



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**  
**August 13, 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 July 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 July 2, 2009 Special Board of Education Meeting
  - 4.06 Approval of Minutes for July 9, 2009 Regular Board of Education Meeting
  - 4.07 Approval of Minutes for July 16, 2009 Special Board of Education Meeting
  - 4.08 Approval of Minutes for July 23, 2009 Special Board of Education Meeting
  - 4.09 Approval of Revision to Board of Education Policy Regulation GCCAA-R/GDCAA-R, Catastrophic Leave Bank (Limited Sick Leave Bank).
- 5.00 Board/Superintendent Update**
- 6.00 Open Forum**
- 7:00 Action Items**
  - 7.01 Approval of Intergovernmental Agreement between District 49 and El Paso County Clerk and Recorder for the November 2009 Colorado Coordinated Election
  - 7.02 Rocky Mountain Classical Academy “Operational Agreement” with Falcon School District 49 for Special Education Services
- 8:00 Information Items**
- 9.00 Discussion Items**
- 10.00 Open Forum**

**11.00            Other Business**

**12.00            Adjournment**

DATE OF POSTING: August 7, 2009

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Loretta Branham, BOE Administrative Assistant



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**REGULAR  
BOARD OF EDUCATION MEETING  
August 13, 2009  
6:30 p.m.**

**CENTRAL ADMINISTRATION—  
BOARD ROOM**

# Call to Order and Roll Call

1.00

# Welcome and Pledge of Allegiance

2.00

# Approval of Agenda

3.00



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DATE OF POSTING: August 7, 2009

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Loretta Branham, BOE Administrative Assistant

# Consent Agenda

## 4.00



**BOARD OF EDUCATION AGENDA ITEM 4.01**

**BOARD MEETING OF:** August 13, 2009

**PRESENTED BY:** Joleen Schaake, Chief Financial Officer

**TITLE OF AGENDA ITEM:** July 2009 Monthly Financial Update

**ACTION/INFORMATION/DISCUSSION:** Consent Agenda - 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 the attached spreadsheet: the first column is the list of each fund the District has. The 2009-2010 columns start with the approved budget for the whole year compared to revenues and expenditures through July. Percentages over 100% on a revenue line are good in that we received more revenue than was anticipated. If any of the expenditure lines were higher than the percentage of year concluded, that fund could be an area of possible concern depending upon why it was high.

The 2009-2010 year-end fund balance columns are required by statute. This is showing you the budgeted and anticipated end-of-year fund balance. The 2008-2009 columns are the prior year's total budget and the actual through June 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 July 2009 monthly financial update of all funds as presented.

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

**DATE:** July 30, 2009





**BOARD OF EDUCATION AGENDA ITEM 4.02**

**BOARD MEETING OF:** August 13, 2009

**PRESENTED 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**

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:** Mark McPherson, Executive Director of Human Resources      **DATE:** July 31, 2009

**FALCON SCHOOL DISTRICT 49**

**August 13, 2009**

**APPROVAL OF MATTERS RELATING TO ADMINISTRATIVE PERSONNEL**

Be it resolved, that the following matters relating to certified personnel be approved as recommended by the Executive Director of Human Resource and the Superintendent:

**APPOINTMENTS:**

- Califano, Gerald                      Appointed RTI Coordinator for the 2009-2010 Academic Year at a salary of \$89,096. This is a grant position.
- Colussi, Daniel                        Appointed Assistant Principal of Falcon High School for the 2009-2010 Academic Year at a salary of \$73,944.20. This is a replacement position.
- Guinn, Mary E.                        Appointed as Deputy Superintendent for the 2009-2010 Academic Year at a salary of \$150,000. This is a new position.
- Mather, Judith Lynn                    Appointed Curriculum, Instruction and Assessment Coordinator for the 2009-2010 Academic Year at a salary of \$89,096. This is a replacement position.
- Olson, Ina                                Appointed as Assistant Supervisor of Nutrition Services for the 2009-2010 Academic Year at a salary of \$ 28,487. This is a transfer from her position of Nutrition Services Manager.
- Slyter, Michelle                        Appointed as Assistant Principal of Evans International Elementary for the 2009-2010 Academic Year at a salary of \$66,671. This is a transfer from her position of Literacy Coach at Evans International.

**TRANSFERS:**

None

**REQUESTS FOR LEAVE:**

None

**RETIREMENTS:**

None

**RESIGNATIONS:**

None

**APPROVED BY:** Mark McPherson, Executive Director of HR    **DATE:** August 7, 2009



**BOARD OF EDUCATION AGENDA ITEM 4.03**

**BOARD MEETING OF:** August 13, 2009

**PRESENTED 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**

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:** Mark McPherson, Executive Director of Human Resources      **DATE:** July 31, 2009

**FALCON SCHOOL DISTRICT 49**

**August 13, 2009**

**APPROVAL OF MATTERS RELATING TO LICENSED PERSONNEL**

Be it resolved, that the following matters relating to certified personnel be approved as recommended by the Executive Director of Human Resource and the Superintendent:

**APPOINTMENTS:**

Berns, Kyle	Hired as a Math Teacher at Vista Ridge High School effective for the 2009-2010 school year. Salary is set at: \$45,573.00.
Boulett, Sarah	Hired as a Spanish Teacher at Falcon High School effective for the 2009-2010 school year. Salary is set at: \$36,617.00.
Castle, Donald	Hired as the HS Counselor (Grant Position) effective for the 2009-2010 school year. Salary is set, per the grant, at \$51,765.00 with a \$1,500.00 stipend for mileage.
Ceballos, Patricia	Hired as an INR Speech-Language Pathologist with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$56,553.20.
Chiles, Fanny	Hired as a Special Education Social Communications Teacher at Evans Elementary School effective for the 2009-2010 school year. Salary is set at: \$39,917.00.
Clay, Carrie	Hired as a Special Education SLD Teacher at Falcon Middle School effective for the 2009-2010 school year. Salary is set at: \$47,782.00.
Colby, Steffani	Hired as an Early Childhood Special Education Teacher at Ridgeview Elementary Preschool effective for the 2009-2010 school year. Salary is set at: \$42,193.00.
Davis, Molly	Hired as a .5 GT/.5 RTI Teacher at Falcon High School effective for the 2009-2010 school year. Salary is set at: \$41,674.00.
Derengowski, Jeff	Hired as a 2 <sup>nd</sup> grade teacher at Woodmen Hills Elementary School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.
Foster, Krista	Hired as a Special Education SLD Teacher at The Imagine Classical Academy effective for the 2009-2010 school year. Salary is set at: \$39,977.00.
Gerweck, Bethany	Hired as a 3 <sup>rd</sup> Grade Teacher at Evans Elementary School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.
Hagedorn, Linda	Hired as a .5 ELL Teacher at Springs Ranch Elementary School effective for the 2009-2010 school year. Salary is set at: \$20,244.60.

Hancock, Kathryn	Hired as a 6 <sup>th</sup> Grade Language Arts/Social Studies Teacher at Falcon Middle School effective for the 2009-2010 school year. Salary is set at: \$41,535.00.
Mahany, Laura	Hired as an INR Sped SLD Teacher at Falcon Middle School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.
Mattson, Jennifer	Hired as a 1 <sup>st</sup> Grade Teacher at Meridian Ranch Elementary School effective for the 2009-2010 school year. Salary is set at: \$33,760.00.
Nerdalen, Erin	Hired as a Visual Art Teacher at Falcon High School effective for the 2009-2010 school year. Salary is set at: \$38,639.00.
Nezbeda, Jakob	Hired as a 4 <sup>th</sup> Grade Teacher at Woodmen Hills Elementary School effective for the 2009-2010 school year. Salary is set at: \$38,639.00.
Ohl, Karen	Hired as a Physical Education Teacher at Odyssey Elementary School effective for the 2009-2010 school year. Salary is set at: \$40,733.00.
Saylor, Amy	Hired as a Special Education SLD Teacher at Skyview Middle School effective for the 2009-2010 school year. Salary is set at: \$34,760.00.
Schnitzler, Abigail	Hired as an Early Childhood Special Education Teacher at Ridgeview Elementary School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.
Seymour, Bryan	Hired as a French Teacher at Horizon Middle School effective for the 2009-2010 school year. Salary is set at: \$39,598.00.
Smith, Licette	Hired as a Science Teacher at Falcon High School Teacher effective for the 2009-2010 school year. Salary is set at: \$44,118.00.
Weaver, Megan	Hired as a .5 Kindergarten Teacher at Meridian Ranch Elementary School effective for the 2009-2010 school year. Salary is set at: \$20,859.14.

**TRANSFERS:**

Little, Tyra	Transferred from her position as High School Counselor at Falcon High School to Middle School Grant Counselor for the 2009-2010 school year. Salary is set, per the grant at: \$51,765.00 with a \$1,500.00 stipend for mileage.
Meadows, Martina	Transferred from her position as full-time ELL teacher to .5 ELL Teacher at Springs Ranch Elementary School and .5 ELL Lead Teacher at Central Office effective for the 2009-2010 school year. Salary is set at: \$54,002.21.

Ross, Sarah Transferred from her position as Speech-Language Pathologist Assistant to Special Education SLD Teacher at Woodmen Hills Elementary School effective for the 2009-2010 school year. Salary is set at: \$34,196.00.

**REQUESTS FOR LEAVE:**

None

**RETIREMENTS:**

None

**RESIGNATIONS:**

Kuettner, Heather Written resignation from her position as 2<sup>nd</sup> Grade Teacher at Woodmen Hills Elementary School effective May 29, 2009.

Lyons, Korina Written resignation from her position as Physical Education Teacher at Odyssey Elementary School effective May 29, 2009.

Nall, Kathleen Written resignation from her position as Math/Science Coach at Skyview Middle School effective July 17, 2009.

Schmidt, Margaret Written resignation from her position as 1<sup>st</sup> Grade Teacher at Meridian Ranch Elementary School effective May 29, 2009.

