MINUTES OF THE SPECIAL LEGISLATIVE MEETING (01-17[sl]) OF THE
BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 1
IN THE CITY AND COUNTY OF DENVER, AND STATE OF COLORADO
HELD IN THE BOARD ROOM, 900 GRANT STREET
5:00 P.M., THURSDAY, NOVEMBER 15, 2001

I. Call to Order and Reading of Notice

President Elaine Gantz Berman called the meeting to order at 4:21 p.m. The following Board of Education members were present: Ms. Elaine Gantz Berman, Mrs. Susan G. Edwards, Rev. Lucia Guzman, Ms. Sharon Macdonald, Mr. James Mej a, Mr. Bennie Milliner, and Mr. Lester Woodward.

Assistant Secretary Jacqui Lucero read the notice of the meeting, which stated that a Special Legislative Meeting had been called to receive the results of the November 6, 2001, School Board election; to elect officers of the Board of Education; and to receive results from the District School Improvement and Accountability Council regarding charter schools.

II. Board of Education/Superintendents Reports

A. Motion — Results of the November 6, 2001, Election

Mr. Milliner moved that the Board of Education receive the abstract of votes in the school board election of November 6, 2001, and declare that the following individuals have been elected as directors of School District No. 1 in the City and County of Denver, State of Colorado:

- Elaine Gantz Berman District No. 3 Four year term
- Michelle Moss District No. 2 Four year term
- Kevin Patterson District No. 4 Four year term
- Lester R. Woodward Director-At-Large Four year term

Mr. Mej a seconded the motion.

A roll call vote was recorded as follows: voting aye, Ms. Gantz Berman, Mrs. Edwards, Rev. Guzman, Ms. Macdonald, Mr. Mej a, Mr. Milliner, and Mr. Woodward. The motion was declared duly carried.

Ms. Gantz Berman stated that it would be appropriate to recognize Ms. Macdonald and Mr. Milliner for their service to the district, prior to installing the newly elected members to their positions on the Board.

Mr. Mej a said that Ms. Macdonald and Mr. Milliner are both parents who have had children in the Denver Public Schools and that they chose to become involved to
make the district a better place rather than sit back and let others do something about it. He read the following quote from the Buddha, stating that it made him think of the outgoing board members:

Do not put faith in traditions, even though they have been accepted for long generations and in many countries. Do not believe a thing because many repeat it. Do not accept a thing on the authority of one or another of the sages of old, or on the grounds that a statement is found in the books. Never believe anything because probability is in its favor. Do not believe in that which you yourself have imagined, thinking a god has inspired it. Believe nothing merely on the authority of teachers or of priests. After examination, believe that which you have tested for yourself and found reasonable, which is in conformity with your well being and that of others.

He also read the following words of Theodore Roosevelt:

Dare greatly. It is not the critic who counts, not the man who points out the strong man stumbled or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes up short again and again; who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause; who, at the best in the end, knows the triumph of high achievement, and who, at the worst, if he fails at least fails while daring greatly so that his place shall never be with those cold and timid souls who know neither victory nor defeat.

Mr. Mej a said that it had been his pleasure to work with Mr. Milliner and Ms. Macdonald.

Mr. Woodward said that, although he is pleased at the prospect of working with the new members of the Board, he would greatly miss Ms. Macdonald and Mr. Milliner. One of the real pleasures of working on any kind of board, he said, is getting to know the other members and coming to appreciate their dedication and contributions to the organization. He said that the outgoing Board members have repeatedly proven their absolute commitment to the children of the Denver Public Schools by their actions over the last four years. He said that he was happy to have had the opportunity to know them and receive the benefit of their wisdom during the Board's deliberations. He thanked them for their service and for the chance to work with them.

Mrs. Edwards stated that incoming Board member Michelle Moss wished to address Ms. Macdonald and asked her to step forward.

Ms. Moss, representing Director District 2, whose seat Ms. Macdonald is vacating, thanked her on behalf of the residents of District 2. She also thanked Ms. Macdonald for her help in Mrs. Moss' efforts to replace her on the Board.
Mrs. Edwards said that she had met Mr. Milliner when Aaron Gray resigned his position on the Board of Education and the Board at that time was interviewing candidates to take Rev. Gray’s place a difficult task at best. At that time, she said, there was no doubt in her mind that Mr. Milliner’s heart, soul, and passion were with the children of Denver Public Schools; that first impression has lasted the many years since then.

She said that both Mr. Milliner and Ms. Macdonald have proven that commitment to Denver’s children over and over again, although they approach situations with completely differing styles. She thanked Ms. Macdonald for the heavy workload she consented to bear from the early days of her time on the Board. She explained that Ms. Macdonald has long served as Treasurer of the Board, and has long been deeply involved in financial and budgetary issues, as well as negotiations with the district’s employee associations and legislative issues.

