



Unified School District 232

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

USD 232 BOARD OF EDUCATION

OFFICIAL MINUTES -- REGULAR MEETING

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

April 5, 2021

YouTube channel: <https://bitly.com/usd232youtube>

The meeting was called to order at 6:00 p.m. by the Board President, Danielle Heikes. A quorum of the Board was present. Attendance was as follows:

Board Members Present: Rick Amos
Bill Fletcher
John Gaignat
Danielle Heikes
Stephanie Makalous
Ashley Spaulding
Rachele Zade

Others Present: Jolyn Baldner, Director of Student Nutrition
Alvie Cater, Assistant Superintendent of Administrative & Educational Services
Steve Deghand, Director of Facilities
Carrie Handy, Director of Human Resources/Elementary
Lee Hanson, Director of Special Education
Dr. Frank Harwood, Superintendent of Schools
Michelle Hite, Director of Elementary Curriculum & Instruction/Accreditation
Dr. Joe Kelly, Director of Secondary Curriculum & Instruction/Title Programs
Brandon Riffel, Director of Technology
Brian Schwanz, Director of Human Resources/Secondary

Alvie Cater led attendees in reciting the Pledge of Allegiance. He then briefly explained how the meeting will progress from one agenda item to the next.

President Heikes asked if there were any changes to the Agenda or Consent Agenda. Superintendent Harwood noted that there would be an executive session after discussion on Senate Bill 40 so the board members can receive advice from the school district's attorney.

Mrs. Ashley Spaulding moved to adopt the Agenda and approve the Consent Agenda.

Mrs. Stephanie Makalous seconded.

Carried 7/0.

The following Consent Agenda items were approved:

1. Minutes of the March 22nd regular meeting.
2. Payment of bills and issuance of checks numbered 54502 – 54219 and 54256 – 54633.
3. Personnel recommendations as follows:
 - Resignations – Certified (*at the conclusion of the 2020-2021 school year*)
Laura Dondzila, School Improvement Specialist, ME
 - Retirement – Certified (*at the conclusion of the 2020-2021 school year*)
Laurie Deuschle, Math Teacher, MVHS
 - Employment – Certified (*effective for the 2021-2022 school year*)
Taylor Cannon, 4th Grade Teacher, BE
Erin Eilert, 8th Grade Pathways Teacher, MTMS
 - Employment – Administration (*effective for the 2021-2022 school year*)
Julie Stucky, Director of Finance, AO
 - Resignations – Classified
Delaney Wise, Center Based Paraprofessional, The Bridge
Melanie Hannah, Student Nutrition Assistant, MVHS
Connor Mayfield, Paraprofessional, RE (*effective 04/16/21*)
 - Retirements – Classified
David King, Project Manager, DSC (*effective 08/01/21*)
Sue Moore, Paraprofessional, DHS (*effective 05/28/21*)
Edie Wayne, Secretary, MVHS (*effective 08/01/21*)
 - Employment – Classified
Brooke Brownell, Paraprofessional, SE
Julie Coons, Evening Custodian, SE
Melissa Neumann, Lead Custodian, MVHS
Gabby Stephens, Assistant Dance Coach, DHS
Ashley Witherspoon, Attendance Secretary, MVHS
Janice Wood, Student Nutrition Assistant, RE
4. KASB membership renewal in the amount of \$14,542.86 (including the season pass) and KASB Adoption Agreement and Legal Assistance Fund Contract in the amount of \$2,300.00.
5. Acceptance of a bid from Contract Paper Group, Inc. in the amount of \$21,840.00 for one (1) full truckload of copy paper (840 cases).
6. 2nd Annual renewal of the bread vendor contract with Roma Bread for the 2021-22 school year.
7. 2nd Annual renewal of the milk vendor contract with Hiland Dairy for the 2021-22 school year.

8. 2nd Annual renewal of the Prime Vendor Contract with US Foods for the 2021-22 school year.
9. Acceptance of the following donations:
 - De Soto Chiropractic in the amount of \$500.00 to the De Soto High School Athletic Department.
 - Tonya Mater in the amount of \$500.00 to the De Soto High School Band Program.

GOOD NEWS.

Staff Recognition. De Soto High School staff members Abby Adams, Science Teacher, Shemika Henagan, Paraprofessional, and Ryan Robie, Social Studies/AVID9 Teacher; along with Starside Elementary School staff member Julie Jones, Social Worker, were recognized for outstanding service in their district roles.

ACTION ITEMS.

Kindergarten Instruction Materials/Resources Fee. Alvie Cater, Assistant Superintendent of Administrative & Educational Services, referred to a memo in the board meeting packet. He noted that the district has had full-day kindergarten for five years. The fee currently in place dates back to when kindergarten was a half-day program. He said the purpose of the proposed fee is to align the kindergarten fee with the fee for grades 1-5.