**SUBSTITUTES:**

Adler, Sami Substitute Teacher, Initial, MA, \$90.00 a day

Armstrong, Mary Substitute Teacher, Professional, MA, \$90.00 a day

Bergman, Nanette Substitute Teacher, Professional, MA, \$90.00 a day

Bir, Arshi Substitute Teacher, Initial, BA, \$90.00 a day

Campbell, Robert Substitute Teacher, Initial, BA, \$90.00 a day

Condas, Thomas Substitute Teacher, Substitute, BA, \$90.00 a day

Davis, Shan Substitute Teacher, Initial, BA, \$90.00 a day

Evans, Michelle Substitute Teacher, Initial, BA, \$90.00 a day

Fletcher, Marjorie Substitute Teacher, Initial, MA, \$90.00 a day

Gates, Sandra Substitute Teacher, Professional, MA, \$90.00 a day

Johnson, Lisa Substitute Teacher, Initial, MA, \$90.00 a day

Jones, Raymond Substitute Teacher, Substitute, MA, \$90.00 a day

Koskela, Jane	Substitute Teacher, Initial, BA, \$90.00 a day
Martin, Paul	Substitute Teacher, Substitute, 3 yr, MA, \$90.00 a day
McCune, Sean	Substitute Teacher, Professional, BA, \$90.00 a day
McKellip, Nicholas	Substitute Teacher, Initial, BA, \$90.00 a day
Mendoza, Benjamin-Ray	Substitute Teacher, Substitute, BA, \$90.00 a day
Nelson, Brandon	Substitute Teacher, Initial, MA, \$90.00 a day
Orinak, Jessica	Substitute Teacher, Initial, BA, \$90.00 a day
Perry, Frankiemae	Substitute Teacher, Professional, BA, \$90.00 a day
Ragsdale, Angela	Substitute Teacher, Substitute, 3 yr, BA, \$90.00 a day
Traynor, Becky	Substitute Teacher, Professional, BA, \$90.00 a day
Tooker, Manuela	Substitute Teacher, Initial, MA, \$90.00 a day
Whittier, Jerry	Substitute Teacher, Initial, MA, \$90.00 a day
Wilson, Elizabeth	Substitute Teacher, Professional, BA, \$90.00 a day



**BOARD OF EDUCATION AGENDA ITEM 4.04**

**BOARD MEETING OF:** August 13, 2009

**PRESENTED 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:**

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

**APPROVED BY:** Mark McPherson, Executive Director Human Resources **DATE:** July 30, 2009



## FALCON SCHOOL DISTRICT

August 13, 2009

**APPROVAL OF MATTERS RELATING TO EDUCATION SUPPORT PERSONNEL:** Be it Resolved, that the following matters relating to classified personnel be approved as recommended by the Executive Director of Human Resources and the Superintendent:

### **APPOINTMENTS:**

- Curra, Melinda            Crossing Guard at Horizon Middle School, part time, school year, 1.5 hours per day, \$9.27 per hour, start date August 4, 2009.
- Hofstede, Andrea        Special Education Teacher Assistant/Records Secretary at Remington Elementary School, full time, school year, 7 hours per day, \$11.12 per hour, start date August 3, 2009.
- Rogers, Jimmy            Bus Driver at Transportation, part time, school year, 2.5 hours per day, \$16.45 per hour, start date August 4, 2009.
- Weis, Becky              Special Education Teacher Assistant at Meridian Ranch Elementary School, full time, school year, 7 hours per day, \$10.93 per hour, start date August 3, 2009.

### **SUBSTITUTE:**

- Bremer, Suzanne        Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.
- Burdick, Christina      Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.
- Devitt, John              Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.
- Stauffer, Gary            Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.

### **TRANSFERS:**

- Blatchford, Deborah    Transfer from her position as mild to moderate needs Special Education Teacher Assistant at Odyssey Elementary School to severe needs Special Education Teacher Assistant at Odyssey Elementary School, effective August 1, 2009.
- Coffman, Vanessa        Transfer from her position as mild to moderate needs Special Education Teacher Assistant at Odyssey Elementary School to severe needs Special Education Teacher Assistant at Odyssey Elementary School, effective August 1, 2009.
- Couillard, Lori            Transfer from her position as Special Education Teacher Assistant at Woodmen Hills Elementary School to Special Education Teacher Assistant at Falcon High School, effective August 1, 2009.

Crick, Julie	Transfer from her position as Special Education Teacher Assistant at Falcon Middle School to Special Education Teacher Assistant at Falcon High School, effective August 1, 2009.
Davis, La Neisa	Transfer from her position as Special Education Teacher Assistant at Sand Creek High School to DSC Facilitator at Patriot Learning Center, effective August 1, 2009.
Duncan, Brenda	Transfer from her position as Special Education Teacher Assistant at Woodmen Hills Elementary School to Special Education Teacher Assistant at Remington Elementary School, effective August 1, 2009.
Evans, Kenneth	Transfer from his position as Building Custodial Technician at Stetson Elementary School to Building Manger at Stetson Elementary School, effective July 1, 2009.
Ginsburg, Laura	Transfer from her position as Special Education Teacher Assistant at Ridgeview Elementary School to Special Education Teacher Assistant at Odyssey Elementary School, effective August 1, 2009.
Hagan, Katrina	Transfer from her position as Special Education Teacher Assistant at Springs Ranch Elementary School to Special Education Teacher Assistant at Sand Creek High School, effective August 1, 2009.
Henderson, Courtney	Transfer from her position as part time Special Education Teacher Assistant at Stetson Elementary School to full time Special Education Teacher Assistant at Stetson Elementary School, effective August 1, 2009.
Marquardt, Amy	Transfer from her position as severe needs Special Education Teacher Assistant at Stetson Elementary School to mild to moderate needs Special Education Teacher Assistant at Falcon High School, effective August 1, 2009.
Miller, Heather	Transfer from her position as mild to moderate needs Special Education Teacher Assistant at Odyssey Elementary School to severe needs Special Education Teacher Assistant at Odyssey Elementary School, effective August 1, 2009.
Naseman, Angela	Transfer from her position Library Assistant at Vista Ridge High School to Athletic Director Secretary at Vista Ridge High School, effective July 1, 2009.
Newbill, Christina	Transfer from her position as part time Special Education Teacher Assistant at Remington Elementary School to full time Special Education Teacher Assistant at Remington Elementary School, effective August 1, 2009.
Roberts, Kari	Transfer from her position as severe needs Special Education Teacher Assistant at Odyssey Elementary School to mild to moderate needs

Special Education Teacher Assistant at Odyssey Elementary School, effective August 1, 2009.

Robinson, Lisa Transfer from her position as part time Special Education Teacher Assistant at Skyview Middle School to full time Special Education Teacher Assistant at Skyview Middle School, effective August 1, 2009.

Schultz, Misty Transfer from her position as Alternative Education Teacher Assistant at Patriot Learning Center to Special Education Teacher Assistant at Patriot Learning Center, effective August 1, 2009.

**RESIGNATIONS:**

Burdick, Christina Resignation from her position as Bus Monitor at Transportation, effective June 30, 2009.

Dutton, Iris Resignation from her position as Bus Monitor at Transportation, effective June 30, 2009.

Edwards, Melonie Resignation from her position as Nutrition Services Assistant at Meridian Ranch Elementary School, effective June 30, 2009.

Heslep, Derrick Resignation from his position as Bus Driver at Transportation, effective July 20, 2009.

Howe, Rosalie Resignation from her position as Nutrition Services Assistant at Odyssey Elementary School, effective July 20, 2009.

Ismail, Elizabeth Resignation from her position as Support Substitute, effective June 30, 2009.

Mortensen, Rita Resignation from her position as Health Assistant at Springs Ranch Elementary School, effective July 14, 2009.

Palmer, Robert Resignation from his position as Support Substitute, effective June 30, 2009

Pino, Armenio Resignation from his position as Support Substitute, effective June 30, 2009.

Priester, Cynthia Resignation from her position as Support Substitute, effective June 21, 2009.

Sherman, Cara Resignation from her position as Nutrition Services Assistant at Pikes Peak School of Expeditionary Learning, effective July 20, 2009.

Smith, Amy Resignation from her position as Nutrition Services Assistant at Remington Elementary School, effective July 10, 2009.

**TERMINATIONS:**

Aiken, Lisa Termination from her position as Support Substitute, effective July 01, 2009.

Bell, Michelle	Termination from her position as Support Substitute, effective July 01, 2009.
Bonebright, Timothy	Termination from his position as Support Substitute, effective July 01, 2009.
Bradley, Amy	Termination from her position as Support Substitute, effective July 01, 2009.
Bradley, Carla	Termination from her position as Support Substitute, effective July 01, 2009.
Breed, Lois	Termination from her position as Support Substitute, effective July 01, 2009.
Caldera, Monica	Termination from her position as Support Substitute, effective July 01, 2009.
Callicutt, Wendy	Termination from her position as Support Substitute, effective July 01, 2009.
Corey, Tammy	Termination from her position as Support Substitute, effective July 01, 2009.
Dell, Pamela	Termination from her position as Support Substitute, effective July 01, 2009.
Gatti, Claudia	Termination from her position as Executive Administrative Assistant to the Chief Financial Officer, effective July 23, 2009.
Henderson, Robert	Termination from his position as Support Substitute, effective July 01, 2009.
Johnson, Jacqueline	Termination from her position as Support Substitute, effective July 01, 2009.
Laabs, Nicholas	Termination from his position as Support Substitute, effective July 01, 2009.
Leck, Shelly	Termination from her position as Support Substitute, effective July 01, 2009.
LePage, Christina	Termination from her position as Support Substitute, effective July 01, 2009.
Martin, William	Termination from his position as Support Substitute, effective July 01, 2009.
Mensing, Rosemary	Termination from her position as Support Substitute, effective July 01, 2009.

Mihalko, Suki	Termination from her position as Support Substitute, effective July 01, 2009.
Miller, Teresa	Termination from her position as Support Substitute, effective July 01, 2009.
Pierce, Eva	Termination from her position as Support Substitute, effective July 01, 2009.
Preston, Tonya	Termination from her position as Support Substitute, effective July 01, 2009.
Rollo, Elliott	Termination from his position as Support Substitute, effective July 01, 2009.
Sanchez, Lisa	Termination from her position as Support Substitute, effective July 01, 2009.
Schaake, Caroline	Termination from her position as Support Substitute, effective July 01, 2009.
Shanahan, Rosella	Termination from her position as Support Substitute, effective July 01, 2009.
Thomas, James	Termination from his position as Support Substitute, effective July 01, 2009.
Thomas, Chona	Termination from her position as Support Substitute, effective July 01, 2009.
Vosler, Michelle	Termination from her position as Support Substitute, effective July 01, 2009.
Wahl, Nancy	Termination from her position as Support Substitute, effective July 01, 2009.
Watson, Rachel	Termination from her position as Support Substitute, effective July 01, 2009.
Weaver, Patricia	Termination from her position as Support Substitute, effective July 01, 2009.
Wermers, Aaron	Termination from his position as Support Substitute, effective July 01, 2009.
Wong, Kristina	Termination from her position as Support Substitute, effective July 01, 2009.

**RETIREMENTS:** None  
**LEAVE OF ABSENCE:** None



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### Mission Statement

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

## MINUTES SPECIAL BOARD OF EDUCATION MEETING July 2, 2009 Central Administration – Board Room

- 1.00** President Bartha called the meeting to order at 6:02 p.m.  
Roll call was taken with the following members present: President Anna Bartha, Director Kent Clawson, Director Mark Shook, Director Dave Stark, Director Dave Martin was absent with prior notice.

- 2.00 Welcome and Pledge of Allegiance**  
President Bartha welcomed those in attendance and invited them to join the Board in the Pledge of Allegiance.

- 3.00 Approval of Agenda**  
President Bartha requested a motion to approve the agenda.

Director Stark moved to approve the agenda. Director Clawson seconded the motion.  
Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

- 4.00 Consent Agenda**

- 4.01 Approval of Matters Relating to Administrative Personnel

President Bartha requested a motion to approve the consent agenda.

Director Clawson moved to approve the consent agenda. Director Stark seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

### **APPOINTMENTS:**

**Trask, Chris** Hired as Executive Director for Curriculum, Instruction, and Assessment for the 2009-2010 school year at a salary of \$99,400.40. Chris is a transfer from his current position as Coordinator of Curriculum, Instruction and Assessment.

- 5.00 Other Business**

- 5.01 **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.

President Bartha asked for a motion to go into executive session 5.01

Director Shook moved that we go into executive session for the purpose of 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.

Director Clawson seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

The Board went into executive session at 6:17 p.m. with the following people present: President Bartha, Director Clawson, Director Shook, Director Stark, Dave Bond, Acting Superintendent, Joleen Schaake Chief Financial Officer, Marian Nall Director of Facilities, Sally Berg, Legal Counsel from Caplan and Earnest, and Loretta Branham recording secretary.

President Bartha requested a motion to return to regular session.

