I. Call to Order – 4:00 PM

A. Recitation of the Pledge of Allegiance

B. Roll Call

President Elaine Gantz Berman called the meeting to order. The following Board of Education members were present: Ms. Elaine Gantz Berman, Mrs. Susan G. Edwards, Rev. Lucia Guzman, Mr. James Mejia, Mrs. Michelle Moss, Mr. Kevin Patterson, and Mr. Lester Woodward.

C. Recognitions

1. Risk Management National Recognition

Velma Rose announced that the Risk Management department has received awards for several programs. First, the safety bookmarks and rulers with various safety themes received the top recognition for Best Product from the Public Risk Management Association (PRMA) at the national conference in Reno, Nevada, as well as an Award of Merit from the National School Public Relations Association (NSPRA). The 2002-2003 Safety & Health Calendar received the 2nd Place Award from PRMA as well as an Award of Merit from the NSPRA. The DPS Safety Mascot, Pazzie the Parrot, also received the Award of Merit from the NSPRA. Ms. Rose introduced Stephen Finley and Debbie Beck, the creative team who orchestrated these products.

2. Scott Mendelsberg/New Interim Principal, Abraham Lincoln

Southwest Area Superintendent Melanie Haas introduced the new Interim Principal for Lincoln High School, Scott Mendelsberg, who is coming to Lincoln from Emily Griffith Opportunity School High School. Mr. Mendelsberg said he was honored that the Board has confidence in him and that he is looking forward to getting started.

3. Gerardo De La Garza/New Interim Principal, Horace Mann

Northwest Area Superintendent Joe Sandoval introduced the new Interim Principal at Horace Mann, Gerardo De La Garza, formerly the Assistant Principal at Horace Mann and an assistant principal at Aurora Central. Mr. De La Garza said he looks forward to continuing the good things started at Horace Mann, including the new literacy program, and moving forward with the math initiative for next year.
Dr. Wartgow congratulated everyone, and welcomed Mr. Mendelsberg and Mr. De La Garza to their appointments. He assured them of his and the Board’s full support.

D. **Approve Agenda**

Mr. Mejia made a motion to accept the agenda, which was seconded by Mr. Patterson. Ms. Gantz Berman clarified that the Board was approving just the agenda and not what’s in the agenda. A roll-call vote was taken, and the motion passed unanimously.

**IV. Consent Agenda**

(*Delivered out of order from agenda*)

Assistant Secretary Jacquie Lucero read the Consent Agenda:

A. **Board of Education**

1. Motion to Establish the Schedule of Board Meetings for the 2003-2004 School Year (IV- A-1)
   The Board typically meets the first and third Thursday of the month during the school year with some exceptions.

2. Motion to Participate in the Coordinated Election in November (IV-A-2) – This is declaring the District’s intent to participate in the coordinated election in November 2003 by July 25, 2003, statutory deadline.

3. Appointment of Bond Counsel for Future General Obligation Bond Issues (IV-A-3) – This is to appoint the bond counsel firm for future general obligation bond issues, with such bond authorization subject to future voter approval.

4. Appointment of Disclosure Counsel for Future General Obligation Bond Issues (IV-A-4) - This is to appoint the disclosure counsel firm for future general obligation bond issues, with such bond authorization subject to future voter approval.

5. Appointment of Underwriting Team for Future General Obligation Bond Issues (IV-A-5) – This action is to appoint the underwriting firms for future general obligation bond issues, with such bond authorization subject to future voter approval.

B. **Superintendent’s Office**

1. Independent Contractor Services Agreement with the University of Pittsburgh on behalf of the Institute for Learning (IV-B-1)-This agreement provides the use of the NetLearn and Institute for Learning Tools plus the assignment of Dr. Sally Mentor Hay to function as the Chief Academic Officer for the Denver Public Schools.

C. **Administrative Services**

1. Human Resources
a. Personnel Transaction Report (IV-C-1a) – This report contains information regarding employee activity such as appointments, resignations and transfers.

b. Administrators and Managers Contract (IV-C-1b) – This is a motion for the Board of Education to approve administrators and managers contracts for 2003-2004 school year.

c. Motion to Approve Compensation Increases (IV-C-1c) – This would approve compensation increases for administrators, managers, supervisors, professional-technical and non-affiliated employees.

d. Motion to Approve Memorandum of Understanding for Changes to CWA Agreement (IV-C-1d) – This motion is to accept the changes to the current CWA Agreement as agreed upon by the district and ratified by the CWA Association.

e. Motion to approve Agreement between the Denver Association of Educational Office Professionals (DAEOP) and District (IV-C-1e) – This motion is for the Board of Education to approve the new Agreement between the District and the Denver Association of Educational Office Professionals which was recently ratified.

