RECORD OF PROCEEDINGS

ARAPAHOE COUNTY SCHOOL DISTRICT NUMBER SIX

Littleton, Colorado
BOARD OF EDUCATION
Minutes of Regular Meeting

November 12, 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
Mary Nichols, Assistant Secretary
Lucie Stanish, Treasurer

Others in Attendance

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

Absent

Lucinda Hundley, Assistant Superintendent of Student Support Services

Approval of Minutes

Mr. Colwell asked if there were any corrections to the minutes of the October 22, 2009, regular Board meeting. On page 5, Ms. Stanish corrected the third sentence in the second paragraph, to read, "Ms. Turner pointed out CSAP math *cohort* data …"

MOTION: Ms. Stanish moved that the Board of Education approve the minutes of the October 8, 2009, regular Board meeting as corrected. SECOND: Ms. Howell. AYE: Chandler, Colwell, Howell, Stanish. ABSTAIN: Nichols. MOTION CARRIED: 4-0.

Superintendent's Report

Mr. Murphy highlighted an article in *The Denver Post* about Heritage High School's football coach, Mike Griebel and his son Mitch, who is the team's quarterback. He announced that Samantha "Sam" Britz, a Littleton High School junior, was selected to perform with the 2010 American Choral Director's Association Regional Honor Choir. LHS seniors Camilla Sterne and Emma Gift were selected to the 2010 Colorado All-State Jazz Choir.

Mr. Murphy said that Arapahoe High School donated more than 150 boxes of food to the Broncos Wives Food Drive. He also noted that students from the LHS chapter of Future Business Leaders of America (FBLA) competed in the Junior Achievement Stock Market Challenge, finishing among the top five teams.

Mr. Murphy said Franklin Elementary School received a memorial donation and a plaque from the Lion's Club in honor of Jack Froistad, a long-time community

member. Mr. Murphy commented on the various Veterans Day activities that took place in schools this week.

Mr. Murphy announced that the nation will celebrate American Education Week, November 15–21. He commented on the achievements of the district and the high caliber of LPS students and teachers. Mr. Colwell read the American Education Week Proclamation:

WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility, and equality; and

WHEREAS, by equipping young Americans with both practical skills and broader intellectual abilities, schools give them hope for, and access to, a productive future; and

WHEREAS, all Littleton Public Schools employees, the Board of Education, and community volunteers work tirelessly to serve our community's children with care and professionalism; and

WHEREAS, schools are community linchpins, bringing together adults and children, educators and volunteers, business leaders, and elected officials in a common enterprise;

NOW, THEREFORE, I Bob Colwell, serving as President of the Littleton Public Schools Board of Education, do hereby proclaim November 15–21, 2009 as the 88th annual observance of American Education Week. Thank you, LPS community for all you do on behalf of the children and families we serve.

Board Reports/Requests

Ms. Stanish attended the Education Services Center (ESC) Halloween luncheon and the LHS football game and play, "A Company of Wayward Saints." She attended the LPS Foundation (LPSF) Stride, which had a record turnout, and the Littleton Association of School Executives (LASE) social.

Ms. Howell attended the National School Boards Association (NSBA) T+L Conference visit to East Elementary School and thanked the staff members who organized the visit. She also attended the LASE social and the LPSF Stride. Ms. Howell said that Colorado Learning 2.0 will be held in Loveland on February 20, 2010. Ms. Howell thanked administration for the Budget Matters information on the district website. She said it is important to keep working to improve the financial situation.

Ms. Chandler attended the LHS play. She said the Greater Littleton Youth Initiative (GLYI) will honor Diana Holland at its meeting tomorrow. She thanked Mr. Kirk Madsen and his staff for snow removal after the recent storm.

Ms. Nichols attended the Colorado Legacy Foundation health and wellness conference. She noted that the district's wellness committee has met twice and is still determining its focus for the year. Ms. Nichols attended the LPSF Stride and the Gifted and Talented Advisory Council meeting. She attended Veterans Day activities

at Peabody and Highland elementary schools and the Circle of Concern Consortium meeting.

Mr. Colwell attended the ESC Halloween luncheon, the LPSF Stride, and the LASE social. He welcomed NSBA T+L conference visitors to East Elementary School. Mr. Colwell attended Veterans Day activities at Peabody and East elementary schools, and attended the PTO Presidents Council (PPC) meeting.

