



70th Annual Delegate Assembly

Saturday, October 16, 2010

8:00 a.m. – Noon

Embassy Suites
Loveland, Colorado



Colorado Association of School Boards



Colorado Association of School Boards

September 10, 2010

Dear Delegates to the CASB Delegate Assembly:

Delegates representing member school boards in the CASB Delegate Assembly have an important responsibility. It is during debate and action on proposed resolutions that every member school board has an opportunity to voice concerns and help position your Association to represent school boards' interests on a host of important issues.

In preparation for the Delegate Assembly in October, the CASB Legislative/Resolutions Committee and staff attempt to anticipate the issues that will affect school boards during the course of the next year and develop resolutions that will establish CASB's position on those matters. This booklet is the product of that effort.

The resolutions are divided into two categories—Standing Resolutions, which are philosophy and belief statements, and the Legislative Agenda, which reflects the legislative priorities. The beliefs and the legislative agenda are grouped together by topic. The Standing Resolutions form a solid foundation for CASB's advocacy work. The Legislative Agenda provides the direction for the upcoming year. Delegates are encouraged to set aside time with their Boards to discuss the proposed resolutions. The debate at the Delegate Assembly is always lively.

The Delegate Assembly is scheduled in conjunction with the CASB Fall Conference—October 15-16, 2010, at the Loveland Embassy Suites Hotel. The booklet contains the agenda for the Delegate Assembly. Registration information for the conference was sent in an earlier mailing and is available at casb.org. Each Board can send one voting delegate to the Delegate Assembly. Registration for the delegates is included with the conference registration. Other members of the Board and the Superintendent are invited to attend the Delegate Assembly as observers.

We are anxious to increase attendance at the Delegate Assembly. If your Board did not send a delegate last year, you were missed. Please plan to send a voting delegate this year. We need all the voices in the room to develop our legislative priorities.

Once again, let me encourage you to review the resolutions carefully. To save money on postage and printing, CASB is sending this booklet only to the superintendent's secretary of each district. The booklet is also available on the CASB website at www.casb.org, if you want to print additional copies for other members of your Board. We sincerely appreciate your willingness to help guide the advocacy work of the CASB Board and staff in the coming year.

Sincerely yours,

A handwritten signature in black ink that reads "Lyndon D. Burnett". The signature is written in a cursive style with a prominent loop at the end of the last name.

Lyndon Burnett
CASB President

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Note: One copy of this booklet was mailed to the CASB Delegate on each local board in care of the superintendent's secretary. The booklet may be downloaded from the CASB website: www.casb.org.

2010 CASB Legislative / Resolutions Committee

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Chairman: Rick Hammans	St. Vrain Valley Re-1J
Robert Carruth	Morgan County Re-3
Cheryl Burian	Hi-Plains R-23
Janes "Scott" Curley	McClave Re-2
Brett Reese	Weld County 6
James Ross	Poudre R-1
Jane Barnes	Jefferson County Schools
Jeanette Carmany	Aurora Public Schools
Norma Frank	Mapleton Public Schools
Mary Nichols	Littleton Public Schools
Helayne Jones	Boulder Valley Schools
Jeannette Lewis	Adams 14
Jennifer Farmer	Manitou Springs 14
Greg Welch	Fountain-Fort Carson 8
Bill Bregar	Pueblo No. 70
Jo Ann Baxter	Moffat County Re-1
Lezlie Burkley	Salida R-32-J
Michael Lobato	Center Consolidated Schools
Leslie Kiesler	Mesa County Valley 51
Steve Arnold	Montrose County Re-1J
Kara Mueller	Ridgway School District R-2
Floyd Patterson	Durango 9-R

Ex-Officio Members

CASB Board President

Lyndon Burnett Agate 300

CASB President-Elect

Gary Northup RE-1 Valley

Chair of Colorado Federal Relations Network

Jan Tanner Colorado Springs District 11

Colorado BOCES Association

Dale McCall

Colorado Rural Schools Caucus

Paula Stephenson

Council of School Board Attorneys Committee Liaisons

Pat Richardson Academy School District #20

Wm. David Lytle Altman, Keilbach, Lytle, Parlapiano & Ware P.C.

Michelle Murphy Alexander Halpern LLC

Melissa Mequi Boulder Valley Schools

CASB Legislative Contacts

Jane W. Urschel, Ph.D. Deputy Executive Director

Julie George Director of Government Relations

Agenda

8 – 8:15 A.M.	Delegate Assembly Convenes Report of the CASB President Report of the CASB Executive Director Adopt rules
8:15 A.M. – NOON	Presentation of report from Legislative/ Resolutions Committee
NOON	Assembly adjourns



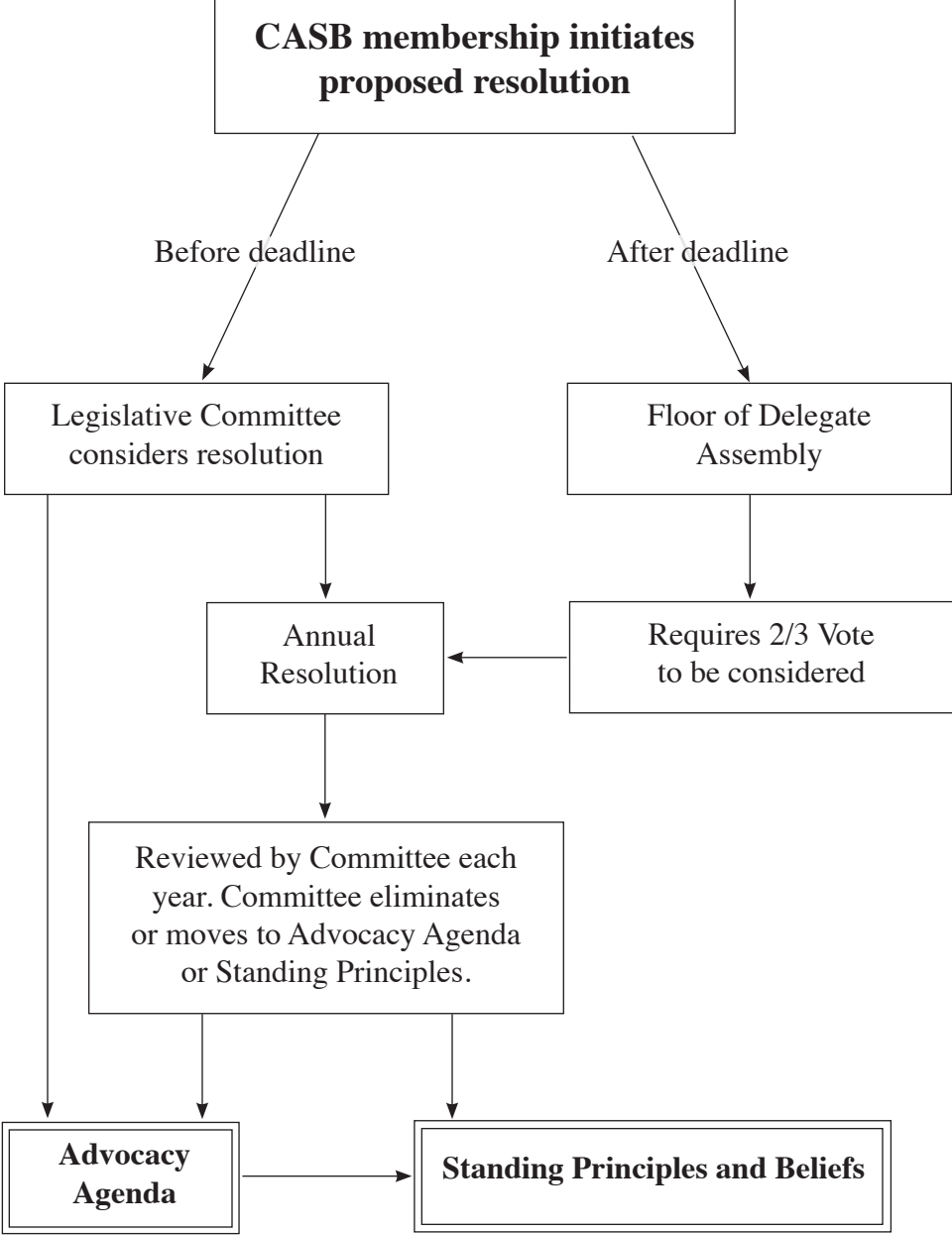
Proposed Rules of Procedure for CASB Delegate Assembly

The rules are adopted at the onset of the deliberations of the Assembly, at which time they are subject to discussion and amendment.

The following rules of procedure are proposed for adoption by the Delegate Assembly:

1. Except as modified below, the Assembly shall operate by the rules prescribed in Robert's Rules of Order, Newly Revised.
2. Amendments to resolutions shall be in writing and presented to the CASB President or designee prior to discussion of the amendment in the Delegate Assembly.
3. In speaking to a motion, a delegate will be limited to three minutes. A delegate shall identify herself/himself before speaking on an issue.
4. A delegate who has spoken once on a question will not be recognized again for the same question until others who wish to speak have spoken. At that time, the delegate will be allowed two minutes for rebuttal.
5. All voting shall be by a show of hands or other provided voting mechanism. Upon request of a member of the Delegate Assembly or at the discretion of the presiding officer, tellers will count the vote. A quorum shall consist of the boards represented and voting.
6. Any resolution not published and distributed to members in this booklet shall be considered a resolution from the floor. To present a resolution from the floor, a delegate shall submit the proposed resolution in writing to the president or designee prior to consideration. If possible, the delegate shall provide sufficient copies of the resolution to be distributed to all delegates. When recognized by the president, the delegate shall make a motion that the resolution be considered. If the motion is seconded, the delegate offering the floor resolution shall be allowed three minutes to speak to the motion. The motion to consider a resolution from the floor requires an affirmative vote of two-thirds of the boards represented and voting. If the motion to consider passes, the floor resolution will then be considered on its merits in the same manner as any other resolution. A floor resolution adopted by the delegates will be considered an annual resolution.

