Board of Education

Mesa County Valley School District 51

Board Work Session Minutes

April 5, 2022

Board Work Session Minutes



A - Doug Levinson						Board of Education							
A - Doug B - Kari			on			Mesa County Valley School District 51							
C - Andrea Haitz						Board Work Session: April 5, 2022							
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Durarut	_					AGENDA ITEMS	ACTION						
Present Absent		х	Х	х	Х	BOARD WORK SESSION → Mr. Levinson was out of town and unable to attend.	6:04 p.m.						
						 A. Grand River Academy Yearbook Crew and Robotics Club Ms. Randi Overturf, Grand River Academy teacher, introduced Codi Mendenhall, student editor of the Year Book Club, and fellow teacher Mr. Kyle Carmichael. Mr. Carmichael and Codi attended the meeting electronically. Mr. Carmichael shared information on Codi being a nonverbal student who communicates through the use of an electronic device. He reported the presentation prepared by Codi took many hours. Codi shared a prepared presentation expressing her excitement in working with other students in the Yearbook Club and her appreciation for the programs offered at Grand River Academy. She noted the yearbook focuses on capturing memories and documenting events from the students' perspectives. In being part of the Club, students have the opportunity to explore new ideas and challenges, earn credit and develop skills beyond the classroom. She reported Grand River Academy gives students, from across the valley and from different demographics, the opportunity to learn 21st century skills. No presentation was given from the Robotics Club. 							
						 B. Speech and Debate National Qualifiers Recognition [Resolution: 21/2: 80] ➢ Superintendent, Dr. Diana Sirko invited the Speech and Debate students, from Central High School, Erin Casey, and Jenna Sackter, and students from Palisade High School, Lynessa Asplund, Kennedy Stephen, and Annika Walla to the front of the room. These five students recently competed at the state level where they qualified for the National Speech and Debate Tournament in June. To qualify for nationals students must have excellent skills in research, organization, writing, public speaking and critical thinking. ➢ The Board and Superintendent Sirko congratulated the students and their coaches, Mr. Caleb Ferganchick and Mrs. Tracy Seremak on their accomplishments and wished them well at the state tournament. 							
						 C. Speech and Debate Team Presentation Mr. Caleb Ferganchick, Central High School Speech and Debate Coach and Mrs. Tracy Seremak, Palisade High School Speech and Debate Coach, and several students shared information regarding Speech and Debate. Mr. Ferganchick reported Speech and Debate covers over ten different formats of events enabling students to become comfortable with public speaking, and enhancing their skills in research and critical thinking. Students are able to explore things that affect them personally, engage in critical thinking on both sides of an issue and enhance their knowledge of politics, art and culture along with the added bonus of enhancing their applications to colleges. Mrs. Seremak reported on the structure of the program with students practicing two to three days a week. She reported on the challenges of retaining coaches, 							

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- D Will Jones
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					 Instruction Processing Speech and Debate coaches work approximately 400 hours per school year, whereas coaches of other sports work around 250 hours. As with other activities Speech and Debate teams rely on parent and community volunteers. Central High School student, Cheyenne Parry, a sophomore and novice member to Speech and Debate shared the time commitment is large but she loves participating, making connections with other students and she feels Speech and Debate encourages and pushes her to go further. She credited her forensics teacher for getting her involved in Speech and Debate. Palisade High School students, Annika Walla, Mila Stepan and Kennedy Stephen shared their perspectives on Speech and Debate. Annika is co-captain of the team and even though she finds it lough and stressful, she loves participating. She believes Speech and Debate has allowed her to get out of her shell and brough ther to a new level. She described the Speech and Debate teams as being a tight knit community across the District and a community of incredible people. Mila, a sophomore, reported the Palisade team consists of tem girls who are all under classmen. She believes Speech and Debate following encouragement from her sister. She has learned how to shift her perspective and see both sides of an issue and found her public speakimg voice. All four students expressed enthusiasm in being a part of Speech and Debate and requested more community support. D. Grand Junction High School Career & Technical Education Family and Consumer Science Program Presentation Ms. Casey Jackson, Grand Junction High School Consumer Science teacher, reviewed aspects of Consumer Science, formerly known as Home Economics. Consumer Science is currently taught in only three of the five high schools and covers practical life skills such as child development, food science, money management, interpersonal relationships and more. Two students from Ms. Jackson's class, Reina Clark a		

