisions of Section 401(k) of the Internal Revenue code. The only 401(k) program authorized by the district is the program operated by the Colorado Public Employees Retirement Association (Colorado PERA).

All voluntary deductions shall require an approved authorization form signed by the employee stating the amount, third party, and name of employee. Voluntary deductions shall be offered to district employees when ten 25 or more employees submit authorization forms.

All other types of deductions shall require Board approval and permission of the employee.

Adopted: September 1, 1977.

Revised: July 19, 1984.

Revised: November 4, 1999.

Revised:



BOARD OF EDUCATION AGENDA ITEM 9.03

BOARD MEETING OF: November 12, 2009

PREPARED BY: Amber Whetstone, Elementary Specialist

TITLE OF AGENDA ITEM: Instructional Staff Evaluation Handbook and revision to Board of Education Policy GCOA – Instructional Staff Evaluations
GCOA-R – Instructional Staff Evaluations - Regulation

ACTION/INFORMATION/DISCUSSION: Discussion

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION:

In an effort to continually improve instruction and student learning, the Falcon School District 49 Personnel Performance Committee has worked diligently to revise the current teacher and instructional staff evaluation handbook including performance standards for all instructional staff evaluations. The committee gathered input from administrators and instructional staff (teachers, counselors, librarians, nurses, special education providers) in evaluating the fairness, effectiveness, credibility and professional quality of the instructional staff performance evaluation system.

The evaluation handbook including Board of Education policies GCOA and GCOA-R, were reviewed for high standards and accountability for quality instruction and staff performance. The committee proposes changing the current evaluation cycle to require at least one formal evaluation observation for every instructional staff member each year. Currently, non-probationary staff are evaluated with a formal observation every other year. In addition, the committee recommends the requirement of two informal observations for all instructional staff each year.

Other revisions to policies GCOA and GCOA-R are proposed to align with the Colorado Association of School Boards and to make clearer the expectations for performance evaluation processes of instructional staff.

It is proposed that changes to the evaluation cycle take place at the commence of the 2010-2011 school year, and that the newly revised evaluation handbook and performance standards be implemented immediately.

PROS/CONS AND ALTERNATIVE COURSES OF ACTION

Pros – Revising polices GCOA and GCOA –R will change the current evaluation cycle for instructional staff, providing more frequent and thorough feedback for teachers to improve instructional practices. Policies GCOA and GCOA-R were last updated in May 2003, and the proposed revisions will update policy in alignment with the Colorado Association of School Boards and make clearer evaluation processes. Implementing the revised performance indicators for instructional staff evaluations will provide more consistency in the performance expectations of staff district wide and more specific feedback to staff on their instruction and performance.

Cons – Falcon School District administrators and staff will need training on the implementation of the revised handbook, performance indicators and policy. Changing policy during the evaluation cycle will require some flexibility during the 2009-2010 school year.

Alternatives – Do not revise policies GCOA and GCOA-R and continue with the evaluation cycle and procedures currently in place.

COST OR COST ESTIMATION:

None

MOTION REQUESTED:

N/A

APPROVED BY: Mary E. Guinn, Ed. D., Deputy Superintendent **DATE:** November 3, 2009

Evaluation of Instructional Staff

The Board of Education recognizes ~~that the teaching process is extremely complex and that appraisal of the process is a difficult function.~~ It also recognizes that sound appraisal of ~~teaching~~ **instructional staff** performance is critical in achieving the educational goals of the school system.

The Board expects its supervisory and administrative staffs to exert ~~every~~ **reasonable** efforts to help and encourage staff members to develop their teaching personalities and instructional abilities to an optimum degree to improve student performance.

In keeping with state law, the Board shall approve a performance evaluation system which shall serve as a basis for the improvement of instruction, enhance the implementation of curricular programs, and measure professional growth and development of licensed personnel. The evaluation system also shall serve as the measurement of satisfactory performance and documentation for dismissal for unsatisfactory performance.

The Board shall consult with district administrators, teachers, parents, and the ~~teacher evaluation~~ **Performance Evaluation** Committee in developing the evaluation system. A process shall be developed to conduct an on-going review of the evaluation system.

