

**MINUTES OF THE MEETING OF THE BOARD OF EDUCATION  
OF DISTRICT 497, HELD IN THE LAWRENCE PUBLIC SCHOOLS  
INTERACTIVE TECHNOLOGY CENTER,  
EDUCATIONAL SUPPORT AND DISTRIBUTION CENTER,  
110 McDONALD DRIVE, IN THE CITY OF LAWRENCE**

**March 21, 2016**

**CALL TO ORDER**

At 7 p.m., Board President Vanessa Sanburn called to order the regular meeting of the Board of Education.

**APPROVAL OF AGENDA**

Upon a motion by Jill Fincher, seconded by Jessica Beeson, the board voted, in a unanimous voice vote, to approve the agenda as printed.

**ROLL CALL**

<b><u>Board Members Present</u></b>	<b><u>SAT Members Present</u></b>
Vanessa Sanburn, president	Rick Doll, superintendent
Marcel Harmon, vice president	Kyle Hayden, assistant superintendent, business & operations
Kris Adair	Angelique Nedved, assistant superintendent, teaching & learning
Jessica Beeson	Jerri Kemble, assistant superintendent, educational programs & technology
Jill Fincher	Julie Boyle, director, communications
Rick Ingram	Janice Dunn, clerk
Shannon Kimball	

<b><u>Others Present (Including Administration and Staff)</u></b>			
Tony Barron	Christina Clements	Enoch Clements	Josh Collins
David Cunningham	Luke Deets	Gabriel Fisher	Laurie Folsom
Myron Graber	Shane Heiman	Paula Henderson	Matthew Herbert
Connor Ireland	Kathy Johnson	Jacob Larsen	Paula Murrish
Anna Neill	Charlie Nigro	Jennifer Nigro	Abena Peasah
Elizabeth Peasah	Richard Peasah	John Rosen	Stan Roth
Seamus Ryan	Joe Smysor	Anna Stubblefield	Rochelle Valverde
Diane Vigna	Kirsten Wondra		

**RECOGNITION OF AUDIENCE**

President Sanburn asked for public comment on any item not included on the agenda.

*Abena Peasah*, senior, Free State High School, reported that a petition has been circulated at Free State and Lawrence High Schools calling for an immediate districtwide ban of the Confederate flag from all district properties. She stated that the petition follows an incident when one student was suspended for removing a Confederate flag from another student's truck in the Free State parking lot. She said this incident has endangered the quality of learning for students in the district and asked for assurance of a safer and more equal learning environment for all students.

**APPROVAL OF CONSENT AGENDA**

Following a motion by Marcel Harmon, seconded by Shannon Kimball, the board voted, in a 7-0 roll call vote, to adopt the items listed on the consent agenda.

The consent agenda included the following:

- The minutes of the February 22, 2016 regular meeting, February 29, 2016 special meeting, March 3, 2016 special meeting, March 4, 2016 special meeting, March 7, 2016 special meeting, March 8, 2016 special meeting
- The financial reports including school activity funds
- The March 21, 2016 personnel report
- The monthly vouchers in the following account totals:

<b>Fund</b>	<b>Amount</b>
General	\$ 609,557.96
Local Option Budget	172,918.81
Food Service	178,408.98
Vocational Education	8,859.04
Special Education	322,912.62
Capital Outlay	178,489.39
Health Fund	938,685.47
Adult Basic Education	12.00
Virtual School	86,359.64
Professional Development	28,114.23
Bilingual Fund	9,531.00
Parents As Teachers	486.47
Student Materials Revolve	17,836.08
At Risk (K-12)	86.24
Work Comp Reserve	8,788.59
Contingency Reserve	10,802.20
2013 Bonds	1,932,011.22
Title I 2016	21,413.94
Indian Educ Title 2016	255.98
Johnson O'Malley 2016	356.23
Carl Perkins 2016	1,485.11
Title VIBDIS 2016	1,861.40
KMSG Middle School 2016	1,772.00
Sales Tax	5,479.34
Payroll Fund	437,999.05
Title III-ESL 2015	95.20
Spectra-Medicaid	2,665.82
Health Dept CDRRSG 2015	67.12
Loc/Don/Gra	27,364.80
Memorial/Scholarship	500.00
<b>TOTAL</b>	<b>\$5,005,175.93</b>

- Approvals of the following:
  - Board Policy Committee Recommendations – Final Action
  - Integrated Pest Management Contract & Termite Protection Services
  - Purchase Authority for Furniture – District

### **Approval of Consent Agenda ~ Approvals (Continued)**

- Proposal for District Audit for Year Ending June 30, 2016
- Purchase of Laptop Computers – Lawrence Virtual School
- Disposal of Obsolete Boys' Baseball Uniforms – Lawrence High
- Amendment to Construction Management Contract w/Nabholz – Kennedy
- Amendment to Contract w/BG Consultants, Inc. – Package 3a

On behalf of the Board of Education, Vice President Marcel Harmon acknowledged and expressed sincere appreciation to the following:

...*Teresa Arevalo* for her 26 years of service and devotion to this community and its schools upon her early retirement effective June 30, 2016.

