

BOARD OF EDUCATION
The School District of Independence

12478

The Board of Education met in regular session Tuesday, February 14, 2023, at 6:00 p.m. in the Board Room at the Board of Education Office, 201 North Forest Avenue, Independence, Missouri.

Members Present: Mr. Eric Knipp, President
Mr. Blake Roberson, Vice President
Mrs. Carrie Dixon, Treasurer
Mrs. Jill Esry, Director
Mr. Greg Finke, Director
Mrs. Denise Fears, Director
Mr. Anthony J. Mondaine, Director

Also Present: Dr. Dale Herl, Superintendent
Dr. Lance Stout, Dr. Cindy Grant, Dr. Pam Boatright, Dr. Randy Maglinger,
Dr. Anthony Robinson, Mrs. Leslie Hochsprung, Mr. Dean Katt, Mrs.
Megan Murphy, Mrs. Sherry Potter, Mr. Todd Theen, Mr. Salum Stutzer,
MSTA, PTA, interested patrons, staff, and Ms. Annette Miller.

The meeting was called to order by the President, Mr. Eric Knipp, and minutes of the meeting were recorded by the secretary, Ms. Annette Miller. Mr. Knipp welcomed those in attendance.

Blake Roberson made the motion to approve the February 14, 2023 Agenda as presented. The motion was seconded by Denise Fears and approved by the Board of Education as follows:

Ayes: Eric Knipp
Blake Roberson
Carrie Dixon
Jill Esry
Greg Finke
Denise Fears
Anthony J. Mondaine

Nays:

Mr. Knipp said that several patrons had requested to address the Board of Education this evening. Mr. Knipp read Policy 0412 regarding the process when addressing the Board of Education. Mr. Knipp said the first presenter is Mrs. Marcie Gragg.

Marcie Gragg, 422 W. Farmer Street, Independence, MO 64050. She stated that she was addressing the Board of Education in favor of Agenda Item #10 – Discussing legal counsel attending closed Board of Education sessions. She stated that she was not aware that legal counsel was not always in attendance at closed sessions. She assumed it was the practice and that all local elected bodies do this as many issues deserve careful consideration. She said most elected officials are not legal experts and said there have been a couple of cases when those requesting to address the Board of Education have been told they needed to do it in executive session and she said their comments did not meet the law requirement. Mrs. Gragg said the cost of legal counsel should be considered as whether to spend the money on the front end by having legal counsel present rather than not having legal advice and encountering a lawsuit. She said the cost could be reduced by simply having closed session before open session. Mrs. Gragg said she supports the idea for legal counsel attending all closed sessions and the Board of Education should have conversations about this issue.

Wendy Baird, 2312 Viking Drive, Independence, MO, 64057. Mrs. Baird said that two years ago she spoke to the Board of Education during the time when the District was having virtual classes. She expressed that virtual instruction needed to be improved. She said the Board didn't want to hear that from her. She said that Board Policy and the Board President would only allow her to speak in closed session. She said that none of her remarks were libelous. She said that two months later a Black Student Union was not allowed to address the Board in open session. Mrs. Baird said she created a Facebook page and posted her remarks on it. She said she requested a copy of the minutes from that meeting and was told it could not be shared and those records remain closed. She questioned how many other speakers have had to speak in closed sessions. She talked about the Board having more public speakers appear since 2021. Mrs. Baird said requiring legal counsel being present in closed sessions is appropriate under Missouri state law. She said the Board are volunteers and not expected to know everything. Such an issue happened when the Board of Education approved removing books from elementary libraries. She said some agendas are posted and not discussed. She said the public cannot participate in meetings if they do not know about them. She said she has been pushing for changes but with little progress.

Mr. Knipp thanked each of the presenters for sharing their comments.

Dr. Herl reported that the List of Bills for the month of February is \$8,825,238.20 which is typical for this time of the year. He said one item was listed for approval - Let Bids for District Custodial and Operational Supplies for the 2023-2024 year.