Mrs. Edwards also thanked Mr. Milliner’s and Ms. Macdonald’s families for the sacrifices they have had to make to enable them to serve the children of Denver.

Rev. Guzman said that it is arduous work to get elected to the Board, but that once elected, it becomes even more strenuous. She praised Ms. Macdonald and Mr. Milliner for their tireless dedication to their positions on the Board and wished them well in their future endeavors.

Superintendent Jerry Wartgow said that he feels as if he has barely begun to get to know Ms. Macdonald and Mr. Milliner but, even in the short time he has known them, their enthusiasm and dedication have been obvious and unwavering. He said that he admires the way the Board works together, not always agreeing on every subject, but always with the best interests of the children of Denver in their hearts. He thanked Ms. Macdonald and Mr. Milliner for their support and confidence in him to lead the Denver Public Schools, and said that he hoped to get to know them even better over the years because once a member of the Denver Public Schools Board of Education, always a member of the Denver Public Schools Board of Education. He said that it is a comfort to him to know that they are close by and that the people elected to fill their positions are coming into their jobs with the same dedication and commitment shown by Mr. Milliner and Ms. Macdonald.

Ms. Gantz Berman said that she thinks of her fellow Board members as a family and that they have bonded over the years. She said that, while she is excited about the new members joining, it is still difficult to part ways with family members. The amount of time that Mr. Milliner and Ms. Macdonald have dedicated to the children of Denver is unbelievable, she said, and their enthusiasm and dedication remained strong throughout the entire time of their service.

She said that she was amazed at the number of important district activities Ms. Macdonald involved herself in and said that she was grateful to her for undertaking so many arduous tasks. Mr. Milliner, she said, served his district
unfailingly during a time of tremendous change and growth, and northeast Denver was fortunate to have him as their representative during that period.

Ms. Macdonald said that she feels truly honored and blessed to have had the opportunity to serve on the Board for the past four years and for the friendships that have grown among the members during that time. She also extended her thanks to the staff of the district teachers, principals, and administrative staff who are so talented and enthusiastic, and who share of themselves so willingly.

She thanked her family for their unflagging support over the past four years. She said that they learned to fend for themselves on evenings when there were Board meetings and that they never complained about how difficult it was for them. Her husband, she said, gave her encouragement when she needed it and distance when her job required it, as there were often things they could not discuss due to their confidential nature, and she thanked him for that.

Mr. Milliner said that so many changes had occurred since he was appointed to fill the seat vacated by Aaron Gray. At that time, he said, the district had only recently been released from the U.S. District Court’s order to desegregate the district and the schools were still struggling to become accustomed to being neighborhood schools; the district was trying to come to grips with a great surge in growth accompanied by a lack of facilities to accommodate the new students. He recalled preparing the general obligation bond package to present to the voters and how anxious district officials were that it might not pass.

He said, however, that what surprised him most was how quickly his five years in office have passed. In retrospect, he said that he is pleased with the direction the district began to take during his tenure on the Board and with everything the district has accomplished over the past five years, although there are still a great many things to do.

Mr. Milliner said that he was thankful for the great amount of support provided to him by the staff and employees of Denver Public Schools. He said that he has always received caring, individualized attention from staff both in his role as a Board member and as a parent.

He said that he is most proud of the district’s students, who leave the school system to enter prestigious universities and emerge as leaders in the community. The demise of public education, he said, has been greatly exaggerated, as evidenced by the fine people that Denver Public Schools students become.

Mr. Milliner expressed admiration for incoming Board members Michelle Moss and Kevin Patterson who willingly stepped forward to give of themselves in service to the community and children of Denver. He said that he could leave his position on the Board feeling confident that the district would continue to improve under their leadership. Dr. Wartgow, he said, would continue to provide wise guidance to the
district in concert with his colleagues remaining on the Board, whom he said had impressed him repeatedly throughout the years with their dedication, hard work, and willingness to share of themselves.

He said that he has often been asked what, if anything, he would have done differently as a member of the Board of Education. In response, he stated that, in retrospect, he would have pushed earlier and harder for a more consistent curriculum throughout the district, particularly at the elementary school level. He said that he also would have advocated more for the philosophy of accountability and responsibility. The people of Denver have proven, he said, that they are willing to provide resources for first-class facilities and programs and, in return, they should expect a school system that advocates the idea that learning is not a spectator sport. He said that there should be more accountability on the part of the district, but that there should also be a heightened expectation of students to be accountable for their own education, and on parents to be more involved with their children’s learning. He said that it is not reasonable for parents to drop off their children in grade school and pick them up at graduation, and then blame the district if their children do not make it to graduation. The education of children, he said, is an endeavor that requires the involvement of everyone—parents, students, educational staff, and the community. He encouraged families and communities who profess to care about the education of children to become involved and do everything it takes to help children become the citizens they need to be in order to compete on the level required for life in the twenty-first century.

