

**RESOLUTIONS OF THE BOARD OF EDUCATION OF JEFFERSON COUNTY  
PUBLIC SCHOOL DISTRICT R-1  
November 7, 2013**

WHEREAS, the Board of Education of Jefferson County Public School District R-1 (the "Board") established the Supplemental Retirement Pension Plan for Employees of the Jefferson County Public School District R-1, as subsequently amended and related trust ("Pension Plan"), and set a limit on the contributions that would be made to the Pension Plan and related retirement expenses;

WHEREAS, the contributions made to the Pension Plan have already exceeded the contribution limit set by the Board, and the Board does not intend to further fund the Pension Plan after the close of the fiscal year for the Jefferson County Public School District R-1 (the "District") ending on June 30, 2014;

WHEREAS, Section 10.03(a) of the Pension Plan allows the Board to terminate the Pension Plan for any reason at any time, pursuant to a written agreement with the Jefferson County Education Association ("JCEA") representing certified employees, the Classified School Employees Association ("CSEA") representing classified employees, and the Jefferson County Administrators Association ("JCAA") representing administrators (collectively, the "Associations");

WHEREAS, Section 10.03(a) of the Pension Plan further provides that if the Board does not budget and appropriate funds for obligations under the Pension Plan for any District fiscal year, the Board may terminate the Pension Plan pursuant to a written agreement with the Associations and the District is released from any obligations under the Pension Plan except as set forth in Section 10.03(b) of the Pension Plan;

WHEREAS, Section 10.03(a) of the Pension Plan further provides that such termination shall be effective as of the last day of the District's fiscal year for which funds have been budgeted and appropriated;

WHEREAS, the Board and the Associations entered into an agreement to terminate the Pension Plan effective June 30, 2014 (the "Agreement");

WHEREAS, pursuant to the Agreement, the Board now wishes to amend Section 10.03(a) of the Pension Plan in its entirety, effective June 30, 2014 pursuant to Amendment No. Nine to the Pension Plan to terminate the Pension Plan effective June 30, 2014, and add a payment option of a single lump sum payment upon Plan termination for any Member or Beneficiary who is entitled to benefits under the Plan;

WHEREAS, the termination of the Pension Plan shall be in accordance with Article X of the Pension Plan;

WHEREAS, Section 7.01(a) of the Pension Plan requires that the Retirement Committee of the Pension Plan consist of, among other voting members, two persons nominated by the JCEA, two persons nominated by the CSEA, and two persons nominated by the JCAA;

WHEREAS, the Board now wishes to amend Section 7.01(a) of the Pension Plan in its entirety pursuant to Amendment No. Ten to require that the Retirement Committee consist of, among other voting members, only one person nominated by the JCEA, CSEA, and JCAA respectively;

WHEREAS, the Board and the Associations entered into an agreement to amend Section 7.01(a) of the Pension Plan effective November 8, 2014 (the "Second Agreement");

WHEREAS, the Board wishes to authorize any member of the Board, the proper officers of the District and their designated representatives are individually authorized to execute Amendment No. Nine and Amendment No. Ten to the Pension Plan (collectively, the "Amendments"), and any action taken with respect to the execution of the Amendments by such persons is hereby ratified and approved, and these persons are individually authorized to do all other acts and things necessary with respect to the Pension Plan in full force and effect and to make such Amendments and changes, if any, as may be necessary with respect to qualification of the Pension Plan under the applicable sections of the Internal Revenue Code of 1986, as amended (the "Code");

WHEREAS, the Board wishes to authorize any member of the Board, the proper officers of the District and their designated representatives to submit, or have submitted, to the Internal Revenue Service, the Pension Plan, the Amendments to the Pension Plan, and this resolution in connection with the determination of the Pension Plan's qualified status upon termination under the applicable sections of the Code; and

WHEREAS, the Board desires to authorize any member of the Board, the proper officers of the District and their designated representatives, to take all actions and to do all things necessary with respect to the Pension Plan in connection with these resolutions and to effectuate these resolutions, including distributing the Pension Plan assets, purchasing annuities, and filing necessary documents with governmental authorities as may be necessary or appropriate, and any actions taken by such persons in connections therewith are hereby ratified and approved.

