

A Flawed Process: How the Boulder Valley School District Failed the Voters of Louisville

“When involving people in decisionmaking, bring them into the process at the start, not after some decisions have already been made.”

--Recommendation from the Communication Audit (January 2004), conducted by the National School Public Relations Association for the Boulder Valley School District

Updated March 6, 2008

Prepared by Louisville citizens concerned about the proposed demolition of the historic 1939 portion of Louisville Middle School.

The Boulder Valley School District (BVSD) has failed the voters of Louisville. The end result, the demolition of the historic 1939 portion of Louisville Middle School (LMS), will be the tragic loss of an icon crucial to the character and culture of Louisville. That result was achieved by a series of processes that by design or neglect excluded the community's values and denied Louisville voters any meaningful participation in an extremely important issue. As explained below, the process failures included:

- Setting up an unnecessary and divisive conflict within the community of preservation vs. children/education;
- BVSD's use of deceptive language (i.e. "renovate" and "remodeling" in lieu of "demolition") to obtain support of Louisville voters for the bond issue, and to later minimize community reaction to the planned demolition of LMS;
- Failure of BVSD to give serious consideration to Louisville citizens' value for preservation of LMS;
- Generally creating an illusion of public participation without actually having it;
- Delegation of the crucial decision about whether to demolish the historic portion of LMS to a handpicked "Design Advisory Team" (DAT);
- Formation of a DAT which included only members with strong ties to the project or to BVSD, and which had no true community representation;
- Failure to give the DAT any tools or options to seriously consider preservation;
- Failure to give the DAT any timely cost analyses of preservation;
- Failure to give the Louisville community any reasonable notice that the design included demolition of the historic portion of LMS until after the design process had ended;
- A series of conclusory statements with little to no data or analysis to support them;
- Denial of any true community participation after the design had been adopted;
- Disregarding recommendations made to BVSD in a 2004 Communication Audit.
- A Board of Education that has refused to honor its role as a link between the community and BVSD, and that has also failed to consider constituents' concerns.

Why Louisville Cares About the LMS Structure

Louisville Middle School (LMS) is a gateway to Louisville's historic Main Street, is crucially important to the character of the community, and is the only historic school left in use in Louisville. It was built in 1939 as Louisville High School, a Works Progress Administration project that provided much-needed jobs to unemployed Louisville residents, and became a source of pride to the community. The school

educated multitudes of students of a coal-mining town, long before the existence of the Boulder Valley School District.

More than that, LMS is a crucial part of Louisville's historic Main Street, providing the first visual impact as one travels south from South Boulder Road. The structure is an elegant school with 1930s features and an attractive entrance. It sets the tone for what follows: coal miners' houses, the city-supported Historical Museum, and historic commercial buildings, many of which are on the National Register of Historic Places. Louisville values its historic Main Street, which plays a major role in why people live and visit here, and why Louisville has been chosen as one of the best places to live in America.¹

Promoting the Bond Issue and Beginning the Design Process: Use of Deceptive Language

At least as early as May 2006 BVSD desired to demolish the historic part of LMS², despite the importance of the structure to Louisville, and despite the directive in the Educational Facilities Master Plan (May 2006) that, "Building improvements should take into account the following:...Historic value."³ However, BVSD did not communicate the impending destruction to Louisville voters while drumming up support for the \$296.8 million bond issue, which the voters approved in November 2006. The bond language itself was silent as to LMS specifically. When Louisville City Council members met with BVSD Board members and staff on September 14, 2006, they were told that BVSD valued the historic structure and had no demolition plans.⁴ The Council thereafter passed a resolution supporting the bond issue.⁵ Shortly after this, at a Council meeting, Principal Fels stated that he would like to maintain the LMS façade.⁶

After the bond measure passed, BVSD held a public meeting regarding LMS on February 23, 2007. We are not sure to what extent this meeting was advertised, but an email invitation was sent to the Louisville City Council on February 15, 2007. The bold language was as follows: "Louisville Middle School seeks public input for upcoming Capital Improvement remodeling project".⁷ Use of the term "remodeling project" did not alert the Louisville Historic Preservation Commission (HPC) or the community at large to the danger to the historic structure. "Remodeling" and "renovation" are not reasonable euphemisms for "demolition".

