MINUTES OF THE REGULAR MEETING (09-26) 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, DECEMBER 17, 2009

The Board of Education entered into Executive Session for the purpose of consulting with, and receiving, legal advice from special legal counsel regarding Case No. TA 2009-0004 dismissal proceeding pursuant to C.R.S. 24-6-402(b).

Mr. John Epps, Arts Coordinator for the district, introduced the Kunsmiller Creative Arts Academy Dance students, under the direction of Mark Haase, to perform for the audience and the Board

I. Call to Order – 5:00 p.m.

Welcoming Statement

Paige Wilson, Thomas Jefferson High School Student Board of Education member read the Welcoming Statement in English; Esmeralda Aguilar, Bruce Randolph School Student Board of Education member read the Welcoming Statement in Spanish.

Pledge of Allegiance

Alex Prince, Denver School of the Arts Student Board of Education member, led the Pledge of Allegiance.

Roll Call

President Nate Easley, Jr., Ph.D called the meeting to order at 5:30 p.m. The following Board of Education members were present: Dr. Easley, Mr. Bruce Hoyt, Mr. Arturo Jiménez, Mrs. Jeannie Kaplan, Ms. Andrea Mérida, Ms. Theresa Peña, and Ms. Mary Seawell.

II. Board Member Reports

Recognition of Justin Darnell for Receiving the 2010 Colorado Teacher of the Year Award

Mr. Jiménez introduced Justin Darnell, a teacher at Bryant-Webster Dual Language ECE-8 School. He read the Proclamation and congratulated Mr. Darnell for distinguishing himself by being named 2010 Colorado Teacher of the Year.
Student Board of Education Presentation

Members of the Student Board of Education presented their report. A copy of this report is appended to the minutes of this meeting.

III. Superintendent’s Report

Budget Update

Superintendent Tom Boasberg presented the budget update. A copy of this report is appended to the minutes of this meeting.

District Goals Update

Superintendent Tom Boasberg presented the district goals update. A copy if this report is appended to the minutes of this meeting.

IV. Consent Agenda

Assistant Secretary Jacqui Lucero read the Agenda items. In accordance with Consent Agenda procedures, the following items were removed from the Consent Agenda and held for discussion:

- Approval of Minutes of Board of Education Special Meeting November 30, 2009

- Motion Regarding Teacher Dismissal Hearing Opinion Case No. TA 2009-0004. A copy of this motion is appended to the minutes of this meeting.

- Appointment of Ex Officio Member to the Public Employees Retirement System. A copy of this motion is appended to the minutes of this meeting.

- Approval of Extension of Time Regarding West Denver Prep IV Facility Location and Boundary. A copy of this motion is appended to the minutes of this meeting.

- Motion to Reconsider West Denver Prep III Charter School Facility Location and Boundary. A copy of this motion is appended to the minutes of this meeting.

Mr. Hoyt moved that all matters on the Consent Agenda not held be approved. Ms. Peña seconded the motion. The motion carried unanimously and the following items were approved:
**Board of Education**

Minutes of the Board of Education Regular Meeting of November 19, 2009; the Special Election Meeting of November 30, 2009; and the Minutes of the Special Meeting of December 14, 2009 - Copies of these minutes are appended to the minutes of this meeting.

Gift Report – A copy is appended to the minutes of this meeting.

Appointment of Board of Education Member Bruce Hoyt to Finance and Audit Committee – A copy of this motion is appended to the minutes of this meeting.

**Finance and Audit**

Approval of Contract Between Denver Public Schools and Oakleaf Energy Partners
A copy of this motion is appended to the minutes of this meeting.

**CHIEF OPERATING OFFICER**

**Budget and Finance**

Resolution Authorizing Signatures for Banking Transactions – A copy of this resolution is appended to the minutes of this meeting.

**Human Resources**

Motion to Approve the Personnel Transaction Report – A copy of this report is appended to the minutes of this meeting.

**Office of School Reform and Innovation**

Approval of Girls Athletic Leadership School Contract - A copy of this motion is appended to the minutes of this meeting.

**DISCUSSION OF HELD AGENDA ITEMS**

Approval of Minutes of Board of Education Special Meeting November 30, 2009

Mr. Jiménez moved that the Minutes of the Special Meeting of November 30, 2009, be amended to reflect his request for a further written legal opinion considering the question raised as to the legality of the votes at this meeting. Mrs. Kaplan seconded the motion. The motion carried unanimously.

Human Resources Motion Regarding Teacher Dismissal Hearing Opinion Case No. TA 2009-0004
Ms. Peña moved that the Board of Education reject the Hearing Officer’s recommendation of retention and dismiss the teacher in TA 2009-0004 as set forth in the accompanying Recitals and Order of Retention. Mr. Hoyt seconded the motion.

Mr. Jiménez moved that the Board of Education amend Board member Peña’s motion to reject the Hearing Officer’s recommendation and vote to accept the Hearing Officer’s recommendation of retention; that this Board place the teacher on probation, pursuant to C.R.S. 22-63-302(9), such probation not to exceed one year. The terms of said probation will be established by the district’s administration, subject to further review by this Board. Mrs. Kaplan seconded the motion.