Citizens' Requests to Speak to the Board

Mr. Sam Drury thanked the Board and administration for their competence and commitment, noting that their leadership provides stability to the district.

Ms. Pam Cirbo spoke about Board Policy IMA—Teaching Activities/Presentations and an assignment given in the ninth grade honors English class at Heritage High School.

Action

Consent Agenda

Mr. Colwell asked if there were items that needed further discussion. Mr. Mike Owens, assistant superintendent of human resources, explained that the teachers listed in the hand carry material with a hire date of August 13, 2009, were not brought to the Board for action sooner because of delays in the licensure process.

MOTION: Ms. Howell moved that the Board of Education approve the recommended consent agenda numbered 1.1 concerning Personnel Recommendations with the additions made this evening, 1.2 Special Services Advisory Committee (SSAC) 2009-2010 Charge and Membership, and 1.3 Multiple Copy Literature List. SECOND: Ms. Chandler. AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

Oath of Office and Seating of New Board

Mr. Murphy introduced The Honorable Richard M. Jauch, retired Arapahoe County judge, who administered the oath of office to Ms. Chandler, Mr. Colwell, and Ms. Howell.

Mr. Murphy commented that among publicly elected officials, the office of school board director may be the most difficult position in the nation with the many hours of unpaid service these volunteers devote to school districts. He said it is a pleasure to work with the LPS Board members. Ms. Stanish thanked Board members for their willingness to serve and for their commitment to LPS students and community. Ms. Howell expressed appreciation for the support from district administration. Ms. Chandler noted the professionalism of administration and their support in helping the Board make good decisions. Mr. Colwell commented that the challenges faced during the past year make it easier to continue to serve.

Mr. Murphy invited the Board to elect its new officers.

MOTION: Ms. Howell moved that the Board of Education elect Bob Colwell as president. SECOND: Ms. Stanish. AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

MOTION: Ms. Nichols moved that the Board of Education elect Renee Howell as vice-president. SECOND: Ms. Chandler. AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

MOTION: Ms. Howell moved that the Board of Education elect Sue Chandler as secretary. SECOND: Ms. Nichols. AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

MOTION: Ms. Stanish moved that the Board of Education elect Mary Nichols as assistant secretary. SECOND: Ms. Chandler. AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

MOTION: Ms. Chandler moved that the Board of Education elect Lucie Stanish as treasurer. SECOND: Ms. Howell. AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

Comprehensive Annual Financial Report (CAFR)

Mr. Scott Myers, chief financial officer, explained that the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2009, has been prepared in accordance with generally accepted accounting principles. Mr. Myers explained that Colorado statute requires the annual financial report be audited by an outside accounting firm, which then issues a report on the financial statements. Mr. Myers expressed his thanks for the work of the finance department and commented that Mr. Bob Bell, staff accountant will retire after 17 years of service to the district. Mr. Myers introduced Austin Bump, audit supervisor from Swanhorst & Company.

Mr. Bump reported that the audit performed by Swanhorst resulted in a clean audit and the financial statements are free of material misstatement. He noted that the district is in compliance with the accounting requirements for the federal stimulus funds. Mr. Bump stated that the district will be required to adopt new accounting standards for the year ending June 30, 2011, which will result in an additional fund balance category. Mr. Bump expressed his thanks to Mr. Myers and the district's finance department for their assistance during the audit process.

Mr. Colwell asked for clarification about the new accounting standards, and Mr. Myers responded that the district will be receiving more guidance and will keep the Board informed. Mr. Colwell asked if Mr. Myers had any comments about the conversion to the IFAS system related to the CAFR. Mr. Myers responded that the June 30, 2009, CAFR was based on JD Edwards data, and the 2010 year-end CAFR will be based on IFAS data.

MOTION: Ms. Nichols moved that the Board of Education accept the Comprehensive Annual Financial Report for the year ending June 30, 2009 and acknowledge receipt of the audit per statutory guideline CRS 29-1-606. SECOND: Ms. Howell. AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

Ms. Howell thanked Mr. Bump for the audit report. Mr. Colwell thanked Mr. Bell and the entire finance department staff.