¹ Louisville was featured in the 5th best place to live in America in Tara Kalwarski, Donna Rosato & Cybele Weisser, "Best Places to Live", *Money Magazine* (August 2005), 79-85. See also Chalan Harper, "'Best in the West': Louisville again makes *Money's* top list", *Louisville Times*, July 18, 2007, reporting that Louisville had moved up to #3.

² BVSD Educational Facilities Master Plan (May 2006) (available at <http://www.bvsd.org/C14/2006%20Bond%20Project/default.aspx>), page 67: "Reconstruct original part of building"

³ Master Plan, p. 10. That same page directs that BVSD should, "Efficiently utilize existing space."

⁴ Per Bob Muckle, Council Member. The Agenda, but not the Minutes, for this meeting are available at <http://www.ci.louisville.co.us/Council/2006agendas/bvsdmeeting.htm>.

⁵ Resolution No. 43, Series 2006, reflected in Council Minutes of October 3, 2006, available at <http://www.ci.louisville.co.us/Council/2006minutespage.htm>.

⁶ Council Minutes of October 17, 2006.

⁷ Email from Briggs Gamblin, BVSD Director of Communications to Louisville City Council, February 15, 2007. Produced by BVSD pursuant to a Colorado Open Records Act (CORA) request.

Responding to the email, Councilman Dave Clabots stated, “Thanks for your invite. Louisville has a desire to preserve the Historic character as I believe the older part (auditorium) of the building is 1940’s vintage. Hopefully, we can all come to a decision on preservation as it does provide a great deal of history for Louisville.”⁸

People who attended the public meeting on February 23, 2007 have stated that demolition was not discussed. However, according to notes prepared by a BVSD representative⁹, the importance of the building *was* discussed, as was the contention that the project would not be a “scrape and build”. Perhaps more significantly, BVSD was aware or was made aware at the meeting that a “historic preservation group w/ architects”, presumably the Historic Preservation Commission, was in existence. The Commission members are appointed by City Council to advise the Council on preservation matters, review demolition permits of structures older than fifty years, and landmark structures, among other duties.¹⁰

The February 23 meeting appears to be the only general public meeting that was held regarding the LMS project until September 2007.

The Formation of the DAT

The process for the formation of the Design Advisory Team (DAT) is somewhat murky. Apparently the invitation to join the DAT was only given at the February 23, 2007 public meeting and through “standard school communications”, thus excluding most of the community and the HPC.¹¹ In a letter dated April 17, 2007, Dave Compton, BVSD Project Manager, requested that Principal Fels form the DAT.¹² The first meeting of the DAT took place only three days later, on April 20, 2007, so the DAT was probably already pre-selected.¹³

The composition of the DAT, as chosen by Principal Fels, is another problem. Despite being made aware that the 1939 LMS structure was important to the community, and of the existence of the Historic Preservation Commission (HPC), no documented attempt was made to include the HPC or any general community members in the DAT. Compounding this error, Principal Fels would later represent to the City Council that a member or members of the HPC *was* on the DAT,¹⁴ and the author of a letter published in the *Boulder Daily Camera* would make the same incorrect representation.¹⁵

The DAT, as chosen by Principal Fels, was composed entirely of those directly involved in the project, BVSD administrators, faculty of LMS, students at LMS, and

⁸ Email from Dave Clabots, Louisville City Councilman, to Briggs Gamblin, February 15, 2007. Produced pursuant to CORA request to BVSD.

⁹ The author is unknown, but the notes were produced pursuant to the CORA request.