2. Facility Management

a. Final Settlements (IV-C-2a) – These settlements close a specific contract such as closing out a building addition.

b. Building Purchase and Ground Lease (IV-C-2b) – This is a report requesting approval of the building purchase and ground lease at Front Range Airport for the Emily Griffith Opportunity School Aircraft Training Center project.

c. Architect Selection (IV-C-2c) – This is an architect selection for approval by the Board of Education for Emily Griffith Opportunity School Aircraft Training Center Project.

d. Use of Contingency Funds (IV-C-2d) – This is a report requesting approval for the use of additional contingency funds for the New Stapleton Elementary School project.

e. Easement (IV-C-2e) – This is a report requesting the Board of Education to approve granting an easement for the new k-8 school in Green Valley Ranch.

D. Budget and Finance

1. Financial Services

a. Resolution – Supplemental Budget for the Fiscal Year Beginning July 1, 2002, and Ending June 30, 2003 (IV-D-1a) – This is a report identifying the specific adjustments to the revenues and expenditures of the General and Special Revenue Funds as they pertain to the Montbello Technology Academy and to the Amendment 23 Charter School Capital Construction Grants.
b. Resolution-Supplemental Budget appropriation for the Expenditures During the Fiscal Year Beginning July 1, 2002, and Ending June 23, 2003 (IV-D-1b) – This is a report to change the appropriation for the General and Special Revenue Funds based on the adjustments.

c. Resolution – Identification and Filing of Supplemental Adopted Budget and Appropriation Resolution and Copies Thereof (IV-D-1c) – This is a report to direct that the Supplemental Budget be labeled as such and signed by the Board President and to cause the Board Secretary to have this Supplemental Budget on file for public inspection.

d. Resolution – Authorizing the Chief Financial Officer to Borrow Unencumbered Funds (IV-D-1d) – This is a report to authorize use of available cash and investments in other funds to alleviate general fund cash deficits first prior to borrowing funds from the State, as required by the State Treasurer’s Interest Free Loan Program. State law permits the Board of Education to borrow unencumbered moneys from any one fund, except the bond redemption fund, for the use of another fund at any time.

e. Resolution – Designating Eligible Public Depositories (IV-D-1e) – This report is to update the list of eligible banks and savings institutions, as determined by the State Division of Banking and State Division of Financial Services, that the school district and schools can deposit their funds.

f. Resolution – Amending the Proposed Budget for the Fiscal Year Beginning July 1, 2003, and Ending June 30, 2004 (IV-D-1f) – This report is identifying the specific adjustments to the revenues and expenditures of all funds.

g. Resolution – Authorizing the use of the Beginning Fund Balance During the Fiscal Year Beginning July 1, 2003, and Ending June 30, 2004 (IV-D-1g) – This report, in accordance with SB 03-149, is to authorize the expenditure of the beginning fund balance of specified funds as anticipated in the recommended budget, to state the purpose for which the expenditure is made and to state the District’s plan to ensure the use of beginning fund balance will not lead to an ongoing deficit.

h. Resolution – Adopting the Budget for the Fiscal Year Beginning July 1, 2003, and Ending June 30, 2004 (IV-D-1h) – This report is to adopt the recommended budget as presented and amended.

i. Resolution – Appropriation for Expenditures During the Fiscal Year Beginning July 1, 2003, and Ending June 30, 2004 (IV-D-1i) – This report is to appropriate the moneys to be expended in each fund.

j. Resolution – Identification and Filing of Adopted Budget and Appropriation Resolution and Copies Thereof (IV-D-1j) – This report is to direct that the Adopted Budget be labeled as such and signed by the Board President and to cause the Board Secretary to have this Supplemental Budget on file for public inspection.

k. Class Size Information and Use of the One-Percent Funding Increase Provided by Amendment 23 (IV-D-1k) – This report is in accordance with HB 01-1232, to report the
uses of the one percent funding increase approximating $4.1 million provided by Amendment 23, provide kindergarten through grade three class size information, and explain why class size reduction was not a priority if the one percent increase was not used for this purpose.

1. Tuition Rates and Athletic Fees (IV-D-1l) – This report is to set 2003-2004 tuition rates for non-resident students, foreign students and special education services and to set the fees for participation in the middle school prep league and for high school athletics.

m. Resolution – Authorizing the Execution and Delivery by the District of a “Colorado Master Lease Agreement” Between GE Capital Public Finance Inc., as Lessor, and the District, as Lessee, a Related Escrow Agreement and Certain Other Documents in Connection with the Lease Purchase of Certain Equipment Described Therein: and Making Certain Findings, Determinations, Approvals and Authorizations in Connection Therewith. (IV-D-1m) – This report is to approve a master lease with GE Capital Financing pursuant to the December 5, 2002, approval by the Board of Education of Xcel Energy’s Proposal for Lighting Upgrades throughout the District as part of the District’s utility budget, wherein GE Capital Financing was identified to provide the financing.

