

## **THE BOARD REPORT**

### **December 10, 2008**

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### **ACTION ITEMS**

#### **Mill Levy Certification**

State law requires the Board of Education to certify the school district mill levy no later than December 15, 2008, to the El Paso County Treasurer and Board of County Commissioners for 2008 property taxes to be collected in 2009. The certified mill levy is based on an assessed valuation total of \$2,464,841,380. Article X, Section 20 of the Colorado Constitution imposes certain limitations on taxation and revenue. These limitations have been considered in establishing the total program mill levy limit at 42.331 mills (determined without regard to voter-approved levies and net abatement levies).

The Board of Education approved a resolution certifying the District 11 mill levy as submitted by the administration.

#### **403 (b) Tax Sheltered Annuity Plan Document**

In late 2007, the Internal Revenue Service (IRS) issued new regulations requiring sweeping changes to section 403(b) of the Internal Revenue Code. The IRS is promulgating new regulations to standardize 403(b) compliance across the education and health care industries. The new rules place the fiduciary responsibility of plan administration squarely on the district by requiring the adoption of a plan document, election of plan provisions, and compliance with various IRS regulations, including Maximum Exclusion Allowance (MEA) calculations, loan and hardship withdrawal provisions, and timely remittance to vendors.

The Board of Education approved the Adoption Agreement for the 403(b) Plan Document for Public Education Organizations and the 403(b) Plan document as submitted by the administration and Voluntary Retirement Plan Employee Committee.

#### **Delayed Start December 1, 2008**

According to Board of Education policy, the superintendent or his designee is authorized to close schools for specified emergencies. School District 11 had a two-hour delayed start on December 1, 2008, due to inclement weather.

The Board of Education approved the two-hour delayed start that occurred on December 1, 2008.

#### **Budget Transfers and Appropriations – Bond Fund**

District 11's Bond Program begins its fourth year of implementation with the vast majority of projects completed (445 of 616 line items complete). The district is on track for a successful conclusion to the \$153 million program.

The Board of Education approved the appropriation and transfer of \$2,475,000 from the Bond Fund program contingency account to various projects, including \$350,000 to supplement the budget for Rudy, \$140,000 to supplement the budget for Steele (existing projects) and \$1,975,000 for King HVAC renovation, Rudy HVAC renovation, Chipeta chiller, Chipeta fire alarm system, Mitchell sanitary sewer, Henry playground asphalt, Wasson area roof and Taylor boilers.

Following these transfers, the balance in the Bond Fund will be \$316,162. [ATTACHMENT](#)

#### **Personnel Recommendations**

The Board of Education approved a list of personnel recommendations submitted by the administration.

#### **Acceptance of the Vision/Mission and Message Platform in Concept**

At the board work session on August 22, 2008, consultant firm Boatz Knutsen proposed that the district: 1) embrace and approve an evolved vision/mission, direction and message platform in concept; 2) integrate the vision/mission/message into all that is said and done within the district and to all external circles; 3) hold the district accountable for changing the way it communicates and for delivering the evolved vision/mission

The Board of Education accepted the vision/mission and message platform in concept and directed the administration to develop policies and procedures to ensure brand consistency in all school/district communication vehicles.

### **NON-ACTION ITEMS**

## **7 P.M. PUBLIC HEARING ON EMERSON-EDISON ACADEMY CHARTER SCHOOL RESTRUCTURE**

This time is set aside for community input regarding restructuring Emerson-Edison Academy Charter School.

### **Emerson-Edison Academy Charter School Restructure**

Under the No Child Left Behind Act (NCLB), Emerson Edison Charter Academy must be restructured as a consequence of not making Adequate Yearly Progress (AYP) for the last six years. A restructuring team was established to meet the requirements for NCLB, which requires community input, Emerson-Edison staff input, and District 11 staff input. After studying the options (reopen as a charter school, reopen as a District 11 focus school, or close the school) and considering the community input, the restructuring team is recommending keeping Emerson as a District 11 focus school. [ATTACHMENT](#)

The administration recommends that the Emerson-Edison Charter Academy be restructured, as required by NCLB, to reopen as a District 11 school for the 2009-10 school year, continuing to serve students in grades 6-8, starting with grade 6 in 2009-10, adding a grade each year for the next 2 years. The administration is directed to hire a principal and administrative assistant to facilitate the opening of the new District 11 school.