Resolution Process



Presentation of Resolutions

The CASB standing resolutions and legislative action agenda are arranged together according to topic. Additions to resolutions are indicated with all capital letters. Deletions are shown by strike-through marks. Resolutions submitted by local boards are forwarded to delegates in one of three ways: 1) forwarded with recommendation (recommended for passage); 2) forwarded without recommendation (not recommended for passage); and 3) forwarded for consideration on the merits (worthy of discussion by delegates). The amendments to resolutions and new resolutions that are not marked as submitted by a local board of education, are submitted for consideration by the CASB Legislative/Resolutions Committee.

Governance

CASB believes that, in accordance with the Colorado Constitution, Article IX, Sections 15 and 16, local boards OF EDUCATION are responsible for the organization of the learning environment, the implementation of curriculum, the selection of textbooks, the configuration of school facilities, staffing and necessary programs in which to create safe and academically-rich opportunities for students.

Standing resolutions

1.1 Local control

CASB believes the principle of local control is derived from the involvement of the local community and the local board is the sole and final guarantor of educational quality.

1.2 Diverse nature of school districts

CASB believes one of the major reasons local control of instruction is the most effective approach to school governance is the diverse nature of Colorado school districts.

1.3 Charter schools

CASB believes the constitutional principle that local control of instruction is vested in locally elected school boards means local boards must retain the requisite authority to approve, continue or discontinue charter schools and all local choice options.

1.4 Accountability program

CASB believes it is the responsibility of the local board of education to develop, coordinate and monitor a successful accountability program in each local school district and report results to the public.

1.5 Choice with accountability

CASB supports the principle of SCHOOL choice with accountability believing that all education institutions supported by public funds should be required to meet the same legislatively-established requirements as ALL OTHER PUBLIC SCHOOLS. ~~those schools and districts located within the same community.~~ It is important that the demographic makeup of the local community is reflected in all schools of choice supported by public funds.

Legislative agenda

1.6 Local control

CASB opposes efforts to shift control over public schools away from local school boards, whether by state or federal legislative action, regulation, court decision or initiative. CASB supports efforts to restore decision-making authority to locally-elected school boards.

Rationale: Control of instruction is vested in local boards of education by the state constitution. Local boards of education are responsible and accountable to the local electorate for decisions regarding curriculum, selection of textbooks and materials, instructional delivery, personnel, fiscal management and local choice options. Just as it is important to protect the ability of local boards to make decisions, it is also important that CASB's legislative efforts focus on restoring decision-making authority that has been taken away due to "one-size-fits-all" state laws.

1.7 Respect unique differences among school districts

CASB opposes the imposition of universal solutions in response to district-specific issues.

Rationale: School districts in Colorado are unique and extremely diverse, ranging from urban and suburban districts to small rural districts. This diversity is one of the major reasons local control of instruction is the most effective approach to school governance.

1.8 Colorado Department of Education

CASB supports the continued development of the Colorado Department of Education's current initiatives to provide technical assistance and support to school districts and the collaborative nature by which CDE has been implementing these service changes.

Rationale: Under the leadership of Commissioner of Education Dwight Jones and the implementation of CDE's forward thinking platform, the Colorado Department of Education is striving to provide technical assistance and support to school districts rather than functioning solely as a compliance agency. In addition, the State Board of Education and CDE will have an opportunity to provide leadership on important education reform efforts as well as research and development for the benefit of school districts during implementation of several important laws enacted by the General Assembly in 2008, 2009 and 2010, such as the Preschool to Postsecondary Education Alignment Act (CAP4K), accountability alignment, and educator effectiveness.

1.9 Focus new laws on desired outcomes

CASB urges the General Assembly to refrain from enacting prescriptive legislation that restricts the ability of school districts to maintain autonomy in developing and utilizing innovative methods to achieve educational goals. CASB urges state policymakers to specify the outcomes desired in legislation rather than the means by which the outcome will be accomplished.

Rationale: Prescriptive legislation reduces school districts' ability to renew education processes. The legislature should specify the outcomes desired in legislation rather than the means, which is the current practice. This approach would allow districts to determine the best way to achieve the outcomes in a way that makes the most sense locally and avoid the strictures that typically accompany prescriptive legislation and categorical funding. Categorical funding, a form of prescriptive legislation, does not meet budgetary needs and restricts the efficient allocation of resources. The funding provided for specific programs falls far short of the expenses associated with the programs. For example, transportation reimbursement covers 23% of the expense and English language proficiency reimbursement covers only 6.25% of the expenses associated with the program.

1.10 Charter schools

CASB urges the General Assembly to reestablish a local board's authority in charter school matters, by authorizing the local board to make such decisions related to district charter schools without reversal by the State Board absent substantial evidence of an arbitrary or capricious decision by the local board.

Rationale: Members of local school boards are in the best position to evaluate the costs and benefits of proposed charter schools within their communities. Those decisions should receive deference from the State Board of Education given the Colorado Constitution's provisions concerning local control of instruction. Relationships between district charter schools, the local board of education and the community will benefit if issues are worked out locally without undue intervention from the state. With this approach, the interaction between a charter school and the local board will be balanced in a way that protects the autonomy of a charter school and enables the local board of education to make decisions in the best interests of the school district.

Annual resolution

1.11 Opt out of state mandates regarding curriculum and graduation standards



CASB shall work to cause the General Assembly to repeal any state law that mandates curriculum and graduation requirements for local school districts. The state constitution (Article IX, Section 15) specifies that locally elected school boards have control of instruction for the public schools in their district. If the General Assembly will not repeal such laws, CASB shall ask the General Assembly to establish an easily accessible process that permits local boards to opt out of any such requirements.

Rationale: In recent years the General Assembly has encroached upon the powers and responsibilities of local school boards to determine curriculum and graduation requirements. The course and graduation standards in the Colorado Achievement Plan for Kids (Cap4K), the mandatory civics requirement and the parameters placed upon the teaching of sex education are all examples of the state usurping the powers of the local board to determine the instruction that best suits the needs of their community. CASB believes these provisions should either be repealed or the state should create a process that allows local boards to opt out of such laws.

Submitted by the Kit Carson R-1 Board of Education

Forwarded without recommendation

1.12 Legal challenge to reinstate local control



If the General Assembly does not repeal all state laws that encroach upon a local board of education's ability to determine curriculum and graduation requirements or does not create a satisfactory opt out process from those requirements before June 1, 2012, CASB will seek support and resources from its membership to file a lawsuit against the state of Colorado to challenge such requirements. To determine membership support for this lawsuit, CASB shall poll its membership at or before the CASB Delegate Assembly in 2012.

Rationale: The Colorado Constitution provides local boards of education control over instruction. In recent years, the General Assembly has passed laws that encroach upon the local school board's powers. CASB asks the General Assembly to repeal these laws or create a process for local school boards to opt out of such laws. Short of doing so by June 1, 2012, CASB will seek membership support and resources to file a lawsuit against the state to challenge these overreaching mandates in state law.

Submitted by the Kit Carson R-1 Board of Education

Forwarded for consideration on the merits

Board Leadership

CASB believes boards of education should demonstrate responsible, ethical and professional leadership in all their work.

Standing resolutions

2.1 Open deliberation

CASB encourages open deliberation by school boards in accordance with the spirit and intent of state law.

2.2 School board training

CASB encourages board of education training and professional development through participation in CASB workshops, conferences and governance development opportunities.

2.3 Leadership team

CASB supports the incorporation of the superintendent in board of education training and team building as a means of augmenting the work of the school district.

2.4 Leadership in planning and budgeting

CASB encourages board of education leadership in strategic planning and budget development that reflects the community's values and diverse needs.

2.5 Participation in organizations supportive of public education

CASB encourages boards of education to participate in and support professional activities and organizations that provide unified leadership for grassroots support and advocacy for public education.

2.6 Participation in political process

CASB encourages school board members to participate in the political process to influence decision makers in support of public education.

2.7 Student involvement in governance

CASB encourages local school boards to examine best practices for considering student opinion when making decisions at the school and district level.

2.8 Scheduling of school activities

CASB encourages local school boards and the Colorado High School Activities Association to demonstrate a commitment to diversity by refraining from scheduling events that might interfere with a local student's ability to observe a major spiritual holiday.

2.9 Greening of schools

CASB supports the leadership of local school boards in Colorado's new energy economy in their efforts to adopt and implement energy management and conservation plans for the purpose of reducing energy consumption, increasing energy efficiency and increasing the use of renewable energy sources.

Legislative agenda

2.10 Political party affiliation

CASB opposes any effort to have school board director candidates stand for election based upon a political party platform or affiliation.

Rationale: It is not in the best interest of public education to have partisan politics become a factor in school board elections. Education of children should not become a political issue. It is important that school board candidates make their views known prior to the election and not be bound by a political party platform.

2.11 Term limitation

CASB opposes the limitation of two terms that may be served by a school board member and encourages local boards to submit a question to their electors to extend the number of terms for school board directors in keeping with their local communities.

Rationale: While term limits are popular for state officials, Colorado is one of only a handful of states to impose term limits on local officials. Term limits have already had an impact on local school boards, as many school board members are unable to seek office after serving two terms even though they are willing to serve in this volunteer position. In some school districts, there are no declared candidates for open seats on the board, which means the board must appoint someone to serve. The voters should be able to decide who should serve on the board of education, without an artificial limit on terms of office.