Director Clawson moved to return to regular session. Director Stark seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

The Board returned to regular session at 6:53 p.m.

- 5.02 **Executive Session:** to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. – Superintendent search background Information review, determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e). – Superintendent Search

Director Clawson moved that we go into executive session to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. –

Superintendent search background Information review, determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e). – Superintendent Search  
Director Shook seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

The Board went into executive session at 6:56 p.m. with the following people present: President Bartha, Director Clawson, Director Shook, Director Stark, and, Loretta Branham recording secretary.

President Bartha requested a motion to return to regular session.

Director Shook moved to return to regular session. Director Stark seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

The Board returned to regular session at 7:50 p.m.

## **6.00 Superintendent/Board update**

Acting Superintendent, Dave Bond announced that stucco is being put on various buildings in the district to prevent water from penetrating the walls of these buildings.

Director Stark apologized to Lynn McCarty for a statement that he had made at an earlier meeting.

Director Shook has had discussions with the community members, answered email, and taken part in site visits.

Bartha – statement on behalf of the board that they have no intention of hurting any ones feelings or making statements that are inappropriate; she has fell short of her desire to do that; it is not appropriate and they will strive to do better. She also made a public statement that notice has been received from the El Paso County Clerk and Records Office that should there be a recall election it will cost the district approximately sixty-eight thousand dollars.

## **7:00 Open Forum**

Elaine Olsen – FTEA co president and teacher at Sand Creek High School, spoke about the superintendent search and wanting someone that knows the district. In regards to the turf; the money that might be involved is a question it is a lot of money.

Norbert Perry – had a question regarding the presentation on artificial turf was there only one presenter. He would like to see this district have a more effective maintenance program.

Karen Hobson – parent in the district, curious about the site visits; were community members involved and what kind of site visit was done on Mr. Rayburn since he is not in an educational setting.

Jackie Vialpando, parent in the district, expressed concern on hearing a five year contract for the new superintendent; she would like to see a one year contract with on performance options. In regards to the recall right now they have 4,300 signatures it could be up to sixty-eight thousand dollars to the district; this committee has made every effort to coordinate this with the November Election. The Department of Elections has just gotten back with them and said that the numbers the dates they gave them in the original email was wrong; so now it is up to the Board what it's going to cost because it could be less..

Mary Lougee, co president of FTEA, she is also concerned about offering a five year contract to a superintendent. In a year when you have not offered step increases, let go 13 people, and had others reduced to lower positions. She does not understand looking at artificial turf.

## **8:00 Action Items**

### **8.01 Approval of Superintendent Finalist**

The Board has continued to do site visits and background checks. There have been many questions raised and the Board is looking at strengths and weaknesses of the candidates. They have not gone back to Tulsa; they did phone visits. They are looking for the best person for District 49 and are covering every area of education possible. The Board



recognizes that the district needs to have a superintendent; but at the same time this is a very important decision and the Board is not going to make that decision lightly.

The Board discussed in depth the process used in the superintendent search and the importance of this decision to the district. The decision has got to be made by the July 9<sup>th</sup> BOE meeting.

8.02 Authorization to Commence Legal Action Related to Design and Construction Defects at Certain District Schools

President Bartha requested a motion to approve action item 8.02

Director Clawson moved to authorize commencing litigation against parties involved in the design and construction of the Remington Elementary School, Stetson Elementary School, Springs Ranch Elementary School, Meridian Ranch Elementary School, Odyssey Elementary School, Ridgeview Elementary School, Falcon High School, New Falcon High School, Vista Ridge High School, Falcon Middle School, Falcon Middle School, Woodmen Hills Elementary School. Director Shook seconded the motion.

Director Clawson stated for the record in consultation with legal counsel and consultants we have a reasonable basis to pursue the legal action related to the building design and construction.

President Bartha asked if there was any further discussion; hearing none she called for a vote.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

**9:00 Discussion Items**

9.01 Fields at Vista Ridge High School

Laid on the table

9.02 Revision to Board of Education Policy DAC – Continuing Financial Stability

Kent Clawson, Board Director presenting:

Optimally the District budget will have a remaining balance in various funds at the end of the fiscal year. To allow these funds to accumulate comes at a cost to the opportunities available to the District students. Parallel to the accumulation of these resources is the need for 21<sup>st</sup> century technology within our schools and increased maintenance of the facilities that house the students and support services.

It is proposed that once the overages from the previous fiscal year are identified, that those funds be apportioned to meet these various needs with a portion of these expenditures determined at the building level towards facility and/ or technology projects of their choosing. This allows buildings to address needs that are in line with their building mission, vision, and values.

By not accumulating these funds and instead directing these excess funds towards programmatic needs students are allowed to quickly reap the benefits of money that has been allocated to improve academic opportunity.

The Board discussed the pros and cons of using percentages and also where the priorities should be. The goal might be to target a certain percentage and for the fund balance each year.

By consensus the board would like to have this brought back at the August work session BOE meeting.

- 9.03 Revision to Board of Education Policy KFA – Public Conduct on School Property  
Kent Clawson Board Director  
In efforts to remove ambiguity that would cause otherwise legal actions to be inappropriate it is recommended that the added verbiage be included in to policy KFA. This change does not allow the person with the permit to carry a weapon onto school grounds, but it does allow for the proper and legal storage of a handgun in a locked compartment outside of District facilities. Two points need to be made very clear. First is that this would only apply to those members of society that are currently licensed to carry concealed weapons in accordance with State of Colorado law. The second point is that the policy will still prohibit the unauthorized possession of a weapon within school and District buildings.

Ultimately this change truly affects only those law abiding citizens who are currently authorized by the State of Colorado to carry a concealed weapon. Those who have not completed the requisite training shall not be protected by this policy change and will remain fully accountable to the District and local governing authorities.

By consensus this policy revision needs to go through legal review and come back as a discussion item at the August work session

9.01 was brought back on the table.

- 9.01 Fields at Vista Ridge High School  
Presentations regarding artificial turf were given by Roger Yago from Field Turf, James Bateman from Environmental Turf Services, Bradley Grubaugh from Bradley Excavating Steve Wightman from Hellas Construction, and Justin Yarbrough and Paul Kelley from Academy Sports Turf and American Civil Constructors.

Kent Clawson left the meeting at 8:57 p.m.

## **10.00 Adjournment**

President Bartha asked if there was any further business; hearing none she requested a motion to adjourn.

Director Shook moved to return to adjourn. Director Stark seconded the motion.

Vote: Bartha, aye, Clawson, aye; Shook, aye; Stark, aye. Motion carried

The meeting was adjourned at 10:25 p.m.

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Anna Bartha, Board President

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Kent Clawson, Board Secretary



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### Mission Statement

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

## MINUTES REGULAR BOARD OF EDUCATION MEETING July 9, 2009 Central Administration – Board Room

**1.00** President Bartha called the meeting to order at 6:37 p.m.  
Roll call was taken with the following members present: President Anna Bartha; Director Kent Clawson; Director Dave Martin; Director Mark Shook; and Director Dave Stark, via audio from Germany.

**2.00 Welcome and Pledge of Allegiance**  
President Bartha welcomed those in attendance and invited them to join the Board in the Pledge of Allegiance.

**3.00 Approval of Agenda**  
President Bartha requested a motion to approve the agenda.

Director Martin moved to approve the agenda. Director Stark seconded the motion.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

**4.00 Consent Agenda**

4.01 Approval of June Monthly Financial Update

The monthly financial update is posted on the District web site after approval by the Board.

4.02 Approval of Matters Relating to Administrative Personnel

**APPROVAL OF MATTERS RELATING TO ADMINISTRATIVE PERSONNEL**

**APPOINTMENTS:**

4.02a Deinz-Henderson, Monica. Appointed as Director of Nutrition Services the 2009-2010 school year at a salary of \$91,521. This is an upgrade from Nutrition Services manager at Central Office.

4.02c Horras, Dustin Appointed as Principal for Evans International Elementary School at a salary of \$80,005.

**TRANSFERS:**

4.02d Dewitt, Sheldon Transferred from his position as Assistant Principal at Sand Creek High School to Athletic Director/Assistant Principal at Vista Ridge High School effective for the 2009-2010 school year. Transfer results in no salary change.

- 4.02e Watson, David Transferred from his position as grant-funded District Safety and Emergency Coordinator to district-sponsored District Safety and Emergency Coordinator effective July 1, 2009. Salary is set at: \$72,000.00.
- 4.02f Knoerr, Deborah Transferred from her position as Payroll Manager with the Finance Department to Payroll Manager – exempt position with supervisory duties, effective July 1, 2009 at a salary is of \$53,853.

**REQUESTS FOR LEAVE:** None

**RETIREMENTS:** None

**RESIGNATIONS:**

- 4.02g Abeyta-Cifuentes, Jennifer Written resignation from her position as Assistant Principal at Falcon High School effective July 25, 2009.
- 4.02h Paugh, Eric Written resignation from his position as Chief Academic Officer at Falcon School District 49 effective July 30, 2009.

4.03 Approval of Matters Relating to Licensed Personnel

**APPOINTMENTS:**

Albertson, Jennifer Hired as a Special Education MH Teacher at Falcon High School effective for the 2009-2010 school year. Salary is set at: \$36,678.00.

Arangio, Alicia Hired as a 7<sup>th</sup>/8<sup>th</sup> Grade Science Teacher at Skyview Middle School effective for the 2009-2010 school year. Salary is set at: \$36,617.00.

Bulger, Kathryn Hired as an English Teacher at Falcon High School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

Burney, Ashley Hired as a Science Teacher at Falcon High School effective for the 2009-2010 school year. Salary is set at: \$38,639.00.

Clark, Dawn Hired as a School Nurse with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$43,930.74.

Cosner, Chad Hired as a Counselor at Skyview Middle School effective for the 2009-2010 school year. Salary is set at: \$40,762.00.

Depew, Lori Hired as a Choir Teacher at Horizon Middle School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

Dettwiler, Nelda Hired as the Vocational Nurse Teacher at Falcon High School effective for the 2009-2010 school year. Salary is set at: \$46,531.00.

DiPasquale, Tresha Hired as the GT Teacher at Falcon Middle School effective for the 2009-2010 school year. Salary is set at: \$33,760.00.

Florez, Daniel Hired as a School Psychologist Intern with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

Ginn, Michelle Hired as a Math/Science Teacher at Vista Ridge High School effective for the 2009-2010 school year. Salary is set at: \$33,760.00.

Green, Avelyn Hired as a .5 Language Arts Interventionist at Falcon Middle School effective for the 2009-2010 school year. Salary is set at: \$24,808.49.

Hadley, Taylor Hired as a 1<sup>st</sup> Grade Teacher at Evans Elementary School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

Heitzer Winer, Carmen Hired as a Speech-Language Pathologist with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$48,529.00.

Jack, Christina Hired as a School Psychologist Intern with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

Johnson, Kelli Hired as a 7<sup>th</sup> Grade Geography Teacher at Skyview Middle School effective for the 2009-2010 school year. Salary is set at: \$34,196.00.

Kandell, Leann Hired as a Speech-Language Pathologist with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$41,953.00.

Knapp, Nichole Hired as a Kindergarten Teacher at Evans Elementary School effective for the 2009-2010 school year. Salary is set at: \$38,143.00.

Lloyd, Erin Hired as a Math/Ancient Civilizations Teacher at Skyview Middle School effective for the 2009-2010 school years. Salary is set at: \$39,598.00.