Greg Finke made the motion that the Board of Education approves the February 14, 2023 Consent Agenda as presented:

1. Minutes - January 10, 2023
2. Approval of February 14, 2023 List of Bills totaling \$8,825,238.20
3. Approval of Personnel Recommendation #15
 - A. Request to Assume Retirement status Effective End of the 2022-2023 School Year.
 1. Tasha Barr, First Grade/ Sycamore Hills Elementary School
 2. Amanda Bradford, Kindergarten/ Procter Elementary School
 3. Cheryl Garringer, ECSE Diagnostician/Hanthorn School
 - B. Request to Resign (Certificated Staff) Effective End of the 2022-2023 School Year.
 1. Bree-Ann Bissonnette, Fourth Grade/Mill Creek Elementary School
 2. Kalyssa Brockman, Third Grade/Korte Elementary School
 3. Gloria Gillespie, Fourth Grade/Christian Ott Elementary School
 4. Christina Hall, Third Grade, Fairmount Elementary School
 5. Jenny Hidy, Kindergarten/Bryant Elementary School
 6. Alexandra Leonard, Kindergarten/William Southern Elementary School
 7. Katherine Long, First Grade/Fairmount Elementary School
 8. Jenna Mabee, Vocal Music/Pioneer Ridge Middle School
 9. April McReynolds, Counselor/Jim Bridger Middle School
 10. Jessica Miller, Counselor/William Chrisman High School
 11. Patty Riemensnider, Process Coordinator/Little Blue Elementary School
 12. Jeri Willard, Speech/Debate/Truman High School
 - C. Employment of Certificated Staff Effective Start of the 2023-2024 School Year.
 1. Zachary Baudendistel, Science
 2. Courtney Beamer, Elementary Teacher
 3. Tressa Canaday, Elementary Teacher
 4. Trish Ferolito, Elementary Teacher
 5. Taylor Gibson, Speech/Language Pathologist
 6. Gina Hernandez, Elementary Teacher
 7. Morgan Koch, Special Education
 8. Alexis Lopez, Elementary Teacher
 9. Dennis Luke, Industrial Technology
 10. Sydney Martin, Physical Education
 11. Meredith Morefield, Elementary Teacher
 12. Jenna Nelsen-McMichael, Science
 13. Madeline Nunez, Special Education
 14. Amanda Roberson, Speech Language Pathologist
 15. Rachel Schmidt, Special Education
 16. Jaina Schooley, Elementary Teacher
4. Approval to Let Bids for Custodial and Operational Supplies.

The motion was seconded by Jill Esry and unanimously approved by the Board of Education.

Dr. Herl said the Kansas City Chief's Super Bowl parade is scheduled for tomorrow, Wednesday, February 15th, and there will be no school since the Chiefs won the Super Bowl. He stated that the calendars for the Four Day Instructional Week have been completed and no one will lose any pay. He explained that support staff is on even pay which means their yearly salary is divided into 24 payments as they get paid twice a month. Dr. Herl said that since the January Board meeting, 295 applications have been received compared to the same time last year only 69 applications were received. Of the 295 applications, 146 are for certificated positions and last year only 39 were for certificated positions. Dr. Herl was asked about communication as to what goes out and when? He explained that each situation is handled separately. The number one focus is to have all of the information which sometimes means working with other agencies, police departments, etc. and the District cannot interfere with their investigations. Dr. Herl said the District does not want to put out incomplete information prematurely, and therefore waits until they have a full picture of the issue/incident.

Several new business items were presented for the Board of Education's consideration.

Dr. Herl said Budget Amendments are presented twice a year due to changes in grant amounts, building carryover funds, professional development expenses, coding changes as required by state or federal guidelines, and capital projects related to the Bond Issue. There are 30 pages of changes/adjustments in this Amendment.

Denise Fears made the motion that the Board of Education approves the FY23 Budget adjustments as presented. The motion was seconded by Carrie Dixon and unanimously approved by the Board of Education. (Page 12481)

Dr. Herl said the District is extremely happy with an exceptionally clean Audit. He said there were no material weaknesses but there was one significant deficiency due to the investment of Tennessee Valley Association funds (TVA) which provide the funding for the Phil Roberts scholarships. The State says that investments cannot have a maturity date over five years and the TVA funds are invested for 50 years. Dr. Herl recognized Molly Johnson and Mardie Gardner for their hard work in supplying information to the auditors.

