



# 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 91<sup>st</sup> Street, De Soto, KS)

December 2, 2019

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:** Bill Fletcher  
John Gagnat  
Angela Handy  
Danielle Heikes  
Kevin Makalous  
Mitch Powers  
Rachele Zade (*Arrived at 6:13 p.m.*)

**Others Present:** Jolyn Baldner, Director of Student Nutrition  
Gerri Balthazor, Principal, Mize Elementary School  
Alvie Cater, Assistant Superintendent of Administrative & Educational Services  
Steve Deghand, Director of Facilities  
Wendy Denham, Board Clerk/Executive Assistant to the Superintendent  
Carrie Handy, Director of Human Resources/Elementary  
Lee Hanson, Director of Special Services  
Dr. Frank Harwood, Superintendent  
Michelle Hite, Director of School Improvement  
Dr. Joe Kelly, Director of Curriculum & Instruction  
Brandon Riffel, Director of Technology  
Brian Schwanz, Director of Human Resources/Secondary  
Dr. Cindy Swartz, Coordinator of Career, Technical & Virtual Programs  
Tobie Waldeck, Principal, Mill Valley High School

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 asked to add the following: "Discussion Item; Industrial Revenue Bonds being considered by the City of De Soto for Merck Animal Health."

*Mrs. Angela Handy moved to adopt the Agenda and approve the Consent Agenda as amended.*

*Mr. Kevin Makalous seconded.*

*Carried 6/0.*

The following Consent Agenda items were approved:

1. Minutes of the November 4<sup>th</sup> regular meeting.
2. Payment of bills and issuance of checks numbered 49818 – 49851, 49854 – 49930, 50034 – 50135, and 50141 – 50175.
3. Transfer of funds as follows:
  - a. \$905,000.00 from General (Fund 06) to Special Education (Fund 30)
  - b. \$5,000.00 from LOB (Fund 08) to Preschool At-Risk (Fund 11)
  - c. \$217,000.00 from LOB (Fund 08) to At-Risk K-12 (Fund 13)
  - d. \$39,000.00 from LOB (Fund 08) to Bi-Lingual (Fund 14)
  - e. \$5,200.00 from LOB (Fund 08) to Driver's Education (Fund 18)
  - f. \$137,000.00 from LOB (Fund 08) to Vocational Education (Fund 34)
4. Employment recommendations as follows:

Resignations – Classified

Debby Atkinson, Center Based Paraprofessional, The Bridge

Melisa Duschane, Student Nutrition Assistant, RE

Madison Plake, Center Based Paraprofessional, DHS

Kelly Timmons, Student Nutrition Assistant, ME

Janice Wood, Student Nutrition Assistant, MTMS

Employment – Classified

Michael Cooper, Electrician/Maintenance, DSC

Ashlee Cronkright, Center Based Paraprofessional, ME

Megan Friedman, ELL Aide, RE

Paul Furman, Evening Custodian, RE

Jason Hicks, HVAC/General Maintenance, District Service Center

Tammy Kennedy, Math Aide, HE

Logan McAlister, Paraprofessional, SE

Janice Morris, Lunchroom Aide, PRE

Glenda Olivas, School Nurse Substitute, District Wide

Alexis Taylor, Student Nutrition Assistant, RE

Serena Ward, Evening Custodian, DHS

Dara Wilson, Center Based Paraprofessional, ME

Retirement – Certified Administration (Effective at the conclusion of the 2019-20 contract.)

Tobie Waldeck, Principal, MVHS

Retirements – Certified (Effective at the conclusion of the 2019-20 contract.)

Sabrina Casper, Kindergarten Teacher, CCE

Robert Lewis, Teacher, MVHS

5. Appointment of Alvie Cater, Ken Larsen, Carrie Handy, Brian Schwanz, Sam Ruff and Kris Meyer to serve as negotiating agents on behalf of the Board of Education with regard to the Professional Negotiated Agreement. The team will receive the required annual training through KASB.
6. Revisions to the following board policies as recommended: KN – Complaints, GAAB – Complaints of Discrimination and JCE – Complaints.
7. The 2020 Capital Outlay Committee report addressing various needs and projects with planned expenditures from the Capital Outlay Fund; with projects re-submitted to the Board of Education from time to time for approval based on submission of bids and costs as required by Kansas Statutes 72-8801.
8. Acceptance of the following donations:
  - \$1,832.88 from the Mize PTO to Mize Elementary School.
  - \$1,000.00 from PLK Development to the De Soto High School Girls Basketball program.
  - \$500.00 from Clayce Dow to the Belmont Elementary School Physical Education program.
  - \$400.00 from Wessley and Melissa Hudelson to the De Soto High School Cross Country program.
9. The following extended day trips:
  - Mill Valley High School Wrestling, Grades 9-12, participate in the Council Bluffs Classic Wrestling Tournament, Mid America Center, Council Bluffs, IA, December 13-14, 2019.
  - Mill Valley High School Intro to Debate/Advanced Debate, Grades 9-12, compete in the Omaha Westside Warrior Invitational, Omaha Westside High School, Omaha, NE, January 2-4, 2020.
  - Mill Valley High School Wrestling, Grades 9-12, participate in the Derby Wrestling Tournament, Derby, KS, January 10-11, 2020.
  - Mill Valley High School Silver Stars Dance Team, Grades 9-12, compete in the National Dance Alliance Nationals, Orlando, FL, March 4-9, 2020.

