I. Call to Order – 5:00 p.m.

A. Pledge of Allegiance

B. Roll Call

President Lester R. Woodward called the meeting to order at 5:18 p.m. The following Board of Education members were present: Ms. Elaine Gantz Berman, Rev. Lucia Guzman, Mr. Bruce Hoyt, Mrs. Michelle Moss, Mr. Kevin Patterson, Ms. Theresa Peña, and Mr. Lester Woodward.

II. Board Members Reports

There was none.

III. Superintendent’s Reports

A. Report on Joint Market Compensation Task Force with Denver Classroom Teachers Association (DCTA)

Members of the Joint Market Compensation Task Force: Co-Chairs Barbara Bennett and Bart Muller; Richard Allen, Charles Babb, Nan Baumbusch, Tom Buescher, Charlie Davies-Schley, Marty Flahive, David Irwin, Gary Justus, Tony Lewis, Bobbi Walter, presented the report.

Copies of this report are appended to the minutes of this meeting as Appendix 05-02, III-A.

Dr. Wartgow recognized and honored Melanie Haas, Northwest Area Superintendent, who retired from the district January 26, 2005.

Dr. Wartgow said that the excellent presentation by the Joint Task Force on Teacher Compensation is available online. The purpose of that report is to determine how competitive Denver Public Schools is with respect to teacher compensation, in order to attract and retain the best teachers available.

Dr. Wartgow said he would like to summarize the presentation, not specifically, but about the opportunity that is before us. The district has three goals: To set high expectations, to improve the performance of all students, and to close the gap between
better and poorer performing students. We recognize that in order to reach these goals we must have the highest quality teachers in every classroom. To that end, Denver Public Schools is committed to being an attractive district in which to work, one that is highly competitive with respect to compensation. It is important to reiterate that DPS is competitive today, as shown by this independent study. If retirement is included as part of the total picture, DPS ranks second among fourteen metropolitan Denver school districts; if you exclude retirement, DPS ranks sixth out of fourteen districts.

Retirement is a promise for future pay. Retirement dollars are dollars placed in the retirement system now for teachers to enjoy later. We must continue to include retirement in compensation, if we are going to be competitive. We pledged to the teacher’s union to assess our position in the market, to identify the strengths and weaknesses of our traditional compensation system, and to evaluate whether our system allows us to track and retain high quality teachers. It will not be easy in a difficult budget year, but it is a priority for the district.

The teacher compensation reform, known as ProComp, will leapfrog DPS ahead of all other metropolitan districts. ProComp will allow for meaningful increases in teacher compensation. The approval of ProComp by the voters next November will add a significant stream of revenue entirely dedicated to teacher salaries—$25 million each year. ProComp will also give the community accountability, with teacher pay linked to student achievement and overall teacher performance. Over the coming months, as we negotiate the 2005-2006 contract and continue discussions about ProComp, many may say that the district does not care about teacher pay and that we do not value teachers. “Let there be no mistake, when it comes to issue of teacher pay there is no us versus them on this issue. We are together on this issue. Teachers need to be paid at a rate that is dramatically higher than we pay them today. ProComp holds that promise. We need to work together to continue to look for ways to sharpen our budget and to keep our eyes on improving student achievement.” Dr. Wartgow is confident that we are on the way to making Denver Public Schools the top district in this state in terms of teacher compensation. He thanked the teacher compensation task force and citizen volunteers for their hard work.

Dr. Wartgow introduced Lita Weinstein, Director of Employee Benefits, and Robin Kane, Executive Director of Human Resources. Ms. Kane said that they are starting to distribute an employee appreciation coupon book to all district employees, as a token of appreciation for being an employee of DPS.

IV. Consent Agenda

Assistant Secretary Jacquie Lucero read the agenda items by number and sequence, in accordance with Consent Agenda procedures, the following items were removed from the Consent Agenda and held for discussion:

IV-C-1 Motion to Approve the Revitalization Plan for Montclair Elementary School
IV-C-2 Motion to Approve the Revitalization Plan for Hill Middle School
Rev. Guzman moved that all matters on the Consent Agenda not held be approved. Mr. Patterson seconded the motion. The motion passed unanimously and the following items were approved:

B. Gift Report – A copy is appended to the minutes of this meeting as Appendix 05-02, III-B.

A. Board of Education

1. Minutes of December 16, 2004 – A copy is appended to the minutes of this meeting as Appendix 05-02, IV-A-1.

2. Finance and Audit Committee

a. Motion to Approve Design/Build Contract for Hilltop Remediation Project
   A copy of this motion is appended to the minutes of this meeting as Appendix 05-02, IV-A-2a.

b. Motion to Approve Award of Invitation to Bid #BD 1018 for Plastic, Foam, Foil, and Paper Products to All American Poly, Andrews Food Service, Colorado Sales, Innovative Packaging Group, Interboro Packaging Corporation, Northern Colorado Paper, and Western Paper - A copy of this motion, to solicit responses from qualified vendors to provide required items to stock the Food Services Warehouse, is appended to the minutes of this meeting as Appendix 05-02, IV-A-2b.

c. Motion to Approve Award of Invitation to Bid #BD 1021 for Structured Cabling/80 percent E-Rate Year 8 to Avant and National Network Services
   A copy of this motion, to solicit responses from qualified vendors to provide structured cabling at Abraham Lincoln, Montbello, and North High Schools; CLA; CEC; Henry, Martin Luther King, Jr., Merrill, and Place Middle Schools; and Doull, Ellis, Greenwood, Holm, Knight, Maxwell, McMeen, Moore, and Teller Elementary Schools, is appended to the minutes of this meeting as Appendix 05-02, IV-A-2c.

d. Motion to Approve Award of Invitation to Bid #BD 1022 for Structured Cabling/60 percent E-Rate Year 8 to Avant and National Network Services
   A copy of this motion, to solicit responses from qualified vendors to provide structured cabling at Denison Montessori, Green Valley, Lincoln, Palmer, and Samuels Elementary Schools, is appended to the minutes of this meeting as Appendix 05-02, IV-A-2d.
B. **Administrative Services**

1. **Human Resources**
   
a. **Motion to Approve Personnel Transaction Report** – A copy of this report is appended to the minutes of this meeting as Appendix 05-02, IV-B-1a.

b. **Motion to Approve the Arbitrator’s Report Regarding AAA Case Number 77 390 00513 03** – A copy of this report, a recommendation from the arbitrator regarding the Denver Classroom Teachers Association, West High School Arbitration, is appended to the minutes of this meeting as Appendix 05-02, IV-B-1b.

c. **Motion to Approve the Opinion and Award Regarding AAA Case Number 77 390 00089 04** – A copy of this report, a recommendation from the arbitrator regarding the Denver Classroom Teachers Association Arbitration, is appended to the minutes of this meeting as Appendix 05-02, IV-B-1c.

d. **Motion to Reject the Opinion and Award Regarding AAA Case Number 77 390 00329 04** – A copy of this report, a recommendation from the arbitrator regarding the Denver Classroom Teachers Arbitration, is appended to the minutes of this meeting as Appendix 05-02, IV-B-1d.

e. **Motion to Approve Memorandum of Understanding between the Denver Public Schools and the Denver Classroom Teachers Association** – A copy of this report, to approve changes to the ProComp Agreement between the Denver Public Schools and the Denver Classroom Teachers Association, is appended to the minutes of this meeting as Appendix 05-02, IV-B-1e.

2. **Facility Management**

   a. **Motion to Approve Utility Easements for the Stapleton II K-8 School Project** – A copy of this motion is appended to the minutes of this meeting as Appendix 05-02, IV-B-2a.

   b. **Motion to Approve Amendment to the School Site Agreement with Oakwood Homes** - A copy of this motion is appended to the minutes of this meeting as Appendix 05-02, IV-B-2b.

C. **Educational Services**

1. **Motion to Approve the Revitalization Plan for Montclair Elementary School** – A copy of this motion, to approve the Revitalization Plan establishing Early High-Strides and School-Wide Enrichment Models at Montclair Elementary School beginning in the 2005-2006 school year, is appended to the minutes of this meeting as Appendix 05-02, IV-C-1.
2. **Motion to Approve the Revitalization Plan for Hill Middle School** – A copy of this motion, to approve the Revitalization Plan establishing a Campus of Arts and Sciences with a focus on technology and an expansive arts electives program at Hill Middle School beginning in the 2005-2006 school year, is appended to the minutes of this meeting as Appendix 05-02, IV-C-2.

