



Board of Education
Minutes
Tuesday, March 22, 2022

Available seating is contingent on room capacity restrictions and provided on a first-come basis or lottery system, if necessary. Community members can also view this meeting via livestream via YouTube.

Call to Order and Roll Call

1. Roll Call

RECOMMENDATION: Presiding Board Member calls roll.

The meeting of the Board of Education of Douglas County School District Number RE-1 was called to order by President Peterson at 5:00 p.m.

BOARD MEMBERS PRESENT: Hanson, Meek, Myers, Peterson, Ray, Williams, Winegar (remote)

ALSO IN ATTENDANCE: Deputy Superintendent Abner, Deputy Superintendent Hiatt, Learning Services Officer Reynolds, General Counsel Klimesh, Chief Technology Officer Blair, Chief Operations Officer Cosgrove, Chief Financial Officer Kotaska, Chief Human Resources Officer Thompson, Communications Officer Rader, Administrative Assistant Frueh and Board Assistant Secretary Maresh

Pledge of Allegiance

2. Pledge of Allegiance

3. Convene in Executive Session (a closed session)

RECOMMENDATION: That the Board of Education convenes in Executive Session (a closed session) for purposes of holding conference with the District's attorney(s) to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), including conferences to receive legal advice on specific legal questions related to pending litigation, including Douglas County School District RE-1 et al. v. Douglas County Health Department, Douglas County Board of Health, pending in the United States District Court for the District of Colorado (Civil Action No. 21-cv-02818-JLK) and Marshall v. Douglas County Board of Education et al., pending in District Court, Douglas County (Case No. 22-cv-30071); and also to receive legal advice on specific legal questions concerning the interpretation of superintendent contract provisions and the board's authority regarding the negotiation and approval of a superintendent contract.

The Board may hold an executive session for considering limited matters, including: Real Estate matters e.g. the purchase, acquisition, lease, transfer or sale of real, personal or other property pursuant to C.R.S. § 24-6-402(4)(a); to hold conference with the Board's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b); matters required to be kept confidential by federal or state law or rules and regulations pursuant to C.R.S. § 24-6-402(4)(c); to be advised on specialized details of security arrangements and investigations pursuant to C.R.S. § 24-6-402(4)(d); to determine positions relative to matters that are or will be subject to contract negotiations, developing strategy for those negotiations, and instructing negotiators, pursuant to C.R.S. § 24-6-402(4)(e); personnel matters, including actions, updates, and

Superintendent recommendations involving individual employees, pursuant to C.R.S. § 24-6-402(4) (f); to consider documents protected by non-disclosure provisions of Colorado Open Records Act pursuant to C.R.S. § 24-6-402(4) (g); and/or to be advised on individual student matters, where public disclosure would adversely affect the person or persons involved, pursuant to C.R.S. § 24-6-402(4) (h).

ORIGINAL - Motion

Member Myers moved, Member Williams seconded to approve the ORIGINAL motion that the Board of Education convenes in Executive Session (a closed session) for purposes of holding conference with the District's attorney(s) to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4) (b), including conferences to receive legal advice on specific legal questions related to pending litigation, including Douglas County School District RE-1 et al. v. Douglas County Health Department, Douglas County Board of Health, pending in the United States District Court for the District of Colorado (Civil Action No. 21-cv-02818-JLK) and Marshall v. Douglas County Board of Education et al., pending in District Court, Douglas County (Case No. 22-cv-30071); and also to receive legal advice on specific legal questions concerning the interpretation of superintendent contract provisions and the board's authority regarding the negotiation and approval of a superintendent contract.

AMENDED - Motion

Member Meek moved, Member Ray seconded to approve the AMENDED motion to amend the Agenda to expand the reasons to enter Executive Session to include additional topics for legal advice, conflict of interest concerns related to the current and proposed Board attorneys and implications of the previous agreement of retaining Board attorney Will Trachman.

Hanson, aye; Meek, aye; Myers, nay; Peterson, aye; Ray, aye; Williams, aye; Winegar, nay.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 5 - 2.

