



# **Final Resolutions**

## **82nd Annual Delegate Assembly**

**Adopted on**

**Saturday, October 22, 2022**



**Colorado Association of School Boards**

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# STANDING RESOLUTIONS

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## Student Academic Growth and Achievement

- SR1** The Colorado Association of School Boards (CASB) supports a system of accountability that stresses local measures that inform instruction and separately acknowledges a need for a statewide system that allows measurement of school and district effectiveness and comparison between school districts.
- SR2** CASB opposes any state mandates beyond the federal minimums with respect to assessment and educator licensure to assure local boards' flexibility to allocate instructional time and place the best teacher in every classroom.
- SR3** Colorado school boards' constitutional authority includes the right to develop schools and programs to supplement current programs and ensure student access to diverse learning opportunities.

## Finance

- SR4** The state must provide Colorado's public schools with adequate and reliable funding pursuant to a formula that balances federal, state and local revenue sources and is intended to fully fund the legal requirements for and meet the educational needs of all Colorado students. Further, the state must increase the total annual appropriation of state special education funding by at least at the cost of inflation and caseload growth, to reduce unreimbursed special education expenditures at the local level.
- SR5** New legislation must expressly consider cost at the state and local levels and be fully funded before it may be enforced by the state.
- SR6** Existing mandates that are ineffective or that have a larger cost than benefit must be rescinded so local boards may dedicate those financial resources to better use.

## Local Governance

- SR7** Colorado's Constitution acknowledges the diverse nature of Colorado school districts and establishes locally elected school boards vested with control of instruction as the guarantor of educational quality responsive to local needs.
- SR8** Control of instruction, including efforts to restructure and fund public education, must be guided by student needs, improved academic growth and achievement, with responsible use of financial resources as determined by the locally elected school board.

**SR9** Essential functions of the local board of education’s constitutional authority include establishing the course of curriculum and instruction, the process for determining the terms and conditions of employment for school district employees, and the budget to be used to implement the local community’s priorities.

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## **FEDERAL STANDING RESOLUTIONS**

### **Full Funding of the Individuals with Disabilities Act (IDEA)**

**FSR1** The Colorado Association of School Boards calls on the United States Congress to meet the funding requirements of the Individuals with Disabilities Act (IDEA). Since the implementation of IDEA in the early 1970s, Congress has never fully funded the Act as written. The nation's most vulnerable students deserve the adequate funding required to provide each and every student the resources needed to achieve their full academic potential.

### **Career and Technical Education**

**FSR2** To be successful contributing members of a global society, Colorado students need access to Career and Technical Education in addition to other academic and extracurricular activities. The Colorado Association of School Boards supports ongoing and sustainable funding by the United States Congress to support the “Strengthening the Career and Technical Education for the 21st Century” Act, such as by providing resources to lessen the financial impact of a qualified instructor entering the field of Career and Technical Education. Career and Technical Education must be available to all Colorado students regardless of where they live within the state.

### **School Nutrition Funding**

**FSR3** The Colorado Association of School Boards supports enhancements to the various federal nutrition programs to allow for the most flexibility in menu choices, a reduction in regulations, and maximum reimbursements to Colorado schools. Colorado community schools are an important source of healthy meals and nutrition education for the state’s preschool and K-12 students. Further, CASB supports programs to allow school meal programs to locally source ingredients produced in Colorado.

## 2023 LEGISLATIVE RESOLUTIONS

### STUDENT ACADEMIC GROWTH

- LR #1** CASB supports the creation of an interim committee during the summer and fall of 2023 to consider recommendations for updates and revisions to the state’s K-12 accountability and accreditation system. The interim committee would have the authority to draft bills for introduction during the 2024 legislative session.
- LR #2** The Colorado Association of School Boards supports expansion of and funding for the E-Rate program for school broadband connectivity to include efforts for students lacking reliable Internet connections. In addition, CASB supports the expansion of Category Two funding to include hardware and support for essential cybersecurity services.
- LR #3** ESSA is due to be reauthorized in the next few years, since it was authorized in 2015. With the new reauthorization, consideration should be given to eliminate the requirement for high stakes federal summative testing. Instead, formative assessments given a few times over the year with immediate feedback should be encouraged.
- LR #4** The Colorado Association of School Boards supports the Healthy School Meals for All ballot initiative on the November 2022 Colorado statewide ballot.
- LR #5** The Colorado Association of School Boards supports continued reform in the teacher evaluation process to encourage courageous conversations between administrators and teachers that leads to effective feedback and continuous improvement in teaching methods and outcomes. Evaluations are more effective when trust and communication are paramount, rather than rigidly imposed accountability measures.