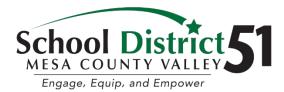
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					Mr. Shannon Bingham, Demographer, reviewed a recently submitted proposal and shared statistical data to project future enrollment numbers. The proposal submitted is to review, and if necessary realign, current director districts to ensure balanced population numbers within the director district. State statute requires this to be done every four years. Mr. Bingham reported the decreasing enrollment trends he is seeing in the Grand Valley are similar to trends seen across the state. He reported student enrollment and birthrates are going down and housing cost are going up. He is anticipating a decrease in student enrollment of approximately one to two percent each year over the next five years. He answered questions from the Board and explained anticipated population shifts within the District based on projected housing projects in Fruita	
					 and the north area. F. Grand Junction High School Design Presentation ➢ Mr. Peter Icenogle, Blythe Group + Co, and Ms. JaDee Harsma, DLR Group, presented information on the design of the new Grand Junction High School. Photos and design layouts were shared showing exterior and interior graphics for the new school. Utility work is scheduled to begin in April with a ground breaking ceremony slated for June. Mr. Icenogle reported the design team has been working closely with District security and the Grand Junction Police Department to insure the safest of buildings, and with user groups to insure the needs of those who utilize the building are met. 	
					 G. Ascent Classical Academy Presentation ➤ Ascent Classical Academies Executive Director, Mr. Derec Shuler and Ms. Kim Gilmartin, Director of New School Development, presented information on a charter school program they are looking to bring to the Grand Valley. The Ascent Classical Academy would offer a classical, liberal arts education emphasizing good virtues. There are already two Ascent Classical Academies in the state, which are rated as performance schools and chartered through the Colorado Charter School Institute (CSI). Mr. Shuler explained a letter was submitted to the District requesting permission for Ascent Classical Academy to work with CSI to develop a school in the Grand Valley. Mr. Shuler shared the process for developing a charter school under CSI would be abbreviate since they already have two schools under CSI. He reported one of the requirements of the CSI is to show an interest of at least twenty percent of projected enrollment and he reported, at this time, there appears to be an interest of around fifty percent of the projected enrollment of 400 students in grades K-8. He believes the majority of families showing interest are families who are currently home schooling their students. ➤ Assistant Superintendent, Dr. Brian Hill, gave a brief history how District 51 became an exclusive authorizer in 2019, meaning the District is required to give a sheater school performent. 	
					a charter school permission to establish under the state or as a District charter school. He noted the District has a process for a charter school to be established under District 51, but the District does not have a process in place to determine when a charter school should be granted or denied permission to be established under CSI.	

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						 H. Audience Comments Rickie Howie, Grand Junction 81501 Ms. Howie spoke on the rules governing audience behavior during Board meetings. She reported the rules displayed on the screen do not match the rules printed on the agenda. She feels the Board has been negligent in enforcing the rules. She questioned the lack of information available about the agenda item to amend the Mesa Valley Charter School contract. She believes the Board should not act on anything until the public has a chance to review it. She has concerns about the new high school since she heard the term kitchen and not the term cafeteria. She questioned if the students would be required to eat outside during the winter. She would also like the designer of the building to address lock down procedures. Rita Jacob, Grand Junction 81501 Ms. Jacob spoke in support of a resolution to allow the Ascent Classical Academy to establish a school in the valley. She reported her family is familiar with the Golden View School and feels it is an excellent education. She has a grandchild in Grand River Academy and is impressed with Grand River Academy. She reported the Ascent Classical Academy offers a highly successful program which emphasizes character, positive development in character and encourages parent involvement. She encouraged the Board to allow the Ascent Classical Academy to work with CSI to bring a school to the Grand Valley. 					
						[Recess 8:29 p.m. Resume 8:42 p.m.]					
						BUSINESS MEETING					
Present Absent		х	х	х	х	1. Call to Order/Roll Call	8:42 p.m.				
Motion Second Aye No		x x	x	x x	x	 Agenda Approval Motion to approve the agenda with a correction that item 5. Resolution to Amend Mesa Valley Charter School Contract, should be listed as an Approval of a Memo of Understanding with Mesa Valley Community School instead of a contract revision. 	Approved with correction				
Motion Second Aye No		x	x	x x	x x	 Personnel Action, Administrator New Hire Board members and Assistant Superintendent, Dr. Brian Hill, expressed their excitement and confidence in Mrs. Jennifer Marsh filling the position of Chief Academic Officer. Mr. Hill noted in this position Mrs. Marsh will take on a large roll of overseeing Curriculum & Learning Design, Student Services, Technology and Site Directors. 	Adopted				
Motion Second Aye No		x x	х	x x	х	4. Resolution to Approve Condemnation Sale of Clifton Elementary School Property	Adopted				
Motion Second		х			x	5. Approval of a Memo of Understanding with Mesa Valley Community School	Adopted				

