REGULAR MONTHLY BOARD MEETING
REVISED 3-20-09

March 24, 2009
7:00 P.M.

Educational Support Center
Board Meeting Room
3600-52nd Street
Kenosha, Wisconsin
I. Pledge of Allegiance

II. Roll Call of Members

III. Awards, Board Correspondence, Meetings and Appointments
   • 2008-09 Apple Distinguished School Award
   • Apple Distinguished Educator Award
   • 2009 Youth of the Year
   • Prudential Spirit of Community Award
   • 2008-09 Time Warner Cable Hang Tough Video Contest
   • Spelling Bee Competition
   • MathCounts Competition
   • Battle of the Books
   • Construction Challenge
   • Scholastic Art Awards
   • Middle School Math Competition

IV. Administrative and Supervisory Appointments

V. Introduction and Welcome of Student Ambassador

VI. Legislative Report

VII. Views and Comments by the Public

VIII. Response and Comments by the Board of Education

IX. Remarks by the President

X. Superintendent’s Report

XI. Consent Agenda

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XV. Predetermined Time and Date of Adjourned Meeting, If Necessary
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A special meeting of the Kenosha Unified School Board was held on Tuesday, February 24, 2009, in the Small Board Room at the Educational Support Center. The purpose of this meeting was to vote on holding an executive session to follow immediately.

The meeting was called to order at 5:47 P.M. with the following members present: Mrs. R. Stevens, Mr. Ostman, Mr. Hujik, Mr. Olson, Mr. Fountain and Mrs. P. Stevens. Dr. Mangi was also present. Ms. Taube was excused.

Mrs. P. Stevens, President, opened the meeting by announcing that this was a special meeting of the School Board of the Kenosha Unified School District No. 1. Notice of this special meeting was given to the public by forwarding a copy of the notice to all requesting radio stations and newspapers.

Mrs. P. Stevens announced that an executive session had been scheduled to follow this special meeting for the purpose of Review Findings/Orders by Independent Hearing Officers; Litigation; Personnel: Employment, Problems, Position Assignments, Compensation and/or Contracts, Evaluation Consideration; and Property: Lease/Rental.

Mrs. R. Stevens moved that this executive session be held. Mr. Ostman seconded the motion.

Roll call vote. Ayes: Mrs. R. Stevens, Mr. Ostman, Mr. Hujik, Mr. Olson, Mr. Fountain and Mrs. P. Stevens. Noes: None. Unanimously approved.

Mr. Fountain moved to adjourn to executive session. Mrs. R. Stevens seconded the motion. Unanimously approved.

1. Litigation

Mrs. Glass arrived at 5:48 P.M. and provided Board members with information relating to a litigation claim. A brief discussion followed.

Mr. Fountain moved to disallow the litigation claim. Mr. Olson seconded the motion. Unanimously approved.

2. Personnel: Employment Relationship, Problems, Position Assignments, Compensation and/or Contracts, and Evaluation Consideration

Mrs. Glass presented Board members with several employee contract issues. A brief discussion followed.
Board members discussed the status of the Superintendent search.

Mrs. Glass was excused at 6:00 P.M.

3. **Review Findings/Orders by Independent Hearing Officers**

   Mr. Jones arrived at 6:01 P.M. and provided Board members with information regarding three expulsions.

   Dr. Mangi and Mr. Jones were excused at 6:06 P.M.

   Mr. Hujik moved concur with the recommendation of the hearing officer with respect to the first expulsion. Mr. Fountain seconded the motion. Unanimously approved.

   Mr. Hujik moved to extend the length of the expulsion through the end of the 2009-2010 School year and concur with the recommendation of the hearing officer as modified with respect to the second expulsion. Mr. Olson seconded the motion. Unanimously approved.

   Mr. Hujik moved to remove the option for consideration for the Hillcrest Bridges Program and eSchool and concur with the recommendation of the hearing officer as modified with respect to the third expulsion. Mr. Hujik seconded the motion. Unanimously approved.

   Dr. Mangi returned to the meeting at 6:09 P.M.

4. **Personnel: Employment Relationship and Problems**

   Dr. Mangi provided information to Board members relating to two personnel issues. A brief discussion followed.

5. **Property: Lease/Rental**

   Mr. Finnemore arrived at 6:25 P.M. and updated Board members on a proposed lease agreement. A brief discussion followed.

   Meeting adjourned at 6:30 P.M.

   Stacy Schroeder Busby
   School Board Secretary
A regular meeting of the Kenosha Unified School Board was held on Tuesday, February 24, 2009, at 7:00 P.M. in the Board Room of the Educational Support Center. Mrs. P. Stevens, President, presided.

The meeting was called to order at 7:00 P.M. with the following Board members present: Mrs. R. Stevens, Mr. Ostman, Mr. Hujik, Mr. Olson, Mr. Fountain and Mrs. P. Stevens. Dr. Mangi was also present. Ms. Taube was excused.

Mrs. P. Stevens, President, opened the meeting by announcing that this was a regular meeting of the School Board of Kenosha Unified School District No. 1. Notice of this regular meeting was given to the public by forwarding the complete agenda to all requesting radio stations and newspapers. Copies of the complete agenda are available for inspection at all public schools and at the Superintendent’s office. Anyone desiring information as to forthcoming meetings should contact the Superintendent’s office.

Dr. Mangi presented the National Financial Leadership Challenge awards, the Regional Science and Engineering Fair awards, the All State Student Theater Performance awards and the 100th Year Anniversary of the NAACP award.

There were no Administrative or Supervisory Appointments.

Mrs. P. Stevens introduced the student ambassador, Anthony Pappenfus, from Tremper High School and he made his comments.

Mr. Johnston gave the Legislative Report.

Views and comments were expressed by members of the public and Board members made their responses and/or comments.

Dr. Mangi gave his Superintendent’s report.

The Board then considered the following Consent-Approve items:

Consent-Approve item XI-A – Recommendations Concerning Appointments, Leave of Absence, Retirements and Resignations as presented in the agenda.

Consent-Approve item XI-B – Minutes of the 1/27/09, 1/29/09 and 2/10/09 Special Meeting and Executive Sessions, 2/10/09 Special Meeting and the 1/27/09 Regular Meeting.

Consent-Approve item XI-C – Summary of Receipts, Wire Transfers and Check Registers submitted by Mr. William L. Johnston, Executive Director of Business; Ms. Eileen Coss, Accounting Manager; and Dr. Mangi and excerpts follow:
It is recommended that receipt numbers CR035341 through CR036032 that total $502,026.88 be approved.

Check numbers 426082 through 427552 totaling $7,634,928.96 are recommended for approval as the payments made are within budgeted allocations for the respective programs and projects.

It is recommended that wire transfers to First National Bank of Chicago and Nations Bank dated January 2, 9, 15, 16, 28, and 29, 2009 totaling $4,053,502.92; to US Bank of Milwaukee dated January 8, 15, 22, and 30, 2009 totaling $585,045.98 be approved.

Mr. Olson moved to approve the consent agenda as presented. Mr. Fountain seconded the motion. Unanimously approved.

Dr. Mangi presented the Waiver of Policy 1330 – Use of School District Facilities submitted by Dr. Mangi, excerpts follow:

“Kenosha Touched Twice Free Clinic is requesting a waiver of user fees for use of District facilities. Specifically, they are requesting a waiver of fees for use of Brass Community School on Friday, March 6th and Saturday, March 7, 2009 for a free clinic. Building rental charges for eleven hours are $1,536. Custodial overtime of ten hours would be charged at a rate of $38.02 per hour.

Board Policy 1330.2, Charges for Use of School District Facilities defines requirements for outside groups to use school district facilities. Specifically, Policy 1330.2 states that, “…the Board retains the right to waive or adjust any fees associated with use of District facilities.”

At its February 10, 2009 meeting, the Audit/Budget/Finance Committee voted to forward this waiver request to the full Board for consideration. Administration recommends Board approval of the request from Kenosha Touched Twice Free Clinic for a waiver of rental fees in the amount of $1,536 for use of Brass Community School on March 6 and 7, 2009. It is also recommended that custodial costs, the $20 permit filing fee and the $100 refundable clean-up deposit be the responsibility of organization.”

Mr. Olson moved to approve Waiver of Policy 1330 – Use of District Facilities. Mrs. R. Stevens seconded the motion. Unanimously approved.

Dr. Mangi presented the Request to Form Attendance Area Committee for New High School submitted by Mr. Patrick Finnemore, Director of Facilities, and Dr. Mangi, excerpts follow:

“The purpose of this report is to gain authorization to form an attendance area committee to develop new high school boundaries related to the expansion and renovation of Indian Trail Academy. There are two relevant Board Policies which are provided as the attachment to this report. These policies are Policy and Rule 5320 –
School Attendance Areas and Policy and Rule 5330 – Assignment of Students to Schools.

The committee will be charged with making recommendations related to proposed boundaries for Bradford, Tremper and Indian Trail to the Board for timely implementation. The community approved referendum project was based on opening the school in time for the 2011-12 school year. During the design process, we consciously looked at a design and associated construction schedule that would allow completion of a portion of the additions a year early. This allows the possibility of offering a comprehensive high school option at Indian Trail for freshman in 2010-11. After several discussions with the City of Kenosha there is a strong sense that this is a reasonable assumption, and the construction-phasing schedule for the project is based on this assumption. The remainder of the addition/renovation would still be completed per the original schedule for the start of the 2011-12 school year. If the Board chooses this approach, the new boundaries ideally should be communicated this fall and at the latest by the end of the calendar year, so that proper planning can be done.

At their February 10, 2009 meeting, the Planning, Facilities, and Equipment Committee unanimously approved forwarding this report to the full Board for their consideration.

Administration recommends Board approval to form an attendance area committee to develop new high school boundaries related to the expansion and renovation of Indian Trail Academy as detailed in this report.”

Mr. Hujik moved to approve the Request to Form an Attendance Area Committee for New High School. Mr. Fountain seconded the motion. Unanimously approved.

Dr. Mangi presented the 2008-2009 Summer School Report and Recommendations submitted by Mr. Joseph Banaszynski, Summer School Coordinator; Mr. Milton Thompson, Director of Title I, P-5, Bilingual and Summer School; and Dr. Mangi, excerpts follow:

“It is recommended that the “Forward Progress” program for fifth grade students going to sixth grade continue at all middle school sites.

It is recommended that the Elementary and Middle School Levels continue a configuration of the Summer School schedule that creates two sessions blocked into four-hour classes for 12 days each that works with families, students, and teachers to insure larger cooperation in the Summer School program, and that schools, whenever possible, schedule both reading and math classes at each grade level during both sessions.

