



# **72<sup>nd</sup> Annual Delegate Assembly**

Saturday, October 20, 2012

8 a.m. – Noon

Fort Collins Marriott  
Fort Collins, Colorado



Colorado Association of School Boards





Colorado Association of School Boards

September 15, 2012

Dear Delegates to the CASB Delegate Assembly:

*Education reform is a political reality in Colorado, and the agenda is being set, in large part, by national education advocacy groups committed to advancing student achievement and educator effectiveness. The increasing influence of these advocacy groups was evident during the last legislative session and CASB is stepping up its efforts to ensure that the voice of local school boards continues to inform and influence education policy debates.*

*As a delegate representing your district at the CASB Delegate Assembly, your role is vital to shaping CASB's advocacy agenda. The debate and action on proposed resolutions at the Assembly allows CASB to effectively represent the interests of school boards across Colorado.*

*This booklet is the product of the efforts of the CASB Legislative/Resolutions Committee. In preparation for the Delegate Assembly in October, the Committee received and discussed resolutions submitted by CASB member school districts and the CASB Board's Board Action Committee. The committee is also advancing a number of its own resolutions and suggesting changes to existing resolutions. These changes can be identified by the use of strike type and capital letters. The new resolutions, and the revisions to existing resolutions, are forwarded "with recommendation," "without recommendation," or "for consideration on the merits." Resolutions forwarded with recommendation will be voted on as part of the consent agenda, unless they are pulled for individual discussion or debate. Resolutions forwarded without recommendation or for consideration on the merits must be considered individually by the Assembly.*

*The Delegate Assembly is scheduled in conjunction with CASB's Fall Conference, October 19-20, 2012, at the Ft. Collins Marriott. This booklet contains the agenda for the Delegate Assembly. Registration information for the conference was sent in an earlier mailing and is also available at [casb.org](http://casb.org). Each member board can send one voting delegate to the Delegate Assembly. Registration for the delegate is included with the conference registration. Other members of the Board and the Superintendent are invited to attend the Delegate Assembly as observers. To save money on postage and printing, CASB is sending this booklet only to the superintendent's secretary of each district. However, the booklet is available on the CASB website at [www.casb.org](http://www.casb.org).*

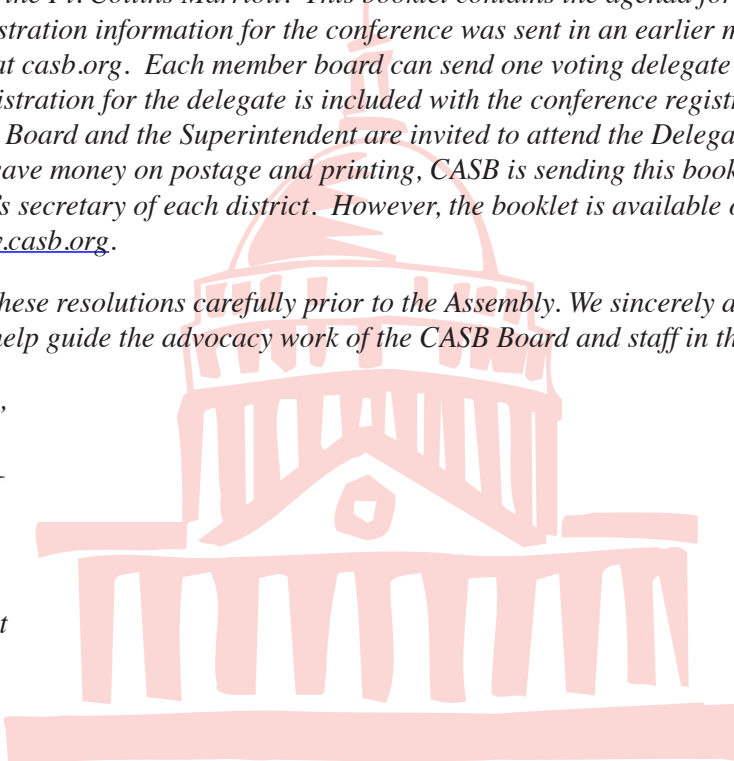
*Please review these resolutions carefully prior to the Assembly. We sincerely appreciate your willingness to help guide the advocacy work of the CASB Board and staff in the coming year.*

Sincerely yours,

A handwritten signature in black ink that reads "Tom Sifers". The signature is written in a cursive style.