NOW THEREFORE, BE IT RESOLVED THAT:

1. Section 10.03(a) of the Pension Plan is amended in its entirety, through Amendment No. Nine to the Pension Plan, effective June 30, 2014, to terminate the Pension Plan effective June 30, 2014 and add a payment option of a single lump sum payment upon Plan termination for any Member or Beneficiary.

2. Amendment No. Nine to the Pension Plan, in substantially the form attached hereto, is hereby approved and adopted on November 7, 2013 and effective June 30, 2014, except as otherwise provided therein.

3. The contributions made to the Pension Plan have already exceeded the contribution limit set by the Board, and the Board does not intend to further fund the Pension Plan after the close of the fiscal year for the District ending on June 30, 2014.


4. Section 10.03(a) of the Pension Plan allows the Board to terminate the Pension Plan for any reason at any time, pursuant to a written agreement with the Associations.

5. Section 10.03(a) of the Pension Plan further provides that if the Board does not budget and appropriate funds for obligations under the Pension Plan for any District fiscal year, the Board may terminate the Pension Plan pursuant to a written agreement with the Associations and the District is released from any obligations under the Pension Plan except as set forth in Section 10.03(b) of the Pension Plan.
6. Section 10.03(a) of the Pension Plan further provides that such termination shall be effective as of the last day of the District's fiscal year for which funds have been budgeted and appropriated.
7. The Board and the Associations entered into the Agreement to terminate the Pension Plan effective June 30, 2014.
8. The Pension Plan shall be terminated effective June 30, 2014.
9. The termination of the Pension Plan shall be in accordance with Article X of the Pension Plan.
10. Section 7.01(a) of the Pension Plan requires that the Retirement Committee of the Pension Plan consist of, among other voting members, two persons nominated by the JCEA, two persons nominated by the CSEA, and two persons nominated by the JCAA.
11. Section 7.01(a) of the Pension Plan shall be amended in its entirety pursuant to Amendment No. Ten to the Pension Plan to require that the Retirement Committee consist of, among other voting members, only one person nominated by the JCEA, CSEA, and JCAA respectively.
12. The Board and the Associations entered into the Second Agreement to amend Section 7.01(a) of the Pension Plan.
13. Amendment No. Ten to the Pension Plan, in substantially the form attached hereto, is hereby approved and adopted on November 7, 2013 and effective November 8, 2013.
14. Any member of the Board, the proper officers of the District and their designated representatives are individually authorized to execute the Amendments to the Pension Plan, and any action taken with respect to the execution of the Amendments by such persons is hereby ratified and approved, and these persons are individually authorized to do all other acts and things necessary and proper with respect to the Pension Plan and to make such Amendments and changes, if any, as may be necessary with respect to qualification of the Pension Plan under the applicable sections of the Code.
15. Any member of the Board, the proper officers of the District and their designated representatives are hereby individually authorized to submit, or have submitted, to the Internal Revenue Service, the Pension Plan, the Amendments to the Pension Plan, and this resolution in connection with the Pension Plan's qualified status upon termination under the applicable sections of the Code.

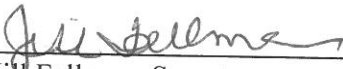
16. The Board members, the proper officers of the District and their designated representatives are hereby individually authorized to take all actions and do all things necessary with respect to the Pension Plan and in connection with these resolutions and to effectuate these resolutions, including distributing the Pension Plan assets, purchasing annuities, and filing necessary documents with governmental authorities as may be necessary or appropriate, and any actions taken by such persons in connection therewith are hereby ratified and approved.

JEFFERSON COUNTY PUBLIC SCHOOL  
DISTRICT R-1

By:

  
\_\_\_\_\_  
Leslie Dahlkemper, President  
Board of Education

Attest:

  
\_\_\_\_\_  
Jill Fellman, Secretary  
Board of Education

**AMENDMENT NO. NINE TO THE  
SUPPLEMENTAL RETIREMENT PENSION PLAN FOR EMPLOYEES OF THE  
JEFFERSON COUNTY PUBLIC SCHOOL DISTRICT R-1,  
Amended and Restated, September 1, 2008**