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Aye No		Х	х	Х	x	Mr. David Price, Legal Counsel, and Ms. Laurajean Downs, Mesa Valley Community School Director, were present to answer any questions. Mr. Price shared information on the various laws regarding students with special education needs and how services will be handled at the school.				
Motion Second Aye No		x x	x	X X	x	 Executive Session ➤ Executive session for the discussion regarding the purchase, acquisition, lease, transfer or sale of any real, personal, or other property interest; except that no executive session shall be held for the purpose of concealing the fact that a member of the local public body has a personal interest in such purchase, acquisition, lease, transfer, or sale under C.R.S. Section 24-6-402(4)(a). Present at the executive session: Superintendent, Dr. Sirko, Assistant Superintendent, Dr. Hill, and Board members Mrs. Haitz, Mr. Jones, Ms. Lema and Dr. Sholtes. 	Moved to Executive Session 9:03 p.m.			
Motion Second Aye No		x x	x	x x	х	 Time spent discussion real, personal or other properties: 25 minutes Motion to adjourn executive session. 	Adjourned 9:28 p.m.			
Motion Second Aye No		x x	x	Х	x x	7. Adjournment 9:29 p.m.				
						Ms. Angela Lema, Secretary Board of Education				



Mesa County Valley School District 51

Recognition: Speech & Debate National Qualifiers

Presented: April 5, 2022

Next, we are going to have a presentation from our Speech & Debate students. But first, we would like to do a recognition for our National Qualifiers. Would Lynessa Asplund, Erin Casey, Jenna Sackter, Kennedy Stephen, Annika Walla, Caleb Ferganchick, and Tracy Seremak please join me at the front?

Speech & Debate is a time-honored tradition in high schools across the United States. Participants explore government and English Language Arts in a hands-on way while developing confidence and problem-solving skills in a fast-paced environment. Students must have excellent research, organization, writing, public speaking and critical thinking skills in order to be the best.

Last month, 11 high school students from School District 51 traveled to Aurora to compete in the CHSAA State Speech & Debate Tournament. Five of those students qualified for the National Speech & Debate Tournament, which will take place June 12-17 in Louisville, Kentucky. Our students will compete is a range of categories, including original oratory speaking, congressional debate, Lincoln-Douglas debate, and world schools debate.

The Board of Education and Superintendent Sirko would like to congratulate Lynessa, Erin, Jenna, Kennedy, Annika, and their coaches for this high honor and wish them well at Nationals!

Central High School (Coach: Caleb Ferganchick)

Erin Casey Jenna Sackter

Palisade High School (Coach: Tracy Seremak) Annika Walla Kennedy Stephen Lynessa Asplund

FOLLOWING RECOGNITION: "Congratulations again. Now, can we please have all of our Speech and Debate students and coaches come forward for a presentation."