AMENDED - Motion

Member Myers moved, Member Williams seconded to approve the AMENDED motion that the Board of Education convenes in Executive Session (a closed session), for purposes of holding conference with the District's attorney(s) to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4) (b), including conferences to receive legal advice on specific legal questions related to pending litigation, including Douglas County School District RE-1 et al. v. Douglas County Health Department, Douglas County Board of Health, pending in the United States District Court for the District of Colorado (Civil Action No. 21-cv-02818-JLK) and Marshall v. Douglas County Board of Education et al., pending in District Court, Douglas County (Case No. 22-cv-30071); and also to receive legal advice on specific legal questions concerning the interpretation of superintendent contract provisions and the board's authority regarding the negotiation and approval of a superintendent contract, and as amended to include additional topics for legal advice, conflict of interest concerns related to the current and proposed Board attorneys and implications of the previous agreement of retaining Board attorney Will Trachman.

Hanson, aye; Meek, aye; Myers, aye; Peterson, aye; Ray, aye; Williams, aye; Winegar, aye.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7 - 0.

Executive Session Attendance: Hanson, Meek, Myers, Peterson, Ray, Williams, Winegar, Deputy Superintendent Abner, Deputy Superintendent Hiatt, General Counsel Klimesh, Elliott Hood and Jack Peters of Caplan & Earnest, Matt Hagerty of Hall & Evans, Melissa Barber of Caplan & Earnest.

Executive Session Time: 5:16 p.m. - 7:28 p.m.

Executive Session concluded at 7:28 p.m.

President Peterson reconvened the Special Board Meeting at 7:40 p.m.

DCSD Spotlight

4. Career and Technical Education

RECOMMENDATION: Information only.

Postsecondary Readiness Coordinator Aimee Barker and the Postsecondary Readiness department will highlight the accomplishments of students throughout the District in Career and Technical Education (CTE) programs and current opportunities available to students through CTE programming. Students will share their experiences.

The Board recognized Postsecondary Readiness Coordinator Aimee Barker and the Postsecondary Readiness department who highlighted the accomplishments of DCSD students in Career and Technical Education programs, as well as teachers. Students shared their experiences.

Acceptance of Agenda

5. Acceptance of Agenda

RECOMMENDATION: That the Board of Education approves the Agenda as presented.

President Peterson stated the need for an additional Executive Session at the end of the meeting.

AMENDED - Motion

Member Ray moved, Member Myers seconded to approve the AMENDED motion that the Board of Education approve the Agenda, with an amendment to add an Executive Session (a closed session) for purposes of holding conference with the District's attorney(s) to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), including to receive legal advice on specific legal questions concerning the interpretation of superintendent contract provisions and the board's authority regarding the negotiation and approval of a superintendent contract and to adjourn from Executive Session.

Modification to state the reasons for the Executive Session to the AMENDED - Motion accepted by Director Ray.

Hanson, aye; Meek, aye; Myers, aye; Peterson, aye; Ray, aye; Williams, aye; Winegar, aye.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7 - 0.

Study/Work Session

6. Mill Bond Exploratory Ad Hoc Committee (MBEC) Update

RECOMMENDATION: Information only.

- Attachment #1: 03.22.2022 MBEC Presentation (Slides 1-4) Attachment #2: 03.22.2022 MBEC Presentation (Slides 5-19)

Mill Bond Exploratory Ad Hoc Committee (MBEC) Chair Sandra Brownrigg will provide an update to the Board.

MBEC Chair Brownrigg and Communications Co-Chair Gilstrap provided a status update on the work of the MBEC to date.

Board discussion.

Public Comment

7. Public Comment

RECOMMENDATION: Information only.

