



Board Meeting Agenda

November 1, 2022 from 4:30 – 6:30 p.m.

430 Beacon Lite Rd., Suite 150, Monument, CO 80132

- I. PRELIMINARIES
 - A. Call to order
 - B. Roll call
 - C. Welcome to guests
 - D. Pledge of Allegiance
 - E. Public Comment

- II. APPROVAL OF AGENDA

- III. CONSENT AGENDA
 - A. Approval of October 2022 Board Meeting Minutes (p. 2)

- IV. ACTION ITEMS
 - A. Accel Multi-district Online School Application – Ken Witt (p. 5)
 - B. Policy Review – Ken Witt (p. 126)

- V. DISCUSSION ITEMS
 - A. Legislative Issues and Updates – Amy Attwood (p. 131)
 - B. School/Program Presentation, Summit Homeschool Academy – Dan Snowberger (p. 132)
 - C. Q1 Scorecards – Dan Snowberger (p. 135)
 - D. Request to Reconsider Update – Dan Snowberger (p. 156)
 - E. Policy Review – Ken Witt (p. 161)
 - F. Enrollment Update – Annette Ridgway (p. 168)

- VI. BOARD REPORTS
 - A. Education and Operations (p. 170)
 - B. Finance (p. 172)

- VII. ADJOURN



BOARD of DIRECTORS MEETING AGENDA ITEM COVER SHEET

Board Meeting Date: November 1, 2022

Prepared by: Ken Witt

Title of Agenda Item: (IV. A) Accel Multi-District Online School Application

Item Type: Action Information Discussion

Background Information, Description of Need:

The Multi-District Online Application (MDOA) for ACCEL MDOL is attached. The CDE application form does not require 5-year budget, only 1 year. A 5-year budget is attached as promised last month for this action item.

The application was shepherded by Kindra Whitmyre prior to her departure, and received a preliminary development review and response cycle. Feedback was responded to by the applicant and ERBOCES staff, finalizing this application, which was then submitted to the ERBOCES review panel. The ERBOCES review panel has recommended APPROVE.

I ask that the board APPROVE the ACCEL application.

Relevant Data and Expected Outcomes:

Application attached for approval.

Recommended Course of Action/Motion Requested:

A motion is requested “to authorize the ERBOCES staff to enter into an agreement with ACCEL Online school to operate as a multi-district online school, after approval by the State Board of Education”.



BOARD of DIRECTORS MEETING AGENDA ITEM COVER SHEET

Board Meeting Date: November 1, 2022

Prepared by: Ken Witt

Title of Agenda Item: (IV. B) Policy Review

Item Type: Action Information Discussion

Background Information, Description of Need:

In an effort to maintain compliant, relevant, and effective policy, Education reEnvisioned has formalized an annual review process of Board Policy and Operating Procedures. In each of the coming few board meetings, one or two policy update recommendations will be brought to the board each meeting.

Relevant Data and Expected Outcomes:

There is an inconsistency in board policy concerning sick leave pay-out on termination between PERA and non-PERA staff. Staff recommends striking one sentence in Board Policy 7J, Staff Sick Leave, and Legal has recommended updating policy to align with statutory changes relation to public health emergencies, to wit:

7J. Staff Sick Leave

The Board recognizes that there may be times when an employee is unable to fulfill the duties of his/her position due to illness. Therefore, paid sick leave is provided for full time employees in accordance with this policy.

Paid sick leave may be accumulated up to 90 days at the rate of 12 days per year. Sick leave may be taken for:

1. personal illness, injury, or health condition;
2. personal medical appointments for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition;
3. obtaining personal preventative medical care;
4. personal or family member care as a result of the employee or the employee's family member being the victim of domestic abuse, sexual assault, or harassment; ~~or for~~
5. the necessary care and attendance of a ~~member of the employee's immediate family~~ family member; ~~or~~



6. Due to a public health emergency in which a public official has ordered the closure of the place of work or the place of care of the employee's child and the employee needs to be absent from work to care for the child.

