



Unified School District 232

De Soto – Shawnee – Lenexa – Olathe
www.usd232.org

USD 232 BOARD OF EDUCATION

OFFICIAL MINUTES -- REGULAR MEETING

Administrative Office (35200 West 91st Street, De Soto, KS)

September 11, 2023

YouTube channel: <https://youtube.com/@usd232>

The Board President, Ashley Spaulding, called the Revenue Neutral Tax Rate Hearing to order at 6:00 p.m. A quorum of the Board was present. Attendance was as follows:

Board Members Present: Rick Amos
Bill Fletcher
Danielle Heikes
Brandi Jonasson
Stephanie Makalous
Calley Malloy
Ashley Spaulding

Others Present: Alvie Cater, Assistant Superintendent of Administration & Communications
Steve Deghand, Assistant Superintendent of Facilities & Operations
Wendy Denham, Board Clerk/Executive Assistant to the Superintendent
Dr. Cory Gibson, Superintendent of Schools
Lee Hanson, Director of Special Services
Tara Harmon-Moore, Health Services Coordinator
Michelle Hite, Director of Elementary Curriculum & Instruction/Accreditation
Dr. Joe Kelly, Director of Secondary Curriculum & Instruction/Title Programs
Kelly Begley-McCall, Principal, Clear Creek Elementary School
Rob Moser, Coordinator of Safety & Transportation
Sam Ruff, Principal, De Soto High School
Brian Schwanz, Executive Director of Secondary Education
Julie Stucky, Director of Finance

President Spaulding asked those in attendance to take a moment to recognize this important day in the history of our country, 9/11, remembering the loss of life in the attacks on the World Trade Center Towers in 2001. She thanked staff in the school buildings for doing an amazing job today in recognizing September 11th with students, teaching them, appropriately so, about this tragic day in history. Mrs. Spaulding acknowledged the bravery and heroic acts that took place during and following September 11th, and how the event unified the country. She then called for a moment of silence.

Alvie Cater led attendees in reciting the Pledge of Allegiance.

Julie Stucky, Director of Finance, said the Notice of Intent to Exceed the Revenue Neutral Tax Rate was published in the Legal Record on August 15, 2023, and the mandatory ten-day waiting period following publication had passed. She noted that part of the hearing requires the Board to adopt a Resolution to exceed the Revenue Neutral Rate. Mrs. Stucky reminded the Board that later in the meeting it would need to consider a Resolution to set the tax rate for Local Option Budget at 33 percent. She also reminded them that voters, back in 2016, gave the Board authority to set the LOB at 33 percent. However, a change in state statute requires a resolution that will have to be passed each year by the local Board of Education. Mrs. Stucky asked if there were any comments or questions.

President Spaulding opened the floor to anyone wishing to speak about the proposal to exceed the Revenue Neutral Tax Rate. No one came forward with any comments or questions.

Mr. Rick Amos moved to adopt a Resolution indicating approval of the 2024 fiscal year tax rate in excess of the Revenue Neutral Tax Rate as presented.

Mr. Bill Fletcher seconded.

Roll Call Vote:

Ashley Spaulding – Yes

Stephanie Makalous – Yes

Rick Amos – Yes

Bill Fletcher – Yes

Danielle Heikes – Yes

Brandi Jonasson – Yes

Calley Malloy – Yes

Carried 7/0.

President Spaulding adjourned the Revenue Neutral Tax Rate Hearing at 6:04 p.m.

President Spaulding called the Budget Hearing to order at 6:04 p.m.

Julie Stucky said the district published the Notice of Budget Hearing in the Legal Record on August 15, 2023, and the mandatory ten-day wait period following publication had passed. She said the Board would consider approving the proposed budget for the 2023-24 school year during Action Items on the agenda. Mrs. Stucky asked if there were any comments or questions.

President Spaulding opened the floor to anyone wishing to speak about the proposed budget for the 2023-24 school year. No one came forward with any comments or questions.

President Spaulding adjourned the Budget Hearing at 6:05 p.m.

