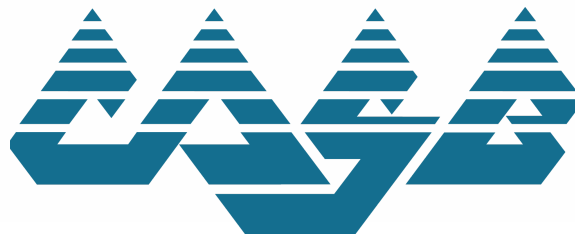


83rd Annual Delegate Assembly

Saturday, October 7, 2023

9:00 a.m.

**Hotel Colorado
Glenwood Springs,
CO**





Colorado Association of School Boards

Dear CASB Member,

We look forward to seeing you at the upcoming 2023 Fall Conference & Delegate Assembly on Friday, October 6, and Saturday, October 7, in Glenwood Springs. The Conference begins Friday at 9 a.m. and we have many topical and thoughtful sessions scheduled for you. The lunch session will feature a thorough explanation of the work of the Bylaws Task Force and its proposed changes. The Delegate Assembly will commence at 9:00 a.m. and take action on the Legislative Resolution presented in this book. Delegate check-in will begin at 8:00 a.m. on Saturday.

Through their Delegate, every CASB member board has a vote, and the resolutions adopted at the Assembly guide our organization in advocating for laws, rules, and regulations that will support an excellent education for each and every student in Colorado. These resolutions, in conjunction with guidance from the CASB Board of Directors, the Federal Relations Network, and the Legislative Resolutions Committee, provide the foundation for CASB efforts at the State Capitol in Denver and on Capitol Hill in Washington D.C.

The Delegate Assembly begins with adopting the standing resolutions that “roll over” from year-to-year. These standing resolutions highlight the foundational elements of the CASB legislative platform. Following the standing resolutions, Delegates will debate new legislative resolutions submitted by CASB members. This process ensures that resolutions reflect the current issues and concerns of Colorado boards of education.

CASB Delegates are excellent practitioners of representative democracy each year and I am always impressed by the thoughtful and respectful dialogue which occurs during our Delegate Assembly.

Thank you for your active participation in the 2023 Delegate Assembly and your commitment to serving students through your local board work.

Sincerely,

Barb Clementi
CASB President

About CASB's Delegate Assembly

The Delegate Assembly is the foundation of CASB's governance structure and provides critical direction as CASB represents members' interests before state and national policymakers. Working with CASB's advocacy staff, the Legislative Resolutions Committee (LRC), and the Federal Relations Committee (FRN), designated delegates from local boards help ensure that CASB reflects the interests of boards of education across the state.

The Delegate Assembly is made up of up to 178 delegates who are appointed/designated by their local school boards in 12 geographic regions throughout Colorado (see pages 37-38). Each board casts one vote, so your board's representation at the Delegate Assembly is of the utmost importance to both your district and to CASB.

The Delegate Assembly and the Business Meeting chart CASB's future in three significant ways:

- ☐ Elects CASB's Board of Directors
- ☐ Amends CASB's bylaws to ensure a responsive and effective association
- ☐ Adopts CASB's advocacy agenda, the legislative "road map" for issues critical to public education for the foreseeable future

What Does it Mean to be a Delegate?

Roles and Responsibilities

- ☐ Attend two annual meetings — the Delegate Assembly and the Business Meeting — meetings are held during the fall conference and annual convention
- ☐ Help formulate CASB's legislative priorities and activities and adopt resolutions to guide the advocacy agenda
- ☐ Elect CASB's Board of Directors
- ☐ Amend CASB's bylaws

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LRC Co-Chairs

DJ Anderson (Region 4)

Poudre School District

Dr. Carrie Olson (Large District)

Denver Public Schools

Nancy Hopper (Region 1)

Morgan County Re-3

Diana Elliott (Region 2)

Strasburg 31J

Tika Ethridge (Region 2)

Big Sandy 100J

Denyce Bloc (Region 3)

Granada RE-1

Barbara Kruse (Region 4)

Thompson School District

Michael Wailes (Region 4)

Weld RE-5J

Stu Boyd (Region 4)

Thompson School District

Lindley McCrary (Region 5)

Littleton Public Schools

Greg Piotraschke (Region 5)

School District 27J

Dennis Smialek (Region 5)

Bennett 29J

Julie Ott (Region 6)

Colorado Springs D-11

Tiffiney Upchurch (Region 6)

Lewis-Palmer #38

Kim Brack (Region 7)

Steamboat Springs RE-2

Sandi Schuessler (Region 8)

Clear Creek RE-1

Lisa Webster (Region 8)

Summit School District

Cory Off (Region 9)

Upper Rio Grande School District

Kathryn Kuhlenberg (Region 10)

