



Board of Education  
Minutes  
Special Board Meeting  
Tuesday, December 7, 2021

All persons attending the December 7, 2021 Special Board Meeting in person will be required to wear a mask. 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 special meeting of the Board of Education at 5:01 p.m.

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

ALSO IN ATTENDANCE: Superintendent Wise, 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, Special Education Services Officer Rundle, Communications Officer Rader and Assistant to the Superintendent DeVol

Pledge of Allegiance

2. Pledge of Allegiance

Acceptance of Agenda

3. Acceptance of Agenda

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

ORIGINAL - Motion

Member Ray moved, Member Winegar seconded to approve the ORIGINAL motion that the Board of Education approves the Agenda 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.

Public Comment

4. Public Comment

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

- Attachment #1: Public Comment Roster

Please focus comments on Agenda Items #5-8 regarding Board Retention of Outside Legal Counsel, Pending Acquisition of CU South, Revisions to Board Policy JLCC - Communicable Diseases and Long-Term Illnesses, and the Resolution Promoting Smarter Health Initiatives.

- Megan Suparat, student provided comment regarding masks
- Nathan Suparat, student provided comment regarding masks
- Kate Suparat, student provided comment regarding masks
- Owen Suparat, student provided comment regarding masks
- Cole Bradley, student provided comment regarding masks
- Drew Middleton, student provided comment regarding masks
- Aadithya Senthilkumar, student provided comment regarding masks
- Lucas Gathier, student provided comment regarding masks
- Owen Wicks, student provided comment regarding medical freedom
- Jason Kassay, Littleton resident provided comment regarding Policy JLCC and masking
- Andrew D'Ovidio, Highlands Ranch resident provided comment regarding school environment
- Christa Gilstrap, Highlands Ranch resident provided comments regarding masks, JLCC and CU facility
- Tara Heidel, Franktown resident, comments regarding masks read by Christa Gilstrap
- Brandi Bradley, Littleton resident provided comment regarding mask mandate
- Liz Wagner, Lone Tree resident provided comment regarding CU South
- Robin Webb, Highlands Ranch resident provided comment regarding masks
- Jennifer Mitkowski, Highlands Ranch resident provided comment regarding health
- Robert Marshall, Highlands Ranch resident provided comment regarding new Board Directors and hiring of new outside legal counsel
- Eiko Browning, Highlands Ranch resident provided comment regarding CU South
- Michelle Suparat, Englewood resident, comments read by husband on her behalf regarding masks
- Sandy Garcia, Aurora resident provided comment regarding mask mandate
- Matthew Smith, Castle Rock resident provided comment regarding masks
- Luke Jay, Littleton resident provided comment regarding equity policy
- Kelly Mayr, Highlands Ranch resident provided comment regarding equity
- Gabriella Hooper, student provided comment regarding mask mandate
- Allison Kulinski, Parker resident provided comment regarding JLCC and masking
- Scott Jacobsen, Lone Tree resident provided comment regarding masking
- Matthew Smith, Castle Rocks resident provided comment regarding masks
- Amity Wicks, Highlands Ranch resident provided comment regarding parental rights
- Tina De Los Santos, Parker resident provided comment regarding masks
- Jessica Kaiser, Parker resident provided comment regarding masks
- Keri Beaumont, Parker resident provided comment regarding accountability
- Sarah Wu, Castle Rock resident provided comment regarding Board integrity
- Jennifer Noel, Castle Rock resident provided comment regarding Policy JLCC