Mr. Milliner thanked the community for the support they provided during his illness earlier in the year. He said that he received flowers, cards, and other expressions of encouragement, and that he was very touched by the outflow of concern for his welfare. He said that he would continue to be involved in education, especially at the neighborhood level, and that he would not be far from the Denver Public Schools.

He said that his greatest expression of gratitude was toward his wife of twenty-nine years, who had been his high school sweetheart. Although she is not a public person, he said, his wife gave of herself through her support of his efforts to work as an advocate of public education, and that he could not have done the work he had over the past few years without her.

A copy of the motion to receive the results of the November 6, 2001, election is appended to the official minutes of this meeting as Appendix 01-17(sl), II-A.

B Oath of Office for New Members

Ms. Gantz Berman introduced Judge Robert Patterson and said that he has administered Oaths of Office to members of the Board of Education and the Student Board of Education for many years. However, she said, his service at this meeting is particularly special because he would be administering the Oath of Office to his own son, Kevin Patterson, as he takes his position on the Board.
Judge Patterson administered the Oath of Office to returning Board members Ms. Gantz Berman and Mr. Woodward, and new Board members Michelle Moss and Kevin Patterson.

Judge Patterson said that he recently had had the honor of swearing in the new members of the Student Board of Education and that he had received a letter from the students thanking him for his services and for giving them encouragement for their involvement with that body. To stress that encouragement, he said, he presented each of the students with a small eagle, as the proud symbol of the United States, as well as a symbol of courage, faith, and the willingness to step forward and do something in support of education. He said that he wished to make that same presentation to the incoming Board members.

C. Election of Officers

1. President

Ms. Gantz Berman asked Mary Ellen McEldowney, district legal counsel, to conduct the election of the President and Vice President of the Board of Education.

Ms. McEldowney explained that the positions of President and Vice President are elected by the members of the Board of Education, and that the positions of Secretary and Treasurer are filled by appointment and do not necessarily require that the appointees are Board members. Additionally, she said, the Board may appoint assistants to the Secretary and Treasurer. She said that the nominations for the offices of President and Vice President shall be by written nomination and that the voting would be conducted among the Board members by secret ballot, with four votes required to be named to the position.

She opened nominations for the office of President of the Board of Education and, after counting nominations, declared that three people had been nominated for the office: Elaine Gantz Berman, Susan Edwards, and Lucia Guzman. Rev. Guzman declined her nomination and asked that her name be withdrawn from consideration. The Board voted by secret ballot and Ms. Gantz Berman was elected President.

2. Vice President

The same process was used to determine the following nominees for the Office of Vice President: Lucia Guzman, James Mej a, and Lester Woodward. Mr. Mej a and Mr. Woodward declined their nominations and asked that their names be removed from consideration.
Mr. Mej a moved that Rev. Guzman be named Vice President of the Board of Education by acclamation and Mr. Woodward seconded the motion. A roll call vote was recorded as follows: voting aye, Ms. Gantz Berman, Mrs. Edwards, Rev. Guzman, Mr. Mej a, Mrs. Moss, Mr. Patterson, and Mr. Woodward. The motion was declared duly carried and Rev. Guzman was named Vice President.

Ms. McEldowney stated that nominations would be accepted for the position of Secretary to the Board of Education and distributed nomination forms to the Board. She announced that Mrs. Edwards and Mrs. Moss had been nominated for the position. Mrs. Moss said that she did not feel prepared to serve in the capacity of Secretary as she had just been elected to her first term; therefore, she asked that her name be removed from consideration.

Mr. Woodward moved that Mrs. Edwards be appointed as Secretary of the Board of Education, conditioned upon the filing of a surety bond in a form satisfactory to the Board, and the faithful performance of duties as required by law and the bylaws of the Board of Education. Mr. Mej a seconded the motion.

A roll call vote was recorded as follows: voting aye, Ms. Gantz Berman, Mrs. Edwards, Rev. Guzman, Mr. Mej a, Mrs. Moss, Mr. Patterson, and Mr. Woodward. The motion was declared duly carried. A copy of this motion is appended to the official minutes of this meeting as Appendix 01-17(sl), II-C-3.

4. Treasurer

Ms. McEldowney stated that nominations would be accepted for the position of Treasurer of the Board of Education and distributed nomination forms to the Board. She announced that the following people had been nominated for the position: Mr. Patterson, Mr. Woodward, and Richard Allen, Assistant Superintendent for Budget and Finance. Mr. Woodward declined the nomination and asked that his name be removed from consideration.