2.12 High cost of conducting elections*

CASB urges the General Assembly to address issues that contribute to the escalating costs of conducting local elections with the goal of reducing these expenses. Because the election process is fundamental in our democracy, CASB urges the state to subsidize the cost of conducting elections at the local level because of the significant financial impact of elections on local entities such as school districts that participate in the process but have no say over factors related to cost nor an ability to forecast how much to budget for an election because of all the variables involved.

Rationale: The democratic process of electing leadership and submitting issues to the voters for decision is creating a significant financial burden for local school districts and other local government entities due to very complex state and federal laws and regulations. School districts are required by state law to pay a pro rata share of a county's election expenses following any election in which they have candidates or issues on the ballot. This is an expense that cannot be accurately forecast for budget purposes because it varies from county to county and from election to election. Among the many factors that determine how much the election will cost in any year are the number of public entities that participate in the election and whether the state will have a question on the ballot. Election costs have increased dramatically in recent years, due in large part to the 2002 Help America Vote Act that was aimed at improving access to the voting booth and making elections more accurate and secure. While those are laudable goals, the resulting costs are staggering. Following the 2008 election, the cost per voter in tiny Hinsdale County was \$36. The current system for allocating election expenses needs a massive overhaul, which includes a new funding mechanism and changes to law that will result in cost savings.

* This resolution was adopted as an annual resolution in 2009 and is recommended for addition to the legislative agenda.

2.13 Student health and wellness*

CASB believes that responsibility and oversight of student health and wellness programs, including nutritional standards and physical education, should be governed by local school boards and not mandated by the state or federal government. CASB encourages local boards of education to develop student health and wellness policies and programs based on the diverse needs of their students and the values of their communities.

Rationale: Increasingly, state and federal laws mandate health and wellness standards to local school districts. Many of these well-intended proposals do not align with local needs and values of citizens. Additionally, state mandates force school districts to prioritize choices with limited resources. Districts must proactively engage numerous stakeholders as they write sound health and wellness policies that reflecting community values.

* This resolution was adopted as an annual resolution in 2009 and is recommended for addition to the legislative agenda.

Annual resolutions



2.14 Qualifications for school board applicants

CASB believes that further criteria should be added to school board director application requirements to include that the applicant has not been convicted or accused of (unless further investigation is sought), pled guilty to, pled nolo contendere, or received a delayed sentence of a felony such as a homicide or larceny.

Rational: A school board director must be held to the highest standards as a public official. A director is in a position of public trust, safety of individuals, especially youth, and responsible for the expenditure of public monies. Therefore, any applicant for director of a school board must be viewed in an in-depth manner. School districts have to be aware of, to the greatest degree possible, the applicant's background as it applies to any violations of the law. This resolution would afford all school districts the capability to vet any applicant to the best degree possible by adding criteria in addition the school board director application requirements of Sections 22-31-107 (1) and (5), C.R.S.: at least one year of residency in the district, is a registered voter and has no convictions of a sexual offense against a child.

*Submitted by the Greeley-Evans Board of Education
Forwarded without recommendation*

Finance

CASB believes the state must provide school districts with an adequate amount and reliable source of funding based on a balance of state and local revenue sources, structured to equitably meet the educational needs of those students served by public education in Colorado.

Standing resolutions

3.1 Use of public monies for private education programs

CASB believes the use of public monies for private educational programs requires adherence to uniform legislated standards and assessment, accreditation requirements and nondiscrimination in student enrollment and employment policies.

3.2 Amendment 23

CASB reiterates that the purpose and intent of voter support for Amendment 23 was to phase in school funding to the level that existed in 1988, and should not be construed as adequate and equitable funding.

3.3 Needs of students guide reform, finance

CASB believes all efforts to restructure and fund public education should be guided by student needs, improved academic achievement and responsible use of financial resources as determined by the locally-elected school board, who is accountable to its voters and best able to identify community and district funding priorities.

Legislative agenda

3.4 School finance

CASB supports a comprehensive reform of Colorado school finance structure that includes:

- a) Per-pupil funding to a level necessary for a regular student (a student without any special needs) to meet state and local academic content standards and other legislated accountability requirements;
- b) Adjustments to the per-student base cost should equitably reflect added costs of delivery of services associated with the school district or the student that require supplementary expenditures, including special education and English Language Learners;
- c) Adjustments to the per-student base cost should be based on verifiable indicators that impose costs that are beyond a district's control, such as district size and cost of living;
- d) Identification and implementation of a consistent definition for determining the actual number of "at-risk" students for funding purposes;
- e) Funding for categorical programs at a level sufficient to cover the costs associated with providing services to students served by those programs;

- f) Funding for transportation that takes into consideration the unique circumstances districts face in transporting students;
- g) Funding for costs associated with enrollment fluctuations and averaging for declining-enrollment districts;
- h) Preservation of local control when allocating resources and flexibility when implementing mandated programs;
- i) Funding for full-day kindergarten, early childhood education and alternative education to ensure that all children have a proper educational foundation to be successful in school;
- j) Adjustment to the per-pupil base funding for school districts to reflect the impact to school districts of public school choice, including, but not limited to the impacts resulting from an immediate loss of student enrollment as well as impacts related to the ongoing oversight of choice programs;
- k) An increase in funding for the lowest funded or “floor” school districts to address the disparity in per pupil funding among Colorado school districts.
- l) Long-term remedies for funding public education in Colorado, including a solution to the predicted insolvency of the State Education Fund.
- m) ~~A hold harmless provision for any changes made to the calculations of school finance per pupil revenue, factors or categoricals so that there are not winners and losers during these difficult budget times.~~
- m) AT-RISK FUNDING FOLLOWING AT-RISK STUDENTS TO THE RESPONSIBLE SCHOOL BUILDING LEVEL. NOTWITHSTANDING THE FACT THAT FUNDING FOR PER PUPIL REVENUE, FACTORS AND CATEGORICALS HAS, AND CONTINUES TO DECREASE, THERE IS A FURTHER COMPOUNDING NEGATIVE EFFECT BECAUSE AT-RISK FUNDING DOES NOT FOLLOW AT-RISK PUPILS. CALCULATIONS OF SCHOOL FINANCE REVENUE IN THE SCHOOL FINANCE ACT SHOULD FOLLOW AT-RISK PUPILS TO THE BUILDING LEVEL.

Rationale for striking existing 3.4m and inserting new 3.4m: The current operational school finance distribution system was developed in 1995 using a single continuous definition of at-risk students, i.e., free/free and reduced eligibility. It has undergone several modifications including categoricals (ELL, at-risk, special education) and redistribution dimensions (charter schools). Some of these have been modified more than once, to the extent that there are notable contradictions and inequities at the current time. Specifically at-risk funding may (ELL, special education) or may not (at-risk) follow the students so defined and identified. The consequence of these developments, over time and through varying pieces of legislation, has caused students without special needs, as defined, to receive the funding intended for them as well as funds intended for the special needs students. This “false” entitlement is not acceptable. To address these needs the current inequity and distribution of funding should be addressed with the passage and implementation of the proposed resolution.

Rationale: The current Public School Finance Act, which was enacted in 1994, is in need of a comprehensive revision. Over the past 15 years, the ability of the system to promote inter-district fiscal equity or to assure that adequate funds will be available in all school districts has deteriorated. Declining enrollment districts face unique difficulties in financing their district operations and student services. Fixed costs for services can create additional financial strain on districts as per pupil revenue decreases. The under-funding of all categorical programs impacts local districts' ability to fund other educational programs. The percentage of categorical program funding supported by local school districts' general fund dollars is estimated as follows: special education 79%, transportation 82%, English language learners 94% and career and technical education 71%. Most agree that a new system is needed which builds on the strength of the existing one while addressing the many issues that have arisen in the last 15 years. The 2009 School Finance Act did provide districts some flexibility by authorizing local districts to increase funding to 25% of total program funding with voter approval. Considerable work has been done by the Colorado School Finance Project to call the legislature's attention to the issues. This resolution addresses the goals or ideals in any revision of school finance.

3.5 Unfunded mandates

CASB urges the General Assembly to make compliance with new laws conditional upon receipt of sufficient funding from the state. School districts should be given the option to partially implement programs to the extent of state funding allocated for this purpose.

Rationale: Every year the state and federal government pass legislation requiring local school districts to do or provide certain things, without providing funding for districts to comply with these mandates. The local fiscal impact is not sufficiently analyzed in information provided to lawmakers considering proposed legislation. State lawmakers should understand this frustration because the same thing happens to the state when unfunded or under-funded federal mandates are imposed. It is unrealistic to expect local governments to continue to absorb new requirements that are not funded. It is reasonable to expect that if lawmakers fail to provide sufficient funding to allow the mandate to be carried out, they should not be in a position to enforce the mandate.

3.6 Special education

CASB urges the General Assembly to make increased funding for special education a priority until such time as funding is adequate to meet the needs of special education students without diverting funds from OTHER important student services and programs that benefit all students.

Rationale: The recommendations from a study of special education funding in Colorado that was initiated by the General Assembly and reported to the State Board of Education in October 2000, are still pertinent. On average, 66 percent of special education expenditures are paid from local funds, which compares to a national average of 32.3 percent. The report termed this level of funding inadequate. While the legislature has increased special education funding in recent years and federal stimulus money has helped, more work needs to be done. The financial impact on school districts from insufficient funding for this state and federal mandate is profound. Inadequate funding has led to several other deficiencies: special education funding does not address the challenges of high-growth districts or out-of-district placements; monies are not available to train, retain and attract quality staff; and increasing conflicts between regular and special education arise. Further, stimulus dollars will likely cease after 2010, leaving districts in the position of once again draining local funds to comply with state and federal mandates. All of these issues need to be addressed by lawmakers.