Maliepaard, Eric Hired as a Math Teacher at Sand Creek High School effective for the 2009-2010 school year. Salary is set at: \$34,910.00.

McCullohs, Kathryn Hired as a Literacy Coach/Teacher at Falcon High School effective for the 2009-2010 school year. Salary is set at: \$44,118.00.

Moricle, Charles Hired as an English Teacher at Sand Creek High School effective for the 2009-2010 school year. Salary is set at: \$36,617.00.

Nowak, Donna Hired as a 6<sup>th</sup> Grade Language Arts Teacher at Skyview Middle School effective for the 2009-2010 school year. Salary is set at: \$42,076.00.

Pahl, Michelle Hired as a 2<sup>nd</sup> Grade Teacher at Evans Elementary School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

Pierce, Mary Hired as an Early Childhood Special Education Teacher at Woodmen Hills Elementary School effective for the 2009-2010 school year. Salary is set at: \$36,617.00.

Pomeroy, Marnie Hired as a Speech-Language Pathologist with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$48,529.00.

Ramsay, Sherri Hired as a Speech-Language Pathologist with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$37,615.00.

Read, Virginia Hired as a Literacy Coach at Ridgeview Elementary School effective for the 2009-2010 school year. Salary is set at: \$47,782.00.

Reichert, Jamie Hired as a Speech-Language Pathologist with the Special Services Department for the 2009-2010 school year. Salary is set at: \$32,986.00.

Sampson, Raenise Hired as a Speech-Language Pathologist with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$38,401.00.

Schrack, Darren Hired as a Special Education SLD Teacher at Skyview Middle School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

Stacey Runge Hired as a Computers Teacher at Skyview Middle School effective for the 2009-2010 school year. Salary is set at: \$41,857.00.

Ryan, Maura Hired as a School Psychologist Intern with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

Ryan, Rebecca Hired as an 8<sup>th</sup> Grade Math Teacher at Horizon Middle School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

Stecker, Dawn Hired as a 6<sup>th</sup> Grade Math Teacher at Skyview Middle School effective for the 2009-2010 school year. Salary is set at: \$34,730.00.

Stevens, Christopher Hired as a Math Teacher at Vista Ridge High School effective for the 2009-2010 school year. Salary is set at: \$47,565.00.

Tatro, Richard Hired as a Freshman Seminar/Social Studies Teacher at Sand Creek High School effective for the 2009-2010 school year. Salary is set at: \$34,730.00.

Vander Molen, Mary Hired as 4th Grade Teacher at Remington Elementary School effective for the 2009-2010 school year. Salary is set at: \$44,118.00.

Williams, Aaron Hired as a .5 Social Studies Teacher at Vista Ridge High School effective for the 2009-2010 school year. Salary is set at: \$20,976.49.

Wilson, Amanda Hired as a 1<sup>st</sup> Grade Teacher at Evans Elementary School effective for the 2009-2010 school year. Salary is set at: \$35,113.

Wonner, Rachel Hired as a School Psychologist Intern with the Special Services Department effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

Zimmerman, Katie Hired as a Math Teacher at Vista Ridge High School effective for the 2009-2010 school year. Salary is set at: \$32,986.00.

**TRANSFERS:** None

**REQUESTS FOR LEAVE:**

Fortune, Janna Written request for one-year's leave of absence from her position as Special Education SLD Teacher at Falcon Middle School for the 2009-2010 school year. Ms. Fortune is requesting leave for personal reasons.

**RETIREMENTS:** None

**RESIGNATIONS:**

Arguello, Walter Written resignation from his position as Spanish Teacher at Falcon High School effective May 29, 2009.

Cutler, Kathleen Written resignation from her position as Math Teacher at Vista Ridge High School effective May 29, 2009.

Fitzpatrick, Susan Written resignation from her position as ESL Teacher at Evans Elementary School effective May 29, 2009.

George, Karen Written resignation from her position as Art Teacher at Falcon High School effective May 29, 2009

Harris, Lindsay Written resignation from her position as 1<sup>st</sup> Grade Teacher at Evans Elementary School effective May 29, 2009.

Henderson, Terry Written resignation from his position as Math Teacher at Falcon High School effective May 29, 2009.

Higgins, Valerie Written resignation from her position as Physical Therapist with the Special Services Department effective May 29, 2009.

Molton, Chelsea Written resignation from her position as a 2<sup>nd</sup> Grade Teacher at Ridgeview Elementary School effective May 29, 2009.

Myers, Leanna Written resignation from her position as School Psychologist with the Special Services Department effective May 29, 2009.

**SUBSTITUTES:**

Bates, Robert Substitute Teacher, Substitute, 3 yr., MA, \$90.00 a day

Burk, Tandra Substitute Teacher, Professional, BA, \$90.00 a day

Fletmeyer, Jennifer Substitute Teacher, Professional, BA, \$90.00 a day

Hiebert, Kimberly Substitute Teacher, Professional, MA, \$90.00 a day

Masters, Cheryl Substitute Teacher, Substitute, 3 yr., BA, \$90.00 a day

Morales, Jennifer Substitute Teacher, Substitute, 3 yr., BA, \$90.00 a day

Onken, Susan Substitute Teacher, Professional, BA, \$90.00 a day

Rice, Catherine Substitute Teacher, Substitute, 3 yr., MA, \$90.00 a day

Romasko, Linda Substitute Teacher, Substitute, 3 yr., BA, \$90.00 a day

Wright, Shannon Substitute Teacher, Substitute, 3 yr., MA, \$90.00 a day

Young, Ronald Substitute Teacher, Substitute, 3 yr., BA, \$90.00 a day

**4.04 Approval of Matters Relating to Educational Support Personnel****APPOINTMENTS:**

Daron, Hassie Administrative Secretary at Horizon Middle School, full time, school year, 8 hours per day, \$15.21 per hour, start date July 20, 2009.

Kosley, Tammy General Secretary at Skyview Middle School, full time, school year, 8 hours per day, \$15.97 per hour, start date July 20, 2009.

Morash, Holly Transition Coach at Special Services, full time, school year, 8 hours per day, \$11.36 per hour, start date August 3, 2009.

Troyer, Polly Transition Coach at Special Services, full time, school year, 8 hours per day, \$11.36 per hour, start date August 3, 2009.

Wigglesworth, Carolyn Library Teacher Assistant at Skyview Middle School, full time, school year, 7 hours per day, \$10.35 per hour, start date August 3, 2009.

**SUBSTITUTE:**

Barritt, Marlana Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.

Branham, Russell Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.

Burris, Tracie Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.

Devitt, John Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.

Kauffman, Esther Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.

Keihl, Wayne Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.

Stauffer, Gary Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.

Zaiger, Jeannine Substitute, wage range \$7.94 - \$15.30 per hour depending on substitute placement.

**TRANSFERS:**

Barili, Jennier Transfer from her position as Athletic Director Secretary at Vista Ridge High to SWAP Specialist, effective July 1, 2009.

Lee, Mary Kay Transfer from her position as Data Entry Clerk at Central Office to School Support Secretary at Central Office, effective July 1, 2009.

Long, Karla Transfer from her position as Counseling Secretary at Vista Ridge High School to Registrar at Vista Ridge effective July 1, 2009.

Lyndes, Maria Eva Transfer from her position as Secretary for Stetson Hills Elementary to Central Registry for Central Administration, effective July 1, 2009.

McCulloch, Janet Transfer from her position as SWAP Specialist for Career Education to Security Guard at Vista Ridge High School, effective August 1, 2009.

Patton, Anita Transfer from her position as Secretary for Woodmen Hills Elementary to Central Registry for Central Administration, effective July 1, 2009.

Rich, Eva Transfer from her position as Crossing Guard at Springs Ranch Elementary to Special Education Teacher Assistant at Patriot Learning Center, effective August 1, 2009.

Tencer, Venessa Transfer from her position as Specialist for Licensed Personnel in Human Resources to Attendance Secretary at Odyssey Elementary, effective July 1, 2009.

Townsend, Paula Transfer from her position as Secretary for District Athletic Director to Central Registry for Central Administration, effective August 1, 2009.

Slocum, Cindy Transfer from her position as Security Guard at Vista Ridge High School to DSC Facilitator at Vista Ridge High School, effective July 1, 2009.

Steeves, Kimberly Transfer from her position as Administrative Assistant at Central Office to Specialist for Licensed Personnel in Human Resources, effective July 1, 2009.

Verhoven, Christine Transfer from her position as Secretary for Learning Services to Receptionist for Central Administration, effective July 1, 2009.

Warren, Stacey Transfer from her position as CTE Secretary at Falcon High to School Secretary at Falcon High, effective July 1, 2009.

**RESIGNATIONS:**

Baranski, Brianne Resignation from her position as Special Education Teacher Assistant at Skyview Middle School, effective May 28, 2009.

Chapa, Olga Resignation from her position as Special Education Teacher Assistant at Falcon Middle School, effective May 28, 2009.

Covington, Jeffrey Resignation from his position as Bus Driver at Transportation, effective June 30, 2009.

Eaton, Jason Resignation from his position as Special Education Teacher Assistant at Springs Ranch Elementary School, effective June 30, 2009.

Laughter, David Resignation from his position as Special Education Teacher Assistant at Stetson Elementary School, effective May 28, 2009.

Moss, Samantha Resignation from her position as Special Education Teacher Assistant at Odyssey Elementary School, effective May 28, 2009. Will remain a support substitute.

Nielsen, Patricia Resignation from her position as Special Education Teacher Assistant at Meridian Ranch Elementary School, effective June 18, 2009.

Pacha, Patricia Resignation from her position as Special Education Teacher Assistant at Stetson Elementary School, effective June 22, 2009.

Rahn, Kathleen Resignation from her position as Special Education Teacher Assistant at Remington Elementary School, effective June 16, 2009.

Rouleau, Lisa Resignation from her position as Special Education Teacher Assistant at Woodmen Hills Elementary School, effective June 1, 2009.

Russell, Josefina Resignation from her position as ELL Teacher Assistant at Ridgeview and Stetson Elementary Schools, effective May 28, 2009.

Schaefer, Amy Resignation from her position as Speech Language Pathologist Assistant at Special Services, effective June 29, 2009.

Sumter, Angela Resignation from her position as a support substitute, effective June 30, 2009.

Watson, Teatanya Resignation from her position as SLD/Records Secretary at Remington Elementary Schools, effective May 28, 2009.

**TERMINATIONS:**

Adams, Kathryn Termination from her position as Administrative Secretary, effective June 30, 2009.

Bechtle, Sharon Termination from her position as Transition Coach, effective May 28, 2009.

Keihl, Wayne Termination from his position as Transportation Support Substitute, effective June 22, 2009.

**RETIREMENTS:**

Branham, Russell retirement from his position as Maintenance Technician at Facilities, effective June 30, 2009 he will remain on the substitute list.

**LEAVE OF ABSENCE:**

Hathaway, Shannon Medical Leave of Absence from her position as Benefits Manager at Human Resources effective from July 15, 2009 thru August 12, 2009.

- 4.05 Approval of Contract with Pikes Peak Board of Cooperative Educational Services (PPBOCES) for 2009-10
- 4.06 Approval of Minutes of March 17, 2009 Board of Education Work Session
- 4.07 Approval of Minutes of June 4, 2009 Special Board of Education Meeting
- 4.08 Approval of Minutes of June 17, 2009 Regular Board of Education Meeting
- 4.09 Approval of Minutes of June 18, 2009 Special Board of Education Meeting  
Minutes are posted on the District web site after approval.



President Bartha requested a motion to approve the consent agenda.