- Attachment #1: Public Comment Roster

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

- Owen Wicks, student, provided comment regarding the superintendent
- Amity Wicks, Highlands Ranch resident, provided comment regarding the superintendent
- Chris Wicks, Highlands Ranch resident, provided comment regarding the superintendent
- Eiko Browning, Highlands Ranch resident, provided comment regarding the superintendent
- Jayson Hurd, Highlands Ranch resident, provided comment regarding an MLO
- Robin Webb, Highlands Ranch resident, provided comment regarding the superintendent
- Matthew Smith, Castle Rock resident, provided comment regarding open meeting
- Catherine Lees, Highlands Ranch resident, provided comment regarding the superintendent process
- Kelly Mayr, Highlands Ranch resident, provided comment regarding the superintendent search
- Catherine Beck, Highlands Ranch resident, provided comment regarding the resolution regarding lawsuit
- Carolyn Williamson, Parker resident, provided comment regarding the Sunshine Laws
- Sarah Wu, Castle Rock resident, provided comment regarding the superintendent decision
- Laura Allen, Highlands Ranch resident, provided comment regarding retention of lawyer in Marshall v. Board of Education
- Amy Windju, Castle Rock resident, provided comment regarding MLO
- Trisha Ackerman, Parker resident, provided comment regarding superintendent search
- Crista Mann, Parker resident, provided comment regarding the superintendent

- Erika Devlin, Highlands Ranch resident, provided comment regarding the superintendent
- Luke Johnson, Highlands Ranch resident, provided comment regarding the superintendent hire
- Tony Lau, Highlands Ranch resident, provided comment regarding Marshall v. Board of Education
- Amy Carlson, Highlands Ranch resident, provided comment regarding support for board members who work for kids' best interest
- Matthew Solak, Parker resident, provided comment regarding Colorado Open Meetings Laws
- Cynthia Fincher, Parker resident, provided comment regarding special education
- Jenny Brown, Parker resident, provided comment regarding special education
- Benjamin Husser, Centennial resident, comments read by Jennifer Seivert regarding special education
- Michelle Villanueva, Parker resident, provided comment regarding special education
- Emily Adams, Lakewood resident, provided comment regarding special education
- Sandra Bukowski, Highlands Ranch resident, provided comment regarding special education
- Rachel Yamiolkoski, Highlands Ranch resident, provided comment regarding special education
- Michael Yamiolkoski, Highlands Ranch resident, comments read on his behalf by Rachel Yamiolkoski regarding special education
- Kiama Jenkins, Castle Rock resident, comments read on her behalf regarding special education
- Robert Logan, Parker resident, provided comment regarding special education
- Jen Logan, Aurora resident, comments read on her behalf regarding special education
- Jennifer Seivert, Highlands Ranch resident, provided comment regarding special education
- Marshall Leiker, Elizabeth resident, comments read on her behalf regarding special education
- Rachel Leiker, Elizabeth resident, provided comment regarding special education
- Tami Staut, Englewood resident, provided comment regarding special education
- Laura Gehrke, Parker resident, provided comment regarding special education
- Michael Gross, Castle Rock resident, comments read on his behalf regarding special education
- Amber Watson, Castle Rock resident, provided comment regarding special education
- Jennifer Smith, Castle Rock resident, provided comment regarding special education
- Brandi Bradley, Littleton resident, provided comment regarding the superintendent
- Scott Jacobsen, Lone Tree resident, provided comment regarding new superintendent
- Stacy Jacobsen, Lone Tree resident, comments read on her behalf regarding new superintendent by Scott Jacobsen
- Mike, Castle Pines resident, provided comment regarding Sunshine Laws and lawsuit
- Judy Brannberg, Littleton resident, provided comment regarding Agenda Items #19 and #20
- Aaron Seraceno, Parker resident, provided comment regarding special education

- Tina Stroman, Parker resident, provided comment regarding the superintendent finalist
- Will Johnson, Highlands Ranch resident, provided comment regarding the superintendent decision
- Anthony Hartsook, Parker resident, provided comment regarding support for superintendent candidate
- Denice Dirks, Parker resident, provided comment regarding ethics
- Kurt Stroman, Parker resident, provided comment regarding the superintendent finalist
- Kara Clarke, Castle Rock resident, provided comment regarding the superintendent choice
- Kimberly Sharp, Highlands Ranch resident, provided comment regarding the superintendent finalist

President Peterson called for a recess at 9:55 p.m. and reconvened the Regular Board Meeting at 10:00 p.m.