- Gwendolyn Spahn, Castle Rock resident provided comment regarding mandates
- Rachel Garmers, Highlands Ranch resident provided comment regarding mask choice
- Nicole Nalty, Castle Rock resident provided comment regarding masking
- Katie Webb, Parker resident provided comment regarding masks
- Shane McNulty, Castle Rock resident provided comment regarding masks
- Serena Hendon, Parker resident provided comment regarding purchase of CU South
- Denice Kline Dirks, Parker resident provided comment regarding mandates
- Andy Levine, Denver resident provided comment regarding teacher compensation
- Christina Courtney, Parker resident provided comment regarding masks
- Crista Mann, Parker resident provided comment regarding masks and CU South
- Mary Wilson, Castle Rock resident provided comment regarding mask mandate
- Julie Gooden, Lone Tree resident provided comment regarding compromise
- Juan Jose Candil, Castle Rock resident provided comment regarding COVID
- Hannah Nunn, Castle Rock resident provided comment regarding masks
- Jeremy Hall, Parker resident provided comment regarding resolution and mitigation requirements
- Katy Lute, Castle Rock resident provided comment regarding masks
- Maryann Ulmer, Highlands Ranch resident provided comment regarding masks
- Richard Flanagan, Castle Rock resident provided comment regarding masks
- Sheri Beard, Castle Rock resident provided comment regarding mask mandate
- Kelly Landauer, Castle Rock resident provided comment regarding mask mandate
- Shawn Benson, Littleton resident provided comment regarding data
- Lisa Mason, Franktown resident provided comment regarding masks, vaccines, union
- Max Garcia, Aurora resident provided comment regarding mask mandate
- Dr. Aleta You, Parker resident provided comment regarding CU South, masks
- Catherine Lees, Highlands Ranch resident provided comment regarding equity policy

President Peterson called a recess at 7:08 p.m. and reconvened the meeting at 7:20 p.m.

- Elijah Schmidt, student provided comment regarding masks, health and safety of students
- Kate Gould, Highlands Ranch resident provided comment regarding masking
- Katrina Eike, Parker resident provided comment regarding masks
- Andrea Bingman, Centennial resident provided comment regarding the equity policy
- Kathy Redmond, Castle Rock resident provided comment regarding masks
- Kalya Aye, Highlands Ranch resident provided comment regarding mask mandate
- Coni White, Highlands Ranch resident provided comment regarding masks
- Krystal Ruddy, Littleton resident provided comment regarding masks
- Annette Bybee, Highlands Ranch resident provided comment regarding mask mandate
- Miles Cortez, Centennial resident provided comment regarding COVID, masks
- Joyel Chambers, Castle Rock resident provided comment regarding mask choice
- Triana Burdick, Parker resident provided comment regarding masking
- Lindsay Berning, Parker resident provided comment regarding masking
- Corie Parton, Parker resident provided comment regarding JLCC and resolution
- Joy Overbeck, Parker resident provided comment regarding masking and CU South
- Robyn Miller, Parker resident provided comment regarding public health

- Jason Ryan, Littleton resident provided comment regarding masking
- Sondra Emerson, Lone Tree resident provided comment regarding mask mandate
- Tammy Overacker, Castle Rock resident provided comment regarding resolution
- Katie Kane, Highlands Ranch resident provided comment regarding masks
- Tiffany Baker, Highlands Ranch resident provided comment regarding the county and COVID-related matters
- Larry Swaim, Parker resident provided comment regarding resolution
- David Rose, Parker resident provided comment regarding mask mandate
- Tiffani Wilson, Parker resident provided comment regarding masking
- Juli Watkins, Castle Rock resident provided comment regarding masking
- Dancinee Jennings, Parker resident provided comment regarding masking
- Jaclyn Lauer, Centennial resident provided comment regarding masking
- Bobbi Hillard, Lone Tree resident provided comment regarding masking
- Adam Hillard, Lone Tree resident provided comment regarding masking, CU South
- Randi Curtis, Highlands Ranch resident provided comment regarding CU South
- Connie Ingram, Highlands Ranch resident provided comment regarding Policy JLCC
- Analise Marshall, Highlands Ranch resident, comments read by Robert Marshall regarding masks

President Peterson called a recess at 8:16 p.m. and reconvened the meeting at 8:26 p.m.

#### Study/Action Items

##### 5. Engagement Letter to Retain Outside Legal Counsel

RECOMMENDATION: That the Board approve retention of Will Trachman as Outside Counsel to the Board of Education as stated in the engagement letter.

- Attachment #1: Engagement Letter to Retain Outside Legal Counsel

The Douglas County School District Board of Education frequently retains outside counsel to advise it on certain matters regarding legal and parliamentary considerations. Will Trachman is the former General Counsel to the Douglas County School District, having represented both the School District and the Board of Education in 2016-2017. His previous contracts were approved by a 7-0 vote in November 2016 and by a 7-0 vote in July 2017. During his tenure as General Counsel, Mr. Trachman kept open lines of communication between himself and all Directors, and apprised all Directors regarding legal work being done on behalf of the School Board and its Directors.