President Spaulding called the regular meeting to order at 6:05 p.m.

Superintendent Gibson noted that an empty chair was placed at the front of the room and asked board members to mentally place a student they know sitting in the chair and keep the student in mind as they make decisions this evening.

President Spaulding asked board members if they had any changes for the Agenda. No changes were requested.

Mrs. Stephanie Makalous moved to adopt the Agenda.

Mrs. Danielle Heikes seconded.

Carried 7/0.

GOOD NEWS.

USD 232 Nominees for Kansas Teacher of the Year. The Board recognized USD 232's nominees for Kansas Teacher of the Year. The elementary representative is Dandra Arter, Media Specialist at Clear Creek Elementary. Mrs. Arter also serves on the De Soto Teachers' Association Leadership Team as Vice President and Membership Chair. The secondary representative is Drew Proctor, Computer Graphics Teacher at De Soto High School. He also teaches animation and game design courses at Cedar Trails Exploration Center.

PATRON INPUT. With no requests to speak submitted, President Spaulding moved onto the next agenda item.

President Spaulding asked board members if they had any changes for the Consent Agenda.

Bill Fletcher asked to remove check number 62311 from Consent Agenda item "B. Approve payment of bills and transfer of funds (if appropriate)" for approval separately.

Mrs. Stephanie Makalous moved to approve the Consent Agenda as amended.

Mrs. Brandi Jonasson seconded.

Carried 7/0.

The following Consent Agenda items were approved:

1. Minutes of the August 7th regular meeting.
2. Payment of bills and issuance of checks numbered 62183 – 62191, 62195 – 62217, 62224 – 62310 and 62312 – 62424.
3. Transfer of funds as follows:
 - a. \$17,552.12 from General (Fund 06) to Parents as Teachers (Fund 28).
4. Personnel recommendations as follows:

Resignations – Classified
Jenny Bland, Center-Based Paraprofessional, BE

Jennifer Cisar, Lead Secretary, MCMS
Elia Diaz, Substitute Custodian, Districtwide
Kim Harvey, Student Nutrition Substitute, Districtwide
Lynda Heinen, Student Nutrition Assistant, MTMS
Trevor Johnston, Rule 10 Assistant Girls Basketball Coach, DHS
Ashley Markley, Paraprofessional, ME
Philip Pressel, Evening Custodian, CCE
Ami Potter, Student Nutrition Assistant, SE
Cameron Wiggins, Rule 10 Assistant Boys Basketball Coach, MVHS

Employment – Classified

Lucas Ashley, Evening Custodian, PRE
Janelle Baldwin, Center-Based Paraprofessional, BE
Cesar Bravo, Evening Custodian, MTMS
Derrick Carpenter, Rule 10 Assistant Boys Basketball Coach, LTMS
Jessenia Chavez, Counseling Secretary, DHS
David Crow, Evening Custodian, SE
Allison Danielson, Part-Time Lead Secretary, MCMS
Danielle Fryberger, Center-Based Paraprofessional, MCMS
Sarah Gaul, ELL Aide, LTMS
Angela Handy, Substitute Secretary, Districtwide
Kimberly Harvey, Student Nutrition Substitute, Districtwide
Elisha Howard, Paraprofessional, SE
Stephen Hudson, Assistive Technology Paraprofessional, Districtwide
Ann Karns, Student Nutrition Assistant, DHS
Carrie Lantz, Building Secretary, MCMS
Rebecca McWilliams, Student Nutrition Substitute, Districtwide
Victoria Montes, Center-Based Paraprofessional, BE
Brittany Moser, Center-Based Paraprofessional, BE
Logan Myers, Rule 10 Head Swim Coach, DHS
Lindsay Niles, Lunchroom Aide, RE
Deborah Owens, Substitute Custodian, Districtwide
Ron Peters, Rule 10 Head Track & Head Boys Basketball Coach, MCMS
Marisa Porterfield, Part-Time Paraprofessional & Lunchroom Aide, CCE
Olivia Simma, Part-Time Paraprofessional, CCE
Sheila Speiser, Student Nutrition Assistant, CCE
Marjorie Taylor, Rule 10 Assistant Band Specialist, DHS
Tyler Wilson, Student Nutrition Assistant, MTMS