- Lucy Squire, Highlands Ranch resident, provided comment regarding superintendent and Marshall v. Board of Education
- Tiffany Baker, Highlands Ranch resident, provided comment regarding the superintendent
- Tina De Los Santos, Castle Rock resident, provided comment regarding the superintendent
- Margaret Furlow, Highlands Ranch resident, provided comment regarding a MLO and bond
- Liz Wagner, Lone Tree resident, provided comment regarding literacy
- Triana Burdick, Parker resident, read comments on behalf of a teacher regarding the superintendent
- Juli Watkins, Castle Rock resident, read comments on behalf of a teacher
- Meggan Dahlgren, Highlands Ranch resident, provided comment regarding the superintendent finalist
- Robyn Miller, Parker resident, provided comment regarding the superintendent finalist
- Margarita Fiduccia, Highlands Ranch resident, read comments on behalf of a teacher regarding superintendent search
- Ursula Kakos, Castle Rock resident, provided comment regarding the superintendent
- Bobbi Hillard, Lone Tree resident, provided comment regarding the superintendent
- Tracie Jones, Parker resident, provided comment regarding the lawsuit, appeal and superintendent
- Lisa Franklin, Highlands Ranch resident, provided comment regarding the superintendent selection
- Michelle Wolf, Castle Rock resident, provided comment on behalf of a teacher
- Kaci Nice, Parker resident, provided comment regarding the superintendent position
- Stephanie Chancy, Highlands Ranch resident, provided comment regarding public education
- Stephani Maher, Littleton resident, provided comment regarding the superintendent finalist
- Maryann Ulmer, Highlands Ranch resident, provided comment regarding the superintendent
- Allyson Grimme, Parker resident, provided comment regarding superintendent choice and Marshall v. Board of Education
- Randi Curtis, Highlands Ranch resident, provided comment regarding literacy

- Breeana Betts, Highlands Ranch resident, provided comment regarding use of taxpayer funds for lawsuit
- Walter Bennett, Parker resident, provided comments on behalf of a District employee and parent regarding the lawsuit
- Rebecca Winegar, Highlands Ranch resident, provided comment regarding the superintendent selection
- Serenity Hayes, Parker resident, provided comment regarding the superintendent
- Jessica Metzler, Parker resident, provided comment regarding the superintendent search
- Tiffani Wilson, Parker resident, provided comment regarding the superintendent
- Tracie Jones, Parker resident, provided comment regarding appeal
- Cindi Thompson, Highlands Ranch resident, provided comments on behalf of a teacher
- Chad Cox, Castle Rock resident, provided comment regarding injunction appeal
- Jane Batt, Parker resident, provided comment regarding superintendent finalist

Adoption of Consent Agenda

8. Adoption of Consent Agenda: Staff Recommendations, Detailed in Agenda Items #9 - #15 Organized for Board of Education Block Approval

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

- #9 Approval of Personnel Changes
- #10 School Year 2021-2022 Supplier Spend Estimated to Surpass Board of Education Threshold Specified in Policy DJ
- #11 Supplier Spend Estimated to Surpass Board of Education Threshold Specified in Board Policy DJ (Janitorial Services)
- #12 Approval of Resolution Declaring Surplus Property
- #13 Approval of Student Re-Engagement Grant for HOPE Online Learning Academy
- #14 Approval of Amendment to Board of Education Governance Policy 1.7.6 Regarding the Mill Bond Exploratory Ad Hoc Committee (MBEC)
- #15 Approval of Amendments to the Mill Bond Exploratory Ad Hoc Committee (MBEC) Bylaws

Director Ray requested removal of Agenda Item #9 Approval of Personnel Changes from the Consent Agenda.

President Peterson stated Agenda Item #9 Approval of Personnel Changes would be placed under Study/Action Items.

