

**ADAMS COUNTY SCHOOL DISTRICT 14
BOARD OF EDUCATION
AGENDA**

Date: August 4, 2020

Adams County School District 14
Board of Education Room
5291 East 60th Avenue, Commerce City, CO

Electronic Participation Meeting

YouTube Video Channel to Watch Live and to Replay

<https://www.youtube.com/playlist?list=PLIDwtDJFYcd04bP2j5u0ZNcWmmuM9oijg>

4:00 PM – Executive Session

- C.R.S. § 24-6-402(4)(b)-Legal Advice; Board to conference with an attorney for the purpose of receiving legal advice on specific matters (COVID-19 relief funds and MGT contract)

5:30 PM – Special Meeting

I – PRELIMINARY

(Please turn all cellular phones off during the meeting.)

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. SUPERINTENDENT’S REPORT

- MGT Presentation
 - Annual Progress for 2019-2020
 - Proposed Contract for 2020-2021

II – BUSINESS ITEMS

1.0 Resolution

- 1.1 Superintendent Recommendation 1-3
Resolution Number 20-012
Resolution Approving the Use of Cares Act Funds for Targeted External Management Response to COVID-19

III – COMMUNICATIONS

- General
- Other

IV – EXECUTIVE SESSION

- C.R.S. § 24-6-402(4)(b)-Legal Advice; Board to conference with an attorney for the purpose of receiving legal advice on specific matters

V – ADJOURNMENT

Board of Education believes:

When the community, students and staff are involved, all students do learn and succeed.

Therefore, our goals are:

1. To ensure all students will be at or above grade level;
2. To continually review programs and policies to ensure students are prepared for the 21st Century;
3. To continue our commitment to sustainable fiscal management and accountability ;
4. To recruit and maintain the best qualified and well-trained work force;
5. To embrace the community as partners in the success of our students.

RESOLUTION NUMBER 20-012

**BOARD OF EDUCATION
ADAMS COUNTY SCHOOL DISTRICT 14
COMMERCE CITY, COLORADO**

**RESOLUTION APPROVING THE USE OF CARES ACT FUNDS FOR TARGETED
EXTERNAL MANAGEMENT RESPONSE TO COVID-19**

WHEREAS, under Colo. Const. art. 9, § 15, the Adams County School District 14 Board of Education has control of instruction in its public schools; and

WHEREAS, pursuant to an Order of the State of Colorado Board of Education dated November 27, 2018, which stayed the removal of the District's accreditation, the Board selected MGT of America Consulting, LLC to act as the Lead Partner and External Management Organization for the District; and

WHEREAS, the Board has delegated to Adams 14 Schools Succeed, a wholly-owned subsidiary of MGT, authority to implement an instructional program and to manage the District's annual budget as adopted by the Board, including state and federal grant dollars that are allocated to the District; and

WHEREAS, the Board's contract with MGT provides for four years of external management, with a scaled annual fee that decreases from \$3,465,000 in year one to \$687,991 in year four, and the 2019–20 school year was MGT's first year as the District's EMO; and

WHEREAS, there is an urgent need for accelerated student learning throughout the District and rapid improvement at both the school and district levels; and

WHEREAS, on March 11, 2020 the World Health Organization ("WHO") characterized the novel coronavirus COVID-19 as a pandemic; and

WHEREAS, on March 10, 2020, Governor Jared Polis declared a state of emergency in Colorado and signed an executive order on March 11, 2020 as a safeguard against the further spread of COVID-19, and on March 18, 2020 Governor Jared Polis signed an executive order suspending in-person learning in public and private schools across the state, which continued through the end of the 2019–20 school year; and

WHEREAS, the State suspended standardized testing for the 2019–20 school year, and the lack of test scores affects the Board's ability to evaluate the District and the District's schools' performance on the State's performance frameworks, as measured in comparison to other Colorado districts and schools; and

WHEREAS, COVID-19 required MGT's staff and the District's instructional and non-instructional staff working under MGT's direction to quickly pivot from in-person instruction to remote learning for the remainder of the 2019–20 school year, which demanded substantial dedication of their regular workdays, and such substantial dedication of employee time has continued in order to mitigate the ongoing impact of the COVID-19 pandemic on summer learning and the upcoming 2020–21 school year; and