Ballots for the position were distributed to the Board and Mr. Patterson was selected. Mr. Mej a moved that Kevin Patterson be appointed Treasurer of the Board of Education, conditioned upon the filing of a surety bond in a form satisfactory to the Board, and the faithful performance of duties as required by law and the bylaws of the Board of Education. Mrs. Edwards seconded the motion.

A roll call vote was recorded as follows: voting aye, Ms. Gantz Berman, Mrs. Edwards, Rev. Guzman, Mr. Mej a, Mrs. Moss, Mr. Patterson, and Mr. Woodward. The motion was declared duly carried. A copy of this motion is appended to the official minutes of this meeting as Appendix 01-17(sl), II-C-4.
D. Motion — Assistant Secretary

Mrs. Edwards moved that Jacquie Lucero be appointed as Assistant Secretary of the Board of Education, conditioned upon the filing of a surety bond in a form satisfactory to the Board, and the faithful performance of duties as required by law and the bylaws of the Board of Education. Mr. Meja seconded the motion.

A roll call vote was recorded as follows: voting aye, Ms. Gantz Berman, Mrs. Edwards, Rev. Guzman, Mr. Mej a, Mrs. Moss, Mr. Patterson, and Mr. Woodward. The motion was declared duly carried. A copy of this motion is appended to the official minutes of this meeting as Appendix 01-17(sl), II-D.

E. Motion — Assistant Treasurer

Mr. Woodward moved that Velma Rose be appointed as Assistant Treasurer of the Board of Education, conditioned upon the filing of a surety bond in a form satisfactory to the Board, and the faithful performance of duties as required by law and the bylaws of the Board of Education. Mrs. Edwards seconded the motion.

A roll call vote was recorded as follows: voting aye, Ms. Gantz Berman, Mrs. Edwards, Rev. Guzman, Mr. Mej a, Mrs. Moss, Mr. Patterson, and Mr. Woodward. The motion was declared duly carried. A copy of this motion is appended to the official minutes of this meeting as Appendix 01-17(sl), II-C-E.

Board Member Comments

Mrs. Edwards announced that the Board would not be meeting the following Thursday due to the Thanksgiving holiday. She said that she is particularly thankful for the wonderful families in the Denver Public Schools, the wonderful district staff serving the children, and the generous community that supports the district.

City Wide Marching Band

The Board recessed for 15 minutes to listen to the All City Marching Band play in the lobby of the Administration Building.

Upon reconvening, David Hammond, director of the All City Marching Band, thanked the Board for the opportunity to play before them and explained that the group is comprised of students from each of the district’s high schools. It is a great showcase for the students, he said, and gives them a chance to work with and get to know students from other areas of the city and other schools. He said that such citywide programs depend on the generosity of the Board of Education during budget deliberations to stay in existence. He explained that the band would leave the following Monday to appear in the Target Jingle Elf Parade in Chicago, and that during the trip band members would have the opportunity to see the Chicago Symphony Orchestra and perform for a high school in rural Illinois.
III. District School Improvement and Accountability Council Charter School Recommendations

Ms. Gantz Berman explained that the District School Improvement and Accountability Council (DSIAC) is an organization within the district whose members meet on a monthly basis. Their membership, she said, has shown incredible dedication and hard work, and one of their duties is to read and review each of the charter school applications and make recommendations to the Board regarding the merits of each application. She explained that DSIAC had also brought in other members of the community to participate in the review process.

Sherry Eastlund, Charter Schools Project Leader, thanked the members of the charter school application review team for their time and dedication during the review process. She introduced Pam Bisceglia, a member of both DSIAC and the Special Education Advisory Council, to explain the process.

Ms. Bisceglia explained that the Charter School Act requires the DSIAC to review each charter school application that is submitted to the district, and the DSIAC body delegated that responsibility to a subcommittee, whose membership included Carolyn Conley, parent representative from P.S. 1 Charter School; Betty Edwards, member of the Denver Public Schools Retired Educators Association and DSIAC; Marsha Gonzales, President of the Parent Teacher Student Association and member of DSIAC; Dorolyn Griebenaw, Chairperson of DSIAC; Ruth Montoya-Starr, parent representative from Bromwell Elementary School and Hamilton Middle School, and DSIAC member; Marilyn Sampson, parent representative from Challenges, Choices, and Images Charter School; John Schultz, parent representative from East High School and DSIAC member; Leo Smith, DSIAC member; Tenley Stillwell, parent representative from George Washington High School and former member of the Colorado League of Charter Schools; and Jesse Sutherland, parent representative from George Washington High School and DSIAC member. She thanked Ms. Eastlund for providing the subcommittee with countless hours of district support and technical assistance.

