

BOARD Meeting Activity
August 11, 2021

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SPECIAL REPORTS

Superintendent's Report

Dr. Thomas introduced the newly hired administrators for 2021-2022 and introduced Executive Director of Student Success & Wellness Mr. Cory Notestine who provided a Return to Learn update on COVID-19 guidance.

CONSENT ITEMS

Approval of June 9, 2021, Regular Meeting Minutes

The Board of Education approved the June 9, 2021, Regular Meeting Minutes.

Approval of June 23, 2021, Board Retreat Minutes

The Board of Education approved the June 23, 2021, Board Retreat Minutes.

Approval of August 4, 2021, Special Meeting Minutes

The Board of Education approved the August 4, 2021, Special Meeting Minutes.

Personnel Recommendations - August 11, 2021

The Board of Education approved the Personnel Recommendations for August 11, 2021.

ACTION ITEMS

Contract Awards: 2021 Election IGA

The Intergovernmental Agreement (IGA) for the November 2, 2021, Coordinated Election between the El Paso County Board of County Commissioners, the El Paso County Clerk and Recorder, and Colorado Springs School District 11 is required in order to place the District's election questions, specifically for Board of Directors election and for a possible Bond question be on the ballot. The IGA must be executed by August 24, 2021, along with a 50% deposit (\$58,953.50) of the estimated cost for the District's participation in the election. The estimated total cost as calculated by the County Clerk is \$117,907 which is subject to change based on proportional share of actual costs of the election. This is within the approved budget (as amended) amount set aside. The IGA will obtain legal review and signature.

The Designated Election Official is Ms. Phoebe Bailey who is the primary liaison between the County Clerk and the District.

The Board of Education authorized Executive Director of Procurement and Contracting Kris Odom to execute the Intergovernmental Agreement (IGA) for the 2021 Coordinated Election to be held on November 2, 2021, at a total estimated cost of \$117,907 to allow for the District's Board Election and possible Bond election question to participate and be on the ballot.

Contract Awards: Bond Counsel Services General Obligation Bonds for 2021 Election

The engagement letter provided objective legal opinion with respect to authorization and issuance of bonds. Butler Snow LLP provides legal support on drafting the 2021 bond election question, underwriting services before and after issuance, and tax matters pertaining to the bonds. In accordance with Policy DJ, this legal service contract requires Board approval.

The Board of Education approved contract C2022-0014 to Butler Snow LLP for Tax Bond Counsel for the 2021 Election advice with General Obligation Bonds. If the Bond Election passes, then proceeds from the Bond fund this contract estimated at \$70,000. No cost will be incurred by the District if the Bond does not pass.

Contract Awards: Contract C2022-0015 iPads SY 2021-22 Student Device Refresh

Executive Director of Procurement and Contracting Kris Odom and Director of Technology Services Jason Reynolds provided the following information:

At the April 28, 2021, regular board meeting, the Board of Education approved the 2000 MLO FDK Plan Amendment to re-purpose these funds on a recurring basis for FY 2021-22 and beyond. This funding supports student device repair and replacement for the full amount of \$2,400,550.

The IT department prepared a fluid and fundamental technology replacement and spend plan for annual purchases of known student devices. It is anticipated that the three primary student device purchases will be:

1. iPads (primarily PreK-2)
2. Dell Chromebooks (grades 3-8)
3. Dell laptops (grades 9-12)

The refresh purchases are estimated to replenish 20% of the inventories.

Last FY 2020-21 the District was able to implement a one-to-one student device initiative.

The Board of Education approved the purchase of 3,500 iPads for SY 2021-22 in the amount of \$1,029,000.

Contract Awards: Contract C2021-0010 Web Filtering Services

Executive Director of Procurement and Contracting Kris Odom provided the following information:

The District has 30,000 device licenses (laptops, desktops, Chromebooks, iPads, IOS, and Androids) that require web filtering software licensing. The District desires a comprehensive integration of Internet web filtering and Online Safety Services.

Through a competitive source selection process DirSec Inc., was selected as best value offering to provide web filtering software licensing to the District.

The Board of Education approved contract C2021-0010 for web filtering services to DirSec Inc. in the amount of \$597,037 for a 5-year term ending June 30, 2026.

Contract Awards: Modification 6 to Dell Contract C2019-0047 to Increase the Contract Spending Limit

Executive Director of Procurement and Contracting Kris Odom provided the following information:

Due to the increase in demand for Dell laptops and Dell Chromebook devices, an increase to the spending limit from the existing Dell contract was necessary. The current contract spending threshold is \$10,500,000 and this modification increases the limit to \$14,000,000 for the duration of the contract term. The contract was competed and approved by the Board of Education on December 12, 2018. If fully executed, the contract will expire June 30, 2023.