Administration is exploring options to increase the summer school staff hourly rates to attract more qualified candidates to teach summer school sessions. A recommended plan to implement will be presented during the budget assumption process.
It is recommended that a component of Summer School be created at the high school level which allows students who failed due to a lack of assignment completion or subject content understanding to be diverted to classes where, under the guidance of a qualified teacher, they complete the work to a satisfactory standard and are then dismissed (See Appendix S1).

At their February 10, 2009 meetings, the Audit/Budget/Finance and Curriculum/Program Standing Committees voted to forward the report to the full Board for consideration. Administration recommends that the Board approve the 2007-2008 Summer School Report and 2008-2009 Summer School Recommendations as presented.”

Mr. Olson moved to approve the 2008-2009 Summer School Report and Recommendations with the exclusion of the Appendix S1 which should be sent back to the appropriate standing committee(s) for further consideration. Mr. Hujik seconded the motion. Unanimously approved.

Dr. Mangi presented Policy 5433 Tobacco Use by Students and Policy 5434 Alcohol and Other Drug Use submitted by Mrs. Kathleen Barca, Executive Director of School Leadership Cluster 1, and Dr. Mangi, excerpts follow:

“School Board Policies and Rules 5433 & 5434 – Tobacco Use By Students and Alcohol and Other Drug Use was reviewed by a committee consisting of the Minority Academic Affairs Specialist, Coordinator of Student Support and an AODA Consultant. A District legal consultant and the Wisconsin Association of School Boards policy consultant also reviewed these policies. Legal counsel was sought and it was confirmed that the policies as revised comply with state statutes that define a District’s responsibilities for keeping students free from tobacco and alcohol use.

The District Alcohol and Other Drug (AODA) Policy and Rule 5434 were last revised in 2002 and District Tobacco Use Policy and Rule 5433 was last revised in 1997. A review of the policies suggested revisions to reflect the current status of alcohol, tobacco/drug abuse in the youth culture and the needs of school administrators to effectively intervene with students who violate school ATODA policy.

In an effort to make policy revisions meaningful and relevant to the school administrators who enforce the policy, a series of interviews and discussions has taken place over the course of the 2005-2008 school years.

Input through “one on one” and group interviews took place with school administrators/deans/counselors from Indian Trail Academy, Bradford High School, Tremper High School, Reuther Central High School, Bullen Middle School, Lance Middle School, Lincoln Middle School and McKinley Middle School. The adjustments in this draft reflect the input of those indicated above and the District AODA Prevention Specialist, visiting Drug Recognition Officers, the District Administrator of Student Support and the Chair of the Administrative Review Committee.
The goal of the adjustments in policy/rule is focused on having consistency in wording between Policy and Rule and between numbered areas of the Rule, having a defined procedure for referral of all AODA violations to Administrative Review Committee, incorporating reference to drugs that may not fall under present policy wording, providing levels of intervention based on the specific violation and student effort to participate in AODA education/counseling when applicable, having a defined intervention for students who have a second violation, recognizing the current severity of prescription drug abuse and prescription drug delivery/sale on school property, and deleting a suggested tobacco intervention no longer supported by grant funds.

Students abusing alcohol and/or drugs often fail to succeed academically. The attached recommended policy draft is offered as an on-going effort to provide meaningful prevention and intervention with students that motivates students to not use alcohol or drugs and guides students who are harmfully involved to change their behavior.

At its February 10, 2009 meeting, the Curriculum/Program Committee recommended that revisions to Policy and Rule 5433 and 5434 be forwarded to the full Board for a first and second reading.

Administration recommends that the Board approve Policy and Rule 5433 - Tobacco Use By Students and 5434 - Alcohol and Other Drug Use By Students as a first reading this evening and as a second reading at its March 24, 2009 regular meeting."

Mr. Olson moved to approve Policy 5433 Tobacco use by Students and Policy 5434 Alcohol and Other Drug Use as a first reading and return the policies to the Personnel/Policy committee for further discussion. Mr. Fountain seconded the motion. Unanimously approved.

Mr. Fountain presented the Donations to the District as submitted in the agenda.

Mr. Fountain moved to approve the Donations to the District as presented in the agenda. Mr. Ostman seconded the motion. Unanimously approved.

Meeting adjourned at 8:10 P.M.

Stacy Schroeder Busby
School Board Secretary
A special meeting of the Kenosha Unified School Board was held on Wednesday, March 4, 2009, in the Small Board Room at the Educational Support Center. The purpose of this meeting was to vote on holding an executive session to follow immediately.

The meeting was called to order at 5:30 P.M. with the following members present: Mr. Hujik, Mr. Olson, Ms. Taube, Mr. Fountain and Mrs. P. Stevens. Dr. Mangi was also present. Mrs. R. Stevens and Mr. Ostman arrived later.

Mrs. P. Stevens, President, opened the meeting by announcing that this was a special meeting of the School Board of the Kenosha Unified School District No. 1. Notice of this special meeting was given to the public by forwarding a copy of the notice to all requesting radio stations and newspapers.

Mrs. P. Stevens announced that an executive session had been scheduled to follow this special meeting for the purpose of Personnel: Employment Relationship, Position Assignments and Compensation and/or Contracts.

Mr. Olson moved that this executive session be held. Mr. Hujik seconded the motion.

Roll call vote. Ayes: Mr. Hujik, Mr. Olson, Ms. Taube, Mr. Fountain and Mrs. P. Stevens. Noes: None. Unanimously approved.

Mr. Olson moved to adjourn to executive session. Mr. Hujik seconded the motion. Unanimously approved.

Mr. Ostman arrived at 5:34 P.M.

1. Personnel: Employment Relationship, Position Assignments, and Compensation and/or Contracts

Board members discussed the Superintendent search.

Mr. Hujik left at 5:35 P.M.

Mrs. R. Stevens arrived at 6:01 P.M.

Meeting adjourned at 6:25 P.M.

Stacy Schroeder Busby
School Board Secretary
A special meeting of the Kenosha Unified School Board was held on Tuesday, March 10, 2009, in the Small Board Room at the Educational Support Center. The purpose of this meeting was to vote on holding an executive session to follow immediately.

The meeting was called to order at 5:32 P.M. with the following members present: Mr. Hujik, Mr. Olson, Ms. Taube, Mr. Fountain and Mrs. P. Stevens. Dr. Mangi was also present. Mrs. R. Stevens and Mr. Ostman arrived later.

Mrs. P. Stevens, President, opened the meeting by announcing that this was a special meeting of the School Board of the Kenosha Unified School District No. 1. Notice of this special meeting was given to the public by forwarding a copy of the notice to all requesting radio stations and newspapers.

Mrs. P. Stevens announced that an executive session had been scheduled to follow this special meeting for the purpose of Review Findings/Orders by Independent Hearing Officers; Litigation; Personnel: Problems; and Collective Bargaining Deliberations.

Mr. Fountain moved that this executive session be held. Mr. Olson seconded the motion.

Roll call vote. Ayes: Mr. Hujik, Mr. Olson, Ms. Taube, Mr. Fountain and Mrs. P. Stevens. Noes: None. Unanimously approved.

Mr. Fountain moved to adjourn to executive session. Mr. Olson seconded the motion. Unanimously approved.

Mr. Ostman arrived at 5:33 P.M.

1. **Review Findings/Orders by Independent Hearing Officers**

   Mr. Jones arrived at 5:34 P.M. and provided Board members with information regarding two expulsions and one rescission.

   Mrs. R. Stevens arrived at 5:40 P.M.

   Dr. Mangi and Mr. Jones were excused at 5:41 P.M.

   Mr. Olson moved concur with the recommendation of the hearing officer with respect to the first expulsion. Ms. Taube seconded the motion. Unanimously approved.
Mr. Olson moved to remove the early reinstatement option and concur with the recommendation of the hearing officer as modified with respect to the second expulsion. Mr. Hujik seconded the motion. Unanimously approved.

Mr. Olson moved to approve the rescission of the third expulsion. Mr. Fountain seconded the motion. Unanimously approved.

Dr. Mangi returned at 5:43 P.M.

2. **Litigation**

Dr. Mangi presented a legal opinion to Board members and a brief discussion followed.

3. **Personnel: Problems**

Dr. Mangi presented a personnel issue to Board members and a brief discussion followed.

Meeting adjourned at 5:57 P.M.

Stacy Schroeder Busby  
School Board Secretary
Kenosha Unified School District No. 1  
Kenosha, Wisconsin  
Summary of Receipts, Wire Transfers, and Check Registers  
March 24, 2009

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Administrative Recommendation

It is recommended that receipt numbers CR036033 through CR036602 that total $602,717.58 be approved.

Check numbers 427553 through 429193 totaling $7,222,393.62 are recommended for approval as the payments made are within budgeted allocations for the respective programs and projects.

It is recommended that wire transfers to First National Bank of Chicago and Nations Bank dated February 2, 12, 17, & 26, 2009 totaling $2,919,896.32; to US Bank of Milwaukee dated February 2, 5, 17, and 19, 2009 totaling $590,364.68 and to the Wisconsin Retirement System dated February 2, and 27, 2009 totaling $2,795,242.78 be approved.

Dr. Joseph T. Mangi                      William L. Johnston, CPA
Superintendent of Schools                               Executive Director of Business
Eileen Coss
Accounting Manager
The Office of State Employee Relations is requesting a waiver of user fees for use of District facilities. Specifically, they are requesting a waiver of fees for use of the Tremper cafeteria on Saturday, March 14th for administration of the civil service exam. Building rental charges for six hours are $318.00. Custodial overtime of eight hours would be charged at a rate of $38.02 per hour for a total of $304.16.

Board Policy 1330.2, Charges for Use of School District Facilities defines requirements for outside groups to use school district facilities. Specifically, Policy 1330.2 states that, “…the Board retains the right to waive or adjust any fees associated with use of District facilities.”

RECOMMENDATIONS

At its March 10, 2009 meeting, the Audit/Budget/Finance Standing Committee voted to forward this waiver request to the full Board for consideration. Administration recommends Board approval of the request from the Office of State Employee Relations for a waiver of rental fees in the amount of $318 for use of the Tremper cafeteria on March 14, 2009. It is also recommended that custodial costs, the $20 permit filing fee and the $100 refundable clean-up deposit be the responsibility of organization.