Pursuant to the authority of the Board of Education for the Jefferson County Public School District R-1 and the provisions of Article X of the Supplemental Retirement Pension Plan for Employees of the Jefferson County Public School District R-1, Amended and Restated, September 1, 2008 (the "Plan"), Section 10.03(a) of the Plan is hereby amended in its entirety, effective June 30, 2014, as follows:

**"10.03 Termination of Plan**

- (a) The Board may terminate the Plan for any reason at any time, pursuant to a written agreement with the Associations representing the Members. If an agreement to terminate the Plan cannot be reached, the matter shall be subject to negotiation. Notwithstanding anything herein to the contrary, this Plan and each obligation of the District hereunder are subject to and contingent upon funds being budgeted and appropriated for such purpose prior to the beginning of each applicable fiscal year of the District. If the Board does not budget and appropriate funds for the obligations under this Plan for any fiscal year of the District, the Board may terminate this Plan pursuant to a written agreement with the Association's representing the Members and the District shall be released from any further obligations hereunder (except as set forth below). Such termination shall be effective as of the last day of the District's fiscal year for which funds have been budgeted and appropriated for the District's obligations under this Plan. The District's fiscal year is from July 1 to June 30. The Plan is hereby terminated effective June 30, 2014, which is the last day of the District's fiscal year for which funds have been budgeted and appropriated for the District's obligations under this Plan. Subject to Section 10.03(b), a single lump-sum payment in cash is also available for final Plan distribution due to the Plan termination for any Member or Beneficiary who is entitled to benefits under the Plan, including any Member or Beneficiary in pay status upon election, in accordance with Section 10.03(b), which single lump-sum payment shall be determined as follows:
- (i) the lump sum value based on funding assumptions in accordance with Section 10.03(b) of the Member's future benefit payments as of the date of the Plan termination, which have been reduced to the extent then funded at the time of Plan termination,  
  
minus
  - (ii) the actuarially equivalent value of the future benefit payments that have occurred since the date of Plan termination, based on funding assumptions.


Subject to Section 10.03(b), annuities may, in the discretion of the Board or its delegates, be purchased to fund any benefits upon Plan termination."

Adopted this 7<sup>th</sup> day of November, 2013.

JEFFERSON COUNTY SCHOOL DISTRICT NO. R-1

By:   
\_\_\_\_\_  
Leslie Dahlkemper, President

Attest:

  
\_\_\_\_\_  
Jill Fellman, Secretary  
Board of Education

**AMENDMENT NO. TEN TO THE  
SUPPLEMENTAL RETIREMENT PENSION PLAN FOR EMPLOYEES OF THE  
JEFFERSON COUNTY PUBLIC SCHOOL DISTRICT R-1,  
Amended and Restated, September 1, 2008**

Pursuant to the authority of the Board of Education for the Jefferson County Public School District R-1 and the provisions of Article X of the Supplemental Retirement Pension Plan for Employees of the Jefferson County Public School District R-1, Amended and Restated, September 1, 2008 (the "Plan"), Section 7.01(a) of the Plan is hereby amended in its entirety, effective November 8, 2013, as follows:


**ADMINISTRATION OF PLAN**

**"7.01 Appointment of Retirement Committee**

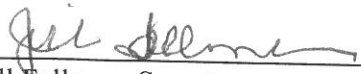
- (a) The general administration of the Plan and the responsibility for carrying out the provisions of the Plan shall be placed in a Retirement Committee. The Retirement Committee shall consist of five voting persons appointed by the Board of which one person is a Member nominated by the JCAA, one person is a Member nominated by the JCEA, one person is a Member who is nominated by the CSEA, one person who is a member of the Board or the Board's designee, and one person nominated by the sitting members of the Retirement Committee who is a retired Member. In the event that the JCAA, JCEA, or CSEA have more than one nominee on the Retirement Committee, only one nominee from each Association shall be permitted to vote on matters before the Retirement Committee. The Director of Human Resources of the District shall serve as a non-voting ex officio member of the Retirement Committee and shall be the chairperson. Appointed Retirement Committee members shall serve for a two year term, except that the first term beginning on August 31, 1999 for one of the members nominated by each of the Associations shall be for three years. Retirement Committee members may be reappointed to the Retirement Committee for an unlimited number of terms."

Adopted this 7<sup>th</sup> day of November, 2013.