The Board of Education approved modification 6 to the existing Dell contract C2019-0047, increasing the contract order limit from \$10,500,000 to \$14,000,000 for the remainder of the multi-year contract term.

Contract Awards: CIVA Charter School Contract Modification 9: Facility Use Agreement (FUA)

Executive Director of Procurement and Contracting Kris Odom provided the following information:

The District authorizes CIVA Charter High School, and is party to a Charter School Contract dated July 1, 2016, for a term currently expiring June 30, 2025, which governs the Tenant's operation as a charter school in the District. The District is the owner of the facility located at 4635 Northpark Drive, Colorado Springs, CO 80918, in which CIVA currently operates. While the current Charter School Contract does provide language governing the use of the District-owned facility, it is no longer sufficient and requires additional language detailing each party's roles and responsibilities. It is best practice as an authorizer, and aligned with several other District authorizers in Colorado, to incorporate a Facility Use Agreement (FUA) into the Charter School Contract. The District has determined it to be in the best interest of the District and the Tenant to establish a formal Facility Use Agreement for the Tenant to occupy the School to facilitate the Tenant's purpose as a charter school.

Consistent with Colorado Revised Statute 22-30.5-104(7)(c), the District shall not charge a base rental or leasing fee for the Tenant's use of the Facility during the Term of this Agreement. Charging a fee for cost of operations is allowed using the methods reflected in Statute. Having the Charter School pay actual costs is also allowed.

Previously, each Charter School was paying a per pupil rate to the District for the capital and

maintenance upkeep of the facility it operates. The FUA reflects that each Charter School will perform all maintenance, preventative maintenance, desired capital improvement renovations, and necessary capital improvements to the facility at its own expense. All capital improvements, modifications, maintenance, and preventative maintenance will be at the Charter School's sole cost. Work will be required to comply with District standards and specifications as outlined in the FUA. The District will inspect and accept work performed. Each Charter will be required to update all work into the District's Facility Maintenance database.

Annually, each Charter School will be required to set aside funding in a separate account solely for these improvements. The District will monitor for compliance in accordance with the FUA.

As part of the FUA, the District outsourced for a Facility Conditions Assessment (FCA) to identify replacement of existing systems and the anticipated replacement costs. Each Charter will use as its guide to developing its Capital Projects annually and is required to update this assessment for the following 5 years as stated in the FUA. The District and Charter School will meet annually to discuss the school's capital project requirements. This can include required and desired capital improvements. The FCA was an Exhibit to the FUA.

The FUA has been reviewed by each party's legal counsel and determined acceptable for both parties. All Charter School Boards have been involved and agree to the FUA.

The FUA will be a standard part of the District's Charter School Contract model moving forward for any District authorized school to operate out of a District-owned facility.

Upon District Board of Education approval, each Charter School Board will approve, and a copy will go forward to the State Board of Education as required.

The Board of Education approved contract modification 9 to the CIVA Charter School contract, incorporating the mutually agreed upon Facility Use Agreement governing the use and maintenance of the District-owned facility that the school operates.

Contract Awards: Academy ACL Charter School Contract Modification 12: Facility Use Agreement

Executive Director Procurement and Contracting Kris Odom provided the following information:

The District authorizes Academy ACL, a Charter School, and is party to a Charter School Contract dated July 1, 2014, for a term currently expiring June 30, 2023, which governs the Tenant's operation as a charter school in the District. The District is the owner of the facility located at 2510 North Chestnut, Colorado Springs, CO 80907, in which Academy ACL currently operates.

The FUA has been reviewed by each party's legal counsel and determined acceptable for both parties. All Charter School Boards have been involved and agree to the FUA.

Upon District Board of Education approval, each Charter School Board will approve, and a copy will go forward to the State Board of Education as required.

The Board of Education approved contract modification 12 to the Academy ACL Charter School contract, incorporating the mutually agreed upon Facility Use Agreement governing the use and maintenance of the District-owned facility that the school operates.

Contract Awards: Roosevelt Charter Academy (RCA) Charter School Contract Modification 12: Facility Use Agreement (FUA)

Executive Director for Procurement and Contracting Kris Odom provided the following information:

The District authorizes Roosevelt Charter Academy (RCA), and is party to a Charter School Contract dated July 1, 2014, for a term currently expiring June 30, 2022, which governs the Tenant's operation as a charter school in the District. The District is the owner of the facility located at 205 South Byron Drive, Colorado Springs, CO 80910, in which RCA currently operates.