3.7 Out-of-district placements

CASB supports full reimbursement BY THE STATE of all actual costs of instruction to school districts for nonresident children who are placed BY THE COURTS, A GOVERNMENT ENTITY OR NONPROFIT OR FOR-PROFIT AGENCIES in group homes, foster homes or detention facilities within their boundaries or institutions outside of THE district. ~~by the courts, or by nonprofit or for-profit agencies.~~

Rationale: School districts are faced with significant cost pressures due to placement of students requiring extensive special services by some other agency over which the district has no control. This resolution encourages the state to assume financial responsibility for placements for which either the state or its various agencies are responsible instead of placing that financial burden solely on those districts where the parents of the student reside. Issues related to students in foster care, group homes and detention facilities also have a financial impact on school districts, particularly smaller districts in rural areas. Often these students are sent to foster homes in mid-year or even at the end of the year and have severe problems that require immediate placement into treatment facilities. This is a significant expense for the district. Because the money must be spent regardless of the location of the child, it makes sense that a central pool of funds be used to cover these expenses. This would relieve a significant cost pressure for school districts.

3.8 Tuition charge for excess costs

CASB urges the general assembly to address the financial burden the tuition charge for the excess costs incurred in educating a child with a disability places on the district of residence when parents choose to have their child attend a school other than a school in the district of residence.

Rationale: Because the special education program has never been fully funded by the state and federal government, it must be subsidized to a large extent by a local school district's general fund. As opportunities for education choice continue to expand, the issues associated with which entity is ultimately required to subsidize the unreimbursed expenses associated with special education can be a source of friction between the district of residence and the school the child attends. The 2006 School Finance Act amendments limit billing of special education excess costs to students falling under the Tier B category as defined in the law. The State Board of Education is authorized to establish criteria around the time spent receiving special education services and the severity of the disability. Even though these changes are beneficial, issues surrounding responsibility for payment of excess costs continue to be an important issue because of the impact on the district of residence's general fund.

3.9 High-cost grant program for special education

Until such time as special education costs are fully reimbursed by the state and federal government, CASB supports increased funding for the high-cost grant program to assist districts in meeting the needs of special education students with severe needs.

Rationale: The amount of reimbursement school districts receive for the costs of providing an educational program and related services to disabled students falls significantly short of the expense of providing services. This means that school districts annually spend a significant portion of their general fund to cover those costs. The state created a program to address the expense of high-cost special education students in the 2006 legislative session that begins to address this important issue. Although the new high-cost pool does not by any means solve the issue, it is an important step and the first of its kind at the state level in Colorado.

3.10 Capital facility needs

CASB urges the General Assembly to continue to support the state program that addresses the disparity among school districts in the ability to pay for capital facilities as it relates to health, safety and growth issues so that all children in the state have access to adequate facilities.

Rationale: The dependence on property taxes to pay for school district capital facilities creates a system of districts that have the capacity to pay (with voter support) and those that don't. The condition of school facilities can have an impact on student learning. Children should not be penalized or put at risk in an unsafe environment simply because the community in which they live has low property tax wealth. The Building Excellent Schools Today Act (BEST), was enacted in 2008 to bridge the gap between districts with property tax wealth and districts without, but the need continues to surpass available revenues.

3.11 Mitigation for cost of residential development

~~CASB supports legislation authorizing school districts to levy impact fees or taxes on the development of residential property to offset incremental costs.~~

Rationale for deletion: Due to the authority of municipal and county governments, it is unrealistic to believe that school districts will also be granted the power to levy impact fees or taxes on residential developments.

3.12 Tax policy reform

CASB urges the General Assembly to commit to finding a fair and equitable solution through a bipartisan AND COLLABORATIVE effort to the state of Colorado's fiscal crisis caused by the following conflicting amendments to the state's constitution: TABOR, Amendment 23 and the Gallagher Amendment and place this proposal on the ballot in November 2011. ~~CASB supports efforts to permanently capture a significant portion of the TABOR surplus as a dedicated source of funding for the benefit of public education.~~

Rationale: CASB believes it is essential that lawmakers craft a long-term fix to the constitutional tax code and place a measure on the ballot in 2011. CASB and other organizations are ready to campaign for such changes. Colorado's budget shortfall/recession has been exacerbated by this tax policy quagmire. The passage of Referendum C in 2006 and the mill levy freeze enacted by the General Assembly in 2007 are both stop gap measures. Neither provides a long-term solution for the state's fiscal crisis. Finding an answer to improved financial support for schools can't be a reality until a solution to the TABOR, Gallagher, Amendment 23 conflict is resolved. Over time, more and more of the responsibility for funding public schools has shifted to the state budget because of these provisions in our state constitution, which also increases the temptation by state policymakers to make decisions that properly belong with the locally-elected board of education. These and other fiscal constraints are compromising the state's ability to provide basic services to its citizens and must be addressed.

*Submitted by the Meeker RE-1 Board of Education
Forwarded with recommendation*

3.13 Double TABOR reserve

CASB supports an amendment to the state constitution exempting state money appropriated for school finance from local TABOR reserve requirements because the effect is a double TABOR reserve.

Rationale: This resolution would eliminate double reserving for the same money at both the state and the local levels. Right now, the state must reserve 3 percent of its budget to fulfill the emergency reserve requirements of the TABOR amendment. Each school district also reserves 3 percent of each of its funds for this purpose. The School Finance Act allows school districts to fulfill their TABOR reserve by leveraging property in lieu of cash reserves. However, the constitutional requirement for a reserve is still in effect. Thus, much of the money that schools receive is reserved at what amounts to a 6 percent rate. Because the state portion of per pupil operating revenue is merely a transfer of tax money from one government entity to another, it should not be subjected to the same reserve requirement twice.

3.14 School trust lands

CASB supports efforts by a coalition of stakeholders interested in optimizing all aspects of the school trust lands including improving the management and accountability for such lands so that they provide a more substantial and reliable source of revenue over time for the support of public schools.

Rationale: In 1876, when Colorado became a state, the federal government in the state's Enabling Act, granted sections 16 and 36 in every township, or approximately 4.4 million acres, to the state for the support of common schools. The Colorado State Board of Land Commissioners (State Land Board) manages the school trust lands and the State Treasurer manages the permanent fund. A coalition has been formed to review issues related to the school trust lands with the goal of increasing revenues for schools. There are both short-term and long-term goals that have surfaced in the discussion. The coalition has had some success with the legislature aimed at increasing the corpus of the permanent fund. However, as part of their effort to balance the state budget, the 2009 and 2010 legislature passed legislation that diverts interest income from the permanent fund for fiscal years 2008-09, 2009-10 and 2010-11. It is important to protect the corpus of this trust for the benefit of future generations of children.

3.15 Sales and use tax exemption for school construction

CASB encourages legislation that would make school building construction materials exempt from local sales and use taxes.

Rationale: Current financial conditions make it imperative that school districts maximize the value received for all of their expenditures, including investments in capital facilities. Some local governments choose to grant a tax exemption only if these materials are purchased directly by a school district, and impose taxes if building supplies are purchased by a school district's contractor. This practice adds substantial additional costs to school construction projects and can result in a reduction in the size and quality of school facilities promised to taxpayers. In short, imposition of these taxes upon contractors elevates form over substance and fails to recognize that school districts lack qualified staff and sufficient human resources to directly make these purchases. Eliminating this loophole will allow school districts to honor facilities commitments made to taxpayers while placing districts and local governments on equal footing in negotiating joint development and use of these facilities.

3.16 Program funding for English language learners

CASB urges the General Assembly to increase categorical funding for English language acquisition programs so school districts can better meet the needs of students and the expectations for English language competency imposed by state and federal accountability requirements.

Rationale: State funding for English language acquisition programs covers only a small portion of the cost of providing ELA programs in local school districts. State funding has not kept pace with the growing demand for ELA programs as the needs and complexities of services required to serve English language learners continues to increase. The severe lack of state funding for this important categorical program significantly impacts a local district's ability to fund other educational programs.

3.17 Financial support of districts with declining enrollment

CASB urges the general assembly to provide financial relief to declining enrollment school districts.

Rationale: Demographic changes within the school district are not within the control of a board of education. Each year a board in a district with declining enrollment must consider budget reallocations to offset the loss in per pupil revenue from declining enrollment. Many of these costs cannot be simply reduced and must be part of a long-range plan including facility needs and personnel. In effect, revenue declines faster than expenses and students, teachers and parents are affected. The General Assembly authorized the Colorado Department of Education to conduct a comprehensive study to evaluate how declining enrollment impacts students that remain in the declining enrollment districts and to recommend possible remedies. The study did find that over time, the effects of declining enrollment can lead to financial difficulties given the fixed costs associated with running a district. If per pupil revenue drops too much, remedies to bridge the funding gap must be found, including modifying the school finance funding formula, increased cooperation across school districts and/or consolidation, where feasible.

3.18 Categorical funding for transportation

CASB supports increased categorical funding for transportation because district-provided transportation is essential for student access to education.

Rationale: With the high costs of fuel and related expenses, transportation costs exceed current categorical funding. This has a significant impact on a school district's general fund budget, particularly in school districts that must transport students over vast geographic areas. Although state law now allows school districts to seek additional local revenues for excess costs associated with transporting students, it is not realistic for many communities to seek a property tax increase from voters.

3.19 Gaming impact grants

CASB urges the General Assembly to make local school districts an "eligible local governmental entity" as that term is defined in state law to receive distribution of the Department of Local Affairs (DOLA) gaming impact funds.