Dr. Joseph Mangi
Superintendent of Schools
February 27, 2009

Martha Gutierrez
3600 S 2nd Street
Kenosha, WI 53144

Dear Martha:

Wisconsin Personnel Partners (WPP) would like to use the cafeteria of Tromper High School, on Saturday, March 14, 2009. We would need the cafeteria opened at approximately 7:00 a.m. and tables arranged for applicants to sit and write an exam. We would occupy the room until 1:00 p.m. The purpose of our request is to administer a local jurisdiction civil service examination. We require a facility that can accommodate 300 persons for this testing.

We are aware of a room rental fee of $49.00 per hour and by virtue of this letter asking this fee be waived.

Please let me know as soon as possible so our proctors can be advised of the situation. We will need specific directions to the high school as well as parking and entrance information to be able to inform the applicants and avoid any confusion on their part or cause any disruption to any other event that may be going on at the location on that date.

Thank you for your assistance in this matter. I have received and will fax back the contract/permit for use of school property directly to KUSD facilities at (262) 653-7500.

Sincerely,

Debra Bower
WPP Coordinator
Naming of the Baseball Field at Bradford High School

School Board Policy 7410 titled “Naming an Area Within or On a District Site” allows staff or community members to nominate a name for a specific area within a school or on a District site. The Board of Education approves the naming of all District facilities.

The Board agreed to form a committee to explore the naming of the Bradford Field. The committee, comprised of Kenosha Unified Staff and community volunteers, has recommended that the Bradford baseball field be named in honor of Edward J. Wavro. Biographical information will be provided at the meeting.

Recommendation

Administration recommends that the Board approve the naming of the Bradford baseball field the Edward J. Wavro Field.

Dr. Joseph T. Mangi
Superintendent of Schools

Ms. Kathleen Barca
Executive Director of School Leadership
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Funding for Advanced Placement Examinations

At the October 2008 Audit, Budget and Finance Committee the 2007-2008 Advanced Placement (AP) exam costs was presented at the request of the Committee. Also included was the AP Update presented to the full Board in August which delineated the percent of students taking and passing the exams. A discussion occurred regarding students paying for a portion of the AP tests and the decision was to bring this issue back at a future Committee meeting.

In the 2004-2005 budget process, the Board of Education approved reducing the budget for the AP program and transferring the cost of the AP exam to the students. When this change occurred, the number of students taking AP courses was adversely affected. The number of students taking an AP course who then sat for the AP exam dropped from 81% to 49%. The next year, the Board reversed this decision and the District began paying for the full cost of all AP exams.

For this school year, the total cost of the AP exams is projected to be around $90,000. The cost for each exam is $86 from the College Board and the District receives an $8 rebate for each exam and also an additional $22 fee reduction for free and reduced lunch students, resulting in a net cost of $78 and $64 (free and reduced lunch). The total number of projected exams to be administered this year is 921 (79 of them are free and reduced lunch students).

Prior to the January Committee meeting, a set of options was prepared by a member of the Committee to be used as the starting point for a discussion at the Committee meeting. At the January meeting, the Committee discussed different approaches for students to pay for the AP exams ranging from $10 to $25. The Committee also discussed different methods of possibly reimbursing students who successfully passed an AP exam. Administration was directed to review different options and then return with three (3) proposals for the Committee to review and debate.

It should be noted that all of the attached options include requiring all students to pay for a portion of the exam. In 2007, the state legislature started requiring a school district to pay for the AP exams for students who are eligible for free and reduced lunches (State Statute 120.12(22)). As a result, the options and recommendation discussed below are only for the non free and reduced lunch students.

At the February High School Principal’s meeting, these options were provided to the principals to discuss. The overwhelming direction provided by the High School Principals was to charge the students, who are eligible, the full amount of the exam ($86 in 2008-2009) and then reimbursing the student if they pass the exam with a score of three (3) or better. It was pointed out that some colleges accept a score of two (2) to be passing for certain courses. The High School principals felt that the District should still promote a score of three (3) to be passing and only reimburse students who have paid the initial fee and scored a three (3) or better on the exam.
The Department of Instruction (DPI) has indicated that they cannot find that charging students and then reimbursing the student after the successful passing of the exam violates state statutes regarding advance placement legislation. They did indicate that this practice could be construed as “pay for performance” and the District would need to be aware of this perception.

DPI also indicated that most of the districts in the state require the student to pay for the exam, either a nominal amount or the full amount of the test. Only a few districts pay for the entire test for students. DPI claims that those districts that charge a nominal flat fee are seeing better student ownership in the AP course and exam.

Based on all of these discussions, Administration has developed the following options to be considered by the Committee.

Option 1: Continue with the present system with the District paying the full cost of the exam.

Option 2: Students pay a portion of the fee (or the entire fee) and the fee is reimbursed for successfully completing the exam with a score of 3 or better.

Option 3: Students pay a portion of the fee (or the entire fee) and the fee is not reimbursed.

The Committee was made aware that the high school students have already registered for next school year and many of them are scheduled to take AP courses without the knowledge of potentially being required to pay for the cost of the exam. It was also indicated that students actually taking the AP exam must register for the exam in the spring of each year for the AP exams conducted the first weeks of May each year.

The Committee discussed these issues and settled on charging a fee of $25 per exam as a way to obtain student ownership in the course and exam. There was also a discussion regarding student contracts and the applicability of contracts to enhance ownership for students taking an AP course as a first step before assessing a fee. The Committee voted to establish a $25 fee per exam for the 2009-2010 school year for those eligible students and if the student successfully passes the exam with a grade of 3 or better, they will be reimbursed the $25 fee.

Administrative Recommendation

The Audit, Budget and Finance Committee recommends to the Board of Education that a $25 AP exam fee, for each exam, be established for the 2009-2010 school year and added to the District’s Student Fee Schedule. Additionally, if a student successfully passes an exam, then the exam fee will be reimbursed to the student.

Dr. Joseph T. Mangi        William L. Johnston, CPA  
Superintendent of Schools   Executive Director of Business  

David Tuttle  
Talent Development Teacher Consultant
KENOSHA UNIFIED SCHOOL DISTRICT NO. 1  
Kenosha, Wisconsin  
March 24, 2009  

CONTRACTOR SELECTION POLICIES  

Background:  

There are three Board Policies that are relevant to contractor selection (copies of the Policies are included as Attachment 1 to this report); they are:  

- Policy/Rule 3420 - Purchasing  
- Policy/Rule 3711 - Improvement or Maintenance Projects  
- Policy/Rule 7330 - Construction Contracts, Bidding and Awards  

Over the years, the School Board has indicated a preference in hiring union labor where possible and practical; however there are typically some projects performed each year by non-union labor. There are four categories of non-union labor that have been hired to perform work for the District. The first category is in areas/fields where there are few if any local union alternatives such as landscaping, specialty trades, etc. The second category of non-union labor has been in trades that are more weakly represented such as roofing. The third category is in well-represented areas where there were no union bids received on a project. The final category is in well-represented areas where the non-union bid was lower than the union bid. Selection of a non-union contractor in categories 1 and 3 are very simple, although we have received some complaints related to category 3 selections. Category 2 selections can sometimes become political, especially on a large project but typically are not very controversial. Category 4 selections become very political and can put District staff and Board members in a difficult position.  

Our current Board Policies are mute with respect to union versus non-union labor, however they do provide flexibility on contractor selection.  

- Board Policy 3420 states, “Bids shall be evaluated on the basis of District specifications and the selection for purchase shall be made on the basis of the low qualified bid. In the event of identical bids, and all other conditions being equal, a local manufacturer or business merchant shall be given preference in purchase and contracts.”  
- Our Terms and Conditions provided to all bidders on construction projects further states: “The contract shall be awarded to the lowest responsible and qualified Bidder except that the Owner reserves the right to accept or reject any or all bids presented or to accept in part or as a whole any bid advantageous to the District.”
• Board Policy 3711 states, “The Board may approve special rules for specific individual projects upon the recommendation of the Superintendent.”
• Board Policy 7330 states, “The contract shall be awarded to the lowest responsible and qualified bidder, except that the Board reserves the right to accept or reject any and all bids presented”

This is pretty broad language and language that School Board’s are afforded by law.

Recent Contractor RFP Language:

In the RFP for contractor selection for both the 2005 and 2008 referendum projects, we included the following language:

“Indicate your willingness to either sign a labor agreement with our local union trade council and/or to hire subcontractors that employ apprentices trained per standards as determined by the State of Wisconsin Department of Workforce Development (DWD) provided that the subcontractor employs five or more craft workers of trades apprenticeable per the State DWD.”

Other School District Policies:

Staff performed a search to find out what other school districts in the State had with respect to union versus non-union labor in their policies. We did not find language in the policies for the vast majority of the districts in the State; however, we did find language in the policies for Madison Metropolitan School District and Milwaukee Public Schools. Attachment 2 is a copy of the Madison board policy, which is quite explicit related to the hiring of union contractors. The first area highlighted dictates that general contractors on multiple trade projects whose contract exceeds $200,000.00 must be a union contractor. They also have language on work done directly for the Board that allows union and/or local contractors who have submitted bids within 5% of the low bid (if the low bid is a non-union and non-local contractor) to match the low bid. This is pretty strong language.

Attachment 3 is a copy of a page from the Milwaukee Public Schools purchasing policy. MPS does not have direct union versus non-union language but they do have language related to paying prevailing wages. Before we discuss the MPS policy specifically, here is some basic information on the Wisconsin Prevailing Wage Rate Laws.

The State of Wisconsin has three laws that regulate the wages paid to workers who perform projects for the State or for local governmental units (including public school districts). The stated purpose of the laws are to discourage the awarding of contracts to employers who frequently underbid local employers by paying workers substantially less than normally received by workers in the area. The Department of Workforce Development (DWD) administers the laws, and the law covers single-trade projects exceeding $45,000.00 and multi-trade projects exceeding $221,000.00. We are required
to ensure that the DWD performs a prevailing wage determination for each project that meets the prevailing wage criteria. Prevailing wages and fringe benefits are determined by an annual survey of employers in the construction industry in the area and includes the hourly basic rate of pay, plus the hourly contributions for health insurance benefits, vacation benefits, pension benefits, and any other bona fide economic benefit, paid directly or indirectly for a majority of the hours worked in a trade or occupation on projects in an area. In many ways this guarantees that workers in an area like Kenosha working on projects that meet prevailing wage criteria are being paid the equivalent to union wages and benefits.

Now back to the MPS policy. The MPS policy requires that workers employed in any work done by contract for MPS related to the construction area be paid: (1) a sum not less than the current rate of per diem wages paid to district employees who perform the same work, (2) wages adopted by the School Board based on recommendations from the Milwaukee Building and Trades Council for trades not directly employed by MPS, or (3) a rate determined by the State DWD if it is a trade not covered by either of the first 2 categories.