JEFFERSON COUNTY SCHOOL DISTRICT NO. R-1

By:   
Leslie Dahlkemper, President

Attest:

  
Jill Fellman, Secretary  
Board of Education



## AGREEMENT

THIS AGREEMENT is made and entered into by and among the Jefferson County Education Association (“JCEA”) representing certified employees, the Classified School Employees Association (“CSEA”) representing classified employees, and the Jefferson County Administrators Association (“JCAA”) representing administrators (collectively, the “Associations”) and the Board of Education of Jefferson County Public School District R-1 (“Board”) on behalf of Jefferson County Public School District R-1 (the “District”) (collectively, the “Parties”), this \_\_\_\_ day of \_\_\_\_\_, 2013.

WHEREAS, the parties have agreed that the Board may terminate the Supplemental Retirement Pension Plan for Employees of the Jefferson County Public School District R-1, as subsequently amended, and related trust agreement, (“Pension Plan”) effective June 30, 2104;

WHEREAS, Section 7.01(a) of the Pension Plan requires that the Retirement Committee of the Pension Plan consist of, among other voting members, two persons nominated by the JCEA, two persons nominated by the CSEA, and two persons nominated by the JCAA;

WHEREAS, as a result of the termination of the Pension Plan that will be effective June 30, 2014, if a voting member on the Pension Plan’s Retirement Committee from the JCEA, CSEA, or JCAA (individually, an “Employee Association”) were to resign from the Retirement Committee, the person appointed to replace such Retirement Committee member would not have sufficient time to be educated about the changes to the Pension Plan;

WHEREAS, the Parties agree that to resolve this issue an amendment to Section 7.01(a) of the Pension Plan is warranted to reduce from two to one the required number of voting representatives from each Employee Association on the Pension Plan’s Retirement Committee; and

WHEREAS, the Board, pursuant to this Agreement with the JCEA, CSEA, and JCAA, wishes to adopt Amendment No. Ten to the Pension Plan, effective November 8, 2013 (“Amendment No. Ten”), in substantially the form attached hereto as Exhibit A.

### **THE PARTIES AGREE AS FOLLOWS:**

1. As a result of the termination of the Pension Plan that will be effective June 30, 2014, if a voting member on the Pension Plan’s Retirement Committee from the JCEA, CSEA, or JCAA were to resign, the person appointed to replace such Retirement Committee member would not have sufficient time to be educated about the changes to the Pension Plan.

2. The Parties agree that an amendment to Section 7.01(a) of the Pension Plan is warranted to reduce from two to one the required number of voting representatives from each Employee Association on the Pension Plan’s Retirement Committee.

3. Amendment No. Ten to the Pension Plan, in substantially the form attached hereto as Exhibit A, should be adopted by the Board effective November 8, 2013.



4. The Board members, the proper officers of District and their designated representatives are hereby individually authorized to take all actions and to do all things necessary, legal and proper to effectuate this Agreement and to amend the Pension Plan pursuant to this Agreement and to keep the Pension Plan in compliance with law changes and actions taken by such persons with respect to previous Pension Plan amendments were authorized.

5. This Agreement may be executed by electronic signature and in multiple counterparts, and may be delivered by fax or other electronic means, each of which shall be deemed an original, and all of which together shall constitute one document.

Agreed to as of this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

BOARD OF EDUCATION OF JEFFERSON  
COUNTY PUBLIC SCHOOL DISTRICT R-1 ON  
BEHALF OF JEFFERSON COUNTY PUBLIC  
SCHOOL DISTRICT R-1

Date: \_\_\_\_\_

By: Lesley Dahlkemper  
Lesley Dahlkemper, President  
Board of Education

JEFFERSON COUNTY EDUCATION  
ASSOCIATION

Date: 10/14/2013

By: Ami Richard  
[Name] Ami Richard  
[Title] President JCEA

CLASSIFIED SCHOOL EMPLOYEES  
ASSOCIATION

Date: \_\_\_\_\_

By: \_\_\_\_\_  
[Name]  
[Title]

JEFFERSON COUNTY ADMINISTRATORS  
ASSOCIATION

Date: \_\_\_\_\_

By: \_\_\_\_\_  
[Name]  
[Title]

4. The Board members, the proper officers of District and their designated representatives are hereby individually authorized to take all actions and to do all things necessary, legal and proper to effectuate this Agreement and to amend the Pension Plan pursuant to this Agreement and to keep the Pension Plan in compliance with law changes and actions taken by such persons with respect to previous Pension Plan amendments were authorized.