Resignation – Certified

Shaleen Armstrong, Special Education Resource Teacher, MTMS (*Effective 10/4/23*)

Employment – Certified

Eric Owen, Computer Teacher, MCMS

Substitute – End of Contract

Linda Davis, Substitute Nurse, Districtwide

Melissa Harber, Substitute Nurse, Districtwide

5. Revisions to board policy Section EDDA – School Buses & Vehicles.
6. The 2023-24 USD 232 Site Council Roster.
7. The District Plan for In-Person Instruction and Continuity of Services as required by the American Rescue Plan (ARP) Elementary and Secondary School Emergency Relief (ESSER) Fund.
8. Payment to Solution Tree in the amount of \$42,845.00 for registration of 55 staff members to attend the 2023 Professional Learning Communities at Work Conference.
9. Acceptance of a donation of one (1) Kidwalk Gait Trainer x2, one (1) Easystand Bantam Sit-to-Stand Stander, and one (1) Crocodile Gait Trainer (valued at \$7,500.00) from Victoria and Shea Morgan to the Special Services Department.
10. The following extended day trips:
 - Mill Valley High School Cross Country Team, Grades 9-12, compete at the Chile Pepper Cross Country Festival, University of Arkansas, Fayetteville, AR, September 29-30, 2023.
 - Lexington Trails Middle School, Mill Creek Middle School & Monticello Trails Middle School Band Students, Grades 6-8, attend a recital, participate in large group rehearsals, and engage in workshops tailored to their chosen instrument, Wichita State University, Wichita, KS, October 18, 2023.
 - Mill Valley High School Boys Wrestling, Grades 9-12, compete in wrestling tournament, Mid America Center, Council Bluffs, IA, December 7-9, 2023.
 - De Soto High School & Mill Valley High School Thespian Troupes, Grades 10-12, participate in the State Thespian Conference, Century II Convention Center, Wichita, KS, January 4-6, 2024.
 - Mill Valley High School Choir, Grades 9-12, Educational Tours/participate in Choral Workshop/Clinic, Chicago, IL, March 7-11, 2024.

Bill Fletcher declared a conflict of interest and left the meeting at 6:11 p.m.

Mrs. Stephanie Makalous moved to approve payment to Kansas Land Management, LLC in the amount of \$44,130.00 with check number 62311.

Mr. Rick Amos seconded.

Carried 6/0.

Bill Fletcher returned to the meeting at 6:11 p.m.

ACTION ITEMS.

Needs Assessment. Superintendent Gibson presented the Board with a summary of the district's Needs Assessment, provided to board members in advance and included in the meeting packet. He said that through legislative action two years ago the Needs Assessment process became formalized. Boards of Education must review and consider the Needs Assessment before budget adoption. He

said the challenge with the Needs Assessment is that there is a lot of information to consider with a primary question of what will it take to get 100-percent of students at level 3 or 4 on state assessments. Superintendent Gibson said the answer is commonly found to be resources, whether it be fiscal, people, time or professional development. He said the Board would see evidence of the district needing more resources in the Needs Assessment. He noted that when he thinks about resources he thinks about the financial aspect. At the last meeting, the Board discussed the fact that 92% of school districts in Kansas expend more operational funds per pupil than USD 232, which shows the district is efficient with resources. Dr. Gibson highlighted another point to help illustrate the district's efficiency. In order for USD232 to meet just the state average of expenditures per pupil with operational funds, the district would need another \$25 million. He said the district believes it is using the resources to the best of its ability. He asked the Board to keep in mind the building and district needs assessment and state assessments provided to the Board of Education, evaluated by the Board and used in development of the district's budget. He then asked board members if they had any questions.