Planning, Facilities and Equipment Committee Meetings:

The Planning, Facilities, and Equipment Committee discussed this subject at three separate meetings on September 9, 2008, October 14, 2008, and December 2, 2008. The September 9th meeting was an initial discussion on the topic and the October 14th and the December 2nd meetings were working sessions used to develop a draft policy including obtaining input from interested people representing contractors and labor unions in the community.

After a great deal of discussion, there were two specific items that the Committee developed proposed language for:

1. A District representative should be present at all bid openings including negotiated construction project subcontractor bid openings:

   Up through and including the Mahone Middle School project, representatives of the Facilities Department staff were present at the bid opening of subcontractor bids by the general contractor/construction manager. After the Mahone project, members of the Board recommended that KUSD representatives no longer be present at the bid openings and the following language was added to Policy 7330:

   “It is implicit within these methods (Negotiated or Design Build) that the general contractor or construction manager may use the most appropriate means of obtaining the best overall price and value for the District.”
The basis for this change was presumably to allow the general contractor/construction manager greater freedom to work with low bidders to lower the cost of the project for KUSD’s benefit. While those freedoms may provide some benefit, it is felt that staff involvement in the bid opening will not preclude that benefit. In addition, staff involvement will help ensure that the bid process is done in a fair and professional manner.

2. A draft Administrative Policy was developed to attempt to provide more clear direction in the contractor selection process.

An Administrative Policy was recommended instead of a permanent Board Policy change. The Administrative Policy would be implemented for a 12-18 month period with periodic feedback to the Committee on how the Policy is working. At the end of the 12-18 month trial period, Administration would formally report back to the Committee and Board on the implementation of the Policy and bring a recommendation for changes to the Administrative Policy and/or Board Policies. Attachment 4 is a copy of the language developed during the Committee meetings. The two key components of the draft Administrative Policy were the definition of a qualified contractor and providing some level of preferential treatment for local contractors.

The following is a list of the criteria that was developed to determine whether a contractor is qualified (This language would be applicable for all single trade projects greater than $20,000 and all multiple trade projects greater than $50,000.):

- Contractors must be deemed qualified and capable of doing the work by the Director of Facilities
- Qualified contractors will have employees that have passed a State of Wisconsin approved training program and participate in a Wisconsin apprenticeship program. They will also offer continuing education programs to their employees where available.
- Qualified contractors will have a substance abuse program that at a minimum will include a random drug-testing program.
- Qualified contractors will be able to abide by all insurance and bonding requirements of the district.
- Qualified contractors will abide by Prevailing Wage Laws as mandated by the State of Wisconsin and must provide certified payroll records if requested to do so by the KUSD.

In addition, language was developed to give preference to contractors based in Kenosha County. Specifically the proposed language stated:

Preference will be given in the following order to contractors subject to the following dollar limits: The district may choose a bid that is not the lowest qualified bid if the difference
between the bids is the lesser of $10,000 or 5% (five percent) of the bid. This will allow the district selection criteria to be adjusted to reflect Board wishes to do business locally.

School Board Meeting:

At the January 27, 2009 School Board meeting several local contractors and union members spoke during public comment about the draft Administrative Policy about their desire to see preference given to union contractors as well as local contractors and to provide further tightening to the language drafted regarding qualified contractors. Board members also provided input and decided that a special meeting of the Personnel/Policy and Planning/Facilities/and Equipment Committees should be held to discuss this issue further.

Joint Meeting of the Personnel/Policy and Planning/Facilities/and Equipment Committees:

A joint meeting of the Personnel/Policy and Planning/Facilities/and Equipment Committees was held on March 4, 2009. The Committees considered the report summarized above along with a memo on the subject (Attachment 5), and voted 8-1 to “approve Administrations’ recommendation to not make any changes to the policies other than to have a district representative(s) present at all bid openings.”

Administration Recommendation:

Administration recommends Board approval to formally allow a district representative(s) to be present at all bid openings including negotiated construction project subcontractor bid openings.

Dr. Joseph T. Mangi
Superintendent of Schools

Mr. Patrick M. Finnemore, P.E.
Director of Facilities
Purchasing in the School District shall be in accordance with state law, accepted purchasing practices, and aligned with the District strategic plan, ethical business practices, and the District’s purchasing guidelines.

Purchases of supplies and equipment shall be made through the established requisition procedure. Approved purchase orders shall be required prior to all purchases.

Any public officer or public employee is prohibited from having any private interest in a public contract except as permitted by state law.

LEGAL REF.: Wisconsin Statutes
Sections 19.59 [Ethical standards for public officials]
66.0131 [Local government purchasing]
66.0607 [Disbursements from the local treasury]
66.0901 [Public works contracts/bids]
120.13(5) [Purchase of books, materials and equipment]
20.13(33) [Spending authority]
175.10 [Procurement for sale to employees prohibited]
946.10 [Bribery of public officers or employees prohibited]
946.13 [Private interest in public contracts prohibited]

CROSS REF.: 3121 Financial Accounting
3321 Student Activity Funds
3422 Exclusivity Agreements with Vendors
3430 Payment for Supplies, Equipment and Services
3522 Milk Program
3651 Hazardous Chemicals
3711 Improvement or Maintenance Projects
3750 Playground Equipment
3800 District Asset Management
4224 Employee Code of Ethics
7330 Construction Contracts, Bidding and Awards
8651 School Board Member Conflicts of Interest

District Purchasing and Requisition Procedure Manual

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: March 26, 1991

REVISED: August 13, 1996
January 12, 1999
October 26, 1999
October 28, 2003
December 18, 2007
A. General
1. The Purchasing Agent will be responsible for the procurement of all District supplies and equipment.
2. In making a selection for purchase, the Purchasing Agent shall attempt to achieve maximum price advantage within quality specifications.
3. Bid specifications shall be developed for larger dollar volume purchases and will be coordinated between the user and the Purchasing Agent.
4. Continuing efforts shall be made to effect savings in purchasing and maintenance through the standardization of specifications for similar items used throughout the District. Proprietary specifications or source procurement for items that will allow such standardization for security or confidentiality requires the approval of the Executive Director of Business Services.
5. Impartial and open consideration shall be given to bids and quotations received from vendors. There will be prompt follow-up on questions concerning vendor orders and vendor services. The Purchasing Agent shall maintain a vendor performance record.
6. Authorized employees are encouraged to purchase high quality items and to make purchases of non-stock items having a value of less than $30 out of petty cash.
7. The Purchasing Agent shall furnish a current Requisitioning and Purchasing Procedures Manual to all principals and departmental administrators.

B. Bidding Requirements
1. A minimum of three bids shall be obtained and documented for all individual purchases over $10,000.
2. All ongoing purchase of supplies, materials, maintenance and repairs should be bid out annually to obtain and ensure the most competitive bidding unless long-term agreements are entered into, which shall be approved by the Executive Director of Business Services.
3. An individual, independent of the bid approval process, shall be responsible for sending out bid requests to vendors, maintaining a record of the bids, documenting the receipt of the quotation and sending letters to all vendors informing them of the bid results. This process should be performed for all District purchases over $10,000 for all departments. Bids for contracted services will have qualification factors identified and included as part of the bid document.
4. Bids shall be evaluated on the basis of District specifications and the selection for purchase shall be made on the basis of the low qualified bid. In the event of identical bids, and all other conditions being equal, a local manufacturer or business merchant shall be given preference in purchases and contracts.

C. Purchasing Authority
Requisitions for equipment, supplies and services shall be approved for funding and coding before the Purchasing Agent proceeds with the purchase. The levels of authority for purchase approval are as follows:
1. The Purchasing Agent shall be authorized to approve purchases up to $50,000 for equipment or services. If the purchase value is from $10,000 to $50,000, three price quotations shall be obtained wherever possible. When it is not possible to obtain three written quotations, approval of the Executive Director of Business Services is required. Documentation must be maintained.
2. Purchases of $50,000 and over for equipment or services shall require the approval of the Executive Director of Business Services.

3. The Purchasing Agent shall be authorized to approve the purchase of supplies and to contract for equipment maintenance agreements in accordance with sound purchasing procedures.

D. Requisitions
1. The principal or departmental administrator shall approve all requisitions. In the processing of requisitions, consideration will be given to availability of service, staff, budgetary appropriations and priority of District needs.

2. Requisitions shall be checked by the Finance Office for authorization, funding and coding prior to forwarding to the Purchasing Office for processing.

3. Each principal or departmental administrator shall keep a record of requisitions submitted for budget control uses.

4. Approved District requisition forms shall be used for specific requisitioning applications.

5. The Requisition and Purchasing Procedures Manual will include procedures for preparing, processing and routing of requisitions, information on warehouse items, criteria for supply and equipment items and a listing of samples of requisition forms in use, and year-end requisitioning procedures.

E. Purchase Orders
1. The authority for issuing purchase orders is delegated to the Purchasing Agent by the Superintendent.

2. Confirmation requisitions/orders require advance approval, by telephone, from the Purchasing Agent before committing the District to a purchase of supplies or equipment. Failure to follow proper procedures may result in disciplinary action, personal liability or return of the merchandise.

3. Only approved District purchase order forms shall be used. The Requisition and Purchasing Procedures Manual shall include instruction for use of requisition/purchase order forms, distribution of purchase order copies, and a sample of the purchase order form in use.
A Major Maintenance Projects list shall be developed annually by the Department of Facilities Services. This list shall be reviewed by the Superintendent of Schools and/or designee for adherence or compliance with the District’s Strategic Plan and Goals. This list, with estimated costs, shall be presented to the School Board’s Planning, Facilities and Equipment Committee for review and comment and then to the Board no later than April 1st of each year. A contingency of not more than 5% of the total budget for major maintenance projects shall be maintained at the beginning of the year for emergent and planned project needs.

Upon approval by the Board, plans and specifications for the projects included on the list shall be developed by the Department of Facilities. Required quotes or bids shall be obtained in accordance with established purchasing procedures. The Board may approve special rules for specific individual projects upon recommendation of the Superintendent.

If actual costs will exceed the approved budget for an individual project, the Superintendent of Schools or designee may approve exceeding the budget by up to $10,000 ($5,000 for projects under $50,000). Board approval must be obtained for amounts greater than this.

Nothing in this policy or rule shall be construed so as to limit the Superintendent’s authority to respond to emergency maintenance conditions that may endanger persons, land, physical plant or equipment, with timely reporting to the Board.