D. **Policy Revisions**

1. **New Policy**

   a. **Policy DAB, Contingency Reserve** – A copy of this policy, to mandate a three percent contingency created over three years, is appended to the minutes of this meeting as Appendix 05-02, IV-D-1a.

2. **Revision of Policy**

   a. **Policy JC, Pupil Assignment** – A copy of this policy, to make the policy consistent with the core values, strategies, and filters included in Choice Options Resolution 2908, is appended to the minutes of this meeting as Appendix 05-02, IV-D-2a.

   b. **Policy IF, School Design** – A copy of this policy, to make the policy consistent with the core values, strategies, and filters included in Choice Options Resolution 2908, is appended to the minutes of this meeting as Appendix 05-02, IV-D-2b.

E. **Denver Public Schools Retirement System**

1. **Motion to Amend Sections 55 and 190.20(4), Maximum Permissible Benefit of the Retirement and Benefit Plan of Denver Public Schools Retirement System (DPSRS)** – A copy of this motion, an amendment to the Retirement and Benefit Plan of the Denver Public Schools Retirement System which corrects language previously approved, is appended to the minutes of this meeting as Appendix 05-02, IV-E-1.

2. **Motion to Amend Sections 70.88, 70.102, and 110.420 of the Retirement and Benefit Plan of Denver Public Schools Retirement System (DPSRS)** – A copy of this motion, amendments to the Retirement and Benefit Plan of the Denver Public Schools Retirement System which increase the actuarial reduction for early retirement and adjust the Annual Retirement Adjustment (ARAA) for new hires after January 1, 2006, and pro rate the first ARAA for members who become retirement eligible after January 1, 2006, is appended to the minutes of this meeting as Appendix 05-02, IV-E-2.
3. Motion to Amend Section 60, Employer Contribution Requirements of the Retirement and Benefit Plan of Denver Public Schools Retirement System (DPSRS) – A copy of this motion, an amendment to the Retirement and Benefit Plan of the Denver Public Schools Retirement System which allows for a phase-in of the employer contribution rate to achieve full annual required contribution by July 1, 2008, is appended to the minutes of this meeting as Appendix 05-02, IV-E-3.

4. Motion to Adopt a Phase-In Contribution Rate of 9.48 Percent for the Retirement and Benefit Plan of Denver Public Schools Retirement System (DPSRS) – A copy of this motion, to adopt the phase-in contribution rate of 9.48 percent in accordance with Section 60, Employer Contribution Requirements, of the Retirement and Benefit Plan of the Denver Public Schools Retirement System effective July 1, 2005, is appended to the minutes of this meeting as Appendix 05-02, IV-E-4.

**DISCUSSION AGENDA**

IV-C-1 Motion to Approve the Revitalization Plan for Montclair Elementary School

IV-C-2 Motion to Approve the Revitalization Plan for Hill Middle School

Ms. Gantz Berman said she is the Board member for both Montclair Elementary School and Hill Middle School and has closely followed their revitalization efforts. Both schools have a wonderful base of community support. She commended both communities for their hard work and dedication.

Ms. Gantz Berman moved approval of both revitalization plans. Mr. Patterson seconded the motion. Copies of these motions are appended to the minutes of this meeting as Appendix 05-02, IV-C-1 and IV-C-2.

V. Old Business

There was none.

VI. New Business

The following matters were presented for information:

A. Budget and Finance – Financial Services

1. Statement of Revenue Allocations, Appropriations, Commitments, and Expenditures for the period July 1, 2004, to December 31, 2004 – A copy of this status report of year-to-date revenues, expenditures, and inter-fund transfers for each fund as compared to the current-year budget and as compared to the year-to-date totals for the prior year, is appended to the minutes of this meeting as
Appendix 05-02, VI-A-1.

B. Educational Services

1. Report on Future of Gove Middle School – A copy of this report is appended to the minutes of this meeting as Appendix 05-02, VI-B-1.

2. P.S. 1 Charter School Renewal – A copy of this report, staff analysis and recommendation regarding renewal, is appended to the minutes of this meeting as Appendix 05-02, VI-B-2.

3. Challenges, Choices, and Images Charter School Renewal – A copy of this report, staff analysis and recommendation regarding renewal, is appended to the minutes of this meeting as Appendix 05-02, VI-B-3.

4. Community Challenge Charter School Renewal – A copy of this report, staff analysis and recommendation regarding renewal, is appended to the minutes of this meeting as Appendix 05-02, VI-B-4.