For sick leave purposes, the term "~~immediate family member~~" shall be defined as ~~spouse, partner in a civil union, children and parents. Exceptions may be made by the executive director~~ an immediate family member (related by blood, marriage, civil union, or adoption), a child to whom the employee stands in loco parentis or a person who stood in loco parentis to the employee when the employee was a minor, or a person for whom the employee is responsible for providing or arranging health- or safety-related care.

Paid sick leave can be used in one-hour increments.

Employees do not cash out unused sick leave upon termination of employment. Sick leave is income protection for active employees.

~~An employee who is eligible for retirement in accordance with the Public Employees Retirement Association shall be paid \$100.00 for each accrued sick day not taken.~~

When the need for leave is foreseeable, employees must make a good faith effort to provide advance notification and make a reasonable effort to schedule leave so as not to be unduly disruptive to their job requirement. If the need for leave is not foreseeable then the employees must provide notice as soon as practicable. The employee may be required to provide documentation of the reasons for taking the paid sick leave if for four or more consecutive days, in accordance with the Colorado Healthy Families and Workplaces Act. Evidence of illness may be required for approval of sick leave pay.

Sick leave shall not apply during vacation leave, paid holidays or leaves of absence.

Public Health Emergency Leave

In addition, on the date a federal, state, or local public health emergency is declared and until four weeks after the official termination or suspension of the public health emergency, each employee's accrued paid leave (including all types of paid leave) will be supplemented, as necessary, to ensure that an employee may take the following amounts of paid sick leave for the additional purposes defined below:

1. For employees who normally work forty or more hours in a week, at least eighty hours of paid sick leave;
2. For employees who normally work fewer than forty hours in a week, at least the greater of either the amount of time the employee is scheduled to work in a fourteen-day period or the amount of time the employee actually works on average in a fourteen-day period.



Accrued paid leave counts toward the total described above, meaning the total described above is the new maximum and not in addition to existing, accrued paid leave. Employees may use supplemental leave before other forms of leave. Employees are only eligible for the supplemental paid sick leave in the amount described above once during the entirety of a public health emergency.

Additional purposes for taking paid sick leave during a public health emergency include an employee who needs paid time off to:

1. Self-isolate and care for oneself because the employee is diagnosed with a communicable illness that is the cause of a public health emergency;
2. Self-isolate and care for oneself because the employee is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
3. Seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency;
4. Seek preventive care concerning a communicable illness that is the cause of a public health emergency; or
5. Care for a family member who is self-isolating after being diagnosed with a communicable illness that is the cause of a public health emergency; is self-isolating due to experiencing symptoms of a communicable illness that is the cause of a public health emergency; needs medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency; or is seeking preventive care concerning a communicable illness that is the cause of a public health emergency;

After the four-week period following a public health emergency, any remaining supplemental paid sick leave will be removed from the employee's paid sick leave total.

Updated Nov 1, 2022

LEGAL REF.:

- C.R.S. 14-15-101 et seq. (Colorado Civil Union Act)
- C.R.S. 8-13.3-401 et seq. (Colorado Healthy Families and Workplaces Act)

CROSS REF.:

- GBGF, Federally-Mandated Family and Medical Leave

Recommended Course of Action/Motion Requested:

A motion is requested “to approve updates to policy 7J Staff Sick Leave, as presented”.

A motion is requested “to approve updates to policy 7R Staff Vacations and Holidays, as presented”.

Support Staff and Professional/Technical Staff Vacations

Full-time/full year support and professional/technical staff shall receive paid vacation on the following basis unless otherwise agreed upon by employment contract:

1. Personnel who have worked for Education reEnvisioned BOCES the equivalent of full time/full year from 1-3 years receive 10 days of vacation each fiscal year.
2. Personnel who have worked for Education reEnvisioned BOCES the equivalent of full time/full year from 4-10 years receive 15 days of vacation each fiscal year.
3. Personnel who have worked for Education reEnvisioned BOCES the equivalent of fulltime/full year over 11 years receive 20 days of vacation each fiscal year.

