

DCSD School Board Meeting
8-3-10

Present: John Carson, Douglas Benevento, Justin Williams, Dan Gerken, Craig Richardson, and Meghann Silverthorn

5:14 p.m.: Call to Order; Roll Call

- Roll Call: Carson, Benevento, Williams, Gerken, Silverthorn
- Motion made and seconded to go into a closed executive session
- Pledge of Allegiance
- Motion to accept a change to the agenda, seconded and approved by voice vote

6:21 p.m.: (back in open session)

- Letter of Credit and Ramification of Amendment 61: Presentation on impacts of Amendment 61 ([refer to the attached ppt. titled Amendment 61 for full details on discussion points or visit the DCSD website under agenda and minutes](#))
- Diane Doney: the major concern for this district is around the letter of credit. We need that to stay above TABOR. Carson: which is 3 %? We would go from 3 to.... Doney: no guarantee we wouldn't need a letter of credit next year. Williams: new charter schools, if they need to build a building they would have to go out to voters to build school? Doney: they would also be impacted by our lack of cash. Williams: would anyone disagree with me in saying passage of 61 would kill the charter movement? (No verbal disagreement with that statement). Doney: effectively we couldn't go out for significant dollars until 2017. Terry Casey: with the passage of 61...statewide...eventually there would be credit deterioration. What would happen with the state? No way to do long-term financing for the state. If it passes you would have to do a COP between the election (November) and December 31st. Borrowing for cash flow will not be at tax-exempt rates. Gerken: is it possible to do this with a shorter term? Casey: we will talk about this on the last slide. Won't be able to do anything in the way of new debt for four years. Richardson: is it all or nothing or is there a portfolio with some mix of fixed and variable? Casey: yes...because this is such a complex subject...once you think one way... We are asking for direction tonight, given the calendar, if you were to decide, and we are not advocating this, if you were to decide to approve a 205 election it has to be decided by September 2nd. Dee Wisor: all of this would only be executed if 61 were to pass, that would be the message. There may be a way to find a bank to do a transaction that would be more a line of credit. A lot of questions around that, we would need to know that before you decide on a 205 election. Casey: rumor has it if 61 passes, or any of the three pass, we will have a special session...undetermined how much relief would come out of that. We would like to walk out of here with an understanding of do you want us to prepare documents around a cash flow borrow... Williams: was there polling done? Casey: there were several polls done in early June, the 2nd one had 61 down in the lower 40's. The reasons they believe for a lower support is it will cost jobs. Number two is around class size. Williams: Liz, do we have a general idea for class size? Doney: whatever we decide to do that cost is coming out of the classroom...60 would cost the state 80 million. Williams: if it does pass, the state has the option of

backfilling? Wisor: if all three pass k-12 will make up 99% of the state's total budget. Williams: give me some of these options...average class size? Doney: not a good answer until we put into effect the budget cuts to this point. Williams: it would be great when I go out to the public to be able to say specifically how high this will raise class sizes. Casey: we are asking for direction tonight because, we are in a circumstance...we have a lot to do between now and November 3rd...we can not do nothing. Williams: what is the negative of a 205 election? Casey: the people running the no campaign on 61 do not want people putting 205's on the ballot. They want to be able to say the districts have no options to running their schools...I am not critical of that position...Ideally, we could do a 205 like election; the wording would be very specific to only "if 61 passes..." Williams: we need to have this by the first meeting in September? Wisor: if you don't want to ask your voters for a tax increase and instead do a line of credit...maybe take the 205 off of the table...other districts are not wanting to ask the tax increase question on this ballot, some are interested in teeing that (line of credit) up. Carson: I want everyone to ask a question if they have it, you are essentially saying we could go to the voters and ask them if they still want to let us...Wisor: what the concern is that they can look at that and say I can still vote for 61 and take care of my local problem. Gerken: on a COP, 25-year term, can we do a shorter term or structure with a shorter repayment? Casey: yes, you have an extraordinary call and increase the interest rate. Gerken: my sense is if this thing passes I think this will be dealt with in the next 2-3 years...Casey: do we find out preliminarily if there is a bank or banks out there willing to do this...we would need it to be your money before December 31st. Gerken: I would rather have a shorter term. Wisor: you need to remember the ratchet effect. Gerken: I would bet a lot of money we won't be sitting here in 60 years discussing this. Williams: when did TABOR pass? We discuss that every year. Casey: this is a lot more serious than TABOR; this would prevent the government from running. Carson: I guess the question for tonight is would folks like more time...Gerken: the 205 is what kind of debt? Wisor: it is a tax increase. Gerken: the COP? Carson: we could do that option after the election? Wisor: yes, but you would need to be prepared. Carson: well...we just went to a just decision making process, and you all know the numbers we are looking at. I don't know how you sell something like this, but if you have language that in your professional judgment...realistically that is going to be a real tough sell, that is just my take. Williams: I agree...at least looking at some language from you guys. Wisor: I can provide that, we have already drafted it. Carson: we should look at it...Silverthorn: I will look at language, but it seems the height of arrogance to say to our voters we know you don't want us to give us money, but if you vote to not give the state money would you give us some. Casey: we are not advocating for this, we just need to give you the option. Silverthorn: I appreciate you coming, John asked our opinion. Doney: we need our voters to know the impact. Silverthorn: we have all seen that voters are going to do what they want to do... Casey: we are in the area when the maximum deficit will occur in March...Gerken: my point would be, rates are really low right now, we would be investing it at a much better rate today. Carson: I ask the board to come to the meeting on the 17th with final decisions on how we should proceed until September and after November.