Quarterly Financial Report

Mr. Myers presented information from the financial report for the first quarter ending September 30, 2009. He commented that this is the first quarterly financial report using data maintained in IFAS. Mr. Myers highlighted the district's fund balance of $10.4 million as of September 30, 2009. He noted that revenue and expenditures are similar to last year at this time.

Ms. Chandler asked about the property tax collections, and Mr. Myers acknowledged that collection rates are slow. Ms. Howell asked where the state fiscal emergency contingency reserve fund is noted, and Mr. Myers pointed out the line item on page four, noting that the total reserve amount is $2,033,000. Ms. Howell asked if the charter schools received their portion of the emergency contingency reserve funds, and Mr. Myers highlighted those numbers on pages 14 and 15.

MOTION: Ms. Howell moved that the Board of Education accept the Quarterly Financial Report for the three months ending September 30, 2009. SECOND: Ms. Stanish. AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

Resolution in Support for School Finance Adequacy Lawsuit

Mr. Murphy explained that the Board received information in October 2009 about a lawsuit filed against the State of Colorado for underfunding public education. This lawsuit stemmed from the Lobato v. State of Colorado case that included school districts in the San Luis Valley. Mr. Murphy stated that a resolution in support of this legal action is presented to the Board for its consideration and includes a clause to provide financial support for the lawsuit expenses.

Ms. Stanish commented that it is not "business as usual" in Colorado right now. She said that unlike a business, which can adjust its operation or seek additional revenue, school districts must continue to educate students to meet state standards and prepare them for the future. Ms. Chandler said the district has already made some difficult choices and budget cuts, and it is important to bring the issue of funding to the attention of the community. Ms. Nichols stated that supporting this resolution is the right thing to do for all students because it heightens the awareness of the Legislature to the problem of K–12 funding. Ms. Howell remarked that Colorado has a poorly designed system of funding education. She also said that she is not ready to commit financial support to the lawsuit.

Mr. Murphy said the Board was free to strike the financial support clause from the resolution, and the Board may wish to have conversations with other Board members at the upcoming Colorado Association of School Boards (CASB) Convention about financially supporting the lawsuit. Mr. Murphy added that attorneys are working on this case pro bono, but funds are needed for research and other expenses.

Mr. Colwell commented that the proposed cuts to the K–12 education funding formula are using the factors within the formula to mitigate legal issues related to Amendment 23.

Ms. Chandler read the following resolution:

WHEREAS, the Colorado Constitution mandates:

1. That the general assembly shall establish and maintain a thorough and uniform system of free public schools within the state, and that the general supervision of the public schools shall be vested in a state board of education; and

2. That the general assembly shall provide for the organization of school districts to be governed by locally elected boards of education that are vested with the control of instruction in the public schools of their respective districts; and

WHEREAS, this Board of Education is authorized and charged by law with the responsibility to provide an educational program that meets the high expectations of the students, parents, and taxpayers within the School District; and

WHEREAS, the general assembly has enacted legislation establishing a system of educational accountability based upon goals, objectives, content standards, standardized testing, assessment, school accreditation, and school accountability, which system has also been incorporated into the federal No Child Left Behind Act; and

WHEREAS, this system has imposed increased expectations and obligations upon local school districts, which become progressively more demanding standards, all under threat of state and federal sanctions, up to and including privatization of local schools; and

WHEREAS, neither the State of Colorado nor the federal government has provided adequate funding to permit local boards of education to meet the constitutional mandate to control instruction in their schools, the legislative mandate to achieve certain standards of student performance, and the expectations of the communities which they serve; and

WHEREAS, the Colorado public school finance system is not designed to assure the level of funding necessary to provide the programs and services guaranteed by the Colorado Constitution and to meet the academic standards to which all school districts and their students are held accountable; and

WHEREAS, the general assembly has failed to fund categorical and other programs intended to provide badly needed support for at risk student populations, low income families, second language learners, and special education students, all of which has particularly impacted school districts, parents, and students in the San Luis Valley; and

WHEREAS, the general assembly has failed to demonstrate the commitment or ability to provide for and fund an adequate and equitable system of public education; and

WHEREAS, the school districts and their boards of education have special constitutional and statutory interests that are substantially independent of the state board of education, the general assembly, and the State of Colorado, and

WHEREAS, the CASB and CASE governing boards have strongly endorsed the pending school finance adequacy litigation;

THEREFORE, BE IT RESOLVED, that the Board of Education endorses and supports the pending litigation, referred to as *Lobato, et al. v. State of Colorado, et al.*, on behalf of parents, students, boards of education, and school districts in the State of Colorado to challenge the constitutionality of the Colorado public school finance system.

