

NOTICE OF REGULAR MEETING AND AGENDA



September 23, 2015

**Educational Services Center
395 South Pratt Parkway
Longmont, Colorado 80501**

Robert J. Smith, President, Board of Education

Dr. Don Haddad, Superintendent of Schools

**DISTRICT VISION
STATEMENT**

To be an exemplary school district which inspires and promotes high standards of learning and student well-being in partnership with parents, guardians and the community.

**DISTRICT MISSION
STATEMENT**

To educate each student in a safe learning environment so that they may develop to their highest potential and become contributing citizens.

**ESSENTIAL BOARD
ROLES**

*Guide the superintendent
Engage constituents
Ensure alignment of resources
Monitor effectiveness
Model excellence*

BOARD MEMBERS

*John Ahrens, Member
John Creighton, Member
Debbie Lammers, Secretary
Paula Peairs, Treasurer
Mike Schiers, Asst Secretary
Joie Siegrist, Vice President
Robert J. Smith, President*

1. CALL TO ORDER:

7:00 pm Regular Business Meeting

2. ADDENDUMS/CHANGES TO THE AGENDA:

3. AUDIENCE PARTICIPATION:

4. VISITORS:

- 1. Gold Star Awards (2)

5. REPORTS:

6. CONSENT ITEMS:

- 1. Approval: Approval of Resolution Regarding the Legal Defense and Indemnification of SVVSD Directors and Employees

7. ACTION ITEMS:

- 1. Approval: Approval of Request to Grant Exception to Conflict of Interest Policy

8. DISCUSSION ITEMS:

- 1. Follow-Up Discussion with Twin Peaks Charter Academy
- 2. Board Policy Overhaul Project Update

9. ADJOURNMENT:

Board of Education Meetings: Held at 395 South Pratt Parkway, Board Room, unless otherwise noted:

Wednesday, October 14	7:00 pm Regular Meeting
Wednesday, October 21	6:00 – 8:00 pm Study Session-Trail Ridge
Wednesday, October 28	6:30 pm Review of CAFR
	7:00 pm Regular Meeting

MEMORANDUM

DATE: September 23, 2015

TO: Board of Education

FROM: Dr. Don Haddad, Superintendent of Schools

SUBJECT: Approval of Resolution Regarding the Legal Defense and Indemnification of SVVSD Directors and Employees

RECOMMENDATION

That the Board of Education approve a resolution regarding the legal defense and indemnification of St. Vrain Valley directors and its employees.

BACKGROUND

The Colorado Governmental Immunity Act ("Act") (Sec. 24-10-110, C.R.S.) provides that a public entity shall be liable for the reasonable costs of the defense and for reasonable attorneys' fees of its Directors and public employees who are named as defendants in civil suits for monetary damages for injuries arising from the alleged acts and omissions which occurred during the performance of the defendants duties and/or employment.

Matthew Buchler, Greg Winger, Dr. Don Haddad, District employees; and Board Directors John Creighton, Bob Smith, Debbie Lammers, John Ahrens, Mike Schiers, Paula Peairs and Joie Siegrist have been individually named as co-defendants in a lawsuit, Civil Action No. 15 cv 01925-NYW, filed in the United States District Court for the District of Colorado.

The Act (Sec. 24-10-119, C.R.S.) further provides that the Act is applicable to all civil actions against all public entities, Directors and employees filed in any court including those claims which "sound in tort" and which are brought "pursuant to any federal law."

The District, by and through its designated insurance defense counsel, shall provide the above referenced employees/Directors with a legal defense to such claims asserted against them, individually and collectively, in the above referenced legal action.

To the extent that the costs and expenses of defending any such claims are not provided by and through the District's insurance policies, the District shall pay the costs and expenses incurred by the Directors and employees in the above referenced legal action whether or not they continue as employees or Directors of the District.

A RESOLUTION OF THE BOARD OF EDUCATION OF THE ST. VRAIN VALLEY SCHOOL DISTRICT RE-1J REGARDING THE LEGAL DEFENSE AND INDEMNIFICATION OF ITS DIRECTORS AND EMPLOYEES

WHEREAS the St. Vrain Valley School District RE-1J is a governmental entity organized and existing pursuant to state statute and is subject to the provisions of the Colorado Governmental Immunity Act, (herein, “the Act”) Sec. 24-10-101, *et seq.*, C.R.S.; and

WHEREAS the Act (Sec. 24-10-110, C.R.S.) provides that a public entity shall be liable for the reasonable costs of the defense and for reasonable attorneys’ fees of its Directors and public employees who are named as defendants in civil suits for monetary damages for injuries arising from the alleged acts and omissions which occurred during the performance of the defendants duties and/or employment; and