Mr. Trachman left the School District to serve honorably with the United States Department of Education's Office for Civil Rights from 2017 to 2021, working first as Deputy Assistant Secretary, and later as Senior Counsel. He has extensive experience advising and counseling stakeholders with respect to parliamentary procedure, civil rights law, and litigation risks. Mr. Trachman's services will be provided and billed on an hourly basis as requested by Board Directors.

ORIGINAL - Motion

Member Myers moved, Member Winegar seconded to approve the ORIGINAL motion that the Board approve retention of Will Trachman as Outside Counsel to the Board of Education as stated in the engagement letter.

Board discussion.

Hanson, no; Meek, no; Myers, aye; Peterson, aye; Ray, no; Williams, aye; Winegar, aye.

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

6. Pending Acquisition of CU South

RECOMMENDATION: That the Board indicate their approval of the purchase of the CU South property to the Superintendent.

- Attachment #1: CU South Feasibility Study 102521 Redacted\_1203 Attachment #2: CU South Feasibility Study Addendum-Redacted\_1203

The Board of Education is authorized by law to acquire, on such terms as it sees fit and necessary, real property to be used for School District purposes. The Regents of the University of Colorado Denver own real property located in Douglas County and have entered into a Purchase and Sale Agreement with the District. The School District's staff has engaged in a diligent review of the property and have determined that the property can be beneficially used for School District purposes. On November 17, 2021 the Board authorized the Superintendent to be able to proceed with the purchase by providing a "Notice to Proceed" by the required deadline of 12:00 p.m. MST on December 8, 2021. A Special Meeting of the Board on November 30, 2021 was conducted to allow for additional questions and concerns submitted by public stakeholders to be addressed by District leadership and outside experts.

This action item will allow each Director to indicate their preference to the Superintendent on issuing (or not issuing) the "Notice to Proceed" and continue to execute the purchase of the CU South property. The decision to purchase the ACC Parker property is on a separate timeline and will take place at a future date.

ORIGINAL - Motion

Member Williams moved, Member Ray seconded to approve the ORIGINAL motion that the Board indicate their approval of the purchase of the CU South property to the Superintendent.

Board discussion.

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.

Policy Revisions

7. Revisions to Board Policy JLCC Communicable Diseases and Long-Term Illnesses

RECOMMENDATION: That the Board of Education approve proposed revisions of Board Policy JLCC Communicable Diseases and Long-Term Illnesses as presented.

- Attachment #1: JLCC 12.07.2021 Revised
- Attachment #2: JLCC 12.07.2021 Revised\_Redlined

The Board of Education will consider proposed revisions of Board File JLCC Communicable Diseases and Long-Term Illnesses.

Board questions and discussion.

NEW - Motion

Motion by Member Meek, seconded by Member Myers to the NEW Motion to include CDPHE as well as the local board of health in the second paragraph.

Friendly Amendment by Director Ray to include the verbiage '...and other agencies as appropriate.'

Friendly Amendment accepted by Director Meek.

Board discussion.

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.

NEW - Motion

Motion by Member Ray moved, seconded by Member Winegar to the NEW Motion to amend the policy language in the second paragraph to state the verbiage ' ... guided by the Douglas County School District Board of Education, and directed by the Superintendent in consultation with ...'

Counsel Klimesh stated that the comma may want to be removed after the word 'Superintendent.'

Director Ray agreed and President Peterson clarified that the motion is without the comma after the word 'Superintendent.'

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.

Board discussion.

AMENDED - Motion

Member Winegar moved, Member Myers seconded to approve the AMENDED Motion that the Board adopt Board Policy JLCC Communicable Diseases and Long-Term Illnesses as amended, with the second paragraph to state:

'The Douglas County School District exercises control over District operations. Therefore, management of common communicable diseases will be guided by the Douglas County School District Board of Education, and directed by the Superintendent in consultation with the Douglas County Health Department, the Colorado Department of Public Health and Environment and other agencies as appropriate and their references to available disease data, with an emphasis on Douglas County-specific data. The District shall comply with the requirements of federal, state and local law and applicable public health orders.'