Tom Sifers

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](http://www.casb.org).*

## 2012 CASB Legislative / Resolutions Committee

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Chairman: Lyndon Burnett Agate 300

Sean Ash	Weld RE-4 School District
Christine Balderston	Moffat County Re-1
Jennie Belval	Boulder Valley Schools
Cheryl Burian	Hi-Plains R-23
Lezlie Burkley	Salida R-32-J
Jeanette Carmany	Aurora Public Schools
Robert Carruth	Morgan County Re-3
James "Scott" Curley	McClave Re-2
Sherryl Dillon	Cheyenne Mountain No. 12
Norma Frank	Mapleton Public Schools
Stephanie Garcia	Pueblo City Schools
Robin Johnson	Jefferson County Schools
Leslie Kiesler	Mesa County Valley No. 51
Michael Lobato	Center Consolidated Schools
Doug Lundberg	Academy 20
Cheryl Miller	Telluride R-1
Mary Nichols	Littleton Public Schools
Anne Rowe	Denver Public Schools
Nancy Sarchet	Weld Re-1
Nancy Tellez	Poudre R-1

### **Ex-Officio**

Tom Sifers East Grand Schools

*CASB Board President*

Jan Tanner Colorado Springs District 11

*FRN Chairperson*

### **Friends of Legislative Resolutions Committee**

Dale McCall Colorado BOCES Association

Paula Stephenson Colorado Rural Schools Caucus

### **Colorado Council of School Board Attorneys**

Darci Mohr Unaffiliated

David Olson Caplan and Earnest LLC

### **CASB Legislative Contacts**

Michelle Murphy Director of CASB Member Legal Resources

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

## Agenda

8 – 9 A.M.	Delegate Assembly Briefing
9 A.M. – NOON	Delegate Assembly Convenes Report of the CASB President Report of the CASB Executive Director Adopt rules Presentation of report from Legislative/ Resolutions Committee
NOON	Assembly adjourns