#### GOOD NEWS.

**Student Recognition.** Board members recognized the Mill Valley Girls Cross Country Team for winning its second consecutive Kansas Class 6A State Championship. Some of the team's other accomplishments from this past season include going undefeated against Kansas schools for two years; winning the Greg Wilson Classic, Olathe Twilight, Baldwin Invitational, Rim Rock Farm Classic, Mark Chipman Classic; and being named the Eastern Kansas League Champions and Regional Champions. Their overall season record is 148 and 2. Team members Vania Arora, Cree Crawford, Emma Cross, Molly Haymaker, Quincy Hubert, Morgan Koca, Logan Pfeister, Anna Ricker, Molly Ricker, Bridget Roy, Emma Schieber, Katie Schwartzkopf, Josie Taylor and Jenna Walker were presented with Certificates of Achievement. Head Coach Chris McAfee and assistant coaches Madeline Byrd, Katie Strickland and Brian FitzSimmons were also recognized.

#### **Staff Member Recognition.**

Mill Valley High School staff members Nicole Porter, Teacher, Brian McDanel, Paraprofessional, and Pam King, Student Nutrition Assistant, along with Mize Elementary School staff members Alana Avery,

2<sup>nd</sup> Grade Teacher, and Brian Tadlock, Special Education Teacher, were recognized for outstanding service in their district roles and presented with Certificates of Appreciation.

*Rachelle Zade arrived at 6:13 p.m.*

ACTION ITEMS.

**Reading of Resolution Regarding JUUL Litigation.** Alvie Cater, Assistant Superintendent of Administrative & Educational Services, informed the Board that after it took action at the October meeting to authorize litigation regarding JUUL e-cigarettes, legal counsel representing the Board of Education in this matter requested that the resolution, which was included in the October board packet, now be read into the record.

*Mrs. Angela Handy moved the following resolution be adopted:*

WHEREAS, the Centers for Disease Control (CDC) and the U.S. Department of Health and Human Services, Office of the Surgeon General, has categorically declared the use of vaping devices is unsafe for kids, teens, and young adults.<sup>i</sup>

WHEREAS, the US Food and Drug Administration (FDA), on September 11, 2018, classified the use of e-cigarettes and vaping devices among teens and young people as an "epidemic" and public health crisis.<sup>ii</sup>

WHEREAS, the CDC has recently warned the public against the dangers of JUUL devices and other e-cigarettes due to the occurrence of hundreds of recent illnesses and at least nine deaths in the past several months.<sup>iii</sup>

WHEREAS, the CDC has warned that the effects of JUUL device usage on young people can prime the body to become addicted to other substances. *Id.*

WHEREAS, the state of Kansas has identified at least two confirmed vaping related deaths since September 2019.<sup>iv</sup>

WHEREAS, on September 9, 2019, the FDA sent JUUL a warning letter detailing improper marketing and labeling practices in the advertisement of JUUL devices.<sup>v</sup>

WHEREAS, Stanford Research into the Impact of Tobacco Advertising (SRITA), with Stanford University School of Medicine, published a white paper on January 31, 2019, examining JUUL's marketing practices and concluding that JUUL's strategy and advertising was patently youth oriented.<sup>vi</sup>

WHEREAS, the number of students using vaping devices has risen sharply since 2017,<sup>vii</sup> and the use of JUUL and other vaping devices poses a significant risk to students' health and education, both in Kansas and across the country.

WHEREAS, Unified School District No. 232, Johnson County, Kansas ("District") has experienced and continues to experience serious difficulties with students using JUUL devices, which has created a disruption of the District's educational program, which has forced the District to divert resources to curb and prevent student JUUL usage, which has created a health risk for District students and employees, and which continues to threaten the educational goals and institutional operations of the District.