Approved this 12th day of November, 2009.

MOTION: Ms. Chandler moved that the Board of Education approve the resolution as read. SECOND: Ms. Howell. AYE: Chandler, Colwell, Howell, Nichols, Stanish. MOTION CARRIED: 5-0.

Discussion

Phase I School Achievement Update

Ms. Connie Bouwman, assistant superintendent of learning services, introduced Ms. Jean Martinez, director of elementary education, who provided an update on the literacy initiative in place at East, Field, Hopkins, and Moody elementary schools. Ms. Martinez explained that the district's literacy initiative, the Universal Literacy Framework (ULF) is being phased in over time at district elementary schools, and these four schools, along with Whitman Elementary School, were identified in 2007 as Phase 1 schools. She stated that the initiative is designed to achieve the district's 90 percent goal and close the achievement gap among subgroups of students. Ms. Martinez reviewed the components of the initiative, which include: principal leadership, summer literacy institute, literacy coaches, and planning meetings, and the progress made in each area.

Ms. Patti Turner, coordinator of assessment, reviewed 2008 and 2009 Colorado Student Assessment Program (CSAP) reading results and Measures of Academic Progress (MAP) reading results for the Phase 1 schools. She noted that while results are preliminary, the trends are encouraging.

Ms. Martinez explained the system administration is using to measure the implementation of the various components. She noted that the technical changes are occurring, which ultimately leads to cultural changes that become the basis of lasting change.

Ms. Howell asked about teachers who were not effectively implementing the ULF. Ms. Martinez responded that they are receiving additional support from literacy coaches. Ms. Stanish expressed appreciation to administration for creating the kind of culture needed to support improved student achievement. She asked how new teachers and new principals learn the culture. Ms. Martinez responded that the principle of distributed leadership enables more people within a school to become invested in the culture and they are able to help new staff members learn the culture.

Ms. Bouwman added that new teachers will attend the literacy institute and she hopes the district will hold an annual summer academy.

Ms. Chandler asked what challenges are involved with the literacy initiative. Ms. Martinez responded that some of the challenges include finding time to support teachers, enabling principals to find time to be instructional leaders, and showing results that will create buy-in among staff members. Ms. Martinez commented that while change is good, it does create some anxiety.

Ms. Nichols said she appreciated the chart depicting technical work versus cultural shifts. She asked how administration will know when the shift has occurred. Ms. Martinez responded that during PLCs teachers talk about the culture, which lays the groundwork for a cultural shift. Ms. Bouwman commented that she attended a number of planning meetings at Field last year and saw changes in teachers' expectations. Ms. Nichols remarked that she is pleased to see teachers working together.

Ms. Stanish said she appreciates the collaboration and partnerships among teachers. Ms. Howell applauded the teachers for their efforts and asked administration to convey the Board's thanks for their commitment to improving student achievement.

Mr. Colwell asked if the student achievement index number that went down at K–5 was because of the change to the Development Reading Assessment (DRA2). Ms. Turner responded that the district was required to use this test beginning in 2008 under the Colorado Basic Literacy Act (CBLA), and it is a more rigorous and accurate assessment than the one previously used by the district. Ms. Bouwman added that using the new assessment caused a dip in scores as teachers implemented the test and instruction was aligned with the assessment.

Mr. Colwell thanked Ms. Martinez and thanked the Phase 1 schools for the work they are doing.

Budget Conversations

Mr. Myers and Ms. Diane Leiker, director of communications, presented information about the feedback administration received from community groups about the district's budget. Mr. Myers explained that the Board received the district's long-range budget forecast on August 13, 2009. During the discussion the Board asked administration to meet with existing district and school committees to explain the current budget issues, provide information about past budget reductions, and solicit feedback from these groups.