## Proposed Rules of Procedure for CASB Delegate Assembly

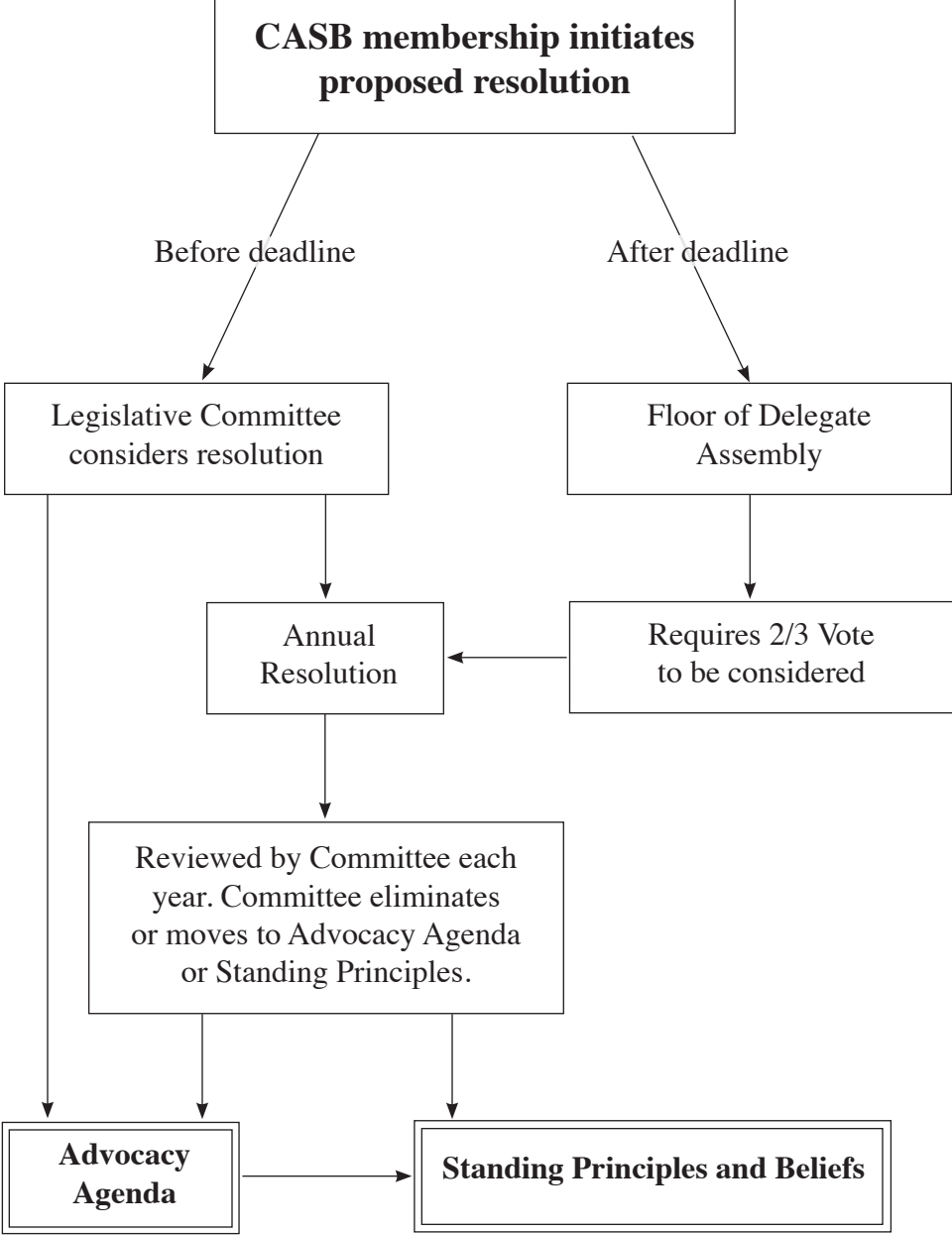
*The rules are adopted at the onset of the deliberations of the Assembly, at which time they are subject to discussion and amendment.*

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

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*The CASB Standing Resolutions represent philosophy and belief statements that are core to the work of local school boards. The Legislative Agenda establishes CASB's legislative priorities. These resolutions provide the foundation for CASB's advocacy work and demonstrate the ongoing commitment of local boards of education to fundamental principles and beliefs.*

**CASB believes the control of public school systems is best governed by locally-elected boards of education, and not legislated at the state or federal level. Local school boards are elected by their communities to ensure accountability in meeting student needs, provide effective oversight of educational programs and determine the efficient use of resources.**

# 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; and 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 boards of education 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 EACH the local board of education to ~~develop, coordinate and monitor~~ **AND REPORT TO THE PUBLIC WITH REGARD TO THE DISTRICT'S PROGRESS TOWARDS ACCOMPLISHING THE GOALS AND OBJECTIVES IDENTIFIED THROUGH THE STATE'S accountability program in each local school district and report results to the public.**

*Rationale for revision: The changes are intended to reflect the adoption of a statewide accountability system and to highlight the board's role in the accountability process, i.e., to monitor progress and report 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. 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 boards of education, whether by state or federal legislative action, regulation, court decision or initiative. CASB supports efforts to MAINTAIN restore THE decision-making authority to OF locally-elected school boards.

*Rationale: Control of instruction is vested in local boards of education by the state Constitution. Local boards of education are accountable to the local electorate and are in the best position to make decisions regarding curriculum, textbooks and materials, instructional delivery, personnel, fiscal management and local choice options. CASB's legislative efforts should focus on protecting local decision-making authority by opposing "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 WORK Education's current initiatives to 's current initiatives to provide technical assistance, support and training to ALL school districts AS THEY WORK TO IMPLEMENT STATE REFORMS. and the collaborative nature by which CDE has been implementing these service changes. Further, given the many reforms being implemented, CASB and local school districts understand the need to work with the State and value the partnership we are building with the Colorado Department of Education. CASB WILL CONTINUE TO PARTNER WITH THE and local school districts understand the need to work with the STATE TO DEVELOP AND and PROVIDE RESOURCES TO HELP LOCAL BOARDS OF EDUCATION UNDERSTAND THE REQUIREMENTS OF STATE LAWS, AS WELL AS THEIR ROLE IN LOCAL IMPLEMENTATION. value the partnership we are building with the Colorado Department of Education.