AMENDED - Motion

Member Ray moved, Member Hanson seconded to approve the AMENDED motion that the Board of Education adopts the Consent Agenda Items #10-#15:

- #10 School Year 2021-2022 Supplier Spend Estimated to Surpass Board of Education Threshold Specified in Policy DJ
- #11 Supplier Spend Estimated to Surpass Board of Education Threshold Specified in Board Policy DJ (Janitorial Services)
- #12 Approval of Resolution Declaring Surplus Property
- #13 Approval of Student Re-Engagement Grant for HOPE Online Learning Academy
- #14 Approval of Amendment to Board of Education Governance Policy 1.7.6 Regarding the Mill Bond Exploratory Ad Hoc Committee (MBEC)

- #15 Approval of Amendments to the Mill Bond Exploratory Ad Hoc Committee (MBEC) Bylaws

Hanson, aye; Meek, aye; Myers, aye; Peterson, aye; Ray, aye; Williams, aye; Winegar, aye.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7 - 0.

10. Approval of School Year 2021-2022 Supplier Spend Estimated to Surpass Board of Education Threshold Specified in Policy DJ

RECOMMENDATION: That the Board of Education approve the School Year 2021-2022 Supplier Spend estimated to surpass Board of Education threshold specified in Policy DJ under adoption of Consent Agenda.

School Year 2021-2022 Annual Spend The following suppliers will need Board approval due to the estimated aggregated spend for the 2021-2022 school year. 1. Gillem Speech Language Pathology Services PLLC- \$700,000 - Third party services needed to cover vacancy's in schools 2. Colorado Petroleum- \$1,750,000 - Bulk Fuel for the District - Increase spend authority from \$1,500,000 to \$1,750,000 3. FreshPoint- \$1,025,000 - Due to inflation and increased meal participation for the rest of the SY and summer feed. - Increase spend authority from \$625,000 to \$1,025,000 for the 2021-2022 SY.

11. Approval of Supplier Spend Estimated to Surpass Board of Education Threshold Specified in Board Policy DJ

RECOMMENDATION: That the Board of Education approve the Supplier Spend for Janitorial Services whose spend is expected to surpass the purchasing threshold specified in Policy DJ under the adoption of Consent Agenda.

Sixty-six (66) of the District's buildings went out to bid Rocky Mountain Bidnet for Janitorial Services on November 30th, 2021. Strategic Sourcing and Operations & Maintenance would like to award Janitorial Service Contracts to ABM, American Facilities Maintenance, CCS Facilities, JJ Maintenance, Master Klean, Service Solutions, and YC Cleaning for the 22-23 School Year. The remaining 10 locations are up for contract renewal with ABM, American Facilities Maintenance, Maintenance Resources, and Master Klean for the 22-23 School Year. The cost estimate for the 22-23 School Year is \$4,675,000.00, with the option to renew for two subsequent years. Any increase requests will be negotiated by Strategic Sourcing and shall not exceed DCSD employee raises.

12. Approval of Resolution Declaring Surplus Property

RECOMMENDATION: That the Board of Education approve the Resolution Declaring Surplus Property under adoption of Consent Agenda

- Attachment #1: Resolution Declaring Surplus Property-v1

The Long Range Planning Committee (LRPC) evaluated the dedicated school site located at Monarch Blvd and Hidden Point Blvd in Castle Pines and designated the site as surplus. Douglas County School District (DCSD) owns this site. The site has access constraints, topographical challenges with a significant slope, and is located adjacent to overhead electrical distribution lines. This Resolution acknowledges that the LRPC designated the site as surplus. The site is not needed within the foreseeable future for any purpose authorized by law and, therefore, may be sold and conveyed in accordance with applicable law, District policy, and Board of Education approval.

13. Approval of Student Re-Engagement Grant for HOPE Online Learning Academy

RECOMMENDATION: That the Board of Education approve the Student Re-Engagement Grant for HOPE Online Learning Academy under adoption of Consent Agenda.