Administrator New Hires

Board of Education Resolution: 21/22: 79

Adopted: April 5, 2022

Jennifer Marsh	Chief Academic Officer								
Mrs. Marsh comes to this position with	a wealth of knowledge and experience having most recently served as the								
Executive Director of Curriculum and Le	earning Design for D51 for the past three years. Over the course of her								
career Mrs. Marsh has held a variety of	f positions including:								
Mesa County Valley School E	District 51								
O Executive Director Curr	riculum & Learning Design - 2019-present								
 Grand Mesa Middle Sc 	hool, Principal - 2016-2019								
O Palisade High School, A	Assistant Principal - 2014-2016								
 Special Education Coor 	dinator - 2008-2014								
O Grand Mesa Middle Sc	hool, Assistant Principal - 2007-2008								
O Grand Junction High Sc	 Grand Junction High School, SPED Teacher/Progress Monitor - 1998-2007 								

Mrs. Marsh received her BA Degree in Social and Behavioral Sciences in 1995 from Colorado Mesa University and her MA Degree in Special Education from the University of Northern Colorado in 2001.

I hereby certify that the information contained in the above resolution is accurate and was adopted by the Mesa County Valley School District No. 51 Board of Education on April 5, 2022.

Angela Lema, Secretary Board of Education



Resolution to Sell Real Property at Clifton Elementary School to the State of Colorado for the Construction of Road Improvements and Sidewalks

Board of Education Resolution 21/22: 81

Adopted: April 5, 2022

WHEREAS, the District was notified by the Colorado Department of Transportation ("CDOT") in 2018 that CDOT desired to construct a round-about and sidewalk improvements on Highway 6 at and in proximity to Clifton Elementary School and would require a portion of the property occupied by Clifton Elementary School for such purpose; and

WHEREAS, CDOT has the power of eminent domain and the right to condemn the property it needs for construction of public improvements; and

WHEREAS, rather than requiring CDOT to pursue a formal condemnation action through the Court system, the District and CDOT entered into negotiations for a consensual agreement whereby the District will convey the property needed for the improvements to CDOT and CDOT will pay just and adequate compensation to the District for the property and damages incurred; and

WHEREAS, CDOT and the District obtained an appraisal to determine the value of the property needed by CDOT; and

WHEREAS, based upon the appraised value of the needed property, the value of the improvements to be installed and the estimated damages to District property, CDOT and the District have entered into a Memorandum Agreement whereby CDOT will pay the District \$12,000 for the needed property, \$2,383.00 for a temporary construction easement, \$52,218 for improvements to the condemned property and \$40,480 in damages to restore the property retained by the District, for a total of \$107,100.00; and

WHEREAS, a copy of the Memorandum Agreement is attached to this Resolution as Exhibit A; and.

WHEREAS, it is the view of District staff that although Clifton Elementary School will lose six parking spaces, there will be adequate remaining parking spaces for the operation of the school, and the construction of safe sidewalks and enhanced traffic control in and around Clifton Elementary School will be of substantial benefit to the families and staff of Clifton Elementary School; and

WHEREAS, the Board deems the Memorandum Agreement is in the best interest of the District.

NOW, THEREFORE, BE IT RESOLVED that the Mesa County Valley School District 51 Board of Education hereby approves of the Memorandum Agreement dated February 18, 2022, by and between CDOT and the District, a copy of which is attached to this resolution as Exhibit A; and

BE IT FURTHER RESOLVED. The Board authorizes the Superintendent or designee to take such further steps in conjunction with legal counsel and execute such other documents as may be required to complete the transaction.

I certify that the information contained herein is accurate and was adopted by the Mesa County Valley School District 51 Board of Education on April 5, 2022.

Angela Lema Secretary, Board of Education

MEMORANDUM OF UNDERSTANDING

Between MESA VALLEY COMMUNITY SCHOOL And MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51

RECITALS:

- A. MESA VALLEY COMMUNITY SCHOOL ("MVCS") operates a K-12 public charter school within MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51, ("District") (collectively "the Parties") pursuant to a Charter School Contract (First Renewal) between the parties dated as of July 1, 2018 ("Contract") that expires June 30, 2023; and
- B. Pursuant to the Charter Schools Act ("Act") and District Regulation LBD-R, MVCS's governing body must submit a renewal application to the District's Board of Education no later than December 1, 2022; and
- C. The Colorado Department of Education ("CDE") has recently notified MVCS that it will no longer count any parent-led in-home instruction as teacher-pupil contact time for purposes of meeting regulatory requirements for per pupil funding under the Public School Finance Act; and
- D. The deadline for MVCS's full compliance with this new interpretation of teach-pupil contact requirement has been extended to the beginning of the 2023-2024 school year; and
- E. Compliance with CDE's new position regarding teacher-pupil contact time will require MVCS to make fundamental changes in its educational model and programming to remain financially viable; and
- F. Although MVCS plans to submit a charter renewal application next December to seek Board of Education approval for a charter to continue its school under a new educational model and programming that complies with CDE's new funding requirements, it desires to begin this transition at the commencement of the 2022-23 school year by suspending operation of its current program for K-5 students, and offering instead an enrichment program for K-5 students enrolled in a nonpublic, home-based educational program pursuant to section 22-33-104.5, C.R.S. ("Home-Schooled Students") during such school year; and
- G. The District is willing to allow MVCS to move forward with this transitional plan subject to the terms and conditions set forth in this Memorandum.

NOW, THEREFORE, the Parties agree as follows:

1. K-5 Enrichment Program. Given the unexpected change in CDE's regulatory approach to PPR funding for MVCS's students, MVCS may proceed with its plan to suspend operation of its current full-time K-5 educational program for the 2022-23 school year, and to offer instead the part-time Enrichment Program as outlined in the brochure page attached as Exhibit A for K-5 students enrolled in a nonpublic, home-based educational program pursuant to section 22-33-104.5, C.R.S. ("Home-Schooled Students") during such school year in accordance with the class schedule and school calendar attached as Exhibit B. Such program shall be referred to in this

Memorandum as "Mesa Valley Enrichment Program" (MVEP). MVCS's educational services and programs for grade levels 6 through 12 shall continue to be delivered in accordance with the Program and Policy Book (as those terms are defined in the Charter Contract) without any material change.

- 2. Notice to Parents. Within thirty (30) days of the date of this Memorandum, the District and MVCS shall jointly prepare and provide all parents and guardians of students currently enrolled in MVCS that will be affected by suspension of the full time K-5 Program with written notice reminding them of their educational options for the 2022-23 school year, including enrollment in a home-based educational program, with or without admission to MVEP, as well as enrollment in another District school, charter school or on-line school. The notice shall inform parents/guardians of students receiving special education and/or related aids, supports or services pursuant to an Individualized Education Plan ("IEP") or Section 504 Plan who may be displaced by the suspension of the K-5 operations at MVCS that the District is ready, willing and able to provide the student's IEP or Section 504 services and supports at another District school but MVCS will not provide special education and related services to Home-Schooled Students enrolled in the MVEP. Neither party shall encourage or require any such parent/guardian to revoke consent for such services.
- 3. Charter Contract. The District agrees to waive and shall not assert any default, breach or violation of the Charter Contract based on the transitional programmatic changes outlined in Paragraph 1 above (i.e., suspension of MVCS's existing K-5 program and trial of MVEP during the 2022-2023 school year). However, the Parties agree that the rights and obligations of the Parties set forth in the Charter Contract shall apply to MVEP except as expressly provided in this Memorandum, and nothing in this Memorandum shall waive or modify any provisions of the Charter Contract otherwise applicable to MVCS or its operations.

4. Funding.

- **a.** Funding for MVCS's students in grades 6-12 shall not be impacted or otherwise altered by this Memorandum.
- **b.** Pursuant to section 22-33-104.5(6)(a), C.R.S., the District shall allocate to MVCS the District's PPR received for students enrolled in MVEP in accordance with Paragraph 4.1 of the Charter Contract.
- **c.** Pursuant to paragraph 4.2(B) of the Charter Contract, MVCS shall continue to be entitled to receive, in addition to PPR, the portion of any federal and state categorical grants for qualifying MVEP students. The District and MVCS shall confer in good faith to determine which, if any, categorical grants or other funding may be obtained or used to support MVEP operations.
- **d.** To the extent permitted by the Charter Contract and applicable law and regulations, MVCS will continue to receive charter school facilities funds based on its annual pupil count, including its MVEP students.
- e. Any start-up grant funds obtained or awarded to MVCS for the MVEP shall be distributed to MVCS, subject to the provisions of Paragraph 4.2 of the Charter Contract.