LEGAL REF.: Wisconsin Statutes
Sections 101.11 [Provision of safe workplace]
115.33 [Inspection of school buildings]
120.12(1) [Board duty; care, control and management of district property]
120.12(5) [Board duty; repair of school buildings]
121.02(1)(i) [Safe and healthful facilities standard]
PI 8.01(2)(i), Wisconsin Administrative Code [Safe and healthful facilities regulations]

CROSS REF.: 3110, Annual Operating Budget
3420, Purchasing
3600, School Safety
3700, Facilities Management
3710, Facilities Maintenance
7200, Facilities Planning
7220, Financing Capitalization
7320, Consultant Services
7330, Construction Contracts, Bidding and Awards
District Strategic Plans

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: April 9, 1991
POLICY 3711
IMPROVEMENT OR MAINTENANCE PROJECTS

REVISED: August 13, 1996
December 17, 1996
August 22, 2000
July 24, 2001
January 28, 2003
October 28, 2003
September 25, 2007
December 18, 2007
RULE 3711
RULE 3711
RULE 3711
RULE 3711
RULE 3711

IMPROVEMENT OR MAINTENANCE PROJECTS

Major maintenance should generally be funded out of Fund 10 where possible and capacity enhancement
should generally be funded out of Fund 40 where possible otherwise Fund 10 will be used. In accordance with
the District purchasing procedures, projects estimated to cost less than $10,000 require approval of the
Purchasing Agent. When Facilities Services employees are involved, projects estimated to exceed $10,000
require at least three written price quotations. When it is not possible to obtain three quotations, approval of
the Superintendent of Schools or designee is required. Documentation must be maintained.

When an independent construction manager is utilized, contracts estimated to exceed $10,000, but less than
$50,000, require at least three price quotations. When it is not possible to obtain three quotations, approval of
the Superintendent or designee is required. Documentation must be maintained.

Projects estimated to exceed $50,000 require formal bidding and approval of the Superintendent of Schools or
designee.

Notice of bids for projects in an appropriate trade publication and/or newspaper, may be done for all
contracts, but is required for projects that are estimated to exceed $50,000, unless the bidding has been limited
through a formal pre-qualification process or single-source agreement.

For all major maintenance projects, individual or cumulative change orders adding less than $10,000 ($5,000
for projects under $50,000) require approval of the Superintendent of Schools or designee. Individual or
cumulative change orders adding in excess of $10,000 ($5,000 for projects under $50,000) require the review
of the Board’s Planning, Facilities and Equipment Committee and the approval of the Board upon
recommendation of the Superintendent of Schools.

Individual or cumulative change orders necessitated due to concealed conditions; e.g., sub soil, wall interior,
sub roofing, that are not possible to anticipate, or where the extent of the specified work is not possible to
predetermine, may be approved by the Superintendent or designee, and subsequently reported to the Board, if
time is of the essence in order to mitigate costs and/or a delay in the completion schedule which will result in
unduly disrupting District operations. This is subject to budget availability not to exceed $25,000.

The criteria for selecting major maintenance and capital improvement on a District wide basis shall include
the following:

PROJECTS PRIORITY SETTINGS

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RULE 3711
IMPROVEMENT OR MAINTENANCE PROJECTS
Page 2

Category
Safety – Possible danger may exist; Driven by Federal and/or State regulation(s)
Maintenance – HVAC, roof, electric, plumbing, maintenance, preventive maintenance and other related issues
Educational – Educational delivery may be affected
Comfort – Student/Staff comfort
Enhancement – Issues that can wait without any significant effect to the district operations. However, they will enhance the overall school function.
Capacity – Projects that result in adding and/or enhancing school capacity.
Security – Building security projects (locks, card readers, camera, etc.)

Level
High – Standard, policy, regulation, recommended guidelines, liability
Average – Public perception
Low – No standard, no policy, no regulation

Numeric Ratings

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<td>6C</td>
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Numbers have been assigned to letters A, B and C as follows, A=1, B=2, C=3. These assigned number have been added in order to establish a unique rating number for each priority.

i.e.,  
1A = [1+A(A=1)] = 2
2B = [2+B(B=2)] = 4

Capacity & Security
Numeric ratings are not applied to capacity and security projects. Capacity projects are considered individually once a year as the space needs for the coming year are reviewed based on enrollment projections and other space related factors.

PRIORITIZATION WITHIN CATEGORY 2

Note: This prioritization ranking is for category 2 projects.
1. Boilers/Heating
2. Plumbing
3. Electrical
4. Roofs
5. Exterior Walls/Doors
6. Indoor Air Quality
7. Lighting
8. Security
10. Air Conditioning/Other HVAC
11. Flooring/Asbestos
12. Other Asbestos
13. Asphalt/Concrete
15. Cabinetry/Carpentry
16. Other
POLICY 7330
CONSTRUCTION CONTRACTS, BIDDING AND AWARDS, AND CHANGE ORDERS

Bids shall be received for major facility construction, additions or remodeling in accordance with established rules and regulations.

Bids may be withdrawn prior to the opening of bids. Withdrawals will be allowed after the opening of bids only upon proof of substantial, unintentional error or omission, based on the recommendation of the Superintendent of Schools and subject to School Board approval.

The Board shall make final award of the contract based on recommendations of the Superintendent and receipt of the protection and guarantees required by law and School Board policy and regulations. The protection and guarantees may include certificate of insurance and performance bond.

At the time the School Board makes a final award or contract or at any other time deemed appropriate by the School Board, the School Board may set a fixed dollar amount as an owner's contingency and the same or a lesser amount of that contingency as that which can be used upon the approval of the Superintendent of Schools or designee. When change orders or other expenses not included in the base award exceed the fixed dollar amount established by the School Board, the Superintendent shall recommend acceptance or rejection of the change to the School Board. The School Board shall make the final decision in such cases.

LEGAL REF.: Wisconsin Statutes
Sections 779.14 [Public works; form of contract, bond or remedy]

CROSS REF.: 3326, Payment for Supplies, Equipment or Services
3520, Maintenance of District Facilities
3521, Improvement or Maintenance Projects
3523, Emergency Maintenance Projects
3710, Criteria for Determining Capital Improvement Projects
7331, Protection and Guarantees
7332, Change Orders
7370, Equipment and Furniture

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: June 10, 1991

REVISED: February 13, 2001
October 22, 2002
September 25, 2007
RULE 7330
BIDDING AND AWARDING OF CONSTRUCTION CONTRACTS

1. The Director of Facilities shall be responsible for handling bidding in accordance with established rules and regulations.

2. Advertisements and Solicitation of Bids
   The advertisement and solicitation of bids shall include proper instructions on such items as bid security and deposit for plans. The amount of the plan deposit shall be determined by the extent of the project and shall be included in the advertisement and specification. Advertisement and solicitation of bids may be made in various trade publications or newspapers for competitive bidding.

3. Submission of Bids
   All bids shall be submitted in a sealed envelope with an indication of the work classification for which the bid is submitted and shall be in accordance with the bid specifications. All alternative bids submitted by a bidder shall be in accordance with the bid specifications.
   a. All bids shall be properly signed by an authorized partner or authorized officer of the company. All partners shall sign the bid if being submitted by a partnership, or by the president on bids submitted by a corporation and stamped with their corporate seal. If others sign the bid, a power-of-attorney affidavit shall be attached to the bid evidencing authority to sign the bid in the name of the person for whom the bid is signed.
   b. All bids shall be accompanied by a bid security in an amount determined by the Superintendent of Schools or designee payable to the District. Acceptable bid securities are: bid bond executed by the bidder and a surety company, certified check or money order.
   c. Each bidder shall submit a complete list of sub-contractors with his/her proposal on the form included in the bid specification. No change of sub-contractors shall be permitted by the successful contractor without the written approval of the Superintendent of Schools or designee.
   d. Bids shall be mailed or delivered to the office or area as designated by the bid specifications before the scheduled opening of bids.

4. Bid Substitution
   Substitution bids as suggested by the bidder may be stated on the bid form if listed separately and as a deduction from the base bid for the School Board's consideration. Substitutions shall not be used to determine the low bidder unless all bidders have submitted the same substitution, in which case the substitution will be considered a specified alternate. All substitute bids shall be studied and may be considered as a change order from the successful contractor.

5. Withdrawal of Bids
   Prior to the bid closing time and date, a bidder may withdraw the bid upon request to the Purchasing Agent. Subsequent to the bid closing time and date, a bidder may withdraw the bid only in accordance with Board policy. A request for a withdrawal of a bid after the bid closing time and date shall be submitted in writing to the Director of Facilities outlining the necessity and reason for the request. Withdrawal of a bid may result in forfeiture of the contractor’s bid bond.
6. Opening of Bids
   Bids shall be opened in accordance with Board policy.

7. Awarding of Contracts
   a. Design-Bid-Build Method - The contract shall be awarded to the lowest responsible and qualified bidder, except that the Board reserves the right to accept or reject any or all bids presented or to accept in part or as a whole any bid advantageous to the Board. The low bidder shall be determined solely on the basis of the base bid and specified alternates as accepted by the Board. However, should all contractors in any phase of the work submit the same substitution in the same manner, this substitution will be considered to be a specified alternate in awarding of the contract to the lowest bidder. Regulations concerning low bidder shall be made a part of the instructions to bidders in all specifications.

   b. Negotiated or Design-Build Method – In the event that a building project is engaged utilizing a negotiated or design-build method, the administrative staff shall pre-qualify firms determined to be most capable and present these firms to the Board for interview and selection using a process similar to that described in Rule 7321 for hiring architects. When either of these methods are selected, the bidding policies described in item 3 are waived in the selection of subcontractors to the general contractor. It is implicit within these methods that the general contractor or construction manager may use the most appropriate means of obtaining the best overall price and value for the District.
Construction and Repair of Buildings

1. Contracts:
   a. The BOARD shall let building construction, renovation, alteration and repair contracts, the estimated cost of which shall exceed $15,000, to the lowest responsible bidders.
   b. If a building construction or repair contract exceeds $200,000 and bids are submitted under paragraph a. above, the following criteria shall also apply:
      1. In determining who is the lowest responsible bidder, only those contractors that meet the following criteria will be considered:
         a. For projects that are bid by a "general contractor," meaning that the project covers more than one trade area, the general contractor must have participated in an apprenticeship program as defined in Chapter 106 of the Wisconsin State Statutes within the last two years prior to submitting a bid to the School District. For this purpose, the term "participates" shall mean the contractor has actively employed apprentices within the last two years.
         b. The contractor has not violated state prevailing wage laws within the last two years.
      2. In accordance with paragraph 1(d) under the procedures set forth in this Policy, whenever possible, the preference of the BOARD shall be to select contractors that are signatory with one or more local labor organizations and/or local contractors.