A motion was made by Denise Fears, second by Greg Finke, that the Board of Education approves the Audit for the 2021-2022 school year as presented. The motion was unanimously approved by the Board of Education.

Dr. Herl said the Administration is recommending that Debi Allen again represent the School District on the 2023 Jackson County Board of Equalization as she has met all of the requirements for this position. She will have the authority to defend the District's interest on all protested taxes.

Jill Esry made the motion, second by Blake Roberson, that the Board of Education approves the appointment of Ms. Debi Allen as the Independence School District's representative on the 2023 Jackson County Board of Equalization. The motion was unanimously approved by the Board of Education.

Dr. Stout said the Administration is recommending approving a three (3) year contract with Unite for 10 Gigabit Internet services at a cost of \$33,540.00 per year. Since this was bid through E-Rate, the District will only be responsible for 20% of the price which will be \$6,708.00 per year.

The motion was made by Jill Esry, second by Denise Fears, that the Board of Education approves the three (3) year contract with Unite for 10 Gigabit Internet Services. The motion was unanimously approved by the Board of Education.

Dr. Stout said that based on the need for more security with the District's wireless devices, the Administration is recommending approving a five (5) year contract with Provision Data Solutions for Clear Pass Wireless Management System. This bid was through E-Rate for a cost of \$167,094.00 for the first year and \$22,302.00 for each additional year up to four (4) years. The District will only be responsible for 20% of the total price - \$33,418.80 for the first year and \$4,460.40 per year for the four (4) years after E-Rate is applied.

Blake Roberson made the motion that the Board of Education approves the Clear Pass Wireless Management System bid from Provision Data Solutions for five (5) years as presented. The motion was seconded by Carrie Dixon and unanimously approved by the Board of Education.

Dr. Stout shared that the District's software solutions require yearly maintenance and upgrades. He said the Administration recommends purchasing the annual licenses for Microsoft products for \$126,959.15 under the Education Plus (Missouri Schools) (018-A) Contract.

The motion was made by Jill Esry, second by Greg Finke, that the Board of Education approves the quotes from CDW for \$126,959.15 under the Education Plus (Missouri Schools) (018-A) Contract for the yearly license agreement for Microsoft products maintenance, support, and upgrades. The motion was unanimously approved by the Board of Education.

Dr. Stout said the District provides the Employee Assistance Program (EAP) to ISD employees. The District let bids in December after the current contractor was notified that the District would be discontinuing their services. This decision was due to issues that the District had received and verified. Based on the bids and options received, the Administration is recommending approval of the vendor CuraLinc as the EAP provider effective April 1, 2023 so that employees can receive high quality services.

Carrie Dixon made the motion that the Board of Education approves CuraLinc as the District's new Employee Assistance Program provider effective April 1, 2023 at an approximate annual cost of \$31,920.00 for a period of three years. The motion was seconded by Jill Esry and unanimously approved by the Board of Education.

Dr. Herl stated that the District needs approval, as required by State Statute, to order supplies prior to the 2023-2024 Budget approval in June. He said encumbering the funds now allows for timely ordering and delivery of

Fund	Revenue	Expenditures	Change
11 Scholarship	-	-	-
12 Incidental	357,892.81	1,732,940.79	(1,375,047.98)
15 Nutrition Services	-	259,424.36	(259,424.36)
16 Activity	-	-	-
17 Self Insurance Funds	-	-	-
General - Total	357,892.81	1,992,365.15	(1,634,472.34)
22 Special Revenue	595,118.00	96,888.08	498,229.92
31 Debt Service	-	-	-
41 GO Series 2017B	-	(500,000.00)	500,000.00
42 Capital Projects	168,826.38	1,597,752.07	(1,428,925.69)
45 Nutrition Service Capital	-	-	-
46 Activity Capital	-	-	-
	1,121,837.19	3,187,005.30	(2,065,168.11)

supplies and textbooks for the start of school and for summer projects. Dr. Herl said the District-Wide Purchased Services amount is \$8,127,937.00 for the 2023-2024 year compared to last year's amount of \$9,030,262.00 and supplies for 2023-2024 is \$10,805,418.00 compared to last year's \$10,557,048.00.