She stated that the process allowed each member of the review subcommittee to have a copy of each charter school application, and that that entailed a great deal of reading and analysis. The subcommittee, she said, then began holding regular meetings to identify strengths of the application and topics that needed further clarification. She said that the lists of points needing additional clarification were then submitted to the representatives for each application, who provided responses both in writing and in face-to-face meetings with subcommittee members. During the interviews, she said, it was made clear to the applicants that any information submitted subsequent to the interviews would not be considered by DSIAC, as they had to choose a cutoff point for submitted information in order to prepare and turn in their report to the Board of Education in a timely manner.
KIPP Sunshine Peak Academy

Leo Smith said that the subcommittee found the application for the KIPP (Knowledge is Power Program) Snow Peak Academy is a very strong and comprehensive one, employing an educational model that has proven successful in other schools across the country. He said that the model is straightforward, expounding the belief that the best way to help at-risk students is to provide them with extra teacher contact time, which is done by extending the school day, week, and year.

Mr. Smith said that the review committee found many strengths to the application: the budget strong and realistic; the applicants have a solid educational background and understand what is required to start a school from the ground up; the proposed west Denver location would serve a large at-risk population; and a well-defined curriculum that follows the district’s matrices. Also, he noted that for continued attendance at the school it is required that parents become involved, and remain involved, in the education of their children.

However, he said, DSIAC members voiced some concern about the fact that the program seems overly dependent upon the services of one person, the school director, who serves both as a teacher and the sole administrator. He said that subcommittee members voiced the opinion that they would feel better about the application if the applicants would provide assurance of the program’s continued viability independent of the involvement of any one person.

Mr. Smith said that the committee members also expressed concern about the possibility of teacher burnout, given the fact of the extended hours required of them. He stated that teachers will also be required to carry cellular telephones so that students are able to contact them in their off hours. KIPP, he said, proposes to pay stipends to the teachers to compensate them for these extra duties. According to the applicants, he said, teacher turnover has not been extreme in the other KIPP sites across the country.

Despite those concerns, he said, the review subcommittee strongly supports the application for KIPP Sunshine Peak Academy and recommends that the Board of Education grant a charter to the school.

Mr. Patterson asked what kind of evidence the applicants might be asked to provide to give evidence to the fact that their program is not dependent upon one person to remain operational. He said that, in his opinion, the importance of the director is written throughout the design of the program.

Mr. Smith replied that the Fischer Foundation has a management program to train school directors for charter schools with the aim of providing more trained directors per school so that there is more shared responsibility.

Rev. Guzman said that she remains concerned about the fact that the applicants have not been able to locate a suitable property in west Denver for their program. She asked if
DSIAC would recommend postponing action on the application if they were unable to find such a property in west Denver.

Mr. Smith said that many charter school applicants find themselves in an untenable position when seeking out sites for their program because, without a firm approval of the charter by the district involved, they are often unable to make serious bids or proposals on property. However, he said, the Board would be within its rights to make approval of a charter for KIPP contingent upon finding a location by a certain target date.

Wayne Eckerling, Assistant Superintendent of Research, Planning, and Special Programs, agreed that approval for KIPP should be contingent upon locating in west Denver. He said that he and his staff have also raised the question of the wisdom of having so much of their program dependent upon the presence of the current director, and have asked the applicants to provide plans and assurances in writing outlining what would happen in the event that KIPP’s director were to leave the school.

Ms. Bisceglia said that she and others on the review team had stated that, more than the proposed location of the program, the educational model impressed them. There are many areas of the city, she said, that have large at-risk populations and could benefit from such a program.

Rev. Guzman said that she feels that the statement in the original application should, and must, be adhered to the applicants spoke specifically of placing their charter school in west Denver to target its large at-risk population.

Ms. Bisceglia explained that, in prior years, one of the requirements of charter school applicants, according to the Charter Schools Act, is that they present a statement of need to the district to which they were applying; that is not a requirement any longer. While she appreciates when the applicants have put forth the effort of identifying segments of need within the community, she said, she does not feel that that should affect the judgment of the review committee since it is not a legal requirement. She said, however, that she personally agrees with Rev. Guzman that applicants should make every effort to keep their promise.

In response to a question from Rev. Guzman, Dr. Wartgow said that he feels the Board would be within its rights to make approval of the application contingent upon the applicant finding a suitable site in west Denver. He said that he is uncertain about the applicant’s relationship to the national KIPP organization, and what that group’s involvement would be in the new school.

Mr. Smith said that it was his understanding that KIPP would provide technical support to the Sunshine Peak school and that it has provided training to the school’s director. Otherwise, he said, there is not much evidence of a stronger relationship than that. He said that he is not certain how the larger KIPP organization would react to the loss of the local director if, for some reason, he was unable to continue as director; i.e., whether another KIPP-trained director would be provided.
Ms. Eastlund stated that a KIPP representative had assured her that the organization would provide another director in the event that circumstances precluded the director continuing to serve in that capacity.

