

RECORD OF PROCEEDINGS

ARAPAHOE COUNTY SCHOOL DISTRICT NUMBER SIX

Littleton, Colorado BOARD OF EDUCATION Minutes of Regular Meeting May 28, 2009

Call to Order

President Bob Colwell called the meeting to order at 6:30 p.m. in the Boardroom of the Education Services Center, 5776 South Crocker Street.

Present

Bob Colwell, President
Renée Howell, Vice President
Sue Chandler, Secretary
Lucie Stanish, Treasurer
Mary Nichols, Assistant Secretary

Others in Attendance

Connie Bouwman, Assistant Superintendent of Learning Services
Lucinda Hundley, Assistant Superintendent of Student Support Services
Kirk Madsen, Assistant Superintendent of Operations
Scott Murphy, Superintendent
Mike Owens, Assistant Superintendent of Human Resources

Approval of Minutes

Mr. Colwell asked if there were any corrections to the minutes of the May 14, 2009, regular Board meeting. On page 5, first paragraph, Ms. Stanish corrected the last sentence to read, "He said the 2009–2010 proposed budget amount is \$1.7 million *more* than the 2008–2009 budget," Also on page 5, sixth paragraph, Ms. Howell corrected the last sentence to read, "... as federal stimulus money ends, *Referendum C ends, and the one percent increase from Amendment 23 also ends.*"

MOTION: Ms. Chandler moved that the Board of Education approve the minutes of the May 14, 2009, regular Board meeting as corrected. SECOND: Ms. Howell. AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

Superintendent's Report

Mr. Murphy announced that both the girls' and boys' track and field teams from Littleton High School won state 5A championships, and the Arapahoe High School boys' track and field team took second place. The Arapahoe boys' lacrosse team won the 5A championship. At the Destination ImagiNation (DI) global finals, the Goddard Middle School team placed third in their division, the Powell Middle School team came in 22nd, and the Wilder Elementary School team tied for 25th place.

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Mr. Murphy expressed his pleasure about the exceptional commencement, graduation, and continuation ceremonies that were held around the district.

Mr. Murphy and the Board recognized the following teachers for receiving state and national honors. He noted that LPS teachers regularly demonstrate professionalism and dedication. Dr. Ed Cannava, Arapahoe band director, was awarded the 2008 Citation of Excellence from the National Band Association. Jesse Craig, biology teacher at Arapahoe, received the Colorado Outstanding Biology Teacher award for 2009. Bruce Fox, music teacher at Newton Middle School, received a Fulbright grant to participate in a teacher exchange in Switzerland next year. Tony Hurt, social studies teacher at Heritage High School, has been named Colorado's Teacher-Coach of the year by the Colorado High School Coaches Association. Butch Risoli, athletic director at LHS, was named Athletic Director of the Year by the Colorado Athletic Directors' Association. Karl Fisch, director of technology at Arapahoe, was named the 2009 Outstanding Leader by the International Society for Technology in Education.

Mr. Colwell thanked these teachers for their excellent work and years of service to students in LPS.

Board Reports/Requests

Mr. Colwell thanked Board members for their attendance at high school commencement exercises and other graduation and continuation ceremonies around the district.

Ms. Nichols visited ninth grade honors English classes at Arapahoe High School. She attended barbeques for staff at the Education Services Center and at the district stadium for property management staff. Ms. Nichols attended a federal relations network meeting hosted by the Colorado Association of School Boards (CASB).

Ms. Chandler thanked all those who worked behind the scenes to ensure that high school commencement exercises ran smoothly. She also visited the ninth grade honors English classes at Arapahoe High School, and attended the fifth grade continuation at East Elementary School. Ms. Chandler will attend the Rocky Mountain School of Expeditionary Learning graduation exercises on Friday, May 29. Mr. Colwell noted that Ms. Chandler's son was a player on the state championship lacrosse team from Arapahoe.

Ms. Howell attended the Educational Technology Advisory Committee (ETAC) meeting and said David Chao, a Lenski parent was elected chair-elect. She also said outgoing chair Briggs Buckley, who just graduated from Littleton High School, will attend Denver University in the fall and will attend ETAC meetings as past chair when possible. Ms. Howell said the committee hopes to continue to support student leadership.

Ms. Stanish attended high school commencements and other graduation and continuation ceremonies, noting that she appreciated the alternative school choices available to LPS students. She attended the presentations made by ninth grade honors English students at Arapahoe High School. Ms. Stanish announced that the date for the Littleton Community Retreat will be April 23-24, 2010, and will be held at a

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local site. She attended the East Elementary fifth grade continuation and the Special Services Advisory Committee meeting where parent survey results were discussed.

