

**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**

**June 27, 2016**

**MOTION FOR EXECUTIVE SESSION**

At 6 p.m., Board President Vanessa Sanburn called to order a meeting of the Board of Education for the purpose of entering executive session. A motion was made by Rick Ingram, seconded by Shannon Kimball, to recess to executive session *to discuss negotiations in order to protect the public interest in negotiating a fair and equitable contract*, with Dr. Rick Doll, superintendent; Kyle Hayden, assistant superintendent, business and operations, and chief board negotiator; David Cunningham, director, human resources and legal services; Dr. Anna Stubblefield, director, human resources; and Kathy Johnson, director, finance; invited to be present, and with the board to return to open session in this room at 6:50 p.m. The motion passed by a unanimous voice vote.

**BREAK**

At 6:45 p.m., the board returned to open session where President Sanburn declared a break until the start of the regular meeting.

**CALL TO ORDER REGULAR MEETING**

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 Shannon Kimball, seconded by Kris Adair, the board voted, in a unanimous voice vote, to approve the agenda as published.

**ROLL CALL**

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

<b><u>Others Present (Including Administration and Staff)</u></b>			
Bill DeWitt	David Hamby	Shaun Hanson	Kevin Harrell
Kathy Johnson	Ron May	Jennifer Nauertc	Mark Preut
Stan Roth	Gary Schmidt	Anna Stubblefield	Rochelle Valverde
Leah Wisdom			

**SPECIAL RECOGNITION**

2015-2016 Board of Education President – Vanessa Sanburn

Superintendent Rick Doll recognized Vanessa Sanburn for her work serving as the board president over the past year. He noted that Vanessa was elected to the board at the same time he came to the district as superintendent, and expressed appreciation for her leadership over the last seven years. Dr. Doll stated that although she seemed very young at the time, he soon learned she was full of confidence, common sense and passion.

As is tradition, Ms. Sanburn was presented with a piece of student art--a ceramic teapot and two matching teacups--created by Lawrence High senior, Sara Courtwright.

2009-2016 Superintendent of Schools – Dr. Rick Doll

Board President Vanessa Sanburn acknowledged the accomplishments of Superintendent Rick Doll during his seven-year tenure with Lawrence Public Schools. She recognized him for accepting the challenges of budget cuts and lack of funding and for his efforts within the school district and community to secure the passage of the largest bond issue in the history of USD 497. In addition, Ms. Sanburn highlighted his work in relation to equity, saying it was a testament to his character and bravery. She also emphasized his commitment to closing the achievement gap while raising achievement for all students as evidenced by the much lower number of students who did not graduate, from 185 in 2009 to 56 in 2015 – a difference of 129 students. She stated that Dr. Doll brought a lot of energy to his work and always rose to the challenge.

Dr. Doll was presented with a canvas print of a “Lawrence, Kansas” painting by Lawrence High senior, Jillian Baer.

**RECOGNITION OF AUDIENCE**

President Sanburn asked for public comment on any item not included on the agenda. There was none.

**APPROVAL OF CONSENT AGENDA**

Following a motion by Kris Adair, seconded by Rick Ingram, the board voted, in a 4-0 roll call vote, to adopt the items listed on the consent agenda.

The consent agenda included the following:

- The minutes of the June 13, 2016 joint meeting, regular meeting
- The financial reports including school activity funds, budget to actual, cash summary
- The June 27, 2016 personnel report
- The monthly vouchers in the following account totals:

<b>Fund</b>	<b>Amount</b>
General	\$ 867,150.94
Local Option Budget	189,722.08
Food Service	43,672.02
Vocational Education	9,337.59
Special Education	336,984.04

**Approval of Consent Agenda ~ Monthly Vouchers (Continued)**

Drivers Training	300.00
Capital Outlay	992,098.16
Health Fund	5,812.00
Summer School	290.00
Virtual School	35,834.38
Professional Development	18,428.93
Bilingual Fund	1,208.83
Parents As Teachers	1,163.43
Student Materials Revolve	22,930.15
Work Comp Reserve	3,478.71
Contingency Reserve	95,680.00
2013 Bonds	129,593.59
Title I 2016	24,458.61
Title ID 2016	420.00
Indian Educ Title 2016	1,740.67
Johnson O'Malley 2016	520.77
Title IIA 2016	2,649.82
Carl Perkins 2016	382.70
Title VIBDIS 2016	71.40
Payroll Fund	2,313,322.04
Johnson O'Malley InEd 2015	1,093.11
Spectra-Medicaid	9,919.01
KFH Healthy Living 2015	2,325.56
Health Dept CDRRSG 2016	94.00
Loc/Don/Gra	1,858.23
<b>TOTAL</b>	<b>\$5,112,540.77</b>