2. Independent Contractor Services Agreement with Rosepol, Inc. (IV-D-2) - This grant funded contract is for the development of financial modeling tools for the new teacher compensation plan.

E. Denver Public Schools Retirement System

1. Denver Public Schools Retirement System Contribution Rate (IV-E-1) – This is a motion to adopt the recommended Denver Public Schools Retirement System contribution rate effective July 1, 2004.

F. Educational Services

1. District plan to apply for federal funds under the No Child Left Behind Act (IV-F-1) - The District needs to submit an application to the Colorado Department of Education on or before July 1 to qualify for its share of the federal dollars provided under NCLB.

2. Charter Schools

a. Big Picture High School #1 Contract (IV-F-2a) – This item approves the contract for this charter school, whose application was approved in December 2002.

b. Odyssey Charter School Contract (IV-F-2b) – This item renews a contract with Odyssey Charter School.

c. KIPP: Sunshine Peak Charter School (IV-F-2c) – This contract amendment requests approval of use of site of 2880 Holden Place for one additional year.
d. Denver Arts and Technology Academy (DATA) Charter School (IV-F-2d) – This contract amendment requests a 30-year charter contract renewable at 3-year increments to allow the school to obtain long-term financing for a facility.

e. Ridge View Academy Charter School (IV-F-2e) – This is a request for a waiver from the parent membership provision.

3. Textbook Adoption (IV-F-3) – This is a motion to adopt textbooks to support further implementation of the elementary literacy programs and to conform to current textbooks usage for high school algebra.

4. Indian Education Grant (IV-F-4) – This grant will provide supplemental educational and cultural support for American Indian Students.

G. Schools/Community Partnerships

1. Grants Office

   a. Title 1 School Improvement Grant (IV-G-1a) – This grant is to improve mathematics achievement through the implementation of research-based strategies and practices in Title 1 schools.

   b. Emergency Response and Crisis Grant (IV-G-1b) - This is a grant that will fund well-developed, effective emergency response and crisis management plans for Denver Public Schools.

H. Student Services

1. Athletics and Student Activities

   a. Denver Prep League Admission Prices (IV-H-1a) – This is a proposal to change the admission prices for all Denver Public Schools Prep League activities.

Board members requested that the following items be held for discussion:

   A-2 Motion to Participate in the Coordinated Election in November
   A-5 Appointment of Underwriting Team for Future General Obligation Bond Issues
   B-1 Independent Contractor Services Agreement with the University of Pittsburgh
   D-1-e Resolution Designating Eligible Public Depositories
   D-1-h Resolution Adopting the Budget for the Fiscal Year Beginning July 1, 2003

Mrs. Edwards made a motion to accept the Consent Agenda as modified, which was seconded by Mr. Mejia. A roll-call vote was taken and the motion passed unanimously.

Recognitions, Part II:
(Occurred out of order from agenda)
Mayor Wellington Webb Resolution (I-C-1) – A resolution honoring Mayor Wellington Webb and thanking him for his support of public education.

The arrival of Mayor Wellington Webb and his wife prompted Ms. Gantz Berman to continue with the previous recognitions and say that the Board of Education, Dr. Wartgow, and the entire staff of DPS wanted to publicly thank him for his support of DPS throughout his term, particularly the Mile High Scholars Program. A song with personalized lyrics, “There’s No Mayor Like Our Mayor”, was sung by all for him (a copy of the lyrics is attached). Resolution #2821 (Appendix 03-13, I-C-1) was read. Mayor Webb thanked the Board for their support, and also thanked his wife, and thanked Carol Boigan, whom he congratulated on her election to council. He challenged all present to educate the Mayor Elect to know how important kids are. Other board members and the superintendent thanked the mayor for his service.

Following Mayor Webb’s recognition and a short break, the Board returned to the held items on the Consent Agenda.