Rationale: Gaming impacts some school districts in the state, particularly those in the regions near where gaming is allowed. These impacts include non-traditional employment hours of parents, which can affect student-parent interaction and parental involvement in their child's learning.

3.20 Transparency in school district budgets*

To foster a better and more complete understanding of government in action, CASB encourages school districts to take affirmative steps to use modern technology to inform citizens about how they prioritize and expend public funds to the extent ongoing and timely disclosure of information can be provided without creating an undue administrative and economic burden. ~~CASB supports the development of statewide minimum standards to assist school districts in disclosing financial information if the process used to develop the guidelines solicits public input and identifies information that will be of greatest use to the public.~~

Rationale: As public entities, school districts are subject to laws to assure that records relating to expenditure of public funds are open to public inspection upon request. There are only a few exceptions to the open records law that are intended to protect the confidentiality of certain records because of the nature of the information contained in the record and the privacy interest involved. With current technology, it is possible for school districts to put more and more information about their operations and decisions online so that it is readily available to the public.

* This resolution was adopted as an annual resolution in 2009 and is recommended for addition as a standing resolution.

3.21 Funding for full-day kindergarten*

CASB urges the General Assembly to maintain or increase state funding for full-day kindergarten as specified in the 2008 School Finance Act.

Rationale: There is a strong knowledge base in research and practice suggesting full-day kindergarten programs are more beneficial than half-day programs with the benefit being most profound for low-income students. Colorado has made significant investments in full-day kindergarten as a means of providing high-quality education opportunities to young children and better preparing them for success throughout their academic careers. Although the state has made, and continues to face budget cuts, it is important to maintain a commitment to full-day kindergarten due to the long-term benefits it provides. For every dollar invested in quality early childhood programs, three dollars are saved down the road as the result of fewer students repeating grades, less remediation, fewer dropouts, etc. Full-day kindergarten helps reduce the achievement gap before it starts.

* This resolution was adopted as an annual resolution in 2009 and is recommended for addition to the legislative agenda.

3.22 Protect categorical and at-risk student funding*

CASB opposes a move by the General Assembly to reduce categorical and at-risk student funding as a means to reduce overall total program spending in the School Finance Act because this reduction will have a disproportionate impact on those students with the highest needs.

Rationale: During this economic crisis, the legislature is studying every means possible to reduce funding for public education, including a reduction in the factors that contribute to total program funding for K-12. When funding is cut, school districts must cut staff, which jeopardizes the ability of districts to meet the objective of having a highly effective, standards-based, data-driven teacher in every classroom. Reducing funding for at-risk students, English language learners, special education and other categorical programs, which are already underfunded, could seriously compromise services for students with significant needs. At the same time, the mandates for providing services continue even as funding is cut.

* This resolution was adopted as an annual resolution in 2009 and is recommended for addition to the legislative agenda.

3.23 Tax increment financing*

CASB opposes the creation of urban renewal authorities, specifically the use of tax increment financing (TIF) by such districts, unless the local governmental entity proposing a TIF: 1) consults and communicates with the affected school district(s) in a timely manner prior to the use of a financing mechanism such as a TIF which reduces local property tax collections; 2) discloses the financial impact prior to the approval of an urban renewal authority by a local town or city council; and 3) seeks written final approval from the impacted school district(s) of the TIF formula prior to the finalization of the TIF vehicle.

Rationale: Currently the law provides for school districts to act in an advisory capacity, giving school districts little or no voice regarding the final outcome when an urban renewal authority proposes the use of tax increment financing. School districts must have a greater voice in the final say of a financial vehicle such as a TIF that will impact the taxpayers in their district.

* This resolution was adopted as an annual resolution in 2009 and is recommended for addition to the legislative agenda.

3.24 Focus on solution to fiscal crisis not unfunded mandate*

CASB URGES THE GENERAL ASSEMBLY TO FOCUS ITS EFFORTS ON CREATING A SOLUTION TO THE UNDERLYING PROBLEMS OF THE STATE'S FINANCIAL DIFFICULTIES AND ~~CASB urges the General Assembly, during the extremely challenging current financial crisis, to refrain from passing additional unfunded mandates. CASB instead urges the General Assembly, during these difficult times, to focus its efforts on creating a solution to the underlying problems of the state's financial difficulties.~~

Rationale: Just as 2011 is not "business as usual" for districts, it should not be "business as usual" for the General Assembly. The expected state budget reductions for public education for 2011-12, along with the 6.35 percent reduction to school district's 2010-11 funding has had and will continue to have a severe negative impact on all school districts. Districts are seeking ways to balance their budgets including, but not limited to, cutting programs, cutting staff, reducing expenses such as investments in student learning, combining services with other districts, etc. This is "not the time" to increase burdens to districts by creating additional unfunded mandates and/or creating winners and losers by redistributing limited funds between school finance formula factors, categorical program or districts.

* This resolution was adopted as an annual resolution in 2009 and is recommended for addition to the legislative agenda as amended.

Student Achievement

CASB believes the core responsibility of a local school board is to adopt and implement policies and practices that increase student achievement.

Standing resolutions

4.1 Standards-based education

CASB endorses the state model content standards and encourages local districts to develop and adopt local content standards and performance-based assessments to cause improvement in student academic achievement that will allow Colorado students to compete with students throughout the world.

4.2 Purpose of educational accountability system

CASB believes the purpose of the educational accountability system is to support districts and schools in ensuring that all students meet the state's academic standards and that those students who have done so continue to progress.

4.3 State data collection

CASB believes an effective state data collection system must directly support student learning, align with all state-level data collection systems, eliminate redundancies and minimize the burden on local school districts.

4.4 Improvement of low-performing schools

CASB believes it is crucial that low-performing schools receive all the necessary resources, support, time and flexibility NEEDED to improve STUDENT ACHIEVEMENT.

4.5 Dialogue between P-12 and higher education

CASB believes ongoing dialogue between early childhood education systems, P-12 schools and postsecondary institutions is necessary to ensure that all students ~~obtain~~ HAVE the opportunities and skills NEEDED for success.

Legislative agenda

4.6 High school graduation requirements

CASB opposes any effort by state policymakers to set uniform high school graduation requirements because it is a violation of the state constitutional principle of local control of instruction.

Rationale: The statistics on student dropout and graduation rates have caused many groups to talk about the need for high school reform. The temptation is for state policymakers to respond with proposals setting uniform graduation requirements. Setting graduation requirements is central to the board's constitutional authority to control instruction. The 2008 Preschool to Postsecondary Education Alignment Act (CAP4K) begins a process to align the public education system from preschool through postsecondary and workforce readiness. This alignment will ensure that a student who achieves the required level of proficiency on standards as he/she progresses through the system will achieve postsecondary and workforce readiness when the student graduates from high school, if not earlier. This comprehensive legislation incorporates ideas CASB firmly established in the prior legislative session which calls on local boards to work with their communities to develop a Blueprint for Education. While this work is underway, the legislature should resist any effort to mandate statewide graduation requirements.

4.7 High school exit exam

CASB opposes a mandated state or federal high school exit exam.

Rationale: Currently there is no Colorado law requiring a diploma be contingent upon an exit examination score. The state constitution vests authority in the local board to determine graduation requirements. There is no evidence to show that an exit exam requirement leads to improvements in student achievement for the 26 states that have instituted these exams. If the state or federal government has a role, it is to develop a common, sensible definition of “graduation rate” and to collect reliable data related to high school graduation.

4.8 Colorado State Assessment Program (CSAP)

CASB urges state policymakers to provide sufficient resources and technical expertise to review and improve the state testing program in order to provide more timely and relevant data to educators and students. ~~Whenever~~ NOW THAT Colorado’s model academic content standards are significantly revised, CASB believes it is essential to thoroughly review and revise the state assessment program to assure that the next generation of assessments are carefully aligned with the standards so that the state assessment program continues to be a relevant and valid measure of student academic achievement.

Rationale: The accreditation law calls for testing that will “demonstrate individual student progress over time and provide an accurate indicator of how well the public schools and school districts are educating the children of the state.” Through the implementation of CAP4K, the Colorado Department of Education will be developing the next generation of assessments. These new assessments will not only be based on the state’s new academic content standards but will also focus on ensuring that students are prepared for life beyond high school, whether that means enrolling in higher education, technical college or entering the workforce.

4.9 State accreditation

CASB urges the State Board Of Education and the Department of Education to implement Colorado’s new accreditation system with appropriate technical and financial assistance in partnership with local boards of education.

Rationale: It is important that CDE works with local boards of education to see that the accreditation process enables school districts to effectively meet both their state and federal accountability requirements.

4.10 Evidence of school performance

CASB urges the legislature to look at a full body of evidence about school performance, including longitudinal data on academic achievement, before mandating that school districts participate in programs based solely on an arbitrary number of low and unsatisfactory schools at one point in time.

Rationale: School districts have made significant strides in reducing the number of students in the unsatisfactory category on the CSAP test. State policymakers should look closely at the body of evidence from other testing measures such as the ALT, NWEA or other nationally recognized standard tests as well as data from the Colorado Growth Model before making judgments about school performance.

4.11 State designated low-performing schools

CASB opposes any state or federal effort to remove any school, regardless of its performance record, from a local school district governed by a locally elected board of education.

Rationale: There are no quick fixes that address the significant challenges facing many of our schools. Instead of conversion to an independent charter school, the state should partner with the local district to provide the necessary resources and technical assistance to achieve the desired results. This is preferable to the punitive approach, which is already making some schools fear the local district will abandon them.

4.12 Online schools

CASB supports efforts to modify the accreditation process to address the unique characteristics of online schools and to facilitate collaboration between online schools and physical schools in meeting students' needs. The reporting of student participation and completion rates in online programs should be comparable to traditional public schools for accountability purposes.