## LOCAL GOVERNANCE

**LR #6** WHEREAS, the Colorado State Constitution in Article IX, section 15, which was established in 1876, states that local school boards elected by their electors, “shall have control of instruction in the public schools of their respective districts;” a constitutional principle known as “local control;”

And WHEREAS, the Colorado State Constitution in Article IX, section 2, which was established in 1876, states that “... provide for the establishment and maintenance of a thorough and uniform system of free public schools throughout the state, ...”;

And WHEREAS, the School Finance Act (SFA) governed by C.R.S. Article 54 of Title 22 is intended to support the Constitutional mandates of local control for a thorough and uniform system of schools;

And WHEREAS, recent legislative activity has established a number of programs that either specifically, or practically, require the use of SFA dollars that infringes upon local control by utilizing a district’s SFA general fund monies to either properly administer said programs, and/or require matching funds to qualify for the state portion of funds. NOW, THEREFORE, BE IT RESOLVED, that the Colorado Association of School Boards oppose any current or proposed legislation that requires locally-elected school boards or their districts to encumber general fund monies to participate in specific programs in violation of the fundamental principle of local control embodied in the Colorado Constitution.

**LR #7** The Colorado State Constitution in Article IX, section 15, states that local school boards elected by their electors, “shall have control of instruction in the public schools of their respective districts;” therefore, the Colorado Association of School Boards opposes any current or future legislation that requires locally-elected school boards or their districts to follow or adopt specific instructional text or content in violation of the fundamental principle of local control embodied in the Colorado Constitution.

## SCHOOL FINANCE

- LR #8** CASB supports working with members of the Joint Budget Committee and House and Senate Education Committees to pass legislation that requires the School Finance Act to be adopted by both chambers of the General Assembly no later than 14 days after the Spring Revenue Forecast.
- LR #9** The Colorado Association of School Boards urges the Colorado General Assembly to eliminate the factors used to calculate the budget stabilization factor and prioritize paying off the remaining balance by 2024. The budget stabilization factor is contrary to Coloradovoters' intent in passing Amendment 23 to the Colorado Constitution.
- LR #10** Until the School Finance Act of 1994 is fully updated for proper funding equity and adequacy, funding flexibility is needed by:
- Providing additional avenues for funding such as increasing the MLO Cap for all Districts to 30% and small rural Districts to 35% OR
  - Add an MLO option outside of the MLO cap calculation similar to Supplemental Capital Construction and Technology MLO, Transportation MLO or what was the previous Full Day Kindergarten MLO.
- LR #11** Until the School Finance Act of 1994 is fully updated for proper funding equity and adequacy, supplemental rural funding is still needed to support difficult educator/staff recruitment/retainment, transportation, connectivity access challenges, lesser capacity for economies of scale, and so on in the rural school districts of Colorado.
- LR #12** Referral for Ballot Initiative 63 A legislative referral is needed because: Colorado currently holds the distinction of the least-competitive teacher salaries in the nation, a consequence of per pupil funding that has fallen to more than \$2,000 per pupil behind the national average. (Graphs below.) Notably, the initiative does not affect – and is not affected by – the recently announced plan to provide \$750 TABOR “surplus” rebates checks in August. Those funds are rebated from the current fiscal year that ends on June 30 of this year. If on the ballot and passed, Initiative 63 would have gone into effect on January 1, 2023. A third poll conducted, this time in June [2022] by Tulchin Research, shows that voters would approve Initiative 63 by almost a 2:1 ratio (56% to 30%). Following a basic description of the measure, that margin increased to almost 3:1 (67% to 24%). Support for the concept holds across all ages, demographics, and party affiliations.
- LR #13** The Colorado Association of School Boards supports adoption of policies and legislation recognizing the need and providing funding for more mental health support for students, teachers and staff, especially in the wake of COVID-19 related changes to learning environments.