**Metro Academy of Technology and Science**

Marsha Gonzales said that the applicants for the Metro Academy of Technology and Science (MTech) have proposed a charter school to serve early childhood education (ECE) through grade twelve, with an opening date planned for the fall of 2003. The initial plan, she said, is to serve 300 students from ECE through grade eight, and then add the other four grades on an annual basis to eventually serve an additional 100 students. She explained that more students throughout the state would be served through the MTech virtual educational program.

Ms. Gonzales stated that the applicants sought the assistance of a number of educators in many areas of the country, most notably Florida, in designing their charter school proposal. The application indicated, she said, that the ECE would use a variety of educational models, including Montessori, Reading Recovery, Acaletics, and Math Methods. However, she said, the proposal only defined the curriculum from kindergarten through grade two, and did not delineate how students would transition into the successful school programs at the other levels.

She said that as of the report date, the review team had also not been given evidence of community support for MTech. She said that they had received letters of support from out of state sources, but did not know how the local community feels about the plan, and buy-in by the community is essential for the success of a charter school.

Ms. Gonzales said that the curriculum for the virtual program had not yet been defined and that no cost for the program was listed or included in the budget; there was also not any mention of the expected outcomes. She stated that the review team also felt that the programs proposed by MTech officials did not seem to complement one another.

Due to many potentially serious concerns, she said, DSIAC recommends that the request to grant a charter to the Metro Academy of Technology and Science be denied.

**Colorado High School**

Marilyn Sampson explained that the applicants for Colorado High School propose to establish a high school program for at-risk students, aged sixteen and over. The program, she said, would offer students access to a grade ten through twelve core academic curriculum, and would serve a total of 90 students during a day and a night program, starting in the fall of 2002. She said that their application includes a request that the current private Colorado High School become a charter school under the Denver Public Schools.
Ms. Sampson said that the review subcommittee was very impressed with the quality of the application as well as the commitment of the staff of the current program to its students. The school has an experienced track record, she said, and a great deal of experience dealing with the at-risk student population. She said that the school is staffed with dedicated and knowledgeable teachers and administrators, who have a realistic understanding of the operation of a school and their student population; and that the school is designed to maintain small classes with a structured environment and clear expectations, which are very desirable features for a school serving their target population. However, she said, the committee feels that the tuition currently paid by students to the private school likely serves as an incentive for them to successfully complete the curriculum. She said that converting this school to a charter school, which, by law, cannot charge tuition, could lose that incentive.

She said that the curriculum of the charter school would continue to follow that which is already in use at the school primarily core subjects. The current schedule, she said, is set up in monthly blocks, which facilitates students entry into the program, as they do not have to wait for a semester break to enter the school’s program.

Ms. Sampson said that the review subcommittee feels that the school’s focus on core subjects is an efficient method of assisting its at-risk population of students. However, she said, the school’s proposal of shorter school days and its limited curriculum would not meet state or district standards nor would they align with current graduation requirements. She said that this barrier could be especially troublesome for students wishing to transfer to another district high school or hopes to pursue a four-year postsecondary education.

She stated that the review committee believes that the applicant is committed to providing high academic programming; however, if the applicant is approved, the district should monitor the charter to ensure that definitive academic requirements do not limit the students’ opportunities in the area of postsecondary education.

Ms. Sampson informed the Board that the applicant already has an existing school site leased in an area of the city that is known to have a large population of at-risk students. The proposed budget, she said, is realistic and demonstrates the applicants’ experience in operating a school. She said that the review team is concerned about the fact that the school currently serves students who are in their twenties as such students would be ineligible to participate if the school were to become a charter school, and turning those students away might possibly affect funding as proposed in the budget.

She said that parents, community agencies, and businesses have expressed their ongoing support for the school, and that such overwhelming support reinforces the spirit of the Charter School Act, whose purpose was to encourage parental and community involvement in education.

However, the same Act, Ms. Sampson said, states, No person, group, or organization may submit an application to convert a private school into a charter school. She said
that it appears to the committee as if Colorado High School is making such an attempt, which would create a serious legal impediment to approval. However, she said, the subcommittee recognizes that such a problem has been overcome by at least one previous applicant Challenges, Choices, and Images Charter School, which solved the problem by closing down the private school and reorganizing as a district charter school.

Ms. Sampson said that, in light of the existing school's proven track record of academic success for an at-risk population, the subcommittee is favorably disposed toward this charter application if the applicants were willing to undergo the necessary measures to place them in compliance with the Charter School Act.

Mr. Woodward asked if there would be a problem with students over the age of twenty participating in the program if they were willing to pay the full tuition in lieu of the funding the school would not receive because of the age of the students.