¹⁰ For information, see <http://www.ci.louisville.co.us/Boards/preservationcmsn.htm>. BVSD is exempt from City codes, and thus not subject to the Commission’s demolition review.

¹¹ Email from Susan Cousins, BVSD Communications Specialist, to Michael Koertje, January 25, 2008.

¹² Letter from Compton to Fels produced pursuant to the CORA request. Incidentally, this letter also mentions the reconstruction of the 1939 structure, in contrast to the public statements of BVSD officials.

¹³ BVSD’s DAT Handbook (p. 4) states, “The school principal will be responsible for selecting members to serve on the DAT.” The Handbooks is available at <http://www.bvsd.org/C18/Capital%20Needs%20Project/Lists/Documents/DAT%20Guidelines%20REVIS ED.doc>.

¹⁴ Fels’ statement to Louisville City Council, September 4, 2007 (as taken from transcript prepared by Louisville citizen Jean Morgan from the DVD available at City Hall).

¹⁵ Nate Llerandi, “Renovation should focus on kids’ needs”, *Boulder Daily Camera*, January 24, 2008.

parents of LMS students.¹⁶ The entire DAT had strong ties or commitments to BVSD. There was no representation solely for the voters or the community's values.

Even if the community at large and the HPC had been invited to participate in the DAT, there would have been little reason to become involved at that point, because despite BVSD's quiet plans to demolish the structure, the public statements had discussed the "renovation" or "remodeling" of the School. The community trusted the public utterances of BVSD officials.¹⁷

The DAT Process

In line with the pre-determination of BVSD officials that the 1939 structure should be demolished, the DAT gave only superficial consideration to preserving the structure. At the first DAT meeting, held on April 20, 2007, acknowledgement was given to the significance of the structure: "Landmark", "Gateway", "History Connection to Olde Town".¹⁸ However, the Minutes reflect that preservation values were quickly dismissed as insignificant: "There is a real minority that is concerned about the oldest portion of the building and it's historic significance." The handwritten notes of a BVSD representative also reflect, "Vocal minority - w/ concern about historic issue."¹⁹ This "real minority" or "vocal minority" was not represented on the DAT, whether by neglect or design, although Principal Fels later acknowledged that many people had informed the DAT the façade was important to the community.²⁰

By the third meeting on May 18, 2007, the DAT was considering "bubble diagrams". Option Two contained some sort of preservation, as "the DAT appreciates the use of the historic building."²¹ Option Three apparently retained the "historic entry", and the DAT preferred this Option.²² However, by the fourth DAT meeting on June 1, 2007, "The historic entry arch was also eliminated due to the complexity and cost of keeping that element."²³ As with other conclusions regarding preservation, there has been no documentation produced regarding the alleged "cost and complexity". The only mention of preservation-related matters in the balance of the DAT meetings' minutes is a notation from the June 28, 2007 meeting that, "Overall, the design team should consider having some reflection to the old building."²⁴ Even this was not achieved. The final

¹⁶ For the full composition of the DAT, see the DAT Minutes available at <http://schools.bvsd.org/louisvillemiddle/pirateshipyard.htm>. Fels' comments to City Council on September 4, 2007 also discussed the composition of the DAT, though not entirely accurately. A February 26, 2008 letter from PLAN Boulder County to the Board of Education is also critical of DAT membership, as well as the districts practices toward historic preservation and environmental considerations.

¹⁷ Even if a BVSD outsider, such as the Louisville Historic Preservation Commission, had requested to be on the DAT, there is no guarantee that would have occurred. Apparently Historic Boulder requested representation on the Casey Middle School DAT, and did not even receive the courtesy of a response. See Joyce A. Davies, "Disappointed in BVSD demolition of Louisville Middle", published in the online "blog" of the *Boulder Daily Camera*, February 29, 2008.

¹⁸ The minutes of the DAT are available at <http://schools.bvsd.org/louisvillemiddle/pirateshipyard.htm>.