*Rationale: Under the leadership of Commissioner of Education Robert Hammond, the Colorado Department of Education is providing technical assistance and support to school districts rather than functioning solely as a compliance agency. CASB appreciates the Department's collaborative approach to this work and will continue to partner with the Department to help local school boards better understand their role in implementing state laws.*

**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 outcomes will be accomplished.

*Rationale: An outcome-based approach to legislation allows districts to determine the best way to achieve the legislative requirements in a way that makes the most sense locally and to 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, on average transportation reimbursement covers 21% of the expense and English language proficiency reimbursement covers only 8% 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.*

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# 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 boards of education 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 **ACTIVELY ENGAGE** participate in the political process to influence decision makers in support of public education.

*Rationale for revisions: Education reform is a political reality in Colorado and educators are losing ground in the public policy debate. CASB is calling on all board members to build relationships with federal, state and local legislators and otherwise increase their involvement in the political process.*

### **2.7 Student involvement in governance**

CASB encourages local boards of education 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 boards of education 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: LOCAL ACTION**

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: Colorado is one of only a handful of states to impose term limits on local officials. Term limits have 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.*

### **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. 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.*



**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 primarily by local boards of education. 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 reflect community values.*

**Annual resolutions**



**2.14 Student health, safety and achievement**

CASB recognizes the close correlation between student health and safety and achievement. CASB supports alignment between and among state and local organizations around issues of student health and safety.

*Rationale: Students must feel healthy, safe and supported in order to achieve. As districts strive to create and sustain safe and positive learning environments for all individuals, CASB and local districts should work with state and local partner organizations to increase awareness, implement programs and generate resources to enhance student health and safety.*

*Submitted by the Boulder Valley Board of Education  
Forwarded with recommendation*



**2.15 Term limitation: statewide vote**

CASB supports a statewide vote to extend term limits for school board members from two four-year terms (eight years) to three four-year terms (twelve years).

*Rationale: The Constitution currently establishes local term limits at two four-year terms and requires local votes in each district to extend or eliminate that limit. Voters should have an opportunity, at the state level, to vote to extend the minimum number of terms from two to three four-year terms. However, a statewide vote should not impact action previously taken by individual districts to extend or eliminate their local term limits.*

*Submitted by the CASB Board's Board Action Team  
Forwarded with 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 moneys for private education programs**

CASB believes the use of public moneys 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, which is accountable to its voters and best able to identify community and district funding priorities.

## **Legislative agenda**

### **3.4 School finance**

CASB supports comprehensive reform of Colorado's 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) Protecting adjustments to the per-student base cost that 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) Protecting adjustments to the per-student base cost that 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.

*Rationale: This resolution addresses the goals or ideals in any revision of the Public School Finance Act. In its current form the Act does not promote inter-district fiscal equity or assure that adequate funding will be available in all school districts. By way of example, declining enrollment districts face unique difficulties in financing their district operations and student services and fixed costs for services can create additional financial strain on districts as per pupil revenue decreases. Moreover, the under-funding of all categorical programs impacts local districts’ ability to fund other educational programs. The average percentage of categorical program funding supported by local school districts’ general fund dollars is estimated as follows: special education 79%, transportation 79%, English language learners 92% and career and technical education 73%.*

### **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 governments pass legislation requiring action by local school districts, without providing funding for these mandates. 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 implement a mandate, they should not be in a position to enforce the requirement.*

### **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: Inadequate state and federal special education funding results in local districts subsidizing special education costs. 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; moneys are not available to train, retain and attract quality staff; and increasing conflicts between regular and special education arise.*