Dr. Eckerling replied that students can receive state funding if they are less than 21 years of age by October 1, and to age 22 if the student is disabled. He said that he does not think that a student over that age who was willing to pay full tuition would legally be required to be turned away.

Mrs. Moss said that she was concerned about the funding for students who start the program after the official Pupil Count Day of October 1, given the fact that one of the more positive aspects of the program is the fact that students do not have to wait for a semester break to enroll in the program.

Ms. Bisceglia stated that the applicants said that their experience is that students leaving and entering the program occurred at a fairly like rate, so that the number of students in the program at any given time is relatively constant. This would mean, she said, that the school would also receive funding as of October 1 for students who would not spend an entire school year in the program.

Dr. Eckerling added that each of the existing charter school contracts contains a clause that states that, if enrollment drops by more than five percent by February 15 of any school year, the charter school must make repayment to the district for those students second semester funding, therefore another count is done at that time to ensure that the school is entitled to all the funding provided by the district.

**Living Education Center**

Tenley Stillwell explained that the Living Education Center proposes to serve at-risk children from the age of three through grade twelve, opening with service for children aged three through grade five and adding a grade every year through 2006, when the projected enrollment would reach 500 students. She said that the school proposes a holistic approach to education, addressing the needs of the whole child; however, members of the review committee feel that the program is somewhat unrealistic in that it is trying to run too many programs simultaneously. She stated that the proposed
curriculum includes, among others, the following programs: Core Knowledge, Six-Trait Writing, Odyssey Living and Learning, and Gateway Outreach. All of these programs, she said, are educationally sound, but together the programs running simultaneously might be more than the school can actually accomplish.

Regarding the school's proposed budget, Ms. Stillwell said that the funding in some areas seems to be inadequate, especially given the fact that the state does not allow any funding for three year old children. Additionally, she said, the budget does not include sufficient amounts for technology, special education, or business services. She said that another budgetary problem is that the applicants have not included the fees charged for using the many educational programs they propose to employ at the school or funds for professional development so that their teaching staff understands the operation of the programs. Also, she said, the program proposes to address many psychological issues with children, which is a very positive aspect of the program, but unless the proposed on-staff psychologists also teach, the proposed student to teacher ratio does not work in the budget as proposed.

She said that the applicants have also proposed the same concept as a charter school in Adams County School District 14, and one of the possibilities proposed was to combine the schools for both counties into one school that would serve 1000 students from both districts. She said that it was unclear whether the student membership would be recruited by recommendations from the Department of Human Services or from neighborhood schools. Also, she said, having two districts fund one charter school might be problematic, especially if contracted services are used; and the committee is also uncertain as to whether such an arrangement would be legal under the Charter School Act. She said that another problem with the application was the complete lack of parental and community support for the concept.

Given all of these issues, she said, the review subcommittee recommends that the application for the Living Education Center be denied charter school status for the 2002-2003 school year.

**Denver School of Science and Technology**

Carolyn Conley explained that the Denver School of Science and Technology is proposing to establish a ninth through twelfth grade charter school, with a planned opening date in the fall of 2003 and a projected enrollment of 125 students, which would eventually grow to 400 students by 2007. The applicant, she said, hopes to create a high school that will provide an opportunity to participate in high-level mathematics and science curriculum to underrepresented student populations, including an emphasis on attracting and serving female students who, traditionally, have not had strong representation in mathematics and the sciences.

She said that the review subcommittee expressed concern that there was not a significant enough emphasis on language arts in the curriculum provided by the applicants. Another concern, she said, is the fact that, given the select nature of the student body, there would
be an expectation of higher scores on Colorado Student Assessment Program (CSAP) tests; therefore, the committee suggests that another kind of assessment be required of this school should the charter application be approved.

Ms. Conley stated that there is strong evidence of support for this application from the city's political leadership; however, the applicants did not present any evidence of support from parents or grass roots community organizations. The applicants, she said, informed committee members that, since the school did not plan to open until 2003, they would still have time to gather and present evidence of such support.

The New School Development Corporation, she said, is the applicant for the Denver School of Science and Technology and has received a significant challenge grant from the Bill and Melinda Gates Foundation for the construction of their school. Additionally, she said, the applicants have established a joint-use agreement with Aurora Community College in relation to land on which the school will be built, the use of existing facilities, teaching partnerships, and shared materials and resources.

Ms. Conley said that another potential issue that makes the application potentially problematic is the fact that over 63 percent of district students are considered at-risk, based on their qualification for free or reduced price lunch, and the applicants propose to have a first-year enrollment of only 30 percent at-risk students. The subcommittee, she said, believes that the charter school should strive to serve a population that aligns with the district's socioeconomic diversity. In light of that fact, she said, the review panel also recommends that, should the charter be approved, the Denver School of Science and Technology should be contractually bound to ensure that recruitment and admissions project is such that the program is available to the district's underserved populations.