Mr. Colwell said he appreciated the great speeches given by Board members at high school commencement exercises. He attended the Career and Technical Education (CTE) year-end dinner, and toured the house students in the CTE program built.

Citizens' Requests to Speak to the Board

Mr. Greg Porter spoke about inequities in grading practices among teachers at Heritage High School. Mr. Murphy said administration will follow-up with Mr. Porter.

Action

Consent Agenda

Mr. Colwell asked if there was any additional information or questions about the items listed in the consent agenda. Mr. Mike Owens, assistant superintendent of human resources, expressed thanks to Mr. Jim Sturgell, who has served as interim director of secondary education this year. Mr. Owens made the following corrections and clarifications to the Board Report support materials concerning personnel. Devona Messing and Diane Sazpansky, both Food Services employees, are not leaving the district for other employment; they are changing to substitute Food Services employees. Mr. Owens stated that the transfer position listed for Rhonda Knoop in the support materials is correct; information in the hand carry materials is not correct.

Mr. Owens said that all 23 teacher status teachers from Ames and Whitman elementary schools have been placed in other positions, and six probationary teachers from Ames and Whitman have been rehired. He further noted that 15 of the 21 classified employees from Ames have other positions in the district, and 19 of 28 classified employees from Whitman have other district positions.

Mr. Colwell asked for clarification about employee Paul Nelson who is listed as resigning from the district in the hand carry materials, and is also on the teacher status recommendation list. After review and research, Mr. Owens later explained to the Board that these are two different teachers.

MOTION: Ms. Nichols moved that the Board of Education approve the recommended consent agenda numbered 1.1 concerning Personnel Recommendations with the additions made this evening and 1.2 Intergovernmental and Lease Agreements with South Suburban Park and Recreation District. SECOND: Ms. Chandler AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

Teacher Status Recommendations for the 2009-2010 School Year

Mr. Owens explained that teachers who have successfully completed three consecutive years of full-time teaching in Littleton Public Schools are eligible for "teacher status," formerly known as "tenure." Teacher status is earned on the first day of the fourth consecutive year in a full-time position. Mr. Owens shared comments from principals about several teachers being recommended for teacher

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status. Administration recommends that the Board of Education approve the list of teachers presented for teacher status.

MOTION: Ms. Stanish moved that the Board of Education approve the list of teachers recommended for teacher status as presented. SECOND: Ms. Howell AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

Ms. Stanish expressed appreciation for these excellent teachers.

Discussion

Legislative Wrap-Up

Ms. Tonette Salazar, district lobbyist, reviewed information from the 2009 session of the Colorado General Assembly. She reviewed the overall state budget picture, and noted that she has never seen a year quite like this year with its unknown financial factors. Ms. Salazar explained that the state budget for 2009–2010 could change based on upcoming economic forecasts in June, September, and December. A special legislative session in either July or October is possible to look at the state budget. Ms. Salazar reviewed changes in state funding for K–12 education that affected 2008–2009 funds in mid-year, which included a reduction of \$19.75 per students and mid-year cuts to programs funded from the state education fund. She stated that base funding under Amendment 23 remains the same.

Ms. Salazar reviewed the state school finance legislation for 2009–2010. She explained that while districts were allocated inflation plus one percent as mandated by Amendment 23, which equates to a 3.9 percent increase, other factors impact this funding including the 2008-2009 rescission, which carries into future years, the fiscal emergency restricted reserve mandate of 1.9 percent, mandatory increases to the employer contribution for PERA, and health care premium cost increases. In LPS, declining enrollment further erodes this increase in state funding. Ms. Salazar cautioned the Board about use of the state-mandated restricted reserves of 1.9 percent. She explained that the state is out of financial options to fund programs and services state-wide.

Ms. Salazar said that the school finance bill maintained the five-year declining enrollment averaging and 110 Colorado districts face declining enrollment. A study will seek long-term solutions to the problem. Also maintained in the school finance bill is full-day kindergarten funding at current levels of 0.58 full-time equivalent (FTE), and the charter school capital construction fund. The bill also provides districts with flexibility by eliminating required reserves for capital construction, insurance, and instructional supplies. The bill allows districts to hold TABOR reserves in capital assets, increases the mill levy override limit from 20 percent to 25 percent, and allows purchase of buses and other capital outlay with funds from a successful transportation mill levy override election. New requirements outlined in the school finance bill include creating individual career and academic plans for students and registration with College in Colorado, providing monetary awards to schools with 75 percent or more of students receiving free/reduced lunch who demonstrate the highest rates of academic growth based on the state model, and requiring new employees to sign employment contracts within 30 days of hire.