Director Clawson asked that item 4.02b be pulled up for discussion as action item 7.07. Director Martin seconded the motion.

President Bartha asked if there was any discussion, hearing none she called for a vote.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

President Bartha asked for a motion to approve the consent agenda as amended.

Director Clawson moved to approve the consent agenda. Director Martin seconded the motion.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

#### **5.00 Board/Superintendent Update**

Acting Superintendent Dave Bond stated that the Santa Clara Vanguard Drum and Bugle Corps is rehearsing and performing at Sand Creek High School tonight through Sunday, July 12. All rehearsals and performances are free and open to the community. Tonight and tomorrow evening they will be performing from approximately 7:00 p.m. – 9:30 p.m. The Corps is passing through Colorado Springs in preparation for their performance at Drums Along the Rockies at Mile High Stadium in Denver.

Sand Creek High School will be having a book drive July 21-23 to benefit the Sand Creek Library. They especially need social studies, mathematics, science and college-level non-fiction books. Materials written in Spanish, German or French are also welcome. More information is available on our web site at [d49.org](http://d49.org).

#### **6.00 Open Forum**

Jim Hagen, patron of the district, applauded the Board for the time that they have spent on the Superintendent search. He believes that the process that the Board is using is a good one.

Norbert Pirri, parent of students in the district, two items concerning the superintendent search, has concerns about one of the candidates lack of educational background. Has a question regarding the long distance calls to Germany.

Jim White, Hellis Construction did not speak.

Elaine Olsen, co-president of FTEA, interested in having a superintendent that is a public school educator; she encouraged the board to hire such a superintendent.

#### **7.00 Action Items**

##### **7.01 Approval to Notify El Paso County Clerk and Recorder regarding Intention to Participate in the 2007 Coordinated Election.**

The El Paso County Clerk and Recorder's office requests that a special district notify the county clerk by July 24, 2009 if it plans to participate in the Coordinated Election on November 3, 2009. This is so the election office can begin to calculate costs and prepare intergovernmental agreements for the participating political subdivision.

President Bartha requested a motion to approve action item 7.01

Director Clawson moved to notify the El Paso County Clerk and Recorder that the Board of Education of Falcon School District 49 intends to participate in the 2009 Coordinated Election with Director Positions. Director Martin seconded the motion.

President Bartha asked if there was any discussion; hearing none she called for a vote.  
Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

7.02 Appointment of Designated Election Official

The district must designate the primary liaison between the coordinated election official (CEO), who is in this case the County Clerk and Recorder of El Paso County, and the district. This person has the primary responsibility for the election procedures of the district. In 2007 Loretta Branham, Executive Assistant to the Board of Education assumed this roll. It is essential to train and immediately involve the person who will assume this responsibility.

President Bartha requested a motion to approve action item 7.02.  
Director Clawson moved to approve the appointment of Loretta Branham as the Designated Election Official (DEO) for Falcon School District 49 for the 2009 election. Director Shook seconded the motion.

President Bartha asked if there was any discussion; hearing none she called for a vote.  
Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

7.03 Call for Nominations for School Board Director Candidates

Three school board director seats will be available and on the November 3, 2009 ballot. The Board must formally approve a call for nominations before it can be printed in local publications.

To comply with state requirement and publish the call for nominations for school board candidates. The call for nominations must be published not more than 90 days or less than 75 days prior to the election. If the call for nominations is approved, it will be published in the Gazette, The Ranch Land News, The Black Forest News, and the New Falcon Herold. If it is approved as presented, candidate nomination material will become available to interested individuals on Wednesday, August 5, 2009.

President Bartha requested a motion to approve action item 7.03.

Director Clawson moved to approve the Call for Nominations for School Board Director Candidates.

**CALL FOR NOMINATIONS  
FOR SCHOOL DIRECTORS  
FALCON SCHOOL DISTRICT 49  
EL PASO COUNTY, COLORADO**

The Board of Education of Falcon School District 49 in the County of El Paso, State of Colorado, calls for nomination of candidates for school board directors to

be placed on the ballot for the regular biennial school election to be held on Tuesday, November 3, 2009.

At this election, three directors will be elected for four-year terms. To be qualified, a candidate must have been a registered elector and a resident of the school district for at least twelve consecutive months before the election. A person is ineligible to run for school director if he or she has been convicted of committing a sexual offense against a child.

A person who desires to be a candidate for school board director shall file a written notice of intention to be a candidate and a nomination petition in accordance with law.

Nomination petitions may be obtained at the administrative offices of Falcon School District located at 10850 East Woodmen Road, Falcon, Co. 80831, beginning August 5, 2009. Office hours are 8:00 a.m. to 4:00 p.m. Completed petitions should be submitted to Loretta Branham, the School District's designated election official, by no later than 4:00 p.m. on August 28, 2009.

IN WITNESS WHEREOF, THE Board of Education of Falcon School District #49, in the County of El Paso and State of Colorado, has caused this call for nominations to be given this 9<sup>th</sup> day of July 2009.

Director Martin seconded the motion.

President Bartha asked if there was any discussion; hearing none she called for a vote.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

- 7.04 Approval of Contract Addendum #1 – Wells & West General Contractors  
Jim Walsh, Construction Manager presenting:  
Subsequent to commencing construction of the CMU remediation project, various Field Orders, Modification Orders and Requests for Clarification were issued for timely completion of the project. These Contract Changes are summarized in the attachment and represent required changes in response to field conditions or corrections in design discovered during construction; and sometimes involve changes that are not a part of the original contract.

2,616.42	COR #3 Wells & West	Remington - perimeter sealant	\$
<u>8,666.79</u>	COR #5 Wells & West	Enclose Awnings at 6 buildings	\$

**Total:**

**\$11,283.21**

The sealant between the sidewalk and the building at Remington has deteriorated, and needs to be replaced. Entrance awnings have a gap between the building and the canopy at eleven entryways. Gap fills with snow, ice; providing a constant maintenance chore and dangerous conditions.

President Bartha requested a motion to approve action item 7.04  
Director Martin moved to approve Contract Addendum #1 with Wells & West General Contractors for the CMU Remediation Project in the amount of \$ 11,283.21. Director Clawson seconded the motion.

Mr. Jim Walsh reviewed the reasoning for this needing to take place at Remington Elementary.

President Bartha asked if there was any further discussion; hearing none she called for a vote.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

7.05 Approval of Independent Inspector, CMU Project

The state Department of Labor requires independent Third-party inspection of certain construction components to satisfy state Permitting obligations. Building Code Services International has conducted these inspections on the district's behalf in the past, and has been retained to conduct the inspection for the CMU project. The Inspector is Tim Moroney, License # 02-19-09-174.

State regulations require school Board approval of the Inspector, and this item is a routine 'housekeeping' measure.

President Bartha requested a motion to approve action item 7.05

Director Shook moved to approve a contract with Building Code Services International to conduct independent inspections for the CMU project. Director Clawson seconded the motion.

Mr. Jim Walsh, construction manager, reviewed the need for this inspection.

President Bartha asked if there was any further discussion; hearing none she called for a vote.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

Item 7.06 was laid on the table. The Board moved to item 7.07

7.07. 4.02b McCarty, Paul Appointed as Chief Operating Officer (COO) for the 2009-2010 school year at a salary of \$119,000.

President Bartha asked for a motion to action item 7.07.

Director Clawson moved to approve matters relating to administrative personnel as recommended related to 4.02b. Director Stark seconded the motion.

Director Clawson asked Acting Superintendent Dave Bond to explain the importance of continuing this position for the 2009-2010 school year.

The Board discussed the pros and cons of this item at length.

President Bartha asked if there was any more discussion; hearing none she called for a vote.

Vote: Bartha, no; Clawson, no; Martin, no; Shook, no; Stark, aye. Motion failed.

The Board went back to item 7.06

7.06 Superintendent Selection

**Executive Session:** to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. – Superintendent search background Information review, determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e). – Superintendent Search  
President Bartha requested a motion to go into executive session.

Director Martin moved that we go into executive session to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. – Superintendent search background Information review, determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e). – Superintendent Search.  
Director Shook seconded the motion.

President Bartha asked if there was any discussion; hearing none she called for a vote.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

The Board went into executive session at 7:22 p.m. in the IT conference room with the following people present:

President Bartha, Director Clawson, Director Martin, Director Shook, Director Stark via audio from Germany, and Loretta Branham recording secretary.

President Bartha requested a motion to return to regular session.

Director Clawson moved to return to regular session. Director Shook seconded the motion.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

The Board returned to regular session at 9:12 p.m.

President Bartha requested a motion to approve action item 7.06.

Director Shook moved to approve Bradley Schoeppey as the finalist for the superintendent position for Falcon School District. Director Stark seconded the motion.

Vote: Bartha, aye; Clawson, aye; Martin, no; Shook, aye; Stark, aye. Motion carried.

**8.00 Informational Items**

8.01 Student Field Trips

**9.00 Discussion Items**

9.01 PDK Audit

Dr. Jan C. Jacob, Ed.D., Lead auditor for Phi presented the Board a power point presentation reviewing the purpose of a Curriculum Management Audit, the Curriculum Management Standards, and what the audit report included. A Curriculum Management

Audit report is a report of discrepancies and the focus of this report is on recommendations that will diminish the gap between the state of the district at the time of the on-site visit and the standards as detailed in the audit report. Recommendations are most important for accomplishing the goals of the district. Dr. Jacob reviewed the recommendations from this audit. The next steps are to study the recommendations and the actions taken to date by district administrators, garner support for the change process and incorporate audit recommendations into a long-range plan for the district. Nearly 14,000 students are counting on these actions.

Eric, Paugh and Becky Carter, acting Chief Academic Officer, presented the Board with the response to the Curriculum Management Audit. He reviewed how the district is already responding to the audit and the recommendations that the auditors made.

Dr. Jacobs stated that a re-evaluation is usually done at the end of a four to five year time period of that is the wish of the district.

Eric Paugh was wished the best of luck in the future at Cheyenne Mountain; he will be greatly missed. The work that he has done has been outstanding. He has been a great leader for the learning services department.

Director Clawson introduced Dustin Horras as the new principal at Evans International Elementary.

By consensus the Board took at 10:25 p.m. coming back into session at 10:54 p.m. Director Stark left the meeting during the break.

#### 9.02 Fields at Vista Ridge High School – Artificial Turf Proposal

Jim Walsh, Construction Manager presenting:

Three bids were received for this project.

In April, football and soccer field conditions at Vista Ridge High School were discovered to be severely degraded to the point that replacement sod bids were solicited. During BOE deliberation of the sod bids, artificial turf was raised as a possible solution at the site. In the interim, an aggressive maintenance approach has been adopted by Grounds to recover and reestablish the natural grass on the two fields.

The school board directed that Proposals be solicited for the construction of artificial turf fields at Vista Ridge High School. The soccer and football fields were targeted for upgrade. Bids were received Tuesday, July 7, 2009 at 2:00 pm.

Three bids were received, and none of the respondents were capable of meeting the goal of having a field(s) available for the fall season. The highest-priced respondent had a delivery date of approximately mid-September, but at a cost premium of approximately 40%. One of the bids projected completion by the end of September, at a cost premium of a few percent over the lowest bidder. The lowest bidder did not anticipate completion until after the fall high school sports season.