The basic requirements of the evaluation system shall be:

1. The Board shall require regular evaluation of all full-time and part-time ~~teachers and licensed support staff~~ **instructional staff** by administrators/supervisors. These evaluators must have a principal or administrator license and education and training in evaluation skills to enable them to make fair, professional, and credible evaluations of the personnel ~~who~~ they are responsible for evaluating.
2. Evaluations shall be conducted in a fair and professional manner and shall be based on written criteria which pertain to good ~~teaching~~ **instruction** and the staff member's particular position.
3. Standards for satisfactory performance of ~~licensed personnel~~ **instructional staff** and criteria, which can be used to determine whether performance meets such standards, shall be developed. One of the standards for measuring ~~teacher~~ **instructional staff** performance shall be directly related to ~~classroom~~ instruction and shall include multiple measures of student performance. The district ~~teacher~~

Performance Evaluation Committee shall be an active participant in the development of standards and performance.

4. The system shall identify the various methods which will be used for information collection during the evaluation process such as direct and informal observation and peer, parent, or student input obtained from standardized surveys. All data

on which an evaluation judgment is based will be documented to the extent possible and be available for the ~~teacher's~~ **evaluated staff member's** review. All evaluation standards and criteria shall be given in writing to all licensed personnel and shall be communicated and discussed by the person being evaluated and the evaluator prior to and during the course of the evaluation.

5. The evaluation system shall specify the frequency and duration of the evaluation process, which shall be on a regular basis to ensure the collection of a sufficient amount of data from which reliable conclusions and findings may be drawn. Probationary ~~teachers~~ **staff** shall receive at least two formal observations **evaluations, and two audits-informal observation evaluations** and ~~one written summative evaluation~~ every year. Non-probationary ~~teachers~~ **staff** shall receive at least one formal observation **evaluation** every ~~other~~ year and two ~~audits~~ informal observation evaluations ~~on alternating~~ each years. All ~~teachers~~ **instructional staff** shall have a written summative evaluation each year.

6. All written summative evaluations shall be specific as to performance strengths and weaknesses, specifically identify when a direct observation was made, identify data sources, and contain a professional growth plan. A professional growth plan shall be specific as to what improvements, if any, are needed in performance.

The staff member concerned shall have an opportunity to review the document with the supervisor who makes the evaluation, and both shall sign it. The summative evaluation document shall be reviewed by a supervisor of the evaluator whose signature also shall appear on it.

If the evaluatee disagrees with any of the conclusions or recommendations made in the evaluation report, he or she may attach any written explanation or other relevant documentation.

7. The system shall contain a process which shall be followed when ~~an teacher's~~ **instructional staff member's** performance is deemed unsatisfactory. In accordance with state law, this process shall provide for a notice of deficiencies, ~~a remediation plan, and an opportunity to correct the deficiencies, and a~~ **remediation plan (if applicable).**

The school district shall conduct all evaluations so as to observe the legal and constitutional rights of ~~licensed personnel~~ **instructional staff**. No informality in any evaluation or in the manner of making or recording any evaluation shall invalidate the evaluation. No minor deviation in the evaluation procedures shall invalidate the process or the evaluation report.

Nothing in this policy shall be construed to imply in any manner the establishment of

any property rights or expectancy or entitlement to continued employment not explicitly established by statute, Board policy, or contract. Neither shall this policy be deemed or construed to establish any conditions prerequisite relative to renewal of contracts, transfer, assignment, dismissal, or other employment decisions relating to school personnel.

Unless an evaluator acts in bad faith or maliciously with respect to the application of a procedure associated with the evaluation process, any misapplication of a procedure, failure to apply a procedure, or adhere to a prescribed timeline shall not be an impediment to or prevent the Board from modifying an employee's contract status or assignment under the terms of the employment contract and state law. The content of the evaluation, the ratings given, and any improvement or remediation plan shall not be grievable under the district's formal grievance process.

All employment decisions remain within the sole and continuing discretion of the Board of Education, subject only to the conditions and limitations prescribed by Colorado law.

Adopted: April 21, 1977.

Revised: August 18, 1977.

Revised: April 20, 1978.

Revised to conform with practice: date of manual adoption.

Revised: December 15, 1983.

Revised: February 27, 1986.

Revised: June 4, 1992.

Revised: June 18, 1998.

Revised: October 1, 1998.

Revised: August 10, 2000.

Revised: May 1, 2003.