...*Becky Browning* for her 23 years of service and devotion to this community and its schools upon her early retirement effective June 1, 2016.

...*Patricia Lorenz* for her 27 years of service and devotion to this community and its schools upon her early retirement effective May 27, 2016.

### **REPORT OF BOARD PRESIDENT VANESSA SANBURN**

Board President Vanessa Sanburn thanked community members who attended the rally in South Park when the Game On for Kansas Schools group walked through Lawrence on their way to Topeka. She reported that on the following Monday, she walked from Topeka High School to the Capitol building with a great group of people to participate in a rally telling the State House that there are those who care about public education. Ms. Sanburn thanked LEA president, Laurie Folsom, and other Lawrence community members who also participated.

### **REPORT OF SUPERINTENDENT RICK DOLL**

- Superintendent Rick Doll reported that it was fun today to announce Debra Williams, a special education resource teacher at Sunset Hill, as our 2016 Lawrence Elementary Teacher of the Year. He said the secondary teacher will be announced later this week.
- Superintendent Doll reported that Lawrence High and West Middle School chess teams won state championships and Quail Run finished second in the state at the Kansas Scholastic Chess Association State Tournament held at KU on Saturday, March 12. He noted that the teams have been invited to an April board meeting for recognition.
- He extended congratulations to the Lawrence High boys' basketball team for its third-place finish in the 6A state tournament.
- Dr. Doll announced that Quail Run is hosting a school garden work day on Saturday, March 26, from 10 a.m.-Noon. He said anyone interested should bring gloves and tools if they want to pitch in and help.
- He reported that BikeWalkKC is working with fourth- and fifth-graders in four of the district's elementary schools (Broken Arrow, Langston Hughes, Quail Run, Schwegler) in a pilot bicycle education program that could potentially be expanded districtwide. He noted that this is part of our Safe Routes to School partnership with the Health Department. He said that board members should have received invitations from the Health Department to see the BLAST program in action on Friday, March 25, at 8 a.m. at Broken Arrow.

## **BOARD COMMENTARY**

*Shannon Kimball*

...advised board members that the anti-common core bill will be on General Orders tomorrow and said if any of them wanted to email our local legislative delegation and other legislators later this evening, it would be greatly appreciated.

## **REPORTS**

### *Superintendent Leadership Transition*

Kyle Hayden, assistant superintendent, business and operations, expressed his thanks to Board of Education members for their commitment to the process as they searched for a new superintendent of schools.

Mr. Hayden stated that he plans to give a periodic report to the board as he transitions to his new role as superintendent, effective July 1, 2016. He stated that he plans to focus specifically on engaging with teachers, staff and community members in various ways to gather information that will help with the board's goal setting process. In addition, Mr. Hayden said through reflection on his interviews and feedback from stakeholders, he feels there may be some issues around climate and culture. He said because this is difficult to quantify, he will consider using a professional firm to conduct a survey to hone in on specific concerns and highlight good things within the district.

It was reported that another focus will be on recognition of the significance and importance of district staff as they deal with change, challenges and disruptions while continuing to educate students.

## **OLD BUSINESS**

### *Approval of Apple Technology Purchase and Equipment Lease*

Jerri Kemble, assistant superintendent, educational programs and technology, assisted by Joe Smysor, integration support specialist, technology services, and Angelique Nedved, assistant superintendent, teaching and learning, provided additional information, acknowledged concerns, and answered questions in regard to a proposal presented at the February 22, 2016 Board of Education meeting for a 1:1 iPad initiative to be implemented at the middle school level for the 2016-2017 school year.

Ms. Kemble reported that a recommended lease purchase will include 5,000 iPads, 5,000 iPad cases, 500 MacBooks, and 500 keyboards. Also included will be an Apple project manager to assist the district with a successful rollout, network architecture, and integration support. The number of iPads will cover the implementation of 1:1 at the four middle schools and iPads for all 6-12 grade teachers, new blended learning classrooms, teachers on special assignment (TOSAs), and learning coaches. The MacBooks will replenish dated devices at all levels and provide additional ones for check out at the high schools.