¹⁹ Author unknown, but these handwritten notes were produced in response to the CORA request.

²⁰ Chalan Harper, "Revving Up for Renovations", *Louisville Times*, September 12, 2007.

²¹ DAT Minutes, May 18, 2007, paragraph 13.

²² DAT Minutes, May 18, 2007, paragraphs 12 & 25.

²³ DAT Minutes, June 1, 2007, paragraph 2.

²⁴ DAT Minutes, June 28, 2007, "Exterior Design Comments", paragraph 6.

DAT meeting was on August 28, 2007. Ironically, when the DAT adopted “Scheme A” at that meeting, the minutes reflect, “It fits into Louisville.”²⁵

SlaterPaull Architects prepared Schematic Design Drawings, dated July 11, 2007. On the 12th page (“Architectural Analysis”), it states, “After an analysis of the existing 1939 wing which included retaining the historic entry piece it was determined that the majority of this building would need to be demolished to meet the educational needs and bond commitments.” Like many of the statements made by BVSD officials, the statement about the “analysis” is simply a conclusory statement, as no “analysis” has been produced, despite an open records request for all documents related to preservation considerations of the school and a specific request for this “analysis”.²⁶ In fact, there has been no record produced that any cost or other analysis related to preservation was ever presented to the DAT prior to the adoption of the design.²⁷

Compounding the failure to give any serious consideration to preservation concerns, the DAT failed to timely notify the community that the historic structure would be demolished. As far as the community knew, the structure was being “renovated” or “remodeled”; there was no cause for concern. According to the minutes of the first DAT meeting, “The team members are responsible to communicate with other staff and community members.”²⁸ Expecting a volunteer committee to be the primary, if not exclusive, method of communicating to the voters of the community is poor planning to begin with, but even this minimal attempt at communication broke down. Although a “parent” member of the DAT was also a Louisville City Councilman, this member apparently only attended the first two meetings and did not publicly keep his fellow Council members apprised of the proposed demolition.

Overall, though, the DAT did exactly as they were directed to do by BVSD: design a new LMS without any historic preservation component. This is not the DAT’s fault. They are right to feel defensive and angry that the design has been criticized and they were called back to take community input, but their anger should not be directed at the Louisville community. Their anger should rather be directed at the administrators who put them in a frustrating position.

Post-DAT Process: More Deceptive Language

On September 4, 2007 Principal Fels and Don Orr, BVSD Director of Capital Planning, Engineering and Construction appeared before the Louisville City Council to

²⁵ DAT Minutes, August 28, 2007, paragraph 6.

²⁶ This amended CORA request, dated January 4, 2008, was made by Michael Koertje. Documents were provided on January 25, 2008. Susan Cousins, BVSD Communications Specialist, confirmed via email to Michael Koertje on February 8, 2008 that no discrete written analysis exists.

²⁷ The DAT’s February 13, 2008 report to Superintendent King states, “[T]he DAT and the design team did give consideration to the possibility of preserving the 1939 entryway and/or the auditorium during our original design process. However, given our budget and the professional opinion of our architect concerning the additional cost for preservation, it became evident this was not an option to explore in greater detail.” 1st page of the cover letter, available at <http://bvsd.org/C14/2006%20Bond%20Project/Lists/Documents/DAT%20report%20to%20Supt.pdf>.

²⁸ DAT Minutes, April 20, 2007, paragraph 3. See also page 5 of the DAT handbook, available at <http://www.bvsd.org/C18/Capital%20Needs%20Project/Lists/Documents/DAT%20Guidelines%20REVIS ED.doc>. Principal Fels is quoted later, regarding the DAT: “Their job was to speak to their constituents,” Fels said. “Have conversations in the grocery store and in parking lots and bring back ideas.” Chalan Harper, “Revving up for Renovations”, *Louisville Times*, Sept. 12, 2007.