IV. Consent Agenda (continued)

Held Item: The Motion to Declare Intent to Participate in the Coordinated Election in November (IV-A-2)

Mrs. Edwards moved that the Board of Education participate in the Coordinated Election in November 2003, and that the Superintendent advise the Denver Elections Commission of this action (Appendix 03-13, IV-A-2). Mr. Patterson seconded the motion. Ms. Gantz Berman explained that a Citizens’ Committee under the leadership of Steve Kaplan has been meeting weekly since January and has recommended a proposed bond and mill levy proposal. The Board of Education met all day in work session to discuss and review the committee’s recommendation and to receive from staff some additional information. She said that by voting on this today, the Board of Education will be advising the Denver Election Commission of its intent to participate in the coordinated election. She said we’re looking at a mill levy of approximately $20 million and a bond between $425 and $470 million. She publicly thanked the Citizens’ Committee for their hard work and the staff that worked closely with them. Final Board action on the proposal will occur in August.

A roll-call vote was taken and the motion unanimously passed.

Held item: Appointment of Underwriting Team for Future General Obligation Bond Issues (IV-A-5)

Mr. Mejia read the action (Appendix 03-13, IV-A-5). It was seconded by Mr. Patterson. Mr. Mejia noted that these companies will be the managers and co-managers throughout the General Obligation Bond work if there is a 2003 General Obligation Bond package submitted and approved by the voters.

A roll-call vote was taken, with all in agreement except for Mrs. Edwards, who abstained on advice of Counsel because her daughter is an employee at one of the companies involved.

Held item: Independent Contractor Services Agreement with the University of Pittsburgh on behalf of the Institute for Learning (IV-B-1)
Rev. Guzman read the motion (Appendix 03-13, IV-B-1). Mr. Patterson seconded the motion.

Rev. Guzman said she held this item in order for the Board to take the opportunity to acknowledge the tremendous work of both Dr. Sally Mentor Hay and the Superintendent.

A roll-call vote was taken and the motion unanimously passed.

**Held item: Resolution Designating Eligible Public Depositories (IV-D-1e)**

Mr. Mejia moved the approval of resolution #2822, designating eligible public depositories. Mrs. Edwards seconded the motion. Mr. Mejia explained that this report is to update the list of eligible banks and savings institutions as determined by the State Division of Banking and State Division of Financial Services, with whom the school district and schools can deposit their funds.

A roll-call vote was taken and the vote was approved by all present except for Mrs. Moss, who abstained from the vote because her mother is associated with one of these banks.

**Held item: Resolution Adopting the Budget for the Fiscal Year Beginning July 1, 2003 and Ending June 30, 2004 (IV-D-1h)**

Mr. Woodward read resolution #2823. It was seconded by Mr. Patterson. Dr. Wartgow said this is a simple motion for what is the culmination of a remarkable process that wasn’t easy, and reminded everyone that during the current year we reduced $11.6 million from the budget, and for next year an additional $30 million. He recognized the outstanding work of Rich Allen and Velma Rose in this process. He also said he was proud of the professionalism and dedication of everyone involved who has gone through this difficult process: managers, principals, our partners in the various unions, those who had to lay people off, noting that there were $8.6 million in cuts from departments, many in 900 Grant. He acknowledged that people would be taking time off in July and encouraged them to enjoy it because they have earned it. He noted that they’ve presented a balanced budget, which is in line with the goals of the district, which will serve DPS well in the coming year.

A roll call vote was taken and passed unanimously.

Mr. Patterson pointed out for the public that, although the budget passed with the adoption of this resolution, agenda item IV-D-1i has the actual appropriations or dollar amounts that are fixed, if the public want to access that information.

**III. Superintendent’s Reports**

*(Delivered out of order from agenda)*

Dr. Wartgow said he wanted the record to show that he is distributing a recommendation on a teacher dismissal, a copy of which is attached to these minutes, and marked Appendix 03-13, III-A. There is no action necessary.

He said we have continuous-year schools in session but many staff members are looking forward to having the month of July off and to coming back in August and moving forward. He also took the opportunity to acknowledge David Stella, Executive Director of DPS-RS. He said that one of the
many significant things that had happened this year was the passage by a unanimous vote in the House, the Senate, and every committee before which it came, on the merger of DPS Retirement System and the Public Employees’ Retirement Association (PERA). He said this is a very significant event in the infrastructure and the future of DPS, and thanked Rich Allen, Velma Rose, and Dave Stella, as well as legislative liaisons Reuben Valdez and Antoinette Salazar for their exemplary work.

II. Board Member Reports
(Delivered out of order from agenda)

1. Board of Education Meeting next week

Ms. Gantz Berman took this opportunity to say that, although Dr. Wartgow had suggested there weren’t going to be any more Board meetings before August, there will be one more special meeting next Thursday. That meeting will involve a “changing of the guard” due to Mr. Mejia’s resignation and the appointment of a new Board member to replace him. That will be the final Board meeting before a break is taken in July. The Board will reconvene the first Thursday in August.