Ms. Nedved reported on the proposed structure of support for staff and events in which middle school staff will be expected to participate as well as extended opportunities that will be optional for middle and high school staff. Specialized learning events will take place so that staff can accelerate their learning prior to the 1:1 implementation in August 2016. It was reported that opportunities will also be given to students, parents, and community members to receive assistance and support.

Through discussion, concerns were expressed in regard to student device preference, college preparation, and a proprietary operating system.

### **Old Business ~ Approval of Apple Purchase and Equipment Lease (Continued)**

Board President Vanessa Sanburn acknowledged patrons who wished to speak in regard to the initiative under consideration.

*Matthew Herbert*, teacher, Lawrence High School, stated that he applauds the 1:1 rollout as it is compatible with the equity initiative; however, he expressed concern in regard to the level of technology support that will be needed relating to the number of devices. He said the technology support needs to be in place before the technology.

*John Rosen*, patron, stated that he is in support of students having sufficient access to tablets or computers, but said the district needs to ensure that all students have sufficient access to the Internet. He said USD 497 will not go all digital if kids don't have Internet access.

Following a motion by Shannon Kimball, seconded by Marcel Harmon, the board voted, in a 5-2 roll call vote, to approve a resolution authorizing the district to purchase from Apple Inc., \$3,158,177.50 of Apple technology, per their education price quote; authorizing the district to enter into a lease purchase transaction with Apple in order to finance the equipment; and authorizing various district officials to execute documents necessary to acquire and finance the equipment. Board Members Rick Ingram and Kris Adair cast "No" votes. (See Attachment No. 1)

### **NEW BUSINESS**

#### *Approval of Bond Construction Bids with McCownGordon Construction – Package 3-A*

Kyle Hayden, assistant superintendent, business and operations, recalled that the Board of Education, at its December 9, 2013 meeting, approved the owner-construction management at-risk services agreement for USD 497 2013 Bond Issue Projects with McCownGordon Construction which contained bond construction package 3-A. The package includes the Broken Arrow, Prairie Park, Quail Run, and Sunflower Elementary School projects.

He reported that bids were received at the offices of McCownGordon Construction on February 4, 2016 for five (5) months of general conditions, expenses associated with allowances, earthwork, utilities, site improvements, concrete, steel, drywall, ceilings, paint, flooring and HVAC. The Guaranteed Maximum Price (GMP) is for additions and renovations to the existing Sunflower Elementary School, as well as renovations to Prairie Park, Broken Arrow, and Quail Run Elementary Schools, plus a three percent (3%) construction contingency.

Upon a motion by Shannon Kimball, seconded by Jessica Beeson, the board voted, in a 7-0 roll call vote, to approve the owner-construction management at-risk services agreement with McCownGordon Construction in the amount of \$5,906,380 due to the bids associated with the bond construction at Broken Arrow, Prairie Park, Quail Run, and Sunflower Elementary Schools.

#### *Approval of Bond Construction Bids with McCownGordon Construction – Pinckney Elementary School*

Kyle Hayden, assistant superintendent, business and operations, recalled that the Board of Education, at its December 9, 2013 meeting, approved the owner-construction management at-risk services agreement for USD 497 2013 Bond Issue Projects with McCownGordon Construction which contained bond construction package 1. The package includes projects at Langston Hughes, Cordley, Hillcrest, Sunset Hill, and Pinckney Elementary Schools.

**New Business ~ Approval of Bond Construction Bids – Pinckney (Continued)**

He reported that bids were received at the offices of McCownGordon Construction on February 5, 2016 for an addition and renovations to Pinckney Elementary School. The GMP includes five (5) months of general conditions, expenses associated with allowances, earthwork, utilities, site improvements, concrete, steel, drywall, ceilings, paint, flooring and HVAC, plus a three percent (3%) construction contingency.

Upon a motion by Vanessa Sanburn, seconded by Rick Ingram, the board voted, in a 7-0 roll call vote, to approve the owner-construction management at-risk services agreement with McCownGordon Construction in the amount of \$6,554,595 due to the bids associated with the bond construction at Pinckney Elementary School.

Board Engagement

Vanessa Sanburn, president, board of education, asked that Board Member Kris Adair share information in regard to her meeting absences throughout the process of interviewing and hiring a new superintendent of schools.

Ms. Adair stated that she has been participating in a rigorous 90-day program in relation to her personal business that will culminate on May 24, 2016. She said it would be beneficial if she could miss a few more meetings, but her board commitment is important to her and if she needs to attend, she will.