- LR #14** The Colorado Association of School Board of Education recognizes that a structural change is needed in how the State of Colorado funds K-12 education and other critical state and local programs. This structural change includes addressing the negative impacts of provisions in the Colorado Constitution such as TABOR that continue to impact the state budget. These provisions have caused the Colorado General Assembly to subject K-12 education to significant budget cuts through the mechanism formerly known as the “negative factor,” which is now termed the “budget stabilization factor.”
- LR #15** CASB urges the General Assembly to amend the Public School Finance Act of 1994 to allow School Districts to implement impact fees or other similar development charges or fees to fund, construct, maintain, or manage capital construction projects or other facilities.
- LR #16** CASB supports efforts to create a cost-sharing mechanism between and among state agencies for expenses required to deliver special education services to students.
- LR #17** CASB strongly encourages the Colorado Department of Education (CDE) and the Colorado General Assembly to increase the funding for those students who require Life-Skills services. CASB proposes a multiple of three times the current Per Pupil Revenue (PPOR) for students receiving life skills instruction. These students must have access to the services they need to achieve their full potential. Currently, Colorado school districts must allocate funds intended for General Education students to offset the unfunded portion of service that Life-Skill students require. This is neither equitable nor sustainable. The State of Colorado must step up to support our most vulnerable students.
- LR #18** CASB supports the creation of an improved funding mechanism by the state for Pathways in Technology Early College High School (P-TECH) programs.
- LR #19** CASB supports the full funding of the Individuals with Disabilities Act (IDEA). Congress has never fully funded the Federal government’s portion of IDEA. CASB however recognizes the efforts of Colorado’s Delegation to add \$1 Billion in the IDEA Reauthorization bill passed by the U.S. House. CASB urges Colorado’s Delegation to act on IDEA Reauthorization and increase the federal share in the 117th United States Congress before the 2022 election cycle further slows legislative action.
- LR #20** Provide resources for schools and districts that are low performing respecting their local control authority by allowing them to collaborate and partner with their communities to organically create local solutions and measurements of effectiveness.
- LR #21** CASB supports legislation that requires charter schools seeking authorization in a school district with declining enrollment to waive any school district mill levy or bond revenues.



- LR #22** CASB supports legislation that provides that if a district is evaluated by CDE to be in the top four tiers of the district performance framework, the State Board of Education is required to justify ordering a new school that would divert the resources necessary to support said school, if the district is in declining enrollment and already adopted a budget to support its students.
- LR #23** CASB supports legislation that provides a right to a third appeal in the district court if the State Board of Education requires a local school district to open a new school using local resources and there is a lack of evidence that the new school will significantly increase the measures adopted by CDE in the performance evaluation.
- LR #24** CASB supports repealing the financial penalties applied to K-12 education in the Claire Davis School Safety Act.
- LR #25** The Colorado Association of School Boards supports adoption of policies and legislation to change the Public School Finance Act of 1994 to provide more equity among districts generally and more support for rural school districts. The State funding formula needs to be updated to better reflect the needs of modern educational environments, such as recognizing advances in educational technology, innovation and creativity in delivering educational programs, online and other blended learning opportunities complementing seat time requirements, and equity for high-poverty districts. It is time to modernize these requirements with methods more compatible with existing technology for measuring and reporting attendance and work time.

## **OTHER**

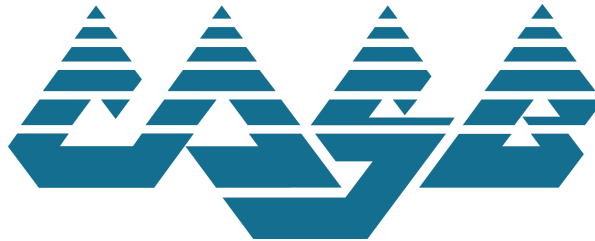
**LR #26** CASB supports a proposal that would allow districts and law enforcement to enter into agreements to use bus video to capture/penalize traffic violators of "Stop" arms on buses.

## **Mission Statement**

*Advancing excellence in public education and equity for each and every student through effective leadership by the collective action of locally elected boards of education.*

## **Vision Statement**

*The Colorado Association of School Boards through leadership, service, training and advocacy prepares local boards of education to advance a system of public schools where all students are challenged to meet their full potential.*



Colorado Association of School Boards

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