Rationale: Students are best served when online and physical schools work together to create educational options and support for students. Almost all online students need personal, onsite support to achieve academic success, but there is not a cost effective vehicle in the current delivery system to provide an incentive for this collaboration. There are issues unique to online schools that should be addressed through the accreditation process to ensure that students are well served by the programs that are offered in the state. The Colorado Department of Education should track and report the non-completer rates of online schools in the same manner as traditional publicly funded school systems. Students that participate in full-time online programs that return to their home school district should be counted as non-completers in the online school's statistics. The new Division of Online Education created by legislation in 2007 is expected to address many of the quality control issues with online education programs, including necessary accountability measures.

4.13 Home schooling

CASB supports legislation that holds parents of home-schooled children accountable for their child's reasonable academic progress and urges the Colorado General Assembly to enact meaningful education standards for home-based education programs and other measures, including notification to the student's home district of a home school program and record-keeping requirements. This would facilitate collaboration between the home school and the school district in which the child resides in order to best meet the child's needs.

Rationale: Home schooling is a viable alternative to available education opportunities and many parents provide an exemplary education for their children. However, school districts have also had experiences with home-schooled children who re-enroll in public school that indicate some children are not receiving appropriate educational services through their home-school experience. It is important for the state to reexamine its accountability program for home schools. The current requirement that home-schooled students only need to meet the 13th percentile on a nationally standardized test in order to remain in a home-based education program is not sufficient. Annual testing would provide an accountability framework comparable to public schools. Annual test scores would also be helpful if the child chooses to re-enroll in a public school so the school can determine an appropriate placement. For a variety of reasons, it is important that a home-school family provide notice of intent to home school to the school district in which the family resides. Providing notice locally establishes eligibility to participate in sports and activities and is a good first step to facilitate collaboration between the home school and the school district.

4.14 Public education in the 21st century

CASB urges state and local policymakers to forge a new working relationship in redesigning Colorado's public education system for the 21st century, with a focus on improving student achievement and holding each level of the system accountable, from preschool through post-secondary education, in a manner that:

- a) eliminates bureaucratic mandates and fragmentation so that multi-level communication and interaction can take place to enhance student academic success;
- b) offers all students a rigorous, developmentally-appropriate curriculum designed to provide opportunities and choice, regardless of the post-secondary path they choose;
- c) engages the assets of the full community;
- d) utilizes data and technology to individualize education for students and to incorporate new learning into the design;
- e) provides psychological and health services, academic and career, technical and vocational education opportunities for all students, particularly at the middle and high school level;
- f) closes the achievement gap by focusing on quality teaching and learning opportunities;
- g) implements standards-based education fully in a seamless curriculum, so one level of the system builds on the next and the end result is known and understood from the beginning;
- h) provides sufficient resources at every level of the system to meet the challenge; and
- i) preserves the ability of local communities to address local needs and challenges in a creative manner.

Rationale: While school districts are making progress in closing the student achievement gap, too many students still fall below the proficiency level. Often these gaps are known before children reach the schoolhouse door, yet the education system is not always responsive because of lack of communication, scarce resources and low expectations. In an ideal world, schools would be organized around students' needs, starting at an early age, and designed to enhance success at the post-secondary level to meet the required skills and knowledge for students to be successful in the 21st century. The intent of this resolution is to set a framework for the dialogue about a next-generation system of education designed with the best interests of students in mind.

4.15 State assessment program

CASB urges the Colorado Department of Education, when developing the new state assessments, to design a program that is diagnostic in nature, provides timely results and measures the annual knowledge growth of each student, with student demographic information reported as a component of the system. CASB supports utilization of standards-based assessments in the state assessment program that are statistically valid and predictive, with validation systems that allow for appropriate recalculations of norms that are referenced.

Rationale: The current state-mandated assessment of student achievement, the Colorado State Assessment Program (CSAP), provides insufficient student participation data to provide a basis for school-to-school and district-to-district relative comparisons. This results in low socioeconomic status (SES) schools and school districts that often have a higher percentage of high needs students and English language learners being compared unfairly to high SES school districts. CSAP data, as presently constituted, are insufficient for school district management purposes because they are not diagnostic in nature. CSAP results do not provide sufficient information for parents to make school and district choice decisions due to incomplete information about student demographics.

4.16 Graduation rate calculation

CASB urges the State Board of Education to adopt rules that set forth a fair process for calculating the graduation rate of schools that have students participating in the Accelerating Students Through Concurrent Enrollment (ASCENT) program so that schools and districts are not unfairly penalized under accreditation and accountability.

Rationale: HB 09-1319 specifies that ASCENT students are not considered high school graduates until the ASCENT program and any remaining graduation requirements are complete. The State Board of Education must adopt rules for schools and districts to follow to satisfy state and federal reporting requirements concerning the enrollment status of ASCENT students.

Rationale for deletion: With the adoption of the ASCENT rules, CDE will be calculating five and six year graduation rates to accommodate programs like ASCENT that allow kids more than four years to graduate from high school.

4.17 Academic plans of study

CASB urges the State Board of Education to provide school districts with flexibility when devising student academic plans of study as the State Board develops rules on the subject and to streamline the requirements for student academic plans to avoid duplication of efforts.

Rationale: Two laws passed in 2009 both call for academic plans of study for high school students. Districts need to be given flexibility to devise academic plans of study that fit the needs of their students given the resources of the district. If the State Board is prescriptive in the requirements for the plans of study via rule making, districts hands will be tied to meet individual needs. Also, the 9th grade academic plans required under Senate Bill 09-256 should be aligned with the academic plans of study required for students participating in a concurrent enrollment program (House Bill 09-1319).

Rationale for deletion: The state board of education adopted rules that align the two academic plans of study so that districts do not have to duplicate efforts.

4.18 Broadband internet access*

CASB encourages support for the Colorado Community Anchors Broadband Consortium (CCABC) and other efforts to secure federal stimulus funding to assure that quality, affordable broadband services are available to school districts across the state.

Rationale: The ability of any school to engage in 21st Century learning activities is limited by access to broadband Internet services. Whereas the students in the smallest schools located in the most remote regions of Colorado are the most likely to benefit from distance learning opportunities made possible by broadband Internet, these same schools are the least likely in Colorado to be able to secure quality and affordable broadband services. Broadband Internet access should be universally available across the State of Colorado for the thorough and uniform delivery of education relevant for the 21st Century.

* This resolution was adopted as an annual resolution in 2009 and is recommended for addition to the legislative agenda.

Annual resolution

4.19 Enforcement of attendance and truancy laws for kindergarten students

CASB supports legislation requiring students enrolled in kindergarten to be subject to the same attendance and truancy laws that apply to all students age six and older.

Rationale: Early childhood and kindergarten have proven to be the most productive ways of closing the achievement gap before it even starts. Colorado does not require a student to attend school until they are six years of age. If a parent decides to enroll their child in a district kindergarten class at the age of 5, there is no legal recourse for attendance or truancy. Changing state law to state that regardless of age, once a child is enrolled in a public school all attendance and truancy laws apply would provide districts with the ability to have the same recourse for kindergarten students as for all other students.

*Submitted by the Aurora Public Schools Board of Education
Forwarded with recommendation*

4.20 Clarification on state versus national standards

CASB seeks clarification from the Colorado Department of Education and the State Board of Education on the academic standards, state or national, school districts should be using to design curriculum.

Rationale: In December 2009 the State Board of Education adopted new academic standards for the state of Colorado. These standards were the result of months of work and input from education professionals from across the state. In August 2010, the State Board of Education also adopted national common core standards in language arts and mathematics. The common core standards are the result of work done by a coalition of states, including Colorado, and coordinated by the National Governors Association Center for Best Practices and the Council of Chief State School Officers. It is unclear to school districts across the state what version of standards curriculum decisions should be based on. Although CDE believes there is a 90 percent overlap between the state and national standards, there is no guidance to school boards on what this means and how to design curriculum accordingly.

*Submitted by the Calhan RJI Board of Education
Forwarded with recommendation*

Personnel

CASB believes personnel policies, practices and relationships that support the hiring, evaluation and retention of quality employees in an atmosphere of trust and shared accountability will provide the working foundation for successful district operations and student learning.

Standing resolutions

5.1 Articulation of vision and goals to staff

CASB believes boards of education that clearly articulate district vision and goals to staff will be successful.

5.2 Staff professional development

CASB supports staff professional development, which includes an understanding of developmentally appropriate learning environments, curricula and assessments beginning with early childhood education, specifically for the Colorado preschool program, as an important element for school improvement and a key factor for successful implementation of standards-based education and integration of technology into the classroom.

5.3 Employee evaluation

CASB encourages local boards of education to make employee evaluation a priority by providing the necessary resources to implement a quality evaluation system.

5.4 Establishing terms and conditions of employment

CASB believes an essential function of the local board of education's constitutional authority is to establish the process by which terms and conditions of employment for school district employees are determined.

Legislative agenda

5.5 Incentives to enter teaching profession

CASB supports legislation that creates incentives to enter the teaching profession and remain in Colorado to teach.

Rationale: There are various models in place in other states and from other professions to encourage interested persons to pursue a profession where there is a genuine shortage. Colorado is just beginning to feel the impact of a teacher and special education provider shortage. In some subject areas, that shortage is acute. Rural areas in the state are particularly hard hit. An example of an incentive would be a state income tax credit that does not require additional state or local tax dollars to fund the program or redirect existing funds, which makes it an attractive incentive.