- Attachment #1: HOPE Student Re-Engagement Grant 2022-23-Budget
- Attachment #2: HOPE Student Re-Engagement Grant 2022-23-Grant Application

HOPE Online Learning Academy is applying for the CDE Student Re-Engagement Grant. If granted approval through CDE's internal grant approval review process, the school will engage in the activities as outlined in their application to CDE. This program is designed to provide educational services and supports to students to maintain student engagement and support student re-engagement at the secondary level. HOPE Online Learning Academy currently has this grant and is applying to continue and expand the services and supports available to their highly impacted student population. They have applied and are awaiting review by CDE to see if they are granted the funds. This is a highly competitive grant with funds available through the 2022-2023 school year. Depending upon continued appropriations by the state, programming could continue into 23-24 and 24-25 school years. Grant scoring will utilize a prioritization process for districts and schools that are considered highly impacted for specific demographics. Submission to CDE was through an abbreviated online application process. Rationale for Request For the CDE Student Re-Engagement Grant, Board knowledge of the grant application request by charters is required as part of the submission of the application and acceptance of grant funds by the District as the fiscal agent for the grant. CDE will be scoring, approving, and awarding the grant application and funds. If the grant is awarded CDE has an extensive evaluation process in place for the use of the grant funds and related activities. Grant Request is for \$144,100 for 22-23, \$147,200 for 23-24 and \$151,400 for 24-25 based on appropriations.

14. Approval of Amendment to Board of Education Governance Policy 1.7.6 Regarding the Mill Bond Exploratory Ad Hoc Committee (MBEC)

RECOMMENDATION: That the Board of Education approve the amendment to Board of Education Governance Policy 1.7.6 Regarding the Mill Bond Exploratory Ad Hoc Committee (MBEC) as presented under adoption of Consent Agenda.

- Attachment #1: 03.22.2022 Proposed Amendment to BOE Governance Policy 1.7.6

The Board of Education will review a proposed amendment to its Governance Policy 1.7.6 to amend the date of MBEC's comprehensive presentation at a board meeting so that presentation occurs prior to the end of June, 2022 as amended.

15. Approval of Amendments to the Mill Bond Exploratory Ad Hoc Committee (MBEC) Bylaws

RECOMMENDATION: That the Board of Education approve the Amendments to the Mill Bond Exploratory Ad Hoc Committee (MBEC) Bylaws as presented under adoption of Consent Agenda.

- Attachment #1: 03.22.2022 MBEC Bylaws Proposed Amendments

Adoption of Joint Motion Agenda

16. Approval of Minutes

RECOMMENDATION: That the Board of Education approve the Board minutes as presented.

- Attachment #1: 02.04.2022 Special Board Meeting Minutes_Unofficial
- Attachment #2: 02.08.2022 Study Session Minutes_Unofficial

- Attachment #3: 02.16.2022 Special Board Meeting Minutes_Unofficial
- Attachment #4: 02.22.2022 Board Meeting Minutes_Unofficial
- Attachment #5: 03.01.2022 Special Board Meeting Minutes_Unofficial

ORIGINAL - Motion

Member Ray moved, Member Myers seconded to approve the ORIGINAL motion that the Board of Education approve the Board minutes as presented.

Hanson, aye; Meek, aye; Myers, aye; Peterson, aye; Ray, aye; Williams, aye; Winegar, aye.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7 - 0.

Study/Action Items

9. Approval of Personnel Changes - Moved to Study/Action Items

RECOMMENDATION: That the Board of Education approve the Personnel Changes as presented under adoption of Consent Agenda.

- ATTACHMENT #1: Classified PUB BD List 3.22.2022
- Attachment #2: Licensed_Admin_ProTech PUB BD List 3.22.2022
- Attachment #3: Classified CON BD List 3.22.2022
- Attachment #4: Licensed_Admin_ProTech CON BD 3.22.2022
- ATTACHMENT #5: CORRECTED Licensed_Admin_ProTech PUB BD 3.22.2022
- ATTACHMENT #6: CORRECTED Licensed_Admin_ProTech CON BD 3.22.2022

Chief Human Resource Officer Thompson provided clarification.