Revised:

LEGAL REFS.: C.R.S. 22-9-101 *et seq.* (*Certificated Personnel Performance Evaluation Act*)

C.R.S. 22-63-301

C.R.S. 22-63-302(8)

CROSS REFS.: BDFA, District Personnel Performance Evaluation Council

CFBA, Evaluation of Evaluators

GCQF, Discipline, Suspension, and Dismissal of Professional Staff
(and Contract Nonrenewal)

Evaluation of Instructional Staff - Regulation

Evaluations will be conducted in accordance with state law and Board policy to improve instruction, enhance the implementation of programs in the curriculum, and

measure the professional growth and development of personnel and level of performance of each ~~licensed employee~~ **instructional staff member**.

Evaluations also will serve as the measurement of satisfactory performance for ~~teachers~~ **instructional staff** and documentation for dismissal for unsatisfactory performance.

Therefore, even though the evaluation process is designed to encourage and assist

~~licensed employees~~ **instructional staff** to perform at a level consistent with the district's standards, the evaluator or the superintendent may recommend to the Board of Education that changes be considered in contract status or assignment.

The procedures necessary to administer and implement the district's evaluation policy are as follows:

Initial requirements

All ~~licensed personnel~~ **instructional staff** will be evaluated, including part-time ~~teachers~~ **instructional staff**. An organization chart or comparable document will be prepared to identify the evaluator by title or position for each licensed employee. The chart will indicate which position(s) each evaluator will evaluate and which administrator is responsible for evaluating the evaluator.

In most situations, the administrator who directly supervises the ~~licensed employee~~ **instructional staff member** to be evaluated will make evaluations.

A job description will be developed for each ~~licensed employee~~ **instructional staff member**, which sets forth expectations from the school district for the position. Similar job descriptions will be used for all employees with similar staff assignments.

Written standards for satisfactory performance will be developed as well as criteria

to be used to determine whether a ~~teacher's~~ performance meets district standards.

One of the standards for measuring ~~teacher~~ performance shall be directly related to

~~classroom~~ instruction and shall include multiple measures of student performance.

The district ~~personnel~~ Performance Evaluation ~~council~~ **Committee** will actively participate in the development of the standards.

Other criteria will be developed for evaluation of each position prior to the evaluation.

The criteria will relate to the particular position as set forth in the individual's job description and any outcomes which are expected from the position.

Information will be made available to each evaluatee about the evaluation system,

the evaluation policy and procedures, and the responsibilities of the evaluator and

evaluatee. In addition, all evaluation standards and criteria shall be given in writing

to all licensed personnel and shall be communicated and discussed by the person

being evaluated and the evaluator prior to and during the course of the evaluation.

Information collection

The evaluator will directly observe the evaluatee as well as compile other data in accordance with the district's evaluation system. Peer, parent, or student input may

be obtained from standardized surveys.

No evaluation information will be gathered by electronic devices without the consent

of the evaluatee. The evaluator will identify and document to the extent possible all

relevant sources of data used as the basis for any evaluation judgment.

Frequency and duration

Probationary ~~teachers~~ **staff** will be observed at least four times each year (two formals

and two ~~audits~~ **informals**). Other licensed personnel will be formally observed once every

~~other~~ year and receive at least two ~~audits~~ **informal observations** on the

~~alternating~~ **each year. Probationary staff in their third year of employment in Falcon School District, who exhibited performance which consistently met expectations for performance during their first two years in the district,**

may, at the discretion of the evaluator, be evaluated according to the non-probationary staff evaluation cycle. All ~~teachers~~ **instructional staff** must have an end of the year summative evaluation. ~~Probationary teachers coming to the district with prior documented satisfactory teaching evaluations and receiving~~

~~satisfactory or better evaluations during their first two years in Falcon School District~~

~~#49 may, at the principal's discretion, have their evaluation reduced to one formal and two audits during their third probationary year.~~

Variations will be permitted in this evaluation schedule, whether requested by the evaluator or evaluatee, only when the evaluatee is notified by the evaluator that an additional evaluation report is necessary for reasons consistent with one or more purposes of the evaluation system, and the evaluatee has an opportunity to meet with the evaluator.

The district's summative evaluation system specifies ~~one or two~~ formal observations **be** a minimum of 40 minutes **each** when required (~~audits and informals~~ of 15 minutes **each**) be completed before the summative evaluation report is written. Minor adjustments and variations will be allowed in order to ensure that the evaluation process is thorough and that sufficient data is collected from which reliable findings and conclusions may be drawn. All ~~teachers~~ **instructional staff** will receive a summative evaluation by no later than May 15.