- Approvals of the following:
  - Property & Liability Insurance & Educator's Legal Liability for 2016-17
  - Renewal of Workers' Compensation Excess Insurance
  - Purchase of Secure Entry Card Readers – Lawrence High, Kennedy
  - Agreement for Private Drive at Langston Way & Klein Drive
  - Agreement with Northwest Evaluation Association for MAP
  - Annual Maintenance & Data Loading for Data Warehouse (Viewpoint)
  - Amended Boundary Advisory Committee Guidelines
  - Amended Finance Advisory Council Guidelines
  - Board Policy Committee Recommendations – Final Action
  - Agreement with Community Living Opportunities
  - Authorization to Issue Vendor Checks

On behalf of the Board of Education, Board Member Shannon Kimball acknowledged and expressed sincere appreciation to the following:

...*Michael Case* for his 11 years of service and devotion to this community and its schools upon his retirement effective July 8, 2016.

...*Brian Lawrence* for his 13 years of service and devotion to this community and its schools upon his retirement effective May 27, 2016.

**REPORT OF BOARD PRESIDENT VANESSA SANBURN**

Board President Sanburn asked board members to let her know if any one of them would consider serving on the Lawrence Voter Education Coalition.

## **REPORT OF SUPERINTENDENT OF SCHOOLS**

- Superintendent Rick Doll extended congratulations to Lawrence High students Mia Waters and Megan Wisbey for placing tenth in the nation during the National History Day competition at the University of Maryland - College Park last week with their group exhibit entitled, "The Chaos of Music After World War I."
- Superintendent Doll also extended thanks and congratulations to Jazmyne McNair who represented Lawrence High and the school district so well during the Regional Boys and Girls Club Youth of the Year contest last week. He stated that Jazmyne did not advance to the national level of the program, but she certainly has been a remarkable youth ambassador for the state of Kansas.
- He reported that the district offices will be closed Monday, July 4, due to the Independence Day holiday.

## **BOARD COMMENTARY**

There was no board commentary.

## **REPORTS**

### *Recognition of Coaches at Lawrence High School*

Bill DeWitt, assistant principal and athletic director, Lawrence High School, recalled that the daughter of former Lawrence High football coach, Bill Freeman, spoke to the Board of Education several months ago proposing that the school's football stadium be named after her father who recently passed away. He reported that in response to a board member request, he formed a committee comprised of six current head coaches, one faculty member, and two former coaches to consider the proposal.

Mr. DeWitt noted that Lawrence High School has claimed 108 state athletic championships over its history, which is the largest number in the entire state of Kansas. He added that the school has been fortunate to have several outstanding coaches who have won multiple state championships, established national records and been inducted into state and national halls of fame. He stated that Coach Freeman, who won five state football titles, is among a number of individuals who would be worthy of consideration for facility naming rights; however, the committee feels this practice, in general, would not be recommended.

Mr. DeWitt stated that with the Lawrence High facility master planning that is currently underway, the committee feels it might be best to delay any decisions in regard to ways to publicly honor individuals. He also indicated that there would need to be assistance with funding in order for anything like this to happen.

### *USD 497 Ci3T*

Leah Wisdom, coordinator, student intervention programs, reported on the implementation progress of the Comprehensive Integrated Three-Tiered (Ci3T) model of supports and services that assists students in varying degrees in the areas of academics, behavior and social skills. She recalled that during the 2013-2014 school year, Ci3T training began in the elementary schools with plans to implement and sustain the initiative in the years that followed. She reported that the same process began in the middle and high schools in the 2014-2015 school year and in the College and Career Center during 2015-2016. She said beginning this fall, all schools within the district will be implementing their Ci3T plans.

## **Reports ~ USD 497 Ci3T (Continued)**

It was reported that each school has a Ci3T leadership team that has carefully built a plan addressing the three tiers of support (primary, secondary, tertiary) in the areas of academics, behavior and social skills. Each plan includes roles and responsibilities for students, faculty/staff and parents. The leadership teams also design ways for the plans to be taught, reinforced and monitored.

Ms. Wisdom reported that the school leadership teams communicate with the district Ci3T leadership team providing feedback in regard to concerns and successes within their plans. That information is then disseminated through different avenues, including social media, so that all stakeholders can benefit.

Challenges to the intervention program include implementation with fidelity, focus on the **whole** child, scheduling of social skills curriculum at the high schools and identification of concerns and feedback through the established structure.

### School Start Times

In response to Board Goal 2.4 to *investigate the impact of adjusting school start times*, Ron May, director, administrative services, assisted by Mark Preut, assistant principal and activities director, Lawrence High School, and Shaun Hanson, assistant principal, Southwest Middle School, reported on the work that has been done by a committee comprised of district- and building-level administrators that met during the 2015-2016 school year to look at research in regard to later start times for secondary students.