2. Work done to protect the Public Health and Welfare or work done under exigent circumstances:
   a. The provisions of 1.a. above are not mandatory for the repair and reconstruction of public facilities if
      1. The public health or welfare is in potential or imminent danger; or
      2. Exigent circumstances exist.
   b. Work done under 2.a. must have BOARD approval prior to, if possible, or subsequent to, the work being done.

3. Work done directly:
   a. All construction may be done directly by the BOARD without submitting the same for bids.

1/13/03
a. Bids shall be advertised in the official publication on two separate days.

b. No bid shall be received unless accompanied by a bid bond or certified check equal to at least 5% but not more than 10% of the bid, and the contract must be accompanied by a performance bond.

c. The authority to reject any and/or all bids for any reason shall exist on all projects.

d. Subject to paragraph 1 c. above, for contracts that exceed $200,000, the BOARD shall award the bid to the lowest and most responsible bidder except in cases in which the lowest and most responsible bidder is a non-union and non-local contractor.

In such cases, union and/or local contractors who have submitted a bid within 5% of the low bid shall be given the opportunity to match the low bid of the non-union and non-local contractor. If the union and/or local contractor matches the low bid of the non-union and non-local contractor, the union and/or local contractor shall be awarded the bid.

If the low bidder is both non-union and non-local and more than one union or local contractor matches the bid, the contract shall then be awarded in the following priority order:

1. to the contractor that is both union and local
2. to the contractor that is local and non-union
3. to the contractor that is union and non-local

If there is a tie under this procedure because more than one contractor is at the highest priority level, then the award will be resolved by lottery.

Local shall mean a contractor whose main office is within the borders of the Madison Metropolitan School District. Union shall mean a contractor that is signatory with one or more local labor organizations.

e. All warranty/guarantees shall be in compliance with industry standards. (General Conditions of the Contract for Construction - AIA201).

f. Bidder's Proof of Responsibility shall be required.

g. Bids may be separated into any of the following areas: general contract, plumbing, heating and ventilating, and electrical or as determined in the best interest of the School District. However, contracts will not be separated to solely avoid the requirements of 1 b. under the Policy.

h. Bidder's Certificate shall be required.

i. Minimum wage rates shall be paid in accordance with s. 66.0903.

j. In addition to the above, the following are covered in s. 62.15 and s. 66.0901, and if the need arises, they should be checked and used as a guide:

1. Escalator clauses: s. 62.15(1)(a);
2. Increased Quantity clauses: s. 62.15(1)(c);
3. Substantial Compliance: s. 62.15(4)(m);
4. Sureties, Justification: s. 62.15(4);
5. Rejection of Bids: s. 62.15(5) and s. 66.0901(4);
6. Patented Material or Process: s. 62.15(7);
7. Alternative Plans: s. 62.15(8);
8. Estimates, Deposits: s. 62.15(10);
9. Default, Completion: s. 62.15(10);
10. Proof of Responsibility, Condition Precedent: s. 66.0901(3);
11. Corrections of Errors in Bids: s. 66.0901(5);
12. Settlement of Disputes, Defaults: s. 66.0901(8).
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8. Estimates, Deposits: s. 62.15(10);
9. Default, Completion: s. 62.15(10);
10. Proof of Responsibility, Condition Precedent: s. 66.0901(3);
11. Corrections of Errors in Bids: s. 66.0901(5);
12. Settlement of Disputes, Defaults: s. 66.0901(8).

1/13/03
orders collectively exceed $25,000. The report should include a complete description of the original scope of work of the contract/order and all modifications as provided by way of the change orders.

(c) Change orders or modifications to existing contracts or to purchase/service orders for maintenance, new construction and remodeling, and purchase, rental, or lease of materials, supplies, equipment, and computer systems/software require Board approval before they are executed if the change orders or contract modifications are collectively valued at $50,000 or more. If conditions or costs make seeking Board approval in advance of execution prohibitive, the superintendent or his designee must approve the purchase or change order before it is executed. The modification or change order will be reported to the Board at the earliest opportunity.

(d) Contract and purchase/service order additions or extensions that raise the value of the contract to $50,000 or more must be approved by the Board. The Board may order that the addition or extension be put out for competitive bid. The extension may be executed only after it is approved by the Board.

(e) The Division of Diversity and Community Engagement must be informed of all change orders to determine whether the change affects the HUB, COIN, and Student Engagement requirements.

(7) **Wage Requirements**

(a) **Livable Wage**

All Milwaukee Public Schools employees and all employees of Milwaukee Public Schools' contractors, vendors, and consultants shall be paid a minimum of seven dollars and seventy cents ($7.70) per hour for any and all work performed directly or indirectly for the Milwaukee Public Schools. This policy does not apply to MPS students who are hired to perform work.

(b) **Prevailing Wage**

1. All skilled and unskilled laborers employed in any work done by contract for the Milwaukee Public Schools, by any contractor or subcontractor performing work for the MPS, for either new construction, renovation, repairs, or maintenance on any MPS facility or grounds, shall receive and be paid a sum not less than the current rate of per diem wages established by the Board of School Directors. Said current rate of per diem wages is fixed at sums which shall not be less than constituting a day's work for similar work done by direct employment.

2. In the case where the Board does not employ a similar classification of employees, the wages paid are to be those as adopted annually by the Board as submitted by the Milwaukee Building and Construction Trades Council (MBCTC), or if a rate is not listed by the MBCTC, it shall be as determined by the State of Wisconsin's Department of Workforce Development. Wages are defined as the base hourly wage rate, plus the required benefit package.

(8) **Insurance**

All contracts must contain the minimum insurance requirements as specified by the Division of Insurance & Risk Management.

(9) **Formal Bids and Proposals**

(a) Any bid/proposal that must be approved by the Board shall be defined as Formal.

(b) Pre-qualification. The Board may require that prospective bidders pre-qualify as to responsibility and competence.

(c) Advertising. All solicitations of formal bids or requests for proposals shall be publicly advertised in the Daily Reporter, on the MPS website, and through other local publications and media deemed appropriate.

(d) Receiving Bids/Proposals. All formal bids or proposals shall be sealed and received in the appropriate administrative office prior to the date and time set for opening. Bids or proposals received after the date and time set for opening shall not be accepted.

(e) Opening of Bids/Proposals. Formal bids or proposals shall be publicly opened and read at the date and time specified. All bids/proposals shall become the property of Milwaukee Public Schools.
PROPOSED ADMINISTRATIVE POLICY LANGUAGE
GOVERNING CONTRACTOR SELECTION

Policy Objectives: Help KUSD negotiate best possible pricing on building and maintenance projects that require outside contractors.

1. District Representative should be present at all bid openings.
   a. Contractor and the Director of Facilities or designee should continue to be allowed the latitude to negotiate best deal for the district, but district personnel should participate and be aware of specific negotiations.

2. District should continue to search for most cost effective way to complete any given project.
   a. All contractors bidding for jobs greater than $20,000 for a single trade or $50,000 on a multi-trade project should be required to be deemed qualified contractors per the following criteria:
      i. Contractors must be deemed qualified and capable of doing the work by the Director of Facilities
      ii. Qualified contractors will have employees that have passed a State of Wisconsin approved training program and participate in a Wisconsin apprenticeship program. They will also offer continuing education programs to their employees where available.
      iii. Qualified contractors will have a substance abuse program that at a minimum will include a random drug testing program.
      iv. Qualified contractors will be able to abide by all insurance and bonding requirements of the district.
      v. Qualified contractors will abide by Prevailing Wage Laws as mandated by the State of Wisconsin and must provide certified payroll records if requested to do so by the KUSD.
   b. Preference will be given in the following order to contractors subject to the following dollar limits: The district may choose a bid that is not the lowest qualified bid if the difference between the bids is the lesser of $10,000 or 5% (five percent) of the bid. This will allow the district selection criteria to be adjusted to reflect Board wishes to do business locally.
      i. Local qualified contractors based in Kenosha County will be given preference on projects subject to limits approved by the Board.
c. The Board will retain the right to refuse any bid and select other contractors. However, if the Board chooses to select a contractor whose bid exceeds the lowest available bid by more than the dollar or percentage limits of this policy, the Board must do so via a vote in open session.
The purpose of this memo is to supplement the formal Committee report regarding Contractor Selection Policies being discussed at a special meeting of your two committees on March 4, 2009. In the end, the resolution of this issue is up to the School Board and since six of the Board members are represented between the two committees, this meeting will in many ways determine the route we take on this subject. I have given a great deal of thought to this subject over the past several years typically when confronted with a decision that has the potential to be controversial. It was my opinion that if criteria could be developed to formalize the decision-making process, that we could somehow reduce or eliminate potential controversial decisions.

I brought this idea before the Planning, Facilities, and Equipment Committee a year ago, and the Committee recommended that we keep the Policies as they are and continue to address the issue on a case-by-case basis. Since that time, the number of non-union bids on projects has went up and during a discussion with the Board about a specific project, I recommended that we look once again as to whether policy changes are warranted. The Board still had reservations but gave me permission to bring the issue before the Planning, Facilities, and Equipment Committee once again for discussion. Members of the contractor community and local trade labor unions participated in the Committee meetings offering their input. The Committee listened to all of the various opinions and drafted a temporary administrative policy that was a compromise of the varying opinions.

There are times when a compromise is an excellent means of gathering ideas from different parties and developing a solution that takes the best ideas and creates something better than the sum total of the individual parts. This is especially true when all of the parties involved have a common goal but differing opinions on how to reach that goal. There are also times when a compromise is not a good solution to an issue, namely when the parties involved have diametric opinions or beliefs on the subject. I believe that this is the case with this particular subject. I can honestly say that everyone involved in the Committee meetings did exactly what I had hoped they would, they brought their own ideas, they were open to the ideas of others, and they worked together to try to come to an agreement. The Committee members did an excellent job of collating all of the input and developing a draft document that reflected a compromise of the varying opinions, and I brought that draft forward as a recommendation to the full Board.
At the Board meeting, some of the folks involved in the Committee meeting came and spoke on behalf of their companies or the unions they represent presenting the same information they brought up in the Committee meetings. These folks understood what the Committee had done, and I believe they respected the Committee member’s efforts, but in the end felt that a compromised solution was not what they wanted. Initially I was frustrated by this because my opinions and recommendations were also part of that compromise, but as I thought about the issue the past few weeks, I kept coming to the same conclusion and that was that the compromise solution was quite frankly not addressing the issue that I had originally wanted to address. It was creating more controversy not less, and would make our contractor selection process more limiting which is certainly not something I intended when this all started.