Stephanie Makalous asked Superintendent Gibson if what he was hearing during his listening tours around the district is similar to what is noted in the Needs Assessment. He said one of the things he hears repeatedly is opportunity for students to explore their passions, which could lead into a career. He explained that although the Needs Assessment process is done well, one thing that could help make it even better would be to bring other folks into the conversation, such as members of Site Councils or Building Improvement Teams.

Mr. Rick Amos moved to acknowledge receipt and review of the USD 232 Needs Assessment for the 2023-2024 school year. The data from the needs assessment was utilized to establish the 2023-2024 budget.

Mrs. Danielle Heikes seconded.

Carried 7/0.

LOB Percentage Resolution. Julie Stucky asked the Board to approve the Resolution to set the Local Option Budget at 33 percent.

Stephanie Makalous mentioned that Superintendent Gibson put a video on the district website that explains the budget and the LOB.

Mrs. Stephanie Makalous moved to adopt a Resolution authorizing the school board of USD 232, De Soto, Johnson County, Kansas, to set the Local Option Percentage at 33% for the 2023-2024 school year.

Mrs. Calley Malloy seconded.

Carried 7/0.

2023-2024 USD 232 Budget. Julie Stucky noted the Board reviewed plans for the budget in the August meeting, the budget was published and the Board approved exceeding the Revenue Neutral Tax Rate,

as well as adopted a resolution to set the LOB at 33-percent. With that, she asked the board to consider approving the 2023-2024 budget.

Mrs. Danielle Heikes moved to approve the 2023-2024 USD 232 Budget as presented.

Mr. Rick Amos seconded.

Carried 7/0.

DISCUSSION ITEMS.

Open Enrollment Policy required by Kansas Statute. Alvie Cater, Assistant Superintendent of Administration & Communications, presented the Board with a summary of the report given to them in the board meeting packet. He noted that in the written report the current policy on non-resident student enrollment was included and it is the policy the district will need to revise. He presented background on House Bill 2567 which was passed during the 2022 legislative session. This bill requires each Board of Education in the state to adopt a policy on or before January 1, 2024, the purpose of which is to provide guidance to school districts in determining capacity to accept nonresident students in each grade level. Mr. Cater then explained the process to adopt new policy which will include a public hearing, steps the district will have to take to determine enrollment capacity, the application process, non-resident student continued enrollment/denial for continued enrollment/fees/reasons the district is prohibited from admitting or denying enrollment, transportation, and Kansas State High School Activities Association (KSHSAA) eligibility. Mr. Cater then reviewed the policy adoption timeline.

Brandi Jonasson asked if the district would publish an opening in a classroom if a foster child transfers to a different home outside of the district. Mr. Cater said with the federal McKinney Vento Act, homeless students would be an exception for enrollment, along with students in foster care through the Every Student Succeeds Act. He also said children of members of the military and children of staff members would be given priority in the process.

Mrs. Jonasson asked if the district has a statistic on the number of students who move to the district after September 20th and if this will be taken into consideration when capacities are set. Mr. Cater said the recent enrollment analysis considers migration and will be part of determining open enrollment capacity for nonresident students.

Mrs. Jonasson asked if there is a possibility that the district could receive a lot of kids with special needs that would require transportation and if it would end up costing the district more. Mr. Cater said additional enrollment in that department could have the district facing challenges with staffing and other costs. He pointed out that a student's disability cannot be considered a factor when determining enrollment eligibility.

Superintendent Gibson said he testified against this bill when it was being considered at the legislature. He said one of the challenges is how a district can best support the students it has, as well as those it

wants to support, but may not have the capacity to do so. Another challenge, perception wise, is for stakeholders who are paying property taxes and those who are coming to the district from outside the boundaries and are not paying those taxes. He also said another concern is for the nonresident students finishing their Junior year that will now have to apply under the new policy to attend in their Senior year and could end up being denied if not selected in the lottery.

Bill Fletcher said being a taxpayer in the district he has paid for these schools and bringing other students in which could lead the district to have to pass another bond issue is not right. He suggested USD 232 and surrounding districts look into persuading legal action against the state.