Ms. Leiker explained that members of the superintendent's expanded team met with all district level committees and school accountability committees during September and October. LPS employees were given a schedule of the meetings and were encouraged to attend. Ms. Leiker commented that meetings were well attended by parents and staff members. She said most attendees had an awareness of the state's budget issues. Some of the themes heard at many meetings include concerns about losing teachers, raising class size, and losing programs. Participants also expressed concern about additional school closures. People expressed their value for programs

that make LPS the preferred choice and indicated that solutions to budget issues must be found at the state level. There was interest expressed in pursuing a mill levy election. Ms. Leiker stated that administration encouraged attendees to continue to follow the issue, and the "Budget Matter$" section of the district website is a good resource. Attendees were encouraged to provide feedback.

Mr. Myers stated that the next steps in the budget development process include administration's recommendations presented to the Board on December 10. He noted that the state must decide by January 29, 2010, whether to rescind the state funding currently being held in reserve, as required. Mr. Myers explained that the state budget and finance issues will be discussed throughout the 2010 legislative session, and the School Finance Act will likely be passed late in the session, which ends in May. The Board will receive the proposed 2010–2011 budget at its meeting on May 27, with final budget adoption scheduled for June 2010.

Ms. Nichols asked if the mention of a mill levy election was a prevalent theme at school accountability committee meetings. Ms. Leiker responded that people asked questions about the process, how it would help to ease the budget situation, and what other districts are doing. Mr. Colwell asked who manages the budget information section of the district website, and Ms. Leiker responded that she posts the information, which comes from many sources, and it is reviewed by the superintendent's expanded team.

Ms. Chandler suggested that it would be helpful to continue to receive feedback from parents, teachers, and the community as new information and facts emerge. Ms. Howell suggested that another symposium might be helpful. Ms. Bouwman commented that parents have expressed a need for information about school finance issues. Mr. Murphy thanked the staff for their efforts in meeting with the various committees. He said the finance issues present a huge challenge to the district and there are no easy choices. Ms. Howell stated that district reserves are low and this is a very difficult time. Ms. Chandler said the Board needs to look at the issue from a student perspective and focus on the classroom. Ms. Stanish said the Board needs to do what causes the least harm to students.

Mr. Colwell asked how the district plans to get the message out to community members who do not have children in school. Ms. Leiker responded that additional information will be disseminated after the Board receives budget recommendations on December 10. She also noted that a community survey will be done in January or February.

Mr. Murphy remarked that a positive outcome for a mill levy election is never a foregone conclusion, especially in these economically challenging times. He said the district must be aligned with what the community wants from its schools. He also noted that a successful mill levy election would have no impact on the 2010–2011 budget.

Mr. Colwell thanked Mr. Myers and Ms. Leiker for the presentation, noting it provides the Board with additional information for decision making.

Public Employees' Retirement Association (PERA) Update

Mr. Murphy explained that any changes to the Public Employees' Retirement Association (PERA) fund must be approved by the state Legislature. The PERA Board has prepared a recommendation to present during the 2010 legislative session that calls for a two percent increase in employer and employee contributions, and a two percent cap on the annual cost of living increase for retirees. He acknowledged that the Legislature will likely struggle with this legislation and a final bill will likely not be approved until late in the 2010 legislative session.

Mr. Murphy said that pension funds across the nation are struggling and the financial losses sustained during the recent recession will never be made up. He said that PERA is not sustainable as now structured, and it may seek a ruling from the Colorado Supreme Court to declare an actuarial emergency. Mr. Murphy commented that changes to PERA will have a significant effect on the district's budget.

Mr. Colwell inquired about the mechanism used for the employee contribution and asked whether other districts address this during negotiations. Mr. Owens responded that other districts do bring this to negotiations, adding that this is another unfunded mandate school districts must absorb. Ms. Howell commented that things cannot remain the same given the current economy.

Future Agenda/Adjournment

Mr. Murphy distributed a draft agenda for the December 10, 2009, Board meeting. Action items include Tax Revenues and Mill Levy Certification. Discussion items include School Accreditation Update and Recommendations and Strategic Budget Recommendations for the 2010–2011 School Year.

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 10:00 p.m.

Respectfully submitted,

Bob Colwell
President

Sue Chandler
Secretary

ks (12/15/09)