7:34 p.m.: Professional Association of Colorado Educators (PACE) presentation

- Carson: you have a packet in front of you from PACE and we have a presentation from Megan Leatham and Chris Henry about the programs they offer for teachers. Leatham: we are a Colorado based non-profit, non-union organization, with a cost of \$15/ month, which is low because we don't give money to politics. We are an affiliate of the American Association of Educators (AAE) and have members in all 50 states. Henry: we are an organization who believes that educational involvement should be limited to education only. Our main effort is to work for positive relationships. It is an exciting time to be involved in education if you look at charter schools...we pledge our commitment to this district in any shape or form to benefit schools and teachers. Carson: any questions? Benevento: where else do you operate in Colorado? Give us some background.... Henry: in 2007 we had a few hundred members and have tripled that. Leatham: if you count literature drops and teacher orientations well over half of the districts have allowed us in, some are at teacher orientations and some are just literature drops. Carson: I thought that was an interesting choice of words...allow you? What are the grounds for not allowing you in? Megan: some push back from some superintendents and school boards; even some teachers don't want to deal with the push back from their unions. Our goal is just to maintain professionalism. Carson: you just want to get your information out and teachers can decide? Benevento: in DPS, how did they "let you in?" Megan: we attended their staff fair and dropped fliers to all teachers closer to Christmas. Carson: any other questions? We will take a look at this and decide how best to inform our teachers on this. Benevento: \$15.00 a month? What does that cover? Megan: everything. Carson: anyone wanting to make a public comment? Not seeing anyone we will continue with our agenda.

7:40 p.m.: Superintendent Report: Sustainability Initiatives in DCSD

- [\(Please refer to the attached .PDF: DCSD Sustainability\)](#)
- Ponderosa saved \$60,000 on electricity last year
- National and international recognition
- Questions: Gerken: what percentage of our schools are in a league with PHS? How much opportunity is there in other schools? Lee Smit: up until now it has been entirely voluntary...to obtain 15-20% is still attainable. Gerken: it seems like a great thing and there is real money to be had. Fagan: an incentive approach to the schools...We can say to our schools, who are working so lean right now, if you save this money we will return an FTE to your budget. Doney: we are going to look at the budget for this year...to look at an incentives approach. Williams: did PHS have the most expensive (electric bill)? Smit: no, two other schools were more expensive, TRHS and CHS. Williams: how many refrigerators do they have? Benevento: one success is nice, but it is a true benefit to the district if you can capture why...Smit: PHS worked with DCHS after the first year and it was successful. Silverthorn: how accessible is the recycling? Smit: the students have picked up on that much faster. They are doing a really good job on that. PHS is diverting so much that it is costing \$28/ month instead of \$300/ month. Richardson: congratulations on this success, I would like to see if possible by school data...could be anonymous, could we see the electric usage per school? Gerken: could we do a friendly competition between

schools? Smit: for the first program we did that. We also said the top school won double their prize. Competition works really well...kids at one school asked if they could go over to the other school and turn all of their lights on. Gerken: why would it be that low? Why wouldn't they keep 100% of it (savings)? Doney: we have been using those savings to help our bottom line... Smit: several principals said that 20-25% would make it worth it. Gerken: maybe it could be graduated...the higher amount saved could earn more.

Post-poned: Superintendent Report: Substance Abuse in DCSD

8:08 p.m.: call to order the decision portion of the meeting

- Pledge of Allegiance
- Motion made and approved to accept the agenda
- Carson: public comment? None.
- Adoption of the Consent Agenda
- Approved: Legal Counsel Letter of Engagement