5.6 Multi-year contracts

CASB supports legislation that replaces the current “nonprobationary” status for teachers with multi-year contracts that allow the Board of Education to make a decision on continuation of employment at the end of each contract term. Discussions on continuation of employment will be based upon a written record of skilled, knowledgeable and frequent observation and mentoring of teacher performance based upon commonly understood criteria. Until such time that legislation is adopted which implements multi-year contracts for all teachers, CASB supports extending the probationary period for teachers to five years because of the evolving accountability laws and the efforts of local boards to assure that the most effective teachers are in the classroom at all times.

Rationale for deletion: With the passage of SB 10-191, maintaining non-probationary status will be determined by a teacher’s ability to annually show their effectiveness in the classroom. Any teacher rated ineffective for two consecutive years will lose his or her non-probationary status and become probationary.

5.7 Teacher contracts

CASB supports legislation that would impose penalties on licensed school personnel who enter into contracts with more than one school district for the same academic year as well as change the deadline date by which a licensed employee must give written notice to a school district that he or she will not fulfill the obligations of the employment contract.

Rationale: The current law, which allows teachers to resign up to 30 days before the start of the academic year, poses a hardship for school districts. The pool of teaching candidates in smaller districts for “hard-to-recruit” instructional areas such as English as a second language, upper-level secondary mathematics and science, foreign languages, special education and so forth, is significantly limited in comparison to larger districts. The closer to the opening of the school year “late resignations” are statutorily allowed, the more likely smaller districts will need to reduce or eliminate academic programs for students. Even worse, the hiring of sub-par teachers simply to retain programs so students can meet college entrance course requirements becomes a very sad reality. There should be a liquidated damages provision of a specified amount, i.e. \$1,500, set forth in statute that a teacher would pay if he or she terminates the contract without sufficient notice to the district.

5.8 Fair balance in hearing process

CASB supports the development of an administrative hearing process that achieves a balance between adequate due process for teachers and the ability of school boards as employers to respond to demands for accountability and high-level performance.

Rationale for deletion: Senate Bill 10-191 fundamentally changes the process by which teachers are evaluated and how corresponding performance ratings will work. The legislation also provides an appeals process if a teacher believes his or her evaluation and subsequent performance rating was inaccurate. With the changes enacted in SB 191, the need for an administrative hearing process no longer exists.

5.9 Public employee retirement

CASB supports legislation that strengthens the actuarial funding of the Public Employee Retirement fund and assures the long-term viability of the pension program for existing and future school district employees, while minimizing the financial impact on school districts.

Rationale: PERA is an important benefit that attracts and retains quality professionals in the teaching and school district support professions. The long-term financial viability of PERA is crucial for school employees. At the same time, it is important that any adjustments made to the rates employers must pay to preserve the financial stability of the fund be done in a manner that does not cause undue hardship for employers, which includes school districts, during tough economic times.

Annual resolutions

5.10 Educator effectiveness



CASB supports the implementation of the educator effectiveness legislation passed by the 2010 legislature as long as it is done in a fair and equitable fashion. As the state implements the new system of educator evaluation aimed at improving effectiveness, local school boards must retain the flexibility needed to design their own systems of evaluation that fit the needs of their community. These local evaluation systems should be based on the premises put forth by the State's Council on Educator Effectiveness and with help from the resource bank established by the Colorado Department of Education.

Rationale: The passage of Senate Bill 10-191 ushers in a new era of educator evaluations. Much of the work to design this system will be done by the State's Council for Educator Effectiveness. However, CASB believes the law provides for and school boards are constitutionally responsible for the ultimate design of an educator evaluation system that meets the needs of their district, not mandated top down from the state. Improving educator effectiveness is a crucial component of education reform.

5.11 Teacher employment, compensation and dismissal reform



CASB supports continued legislative efforts to clarify the educator effectiveness law enacted in 2010 so that the teacher dismissal process is effectively aligned with the evaluation process and consistent with the principles of the educator effectiveness law. CASB believes it is important to protect the ability of school districts to retain or dismiss educators based upon a clear set of performance expectations. Any due process set out in state law to terminate employment of an educator should be fair and balanced and not unnecessarily burdensome for either party.

Rationale: Prior to the passage of Senate Bill 10-191, once a teacher completed a three-year probationary period, the teacher attained "nonprobationary" status. If problems developed with a nonprobationary teacher's performance, and intervention was not successful, the school district's only recourse was to initiate a dismissal process that is often costly and very time consuming. Given the demands placed on schools to improve student performance and to provide students with the quality instruction they need and that the state mandates, school boards need flexibility to retain the best teachers. If teachers are not meeting district standards of performance or misconduct has occurred, school districts and local boards of education must be able to respond appropriately and in a timely and cost-effective way. Education reform is hampered without this freedom and flexibility.

Community

CASB encourages local boards to engage in strategic and long-range planning with significant involvement from the community to provide leadership and direction for the district and to regularly engage their constituents so that the board's policies and actions reflect the diverse communities they serve.

Standing resolutions

6.1 Role of parents

CASB believes in the fundamental principle that parents/guardians are the foundation of each student's education and that this important role should be respected when a local board adopts curriculum and when CASB advocates on behalf of local boards.

6.2 Parental involvement

CASB supports partnerships between parents/guardians and schools that encourage parental/guardian involvement both in classrooms and outside of school.

6.3 Safe schools

CASB urges local school boards to work with parents, students, community organizations, youth and family serving agencies, the business community, law enforcement and the judiciary to develop and implement effective policies and programs that will ensure continued safe and violence-free schools.

6.4 Diversity

CASB encourages local boards to create an atmosphere welcoming people of diverse backgrounds to actively participate in district activities at all levels.

6.5 Relationships with governmental and community agencies

CASB supports efforts to build relationships with local governmental entities and community organizations to strengthen, support and maximize the resources for public education.

6.6 Coordination of services

CASB supports voluntary coordination of school, human and social services, including with Colorado preschool programs, head start programs, child care centers, and local early childhood councils, to ensure that children and families receive necessary assistance so children enter school ready to learn, and to avoid duplication of services.

Legislative agenda

6.7 School organization process

CASB believes any decisions about school district consolidation or deconsolidation should only be made by local districts in conjunction with local communities.

Rationale: On occasion, state policymakers begin analyzing the size of school districts to determine what size is optimum for efficiency and effectiveness. There are also issues related to school district boundaries and size when enrollment is declining or when a district is experiencing rapid growth in one area. All of these concerns should be addressed at the local level through the planning that takes place in the school organization process, without the state imposing solutions on a local community.

6.8 Flexibility on CPP requirements

CASB believes that any state legislation and regulations addressing the Colorado Preschool Program (CPP) must allow for local community flexibility to ensure that school districts have the authority to spend resources with high quality community-based programs that meet local needs.

Rationale: The Colorado Preschool Program may be delivered in locally approved and chosen settings. This local decision-making authority must be retained.

6.9 Coordinated system of early childhood education

CASB supports establishing a new statewide structure with the authority to oversee early care and education programs and funding streams that will lead to more efficiency and equity in program quality and funding. The goal is to develop a structure that will fairly and accurately represent both public sector and private sector services and programs and will not reduce funding to the K-12 public education system.

Rationale: The state is considering development of a new governance structure for early childhood education. CASB believes that such a structure would help to ensure that all 3- and 4-year-old children would have quality early care and education programs. The intent is not to establish a new regulatory agency for childcare and early childhood education but rather to create a structure capable of coordinating the outcomes of Colorado's disparate system with the entrance needs of the elementary school system. Statewide coordination of early childhood education could focus on the following activities: 1) development of ECE program exit standards based on elementary entrance needs; 2) coordination of professional development resources for program providers; 3) administration of public funding and licensing functions; and 4) measurement of results. Service delivery conducted by community-based councils established under the auspices of the state-level structure provides for local control.

6.10 Programs for non-violent juvenile offenders

CASB supports appropriation of additional state funding provided to local school districts to address the needs of non-violent juvenile offenders as an alternative to detention/incarceration.

Rationale: Detaining juveniles in facilities operated by the Division of Youth Corrections poses significant direct costs and indirect costs, including costs to society resulting from juveniles receiving limited educational services while incarcerated. Investing additional resources into educational programs designed to provide meaningful education and job skills to non-violent juvenile offenders will reduce the rate of recidivism and the direct costs of future incarceration while increasing the safety and economic health of our communities.

6.11 CPP advisory council

CASB supports state legislation that would include at least one local school board member to each school district Colorado Preschool Program (CPP) Advisory Council if a member expresses interest in serving on the council.

Rationale: Duties of the CPP Advisory Council include those that board members can excel at, such as connecting and coordinating with community providers (private child care, Head Start), parental involvement, and implementation of the program. There are many examples of board members serving on advisory committees that recommend actions to the board (e.g. wellness, policy, budget). It is important that this council include locally-elected school board members who serve as representatives of the community and bring a wide range of expertise to education policy issues.

Federal Issues

CASB believes that preK-12 public schools should be governed at the local level. Any federal education requirements should be limited, fully-funded and judiciously made.

Standing resolutions

7.1 Local control

CASB opposes efforts to shift control over public schools away from local school boards, whether by federal or state legislative action, regulation, court decision or initiative. CASB supports efforts to restore decision-making authority to locally-elected school boards.

7.2 Role of federal government

~~CASB believes that the federal GOVERNMENT'S ROLE IS TO CONDUCT RESEARCH TO DEVELOP AND PROMOTE BEST PRACTICES, RECOGNIZING THAT THERE ARE MANY PATHWAYS TO EXCELLENCE IN EDUCATION. government should not set achievement standards.~~ The fundamental role of the federal government in education is to help ensure equal educational opportunity for each child. ~~by helping states and local school districts overcome economic and social barriers through research and targeted resources.~~ **THE FEDERAL GOVERNMENT SHOULD NOT SET ACHIEVEMENT STANDARDS.** ~~Ideally, the federal government's role is to conduct research, develop and promote best practices, recognizing that there are many pathways to excellence in education.~~

7.3 Implementation of federal mandate

CASB believes implementation of any federal program or other requirement that is not fully-funded should become optional at the district level.