Calley Malloy asked what the forecast is for class size? Rick Amos asked if there is a requirement that sets class sizes? Superintendent Gibson said the district will be able to set the class sizes to a level it is comfortable with and has the data to back up the decision.

Brandi Jonasson asked who at the government level will enforce this law? Superintendent Gibson said there is no provision for enforcement in the statute. He could see someone challenging a district's determined capacity with a lawsuit. Mrs. Jonasson asked what is to stop this from becoming a recruiting thing for athletes? Superintendent Gibson said he would not think any district in Kansas would ever do that, but said some districts that have had open enrollment may have had different criteria than a lottery to select who gets accepted. He said his hope is that down the road legislators will come back with a specific policy or consider taking it back to the way it was.

Danielle Heikes said there are numerous districts across the state that allow for nonresident transfers and some of them charge an application fee. She said this is an administration challenge and asked for clarification about charging a fee. Mr. Cater said no fees can be charged unless charged to all students that are enrolled and attending school.

Ashley Spaulding asked what the benefit of this law is? She said she is concerned about the administrative burden on USD 232 and the potential decline in enrollment of struggling districts. Superintendent Gibson said there are two sides to the coin. For every student received a district will receive additional funding. He said when the committee heard testimony they were asked if they care about students that are in failing districts.

Bill Fletcher said federal and state government should not have a say in this, it should be under local control.

Calley Malloy asked if the district gets 50 students with Individual Education Plans who apply, what would the district do if it cannot hire staff to support the additional students? Mr. Cater said the district will have to find a way to support the students. Danielle Heikes said that may be the point at which the district needs to consider legal action.

Bill Fletcher said the district cannot wait too long and suggested the district talk to area districts about filing a class action suit.

Calley Malloy asked if there was any direction given on conducting the lottery. Mr. Cater said the statute does not get into specifics about what the lottery should look like, so each district could decide their own way to conduct the lottery.

Alvie Cater suggested the Board allow leadership in the school districts in Johnson County to engage in discussion on the law. Mr. Fletcher suggested they include the Eudora School District as well.

Stephanie Makalous asked how the Board could help the administration in development of the capacity. Mr. Cater said there may be opportunity for representatives of the Board to provide feedback on draft policy.

Capital Outlay Plans. Steve Deghand, Assistant Superintendent of Facilities & Operations, gave the Board an overview of the Capital Outlay process. He said part of Capital Outlay planning is not considered discretionary spending, such as replacing HVAC units, painting buildings, and replacing carpet. He then talked to the board about the discretionary Capital Outlay process. He said at the beginning of each year, every school will send a list of potential projects. These requests were due last Friday. Mr. Deghand said the list will be presented to a ten-member committee comprised of administrators and a couple of board members who will discriminate wants and needs. By the end of October, the committee will have a list that will be brought to the Board in November for review and then the board will be asked to approve it in December. He said this process really helps the district to take advantage of a better bidding environment before spring projects take off.

EXECUTIVE SESSION.

Attorney-Client Privilege.

Mrs. Ashley Spaulding moved to go into executive session at 6:59 p.m. for a period of ten minutes with Cory Gibson, Alvie Cater, Mike Norris, USD 232 attorney for consultation with an attorney which would be deemed privileged in attorney-client relationship to protect attorney-client privilege and the public interest and return to open session at 7:09 p.m. at this location.

Mrs. Danielle Heikes seconded.

Carried 7/0.

The board returned to open session and President Spaulding called the meeting back to order at 7:09 p.m.

Mrs. Ashley Spaulding moved to approve the authorization of acceptance of the settlement offer to Unified School District No. 232 for government entity claims against Altria Group, Inc., and to authorize the Superintendent of Schools to sign all documents necessary to effectuate the settlement.

Mrs. Danielle Heikes seconded.

Carried 7/0.

President Spaulding adjourned the meeting at 7:09 p.m.

October 2, 2023

Date Approved

Wendy S. Benham

Clerk, Board of Education

Spaulding

President, Board of Education