Roaring Fork

Sarah Fishering (Region 11)

Montrose County RE-1J

Pam Coppinger (Region 12)

Mancos Re-6

Sherri Wright (Region 12)

Montezuma-Cortez RE-1

Anne Egan (Large District)

Cherry Creek Schools

Stephanie Schooley (Large District)

Jefferson County

CASB Staff

Matt Cook

CASB Director of Public Policy & Advocacy

Ex-Officio

Lori Goldstein, FRN Chair (Large District)

Adams 12

Kathleen Gebhardt, Director at Large/NSBA Director

Boulder Valley School District

Barb Clementi (Region 6)

CASB Board President

Pueblo 60

Dale McCall

Executive Director

Colorado BOCES Association

Michelle Murphy

Executive Director

Colorado Rural Schools Alliance

Colorado Council of School Board Attorneys

Cindy Dude, Anderson, Dude & Lebel P.C.

Christopher Esser, Lyons, Gaddis, Kahn, Hall, Jeffers, Dworak & Grant P.C.

Nathan Fall, Weld County 6

Sam Jones-Rogers, Caplan and Earnest, LLC

Adele L. Reester, Lyons, Gaddis, Kahn, Hall, Jeffers, Dworak & Grant P.C.

Brandon Shaffer, St. Vrain Valley RE-1J

If you are interested in serving on the Legislative Resolutions Committee, contact Matt Cook, CASB director of public policy & advocacy at mcook@casb.org.

The CASB Legislative Resolutions Committee reviews resolutions presented by CASB members and develops recommendations to be considered at CASB's Annual Delegate Assembly. It also meets during the legislative session for a briefing on legislative issues and to determine CASB's position on individual pieces of legislation. The committee is made up of at least one school board member from each CASB region.

CASB Mission

The Colorado Association of School Boards, through leadership, service, training, and advocacy, engages and supports local boards of education to advance a system of public schools where each and every student is equipped to meet their full potential.

CASB is a non-partisan organization representing school board members from Colorado's 178 school districts. CASB does not have a political action committee nor does CASB endorse candidates.

Colorado FRN Chair

Lori Goldstein

Adams 12 (Congressional Dist. 8)

Congressional District 1

Dr. Carrie Olson

Denver Public Schools

Congressional District 2

Nate Donovan

Poudre School District

Stacey Zis

Boulder Valley School District

Congressional District 3

Barb Clementi

Pueblo School District No. 60

Congressional District 4

Dawn Kirk

Thompson R2-J

Duane Brown

Yuma

Congressional District 5

John Graham

District No. 49

Will Temby

Academy District 20

Congressional District 6

Anne Keke

Aurora

Caty Husbands

Englewood Schools

Congressional District 8

Natalie Mash

Greeley-Evans

Ex-Officio

Matt Cook

Director of Public Policy & Advocacy

Colorado Association of School Boards

Jubal Yennie

Executive Director

Colorado Association of School Boards

Dale McCall

Executive Director

Colorado BOCES Association

If you are interested in serving on the Federal Relations Network, contact Matt Cook, CASB director of public policy & advocacy at mcook@casb.org.

The Colorado Federal Relations Network (FRN) reviews federal legislation and advocates the views of Colorado school boards to Congress. It is composed of two school board members from each of Colorado's Congressional districts. The FRN meets quarterly.

CASB Mission

The Colorado Association of School Boards, through leadership, service, training, and advocacy, engages and supports local boards of education to advance a system of public schools where each and every student is equipped to meet their full potential.

CASB is a non-partisan organization representing school board members from Colorado's 178 school districts. CASB does not have a political action committee nor does CASB endorse candidates.

Delegate Assembly Agenda

7:00 – 8:30 a.m.	Breakfast, Networking, and Technical Help
8:00 – 8:45 a.m.	Delegate Check-in
9:00 a.m. – 12:00 p.m.	Delegate Assembly convenes Report of the CASB President Review rules Presentation of report from Legislative Resolutions Committee and Federal Relations Network
12:00 p.m.	Assembly adjourns*

**We will work to adjourn the assembly by 12 p.m., but will go as late as 2 p.m. until all of the work is completed.*

Standing Rules for Delegate Assemblyⁱ

1. Except as modified below, the Annual Delegate Assembly Meeting shall operate by the rules prescribed in the current version of Robert's Rules of Order.

Delegates

2. Delegates to the Delegate Assembly must have been registered and approved by September 12, 2023, in accordance with Board policy, BJ, "*Delegate Assembly*".
3. Delegates who appear in person may participate in debate, amendments, and other business of the Delegate Assembly. Delegates opting to be online shall participate in all votes. No proxies shall be permitted.
4. Delegates will address the Chair or the Body, rather than an individual delegate

Voting

5. All voting shall be by electronic vote, by voice vote, or by paper ballot, if necessary.
6. A quorum shall consist of the member boards represented and voting. Actions shall be taken by majority vote of the member boards represented and voting, except as otherwise noted.