Reported were health and wellness concerns for adolescents as a result of insufficient sleep that can present challenges to behavior and academics. Also reported was a recommendation from the American Academy of Pediatrics that school should start at 8:30 a.m. or later for secondary students. Some of the shared research indicated that in 2011-2012, 43% of high schools had a start time before 8 a.m. (Lawrence High School and Free State High School start at 8:05 a.m.), and from 8:01 a.m. onward, start time was not significantly associated with getting adequate sleep on weeknights.

Currently in Lawrence Public Schools, there is some flexible scheduling including Zero Hour, which starts at 7 a.m.; reduced schedules for students with the opportunity to start their school day later; and Late Start days on Wednesdays when school begins at 9:05 a.m. It was reported that Free State is requesting to pilot a schedule that would add an 8<sup>th</sup> period for some students in need of credit recovery who would start at 9 a.m. and finish their day later.

Administrators at all levels report that significant numbers of students arrive at their buildings well before posted supervised times. If later start times were considered, it would mean that after school activities and athletic practices would start and end at later times. In addition, more instructional time would be lost for teachers who coach and students who compete. It was noted that research indicates that participation in activities and athletics does not seem to be impacted by a late start time. There could also be an impact on students and staff who work after school.

Scenarios were presented that included moving all start times equally, which would create an even later start for late start elementary schools; moving all elementary school start times to 8 a.m. and all secondary start times to 8:45 at an estimated cost of \$286,000 for additional buses; or adding an 8<sup>th</sup> period to the high school schedule creating three start and end times with busing only for the 8:05 start.

## **Reports ~ School Start Times (Continued)**

Mr. May reported that the committee is recommending that additional flexible scheduling options be considered at the high schools by offering more 8<sup>th</sup> period opportunities for students and allowing them to start the day after 9 a.m. and maintaining the current start and end times at the elementary and middle school levels to maximize transportation efficiencies.

After citing additional emotional, physical and academic benefits of later school start times for adolescents, especially low-performing and high risk students, a board member made a request that this topic again be considered as a board goal for 2016-2017 and that continued study be done starting earlier in the school year.

## **OLD BUSINESS**

### Legislative & School Finance Update & Possible Board Action

Kyle Hayden, assistant superintendent, business and operations, assisted by Kathy Johnson, director, finance, reported that since the June 13 board meeting, the Governor called a special legislative session that began on June 23 to address the ruling by the Kansas Supreme Court in regard to funding inequities now relating to the Local Option Budget (LOB). He stated that a plan laid out by the Legislature on June 24 is not beneficial to Lawrence Public Schools.

The plan, based on 2015-2016 information and subject to change with final 2016-2017 budget documents, is as follows:

- Increase of \$1,533,869 in LOB state aid: no new money, property tax relief only, estimated 1.5 mill decrease on the LOB mill levy
- Capital Outlay state aid of \$656,309: for capital outlay fund expenditures only, no change to general operating dollars, no impact to mill levy
- General Fund state aid: virtual education enrollment will remain at the current year funding level (2016-2017 funding level would have provided new dollars in the amount of \$639,600)

It was reported that even with the outcome of the June 23 plan, the opinion from the Court on the financial equity of the legislative actions and possible school closure is still unknown. The district has made and continues to make plans to meet its financial obligations with minimal impact to employees, vendors, students, parents and the community, while moving forward in preparation for the opening of school in August. It was noted that in order for this to happen, some decisions may have to be made quickly in regard to these obligations.

Following a motion by Shannon Kimball, seconded by Rick Ingram, the board voted, in a 4-0 roll call vote, to authorize the superintendent to make the necessary decisions, at his discretion, including but not limited to the items (outlined in this enclosure) and within compliance of the courts and other legal and statutory provisions, in order to prepare for the upcoming school year and ensure minimal disruption to the operations of the district, while still maintaining financial stability. (See Attachment No. 1)

## **NEW BUSINESS**

There were no items of new business.

**ADJOURNMENT**

At 8:44 p.m., a motion was made by Kris Adair, seconded by Shannon Kimball, 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

To: Board of Education

From: Kyle Hayden, assistant superintendent, business & operations, ext. 4309  
David Cunningham, director, human resources & legal services, ext. 4937  
Kathy Johnson, director, finance, ext. 2376

Re: Legislative & School Finance Update and Possible Board Action

Date: June 23, 2016 (Revised June 27, 2016)

Background:

On June 13, administration provided the Board of Education with a report regarding the current status of Kansas legislative and Supreme Court action related to the *Gannon II* case. Administration discussed what a potential shutdown would look like and how the district would need to respond. Specific discussion occurred around how this issue could negatively impact students, staff, district operations and the community. Administration explained that if the issue remained unresolved as of July 27, recommendations for board action would need to be considered.