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Ms. Salazar reviewed other bills that affect school districts including alignment of accountability systems, concurrent enrollment, and data and reporting. In addition several other bills will bring changes to school districts relative to food allergy policies, parental involvement, teacher identifier, recording of board meetings, and dropout prevention. Bills that failed during the session included statewide autistic charters/vouchers, healthy snack mandates, financial transparency, mandatory physical activity, and seat belts on school buses.

Ms. Salazar said that several interim committees or workgroups will convene while the Legislature is not in session to address topics including school finance, business personal property tax, poverty reduction, budget/fiscal stability, Race to the Top, and early childhood education and readiness.

Ms. Howell asked if the state might rescind school funding above the 1.9 percent restricted reserve amount, and Ms. Salazar responded that it is possible. Mr. Colwell asked for clarification about legal issues if the state takes more than the 1.9 percent restricted reserve. Ms. Salazar responded that if the state does not fully fund education, it is in violation of the state Constitution, but only if challenged in court. Mr. Murphy asked who would give credit to students in the newly created Accelerating Students Through Concurrent Enrollment (ASCENT) program, and Ms. Salazar responded that community colleges will award credit. Ms. Howell asked for clarification about the teacher identifier program. Ms. Salazar said a pilot program in five school districts will begin in 2009–2010.

Mr. Murphy thanked Ms. Salazar for her years of service to the district. Mr. Colwell also thanked Ms. Salazar on behalf of the Board. Ms. Stanish said the information Ms. Salazar provides brings understanding and clarity to the legal aspects of legislation.

Exclusive Beverage Contract

Mr. Scott Myers, chief financial officer, explained that the current ten-year exclusive beverage agreement with Coca-Cola expires on July 31, 2009. In cooperation with Cherry Creek School District, the district issued a Request for Proposal and received proposals from Coca-Cola and Pepsi. The Coca-Cola proposal offered a commission rate of 47 percent compared to Pepsi's 25 percent rate, so the recommendation was made to move forward with the proposal from Coca-Cola. Overall, the Coke agreement is estimated to financially benefit LPS schools about \$88,000 annually. Mr. Myers said that contract language stipulates that all beverage sales must meet state and district guidelines. Other terms in the agreement include sponsorship valued at \$800,000 over the ten-year agreement; the share for LPS is about \$200,000. Other value-added benefits include free product for special events valued at about \$3,700 for LPS, and an athletic kit for each high school annually that includes water bottles, towels, cups, and coolers.

Ms. Nichols asked how the revenue from beverage sales is used, and the response was it is at the discretion of the school. Ms. Connie Bouwman, assistant superintendent of learning services, noted that some schools use it for student scholarships. The vending sales commission at ESC goes to the ESC building council.

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Ms. Chandler encouraged the district to maintain the spirit of the health and wellness movement and avoid the use of the word “soda pop” when discussing the Coca-Cola agreement or vending sales. She also said it is important to offer choices even in areas where soda pop is allowed. Ms. Dayna Ashley, the beverage contract manager from Coca-Cola said that the company is very sensitive to the health and wellness issues.

This item will return for action on June 11, 2009.

Fiscal Year 2009-2010 Proposed Budget

Mr. Myers presented information about the 2009–2010 proposed budget. He explained how the budget document is organized and said the district received the Meritorious Budget Award for fiscal year 2008–2009 from the Association of School Business Officials (ASBO).

Mr. Myers reviewed the factors that guide the budget development process, which include the Board’s goals, the School Finance Act (SFA), recommendations from the district’s Financial Advisory Committee (FAC), the five-year forecast, PERA and health care cost increases, salaries, and federal stimulus funds. Mr. Myers said that the SFA includes a restricted reserve emergency fund of approximately \$2 million for LPS. These dollars may not be used prior to January 2010, and may be called back by the state. He noted that the PERA statutory rate increase is 7.2 percent, and the health care premium increase is six percent. The budget includes funding for salary step increases, with no base salary cost of living adjustment, pending the outcome of negotiations.