Amendments

7. 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. (See form on opposite page.) No amendment may change the basic intent of a resolution or item of business.

Debate

8. In speaking to a motion, a delegate will be limited to three minutes. A delegate shall identify themselves before speaking on an issue.
9. 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.

Resolutions

10. Any Resolution not published and distributed in accordance with CASB policy and Bylaws 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 CASB president or designee prior to consideration. When recognized, 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 board delegates 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.
11. Legislative Resolutions adopted by the Delegate Assembly shall be reported as part of the official actions of the Delegate Assembly.

ⁱ In accordance with CASB Bylaws (December 5, 2015), Article VII, Section 3c: "The Board of Directors is authorized to adopt organizational guidelines and/or rules of procedure for the conduct of business at the delegate assembly."

Amendment Form

Copy this page for proposed amendments. Additional forms will be available at the Delegate Assembly.

Amendment

I move to amend Resolution # _____ by (choose appropriate statement):

- ☐ Inserting or adding;
- ☐ Striking out; or
- ☐ Striking out and inserting or substituting language as follows:

Signature

School District

Standing Resolutions

Student Academic Growth and Achievement

Forwarded with a Favorable Recommendation

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

Forwarded with a Favorable Recommendation

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

Forwarded with a Favorable Recommendation

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.

Federal Standing Resolutions

Full Funding of the Individuals with Disabilities Act (IDEA)

Forwarded with a Favorable Recommendation

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

Forwarded with a Favorable Recommendation

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

Forwarded with a Favorable Recommendation

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 Session Resolutions — Consent Agenda

Several resolutions were submitted that uphold long-standing goals of CASB. The Legislative Resolutions Committee (LRC) has forwarded all of these resolutions with a “Favorable Recommendation,” and a recommendation that the resolutions be placed on the "Consent Agenda". The Committee had to have unanimous support of the intent of the resolution for it to be placed on the Consent Agenda.

Other resolutions were forwarded with a "Favorable Recommendation" but not included on the "Consent Agenda". The lack of a recommendation should not be interpreted in any way to reflect on the merits of the resolution. It simply means the committee could not reach consensus and wished for all the delegates to debate the issue.

1. The Consent Agenda will be displayed for the Delegate Assembly.
 - a. At this point any delegate can ask to have a resolution removed from the Consent Agenda.
2. The delegate from the board of education which submitted the resolution will have 30 seconds to speak to the resolution. The resolutions will be addressed in the order they appear on the Consent Agenda.
3. Once all Consent Agenda resolutions have been reviewed, the process for approval will follow the same format as a non-Consent Agenda item:
 - a. A Motion to approve the Consent Agenda will be called for;
 - b. A Second to the Motion must be made;
 - c. The delegates will have an opportunity to discuss the Consent Agenda items;
 - i. The delegates will vote to approve the Consent Agenda.
 - ii. If the delegates approve the Consent Agenda, then the Delegate Assembly will proceed to the next item on the Agenda
 - iii. If the delegates do not approve the entire Consent Agenda, then each item on the Consent Agenda will be considered separately.

The background information and rationale of each proposed resolution is provided by the proponent and is neither endorsed nor approved by the LRC or CASB.

Finance

Submitted by — Telluride R-1 Board of Education

Consent Agenda Resolution #1

Forwarded with a Favorable Recommendation

Resolution: Costs to be Considered in New Funding Formula

CASB supports the full and adequate funding of our educational system through the Colorado funding formula. As the legislative committee recently formed considers modernization of said formula CASB supports the use of actual costs in creating a new formula. No district is overfunded and thus no district should experience reduced funding due to a new formula. To fully and adequately fund all districts through the formula will require additional funding but should not halt the creation of an appropriate formula.

Rationale Statement:

The Colorado economy is consistently ranked in the top tier of all states nationally. The strength of the Colorado economy is in stark contrast to the outdated funding of our schools. Since the 1980's we have consistently dropped in relative funding for our students now ranked as one of the lowest in the Nation. At the same time, we have increased the educational demands of our schools. Many districts are at a breaking point just trying to keep the doors open. Underfunding has resulted in low wages for educational professionals and inadequate resources such as technology, career and technology education as well as many other inadequacies. A quality public education is essential for the future economic success of all our students as well as our democracy. To have a quality educational system funding must be fair, equitable and adequate.