Staff recommends that the existing natural turf fields be used for the fall, 2009 sports program home games; and that practices be scheduled for an alternate site, likely PLC. The sports fields at Vista Ridge have recovered remarkably since April, due to a coordinated maintenance program and abundant healing spring and summer rains. It is the opinion of the staff that the fields have recovered sufficiently to provide a safe

environment for the fall 2009 home games; and that this is the only option that assures any home-field presence at all this coming season. Given unforeseen weather or construction delays, there is no assurance that any artificial turf facilities would be available in the fall, 2009 season.

Staff recommends that the further consideration of artificial turf fields be assigned to the Long Range Planning Committee; and that the Committee be fully briefed on the findings from this process and the experiences of other school districts in this regard. Certainly multiple benefits have been identified regarding artificial turf in general, but this specific situation may not optimize the district's return.

Acting Superintendent David Bond stated that the Bond attorney from the MLO has declined to give an opinion as to whether this can be a MLO project.

The Board discussed the pros and cons regarding the fields at Vista Ridge High School.

The direction of the Board is to get a firm answer regarding the MLO question; can this money be used for the artificial turf?

- 9.03 Revision to Board of Education Policy GCCAA-R Sick Leave Bank  
Mark McPherson, Executive Director of Human Resources presenting:  
This policy covers our limited sick bank membership and procedures. Changes include defining eligible and non-eligible conditions and setting number of permitted days that may be approved. This policy has been reviewed and approved by the EIC.

The direction of the Board is to bring this item back to the Board at the regular August BOE meeting for action.

#### **10:00 Open Forum**

Elaine Olsen, co-chairman of FTEA, thanked the Board for considering an educator for the position of superintendent. She is concerned about the lack of lights for practicing and playing games for the number of sports being played. Make sure that this is the correct priority for the limited resources that the district has at this time.

Dean Huffman, coach at Vista Ridge High School, asked if the lines for the plumbing is there for drinkable water? Jim Walsh will investigate this and report back to the Board. Consider a steel building for concessions and also a locker room.

Steve Whiteman, Hellis Construction, commented on his companies interest in doing the work on the artificial fields.

#### **11:00 Other Business**

- 11.01 **Executive Session:** to discuss the acquisition of interests in real property, as authorized by section 24-6-402 (4) (a) of the Colorado Revised Statutes; to determine positions relative to matters that may be subject to negotiations, develop strategy for negotiations, and instruct negotiators, as authorized by section 24-6-402 (4) (e) of the Colorado Revised Statutes; and to receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. – Road widening project.

President Bartha requested a motion to go into executive session item 11.01

Director Clawson moved that we go into executive session to discuss the acquisition of interests in real property, as authorized by section 24-6-402 (4) (a) of the Colorado Revised Statutes; to determine positions relative to matters that may be subject to negotiations, develop strategy for negotiations, and instruct negotiators, as authorized by section 24-6-402 (4) (e) of the Colorado Revised Statutes; and to receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. – Road widening project. Director Martin seconded the motion.

President Bartha asked if there was any discussion; hearing none she called for a vote.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

The Board went into executive session at 12:00 midnight with the following people present:

President Bartha, Director Clawson, Director Martin, Director Shook, Director Stark, Jim Walsh, Construction Manager Dave Bond, Acting Superintendent and Loretta Branham recording secretary.

President Bartha requested a motion to return to regular session.

Director Shook moved to return to regular session. Director Clawson seconded the motion.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

The Board returned to regular session at 12:14 a.m.

President Bartha asked if there was any other business.

## **12.00 Adjournment**

President Bartha requested a motion to adjourn.

Director Shook moved to return to adjourn. Director Clawson seconded the motion.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

The meeting was adjourned at 12:15 a.m.

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Anna Bartha, Board President

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Kent Clawson, Board Secretary





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### Mission Statement

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

## MINUTES REGULAR BOARD OF EDUCATION MEETING July 16, 2009 Central Administration – Board Room

**1.00** President Bartha called the meeting to order at 5:00 p.m.  
Roll call was taken with the following members present: President Anna Bartha; Director Kent Clawson and Director Mark Shook. Director Dave Martin and Director Dave Stark were absent with prior notice.

**2.00 Welcome and Pledge of Allegiance**  
President Bartha welcomed those in attendance and invited them to join the Board in the Pledge of Allegiance.

**3.00 Approval of Agenda**  
President Bartha requested a motion to approve the agenda.

Director Shook moved to approve the agenda as presented. Director Clawson seconded the motion.

Vote: Bartha,aye; Clawson, aye; Shook, aye. Motion carried.

**4.00 Open Forum**  
Jackie Vialpando, chairman of the Mill Levy Oversight Committee, she stated that the question says that the MLOC should review expenditures. She has concerns about using the mill levy funds to turf the football field at Vista Ridge High School without finishing the stadium and looking at the whole picture; there are many needs at VRHS. Is this being looked at as the best for the students or to their detriment? She also asked why this is being addressed in executive session instead of the open meeting.

Les Johnson, a member of the athletic staff at Vista Ridge, spoke about the fields at Vista Ridge High School. He does not believe the fields were installed correctly and that water or lack thereof is going to continue to be a real problem. Installing turf will be a real benefit to the physical education program along with the boys and girls soccer program as well as track and football. He does not believe that the expense and time of transporting students to Patriot Learning Center is acceptable. They will also not be able to use the equipment that has been purchased for VRHS. He believes that VRHS needs a home field to play and practice on. He believes that the lights and bleachers from Falcon Middle School should be moved to VRHS.

Carol McGraw, reporter for the Gazette, questioned the executive session 5.01 regarding the artificial turf stating that she does not believe that it qualifies as an executive session item.

Joel Perez, a parent and volunteer baseball coach representing Vista Ridge athletics, stated that the baseball coaches had not heard anything about the turf or how it benefits the baseball program. This disturbs him; the needs of the baseball program long with all the other sports need to be addressed. There is no baseball field at VRHS. He was very appreciative of being able to use the field at Patriot Learning Center even though it was very inconvenient; the coaches and players provided their own transportation. It disturbs him that upgrading a football field is being looked at before the completion of the baseball field takes place. He is asking for the basics in the completion of a baseball field so that they can train their players properly.

Director Shook reviewed how the Board began looking at this issue. Several months ago a proposal was brought to the board to replace the sod on the Vista Ridge High School football field at a cost of \$100,000; at that time the Board began asking questions to see if that was the best plan. That is how they began looking at that one field. The Board is in the process of doing its due diligence investigation and get the facts before they act; there has been no vote, just the question. As far as the mill levy the Board has to find out just what they can and cannot do; if they find out that they can use mill levy money they would consult the MLO committee. The Board also wants to contact the principal, the staff and athletic staff at VRHS. No decisions have been made the Board is still gathering facts.

By consensus the Board took a break at 5:17 p.m. coming back into regular session at 5:22 p.m.

**5.00 Action Item**

**5.01 Executive Session:** To receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. Regarding use of mill levy override funds for Vista Ridge Fields.

President Bartha asked for a motion for action item 5.01

Director Shook moved that we go into executive session To receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. Regarding use of mill levy override funds for Vista Ridge Fields. Director Clawson seconded the motion.

Director Shook asked Board legal counsel to explain the reason for this executive session.

Mr. Brad Miller, legal counsel for the Board, stated that he would not be involved in this matter but that the request has been made to find out the legality of whether the district can use mill levy funds in this instance. That is legal advice and it falls under the statute.

President Bartha asked if there was any further discussion; hearing none she called for a vote.

Vote: Bartha, aye; Clawson, no; Shook, aye. Motion carried.

The Board went into executive session at 5:29 p.m. with the following people present: President Anna Bartha, Director Kent Clawson, Director Mark Shook, Acting Superintendent David Bond, Chief Financial Officer Joleen Schaake, Acting Chief

Operations Officer Cindy Hardin, Facilities Manager Marian Nall, Project Manager Jim Walsh and Attorney Tom Weihe from Kutak Rock LLP.

President Bartha requested a motion to return to regular session.

Director Clawson moved to return to regular session. Director Shook seconded the motion.

Vote: Bartha, aye; Clawson, aye; Shook, aye. Motion carried.

The Board left the IT conference room at 6:24 p.m. to return to regular session at 6:27 p.m.

#### 5.02 Approval of Artificial Turf Proposal

President Bartha asked for a motion on action item 5.02.

Director Clawson made a motion to approve ACC Academy as the contractor for construction of artificial turf for the soccer fields at Vista Ridge High School. Director Shook seconded the motion.

President Bartha asked if there was any discussion.

The board discussed the uses of the football field as a multipurpose field, whether a baseball field had been bid, the room for an additional field, the cost of transporting students to different fields, the options of using the current fields and also building a third field. The Board also discussed having a special BOE meeting July 23<sup>rd</sup> at 5:30 p.m. to receive information regarding funding options, timeframes etc.

Director Clawson withdrew his motion.

### 6.00 Other Business

6.01 **Executive Session:** to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. – Superintendent search background Information review, determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e) and to receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. – Superintendent Search.

President Bartha requested a motion to go into executive session.

Director Clawson moved that we go into executive session to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. – Superintendent search background Information review, determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e) and to receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. – Superintendent Search. Director Clawson withdrew his motion

Director Clawson moved to go into executive session determining positions relative to matters that may be subject to negotiations: develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e) and to receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes – Superintendent Contract negotiations. Director Shook seconded the motion

Director Shook seconded the motion.  
Vote: Bartha, aye; Clawson, aye; Shook, aye. Motion carried.

By consensus the Board took a break at 7:12 p.m. before going into executive session.

The Board went into executive session at 7:45 p.m. with the following people present: President Anna Bartha, Director Kent Clawson, Director Mark Shook, and Board legal counsel Brad Miller.

President Bartha requested a motion to return to regular session.

Director Shook moved to return to regular session. Director Clawson seconded the motion.

Vote: Bartha, aye; Clawson, aye; Shook, aye. Motion carried.

The Board returned to regular session at 8:38 p.m.

## **7.00 Adjournment**

President Bartha requested a motion to adjourn.

Director Shook moved to return to adjourn. Director Clawson seconded the motion.

Vote: Bartha, aye; Clawson, aye; Shook, aye. Motion carried.

The meeting was adjourned at 8:39 p.m.

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Anna Bartha, Board President

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Kent Clawson, Board Secretary



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### Mission Statement

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

## MINUTES REGULAR BOARD OF EDUCATION MEETING July 23, 2009 Central Administration – Board Room

- 1.00** President Bartha called the meeting to order at 5:30 p.m.  
Roll call was taken with the following members present: President Anna Bartha, Director Kent Clawson, and Director Dave Martin; Director Mark Shook and Director Dave Stark, via audio from Germany.

- 2.00 Welcome and Pledge of Allegiance**  
President Bartha welcomed those in attendance and invited them to join the Board in the Pledge of Allegiance.

- 3.00 Approval of Agenda**  
President Bartha requested a motion to approve the agenda.

Director Clawson moved to approve the agenda. Director Shook seconded the motion.  
Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

Director Clawson moved to remove item 5.01 Executive Session from the agenda.  
Director Martin seconded the motion.  
Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

Director Shook moved to approve the agenda as amended. Director Clawson seconded the motion.  
Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

- 4.00 Open Forum**  
Pam Steiner asked the Board the Turf at Vista Ridge High School. She believes that students are being robbed of their high school experience without it and that all athletic facilities should be completed immediately. .

Elaine Olsen, Co Chairman of the Falcon Teachers Educational Association is amazed that the board is talking about these fields in a year that teachers are not receiving raises.

Andrew Dubiel, student at VRHS, asked the board to finish the fields at VRHS.