~~All vacation time earned by all employees in the previous fiscal year shall be taken before June 30 of the following fiscal year.~~

Support and professional/technical staff may roll unused vacation days from one fiscal year to the next. However, support and professional/technical staff may only earn and accrue vacation days up to a cap of 1.5 years' worth of vacation. Once the cap is reached, no further vacation days will be earned and accrued until equivalent vacation days are used. For example, an employee who receives 10 days of vacation per year cannot earn and accrue more than 15 total days of vacation. If the employee has reached the cap of 15 days, he/she must use vacation days prior to earning and accruing additional vacation days.

Vacations shall be scheduled at the convenience of the BOCES and as nearly as possible at the convenience of the employee.

New employees whose term of service is less than one full year shall be entitled to paid vacation in the ratio that their length of service bears to a full year.

All unused vacation days shall be paid out upon termination or separation of employment. The maximum payout of unused vacation days is equal to the cap of 1.5 years' worth of earned and accrued vacation days.

Administrative Staff Vacations

All full-time administrative personnel working 260 days per fiscal year shall be entitled to annual vacation leave of twenty (20) days per year unless otherwise agreed upon by employment contract.

Vacation leave for administrative personnel hired after the beginning of the fiscal year will be pro-rated. Vacation leave will be granted at the rate of 1.67 days per month for each month worked during the current fiscal year unless otherwise agreed upon by

employment contract. Vacation leave must be used by June 30th in the fiscal year given. Administrative personnel forfeit any unused vacation leave remaining at the end of the fiscal year.

Administrative staff may roll unused vacation days from one fiscal year to the next. However, administrative staff may only earn and accrue vacation days up to a cap of 1.5 years' worth of vacation days. Once the cap is reached, no further vacation days will be earned and accrued until equivalent vacation days are used. If the employee has reached the cap, he/she must use vacation days prior to earning and accruing additional vacation days.

Vacations shall be scheduled at the convenience of the BOCES and as nearly as possible at the convenience of the employee.

New employees whose term of service is less than one full year shall be entitled to paid vacation in the ratio that their length of service bears to a full year.

All unused vacation days shall be paid out upon termination or separation of employment. The maximum payout of unused vacation days is equal to the cap of 1.5 years' worth of earned and accrued vacation days.

Holidays

The BOCES grants to all full-time (260-day) personnel 15 paid holidays each year. Paid holidays shall include federal holidays and other days as recommended by the administration. The Board-approved calendar shall specify the paid holidays.

Adopt Updated 10-17-17 Nov 1, 2022



BOARD of DIRECTORS MEETING AGENDA ITEM COVER SHEET

Board Meeting Date: November 1, 2022

Prepared by: Annette Ridgway

Title of Agenda Item: Legislative Issues and Update

Item Type: Action Information Discussion

Background Information, Description of Need:

Relevant Data and Expected Outcomes:

Verbal update by Amy Attwood.

Recommended Course of Action/Motion Requested:



BOARD of DIRECTORS MEETING AGENDA ITEM COVER SHEET

Board Meeting Date: November 1, 2022

Prepared by: Dan Snowberger, Director of Education Operations

Title of Agenda Item: VB – School/Program Presentation: Summit Academy

Item Type: Action Information Discussion

Background Information, Description of Need:

This year, new school programs will each make a short presentation to the Board about their new program, its highlights so far in the inaugural year, and any challenges they have encountered. This will provide our board a chance of learning more about our expanded portfolio of school programs.

Today, we welcome Richelle McKim, Director of Summit Academy Homeschool Enrichment Program. Richelle has worked hard to get Summit open this year with numerous facility challenges during the summer. We are excited to partner with her and welcome her to share more with you. Her detailed written report is also attached for your information.

Relevant Data and Expected Outcomes:

This is intended for Board member awareness and information only.