WHEREAS, MGT's staff and the District's instructional and non-instructional staff have worked and continue to work hard to meet the challenge of planning, collecting, developing, and implementing curricular materials and lessons so that the District's students could be educated effectively during the COVID-19 suspension of in-person learning and continue to do so remotely in the 2020–21 school year; and

WHEREAS, pursuant to Resolution Number 20-011, the District's students will begin the 2020–21 school year in remote learning due to COVID-19, and it is still undetermined whether and for how long the District will be able to educate students in-person; and

WHEREAS, available academic literature suggests it is likely that students in the District will experience increased learning loss coming into the 2020–21 school year; relative to a typical school year, students this fall are anticipated to return with approximately 50 to 70 percent of the baseline learning gains; additionally, researchers are highlighting “new evidence that the shutdowns caused by COVID-19 could exacerbate existing achievements gaps”; and

WHEREAS, on March 27, 2020, the federal Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) became law and appropriated grant funding for local education agencies to be used for any allowable expenditure incurred on or after March 13, 2020; and

WHEREAS, the CARES Act creates a Coronavirus Relief Fund (“CRF”) to support necessary, unaccounted for local governmental expenditures incurred due to the COVID-19 health emergency between March 1, 2020 and December 30, 2020; and

WHEREAS, the United States Department of the Treasury states that the government officials responsible for spending CRF monies may exercise their “reasonable judgment” in determining what expenses are necessary due to COVID-19, and “[e]xpenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions,” as well as “[e]xpenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions” are expressly recognized as allowable; the Department of the Treasury further indicates CRF monies can be spent to increase broadband capacity and stockpile equipment likely to be needed during the ongoing COVID-19 pandemic; and

WHEREAS, the CARES Act also creates the Elementary and Secondary School Emergency Relief (“ESSER”) Fund to support, among other things: any activity authorized by the ESEA of 1965, the Individuals with Disabilities Education Act (“IDEA”), the Adult Education and Family Literacy Act, the Carl D. Perkins Career and Technical Education Act of 2006, or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act; providing principals and others school leaders with the resources necessary to address the needs of their individual schools; activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population; developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies; planning for and coordinating during long-term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the IDEA, and how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements; and other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency.

WHEREAS, the United States Department of Education states that local education agencies have “considerable flexibility” in determining how best to use ESSER funds and has encouraged local education agencies to “target funding on activities that support remote learning for all students, especially disadvantaged or at-risk students, and their teachers”; and

WHEREAS, the District has been allocated \$66,656,699 in CRF monies and \$1,656,681 in ESSER funds, from the United States, the State of Colorado, and Adams County; and

WHEREAS, MGT proposes to increase the scope of its contracted staff and services support for the District in the 2020–21 school year by approximately 10 percent, at an additional cost of \$770,000 (\$385,000 for each semester) payable from CRF and ESSER funds, and with the addition of three new turnaround specialists, the reallocation of the duties of continuing staff, and the greater engagement of partners SchoolsCubed and 2Partner Mathematics, so that MGT can aggressively respond to the COVID-19 pandemic’s impact on student academic progress and school- and district-level improvement; and

WHEREAS, MGT has assured the District that the above fee will not subsidize or offset salaries and benefits of its executive employees.

NOW, THEREFORE, BE IT RESOLVED that the Board has determined that the additional targeted support proposed by MGT is needed to respond to the COVID-19 pandemic, enable ongoing remote learning, and mitigate the substantial impacts of COVID-19 on student learning; and

BE IT FURTHER RESOLVED that the Board has determined such is an allowable and proper expenditure of CARES Act grant funds; and

BE IT FURTHER RESOLVED that despite the impact of COVID-19, MGT’s work in the District during 2019–20 has shown great promise for future academic gains, and the Board has determined that additional investment in MGT’s capacity for 2020–21 to directly respond to the ongoing pandemic will benefit the District’s students; and

BE IT FURTHER RESOLVED that the Board hereby approves such expenditures within the limits specified herein and directs MGT to ensure proper accounting of expenditures of CARES Act grant funds.

ADOPTED AND APPROVED this 4th day of August 2020.

Ramona Lewis
President, Board of Education

(District Seal)

ATTEST:

Regina Hurtado
Secretary, Board of Education

DATE: August 4, 2020