**5.00 Other Business**

- 5.01 Executive Session:** to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. – determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e) and to receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. – Superintendent Selection

This item was removed from the agenda

**6.00 Action Items**

**6.01 Superintendent Selection**

Falcon School District 49 Board of Education presenting:

The Board of Education has been conducting a search for a Superintendent for Falcon School District 49 since the spring of 2009. The finalists were identified through a rigorous process which included initial applications, community forums, site visits along with background and reference checks. Four finalists participated in face-to-face interviews with the Board of Education after which the Board narrowed the pool to three finalists and then to one on July 9, 2009. The recommended course of action is to hire Dr. Bradley Schoeppey as superintendent.

Present Bartha requested a motion to approve action item 6.01

Director Clawson moved to hire Dr. Bradley Schoeppey for the position of Superintendent of Falcon School District 49. Director Martin seconded the motion.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

**6.02 Approval of Artificial Turf Proposal**

President Bartha requested a motion to approve action item 6.02

Director Shook moved to approve Barnard & Sons as the contractor for the construction of artificial turf fields for combined at Vista Ridge High School. Director Martin seconded the motion.

Director Shook withdrew the motion.

**6.03 Approval of Contract – Mitigation Work at Falcon Middle School**

Jim Walsh, Construction Manager presenting:

On Wednesday, July 15, 2009, District personnel discovered the presence of localized mold, staining, and elevated moisture measurements in some exterior walls of Falcon Middle School. Quality Environmental Services & Technologies, Inc. (QUEST) was retained to perform inspection and sampling services at the school. As a result of that work, QUEST has recommended the remediation of water and mold impacted materials from the affected exterior walls before occupancy. Registration is scheduled to begin at the school on Monday, July 27, 2009. Mitigation measures are expected to take at least two to three days.

Board Policy DJE generally requires competitive, advertised bidding for the purchase of services in excess of \$10,000. The necessary mitigation work at Falcon Middle School may exceed that amount. Board policies also recognize that under certain emergency

circumstances, purchasing procedures may be modified. "Emergencies" include situations that, if not corrected immediately, will cause complete cessation of educational activities. (Regulation DJB-R.)

Given the very short time available to perform mitigation work before the opening of school, it is recommended that a contract be awarded directly to Belfor Property Restoration (Belfor). Belfor was a successful, competitive bidder for similar remediation and mitigation work performed in a number of schools during the summer of 2007. Belfor has indicated a willingness to perform such services for the same unit costs quoted in 2007.

Board policy authorizes the Board to temporarily suspend the operation of any section of Board policy in the event of special circumstances. (Policy BGB/BGF.)

President Bartha requested a motion to approve action item 6.03  
Director Clawson moved to temporarily suspend the bidding limitation in Policy DJE, due to the special circumstances existing at Falcon Middle School, and to award a contract directly to Belfor Property Restoration for mitigation of mold and moisture at the school. Director Stark seconded the motion.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

#### **7.00 Adjournment**

President Bartha requested a motion to adjourn.  
Director Shook moved to return to adjourn. Director Clawson seconded the motion.

Vote: Bartha, aye; Clawson, aye; Martin, aye; Shook, aye; Stark, aye. Motion carried.

The meeting was adjourned at 7:38 p.m.

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Anna Bartha, Board President

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Kent Clawson, Board Secretary

**BOARD OF EDUCATION AGENDA ITEM 4.09**

**BOARD MEETING OF:** August 13, 2009

**PRESENTED BY:** Mark McPherson, Executive Director of Human Resources

**TITLE OF AGENDA ITEM:** Revision of Board of Education Policy Regulation GCCAA-R/GDCAA-R, Limited Sick Bank Policy

**ACTION/INFORMATION/DISCUSSION:** Consent - Action

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

This policy covers our limited sick bank membership and procedures. Changes include defining eligible and non-eligible conditions and setting number of permitted days that may be approved. This policy has been reviewed and approved by the EIC.

**ALTERNATIVE COURSES OF ACTION:**

The alternate course of action would be that the current policy regulation remains effective with no changes.

**COST OR COST ESTIMATION:**

There would be no additional cost to the district.

**MOTION REQUESTED:**

I move to approve the revisions to Board of Education Policy Regulation GCCAA-R/GDCAA-R, Catastrophic Leave Bank (Limited Sick Leave Bank).

**APPROVED BY:** Mark McPherson, Executive Director of Human Resources **DATE:** June 25, 2009



**~~Limited Sick~~ Catastrophic Leave Bank Policy**

Falcon School District #49 shall maintain a voluntary Catastrophic Leave Bank for its **participating** employees. The purpose of the Catastrophic Leave Bank is to provide a source of income continuation for a **participating** employee who sustains a catastrophic illness or injury and has not yet qualified for disability benefits or for an employee who needs to care for a family member with a catastrophic illness or injury. The responsibility for this bank with regard to the allotment of days or benefits to those participating is not the responsibility of the District; this is an activity independent of District benefits and was established by those who wish to contribute to help members in the case of catastrophic illness or injuries. Membership under these guidelines is voluntary.

**Definition for Catastrophic injury, illness:**

**The Catastrophic Leave Bank shall be available only for those contributing staff members who meet with the following definition of catastrophic diagnosis.**

**Catastrophic Illness/Injury: An illness or injury of such magnitude that the employee's life is endangered and/or his/her health is impaired to such an extent that he/she has no option but to seek immediate medical treatment that requires extended time away from the job. The following list is not exhaustive, but identifies some health conditions that are included and excluded as catastrophic under this definition.**

Included:	Excluded:
<ul style="list-style-type: none"> <li>• Cancer(s)/Tumor(s)</li> <li>• Heart Attack</li> <li>• Aneurysm</li> <li>• Stroke</li> <li>• Non-Elective Surgery</li> <li>• Debilitating/Immobilizing Injury or Condition</li> <li>• Acute Illness/Disease</li> </ul>	<ul style="list-style-type: none"> <li>• Elective Surgery</li> <li>• Pregnancy/Delivery Without Severe Complications</li> <li>• Recurring Infection (Cold, flu, etc.)</li> </ul>

**Requires certification by a physician stating that it would be impossible for the employee to perform the basic functions of his/her job.**

**A. General provisions**

1. Days drawn against the Catastrophic Leave Bank are not intended to cover all types of absences which could be covered with sick leave or other provisions of Board policy, but rather may only be used for catastrophic illness or injury **not covered by third party**, to an individual employee or to

the employee's spouse and/or dependent children, which prevents the employee from working for reasons beyond the employee's control. **The Catastrophic Leave Bank will not consider worker's compensation, illness or other incidents covered by disability insurance.**

2. Examples of illnesses, injuries or conditions that would not qualify for use of the Sick-Catastrophic Leave Bank include, but are not limited to, all forms of elective surgery and common illnesses or conditions such as flu, chicken pox, pregnancy, menopause, sprains, strains or lupus, in ordinary cases where same does not result in unusual complications.

**Several major categories of common elective procedures include:**

- **Plastic surgery. Cosmetic or reconstructive surgery that improves appearance and in some cases, physical function.**
- **Refractive surgery. Laser surgery for vision correction.**
- **Gynecological surgery. Either medically necessary or optional surgery (e.g., hysterectomy, tubal ligation).**
- **Exploratory or diagnostic surgery. Surgery to determine the origin and extent of a medical problem, or to biopsy tissue samples.**
- **Cardiovascular surgery. Non-emergency procedures to improve blood flow or heart function, such as angioplasty or the implantation of a pacemaker.**
- **Musculoskeletal system surgery. Orthopedic surgical procedures, such as hip replacement and ACL reconstruction.**

The Bank may not be available for an employee injured as a result of ~~voluntary participating in a high risk activity. For example things such as freestyle ski competition or motor sport racing, would not be eligible since the employee is willingly undertaking that risk~~ **but not limited to voluntarily activities outside of the work environment to include Non-District employment.** Similarly, bank days are intended only when the qualifying condition requires the employee to be absent from work either due to the employee's own medical or psychological condition, or the need to serve as a necessary caregiver for the employee's spouse or dependent children.

3. Complications arising out of the conditions described in Paragraph A2 above, could qualify for use of the Sick **Catastrophic** Leave Bank, where serious complications arising out of said conditions require hospitalization or direct care of a physician (Ex: hemorrhaging resulting from elective surgery). In the case of pregnancy, such complications can arise both before and after the birth of the child.
4. In making its determination of the validity of a member employee's request, the committee shall review information presented by member employee and may consider information available from any other source, or request additional information, **a second opinion from another physician at the**

**employee's expense** or verification from a member employee, and shall give consideration to the following factors:

- a. Member's past conservation and fair use of leave policies;
  - b. The seriousness of past and current illnesses and injuries; and
  - c. Any unusual circumstances involved.
5. An employee who has been granted Catastrophic Leave Bank days will be paid at the daily or hourly rate that he/she normally earns for the days and hours that he/she is normally scheduled to work.
  6. Days contributed to the bank shall not be refunded or reimbursed to the contributing employee.
  7. Membership in the Catastrophic Leave Bank is voluntary and shall be open to all employees of the district who receive sick days excluding employees on INR contracts.
  8. A membership year shall coincide with the member's contract year (July 1- June 30).

## **B. Enrollment**

1. **Eligible employee's with less than one year District work experience are not eligible to apply for membership in the Catastrophic Leave Bank. Otherwise all other eligible employees may apply for membership by submitting an "application for catastrophic leave bank membership". during the bank's open enrollment period from July 1<sup>st</sup> through August 31<sup>st</sup>, at the beginning of each school year.**

**Employees desiring membership in the Bank will be required to contribute one (1) day of sick leave as an initial contribution.**

An employee may enroll in the bank by contributing one (1) sick leave day to the bank. This is done by submitting an "application for Sick **Catastrophic** Leave Bank membership" form within 20 working days of the employee's new hire orientation.

2. Enrollment after the initial enrollment period shall be ~~limited to those times when additional days are requested from members (see section C.1)~~ **held during the open enrollment period at the beginning of the school year.**

### **C. Maintenance**

1. Membership is maintained by contributing additional days to the bank when requested by the Catastrophic Leave Bank committee. If at any time the number of days in the bank drops below .5 days times the number of bank members, members shall be asked to contribute another day to the bank.
2. Members shall have ~~20~~ **30** working days after receipt of such a request to make their contribution.
3. Members who fail to contribute another day when asked to do so shall be deemed to have waived their right to continue as a member of the bank or to use bank days, unless that member is unable to contribute additional days, in which case, that member may maintain membership if the ~~Sick~~ **Catastrophic** Leave Bank committee determines that he/she has shown good cause, in writing, for not being able to contribute an additional day.
  - a. Members granted such an exception shall contribute another day to the bank as soon as they have a day to give.
  - b. Employees who have waived their right to continue as members must comply with the provisions in Section B.1 and B.2 in order to re-enroll in the bank.
  - c. **Employees withdrawing Catastrophic Leave Bank days from the Bank will be required to re-donate (1) day at the beginning of the next school year.**

### **D. Administration**

1. A committee shall be established and maintained for the purpose of administering the provisions of this policy and making any determinations necessary.
2. The ~~Sick~~ **Catastrophic** Leave Bank committee shall consist of five members of the bank (one administrator, two licensed members, and two classified members). Members shall serve three-year terms. A chairperson shall be elected from among the members, who shall serve a one-year term as chairperson.
3. The Executive Director of Human Resources or his/her designee shall be a participant of the committee but shall have no vote in the proceedings of the committee and shall not serve as chairperson.