A motion was made by Denise Fears, second by Blake Roberson, that the Board of Education approves the preliminary budgets for the 2023-2024 school year for classroom supplies, textbooks, and department supplies as presented for the purpose of encumbering funds for the timely ordering of these items. The motion was unanimously approved by the Board of Education.

Mr. Mondaine had requested that the Board of Education discuss Policies 0411 and 0440. Policy 0411 – Mr. Mondaine questioned should a Board member communicate to the Superintendent and Board President when they want to place an item on the Board Agenda and where is it guaranteed that the item will be on the Agenda? He asked if the Board should specify that all agenda item requests would be placed on the Board Agenda. Mr. Knipp stated that all Agenda Items are reviewed by the Superintendent and Board President. Mr. Mondaine said he wanted to be sure he was doing it the right way. Several Board members said that the Board Policies and Regulations are going to be reviewed by EdCounsel due to the change in Policies Services approved at the last meeting. Mr. Mondaine wanted to know when during a Board meeting can the Agenda be amended. It was explained that the Agenda can be amended at the beginning of the meeting before the motion is made to approve the Agenda as presented. The Agenda can also be amended at the end of a Board meeting, before the meeting is closed, by a motion to amend which has to be approved by a two-thirds vote of the Board of Education.

Policy 0440 – Mr. Mondaine questioned having the whole Board of Education receive the meeting Agenda before it is released to the public. He expressed that the Agenda should be given to the whole Board of Education to review before it goes to the public. Mrs. Fears said the Board of Education receives the Agenda as soon as possible so that it can be released to the public based on the public comment time line. She said she doesn't want to take away time from that option as it would not be good for the public. Mr. Mondaine asked if other districts send the Agenda to their Board for review before it goes public. Dr. Herl and Mr. Knipp said they did not know if this was done but they did not think so.

Mr. Mondaine had requested the discussion of Legal Counsel attending closed Board of Education sessions be placed on the Agenda. Mr. Mondaine said that having legal counsel attend closed sessions would be in the best interest of the Board. He said based on the public comments this evening, there is support for this to happen. Dr. Herl said he had discussed this proposal with EdCounsel and the hourly cost is \$245. EdCounsel said they would need to attend open session, closed session, have prep time, and then follow-up. Legal counsel said they would need to attend open sessions so they would know the context of what happened in open session. The annual cost would be approximately \$10,000-\$13,000. Mr. Mondaine said he talked with people on other boards and they have legal counsel in closed meetings. Mrs. Fears asked which school districts have legal counsel in closed sessions. Mr. Mondaine said he talked with Liberty, Kansas City, and Lee's Summit school districts. Dr. Herl said Kansas City's legal counsel are in-house meaning they are employees of the district. Mr. Mondaine said he will clarify the information and let the Board members know. Dr. Herl stated that according to EdCounsel none of the districts EdCounsel provides services for have them in every closed session. Mrs. Fears said EdCounsel works for approximately 240 school districts in Missouri. She said they have always attended closed sessions when they have been asked. Mr. Mondaine said he would like to have legal counsel in closed sessions for the next three months during discussion of legal issues. He also asked about the process for talking with the attorneys – could he talk directly to legal counsel? Mrs. Fears stated that EdCounsel represents the Board of Education not individual members. If you need legal counsel at a closed session, send the Board President, and copy the Superintendent, listing the reasons why legal counsel would need to attend.

There being no further business to come before the Board of Education, Denise Fears made the motion, second by Jill Esry to adjourn the meeting at 7:03 p.m. The motion was approved as follows

Ayes: Eric Knipp
Blake Roberson
Carrie Dixon
Jill Esry
Greg Finke
Denise Fears
Anthony J. Mondaine

Nays:



Secretary


President