### **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.

*Rationale: 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.*

### 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 MAINTAIN CURRENT FUNDING LEVELS FOR THE BUILDING EXCELLENT SCHOOLS TODAY (BEST) GRANT PROGRAM AND TO INCREASE THE PROGRAM'S STATUTORY CAPACITY TO ALLOW FOR THE FUNDING OF ADDITIONAL MATCHING GRANTS, SO LONG AS SUCH ACTION DOES NOT THREATEN THE VIABILITY OF THE SCHOOL LAND TRUST AND/OR OTHER PROGRAMS FUNDED BY THE TRUST. ~~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 condition of school facilities has a critical impact on student achievement. The BEST program was enacted in 2008 to address the disparity among school districts with regard to their ability to pay for capital facilities. BEST is funded through the public school capital construction assistance fund, which consists of money earned from a portion of lottery proceeds, interest from the fund and revenue from state public school lands. The program has been highly successful and since its inception, 143 grants have been awarded to 78 school districts, 13 charter schools and the Colorado School for the Deaf & Blind. Despite these successes, the need remains great. However, in these tight economic times, legislators are considering eliminating BEST funding. Additionally, even if the funding remains steady, the state could reach the \$40 million annual cap for its share of BEST certificate of participation (COP) payments in June 2013. Once the state hits that cap, the BEST program may not fund new schools or major renovations.*

*Submitted by the Salida Board of Education  
Forwarded with recommendation*

### **3.11 Tax policy reform**

CASB urges the General Assembly to commit to finding, and placing on the ballot in November ~~2012~~ **2013**, a fair and equitable solution 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.

*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 2013. 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 stopgap measures. None of these measures provide 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. In addition, due to the Gallagher Amendment, property taxes for the business community are at a rate nearly four times that placed on residential property owners, often making it difficult for school districts to garner the support of the business community when going to the voters for a mill levy increase. These and other fiscal constraints are compromising the state's ability to provide basic services to its citizens and must be addressed.*

### **3.12 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% of its budget to fulfill the emergency reserve requirements of the TABOR amendment. Each school district also reserves 3% 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% 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.*

### **3.13 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, 2010 and 2011 legislature passed legislation that diverts interest income from the permanent fund for fiscal year 2008-09 through fiscal year 2012-13. Though this “sweep” was capped in 2011-12, absent a similar legislative effort all interest and revenue will be diverted away from the permanent fund in fiscal year 2012-13. It is important to protect the corpus of this trust for the benefit of future generations of children.

### **3.14 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.*

### **3.15 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.*

### **3.16 Financial support of districts with declining enrollment**

CASB urges the General Assembly to provide financial relief AND ADDITIONAL RESOURCES to support 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 did add a declining enrollment factor to the School Finance Act. However, additional remedies to bridge the funding gap must be found, including incentives for cooperation across school districts and/or simplification of the voluntary consolidation process, where feasible.*

### **3.17 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.*

### **3.18 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.*

### **3.19 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.

*Rationale: As public entities, school districts are subject to laws to assure that records relating to expenditure of public funds are posted on their website and 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.*

### **3.20 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.*



### **3.21 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.*

### **3.22 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.*

### **3.23 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 to refrain from passing additional unfunded mandates.

*Rationale: Though school funding was flat for the 2012-13 school year, districts were still forced to make budget cuts to respond to declining enrollments and/or increased costs. 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.*

## Annual resolutions

### 3.24 Protecting local mill levy revenue\*

CASB opposes any action of the General Assembly that would reduce the amount school districts are able to raise via mill levy overrides.

*Rationale: The State of Colorado has been unable to fully fund its constitutional obligation to Colorado's public schools over the past several years due to revenue shortfalls. The use of the negative factor in the past two School Finance Acts has kept the calculation of the base the same as in previous years while also making it clear how much is being cut from K-12 public education. Should the General Assembly change the way total program funding is calculated in order to reduce the base and thereby have a lower level for calculating future K-12 funding increases, not only would it take longer for school districts to get back to 2007-08 funding levels but it would also negatively impact existing or future mill levy overrides.*

\* This resolution was adopted as an annual resolution in 2011 and is recommended for addition to the legislative agenda.



### 3.25 Restore per pupil funding

As statewide revenues increase, CASB urges the General Assembly to restore per pupil funding before funding mandates.