7.4 Reimbursement for federal impact

CASB believes the federal government should reimburse, in a timely manner, a local district for any lost revenue resulting from the implementation of federal activities or placement of federal facilities and/or personnel.

Legislative agenda

7.5 Federal investment in education

CASB supports full funding for federally-mandated programs. Federal dollars are more efficient, effective and have longer-lasting effects when they are distributed by formula through states to local school districts, rather than by competitive grants that often disadvantage those school districts most in need because of limited capacity for the grant-writing process.

Rationale: While our national leaders profess a commitment to education as one of their highest priorities, the funding of federally-mandated programs consistently falls far short of the promise. The Elementary Secondary Education Act –ESEA (also known as No Child Left Behind - NCLB) places significant requirements on local school districts and greatly expands federal involvement in education decisions. While a corresponding increase in federal funding was promised to coincide with this new role, actual appropriations are falling short of the original promise. School districts are far too familiar with the shortfalls in federal funding for the mandated program related to education of children with disabilities. The federal government’s willingness to create new responsibilities without providing sufficient funding significantly increases the pressure on the district’s operating budget to the detriment of other programs.

7.6 Choice with accountability

CASB supports educational choice with uniform accountability for all publicly-funded educational institutions.

Rationale: Proponents of nonpublic education choice options often resist efforts to hold private schools receiving public money to the same accountability, evaluation and oversight standards as public education choices. Unless there is fair and uniform accountability associated with all forms of school choice, including on-line, charter, private, etc., it will be impossible to determine what educational opportunities best support student achievement. A level playing field will exist only if there is uniform accountability for all publicly-funded educational institutions.

7.7 Eligibility for free and reduced-PRICE school lunch

CASB believes that eligibility for free and reduced-PRICE school lunches should be calculated on the basis of all bona fide income or loss.

Rationale: Families in many rural school districts combine their farm and ranch activities with hourly-wage jobs to provide a more stable income flow. Unfortunately the procedure for qualifying for free and reduced-price lunches exclude losses from farm and ranch activities when they are combined with an hourly-wage job. This puts these families at a disadvantage for qualifying for free or reduced-price school lunches.

7.8 Implementation of ESEA/NCLB

CASB urges the U.S. Department of Education, in the interest of public transparency, to publicize the variances it has granted to provide states' flexibility in the accountability plans required by the federal Elementary Secondary Education Act /No Child Left Behind Act and to make these waivers or revisions available to other states upon request on a case-by-case determination.

Rationale: In approving a state's ESEA/NCLB accountability plan, the Secretary of Education routinely grants states flexibility to alter the federal framework to align with some unique features of the state's own accountability system. Information about amendments to state plans or waivers granted to individual states should be readily available. In addition, that same waiver or revision in a state plan should be available to any other state that is similarly situated. There is concern that the U.S. Department of Education's process for state plan approval and amendment has not been uniform, transparent, deliberate or prompt.

7.9 Reauthorization of ESEA/NCLB

CASB urges Congress to modify the federal Elementary Secondary Education Act /No Child Left Behind Act so the law reflects a larger vision of the kind of education system needed to ensure students develop the 21st century skills and abilities they will need for successful lives in a global economy and to amend ESEA/NCLB so the law:

- a) incorporates growth for all students over time (longitudinal growth) as the primary measure of school success;
- b) creates financial incentives for recruiting and retaining teachers in low-performing schools, high-poverty schools or hard-to-staff rural schools;
- c) allows states flexibility (with accountability) to determine how best to assess and measure learning progress for special education students in accordance with their individual education plans;
- d) provides flexibility in assessing the progress of English language learners until they become proficient in English; and
- e) provides support and resources to schools not making adequate yearly progress rather than sanctions.

Rationale: Local school board members support a strong system of accountability that gives the public an accurate reflection of how students are learning and growing. There is concern that the federal framework for accountability under ESEA/NCLB does not accurately or fairly assess student or school performance. Legislative changes to ESEA/NCLB are necessary to ensure not only that each student improves academically, but also to ensure that the public reporting accurately reflects student, school and school district performance. Providing high-quality instruction and accurately assessing academic growth for students with disabilities and students who are learning to speak English constitute the greatest challenges for school districts. States should be allowed to set separate starting points and AYP projection paths for students with disabilities as well as ELL students instead of subjecting these students to arbitrary determinations or deadlines that do not reflect their individual needs. Criteria for determining the qualifications of principals, teachers and other education professionals are the responsibility of state and local school districts. The federal government could have a greater impact on improving student achievement by providing incentives to attract better teachers to challenging school districts, instead of creating burdens that exacerbate the supply of good teachers.

7.10 Expansion or elimination of military facilities

CASB urges congress and the military to involve local school boards and communities when considering the expansion or elimination of military installations, such as the proposed expansion of the Pinon Canyon maneuver site, so that locally-elected officials, including school board members, along with the public have an opportunity to not only voice their opinions but also to fully explore the economic impacts such expansion would have on the community.

Rationale: The expansion, reduction or elimination of military installations inevitably impacts the local community. In some cases the impact is positive, but in others it is negative and threatens the viability of entire communities. Regardless, when the federal government is making land use decisions, the local community should be included early in the process and should have a meaningful role. Currently, The U.S. Army is in the planning stages of increasing the size of the existing Pinon Canyon Maneuver Site. There is concern that some school districts and local communities will cease to exist after the expansion. It has been difficult to get information about the proposed expansion from Army officials so it is impossible for local school districts and counties to determine the local impact. This current atmosphere of uncertainty and potential impact on local communities is of concern to school districts around the state.

Annual resolutions

7.11 Preserving Secure Rural Schools funding



CASB urges Congress to pass a ten-year reauthorization of the Secure Rural Schools and Community Self-Determination Act (SRSCA) to ensure that rural school districts with National Forest Lands within their boundaries continue to get support from the federal government to help off-set the loss of tax revenue that would be used to fund local schools.

Rationale: In 1908, rural communities entered into a contract with the federal government that eventually set 192 million acres (National Forests) of timberland aside for the use and enjoyment of all American citizens. Counties that housed these national forests received a 25 percent share of revenues from forest harvests to fund critical rural services, including education. This revenue sharing program worked well until the 1990s, when natural resource policies dramatically reduced timber harvests on National Forest Lands. In response to the harm caused to rural communities, counties and school districts by these reduced timber sales, in 2000 Congress reaffirmed its commitment to the intent of the contract by passing and funding the Secure Rural Schools and Community Self-Determination Act (SRSCA). In 2008, the SRSCA was reaffirmed for an additional four years but with rural community payments decreasing by 10 percent annually based on the previous year's payment. Many communities will experience payment cuts of approximately 50 percent over the four-year life of the program and all rural communities, counties and school districts are facing a total cessation of payments at the end of 2011. CASB believes it is time for a strategic, long-term plan to continue SRSCA funding in a manner that provides rural forested communities and schools with funding to off-set the loss of tax revenue that would otherwise come to the community.

*Submitted by the Center Consolidated Board of Education
Forwarded with recommendation*

7.12 National standards



CASB shall seek to build alliances with other states to oppose the imposition by the federal government of national standards on states. CASB further urges Congress, during the reauthorization of the Elementary and Secondary Education Act (ESEA), to remove all mandates that interfere with the authority of local school boards to determine local curriculum and graduation requirements.

Rationale: CASB believes local school boards are best suited to determine curriculum and graduation requirements for the students within their district. The federal government has no role in mandating national standards, and thus shaping curriculum, to local school districts.

*Submitted by the Kit Carson R-1 Board of Education
Forwarded with recommendation*

7.13 Federal funding directly allocated to local boards of education



CASB supports the ability of local school boards of education, boards of cooperative services or consortiums of school boards to directly seek federal funding should the state of Colorado refuse to accept federal education funds.

Rationale: Should the state of Colorado decide not to accept certain federal education funds that would have been distributed from the state to local school districts, local school boards, under local control, should have the ability to directly seek such funding from the federal government.

*Submitted by the Jefferson County Board of Education
Forwarded with recommendation*

Resolution adopted at CASB SPECIAL DELEGATE ASSEMBLY

JUNE 11, 2005

School finance adequacy lawsuit

CASB supports proposed litigation on behalf of parents, students, boards of education and Colorado school districts to challenge the constitutionality of the Colorado public school finance system and other constitutional impediments that restrict the General Assembly from establishing a “thorough and uniform system of free public schools.” CASB believes litigation is part of a strategy to bring increased awareness to the problems caused by funding deficiencies as school districts struggle to meet increased accountability and academic performance expectations from the state and federal government. At the same time, CASB will continue to pursue other strategies through the legislative process to address the inadequacies and inequities in the current public school finance framework.

Rationale: The current Public School Finance Act was enacted in 1994 before many of the standards-based reform efforts were in place, such as state assessments, charter schools and state and federal accountability systems, including state accreditation, school accountability reports and No Child Left Behind. There have been significant changes in the tax structure of the state since 1994 that have created major variance in school district mill levies and the share of school funding supported by local property taxes. Funding for categorical programs, particularly for special education programs, falls far short of the services that school districts are required to provide. These funding inadequacies have a serious impact on the education of Colorado’s children and the quality of life in this state.

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Mission Statement

Advancing excellence in public education through effective leadership by locally elected boards of education.



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