- **f.** MVCS understands and agrees that the District will not subsidize MVEP with District funds or provide loans for such program.
- **g.** The Parties agree to confer in good faith regarding any other funding issues that arise concerning MVEP during the 2022-2023 school year.

5. Students With Disabilities.

- **a.** The Parties recognize that under Colorado law, parents are responsible for the education program of Home-Schooled Students, and such program is not under the supervision or control of the District or MVCS. As of the effective date of this Memorandum, the Parties are not aware of any binding legal authority or other regulatory guidance indicating that MVCS is obligated to provide special education services or a free appropriate public education ("FAPE") to Home-Schooled Students with disabilities under pertinent federal and state laws and regulations regarding education of children with disabilities. However, the parties also recognize that it is uncertain whether and to what extent part-time enrollment in the MVEP may give rise to such obligations. Accordingly, in the event that the District at any time receives an opinion, ruling, instruction or guidance issued by lawful authority, indicating that part-time enrollment of Home-Schooled Students as contemplated in MVEP, or the receipt of public funding in connection with such MVEP, creates obligations on the part of the District and/or MVCS to provide FAPE or special education and related services to children with disabilities in such program despite their concurrent enrollment in a nonpublic, home-based education program, the Parties agree to jointly take all necessary steps to assure that the Parties' legal obligations toward students with disabilities are and will be appropriately met, including, as appropriate, execution of an appropriate amendment or modification of this Memorandum.
- **b.** MVCS is committed to ensuring that the MVEP is operated in accordance with the requirements of section 504 of the Rehabilitation Act of 1973, as amended, and title II of the Americans with Disabilities Act, as amended, by providing each enrolled child with a qualifying disability with such accommodations, aids and supports as are reasonably necessary to afford an equal opportunity to participate in or benefit from the academic courses and other activities comprising MVEP or included within such program. The nature and extent of such accommodations, aids and supports shall be determined in accordance with Paragraph Q of the Cooperative Plan for Delivery and Funding of Services to Charter School Students (Exhibit A to Charter Contract) ("Cooperative Plan").
- **c.** In the event MVCS determines, through a compliant Section 504 process, that a student with a disability enrolled in MVEP cannot reasonably participate in or benefit from the academic courses and other activities of MVEP, with or without accommodation, aids or supports, and instead needs special education and related services that are not reasonably available within such MVEP, MVCS shall recommend a change of placement to a District school where an appropriate educational placement can be established. MVCS shall give the student's parent and the District's Executive Director of Student Services or designee written notice regarding such recommendation.
- **d.** In accordance with the Cooperative Plan, MVCS shall comply with its child find obligations to ensure that all children enrolled in the MVEP who are suspected of having a disability or needing special education and related services are identified and evaluated.

- e. MVCS shall revise its "Guidelines for Special Services K-5 22.23" to conform to this Memorandum, including subparagraphs b., c. and d. of this Paragraph 5, and the Parties shall include a copy of the revised Guidelines with the notice sent pursuant to Paragraph 2 above.
- **f.** Disagreements between the Parties regarding the application of the procedure contained in this Paragraph 5 shall be resolved in accordance with Article 9 of the Charter Contract.
- 6. Reservation of Rights. This Memorandum of Understanding shall not constitute or be construed or enforceable as an amendment, extension, or other modification of the Charter Contract, or as an agreement to enter into any such amendment, extension or modification. MVCS acknowledges and agrees that the District has not yet determined whether MVCS's charter should be renewed on any basis, and reserves all of its rights under the Act with regard to any application for renewal of MVCS's charter for any period beyond the expiration date of the Charter Contract.

DATED this _____ day of April, 2022.

MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51

BY_

Date:

Andrea Haitz, President

MESA VALLEY COMMUNITY SCHOOL

BY

_____Date:_____

Daniel Baker President, Board of Directors