

Students Put at Risk, Building Code Official Charges

Unsafe school allowed to stay open, e-mails say

By April M. Washington, Rocky Mountain News

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A state building code official told lawmakers that the head of public school inspections has mismanaged the program and knowingly put children at risk.

Building official Eric Gillespie said the head of the division allowed The Lotus School of Excellence in Aurora, with about 150 students and teachers, to remain open in February even though the school lacked fire escapes, fire alarms and sprinkler systems, according to e-mails obtained Friday by the *Rocky Mountain News*.

Gillespie said that Dick Piper, director of the division, allowed the school to stay open temporarily after Gillespie ordered the school evacuated and shut down.

In e-mails to lawmakers, Gillespie charged that Piper and the deputy director have "consistently ignored and neglected the needs of public school safety program and are now even more actively mismanaging the program."

He said he continues to seek whistleblower protection after his first complaint was dismissed in May.

Gillespie's allegations of mismanagement come in the wake of a scathing audit report this week that found the division is doing a poor job inspecting more than 200 school building projects annually, stating the division is compromising the safety of children.

"I've been screaming about this, and no one is listening," Gillespie said Friday. "There's a lot of squirrely and bad things about the way things have been done. These things might affect your child."

Piper, the director of the Division of Oil and Public Safety, said the Aurora charter school had leased space in a community college building that was certified for adults and not children.

The state learned about the charter school in January, long after the school opened without contacting the state for an inspection.

Piper said he allowed the school to remain open because he felt the students were safe and the school had been using the building since August.

"At that point, it would have created a lot of problems for the kids, who were predominantly from low-income families and had nowhere to go, if they had to shut down," Piper said. "We felt it was the right thing to do."

Piper said the school and his division agreed to a 13-point plan to fix the problems. The school paid a \$4,000 fine.

The charter school was closed on March 2 and won't be allowed to open until the state inspects the facility.

Gillespie's allegations echo that of Colorado State Fire Chiefs Association.

Members of the organization say they've been warning lawmakers of problems for years.

The fire chiefs have been trying since 1997 to transfer oversight for inspections from the state oil and public safety division to the Fire Safety Divisions.

"We have years worth of problems with schools out there," said Paul Cooke, head of the fire chiefs association. "It's basically a situation where the fox is keeping an eye on the hen house. We're running into the problems day in and day out."

Among the lawmakers who received e-mails from Gillespie was House Majority Leader Alice Madden.

Gillespie also shared his concerns with Don Mares, executive director of the Colorado Department of Labor and Employment, which oversees the oil and public safety division.

Mares told lawmakers this week he found the audits' findings unacceptable and he is currently developing a plan to address the problems, including a possible overhaul of the Division of Oil and Public Safety.

Madden commended Gillespie for coming forward and blamed the problems with school inspections on the fact that capital needs of public school buildings were not a priority with former Gov. Bill Owens' administration.

"We are uncovering a lot of things that were swept under the carpet in the last seven years. This is kids' safety, and it's nothing that you fool around with," she said.