NOW, THEREFORE, BE IT RESOLVED BY UNIFIED SCHOOL DISTRICT NO. 232, JOHNSON COUNTY, KANSAS:

The District authorizes the law firms of GOZA & HONNOLD, LLC, NORRIS KEPLINGER HICKS & WELDER, LLC, BEASLEY, ALLEN, CROW, METHVIN, PORTIS & MILES, P.C., GACOVINO, LAKE & ASSOCIATES, P.C., and WAGSTAFF & CARTMELL, LLP, et al., to investigate and initiate litigation and file suit against any necessary parties to recover damages suffered by the District as a result of the manufacture, markings, and sale of e-cigarette and vaping devices, and to seek all appropriate relief. The District hereby authorizes Superintendent Frank Harwood to sign all necessary contracts and other documents on behalf of the district.

*Mrs. Danielle Heikes seconded.*

*Carried 7/0.*

**Fiscal Year 2020 Audit Report.** Superintendent Harwood introduced Mr. Jim Long of Karlin & Long LLC who reviewed the district's 2019 fiscal year audit with the board. He gave clean opinions on internal control and compliance and reported that there were no statutory violations. Board members were given the opportunity to ask questions regarding the audit.

*Mr. Mitch Powers moved to approve the 2019 Fiscal Year Audit as presented.*

*Mr. John Gagnat seconded.*

*Carried 7/0.*

**Proposed Secondary Course & Community College Course Additions.** Dr. Joe Kelly, Director of Curriculum & Instruction, explained an opportunity through Advanced Placement (AP) Capstone to offer new courses without additional staffing or facilities. He referred to his department's report in the board packet with details on the courses proposed and briefly explained how AP Seminar, which is a foundational course with a defined curriculum, differs from the Seminar that students are familiar with. Superintendent Harwood noted that the College Board sets the curriculum for AP courses.

*Mr. John Gagnat moved to approve the following new secondary student courses to be offered with the start of the 2020-21 school year: World Music - 6<sup>th</sup> Grade, French 5, AP Physics C, AP Seminar, AP Research, Biotechnical Engineering and Student Technology Internship.*

*Mrs. Angela Handy seconded.*

*Carried 7/0.*

Also referring to a report in the board packet from the Curriculum & Instruction Department, Dr. Cindy Swartz, Coordinator of Career, Technical & Virtual Programs, informed the Board that there is currently a wait list for students interested in the Certified Nursing Assistant and Auto Collision programs the district offers through an agreement with the Eudora Vocational Technical School. Due to this, she proposed partnerships with Johnson County Community College and Kansas City Kansas Community College, at no cost to the district, to help ensure opportunities in these areas exist for prospective USD 232 students. Dr. Swartz noted that the courses proposed are part of the "Excel in CTE" program (formally known as Senate Bill 155), meaning that they are tuition free for Kansas high school students who are taking college-level CTE courses, with course fees established by the

respective community colleges and not set by the school district. She also said that transportation to and from the community colleges will be the students' responsibility.

*Mrs. Danielle Heikes moved to approve the following community college courses to be offered with the start of the 2020-21 school year: Johnson County Community College CTE Partnership Courses: Healthcare Science I & II, Auto Technology I and Auto Technology II; Kansas City Kansas Community College TEC Partnership Courses: Automotive Collision Repair I & II, Automotive Technology I & II, and Certified Nursing Assistant Program.*

*Mr. John Gagnat seconded.*

*Carried 7/0.*

DISCUSSION ITEM.

**Industrial Revenue Bonds being considered by the City of De Soto for Merck Animal Health.** Alvie Cater, Assistant Superintendent of Administrative & Educational Services, informed the Board that the City of De Soto has scheduled a public hearing on Thursday of this week to discuss proposed issuance of taxable Industrial Revenue Bonds (IRB) in an approximate principal amount of \$18,000,000 which would provide a 75% tax abatement for Merck Animal Health. He noted that Merck is planning to construct a 7,000 sq. ft. utility building and add an additional 7,000 sq. ft. of laboratory space at its De Soto facility. Mr. Cater pointed out that this is a tool the city can use to keep Merck investing in De Soto. He also noted that the Board does not have any authority regarding Industrial Revenue Bonds.

PATRON INPUT. No comments were made so President Heikes moved onto the next agenda item.

ALERT. The following report was included in the packet for this meeting with notice that it will require future action: 1. Music Instrument Needs.

FYI. The following informational report was included in the packet for this board meeting: 1. BOE Goals/District Goals.

The Board and Administration recognized board members Angela Handy, Mitch Powers and Kevin Makalous for their years of service as they exit their elected roles. Alvie Cater read some of the accomplishments the Board of Education and district has made in the last eight years. Each was presented with a token of appreciation and certificate acknowledging service as a board member.

*President Heikes adjourned the meeting at 6:43 p.m.*

January 13, 2020  
Date Approved

Wendy S. Denham  
Clerk, Board of Education

Danielle Heikes  
President, Board of Education