At the Board meeting, a couple of the Board members not on the Planning, Facilities, and Equipment Committee stated to the effect that they do not see a reason to change our current policies. Those statements were consistent to what the Planning, Facilities, and Equipment Committee said a year ago when this was previously discussed. Knowing that in the end, the School Board has the final decision-making authority and that the feelings of many, if not all, of the Board members is that the current policies are acceptable to them, I think the solution is to keep things as they currently are. I discussed this issue sometime after the January Board meeting with Gib Berthelsen and Gib felt strongly that we should maintain as much discretion as possible in our policies. He referred me to some articles written by the legal counsel to the Wisconsin Association of School Boards. A copy of one of the articles is attached for your review. One of the key points in the article states:

“When adopting bidding procedures school boards should take caution not to select procedures that could be construed as limiting their discretion. For example, boards should avoid bidding procedures that contain specific directives to the board such that if the listed criteria are met, a particular outcome necessarily follows.”

Based on all of the feedback I have received from the Board, Gib Berthelsen, and my own observations that a compromised solution in this case would not be an improvement, I recommend that we do not make any changes in regards to our contractor selection policies other than the approval to have a district representative(s) present at all bid openings as described in the Committee report.
REUTHER EXTERIOR MASONRY PROJECT

Background:

During fiscal 2006/2007 we began to observe conditions indicating that Reuther’s exterior limestone façade was beginning to fail. Over the past year, pieces of stone have began to break free and fall from the building; most noticeably from the window heads on the west and east façade. Masonry joints in vertical wall sections are either loose or missing, and water infiltration damage has caused extensive corrosion and failure of the buildings concealed structural steel members.

Early in fiscal 2007/2008 repairs were made to the cornice on the south façade as part of our major maintenance program. The cornice is the part of the exterior wall that extends out near the top of a building. At Reuther, the cornice projects more than three feet away from the building in many locations. On the south elevation a piece of stone at the cornice had cracked and moved from its normal position. While the stone was not in immediate danger of falling, repair was required to prevent further failure. Tuck-pointing, resetting loose cornice stones and repairing damaged flashings where all addressed in a very small area of the south façade as part of this project.

The masonry restoration specialist involved in the cornice repair was contracted to inspect the entire buildings cornice and window head locations for other potentially dangerous conditions. This inspection has confirmed that deterioration of the buildings structural steel and anchors supporting the limestone façade are in need of immediate repair. Significant invasive repairs must be performed as soon as possible to fix the problem. Deferral of these issues to a later date will expose the district to greater risk of loss and/or harm to its students and staff.

Because Reuther High School is part of the Federal Historic District 89000069, Civic Center Historic District; it will not be possible to utilize construction materials and methods that do not match the existing building. The structure must be repaired according to the historic guidelines set forth by the Federal government and the state of Wisconsin.

School Board Approved Plan:

At their May 27, 2008 meeting, the School Board approved the following plan which is excerpted from that meeting’s report:
At this point in time, we really do not know the full extent of the problem. We do know that the visual effects of the problems are much more significant this year than they were last year and that has increased our level of concern. We are also concerned because although the extent of the problem is unknown, corrective actions are expected to be very expensive, well beyond what we normally spend on exterior envelope major maintenance District-wide.

In order to fully characterize the extent of the problem and develop a detailed cost estimate, it is recommended that we perform a comprehensive deconstructive investigation of one area of the building in 2008. This investigation would include evaluating and repairing/replacing as necessary the following:

- Access to underlying issues
  - Structural steel and corrosion
  - Water incursions
  - Water handling
- Corroded steel
- Fatigued materials
  - Steel
  - Stone and brick masonry
  - Structural concrete
- Moisture handling
  - Waterproofing of vulnerable materials within the wall
  - Wicking of moisture infiltration

It is expected that the work proposed for 2008 would cost approximately $900,000. Once the work this year would be complete, we would be in a position to quantify the cost to repair the entire exterior of the school, and would bring that information back to this Committee and the Board for funding consideration. At this time it is difficult to estimate what that cost might be, but based on work done on similar type buildings, it could be on the order of $10,000,000. This obviously is a huge number and something that would be difficult to fund, but it is our current opinion that the work will need to be done and we are proposing the following plan based on the current estimate:

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<th>Year</th>
<th>Process Description</th>
<th>Cost $</th>
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<td>2008</td>
<td>Investigative repair, scope and design of final repair scenario and contractor selection. GMP will be set at the end of this process. A portion of the rehab will be completed during this process.</td>
<td>$900,000</td>
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<tr>
<td>2009</td>
<td>Construction begins January 1, 2009.</td>
<td>$5,000,000</td>
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Results of Investigation and Proposed Project Scope:

The largest portion of the preliminary investigation and associated corrective actions has been completed. The Attachment to this report provides a detailed summary of the findings and the proposed corrective actions. On the negative side, the problems at the third floor level are worse than we had hoped for; however, the conditions at the first and second floor levels are better than we hoped for. We asked the consultant who developed the design scope and is overseeing the project on our behalf and the contractor who is doing the preliminary scope to independently estimate the cost for the entire project. The consultant’s estimate is $8.2M and the contractor’s estimate is $8.5M. Both parties have indicated that because of the uncertainty in what we may encounter in each area of the building, that we should maintain a fairly large contingency.

Based on the information gathered and the two estimates, we are recommending that we plan a project around the $8.5M estimate from the contractor but that we be prepared to spend as much as $10.0M if conditions require. A detailed scope is being developed and the project will be competitively bid through a Request for Proposal process. Bidders have recently been pre-qualified through a Request for Quotation process. The three bidders that have been pre-qualified are: Berglund Construction, Bulley & Andrews LLC, and Mark 1 Restoration Company. It is expected that the project would begin in June and would take approximately 18 months. The work directly outside classroom areas will be scheduled for the summers of 2009 and 2010, and the areas outside common type spaces such as the auditorium will be done during the school year. Scaffolding will remain up but work will halt during the coldest of the winter months.
Funding Source:

Funding for a project of this magnitude is well beyond the major maintenance budget; therefore, some form of financing will be necessary to pay for the project so that it can be completed in the approximately 18-month timeframe. If we tried to split the project up in small pieces we would be expending substantially more money because of the massive mobilization costs and we would be taking risks beyond what we see as reasonable. The financing for this project will be a combination of the best borrowing option and available District funding sources. Borrowing options include a direct District borrowing, a Federal Qualified Zone Academy Bond, or a new School Construction Bond funding source included in the Federal economic stimulus package (Note that although earlier versions included direct funding opportunities for major maintenance type projects, the final economic stimulus package passed by Congress and signed by the President does not contain any direct funding for school districts). The Finance Department will pursue and evaluate the financing options and make a determination on what is the best option. A summary of the financing will be included in Committee updates on the project.

The Planning, Facilities, and Equipment Committee reviewed this report at their January 13, 2009 meeting and unanimously approved that it be forwarded on to the full Board for their consideration. The Board reviewed the project as an informational item at their January 27, 2009 meeting. A formal recommendation from Administration was not included at that time pending a final decision by Congress on whether school construction funding was going to be included in the economic stimulus package.

Administration Recommendation:

Administration recommends Board approval of the Reuther exterior masonry project as detailed in this report. Administration will bring periodic updates to the Planning, Facilities, and Equipment Committee on the status of the project, and to the Audit, Budget and Finance Committee on the funding of the project.

Dr. Joseph T. Mangi
Superintendent of Schools

Mr. William L. Johnston, CPA
Executive Director of Business

Mr. Patrick M. Finnemore, PE
Director of Facilities

Mr. John E. Setter, AIA
Project Architect
HEAD START FEDERAL GRANT REQUEST FOR THE 2008-09 SCHOOL YEAR

Approval from the Board of Education is requested to submit and implement the Head Start Federal Grant for the 2009-10 school year. The funding for this grant is $1,905,654. The grant is designed to fund the operating costs of the Kenosha Unified School District Head Start Child Development Program.

Grant Title
Federal Head Start Grant

Funding Source
U.S Department of Health and Human Services
Administration for Children and Families

Grant Time Period
July 1, 2009 to June 30, 2010

Purpose
The purpose of the Head Start program is to provide comprehensive services in the areas of health, education, social services, and parent involvement for low-income preschool children and their families. This grant will service 330 high-risk children that will be three or four years of age on or before September 1, 2009. Funds will be utilized to serve the children and their families in all program component areas as required in the Head Start Act and through the Head Start Performance Standards.

Number of Students Served
330 Eligible Head Start Students

Relationship to District Strategic Plan and Goals
The Head Start program goals directly correlate to the District’s objectives to have:
- All students meet or exceed the District and state identified proficiency levels for performance in reading, math, science and social studies by 2010.
- All students participate in meaningful service projects annually.
- All students consistently demonstrate respectful and responsible behavior within our diverse school community.
- All students will meet our requirements for graduation.

The District’s Pre-School Standards and Benchmarks and the Head Start Performance Standards serve as a framework for all Head Start programming. By working with the children early in their lives, we have an opportunity to imprint the value of education on the child and his/her family. A positive value of education will impact the District objectives.
Fiscal Impact
See attached Fiscal Impact statement.

Changes in Program Services

The Federal Grant funding award for the 2009-10 school year remains at the same level as the 2008-09 school year. As a result of the stagnant funding Head Start will need to revise current programming. To balance the budget the following changes will be made to the program:

- A senior DPI certified teacher will be cut from Head Start and reassigned within the District. A non-certified pre-school associate will be hired for this position.
- No field trips requiring bussing and/or entrance fees will be funded.

These are the changes that this grant request is based around. There remain many unknown factors that may impact the budget and require deeper cuts. The budget will be revised if those are needed.

Evaluation Plan

- The Head Start program meets a community need for the services that it provides. This will be evident through the maintenance of a Head Start waiting list of families that qualify for the program.
- Achievement of the 2009-10 KUSD Pre-school Strategic Plan goals.
- Student outcomes to be monitored in the eight outcome areas required by Head Start for each individual child and the growth of the child will be reported to parents/guardians three times during the school year.
- Semi-annual Program Report to the Policy Council and School Board.
- Semi-annual Program Plan Report to the Head Start Region V office in Chicago.
- Head Start monthly reports (HS 22) to the Policy Council and School Board.