Mrs. Stephanie Makalous moved to approve increasing the published instructional materials/resources fee for Kindergarten students to \$65.00.

Mr. John Gagnat seconded.

Carried 7/0.

Procedures for Hearing Requests Pursuant to Senate Bill No. 40. Superintendent Harwood gave an overview of Senate Bill 40 noting that it modifies the Emergency Management Act and is specific to state of disaster emergency related to COVID-19. He then explained that the school board now has the sole authority to take action and issue orders or make policy in response to the COVID-19 disaster emergency relating to school closure, attendance other than in-person, or actions by students or employees on school district property. Dr. Harwood further explained that an employee, student, or the parent/guardian of an aggrieved student may request a hearing to contest an action of the Board of Education within thirty days after the action was taken and shared hearing rules under Senate Bill 40. The hearing shall be conducted within 72 hours, a decision will be issued within seven days and the board may adopt emergency rules for the efficient adjudication of the hearings.

Stephanie Makalous asked when the 72-hour rule begins. Superintendent Harwood said it was not spelled out in the statute, but can be defined in the rules. He said this would be something the board could talk with the attorney about during executive session.

Mrs. Danielle Heikes moved to go into executive session at 6:16 p.m. for a period of twenty minutes with Frank Harwood and Alvie Cater for consultation with the school district's attorney, Mike Norris, on a matter protected

by the attorney-client privilege in order to protect the privilege and the board's position in administrative proceedings and return to open session at 6:36 p.m. at this location.

Mrs. Ashley Spaulding seconded.

Carried 7/0.

The Board returned to open session and President Heikes called the meeting back to order at 6:36 p.m.

Dr. Harwood shared the following recommended Rules of Procedure for Hearing Requests made in relation to SB40:

- 1) A request for hearing should include the name of the requester, contact information, name of the school involved, name of the aggrieved student (if filed on their behalf), specific action, and date of contested action.
- 2) A request for hearing will be considered received when presented to the Clerk of the Board in writing (physical or electronic) during regular business hours.
- 3) A hearing for a valid request will occur within three (3) business days from the receipt of the request.
- 4) The Board of Education hereby appoints the superintendent or his designee to act as hearing officer.
- 5) Requests to contest the same action, order, or policy may be consolidated and requestors may be limited in time to present their information and may be asked to appoint a single speaker.
- 6) These rules of procedure may be modified by the superintendent or his designee as necessary.
- 7) The hearing officer will prepare a report for the Board of Education including a recommended decision for the Board to consider.
- 8) A decision regarding the contested action will be made by the Board of Education and communicated to the requester within seven (7) days after the hearing by the hearing officer.

Patron Input. President Heikes opened the floor for patron input. The following individuals spoke:

Lindsey Flint, Shawnee, asked the Board to show proof of why mask use is necessary for students. She suggested the Board could start with removing the mask mandate from the elementary schools.

Emily Carpenter, Lenexa, shared concern with confusion about state and county mandates and district policy regarding mask use. She asked why healthy children should be forced to wear masks in school and urged the board to make masks optional.

Megan Clark, Olathe, teacher in the district, asked the Board to follow recommendations of medical experts and spoke in support of mask use to mitigate spread of COVID-19 in classrooms where social distancing is not possible.

Kathy Kappes-Sum, Shawnee, teacher in the district, shared results from a survey of teachers in the bargaining unit (the De Soto Teacher's Association) that received over 370 responses. She said over 70% of teachers indicated they would not feel comfortable in the classroom without the mask mandate in place. She asked the board to stand by teachers and continue with the mask requirement for the remainder of the school year.

Mrs. Rachele Zade moved to approve emergency Rules of Procedures for hearing requests pursuant to Senate Bill No. 40.

Mrs. Danielle Heikes seconded.

Carried 7/0.

Board appointed hearing officers Brian Schwanz, Director of Human Resources/Secondary, and Carrie Handy, Director of Human Resources/Elementary, presented a report on the hearing held March 31st in response to multiple requests for a hearing under SB40 to contest mask use. Mr. Schwanz said the hearing requests were received on March 29th. On the same day the complainants were notified of the scheduled hearing to be held at 9:00 a.m. on March 31, 2021, at the USD 232 Administrative Office and notice was posted on the district's website. As of the scheduled start of the requested hearing, Mr. Schwanz said all but two complainants had withdrawn their requests for a hearing. The hearing was called to order at the published time and location and neither of the complainants were present. He said the Hearing Committee considered that action to be abandoning the request to contest the mask requirement. Mr. Schwanz pointed out that the mask requirement policy was adopted when the Board of Education took action and approved the Coming Back Together Plan on July 13, 2020, more than thirty days ago. He said pursuant to Kansas Senate Bill 40, the request to contest the action should be considered time barred and should be denied. In conclusion he asked the board members if they had any questions. No questions were asked.