*Rationale: All districts have been impacted by the reductions to K-12 funding in recent years but each district has made different cuts depending on their local needs and circumstances. As districts continue to consider budget cuts, state-imposed mandates have increased local program and reporting obligations. As the economy recovers, the state should restore per pupil funding, rather than targeting funds for specific mandates, to allow local districts to fund and/or restore programs consistent with their local community values and unique district needs.*

Submitted by the Littleton Board of Education  
Forwarded with recommendation



### 3.26 Designation of revenues from sale of marijuana

CASB opposes designating the use of revenues generated through the sale of legalized or medical marijuana for any purpose related to public education, including capital construction.

*Rationale: This November voters will consider a constitutional amendment (Amendment 64) to legalize the sale of marijuana as well as the use and possession of marijuana by persons over the age of 21. As proposed, the first \$40 million in revenue raised annually from the sale of marijuana will go to the public school capital construction assistance fund. This resolution does not take a position with regard to the legalization of marijuana, but CASB does oppose efforts to promote such legalization by designating revenues for use by public education.*

Submitted by CASB's Legislative Resolutions Committee  
Forwarded for with recommendation

# 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 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 2008 Preschool to Postsecondary Education Alignment Act (CAP4K) began 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. As amended, this comprehensive legislation requires the State Board to develop graduation guidelines on or before May 2013. Local boards must then adopt graduation requirements that meet or exceed the State Board's guidelines prior to the 2013-14 school year. The State Board is also directed to work with the Department of Higher Education to develop criteria for endorsed diplomas that districts may offer graduating seniors. While this work is underway, the legislature should resist any effort to mandate statewide graduation requirements and/or endorsed diplomas.*

#### **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 State Assessment Program**

CASB urges state policymakers to provide sufficient resources and technical expertise to enable the Colorado Department of Education to develop new state assessments, including assessments in Spanish and for special education, that are diagnostic in nature, provide timely results and measure the annual knowledge growth of each student, with student demographic information reported as a component of the system. 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.” 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. The new assessments also need to be diagnostic in nature to provide sufficient student data to enable school-to-school and district-to-district relative comparisons.*

#### **4.9 State accreditation**

CASB urges the State Board of Education and the Department of Education to implement Colorado’s 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: 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*

#### **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 13<sup>th</sup> 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*

#### 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 dialogue about a next-generation system of education designed with the best interests of students in mind.*

#### **4.15 Broadband Internet access**

CASB encourages support for the Colorado Community Anchors Broadband Consortium (CCABC) to ensure successful implementation and 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.*

#### **4.16 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 achievement gaps. Colorado does not require students 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 five, 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.*

# 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. In some areas of Colorado, and in some subject areas, the provider 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 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. The statute should include a liquidated damages provision of a specified amount (e.g. \$1,500) that a teacher must pay if he or she terminates the contract without sufficient notice to the district.*

### 5.7 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.*

### 5.8 Educator effectiveness

CASB supports the implementation of SB 10-191 ~~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 WITH GUIDANCE FROM THE RESOURCE BANK ESTABLISHED BY THE COLORADO DEPARTMENT OF EDUCATION. These local evaluation systems should be based on the premises put forth by the State’s Council on Educator Effectiveness as approved by the state board of education and with help from the resource bank established by the Colorado Department of Education.~~

*Rationale: The passage of SB 191 ushers in a new era of educator evaluations. Much of the work to design this system is being done by the state and will be available for use and review by local districts. However, school districts are ultimately responsible for the design and implementation of an educator evaluation system that meets their local needs.*

### **5.9 ~~Teacher employment, compensation and dismissal reform~~ NONRENEWING INEFFECTIVE EDUCATORS**

CASB supports continued legislative efforts to clarify portions of SB 10-191 ~~the 2010 educator effectiveness law~~ to protect the ability of school districts to retain or dismiss NONRENEW educators based upon a clear set of performance expectations. The process for NONRENEWING AN INEFFECTIVE EDUCATOR ~~dismissal~~ must be clear and fair to both the educator and the school district.