ORIGINAL - Motion

Member Myers moved, Member Meek seconded to approve the ORIGINAL motion that the Board of Education approve the Personnel Changes as presented.

Hanson, aye; Meek, aye; Myers, aye; Peterson, aye; Ray, aye; Williams, aye; Winegar, aye.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7 - 0.

17. Review and Consideration of Revision to Board File Policy BEAA Electronic Participation in School Board Meetings

RECOMMENDATION: The Board of Education will review and consider revision of Board File Policy BEAA Electronic Participation in School Board Meetings, and, as determined by the Board of Education, whether to take action to revise Board File Policy BEAA.

- Attachment #1: Policy BEAA Electronic Participating in School Board Meetings

That the Board of Education will review and consider revision of Board File Policy BEAA Electronic Participation in School Board Meetings.

Board discussion.

Agenda Item #17 tabled for discussion at a future meeting.

18. Offer of Employment to a Sole Finalist for Douglas County School District RE-1 Superintendent of Schools

RECOMMENDATION: That the Board of Education modify and adopt the resolution to offer employment to a sole finalist for Douglas County School District RE-1 Superintendent of Schools.

- Attachment #1: 03.22.2022 Resolution of Intent to Offer Employment to Finalist for DCSD Superintendent of Schools

The Board of Education will offer employment to a sole finalist for Douglas County School District RE-1 Superintendent of Schools subject to negotiation of a mutually acceptable employment agreement and approval of such agreement by the Board of Education.

ORIGINAL - Motion

Member Myers moved, Member Williams seconded to approve the ORIGINAL motion to modify the resolution to insert the name of Erin Kane as the sole finalist.

SECONDARY - Motion

Member Ray moved, Member Hanson seconded to approve the SECONDARY motion to modify the resolution to insert the name of Danny Winsor as the sole finalist.

Board discussion.

Hanson, aye; Meek, aye; Myers, nay; Peterson, nay; Ray, aye; Williams, nay; Winegar, nay.

Upon a roll call vote being taken, the vote was: Aye: 3 Nay: 4. The motion failed 3 - 4.

ORIGINAL - Motion

Member Myers moved, Member Williams seconded to approve the ORIGINAL motion to modify the resolution to insert the name of Erin Kane as the sole finalist.

Hanson, nay; Meek, nay; Myers, aye; Peterson, aye; Ray, nay; Williams, aye; Winegar, aye.

Upon a roll call vote being taken, the vote was: Aye: 4 Nay: 3. The motion carried 4 - 3.

Erin Kane provided remarks.

19. Retention of Legal Counsel in the Matter of Robert Marshall v. Douglas County Board Of Education et al

RECOMMENDATION: That the Board of Education approve retention of additional counsel in the matter as presented.

- Attachment #1: 21.03.22 Engagement Letter

The Board of Education will consider retention of additional counsel in the Matter of Robert Marshall v. Douglas County Board of Education et al., Case No. 2022cv30071.

Board discussion.

ORIGINAL - Motion

Member Myers moved, Member Williams seconded to approve the ORIGINAL motion that the Board of Education approve retention of additional counsel in the matter as presented.

Hanson, nay; Meek, nay; Myers, aye; Peterson, aye; Ray, nay; Williams, aye; Winegar, aye.

Upon a roll call vote being taken, the vote was: Aye: 4 Nay: 3. The motion carried 4 - 3.

20. Resolution Regarding the Matter of Robert Marshall v. Douglas County Board Of Education et al

RECOMMENDATION: That the Board of Education approve the resolution as presented.

- Attachment #1: Resolution Seeking Extension in Marshall v DCSD et al

The Board of Education will consider a resolution to file a motion for an extension and to pursue reconsideration and, in the alternative, clarification of the order issued in the litigation.

Board discussion.

AMENDED - Motion

Member Peterson moved, Member Myers seconded the AMENDED motion to approve the resolution with the amendment to insert the following statement in the last resolution statement: "and evaluate the appropriateness of a consent decree in the matter."