Staff Person in Charge of Program
Belinda Grantham, Head Start Administrator

Staff Persons involved in preparation of the grant application:
Yolanda Nava, Policy Council Chair
Lynda Dower, Family & Community Coordinator
Kim Kurklis, Disabilities Coordinator
Yolanda Nava, Policy Council Vice-President
Kathleen O’Neill, Education Coordinator
Jodee Rizzitano, Health Coordinator

Administrative Recommendation
Administration recommends that the School Board approve submission and implementation of the 2009-10 Federal Head Start Grant Request.

Joseph Mangi              Kathleen Barca
Superintendent of Schools Executive Director of School Leadership

Belinda Grantham
Head Start Administrator
Fiscal, Facilities and Personnel Impact Statement

Title: Head Start Federal Grant Request  
Budget Year: 2009-2010

Department: Head Start  
Budget Manager: Belinda Grantham

REQUEST
Approval from the Board of Education is requested to submit and implement the Head Start Federal Grant for the 2009-10 school year. The funding for this grant is $1,905,654. It is designed to fund the operating costs of the Kenosha Unified School District Head Start Child Development Program.

RATIONALE/ INSTRUCTIONAL FOCUS
This grant serves the academic social/emotional and health needs of low-income three and four year old children and their families. Children who qualify must reside within the boundaries of KUSD. Providing these children a base of strong academic skills, self esteem, and a love of learning will lead to stronger attendance, academic performance and higher graduation rates.

IMPACT
This Head Start grant provides:
- Funding for staffing (teachers and educational assistants) to serve 330 children within the guidelines of the Head Start Performance Standards.
- Funding for support staff (family service providers, coordinators, director) for families of Head Start children as specified in the Head Start Performance Standards.
- Funding for the lease of the Cesar Chavez Learning Station.
- $26,690 of this grant is marked for Training/Technical Assistance as per requirement of the Federal Head Start grant.

BUDGET IMPACT

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<tr>
<th>Object Level</th>
<th>Descriptive</th>
<th>Amount</th>
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<tr>
<td>100’s</td>
<td>Salaries</td>
<td>$960,156.00</td>
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<tr>
<td>200’s</td>
<td>Fringes</td>
<td>$662,045.00</td>
</tr>
<tr>
<td>300’s</td>
<td>Purchased Services</td>
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<tr>
<td>400’s</td>
<td>Non-Capital Objects</td>
<td>$10,508.00</td>
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<tr>
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<td>Dues/Fees</td>
<td>$57,170.00</td>
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TOTAL $1,905,654.00

This is a □ one-time or a ✗ recurring expenditure

FUNDING SOURCES
Select Funding Sources:
OPEN ENROLLMENT APPLICANTS FOR SCHOOL YEAR 2009/2010

During the 1997 Wisconsin legislative session, a Public School Enrollment Law was enacted to become effective with the 1998-99 school years. Wisconsin Statutes 118.51 and 118.52 mandated that all Wisconsin schools adopt an inter-district open enrollment policy. On January 27, 1998, the Board of Education adopted School Board Policy 5260 - Full-Time Public School Open Enrollment. This policy determines the circumstances under which student applications for enrollment under the Public School Open Enrollment Law are accepted or denied.

Under the Public School Enrollment Law, Kenosha students who wish to enroll in a school outside the District and students from other districts who desire to attend a school in the Kenosha Unified School District were required to submit applications to the Office of School Leadership – Cluster II no later than 4:00 pm February 20, 2009. The District is required to notify open enrollment candidates if they have been approved or denied no later than April 10, 2009.

One hundred and eighty-five students from Kenosha Unified School District have applied for admission to schools outside of Kenosha under the guidelines of open enrollment. Below is a listing of the applicants by grade level.

<table>
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<tr>
<th>Grade Level</th>
<th>Number of Students</th>
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<tr>
<td>4 yr and 5 yr. Kindergarten</td>
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<tr>
<td>1</td>
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<tr>
<td>2</td>
<td>18</td>
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<td>11</td>
<td>14</td>
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<tr>
<td>12</td>
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</tr>
<tr>
<td>Total</td>
<td>185</td>
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</table>
One hundred and sixty students from school districts outside the Kenosha Unified School District have applied for admission to Kenosha Schools under the guidelines of open enrollment. Below is a listing of the applicants by grade level and administrative recommendation.

**Students applying INTO KUSD**

<table>
<thead>
<tr>
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<th>School</th>
<th>Administration Recommended</th>
<th>Administration Denied</th>
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<tr>
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<td></td>
<td>8</td>
<td>6</td>
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<tr>
<td>1-5</td>
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<td>6-8</td>
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<td>9-12</td>
<td>ITA</td>
<td>6</td>
<td>3</td>
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<td></td>
<td>Lakeview</td>
<td>2</td>
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<td></td>
<td>Harborside</td>
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<td>1</td>
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<tr>
<td></td>
<td>e-school</td>
<td>89</td>
<td>13</td>
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<td></td>
<td>Tremper</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Kenosha Military Academy</td>
<td>0</td>
<td>3</td>
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<td></td>
<td>Hillcrest</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Any/ Misc.</td>
<td>1</td>
<td>2</td>
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<tr>
<td><strong>Totals</strong></td>
<td></td>
<td><strong>120</strong></td>
<td><strong>40</strong></td>
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**Administration Recommendation**


Administration recommends applicants identified as numbers 1, 5, 6, 8, 12, 13, 15, 16, 17, 18, 19, 23, 26, 30, 40, 42, 56, 58, 60, 61, 64, 65, 72, 78, 80, 86, 92, 93, 97, 99, 107, 110, 118, 124, 127, 131, 135, 143, 144 and 160 to be denied due to overcapacity at the schools or programs requested.

Dr. Joseph T. Mangi  
Superintendent of Schools

Timothy Miller  
Executive Director of School Leadership 2
KENOSHA UNIFIED SCHOOL DISTRICT NO. 1
Kenosha, Wisconsin

March 24, 2009

WORKER’S COMPENSATION REAUTHORIZATION OF SELF-INSURANCE

On July 1, 2003, the District approved using Community Insurance Company for its Worker’s Compensation program. In order to establish the self-insured program a resolution was approved at the May 27, 2003 School Board Meeting and again at the May 23, 2006 School Board Meeting.

The Wisconsin Administrative Code requires each political subdivision to re-authorize their self-insurer status once every three years.

Recommendation

Administration recommends that the School Board approve Resolution No. 279 (attached) to continue the Worker’s Compensation Self-Insured Program.

Dr. Joseph T. Mangi
Superintendent of Schools

Sheronda Glass, Executive Director
Human Resources
RESOLUTION NO. 268

RESOLUTION FOR REAUTHORIZATION OF SELF-INSURANCE

March 24, 2009

WHEREAS, the Kenosha Unified School District is a qualified political subdivision of the State of Wisconsin; and

WHEREAS, the Wisconsin Worker’s Compensation Act (Act) provides that employers covered by the Act either insure their liability with worker’s compensation insurance carriers authorized to do business in Wisconsin, or to be exempted (self-insured) from insuring liabilities with a carrier and thereby assuming the responsibility for its own worker’s compensation risk and payment; and

WHEREAS, the State and its political subdivisions may self-insure worker’s compensation without a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department; and

WHEREAS, the School Board approve the continuation of the self-insured worker’s compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3); and

NOW, THEREFORE, BE IT RESOLVED that the School Board of Kenosha Unified School District does ordain as follows:

(1) Provide for the continuation of a self-insured worker’s compensation program that is currently in effect.
(2) Authorize Jennifer Miller to forward certified copies of this resolution to the Worker’s Compensation Division, Wisconsin Department of Workforce Development.

________________________
President, Board of Education

________________________
Clerk, Board of Education

________________________
Superintendent of Schools
DONATIONS TO THE DISTRICT

The District has received the following donations:

1. Snap-on Incorporated donated tools and a cabinet valued at $7,836.00 to LakeView Technology Academy. The tools will be used in their instructional programs and by their robotics teams.

2. Artell and Susan Smith donated $500.00 to the Kenosha Military Academy at Indian Trail Academy. This is another matching funds donation with their employer.

3. Peter and Kathleen Clouthier donated $150.00 to Officer Wamboldt at Indian Trail Academy for the “Quick 50” fund. “Quick 50” deals with information which enables school officials to investigate and apprehend individuals for drugs, stealing and/or vandalism.

4. Lawrence and Lilia Johnson donated $120.00 for t-shirts/sweatshirts for staff of the school newspaper at Indian Trail Academy.

5. Jim Jurgaitis from United Hospitals donated a 500 pack of bouffant caps valued at $40.00 to Prairie Lane Elementary School.

Administrative Recommendation
Administration requests the Board of Education approve acceptance of the above listed gift(s), grant(s) or bequest(s) as per Board Policy 3280, to authorize the establishment of appropriate accounts to monitor fiscal activity, to amend the budget to reflect this action and to publish the budget change per Wisconsin Statute 65.90(5)(a).

Dr. Joseph T. Mangi
Superintendent of Schools
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KENOSHA UNIFIED SCHOOL DISTRICT NO. 1
Kenosha, Wisconsin

March 24, 2009

APPROVAL OF ADMINISTRATIVE, SUPERVISORY AND TECHNICAL EMPLOYEE CONTRACTS

Attached is a list of proposed Administrative, Supervisory, and Technical one-year and two-year contracts.

SUPERINTENDENT RECOMMENDATION:

It is recommended that the Board of Education approve the attached list of proposed administrative contracts.

Dr. Joseph T. Mangi
Superintendent of Schools
<table>
<thead>
<tr>
<th>NAME</th>
<th>POSITION</th>
<th>BARG</th>
<th>DEPT</th>
<th>DEPARTMENT NAME</th>
<th>CONTRACT TYPE</th>
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KENOSHA UNIFIED SCHOOL DISTRICT NO. 1
Kenosha, Wisconsin

March 24, 2009

Tentative Schedule of Reports, Events,
and Legal Deadlines for School Board
March-April

March

• March 2, 2009 – Midwinter Break – No School for Students or Staff
• March 10, 2009 – Standing Committee Meetings
• March 24, 2009 – PR/Goals/Legislative Standing Committee Meeting and Regular Board of Education Meeting at Educational Support Center
• March 30, 2009 – Third Quarter Ends – Half Day for Students

April

• April 7, 2009 – Standing Committee Meetings
• April 10-19, 2009 – Spring Recess – Schools Closed
• April 27, 2009 – Organizational and Regular Board of Education Meetings at Educational Support Center