WHEREAS the Act (Sec. 24-10-110, C.R.S.) further provides that a public entity shall be responsible for the payment of any final judgment or authorized settlement of claims against any of its Directors and public employees where the claim arises out of injuries sustained from an act or omission occurring during the performance of the Director or employee’s duties; and

WHEREAS The Act (Sec. 24-10-119, C.R.S.) further provides that the Act is applicable to all civil actions against all public entities, Directors and employees filed in any court including those claims which “sound in tort” and which are brought “pursuant to any federal law;” and

WHEREAS Matthew Buchler, Greg Winger, Dr. Don Haddad, District employees; and Board Directors John Creighton, Bob Smith, Debbie Lammers, John Ahrens, Mike Schiers, Paula Peairs and Joie Siegrist have been individually named as co-defendants in a lawsuit, Civil Action No. 15 cv 01925-NYW, filed in the United States District Court for the District of Colorado; and

WHEREAS the Complaint alleges that the acts and omissions of the above-referenced named defendants arose out of the performance of their duties were within the scope of their employment and Board responsibilities; and

WHEREAS the Complaint states claims against the Directors and employees for allegedly violating the constitutional rights of a student and his family, such claims “sound in tort”.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE ST. VRAIN VALLEY SCHOOL DISTRICT RE-1J THAT:

1. The District, by and through its designated insurance defense counsel, shall provide Matthew Buchler, Greg Winger, Dr. Don Haddad, District employees; and Board Directors John Creighton, Bob Smith, Debbie Lammers, John Ahrens, Mike Schiers, Paula Peairs and Joie Siegrist with a legal defense to such claims asserted against them, individually and collectively, in the above referenced legal action.
2. To the extent that the costs and expenses of defending any such claims are not provided by and through the District’s insurance policies, the District shall pay the costs and expenses incurred by the Directors and employees in the above referenced legal action whether or not they continue as employees or Directors of the District.

3. The District shall be responsible for the payment of any final judgment or authorized settlement of the asserted claims against the defendants, identified above in Paragraph 1, to the extent not covered by the insurance carrier. The responsibility to pay an uncovered judgment is not limited by the type of damages that may be awarded.
4. Nothing herein shall be construed as a waiver by the District of any of the privileges, immunities, limitations or defenses set forth in the Colorado Governmental Immunity Act or which may be otherwise available to it by common law or other applicable statutes, both federal and state.

Dated: September 23, 2015

ST. VRAIN VALLEY SCHOOL DISTRICT RE-1J

By: _____
Robert J. Smith, Board President and Chair

Attest:

Debbie Lammers, Secretary of the Board of Education

MEMORANDUM

DATE: September 23, 2015
TO: Board of Education
FROM: Dr. Don Haddad, Superintendent of Schools
SUBJECT: Request to Grant Exception to Conflict of Interest Policy

RECOMMENDATION

That the Board of Education allow an exception to the current Conflict of Interest Policy GBEA-1. This exception would enable Ana (Kena) Guttridge, a Spanish teacher through the Enrichment Program, to sell fresh produce to the District.

BACKGROUND

Board Policy GBEA-1, Staff Conflict of Interest, states, "No school district employee or firm owned by a school district employee shall be allowed to sell to the district or to school districts served by the school district, goods or services of any kind without express prior written consent of the Board of Education."

Ana (Kena) Guttridge is employed by the District as a Spanish teacher through the Enrichment Program. She is also co-owner of Ollin Farms, a local farm that sells vegetables at the Farmer's Market and supplies vegetables to local grocery stores, restaurants and schools. Since Mrs. Guttridge is an employee and she is also part-owner of a farming business, we are requesting a waiver from Policy GBEA-1 so that Ollin Farms can provide produce to the District as part of the farm-to-school initiatives.

The administration recommends approval of this exception.

MEMORANDUM

DATE: September 23, 2015
TO: Board of Education
FROM: Dr. Don Haddad, Superintendent of Schools
SUBJECT: Follow-Up Discussion with Twin Peaks Charter Academy

PURPOSE

For the Board of Education to receive an update on follow-up discussions with Twin Peaks Charter Academy with regard to the letter that we sent them on June 10, 2015, as well as subsequent requests made of them.

BACKGROUND

The events surrounding the graduation ceremony at Twin Peaks Charter Academy (TPCA) have received notoriety in the press and the attention of elected officials and advocacy groups. The District has limited authority regarding TPCA's principal's administrative decisions and those of its Board. However, the District has a responsibility to ensure that its charter schools do not operate in a discriminatory manner as defined by applicable federal and state laws.