5. Pioneer Charter School Renewal – A copy of this report, staff analysis and recommendation regarding renewal, is appended to the minutes of this meeting as Appendix 05-02, VI-B-5.

6. Denver Arts and Technology Academy (DATA) Charter School Renewal – A copy of this report, staff analysis and recommendation regarding renewal, is appended to the minutes of this meeting as Appendix 05-02, VI-B-6.

7. Proposal to Change Fairmont and Greenlee Elementary Schools to ECE-8 Schools – A copy of this report, recommending changing Fairmont and Greenlee Elementary Schools from schools serving ECE-5 to schools serving grades ECE-8, is appended to the minutes of this meeting as Appendix 05-02, VI-B-7.

8. Tuition Rates for Early Childhood Education, Extended-Day Kindergarten, and Montessori – A copy of this report, recommended tuition rates for 2005-2006, is appended to the minutes of this meeting as Appendix 05-02, VI-B-8.

C. Student Services

1. Expelled Students Report - A copy of this report is appended to the minutes of this meeting as Appendix 05-02, VI-C-1.
D. Policy Revisions

1. Policy BEDH, Public Comment - A copy of this policy, which clarifies the Board of Education’s prerogative to group speakers, is appended to the minutes of this meeting as Appendix 05-02, VI-D-1.

Report on Future Gove Middle School

Dr. Wartgow asked Wayne Eckerling, Assistant Superintendent, Research, Planning, and Special Programs, to report on the staff proposal. Dr. Eckerling recognized Beth Biggs, Southeast Area Superintendent, and Janice Spearman, Southeast Assistant Area Superintendent; and Larry Tarver, Principal, Gove Middle School.

Mr. Woodward noted that this proposal will be acted upon by the Board in March. The public will have an opportunity to comment on this recommendation at the Public Comment Session in February.

In response to Mr. Hoyt’s question regarding the declining attendance at Gove, Dr. Eckerling said that one of the main reasons for the decline is that the district was sending the overflow from Martin Luther King and Rachel B. Noel Middle Schools to Gove, and the decision was made to move the overflow to Smiley Middle School. That is one of the reasons it declined, but attendance has been moving down steadily.

Mr. Patterson added that Omar D. Blair Middle School’s opening also provided an additional middle school option.

In response to Ms. Gantz Berman’s question regarding plans to maintain the property, Dr. Eckerling said that it is our intend to maintain the property. It is a great location and a great site for a school, and we need to look at opportunities for reuse.

Dr. Wartgow said that we definitely plan to maintain the property so that it is not a blight on the neighborhood. There are interesting options for using it long-term and interim. We are anticipating the Secondary Reform Commission report. We know that they have recommended changing to smaller high schools. This property and the Byers facility will provide space for future programs should they be needed.

Ms. Berman commended Larry Tarver, Principal of Gove, for the outstanding job he did in a challenging situation. Mr. Tarver has made the decision to retire. She thanked him for his incredible years of service with the district.

Ms. Peña acknowledged that this has been an extremely hard decision. Despite the fact that there are only 241 students, this will not be an easy process for Gove’s families, students, and staff. The Board does not make these decisions lightly. The Board has put pressure on the staff to really look at the schools that are not performing at a successful academic level. If we learned nothing else from Cole, we learned that we need to plan well in advance. She asked how they
planned to work with Gove’s community and parents to ensure that students will be placed in the best academic environment.

Dr. Eckerling responded that they would be working with the principal to set up meetings with parents to discuss their options. They have previously met with parents and they are clearly concerned that this transition means that students will have to travel longer distances to attend school.

Rev. Guzman requested that the Board be updated regularly on what is being done to support the teachers that will be losing their positions.

P.S. 1 Charter School Renewal

Dr. Eckerling presented the report on the P.S. 1 Charter School Renewal. He thanked Ethan Hemming, Manager, School of Choice Office, and his staff, Amy Friedman and Sherry Eastlund, for preparing the charter school renewal reports.

Ms. Peña said that they had just had a difficult discussion about the potential closure of one of the district schools so making a similar recommendation in regards to a charter school feels very consistent. Board members have received many compelling letters from parents and students at P.S. 1. They have raised the issue that their community, for whatever good or bad reason, had chosen in high percentages not to take the CSAP test. Board members also received a letter from the chairperson of their CIS indicating that if their charter were renewed, they would make a significant effort to address this issue and really improve the percentages of students taking the CSAP.