Friendly Amendment by Director Ray to clarify that the Board is to adopt the revisions to Policy JLCC Communicable Diseases and Long-Term Illnesses as amended, and not the policy.

Friendly Amendment accepted by President Peterson.

Hanson, aye; Meek, no; Myers, aye; Peterson, aye; Ray, aye; Williams, aye; Winegar, aye.

Upon a roll call vote being taken, the vote was: Aye: 6 Nay: 1. The motion carried 6 - 1.

President Peterson called a recess at 10:21 p.m. reconvened the meeting at 10:31 p.m.

8. Resolution Addressing Face Coverings and Other COVID Mitigation Requirements

RECOMMENDATION: That the Board of Education approve the Resolution Addressing Face Coverings and Other COVID Mitigation Requirements as presented.

- Attachment #1: Resolution Addressing Face Coverings and Other COVID Mitigation Requirements
- Attachment #2: 12.03.2021 Letter From Douglas County Board of Health President to DCSD Board President
- Attachment #3: Resolution Addressing Face Coverings and Other COVID Mitigation Requirements - 12.07.2021 (Revised 12.05.2021)

The Board of Education will consider the attached Resolution.

Board discussion.

NEW - Motion

Member Hanson moved to approve the NEW Motion to amend the verbiage of #4 of the Resolution to state '... while periodically reporting to the Board of Education local and district COVID data and any potentially-related impact on District operations.'

Friendly Amendment by President Peterson to amend the NEW Motion to include the original verbiage of '...to include at a minimum the death and hospitalizations... .'

Friendly Amendment accepted by Director Hanson.

Board discussion.

AMENDED NEW - Motion

Member Hanson moved, seconded by Member Meek to approve the AMENDED NEW Motion to amend the verbiage of #4 of the Resolution to state:

'4. That other avenues be explored, as appropriate and as directed by the Superintendent, to promote the appropriate balance between safety and an unconstrained learning environment while periodically reporting to the Board of Education local and District COVID data to include at a minimum deaths and hospitalizations for those under the age of 18 and other data that may affect staff and District operations.'

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.

NEW - Motion

Motion by Member Meek, seconded by Member Ray to approve the NEW Motion to amend the resolution to add the verbiage '...to be implemented no sooner than January 2022...' in the first statement.

Board discussion.

Hanson, aye; Meek, aye; Myers, no; Peterson, no; Ray, aye; Williams, no; Winegar, no.

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

NEW - Motion

Member Williams moved, seconded by Member Myers to approve the NEW Motion that the Board of Education approve the Resolution Addressing Face Coverings and Other COVID Mitigation Requirements as amended.

Board discussion.

Hanson, no; Meek, no; Myers, aye; Peterson, aye; Ray, no; Williams, aye; Winegar, aye.

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

Board of Education Reports

9. President and Vice President Items

RECOMMENDATION: Information only.

President Peterson advised:

- December 14, 2021 Regular Board Meeting

Vice President advised:

- December 14, 2021 meeting scheduled for the District and the Douglas County Board of Health. Superintendent Wise provided information regarding the meeting and going forward. Directors Meek and Williams expressed interest in attending.

10. Board Directors: Announcements and Comments

RECOMMENDATION: Information only.

Director Ray requested that Board resolutions include the individual votes of the Board Directors.



Adjournment

11. Adjournment

RECOMMENDATION: That the Board of Education adjourns the meeting.

ORIGINAL - Motion

Member Ray Moved, seconded by Member Winegar to approve the ORIGINAL motion that the Board of Education adjourns the meeting.

President Peterson adjourned the Special Board Meeting at 12:23 a.m. on Wednesday, December 8, 2021.

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=KucS7NS\\_KNc&list=PLyjVvMhp58liz3QmZQeX7QUKKhYfNu4Rb&index=5](https://www.youtube.com/watch?v=KucS7NS_KNc&list=PLyjVvMhp58liz3QmZQeX7QUKKhYfNu4Rb&index=5)

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

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Mike Peterson  
Board of Education President

ATTEST

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Becky Myers  
Board of Education Secretary