~~A report shall not be written until the required documented observations and data collection are completed. Minor adjustments and variations in the process will be allowed in order to ensure that the evaluation process is thorough and that sufficient data is collected from which reliable findings and conclusions may be drawn.~~

When two formal observations are required, the first will be completed by the end of first semester and the second completed in such time that a post-observation conference be conducted by May 15. The evaluator will discuss results with the evaluatee within thirty days of observation.

Additional informal evaluations or observations may be made whenever appropriate.

Documentation

The evaluator will prepare a written summative evaluation at the conclusion of the evaluation process, which will include the following:

1. A professional growth plan which is specific as to what improvements, if any, need to be made, in the performance of the ~~teacher~~ **instructional staff member** and which clearly sets forth recommendations for improvements including recommendations for additional education and training during the ~~teacher's~~ **staff member's** recertification process.

2. Specific information about the strengths and weaknesses in the performance of the evaluatee.
3. Documentation identifying when a direct observation was made.
4. Identification of all data sources.

Both formal observations and summative evaluations will be discussed with the evaluatee. Both the evaluator and the evaluatee will sign the report, and each will receive a copy. The signature of any person on the report will not be construed to indicate agreement with the information contained therein. If the evaluatee disagrees with any of the conclusions or recommendations made in the evaluation report, he or she may attach any written explanation or other relevant documentation.

The evaluatee may attach any written comments to the evaluation report before it is reviewed by the supervisor of the evaluator. Each report will be reviewed and signed by a supervisor of the evaluator.

The evaluator will maintain a cumulative file of all pertinent data relating to each ~~teacher's~~ **instructional staff member's** evaluation, including the summative evaluation report. This file will be available for the ~~teacher's~~ **instructional staff member's** review and will include any written comments signed and submitted by the ~~teacher~~ **staff member**.

Unacceptable performance of a ~~probationary teacher~~ instructional staff

1. An ~~teacher~~ **instructional staff member** whose evaluation indicates performance is unsatisfactory or in need of improvement will be so informed by the principal or primary evaluator.
2. The ~~teacher~~ **staff member** will receive written suggestions for ways the ~~teacher can~~ **to** improve.
3. If the ~~teacher's~~ next formal evaluations ~~and/or audits~~ informal evaluation indicates the ~~teacher~~ **instructional staff member** is still not performing satisfactorily, the evaluator may make recommendations for nonrenewal of the ~~teacher's~~ **employee's** contract.

Unacceptable performance of a non-probationary ~~teacher~~ instructional staff

1. A ~~teacher~~ **Instructional staff** whose evaluation indicates performance is unsatisfactory or in need of improvement will be given a notice of deficiencies.

2. A remediation plan to correct deficiencies will be developed by the evaluator and the ~~teacher~~ **instructional staff member**.
3. ~~The teacher will be given~~ A reasonable period of time to correct the deficiencies and a statement of resources and assistance available to improve performance **will be given**.
4. Further evaluations of an ~~teacher~~ **instructional staff member** on a remediation plan will occur on a different cycle than the annual evaluation, if necessary.
5. If the ~~teacher's~~ next evaluation shows the ~~teacher~~ **instructional staff member** is performing satisfactorily, no further action will be taken.
6. If the ~~teacher's~~ next evaluation indicates the ~~teacher~~ **is still not performing satisfactorily, performance is still not satisfactory**, the evaluator either will make additional recommendations for improvement or take any necessary steps to recommend dismissal.

Appeal

The conclusions of the evaluator will not be subject to further review except as otherwise provided in these procedures.

The evaluatee may appeal the application of the evaluation procedures by submitting a request for review to the supervisor of the evaluator to determine if the procedures were followed during the evaluation.

~~Some flexibility is necessary for proper administration of the evaluation system. Minor deviations or variances in the procedures will be allowed as long as the variances do not result in significant hardship for or malicious treatment of the evaluatee.~~

~~Informal evaluations or observations may be made whenever appropriate.~~

Adopted: October 10, 1979.

Revised to conform with practice: date of manual adoption.

Revised: February 27, 1986.

Revised: June 4, 1992.

Revised: June 18, 1998.

Revised: October 1, 1998.

Revised: August 10, 2000.

Revised: May 1, 2003.