### **E. Procedures and limits for withdrawal of days**

1. Requests for bank days shall be limited to a catastrophic illness or injury to the employee or employee's spouse or dependent children, which requires

hospitalization or the direct care of a physician, and which prevents the employee from working. The request must be accompanied by ~~that a~~ physician's signed statement supporting the need for the employee's absence from work. **In some cases a second opinion may be required at the employees expense.**

2. Requests for bank days shall be submitted on the "Sick **Catastrophic Sick** Bank Application Form," to the sick **catastrophic** bank committee whenever it appears that the employee qualifies or will qualify for the benefit but no later than 20 working days after the member returns to work. A member must exhaust his/her accrued sick days prior to being granted days from the bank. **A member must have 5 or more full days of consecutive absences to apply. Days will be granted as follows:**

<b>First Year employees –</b>	<b>0 days</b>
<b>Second Year employees -</b>	<b>20 days</b>
<b>Third Year employees -</b>	<b>30 days</b>
<b>Fourth Year employees-</b>	<b>40 days</b>
<b>Fifth Year employees and above</b>	<b>60 days</b>
<b>(Maximum day allowed are 60.)</b>	

A member may be granted up to 20 days from the bank per request.

3. No member shall be granted more than ~~60 days per membership year~~ **their maximum days that are allowed per the above matrix** per occurrence. In the event that an illness or injury requires an absence in two school years, the maximum number of days still apply per occurrence.
4. Catastrophic Leave Bank days are not available to provide compensation for any time that the employee is eligible to receive income continuation through another disability coverage or plan.

#### **F. Workers' compensation**

1. Members who are receiving workers' compensation for job-related illness or injury shall not be eligible to receive Catastrophic Leave Bank days while they are receiving workers' compensation.

Adopted: July 7, 1994.

Revised: December 1, 1994.

Revised: June 7, 2001.

Revised: August 1, 2002 (*emergency approval*).

Revised: August 28, 2002.

Revised: July 12, 2007

**Revised: August 13, 2009**

Board –  
Superintendent  
Update  
5.00

Open Forum  
6.00

Action Items  
7.00



**BOARD OF EDUCATION AGENDA ITEM 7.01**

**BOARD MEETING OF:** August 13, 2009

**PRESENTED BY:** Loretta Branham, Designated Election Official

**TITLE OF AGENDA ITEM:** Approval of Intergovernmental Agreement between District 49 and El Paso County Clerk and Recorder for the November 2009 Colorado Coordinated Election

**ACTION/INFORMATION/DISCUSSION:** Action

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

In order to include Falcon School District ballot issues in the November 3, 2007 Colorado Coordinated Election, the district must enter into an intergovernmental agreement with the El Paso County Board of Commissioners, the El Paso County Clerk and Recorder, and the State of Colorado.

The estimated costs for District 49 for the November 3, 2009 election are \$32,000.00.

**PROS/CONS AND ALTERNATIVE COURSES OF ACTION**

Pros – Participating in a coordinated election with El Paso County will keep the district's election expenses as low as possible. The agreement specifically delineates the responsibilities of the county and those of the district.

Cons – Not participating in a coordinated election with El Paso County will result in increased cost for the district to have this election.

**COST OR COST ESTIMATION:**

The estimated costs for District 49 for the November 3, 2009 election are \$32,000.00.

**MOTION REQUESTED:**

I move to approve the intergovernmental agreement between Falcon School District #49 and the El Paso County Board of Commissioners, the El Paso County Clerk and Recorder, and the State of Colorado as Presented and to adopt the attached resolution stating that the Jurisdiction (Falcon School District 49) agrees to the terms and conditions of the Intergovernmental Agreement.

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

**DATE:** July 31, 2009



## **BOARD OF EDUCATION AGENDA ITEM 7.02**

**BOARD MEETING OF:** August 13, 2009

**PRESENTED BY:** Dr. Chad Wight, Director of Special Education

**TITLE OF AGENDA ITEM:** Rocky Mountain Classical Academy “Operational Agreement”  
with Falcon School District 49 for Special Education Services

**ACTION/INFORMATION/DISCUSSION:** Action

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

On June 18, 2008 the Falcon School District Board of Education (BOE) approved Contact Amendments with the Rocky Mountain Classical Academy (RMCA) effectively releasing RMCA from the “Insured Model” in order to manage its own special education (SPED) services. The change saved RMCA \$369,573 in the share of D49 SPED costs that would be apportioned to it based on its enrollment. However, there were adverse consequences to D49 and all other D49 charter schools. First, the exemption of RMCA from the “Insured Model” caused SPED costs to all other D49 schools to increase as there were fewer members in insured pool. In spite of this increased revenue to RMCA, they were unable to maintain their required 3% TABOR reserves or a contingency reserve in order to meet the potential liability costs from legal complaint. Second, RMCA failed to provide effective management of its SPED services which exposed D49 to liability for noncompliance with federal and state regulations as the Local Educational Administration (LEA).

The D49 Director of SPED, Dr. Chad Wight, has taken steps to apprise RMCA of statutory and operational obligations. Steps included a planning meeting with the RMCA Director on July 30, 2008, biweekly training meetings for its school psychologist who served as Director Designee, and phone and email communications throughout the 2008-09 school year. However, through first semester there was growing evidence of regulatory noncompliance at RMCA which was not being addressed by its administration. At midyear when RMCA requested federal grant funds through D49, Dr. Wight wrote a summary of policies and procedures titled “Reporting Requirements for Special Education Reimbursement by LEA (D49)” that was signed by Linda Stahnke February 11, 2009. The “Reporting Requirements” were not followed by RMCA resulting in numerous violations. The Year End Performance Review of SPED in all D49 schools indicated that RMCA has the worst record with a 97% error rate on Individual Education Plans (IEPs). Furthermore, there were questions about whether federal funds received by RMCA through D49 were appropriately spent.

Three meetings were held this summer with RMCA and D49 working together to resolve problems with SPED noncompliance. Meetings included RMCA and D49 Board members and staff on May 29, June 22 and July 31. RMCA Board President Eric Sova submitted an informal



written proposal dated July 9, 2009 requesting D49's "thoughts and comments" and this was reviewed by D49 counsel Brad Miller, CFO Jolene Schaaake and Dr. Wight. This was followed by Mr. Sova's "Special Education Service Provision Proposal 2009-10" received July 31 at the most recent meeting. D49 legal counsel Brad Miller has conferred with RMCA counsel and Dr. Wight. The following D49 authored Recommendation embodies essential elements of Mr. Sova's formal proposal.

### Recommendation

Respecting RMCA's interest in maintaining their autonomy, but not at the risk of expensive litigation for regulatory noncompliance, it is recommended that RMCA's Contract Amendment regarding SPED be continued on probationary status for the 2009-10 school year. However, D49 would retain revenue from RMCA in the same manner as all other D49 charter schools according to the Insured Model. D49 would provide all needed SPED staff, including a SPED Director Designee according to established district IEP caseload ratios. RMCA would be credited for any existing SPED staff deemed qualified to continue. The 2009-10 Year End Performance Review would provide a recommendation to the BOE as to whether RMCA should return to the Insured Model, continue on probation, or be released to self-manage its SPED services. Mr. Sova's Proposal specifies:

1. RMCA purchase of SPED services from D49 for the 2009-10 school year with possible renewals. The purchase of services would be essentially a purchase under the fully Insured Model.
2. The rate at which services are to be purchased shall be the actual per pupil cost under the Insured Model after revenue is taken into consideration, and will be the same as that of all other schools in the district with no cap on those costs in place. A cap for any one school would unfairly apportion a higher-than-actual cost to the other charter schools in the district should the actual costs turn out to be higher than the suggested cap. The intent of the "Insured Model" is to share the higher-than-revenue cost of educating SPED students evenly and fairly amongst all district schools (Jolene Schaaake).
3. D49 will supply services to match RMCA's calendar and class schedules, including training days in RMCA's curriculum at no extra charge.
4. The 10% of the D49 SPED Director's pay and benefits currently being paid by RMCA will be subsumed under the Insured Model and not separately or additionally withheld.
5. D49 will negotiate the hiring of current RMCA SPED staff for assignment to RMCA, subject to qualification and approval by D49.
6. D49 will provide SPED staff to RMCA in accordance with established D49 ratios to serve students with disabilities. RMCA will provide updated and accurate student enrollment and IEPs for appropriate allocation of staff by D49.
7. D49 SPED staff assigned to RMCA full-time will work the hours and days of personnel hired directly by RMCA as teachers and staff.
8. Only teacher substitutes will be provided by D49, as there are no substitutes for other SPED staff. All D49 SPED staff must report absences to both the RMCA Business Manager and the D49 system.
9. D49 SPED staff assigned to RMCA will be hired, supervised and evaluated jointly by RMCA and D49 SPED administrators.
10. D49 SPED staff assigned to RMCA will be subject to written standards of performance and communication jointly approved by RMCA and D49 SPED administration.
11. As D49 will be supplying the SPED services, D49 will be responsible for upholding the same expectations of the SPED staff in regards to the academic progress of SPED students at RMCA as of all D49 SPED staff. Actual SPED student progress may be affected by other variables that are site specific and beyond D49's administrative control.

## **PROS/CONS AND ALTERNATIVE COURSES OF ACTION**

### Pros –

1. Short of revoking RMCA's Contract Amendment exempting it from the Insured Model, the assessment of costs commensurate with other D49 charter schools, as this Recommendation prescribes, would restore fairness and equity.
2. The Recommendation would re-assert D49's authority and budgetary support to its SPED Department to ensure that required services are being provided to RMCA students with disabilities and that regulatory and procedural compliance is improved.
3. The Recommendation would restore accountability and public trust regarding D49's oversight of charter schools to equalize the playing field when performance comparisons are made.
4. The Recommendation would reduce D49's vulnerability to litigation for noncompliance.
5. The Recommendation would allow D49 to retain more than \$300,000 in its budget to be able to provide services wherever students with disabilities attend throughout the District.

### Cons –

1. The Recommendation would require quick implementation in order to secure necessary staff and make budgetary adjustments as school has already opened for 2009-10.
2. The Recommendation would impose additional workload on D49 SPED Administration which did not receive additional personnel when the last four new schools were added to the delivery system.

### Alternatives –

## **COST OR COST ESTIMATION:**

A Financial Summary was prepared by D49 Director of Finance Brett Ridgway and CFO Jolene Schaake who participated in meetings with RMCA representatives and Dr. Wight. The Summary illustrates the financial impact of RMCA's Amended Contract June 18, 2008 which authorized exemption from the "Insured Model" and allowed the independent operation of special education services. For the 2008-09 fiscal year, RMCA saved \$369,573 in costs that would have been charged by D49 for SPED services in the Insured Model based on RMCA's total enrollment. However, this caused a total cost increase of \$23,830 to other D49 charter schools remaining in the "Insured Model" because the total D49 cost of SPED services was shared by one less school. Of course, D49's SPED total costs were reduced by the amount of salaries paid by RMCA for their SPED staff. The recommendation is that RMCA be assessed the apportioned cost of SPED services as if it were operating in the "Insured Model" like all other charter schools.

## **MOTION REQUESTED:**

I move to approve the proposed Operational Agreement with Rocky Mountain Classical Academy for the provision of special education services.

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

**DATE:** August 4, 2009

Informational Items

8.00

Discussion Items

9.00

Open Forum

10.00

Other Business

11.00

Adjournment