Hanson, nay; Meek, nay; Myers, aye; Peterson, aye; Ray, nay; Williams, aye; Winegar, aye.

Upon a roll call vote being taken, the vote was: Aye: 4 Nay: 3. The motion carried 4 - 3.

Board of Education Reports

21. President Report

RECOMMENDATION: Information only.

President Peterson advised:

- March 29, 2022 at 5:00 p.m. Special Board Meeting
- March 24, 2022 at 11:30 a.m. Agenda Planning Meeting

22. Vice President Items

RECOMMENDATION: Information only.

Vice President Williams provided comment regarding the Student Advisory Group.

23. Director Items, Board Committee and Liaison Reports

RECOMMENDATION: Information only.

Director Meek commented regarding a Board retreat.

Director Myers commented regarding the Douglas County Youth Initiative.

Director Ray commented regarding the Student Advisory Group.

Convene in Executive Session (a closed session)

24(A). Convene in Executive Session (a closed session)

RECOMMENDATION: That the Board of Education convene in Executive Session (a closed session) for purposes of holding conference with the District's attorney(s) to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), including to receive legal advice on specific legal questions concerning the interpretation of superintendent contract provisions and the board's authority regarding the negotiation and approval of a superintendent contract and to adjourn from Executive Session.

The Board may hold an executive session for considering limited matters, including: Personnel Matters e.g. the purchase, acquisition, lease, transfer or sale of real, personal or other property pursuant to C.R.S. § 24-6-402(4)(a); to hold conference with the Board's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b); matters required to be kept confidential by federal or state law or rules and regulations pursuant to C.R.S. § 24-6-402(4)(c); to be advised on specialized details of security arrangements and investigations pursuant to C.R.S. § 24-6-402(4)(d); to determine positions relative to matters that are or will be subject to contract negotiations, developing strategy for those negotiations, and instructing negotiators, pursuant to C.R.S. § 24-6-402(4)(e); personnel matters, including actions, updates, and Superintendent recommendations involving individual employees, pursuant to C.R.S. § 24-6-402(4)(f); to consider documents protected by non-disclosure provisions of Colorado Open Records Act pursuant to C.R.S. § 24-6-402(4)(g); and/or to be advised on individual student matters, where public disclosure would adversely affect the person or persons involved, pursuant to C.R.S. § 24-6-402(4)(h).

ORIGINAL - Motion

Member Myers moved, Member Williams seconded to approve the ORIGINAL motion that the Board of Education convene in Executive Session (a closed session) for purposes of holding conference with the District's attorney(s) to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), including to receive legal advice on specific legal questions concerning the interpretation of superintendent contract provisions and the board's authority regarding the negotiation and approval of a superintendent contract and to adjourn from Executive Session.

Hanson, aye; Meek, aye; Myers, aye; Peterson, aye; Ray, aye; Williams, aye; Winegar, aye.

Upon a roll call vote being taken, the vote was: Aye: 7 Nay: 0. The motion carried 7 - 0.

Executive Session Attendance: Hanson, Meek, Myers, Peterson, Ray, Williams, Winegar, outside legal counsel Melissa Barber.

Executive Session Time: 12:46 a.m. - 1:39 a.m. on March 23, 2022.

Executive Session concluded at 1:39 a.m. on March 23, 2022.

24. Adjournment

RECOMMENDATION: That the Board of Education adjourns the meeting.

President Peterson adjourned the regular meeting at 12:39 a.m. on March 23, 2022 to convene in Executive Session.

These minutes summarize the final decisions made by the Board of Education at the referenced meeting. View the meeting via You Tube by accessing the following link:

<https://www.youtube.com/watch?v=MvnAcsRtfEs&list=PLyjVvMhp58liz3QmZQeX7QUKKhYfNu4Rb&index=5>

Supporting document(s) attached to the agenda <https://douglas.ic-board.com>



Mike Peterson

Mike Peterson
Board of Education President

Becky Myers

Becky Myers
Board of Education Secretary