*Rationale: Prior to the implementation of SB 191, once a teacher completed a three-year probationary period, the teacher attained “nonprobationary” status. If problems develop with a nonprobationary teacher’s performance and intervention is not successful, the school district’s only recourse is to initiate a dismissal process that is often costly and very time consuming. When SB 191 takes effect, teachers may lose their nonprobationary status and be subject to nonrenewal as a probationary teacher, if they receive two consecutive “ineffective” ratings. However, there is a difference of opinion as to the timing and process to be followed if/when a teacher receives their second consecutive ineffective rating. We recognize that many districts will choose to retain ineffective teachers and provide opportunities for those teachers to improve their performance. However, CASB will advocate for an interpretation/clarification of the law that allows districts flexibility to nonrenew ineffective teachers in a timely fashion.*

### **Annual resolutions**



#### **5.10 differentiated pay for teachers**

CASB supports an amendment to state law to require school district salary schedules and/or policies to include a factor that will adjust teacher salaries to reflect relevant market conditions related to the supply and demand for teachers teaching in content areas, programs, or schools in which it is difficult to attract top teachers.

*Rationale: Requiring the consideration of market conditions will provide local districts, particularly small, rural districts, the flexibility necessary to increase the salaries of teachers in hard-to-fill positions, e.g., science and math. The statute currently directs districts to use factors related to a teacher’s education and experience when determining placement on the salary schedule. For those districts that adopt the optional salary policy rather than a salary schedule, the district’s teacher salary policy must include adjustments for teacher performance. Adding an additional requirement related to the supply and demand for teachers in difficult-to-fill positions preserves local control by allowing districts to determine whether and which such adjustment is appropriate, based on local conditions as well as the amount of any such adjustment.*

*Submitted by CASB’s Board Action Team  
Forwarded for consideration on the merits*

**5.11 Performance based licensure**

CASB opposes legislation linking educator licensure to local performance evaluation ratings.

*Rationale: The proper role of state licensure is to ensure compliance with the requirements for entry into the profession. However, the state is currently considering modifications to its educator licensure system that may include conditioning licensure on “effectiveness” as determined by the educator’s individual performance evaluation. Under such a system, local districts may be forced to ask the state’s permission prior to hiring or retaining an ineffective teacher. CASB opposes performance-based licensure because we believe that districts should determine whether and when to retain teachers, including ineffective teachers, and that CDE is too far from the classroom to make good decisions about district employees. Moreover, discussion of a performance-based licensure system threatens to undo all the good work being done by the state and local districts to implement SB 191.*

*Submitted by Poudre School District R-1  
Forwarded with recommendation*

# 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 three- and four-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 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 on 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 boards of education.

### 7.2 Role of federal government

CASB believes the federal government's role is to conduct AND SUPPORT research to develop and promote best practices AND TO COMMUNICATE INFORMATION SO THAT STATES AND LOCAL SCHOOL BOARDS CAN DETERMINE HOW TO BEST IMPROVE STUDENT ACHIEVEMENT, recognizing that there are many pathways to excellence in education. The fundamental role of the federal government in education is to help ensure equal educational opportunity for each child. The federal government SHOULD ~~shall~~ not set achievement standards nor impose a national assessment.

*Amendment Submitted by CASB's Federal Relations Network  
Forwarded with recommendation*

### 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: The federal government's practice of establishing new requirements without providing sufficient funding significantly increases the pressure on school districts' operating budget to the detriment of other programs. Federal dollars should be distributed through a formula that allows all districts to satisfy federal requirements. Competitive grants should be used to encourage districts to explore and implement innovative approaches to education.*

*Amendment Submitted by CASB's Federal Relations Network  
Forwarded with recommendation*

### **7.6 Choice with accountability**

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

*Rationale: A level playing field requires uniform accountability for all publicly-funded educational institutions. Fair and uniform accountability among all schools, including online, charter, and private schools, is necessary to effectively compare and identify those educational opportunities that best support student achievement.*

### **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 Waivers to 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. Also, should Congress fail to reauthorize ESEA in 2011, CASB supports either a moratorium on sanctions and additional regulations under the act or allowing waivers from such sanctions and regulations.