8:15 p.m.: Board Report: District Accountability Committee

- Sue Catterall and Terry Killin: review of changes to bylaws ([please visit the DCSD website: www.dcsdk12.org](http://www.dcsdk12.org), go to BOE Agendas and Minutes, select August 3rd, click on The District Accountability Committee (DAC) and School Accountability Committee (SAC) By-Laws adoption proposal to see these documents).
- Catterall: the accountability process has been a wonderful experience; it has provided a formal structure for conversations between teachers, community, and administration. Questions? Carson: that state system for rating schools? Is that something we can put into our system? Meek: we can add a direct link to "school view." Carson: what's that called? Killin: School View...it is the transparency website for schools...June of 2011 before unified plans are published. Benevento: I think the board appoints members...this upcoming October we would have a decision to make? Catterall: now we are all on staggered terms. Benevento: a 1/3 is up every year? It is the board's decision? Catterall: we bring options to the board. Benevento: is that in the bylaws or just past practice? This could be just formalizing current practice... Charter school's piece? Catterall: our old bylaws required charter applications; we added a recommendation piece. Carson: a lot of people I talk to that are on SAC's or maybe not on SAC's...feel like they don't have a lot of power. You were at the last choice task force? I think we need to work closely with you on this...a big part will be to strengthen SAC's, are you working on this? Catterall: we worked on an electronic training program, we want our SAC's, neighborhood and charter, to have more voice and work with their schools. Killin: it goes back to the idea of "best practice." Some schools do a great job making sure parents are heard and involved. We have communicated to our leaders that they view this at the first meeting to talk about how they function. Richardson: just so we understand...this was a collaborative process, a vote was taken? Catterall: the DAC voted. Richardson: it was not a particularly close vote? Catterall: it was unanimous. Benevento: I think it would be useful to the board...to know what the options were and to be publicly involved in the options (candidates for DAC). Should the BOE be

responsible for removing if they are responsible for appointing? Killin: that is not how the current by laws are written... Benevento: if we appoint someone, we can't remove them... I don't have a motion to make... Richardson: language (piece)...if someone pleads guilty to a misdemeanor, not just is convicted...(exclusion from being considered for DAC). Benevento: I don't think we are ready to make a motion here...if we appoint we should be able to remove. Carson: let's vote on...with text changes...but before we do that lets vote on the Joint Motion Agenda. John Claxton: in regards to the removal process...with respect to the process that brings the candidate to you we would look to your input or feedback on how to change that. I would also comment on the DAC bylaws, in the past it was looked at by the board...we were asked by Cliff in Meghann's absence (from the DAC meeting) that we bring this to the board. Benevento: the issue is we don't get to see the full range of candidates and who has applied early in the process... Claxton: my point is we already do that. Benevento: o.k., in the future if you could share the applications with Nona and she can share with us. Claxton: actually, it is the other way around...she shares the applications with us. Claxton: can I ask...do we have a hold as well on the SAC by laws as well? Carson: how many do we have? Claxton: they are essentially the same. (Decision made by the board to hold off on a vote to approve bylaws).

8:46 p.m.: Proposed Policy Revision: Board Operations

- [\(see attached BOE Policy Revisions\)](#)
- Cason: you allow for "gaming of the system," the president knows if there is a close vote...Richardson: one excludes the option, the other says it is our intent not to do this, but could relax that in important circumstances. The question is really, do we feel strongly as a group to exclude that or just state the intent? Williams: I would prefer the flexibility. Gerken: if we can do it by phone, I don't want...Dick in all of your years have you seen a strict urgency? Dick Bump: never. Gerken: I would rather exclude it. Benevento: if we are going to meet for ten minutes, some flexibility...Richardson: limit to unanimous vote. Carson: there is a provision right now that deals with all board members agreeing. Bump: yes, you need agreement, unanimous consent requirement to discuss. Carson: remember why we are discussing this. We wanted to have a conference call and Dick advised us we couldn't. I think we should limit the meetings that are all telephone to non-voting. When you get into actual voting you need at least unanimous. You don't want to become the board that just railroads things through. If any member of the board disagrees... Gerken: what about the problem Dick mentioned. Bump: all seven members would have to be present on the phone. Richardson: I move that we accept these changes. Williams: aren't there two proposals? Richardson: two effects. Carson: why do we need to authorize members to phone in? Just to be nice? Richardson: it is a benefit to the whole.
- Revision approved by board

Public Participation at Board Meetings (when President not present)

- Revision approved by board

Board Reports

- School Choice Task Force: Carson: next meeting August 19th, 7:00 p.m. (Wilcox Board Room). Karin Piper will present on three Socialist countries. I like to use the word Socialist...
- DAC: Silverthorn: the changes they brought to us were only to catch us up to state statutory changes. Maybe I didn't make this clear enough to you (the board).
Gerken: everything...already looked at this? Maybe we can just take a vote on this.
Silverthorn: that would make it a lot less complicated. Gerken: I make a motion to approve the DAC bylaw changes with amended changes. Silverthorn: can we make a broader motion to approve the SAC bylaws (as well)? Gerken: I make a motion to approve the DAC and SAC bylaws with amended changes.
 - Approved by board
- Carson: we need to address the open committee positions (no decisions made on open positions).
- **Adjournment: 9:28 p.m.**

- *Notes taken by Courtney Smith, DCF Office. If you have any questions on the content of the notes, feel free to contact me at Courtney.smith@dcsdk12.org or 303-688-3381.