The FUA has been reviewed by each party's legal counsel and determined acceptable for both parties. All Charter School Boards have been involved and agree to the FUA.

Upon District Board of Education approval, each Charter School Board will approve, and a copy will go forward to the State Board of Education as required.

The Board of Education approve contract modification 12 to the RCA Charter School contract, incorporating the mutually agreed upon Facility Use Agreement governing the use and maintenance of the District-owned facility that the school operates.

The Board of Education approved contract modification 12 to the RCA Charter School contract, incorporating the mutually agreed upon Facility Use Agreement governing the use and maintenance of the District-owned facility that the school operates.

Budget Transfer, Appropriations, and FTE Approvals: GF SMS Contingency Transfer

Chief of Business/Operational Services Brian Cortez and Assistant Superintendent/CIO John McCarron presented the following:

All unspent General Fund budgets accumulate in fund balance at the end of the year. In order for unspent funds to roll over into the following year, a reserve must be set up and approved by the Board of Education as part of the new year's budget process. The School Management System (SMS) project is ongoing and had unspent funds at the end of FY 2020-21. At the time, no reserve was set up to roll these funds over into the FY 2021-22 budget. The contingency transfer request would allocate unspent funds back to the Technology Department's budget in an amount equal to the unspent amount at the end of FY 2020-21. The District is already in the middle of implementing the SMS and these funds are critical to complete the project and required trainings associated with it.

The SMS project integrates instructional, school, and district operations into a single interactive platform that fully supports an online learning community of students, parents, teachers, and administrative staff. The multi-year project was approved by the Board of Education in FY 2019-20 and was allocated \$2 million in non-recurring funds to be expended prior to June 30, 2022.

The long-term SMS licensing and support costs are projected to be break-even, based upon the recurring cost of existing stand-alone applications.

The Board of Education approved the request for a General Fund Contingency Transfer for School Management Systems (SMS).

Budget Transfer, Appropriations, and FTE Approvals: Grant's off-cycle position request
Executive Director of Student Success and Wellness Cory Notestine presented the following:

The District was awarded a state grant that was legislatively funded late in the cycle. Additionally, the District received notification of this award in mid-July. As a result of this late notification, the Board of Education was requested to approve FTE that was not originally accounted for at the end of FY 2020-21. The 5.0 FTE are fully funded by the state's K-5 Social-Emotional Health Pilot Program that will support McAullife and Twain Elementary Schools and will be implemented in SY 2021-22.

The Board of Education approved the Fund 22 Grant off-cycle (5 FTE) Position Request.

NON-ACTION ITEMS

Resolution 2022-03, Interfund Borrowing

Chief of Business/Operational Services Brian Cortez and Director of Grants Dr. Kristin Watkins provided the following information:

The Grants Department requested an increase in the amount of the interfund borrowing resolution from \$4 million to \$10 million. Colorado Springs School District 11 received Federal stimulus awards in the amount of \$26 million in Elementary and Secondary School Emergency Relief Funds (ESSER) II, and \$59 million in American Rescue Plan (ARP) ESSER III funds during March 2021. These grant funds are provided on a reimbursement basis. All awarded funds must be spent by September 30, 2024. The increase in interfund borrowing is to allow these grant awards to be spent within the required time limits.

The Board agreed to move the item to action on the Aug. 25 regular meeting.

Resolution 2022-04, FY 21/22 Legislation Liaisons

Chief of Business/Operational Services Brian Cortez provided the following information:

District 11 Board of Education policy BJA requires employees representing District 11 in legislative matters to have prior approval by the Board of Education. The resolution identifies employees authorized to represent the District in legislative matters. Representation may be in the form of testimony at the capitol, attendance at meetings, advocacy discussions with elected officials, or information venues that involve legislative or governance matters.

The District believes that it is advantageous to take an active role in the development of K-12 education legislation at the national, state, and local levels.

The Superintendent or designee will be responsible for the coordination and communication of these types of activities between the designated representatives and the Board of Education.

The Board agreed to move the item to action on the Aug. 25 regular meeting.

BOARD MEMBER REPORTS

The Board members reported on their various activities.

FUTURE MEETING/WORK SESSIONS

The Board of Education will meet on the following dates:

Wed., Aug. 18, Special Meeting, 4:00 p.m., boardroom

Potential Candidate Informational Session, 4:30 p.m., boardroom

Wed., Aug., 25, Regular Board Meeting, 5:30 p.m., boardroom

ADJOURNMENT

The meeting was adjourned at 8:28 p.m.