*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. Also, should Congress fail to reauthorize or amend ESEA in 2011, school districts across the nation should be exempted from or granted the ability to request waivers from the unrealistic thresholds, for example 100 percent proficiency, of the current act.*

### **7.9 Reauthorization of ESEA/NCLB**

CASB SUPPORTS THE REAUTHORIZATION OF ~~urges Congress to modify~~ the federal Elementary AND Secondary Education Act /No Child Left Behind Act (ESEA/NCLB) IN A MANNER THAT ENSURES TRANSPARENCY AND AFFORDS STATES AND LOCAL DISTRICTS FLEXIBILITY TO DEVELOP education systemS needed to THAT ENSURE ALL students WILL develop the 21<sup>st</sup> century skills and abilities NECESSARY they will need for successful lives in a global economy. CRITICAL AMENDMENTS INCLUDE:

- a) incorporatINGes growth for all students over time (longitudinal growth) as the primary measure of school success;



- b) ~~creating~~ financial incentives ~~for recruiting and retaining teachers in low-performing schools, high-poverty schools or hard-to-staff rural schools~~ TO ALLOW LOCAL BOARDS OF EDUCATION TO ADDRESS LOCAL IMPEDIMENTS TO STUDENT GROWTH, INCLUDING STAFFING AND TECHNOLOGY;
- c) allow 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) provide flexibility in assessing the progress of English language learners until they become proficient in English;
- e) provide support and resources to schools not MEETING ANNUAL GROWTH GOALS ~~making adequate yearly progress~~ rather than sanctions; and
- f) PROVIDING *FLEXIBILITY FOR LOCAL BOARDS TO SELECT SUPPLEMENTAL SERVICE PROVIDERS FOR ACADEMIC INTERVENTION SERVICES*

*Rationale for combining existing 7.8 and 7.9: As revised, the language reflects the waiver granted by the federal government through 2013-14, affirms CASB's support for reauthorization in a manner that ensures transparency and local flexibility and is otherwise consistent with the requirements stated in the resolution. Existing 7.9(b) was revised to expand the call for financial incentives and 7.9(f) was revised to allow greater flexibility for districts when selecting supplemental service providers.*

*Submitted by CASB's Federal Relations Network  
Forwarded with recommendation*

*Rationale: Current ESEA/NCLB requirements have become barriers to the implementation of state reforms and other local innovations by creating a two-tiered system of accountability (federal and state) that is confusing and often results in conflicting outcomes. While we support the ESEA/NCLB waivers granted to the state by the federal government through 2013-14, we do not believe that waivers are an effective form of governance. ESEA/NCLB should be reauthorized and amended to allow the State and local boards of education flexibility to design and implement state-level education reforms and other innovations and/or corrective actions in a manner that meets the specific needs of the students in each district.*

**~~7-10~~ 7.9 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.*

**~~7-11~~ 7.10 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 offset the loss of tax revenue that would be used to fund local schools.

*Rationale: In 1908, rural communities entered into a contract through which counties that housed National Forest Land received a 25% 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 2000, Congress reaffirmed its commitment to the contract by passing and funding the Secure Rural Schools and Community Self-Determination Act (SRSCA). In 2008, the SRSCA was reauthorized for an additional four years but with rural community payments decreasing by 10% annually. The SRSCA was reauthorized for fiscal year (FY) 2012 but the full funding amount for FY 2012 for all counties that elect to receive a share of the state payment is 95% of the FY 2011 amount. 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 offset the loss of tax revenue that would otherwise come to the community.*

**~~7-12~~ 7.11 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.*

**7.13 7.12 Flexibility of federal title funding\***

CASB urges Congress to allow local school districts the flexibility to use federal title funding in a manner that best suits the needs of the district. Formulaic requirements tie the hands of local school districts.

*RATIONALE: REQUIREMENTS PLACED ON THE USE OF FEDERAL FUNDS OFTEN PREVENT DISTRICTS FROM USING THE FUNDING IN THE MOST EFFICIENT AND EFFECTIVE MANNER.*

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\* This resolution was adopted as an annual resolution in 2011 and is recommended for addition to the legislative agenda.

**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 variances 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.*



Colorado Association of School Boards

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