5. This Agreement may be executed by electronic signature and in multiple counterparts, and may be delivered by fax or other electronic means, each of which shall be deemed an original, and all of which together shall constitute one document.

Agreed to as of this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

BOARD OF EDUCATION OF JEFFERSON  
COUNTY PUBLIC SCHOOL DISTRICT R-1 ON  
BEHALF OF JEFFERSON COUNTY PUBLIC  
SCHOOL DISTRICT R-1

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Lesley Dahlkemper, President  
Board of Education

JEFFERSON COUNTY EDUCATION  
ASSOCIATION

Date: \_\_\_\_\_

By: \_\_\_\_\_  
[Name]  
[Title]

CLASSIFIED SCHOOL EMPLOYEES  
ASSOCIATION

Date: \_\_\_\_\_

By: \_\_\_\_\_  
[Name]  
[Title]

JEFFERSON COUNTY ADMINISTRATORS  
ASSOCIATION

Date: 10/18/13

By: Michael L. Long  
[Name] Michael L Long  
[Title] Executive Director, JCAA

4. The Board members, the proper officers of District and their designated representatives are hereby individually authorized to take all actions and to do all things necessary, legal and proper to effectuate this Agreement and to amend the Pension Plan pursuant to this Agreement and to keep the Pension Plan in compliance with law changes and actions taken by such persons with respect to previous Pension Plan amendments were authorized.

5. This Agreement may be executed by electronic signature and in multiple counterparts, and may be delivered by fax or other electronic means, each of which shall be deemed an original, and all of which together shall constitute one document.

Agreed to as of this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

BOARD OF EDUCATION OF JEFFERSON  
COUNTY PUBLIC SCHOOL DISTRICT R-1 ON  
BEHALF OF JEFFERSON COUNTY PUBLIC  
SCHOOL DISTRICT R-1

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Lesley Dahlkemper, President  
Board of Education

JEFFERSON COUNTY EDUCATION  
ASSOCIATION

Date: \_\_\_\_\_

By: \_\_\_\_\_  
[Name]  
[Title]

CLASSIFIED SCHOOL EMPLOYEES  
ASSOCIATION

Date: 10/24/13

By: [Signature], PRESIDENT  
[Name]  
[Title]

JEFFERSON COUNTY ADMINISTRATORS  
ASSOCIATION

Date: \_\_\_\_\_

By: \_\_\_\_\_  
[Name]  
[Title]

## RESOLUTION

### Denying a Charter to Cornerstone Academy

WHEREAS, on August 15, 2013, the Administration of Jefferson County School District No. R-1 received a charter school application from Cornerstone Academy of Colorado; and

WHEREAS, applying the Rubric for Review of a Standard Charter School Application approved by the Colorado Department of Education, the charter school application has been reviewed by District administrators with expertise in each of the designated Rubric categories, by the District's Charter School Review Committee (also known as the Accountability Committee), and by members of the Superintendent's Cabinet. Comments from the reviewers were provided to the Board of Education (attached hereto as Exhibits A - K); and

WHEREAS, the District's Accountability Committee and the Board have reviewed the charter school application in accordance with the requirements of C.R.S. §§ 22-30.5-107(1) & (1.5); and

WHEREAS, the Board scheduled a public meeting on October 3, 2013, in accordance with the requirements of C.R.S. § 22-30.5-107(2), at which representatives of Cornerstone Academy made a presentation to and received questions from the Board; and

WHEREAS, following Cornerstone Academy's presentation to the Board and Board questions to Cornerstone Academy following that presentation, the Board provided Cornerstone Academy with an opportunity to provide additional information concerning their Application; and

WHEREAS, the Charter Schools Act requires the Board to rule by resolution on the charter school application within 90 days after its receipt; and

WHEREAS, the Board has considered the charter school application; additional information provided by Cornerstone Academy at the public meeting and subsequent to the public meeting; the Charter Schools Act; District policies and regulations; and the comments provided by those involved in reviewing the application and applying the CDE's Standard Rubric for Review of a Charter School Application.