Mrs. Stephanie Makalous moved to approve the decisions recommended by the hearing officers for hearings held on March 31, 2021, pursuant to Senate Bill No. 40.

Mrs. Ashley Spaulding seconded.

Carried 7/0.

Coming Back Together. Dr. Harwood gave a history of mask requirements in the district noting that the Coming Back Together Plan was approved on July 13, 2020, and included the adoption of a mask requirement. He also talked about state and county mask requirements that have been implemented over the course of the past year. He then shared the following administrative recommendations:

- The administration recommends that the board make no changes to the district's mask requirement at this time.
- Every public health organization with jurisdiction in this area (Centers for Disease Control, Kansas Department of Health & Environment, Johnson County Department of Health & Environment) recommends that masks be required at school.
- Requiring masks is narrowly tailored to reduce the risk of inhaling the respiratory droplets of others, which is the primary means of contracting COVID-19.
- Pursuant to K.S.A. 65-122, the district is required to exclude individuals with infectious or contagious disease or suspected of being infectious or contagious.
- Without masks being required, the number of exclusions for recommended quarantine would be much higher.
- When considering other options (vaccinations, remote learning and hybrid learning) requiring masks is the least restrictive means available to continue in-person learning.

Dr. Harwood also shared other Coming Back Together updates including: KSGC Metrics, Average Daily Attendance; Vaccine status for Staff and Students; and Academic Recovery. He noted that the Johnson County Department of Health & Environment, in coordination with Children's Mercy Hospital, is talking about hosting vaccine clinics for students in the high schools; however, staffing clinics during the school day could be a challenge for Children's Mercy. He said if the district is able to offer clinics for students it would be on a completely voluntary basis.

President Heikes stated that the Coming Back Together Plan will stand as-is, with no changes made.

DISCUSSION ITEM.

KESA Accreditation Update. Michelle Hite, Director of Elementary Curriculum & Instruction/Accreditation, shared the Kansas Education Systems Accreditation (KESA) Year Four Report. She said the Outside Visiting Team (OVT) conducted a virtual visit to the district on March 11th. She read eight commendations given by the OVT: 1. The district has a systematic process for monitoring student learning and mental health; 2. The district has conducted excellent training for teachers and administrators in Structured Literacy/Dyslexia and the implementation of the science of reading is evident; 3. Exceptional engagement with families and the community is occurring, despite the challenges of the pandemic; 4. Initial work toward equity, diversity and inclusion has produced positive impacts; 5. Use of 1:1 technology has been a vital part of staying connected throughout the pandemic and added to the instructional "toolkit" of faculty; 6. An impressive long-range professional development plan exists for elementary schools; 7. Great strides have been achieved in the goal area of Relevance, with work on the CTE Center, course pathways and programs such as Degree-in-Three; and, 8. The district has a process for developing multi-year goals and plans that can have long-term impact, while still giving schools flexibility to pivot and adjust as needed.

Mrs. Hite then shared recommendations from the OVT: 1. Complete MTSS Behavior Protocols; 2. Develop a long-range professional development plan at the secondary level; and, 3. Continue to refine structuring of DEI work, to avoid creating silos, using a blended approach to committee work to ensure representation throughout the organization.

Mrs. Hite concluded her report by highlighting what will be happening in year five of the Accreditation process.

ALERTS. The following reports were included in the packet for this board meeting with notice that they will require future action by the Board of Education: 1. Report Regarding Bond Sale, 2. Bond Projects, 3. 2021 Capital Outlay Projects, 4. Facility Use Fees; and, 5. 2021-2022 Ala Carte Pizza.

FYI REPORT. The following informational report was included in the packet for this board meeting: 1. 2021-2022 Ala Carte Beverages.

President Heikes declared a five-minute break at 7:22 p.m.

The Board returned to open session and President Heikes called the meeting back to order at 7:27 p.m.

EXECUTIVE SESSION.

Negotiations.

Mrs. Danielle Heikes moved to go into executive session at 7:28 p.m. for a period of fifteen minutes with Frank Harwood, Alvie Cater, Brian Schwanz, Carrie Handy, Sam Ruff and Kris Meyer to discuss the Notification of Negotiations letter pursuant to the exception for employer-employee negotiations under KOMA and return to open session at 7:43 p.m. at this location.

Mrs. Rachele Zade seconded.

Carried 7/0.

Sam Ruff and Kris Meyer did not participate in the executive session.

The Board returned to open session and President Heikes called the meeting back to order at 7:43 p.m.

President Heikes adjourned the meeting at 7:43 p.m.

April 19, 2021

Date Approved

Wendy S. Denham
Clerk, Board of Education

Danielle Heikes
President, Board of Education