With those concerns in mind, she said, the subcommittee believes that the Denver School of Science and Technology would offer a unique, innovative program with educational merit and recommends that the Board of Education offer the school charter school status for the 2003-2004 school year, contingent upon the applicant providing evidence of parent support for the charter; the submission of a more comprehensive language arts curriculum; the inclusion of assessments that will demonstrate appropriate student academic growth; and a contractual agreement that fully defines recruitment, enrollment, and support in relation to the targeted populations.

Mr. Patterson noted that the recommendation for charter school status for the Denver School of Science and Technology came with a long list of contingencies and asked whether that indicated a recommendation that was not as strong as favorable recommendations for other charter school applications.

Ms. Conley replied that the recommendation was not any less strong than for other charter schools but does reflect the seriousness of the review panel's concerns. These concerns, she said, would not prevent the school from being successful, but it is important to ensure that the intent of the original application to serve underserved populations is not lost. She said that it might be tempting for the applicants to state that
they had been unable to find a sufficient number of at-risk or female students who would be able to succeed at the program, but it is important to ensure that every effort is made toward that goal even if it requires that the school be contractually bound to do so. In their interviews, she said, the applicants seemed to be very clear about the necessity of providing support to those populations to help them be successful. She said that the applicants indicated their interest in working with interested middle school students to help prepare them for the culture and experience of going to a school that has different academic expectations than those to which they are accustomed.

Ms. Bisceglia said that the subcommittee was in agreement about the fact that they wished to see the percentage of at-risk pupils attending the Denver School of Science and Technology align with the district’s statistics. The subcommittee agreed, she said, that the school might also provide a challenge to the district as a whole to produce a large pool students who would qualify for admission to such a program, perhaps guiding middle school programming toward offering courses that would provide a strong foundation for a science and technology based curriculum.

Mr. Mej a said that he was in complete agreement with the concept of increasing efforts in the district to serve underserved populations and that he hoped that other district programs would work toward that goal.

Ms. Gantz Berman thanked the DSIAC representatives who put so much time and effort into reviewing and evaluating the charter school applications, and told them that they had provided a very valuable service to the Board as they deliberate their decisions regarding the granting of charters. She asked Dr. Eckerling to review the charter school timeline for the Board and the public.

Dr. Eckerling explained that staff would consider the report provided by DSIAC as well as additional information submitted by the applicants in response to questions and concerns. At the Work Session of December 6, he said, district staff would present their recommendations for each charter school application. He said that, based on those discussions, staff would prepare Resolutions in compliance with the Board’s decisions regarding approval or denial of charters, and that those Resolutions would be acted upon at the December 13, 2001, Legislative Meeting.

Mrs. Edwards added her thanks and appreciation for the DSIAC as a critical friend of the district. She asked that DSIAC also provide feedback as to the charter school timeline, which was altered this year to allow for the bulk of the review process to be completed prior to Thanksgiving and Winter Intermission.

Ms. Bisceglia said that the more compressed timeline was a challenge for the DSIAC review panel, but that there were also a larger number of applicants than there have been in recent years. In the future, she said, it would be good to have more time if possible, although DSIAC is aware that the Board has its own time constraints to consider.
Ms. Gantz Berman agreed and stated that this year was a unique situation in that there were more applicants than usual and there were two new Board of Education members who had to be brought up to speed on charter school issues very quickly.

Dr. Wartgow added his thanks to the review panel for their professional, thorough, comprehensive, and thoughtful analysis of the charter school applications. He said that it was very helpful to him and his staff in formulating their recommendations.

A copy of the report entitled District School Improvement and Accountability Council: Charter School Application Report and Recommendations is appended to the official minutes of this meeting as Appendix 01-17(sl), III.

IV. **Appointment to the DPS Retirement Board**

Mrs. Edwards moved that the resignation of Sharon Macdonald as one of the Board of Education's representatives to the Denver Public Schools Retirement System Board of Trustees be accepted; and that Lester R. Woodward be appointed to that position for the remainder of her term and, upon the expiration thereof, appointed for a four-year term. Mr. Mej a seconded the motion.

A roll call vote was recorded as follows: voting aye, Ms. Gantz Berman, Mrs. Edwards, Rev. Guzman, Mr. Mej a, Mrs. Moss, Mr. Patterson, and Mr. Woodward. The motion was declared duly carried.

A copy of this motion is appended to the official minutes of this meeting as Appendix 01-17(sl), IV.

V. **Adjournment**

Ms. Gantz Berman adjourned the meeting at 6:40 p.m.

Susan G. Edwards, Secretary
Board of Education