As a reminder to the board and community, what follows is the background related to this issue:

On February 11, 2016, the Kansas Supreme Court gave the Legislature until June 30, 2016, to cure the constitutional inequities created by the Classroom Learning Assuring Student Success Act (the CLASS Act), which was enacted through Senate Bill 7 in 2015. In response to the Court's order, the Legislature passed and the governor signed Senate Substitute for House Bill 2655, which the legislature feels addresses the inequities found in the CLASS Act.

Oral arguments were held on May 10, 2016 to determine whether HB 2655 cured the inequities identified by the Court in *Gannon II*. The Court determined the Legislature has cured the unconstitutional inequities in capital outlay. The Court held that HB 2655 failed to cure the Local Option Budget (LOB) inequities found to exist in *Gannon II*. The Court found that applying the capital outlay aid formula to LOB actually increases the inequality among districts and stressed that just because it is constitutional in calculating capital outlay aid does not mean it works for LOB.

The Court found that at best the "hold harmless" provision returns districts to 2016-2017 CLASS distribution amounts, which the Court held in *Gannon II* as unconstitutionally inequitable. The Court points out even more inequities are created when the "hold harmless" funds are deposited in a district's general funds, because they then have the opportunity to raise even more LOB money, which is not equalized.

The Court is still giving the Legislature until June 30, 2016 to cure the LOB inequities. The Court has not said it would "close schools" if the Legislature does not comply by June 30. Instead, it said it could not allow money to be "raised, distributed or spent" under an unconstitutional system, which means districts would not be able to receive or spend funds. The Court has not yet provided any guidance on exactly what would be allowed or disallowed.

The next step is up to the Legislature. It must determine how to respond to the ruling. The Court is continuing to give the Legislature the same deadline to address the issue. A special legislative session began on June 23 to address the ruling.

The plan laid out by the Legislature on June 24, 2016 will impact Lawrence USD497 as follows, based on 2015-2016 information and subject to change with final 2016-2017 budget documents:

- LOB state aid increase of \$1,533,869: no new money, property tax relief only, estimating a 1.5 mill decrease on the LOB mill levy as a result.
- Capital Outlay State Aid of \$656,309: for capital outlay fund expenditures only, no change to general operating dollars and no impact to the mill levy.
- General Fund State Aid: tied to Virtual Education Enrollment, will remain at the current year funding level.
  - 2016-2017 funding level would have provided new dollars to the district in the amount of \$639,600. This amount of new money will not be realized.

Rationale:

Due to the school year end of June 30, 2016, although the outcome of the June 23 special legislative session is now known, the Kansas Supreme Court opinion on the financial equity of the legislative actions from that special session and possible school closure is still unknown. It is important that the district plan for multiple scenarios that will meet the financial obligations of the district with minimal impact to employees, vendors, students, parents and the community and still keep the district moving forward in preparation for the opening of school in August 2016.

Immediate items include, but are not limited to:

- ✓ Allowing the approval and payment of vendors after June 27 and between board meetings in order to timely meet the financial obligations of the district.
- ✓ Release early on June 30, 2016 the classified hourly employee payroll checks for the period ending June 24, 2016, check date scheduled for July 8, 2016.
- ✓ Release early, if necessary, certified teacher non-balance of contract payments dated July 20, 2016 and/or August 20, 2016 if the court school closure requirement prevents staff from performing the tasks necessary to release the funds for the non-balance of contract payrolls at the designated dates after June 30, 2016.
- ✓ Allow for the continued operations of the district. District staff contracted during the summer, will continue to work their duty days in preparation for the start of school in August 2016 and staff will be paid from available cash reserves as long as the district is able to sustain financially.
- ✓ Allow for staff to be paid retroactively, if allowed by the courts to work and they actually perform the work, but also rule districts cannot disburse funds. Staff who choose to not work, even though allowed, would be required to use leave or be unpaid for those days.
- ✓ Allow for all staff, hourly and salaried who have contracted days during the school closure and are ordered by the courts to not be on site during the shutdown, to be paid for their contracted time.
- ✓ Allow for the use of district facilities currently scheduled for use after June 30 and allow for a staff member, if necessary, to be on site and paid for their time, once schools are allowed to disburse funds.

Recommendation:

Due to the dynamic environment and pending unknowns that currently exist with school funding and operations, administration recommends that the board authorize the superintendent to make decisions, at his discretion, that include but are not limited to the items outlined above in order to continue to prepare for the upcoming school year.

Motion:

"I move the Board of Education authorize the superintendent to make the necessary decisions, at his discretion, including but not limited to the items outlined in this enclosure and within compliance of the courts and other legal and statutory provisions, in order to prepare for the upcoming school year and ensure minimal disruption to the operations of the district, while still maintaining financial stability."