### **Administration Proposal for Emerson Facility**

The Board of Education has been briefed throughout the fall regarding the status of Emerson-Edison. As the Board of Education considers a course of action to respond to Emerson-Edison's inability to make AYP, the administrative team began to explore options and opportunities if District 11 took back this site and made it a District 11 school. The administration recommends reopening Emerson as a District 11 school. [ATTACHMENT](#)

### **Revisions to Policies BDFB – Vocational Advisory Council, JKF – Educational Alternatives for Expelled Students, and JKG – Expulsion Prevention**

As a result of House Bill 08-1079, C.R.S. 23-8-103(2)(c), any statutory reference to “vocational education” is now “career and technical education.” This verbiage change requires updates to policies JKF – Educational Alternatives for Expelled Students, JKG – Expulsion Prevention Program, and BDFB – Vocational Advisory Committee.

It is recommended that the Board of Education review and approve revisions to policies BDFB, JKF and JKG.

### **Revision to Policy JKD/JKE-2 – Discipline of Students with Disabilities**

Due to changes in state and federal law, IDEA (formerly Individuals with Disabilities Education Act) has been changed to IDEIA (Individuals with Disabilities Education Improvement Act).

It is recommended that the Board of Education review and approve revisions to policy JKD/JKE-2.

### **Revision to Policy DFA/DFAA – State of Investment**

Board of Education Policy DFA/DFAA is the District 11 investment policy, which governs management and operations of the district's investment portfolio. The district's Investment Advisory Committee annually reviews the policy and suggests changes to keep current with various laws, regulations and investment practices.

It is recommended that the Board of Education review and approve proposed revisions, which are primarily “housekeeping” in nature, to Board of Education Policy DFA/DFAA.

### **Mid-Year Budget Modifications FY2008-09**

Each year the district prepares a mid-year budget document, which reflects the final certified pupil count, property tax revenues based on the county's final assessed valuations, the audited beginning fund balances, and other revenue and expenditure adjustments as needed.

It is recommended that the Board of Education approve the FY2008-09 Mid-Year Budget Update modifications and revised appropriation levels as presented by the administration.

## **REPORTS AND DISCUSSION ITEMS**

### **Superintendent/Administrative Reports**

An update was provided by Dr. Janeen Demi-Smith on the School Accountability Reports (SARs). [ATTACHMENT](#)

### **Phase I of Draft Plan of the Utilization Study**

Mike Poore provided an update from the steering committee meeting on December 9 to the Board of Education.

## **Other Discussion Items and Board Subcommittee Reports**

Director Tanner submitted a written report.

## **FUTURE AGENDA ITEMS**

### **School Utilization**

Phase I (November): draft plan to steering committee and administration develops recommendation

Phase II (December): draft plan/recommendation goes to staff

Phase III (January): draft plan/recommendation goes to community

Phase IV (February): draft plan/recommendation to the Board of Education (hearing, non-action, action)

The Board of Education will be provided with updates under Reports & Discussion Items November through January with a possible work session on February 4, followed by a public hearing and non-action item on February 11 and action item on February 25.

### **Choice Permit Policy Discussion**

The Board of Education will discuss the choice permit policy at a future meeting.

### **Magnet School Concepts**

Magnet school concepts will be discussed sometime after the November elections.

## **FUTURE WORK SESSIONS**

### **January 21, 2009, Work Session**

Board Input for FY2009-10 Budget Development

Superintendent Search Work

### **Adjournment**

The meeting adjourned at 11.30 p.m.

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