Recommended Course of Action/Motion Requested:

No further action is requested



BOARD of DIRECTORS MEETING AGENDA ITEM COVER SHEET

Board Meeting Date: November 1, 2022
Prepared by: Dan Snowberger, Director of Education Operations
Title of Agenda Item: VC – Q1 Scorecards
Item Type: Action Information Discussion

Background Information, Description of Need:

Attached, please find the first quarter progress reports, previously called scorecards, on all of our school programs. This reporting period provides an opportunity for our schools to reflect on the semester scorecard (previously Q4 scorecard). It also provides school leaders a chance to share highlights from the start of the school year. Please note that the “Staff Comments” are from the BOCES team regarding each school, their progress, and any areas of concern/monitoring.

The scale for the indicators at the top is as follows:

Meets or exceeds expectations - 80% +
Area to watch or caution - 51%-79%
Area or concern - 0%-50%

Should you have any questions, please don’t hesitate to reach out to Dan Snowberger, Director of Education Operations. Detail of each rating have been provided to school leaders.

Relevant Data and Expected Outcomes:

At this time, these progress reports are presented to board members as a part of our oversight as an authorizer.

Recommended Course of Action/Motion Requested:

No further action is required.



BOARD of DIRECTORS MEETING AGENDA ITEM COVER SHEET

Board Meeting Date: November 1, 2022

Prepared by: Dan Snowberger, Director of Education Operations

Title of Agenda Item: VD – Request to Reconsider Update

Item Type: Action Information Discussion

Background Information, Description of Need:

As shared at or last board meeting, our BOCES did appeal the school assignment of Turnaround for Colorado Preparatory Academy Elementary. Due to recently changed State Board of Education Rules, the Colorado Department of Education cannot consider the Request to Reconsider (RTR) as the school failed to achieve 90% of their students being tested in the State assessment program. This Board Rule is in conflict with [C.R.S. 22-7-1013](#) which requires districts to adopt and implement a policy that allows parents to excuse a student from participating in one or more of these state assessments.

As a result, the school category of “turnaround” is being assigned with the majority of the score based on 40 students’ growth in grades 4 & 5 in a school of over 1000 students. In the RTR, we’ve presented data on all grade level students including a nationally normed assessment with over 97% participation of their students.

In checking the status of our Request to Reconsider, the department has once again indicated their inability to act on the RTR due to Board Rules. We’ve received no communication back from the State Board of Education. At this time, our BOCES and school representatives intend to make public comment on November 10/11 State Board of Education meeting.

Relevant Data and Expected Outcomes:

We will keep the Board posted in our progress in this RTR process.

Recommended Course of Action/Motion Requested:

No Board action is requested at this time.



BOARD of DIRECTORS MEETING AGENDA ITEM COVER SHEET

Board Meeting Date: November 1, 2022

Prepared by: Ken Witt

Title of Agenda Item: (V. E) Policy Review

Item Type: Action Information Discussion

Background Information, Description of Need:

In an effort to maintain compliant, relevant, and effective policy, Education reEnvisioned has formalized an annual review process of Board Policy and Operating Procedures. In each of the coming few board meetings, one or two policy update recommendations will be brought to the board each meeting.

Relevant Data and Expected Outcomes:

An update of the sexual harrasment policy, with integration into the TITLE IX process is needed. Both elements are attached for first reading.

Recommended Course of Action/Motion Requested:

First reading, no motion is requested at this time.



BOARD of DIRECTORS MEETING AGENDA ITEM COVER SHEET

Board Meeting Date: November 1, 2022

Prepared by: Annette Ridgway

Title of Agenda Item: Enrollment Update

Item Type: Action Information Discussion

Background Information, Description of Need:

Student October Count is meant to be a snapshot in time that gives a general overview of education in Colorado. Data collected in Student October Count is used to determine district funding. Student October Count for 2022-23 was October 3, 2022.

Relevant Data and Expected Outcomes:

ERBOCES current student count, as of 10/4/22, is 4,326.0 full-time equivalents (sFTE). This is slightly better than plan of 4,304.5 sFTEs. An Enrollment Update, by school/program is included in this packet.

Recommended Course of Action/Motion Requested:

No action/motion is requested at this time.