In response to Ms. Peña’s question regarding a conditional renewal, Dr. Eckerling said that a one-year, conditional renewal can be negotiated. The Board always has the option to revoke a charter.

Rev. Guzman asked if parents can make the decision not to have their children take the CSAP test in any of the district schools.

Dr. Wartgow responded that parents can decide not to have their children take the CSAP test and it does happen in many schools; however, it definitely impacts the district scores when it does happen. It is beyond our control. He said that unsatisfactory schools are unsatisfactory whether they are district schools or charter schools. Cole was an unsatisfactory district school and it is now a charter school. We are recommending the closure of Gove because it is unsatisfactory. We are in the process of working with Mitchell and Smith Elementary Schools and Randolph Middle School on whether or not to recommend significant restructuring. The No Child Left Behind process calls for certain sanctions when they reach certain levels of non-performance.

Mr. Patterson said that although charter schools in general have a good bit of flexibility to implement their program, they still have to be accountable to show academic improvement through the results of CSAP testing. Not only is P.S. 1 showing dips in CSAP scores, but it is also showing similar indicators in other data points in their charter school contract. We have to
look at the student achievement data to see if we are getting the results stated in their contract. He said he is confused by staff’s recommendation to extend the deadline for action to April 21, 2005. He does not understand why staff is being ambivalent when the data clearly shows unsatisfactory achievement.

Ms. Gantz Berman said she had met with the chairman of the board of P.S. 1 and has visited the school and spent time with the principal. She commended them for not being defensive about the data presented tonight. They accepted the data and know they need to make significant changes. Dr. Eckerling has met with their board and they have agreed to the recommendation that district staff has made. They are prepared to come back April 21 with a satisfactory restructuring plan.

Challenges, Choice, and Images Charter School Renewal
Community Challenge Charter School Renewal
Pioneer Charter School Renewal

Dr. Eckerling said that staff is recommending renewal for these charter schools.

Denver Arts and Technology Academy (DATA) Charter School Renewal

Dr. Eckerling presented the recommendation for conditional renewal.

Mr. Patterson expressed concern with important indicators in the report that show they have not met their objectives. He feels that we are doing a great disservice to neighborhood schools that have been recommended for closing if charter schools are not held to the same standards. We need to be consistent about what we ask district schools to do and what we ask charter schools to do. We have to make sure there is equity and fairness in the process.

In response to Ms. Gantz Berman’s question regarding the reason for the staff recommendation, Dr. Eckerling said that DATA showed more evidence of achievement than P.S. 1 did.

Dr. Wartgow said that staff has struggled with these recommendations, whether these schools should be renewed, non-renewed, or renewed with conditions. We do not recommend closing or restructuring of district schools without first working very hard to improve them by requiring them to come up with restructuring plans.

Mr. Hoyt said that he understands that if a district school were performing at these unsatisfactory levels it would be put on a school improvement plan or undergo revitalization. He questioned how the charter school renewal process works.

Dr. Wartgow responded that conditional renewal of a charter school would become a condition of the contract. If the charter school did not agree, the district would not recommend renewal. If the charter school does agree and then does not implement the changes, then it would be a material breach of contract and grounds for non-renewal.
Proposal to Change Fairmont and Greenlee Elementary Schools to ECE-8 Schools

Sally Mentor Hay, Chief Academic Officer, presented the report and introduced Melanie Byers, Principal of Fairmont Elementary School, and Josie Garcia, Principal of Greenlee Elementary School.

Tuition Rates for Early Childhood Education, Extended-Day Kindergarten, and Montessori

Cheryl Caldwell, Director of Early Childhood Education presented the report.

In response to Ms. Peña’s question regarding information to the community, Ms. Caldwell said that information has been sent out by some schools. They will follow through on the process.

Mr. Hoyt expressed his appreciation to Dr. Eckerling and his staff for the detailed reports. They contain a tremendous amount of information on the many different subjects that were covered in tonight’s meeting.

Mr. Woodward noted that Policy BEDH, Public Comment, has been presented for a minor change to the policy. There will be an opportunity for comment on this change at the Public Comment Session in February.

VIII. Adjournment

Mr. Woodward adjourned the meeting at 7:04 p.m.

Michelle Moss, Secretary
Board of Education