NOW, THEREFORE, BE IT RESOLVED by the Board that denial of the Cornerstone Academy Charter School Application is in the best interests of the District, its students and the community, and the Cornerstone Academy charter school application is hereby denied, for the following reasons:

1. The application does not meet the standards set forth in the Standard Application for Governance and Parent Involvement. There is no explanation of the process of transition from the applicant team to the initial governing board other than to say "All directors comprising the initial board shall be recruited and selected by the Founding Committee." Nor is there any

schedule or discussion about ongoing board training. There is no description in the application as to how the board will create and adopt policies. The bylaws reference a conflict of interest policy but there is no board member conflict of interest policy in the application. The application does not include any policy or plan to settle disputes between the school and the District.

Parent involvement in governance is limited. Up to half of the board may be composed of staff and no elections are described for the selection of board members. The application also fails to demonstrate that the applicant understands the statutory requirements concerning school advisory councils or accountability committees. The application does not indicate any commitment to forming such a committee or make any reference such committees. No plan is included as to how the community will be involved with regard to expectations beyond the requirement that the parents are expected to donate 40 hours or a monetary amount in place of hours to the school.

2. The application does not meet the standards set in the Standard Application for Budget and Finance. Cornerstone initially submitted two budgets based on different student enrollment. The first budget assumed 267.2 funded FTE's and the second assumed 175.6 FTE's. Both budgets over-relied on soft funds such as grants and private donations, and no evidence was provided of any grants or donations. Even with reliance on the soft-funds, under the first assumption, year 3 at 397.2 FTE would be the first breakeven year with no donations factored into the calculation. The second assumption didn't breakeven in 5 years (enrollment for year 5 was 271.6).

Cornerstone's initial budget had multiple other problems which are described in detail in the first Budget and Finance review, which is attached as Exhibit B. These deficiencies included but were not limited to the following: revenue was miscalculated; no detail was provided for fee revenue; salaries were not broken down by employee and in general staffing detail was inadequate; nothing was budgeted for special services staff; estimates of district services expenses were inconsistent; and because no site has been selected, the budgeted amount for a site is little more than a guess.

At the public hearing on October 3, 2013, the Board of Education requested a revised budget. The new budgets (2 alternatives as was the case originally) relied less on soft funds but many other concerns about the budget remain, including: the amount anticipated for a startup grant is overly optimistic; no funds for special education support staff have been identified; the amount for district-provided Special Education services has been significantly under-budgeted errors were made regarding standard District billings; and assumptions regarding estimated costs were not adequately supported. With respect to budgeting for a site, because no specific site information other than addresses has been provided, the estimates for rental have no connection to anything concrete. Nothing has been included in the budget for any site improvement that might be required. These concerns are identified in additional detail in Exhibits I and J.

3. The application does not meet the standards set in the Standard Application for Site Acquisition. Cornerstone has identified three potential sites. However, all of them are outside the target area identified in the application. As noted above, estimates of rent are not accompanied



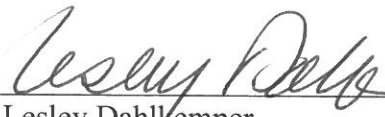
by any concrete information on which to base rent assumptions. None of the identified locations are schools and accordingly each possible site will need renovation. However, there is no budget for site renovation and instead the school intends to use volunteers, which could create code and safety issues.

4. The application does not meet the standards set in the Standard Application for Serving Students with Special Needs. Cornerstone anticipates providing paraprofessional support instead of licensed teachers, and they intend to rely on the District to serve their students through itinerant teachers, special education specialists and professional development from the District. This is not the Jeffco model for its charter schools. The application does not provide sufficient Special Education staffing with their increasing enrollment model. The application also fails to provide adequate information on how Cornerstone intends to meet the needs of GT students.


In accordance with C.R.S. § 22-30.5-107(4), the District administration is hereby directed to provide a copy of this Resolution to the Colorado Department of Education within fifteen days of its adoption date.

Adopted this 7<sup>th</sup> day of November, 2013.

JEFFERSON COUNTY SCHOOL  
DISTRICT R-1

By:   
Lesley Dahlkemper  
President, Board of Education

Attest:

By:   
Jill C. Fellman  
Secretary, Board of Education