After discussion, vote on Mr. Jiménez’ amended motion: “Yes,” Mr. Jiménez, Mrs. Kaplan, Ms. Mérida, and Ms. Seawell. “No,” Mr. Hoyt, Ms. Peña, and Dr. Easley. The amendment carried.

Dr. Easley recessed the meeting at 6:54 p.m., and convened the Public Comment Session at 7:25.

PUBLIC COMMENT SESSION

The Public Comment Session began at 7:25 p.m. and adjourned at 8:49 p.m. A copy of the Speakers List is appended to the minutes of this meeting.

Dr. Easley reconvened the Board of Education meeting at 8:57.

DISCUSSION OF HELD AGENDA ITEMS (Continued)

Appointment of Ex Officio Member to the Public Employees Retirement System

Ms. Mérida moved that the Board of Education amend the original motion and vote to appoint Amy Grant as the Ex Officio Member from the Denver Public Schools Division to the Public Employees Retirement System, also known as PERA, pursuant to C.R.S. 24-51-203, for the term starting January 1, 2010, through June 30, 2012. Mrs. Kaplan seconded the motion.

After discussion, vote on Ms. Mérida’s amended motion: “Yes,” Mr. Jiménez, Mrs. Kaplan, and Ms. Mérida. “No,” Mr. Hoyt, Ms. Peña, Ms. Seawell, and Dr. Easley. The amendment failed.

Mr. Hoyt moved that the Board of Education approve the original motion and vote to approve Wayne Eckerling as Ex Officio Member for the Denver Public Schools division to the Public Employees Retirement System (PERA) Board of Trustees, pursuant to C.R.S. 24-51-203, for the term starting January 1, 2010 through June 30, 2012. Ms. Peña seconded the motion.

Vote on the original motion: “Yes,” Mr. Hoyt, Ms. Peña, Ms. Seawell, and Dr. Easley. “No,” Mr. Jiménez, Mrs. Kaplan, and Ms. Mérida. The motion carried.
Approval of Extension of Time Regarding West Denver Prep IV Facility Location and Boundary

Mr. Jiménez moved that the Board of Education amend the original motion and vote to reflect that any West Denver Prep IV facility location determination not be within the school district areas west of Interstate 25 and north of Sixth Avenue. Ms. Mérida seconded the motion.

After discussion, vote on Jiménez’ amended motion: “Yes,” Mr. Jiménez, and Ms. Mérida. “No,” Mr. Hoyt, Mrs. Kaplan, Ms. Peña, Ms. Seawell, and Dr. Easley. The amendment failed.

Ms. Peña moved that the Board of Education accept the original motion to approve extension of time regarding West Denver Prep IV Charter School facility location and boundary. Ms. Seawell seconded the motion. The motion carried unanimously.

OLD BUSINESS

Motion to Reconsider West Denver Prep III Charter School Facility Location and Boundary

Mr. Jiménez moved that the Board of Education reconsider the placement of West Denver Prep III Charter School in the Lake Middle School facility and approve the West Denver Prep III Charter School with a facility location and boundary to be determined within 30 days; and, further, that the motions approved at the November 30, 2009, Board of Education Special Meeting relating to the facility location and boundary of West Denver Prep III Charter School be amended to reflect this Board’s action and intent. Ms. Mérida seconded the motion.

Ms. Seawell moved that the Board of Education amend Board Member Jiménez’ motion and vote to affirm the placement of West Denver Prep III Charter School in the Lake Middle School facility; and, further, that the motions approved at the November 30, 2009, Board of Education Special Meeting relating to Lake Middle School and West Denver Prep III Charter School be affirmed to reflect this Board’s continuing intent. Ms. Peña seconded the motion.

After discussion, vote on Ms. Seawell’s amended motion: “Yes,” Mr. Hoyt, Ms. Peña, Ms. Seawell, and Dr. Easley. “No,” Mr. Jiménez, Mrs. Kaplan, and Ms. Mérida. The amended motion carried.

Vote on Mr. Jiménez’ original motion: “Yes,“ Mr. Jiménez, Mrs. Kaplan, and Ms. Mérida. “No,” Mr. Hoyt, Ms. Peña, Ms. Seawell, and Dr. Easley. Motion failed.

NEW BUSINESS

Board of Education – Resolution in Support of “Race to the Top” - First Reading

Ms. Peña read the resolution. A copy of this resolution is appended to the minutes of this meeting.
Board of Education – Resolution in Support of 2010 Census - First Reading

Mr. Jiménez read the resolution. A copy of this resolution is appended to the minutes of this meeting.

Chief Academic Officer – Student Services

Expelled Students Reports – A copy of these reports are appended to the minutes of this meeting.

Mr. Easley adjourned the meeting at 10:22 p.m.

Jeanne S. Kaplan, Secretary
Board of Education