At its June 10, 2015 Regular Meeting, the Board approved that a letter be sent to TPCA's Board President to explain that the District not only concurs in their decision to conduct an external investigation regarding this issue, in particular, but also to inform TPCA that the District's Wellness, Culture and Safety Inventory will assist them, and us, in measuring whether students feel safe at school and free from bullying or harassment. This discussion will be a follow-up to that letter.

June 10, 2015

Ms. Kathy DeMatteo
Board President
Twin Peaks Charter Academy
340 South Sunset Street
Longmont, CO 80501

Dear Ms. DeMatteo:

In the week following the Twin Peaks Charter Academy (TPCA) graduation ceremony, Dr. Haddad was notified about a matter related to the valedictorian's speech. As a result of this information, Dr. Haddad conducted various meetings with the TPCA Principal, advocates for the student, as well as the student and his parents.

On June 2, 2015, the District received a letter from Congressman Jared Polis in which he expressed a more expansive view of the District's role in this matter, but also stated that "*all reports indicate that there was no reason for [the student's] removal as a speaker or the denial of his public recognition other than his sexual orientation.*" On that same day, Congressman Polis requested that TPCA conduct a thorough investigation into the matter. The District concurs with Congressman Polis as to the need for an external investigation, and it is our understanding that TPCA has determined that it will utilize the services of an independent firm that is experienced in such matters.

This Board commends TPCA for taking prompt action on this matter. However, because Congressman Polis' letter refers to other "*reports*" indicating that there are other sources of information which may shed light on this incident, we hope that the investigation will be sufficiently broad to determine if there is a pattern or practice of discrimination towards students or faculty based upon sexual and gender identity.

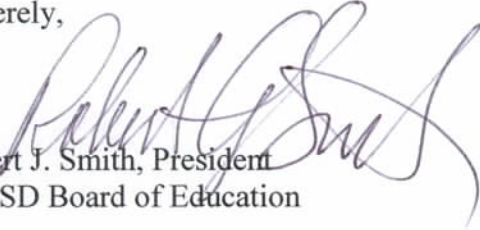
This Board has limited legal authority over TPCA's internal operations and its administration's decision-making, but we do have an obligation to ensure that TPCA's policies and practices are not discriminatory. We look forward to the results of your investigation to assist in a determination if the actions related to the denial of this student's opportunities and privileges at graduation were motivated in whole or in part by a discriminatory intent.

Based upon the results of your investigation, we may determine that additional measures, procedures, or remedial actions should be implemented or considered. Regardless of the results, the District will request that TPCA participate with the District in administering a "Strengths and Needs Inventory" during the upcoming school year which will address such topics as school culture and students' perceptions of safety (such as bullying or harassment) while at school.

Ms. Kathy DeMatteo
June 10, 2015
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Finally, we are aware that an investigation may probe into confidential student records, possibly including disciplinary actions, which may implicate federally protected confidential information. Therefore, we recommend that you seek, and obtain, appropriate consents of the individuals involved.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Smith". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Robert J. Smith, President
SVVSD Board of Education

rjs/bas

MEMORANDUM

DATE: September 23, 2015
TO: Board of Education
FROM: Dr. Don Haddad, Superintendent of Schools
SUBJECT: Executive Summary on Board Policy Manual Overhaul Project

PURPOSE

For the Board of Education to hear a summary report on the progress of the Board Policy Manual Overhaul Project.

BACKGROUND

The Board of Education of the St. Vrain Valley School District (SVVSD) approved a contract with the Colorado Association of School Boards (CASB) on November 13, 2013 to work on the Board Policy Manual Overhaul Project. This Project had CASB representatives review each of the current District policies and identify areas where policy is lacking or needs improvement. Following receipt of monthly CASB recommended policy revisions, additions or deletions, the Committee met with administration policy owners to review each policy and finalize policy revisions, additions or deletions. CASB recommendations were provided and Committee/policy owner review was carried out according to an agreed-upon timeline.

The Board approved a Board Policy Review Committee of three Board members at the February 12, 2014 Regular Meeting. Weekly Board Policy Review Committee meetings were held and were publicly posted. Other Board members and the public were invited to participate.

At this time, the Committee has completed all sections of the Board Policy Manual revisions and has returned those completed copies to CASB for production of the final manual. Section J was completed and approved by the Board on June 24, 2015. The rest of the Board Manual sections were returned to the District by CASB, and the Committee is in the process of proofreading each policy for accuracy. Necessary changes will be made, and then the Board of Education will approve the remainder of the manual in its entirety as soon as possible.