BOARD OF EDUCATION AGENDA ITEM 9.05

BOARD MEETING OF: November 12, 2009

PRESENTED BY: Mark A. McPherson, Executive Director of Human Resources

TITLE OF AGENDA ITEM: Revision to Board of Education Policy GBGD - Workers' Compensation and GBGD – R Workers' Compensation Regulation

ACTION/INFORMATION/DISCUSSION: Discussion

BACKGROUND INFORMATION, DESCRIPTION OF THE SITUATION, AND RECOMMENDED COURSE(S) OF ACTION:

Workman's Compensation state legislative regulations now require two providers for emergency care instead of a sole source to provide a choice for care to employees. This revision annotates the available sources of care and delete's resources that no longer exist.

ALTERNATIVE COURSES OF ACTION:

None

COST OR COST ESTIMATION:

None

MOTION REQUESTED:

None

APPROVED BY: Mary E. Guinn, Ed. D. Deputy Superintendant **DATE:** 3 November, 2009

Workers' Compensation

An employee is eligible for workers' compensation leave from the district during the period of time he/she is temporarily disabled as a direct result of injury arising out of and in the course of his/her employment which qualifies for an indemnity payment from the workers' compensation division of the Colorado Department of Labor and Employment.

Workers' compensation leave shall be available only to those persons who sustain a temporary total disability or a temporary partial disability and are unable to perform all or part of their regularly assigned duties.

The source of compensation for an employee on workers' compensation leave shall be the indemnity payment from the workers' compensation section of the division of the Colorado Department of Labor and Employment. The rate of compensation will be 66 and 2/3% of his/her average weekly wage.

The employee is required to use three days of sick leave after the disability occurs. After that point, the employee will receive compensation from the workers' compensation section of the Colorado Department of Labor and Employment. During the period of compensated leave, the district shall not charge any time from vacation, sick, or personal leave. Likewise, the employee will have no access to vacation, sick, Catastrophic leave bank, or personal leave while he/she is eligible for workers' compensation leave.

The district may, at their discretion, place the employee in a "modified duty - return to work" program (). The employee may not refuse the "modified duty." The employee will receive their rate of pay for the time worked, any hours less than their regular assignment will be compensated by the Colorado Department of Labor and Employment at a rate of 66 and 2/3% of his/her average weekly wage.

Employees shall continue to have school district insurance while the employee is under a temporary total or partial disability. The employee shall be responsible for their share of the monthly premium if applicable.

Adopted: March 4, 1993.

Reviewed: May 11, 2000.

Revised: January 11, 2001.

LEGAL REFS.: C.R.S. 8-42-101 *et seq.* (*Worker's Compensation of Colorado*)

C.R.S. 8-42-105

CROSS REFS.: GCCAA, Instructional Staff Sick Leave
GCCBA, Administrative Sick Leave
GCD, Professional Staff Vacations and Holidays
GDCA, Support Staff Sick Leave
GDD, Support Staff Vacations and Holidays

Workers' Compensation

Medical provider

The school district will select at least two medical providers authorized to perform worker's compensation evaluations. These providers must be acceptable to the insurance carrier for which the district contracts for services.

Emergency after hours care is available through Memorial or St. Francis Hospital.

Incident review

All accidents should be reported on a first report of injury form. A follow-up investigation will be done. If the investigation shows a need for action, appropriate steps will be taken by the executive director of human resources.

At a safety committee meeting, the incident will be reviewed and action taken will be discussed. The role of the safety committee is to be proactive in eliminating unsafe conditions.

The safety committee will be chaired by the District Safety & Emergency Coordinator.

Adopted: April 18, 1985.

Revised: March 2, 1989.

Revised to conform with practice: date of manual revision.

Reviewed: May 11, 2000.

Revised: January 11, 2001.

Revised:

Open Forum

10.00

Other Business

11.00

- 11.01 **Executive Session:** Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators as authorized by section 24-6-402-(4) (e) of the Colorado Revised Statutes and to receive legal advice from our attorney, as authorized by section 24-6-402 (b) of the Colorado Revised Statutes. – Dealing with water damage.
- 11.02 **Executive Session:** Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators as authorized by section 24-6-402-(4) (e) of the Colorado Revised Statutes and to receive legal advice from our attorney, as authorized by section 24-6-402 (b) of the Colorado Revised Statutes. - Dealing with Woodmen Hills Elementary Litigation.

Adjournment

12.00