**ADJOURNMENT**

At 8:44 p.m., a motion was made by Shannon Kimball, seconded by Marcel Harmon, to adjourn the regular meeting of the Board of Education. The motion passed by a unanimous voice vote.

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Janice E. Dunn  
Clerk, Board of Education

**A RESOLUTION AUTHORIZING UNIFIED SCHOOL DISTRICT NO. 497, DOUGLAS COUNTY, KANSAS (LAWRENCE), TO ENTER INTO A LEASE PURCHASE TRANSACTION, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF ACQUIRING TECHNOLOGY EQUIPMENT FOR THE DISTRICT AND TO APPROVE THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.**

**WHEREAS**, Unified School District No. 497, Douglas County, Kansas (the "District") desires to acquire certain technology equipment from Apple Inc. as described in price quote #2202877389, for a purchase price of \$3,158,177.50 (the "Equipment"); and

**WHEREAS**, the District has previously entered into that certain Master Lease Purchase Agreement dated June 24, 2014 (the "Master Lease") with Apple Inc., as lessor (the "Lessor") pursuant to which the District, as lessee, has leased certain equipment from the Lessor with an option to purchase Lessor's interest in the equipment; and

**WHEREAS**, the Master Lease permits the District and the Lessor to enter into supplemental schedules that permit the leasing of certain additional equipment, including the Equipment; and

**WHEREAS**, the Board has determined that it is in the best financial interests of the District to enter into a supplemental schedule to the Master Lease to obtain funds to pay the costs of the Equipment based on the proposal by Apple Inc. (the "Proposal"); and

**WHEREAS**, in order to facilitate the foregoing and to pay the cost thereof, it is necessary and desirable for the District to take the following actions:

1. Enter into Schedule No. PBC 15590 (the "Supplemental Lease") with Apple Inc., as lessor ("Lessor"), pursuant to which the District, as lessee, will lease the Equipment from the Lessor with an option to purchase Lessor's interest in the Equipment.
2. Enter into an Escrow Agreement (the "Escrow Agreement") with Lessor and the escrow agent to be named therein (the "Escrow Agent"), pursuant to which the proceeds of the Supplemental Lease will be held in trust by the Escrow Agent pending their use to purchase the Equipment.

The Lease and the Escrow Agreement are referred to together herein as the "District Documents."

**THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF UNIFIED SCHOOL DISTRICT NO. 497, DOUGLAS COUNTY, KANSAS (LAWRENCE), AS FOLLOWS:**

**Section 1. Authorization and Approval of District Documents.**

(a) The Proposal of Apple Inc. is hereby accepted. The District Documents are hereby approved in substantially the forms submitted to and reviewed by the Board of Education on the date hereof, with such changes therein as shall be approved by the officer of the Board of Education executing the District Documents after consultation with the District's legal counsel, such officer's execution of the District Documents to be conclusive evidence of such approval, with closing of the transaction and the items of Equipment included in the Supplemental Lease to be at the discretion and direction of the President of the Board of Education.

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(b) The obligation of the District to pay Rental Payments (as defined in the Lease) under the Supplemental Lease is subject to annual appropriation and will constitute a current expense of the District and will not in any way be construed to be an indebtedness or liability of the District in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness or liability by the District, nor will anything contained in the Lease constitute a pledge of the general tax revenues, funds or moneys of the District, and all provisions of the Lease will be construed so as to give effect to such intent.

(c) The President or Vice President of the Board of Education is hereby authorized and directed to execute and deliver the District Documents on behalf of, and as the act and deed of, the District. The Clerk is hereby authorized, to the extent necessary, to affix the District's seal to the District Documents and attest said seal.

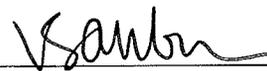
**Section 2. Supplemental Lease Provisions.** The Board of Education hereby elects to omit the mandatory contract provisions prescribed by the Kansas Department of Administration in form DA-146a, as amended, from the Supplemental Lease and the Escrow Agreement, provided, however, that this election does not authorize the omission from any such contract the provisions of K.S.A. 72-8201a or 72-8201b, as amended.

**Section 3. Further Authority.** The District will, and the officials and agents of the District are hereby authorized and directed to, take such actions, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution and to carry out, comply with and perform the duties of the District with respect to the District Documents, the other documents authorized or approved hereby and the Project.

**Section 4. Effective Date.** This Resolution shall take effect and be in full force from and after its adoption by the Board of Education.

**ADOPTED** by the Board of Education and signed by the Vice President of the Board of Education of Unified School District No. 497, Douglas County, Kansas (Lawrence), on March 21, 2016.



  
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President

  
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Clerk