Mr. Myers presented a comparison of budget appropriations for all funds for FY 2008, 2009, and 2010, noting total appropriations are growing at less than one percent for 2010. He reviewed the provisions of the 2009–2010 School Finance Act, which includes the Amendment 23 increase. The 2008–2009 rescission decreases the student funding base by 0.3 percent, and declining enrollment further reduces the base by one percent, which gives a net increase in per pupil revenue (PPR) of 3.6 percent for 2009–2010. This amount is further reduced by the two percent restricted reserve, leaving an increase in PPR of 1.6 percent or about \$1.7 million for 2009–2010. Mr. Myers gave an overview of general fund revenue sources, noting all funding sources show a decrease for 2009-2010. He reviewed general fund expenditures, noting the drop in projected expenditures of about \$600,000 for 2009–2010. Mr. Myers stated that the anticipated fund balance on June 30, 2010, not including restricted reserve funds, will be about \$12.5 million. Mr. Murphy contrasted this to the fund balance two years ago of \$21 million. He further commented that on June 30, 2010, the district’s undesignated reserves will be about \$2.8 million, the lowest in recent history.

Mr. Myers stated that even though the state required reserves for capital needs has been eliminated, the district will continue to appropriate dollars to the capital reserve fund at the same level because capital improvement projects are ongoing and continue to be a district priority. He also reviewed appropriations for other funds including the bond redemption fund, designated purpose grant fund, extended day care program fund, food services fund, and student athletic and activities fund.

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Mr. Murphy said further information about the American Recovery and Reinvestment Act (ARRA), or federal stimulus funds, will be discussed in greater detail at future Board meetings. Mr. Myers said expenditures from these funds must be carefully tracked, which will be done through specific account codes.

Mr. Myers stated that while the 2009–2010 budget is balanced, the district’s five-year budget forecast looks bleak, and much work will be necessary to achieve a balanced budget in the years ahead, including budget cuts and a possible mill levy election. Mr. Murphy expressed appreciation to the Board for its leadership to achieve a balanced budget.

Ms. Chandler asked how lunch prices in LPS compare to other metro districts. Mr. Kirk Madsen, assistant superintendent of operations, said district lunch prices are near the top when compared to other metro districts. Mr. Colwell said he appreciated the information in the budget about district schools, and Mr. Myers remarked that some additional information has been added this year.

Ms. Stanish said the budget document is very informative. She commented that the general public may not be aware that the district’s contribution to PERA is higher than the 7.5 percent private sector employers pay into Social Security. Mr. Myers said that some employers have a pension fund in addition to Social Security. Mr. Murphy said PERA will present a legislative proposal this fall concerning the benefit structure.

Ms. Chandler commented that this budget looks very different from past years’ budgets. Ms. Stanish said it is important to communicate with the public about the district budget challenges. Ms. Howell asked about the best time to begin disseminating budget information. Ms. Nichols urged the district to use the charts already developed to explain to the public about the school finance funding. She also said providing facts from the district’s perspective is essential. Mr. Murphy said without ongoing media coverage in a local paper, informing the public is challenging, and the district will begin early this fall to disseminate information. He also commented that a lawsuit may be filed if the state decides to call back the restricted reserves because the state would then be in violation of Amendment 23 of the state Constitution.

Mr. Colwell expressed thanks on behalf of the Board to all the business services staff members for their efforts to prepare the proposed budget.

This item will return for action on June 11.

Report

Transportation Annual Report

Ms. Chandler said she appreciated the work of the transportation department to present this information and its commitment to ongoing improvement. Ms. Howell asked about the significant increase in the number of bus incidents at the elementary level during 2007–2008. Mr. Madsen responded that it was due to some procedural changes and the number of incidents reported has since dropped. He said the implementation of the Positive Behavior Support (PBS) program on buses has made a difference.

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Future Agenda/Adjournment

Mr. Murphy distributed a draft agenda for the June 11, 2009, Board meeting. Action items include Fiscal Year 2009-2010 Adopted Budget. Discussion items include Student Code of Conduct Policy Revisions, District Athletic Code, Board Policy Revisions: EFI and EFI-R—Wellness Policy, Board Policy Revisions to GBEE—Staff Use of District Technology, and EGAEA—Electronic Mail and Internet Services.

MOTION: Ms. Stanish moved that the Board of Education meeting adjourn.

SECOND: Ms. Howell. AYE: Chandler, Colwell, Howell, Nichols, Stanish.

MOTION CARRIED: 5-0.

The meeting adjourned at 9:23 p.m.

Respectfully submitted,

Bob Colwell
President

Sue Chandler
Secretary

ks (6/16/09)