2. Annual Evaluation of the Superintendent

Ms. Gantz Berman reported that among the important responsibilities are the selection, hiring and evaluation of the superintendent. The Board met earlier to conduct the superintendent’s annual evaluation, and they overwhelmingly gave Dr. Wartgow an exemplary, superlative evaluation. Every member of the Board is extremely pleased with Dr. Wartgow’s performance as superintendent, the way he represents the district, how he has provided leadership, his focus on the district’s three goals, the number and quality of changes that have been made under his leadership, including moving towards the merger with PERA, the new literacy program, bringing a chief academic officer on board, expanding the literacy program into the high schools, the math program that’s now getting under way, more consistency with our text books and curriculum, re-vamping our CDMs, moving along with the Pay For Performance pilot, spearheading a major bond and mill levy campaign for this November, among other things. She also noted that he has excellent relations with all segments of the city – the mayor, the governor, the state legislature, and most importantly he has the respect and loyalty of the DPS staff. The Board has unanimously approved an indefinite contract extension for Dr. Wartgow, reflecting their great confidence in his leadership. The Board is aware that he is worth much more than he is being compensated for, but given the budget constraints that we are under this year, the Board is offering him the same compensation package that he has offered his staff, which is a 2.8% total compensation increase.

Dr. Wartgow expressed his gratitude to the Board, and acknowledged the hard work and abilities of his staff. He also expressed his appreciation for the raise that the Board was offering, but declined to accept it and chose rather to put it back into the budget.

On behalf of the Board, Rev. Guzman presented Supt. Wartgow with a gift, a refurbished bell engraved with this inscription: “To Dr. Jerry Wartgow, Superintendent
Congratulations on your 2nd anniversary
Ring the bell twice.
From the Board of Education, Denver Public Schools.”
V. Old Business

There was none at this time.

VI. New Business

1. Motion to honor Cesar Chavez with a non-working holiday

Mr. Mejia read a motion (Appendix 03-13, VI-D) that the Board amend the district calendar to provide that the district will honor Cesar Chavez with a non-working holiday. The motion was seconded by Rev. Guzman. Mr. Mejia spoke of how Cesar Chavez represents full participation in the democratic process, from very humble beginnings, and knowing that everyone should play a part in our democracy, holding accountable those in power, and challenging the system peacefully when necessary. He concluded that he believes it is time that this district follow suit with the city, and many other jurisdictions, including U.S. government, and honor Cesar Chavez with this day. He added that, in these times, it is very important that this day would be budget neutral.

Mrs. Edwards said that she was having difficulty with the timing of this particular initiative, and noted that we ask of staff that materials which the Board will be voting on come in a week ahead of time, which provides within a democracy the opportunity for discussion of the issue before taking action on it, to take a look at what recommendations the staff would have as far as how this would be budget neutral or when it would be worked into the calendar. She said the Board has been working on the calendar itself and that seems like an appropriate juncture to do this, and she suggested that the Board lay this over for action at a future time to allow an opportunity to discuss it with staff. Rev. Guzman recalled that the Board had discussed this issue at a previous meeting, possibly when they were talking about the calendar, and said she was quite aware of it and felt this was an appropriate time to vote on it.

Mr. Mejia added that the Board had talked about it not once, but twice in conversations with regard to the calendar, and that was over a time of at least 60 days. He reiterated that this holiday should not be implemented unless it is budget neutral, and therefore he was ready to move forward with the motion.

After considerable Board discussion, Mr. Woodward moved that the motion be tabled until next week’s meeting and be voted on at that time. He suggested that the staff be directed to evaluate the options and to ensure that the intent of this can be fully implemented with both the appropriate recommendation and the budget neutral provision. Mr. Mejia said he would be happy to hold it for a week.

Ms. Gantz Berman announced that this motion has been held over for one week, and looked forward to the staff coming back to let the Board know whether we can work something out or not.

2. Announcement of the death of Chris Belshe and condolences

Mrs. Edwards said the Board received word yesterday that Chris Belshe, the Athletic Director and Assistant Principal at Manual High School, passed away after a brief struggle with leukemia. She announced that the services will be held on Saturday, the 28th, and she offered condolences to his wife Kim, his family, and the people of Manual High School on behalf of the Board of Education and staff of the District.

3. Information Only
The following items were distributed to the Board for their information, with no action necessary at this time:


Financial Statement for Denver Public Schools Retirement System (VI-B-1)

Expulsion Reports (VI-C-1)

**VII. Adjournment**

Ms. Gantz Berman adjourned the meeting at 6:30 PM.

Susan G. Edwards, Secretary  
Board of Education