Submitted by — Mancos Board of Education

Consent Agenda Resolution #2

Forwarded with a Favorable Recommendation

Resolution: Referendum to Mirror Initiative 63

CASB supports an initiative for the 2024 ballot to create a Tax Payer Bill of Rights (TABOR) carve out for education. The proposed initiative would mirror Initiative 63, which was proposed for the 2022 Colorado ballot. This proposed initiative could work with the state of Colorado holding back a percentage of tax overpayment above the TABOR spending limits for K-12 staff salaries. This strategy was developed with Initiative 63 in 2022, which needed more signatures to be on the ballot. Therefore CASB calls on the Colorado General Assembly to approve a referred measure to voters. The referred measure would be on the November 2024 ballot.

Rationale Statement:

This proposal will address teacher pay, retention, and recruitment across the state. It is not acceptable that Colorado is 49/50 when it comes to lowest-paid teachers. In addition, according to the Uncover Colorado website (August 5, 2022), the housing market is 34% more expensive than the national average, and the average Colorado home costs \$591,189. The state of Colorado is at a critical juncture in regard to teacher pay.. If this proposal is adopted by the Colorado General Assembly, it will address some of the most pressing issues, including recruiting and retaining high-quality teachers that are imperative to all PreK-12 classrooms

Pros: It would increase teacher compensation by roughly \$7000 to \$10,000 annually securing the labor market.

Cons: It dilutes TABOR and increases government spending (taxpayer spending).

Submitted by — District No. 49 Board of Education and the CASB Federal Relations Network

Consent Agenda Resolution #3

Forwarded with a Favorable Recommendation

Resolution: Support for House and Senate Bills to Fully Fund IDEA

CASB supports United States House Resolution 4519 and United States Senate Bill 2217 to fully fund the Individuals with Disabilities Education Act (IDEA). CASB calls on members of the Colorado Congressional Delegation to become co-sponsors of the bill and work towards the passage of these bills. CASB reaffirms support of CASB Federal Standing Resolution #1 to fully fund IDEA. CASB calls on the 118th United States Congress to approve legislation increasing IDEA funding before the 2024 election cycle further slows legislative action.

Rationale Statement:

The federal law requiring schools to meet the needs of students with disabilities offers current federal funding of approximately 16-17 percent of the actual cost. It is time to increase federal funding to the 40 percent standard set by the initial legislation. Currently, Colorado school districts are reimbursed approximately 17 cents for every dollar the federal government requires we spend on education under IDEA. It is time to increase the funding to a minimum of the 40 cents of every dollar initially promised by this legislation more than 40 years ago. Given the proposals now circulating in Washington, D. C. around education policy and associated budgets, CASB believes federal advocacy efforts are necessary.

Consent Agenda Resolution #4

Forwarded with a Favorable Recommendation

Resolution: Support for Reauthorization of the Secure Rural Schools Funding

CASB supports United States House Resolution 5030 - “To extend the Secure Rural Schools and Community Self-Determination Act of 2000.” CASB applauds Representative Joe Neguse of Colorado’s Second Congressional District for his sponsorship of the bill. Secure Rural Schools funding is critically important to multiple CASB member Boards of Education. Secure Rural Schools (SRS) provides funding from Federal lands that Colorado school districts normally would not receive property taxes from. CASB calls on the Colorado Congressional delegation to join as co-sponsors of the bill. CASB members additionally calls on the United State Congress to quickly approve the bill thus ensuring these vital funds are available to help each and every Colorado student achieve their full academic potential.

Rationale Statement:

The Secure Rural Schools (SRS) and Community Self-Determination Act was first introduced in 2000 to assist counties containing tracts of federally-owned land that are tax-exempt. SRS was last reauthorized in 2021. The program provides payments derived in part through timber receipts and other leasing activities within National Forests back to county governments where those forests are located, particularly in Colorado’s Western Slope. Colorado has 38 counties that directly benefit from this program. 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. Funds provided through the SRS program can be used to access quality supplies, up-to-date materials, upkeep for building safety, and more.

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 re-authorized for an additional four years but with rural community payments decreasing by 10% annually. The SRSCA was reauthorized for fiscal year (FY) 2013 by the Helium Stewardship Act but the full funding amount for FY 2013 for all counties that elect to receive a share of the state payment is 95% of the FY 2012 amount. The 2015 Medicare Access & CHIP Reauthorization Act extended the SRS program for FY2014 and 2015. The 2018 Consolidated Appropriations Act extended the SRS program for fiscal years 2017 (retroactive) and 2018; expanded authorized Title III uses; amended county allocation guidelines between titles, and repealed timber contracting pilot program. The 2020 Further Consolidated Appropriations Act extended the SRS program for FY 2019 and FY 2020. The 2021 Infrastructure Investment and Jobs Act extended the SRS program until 2023.

Submitted by — Summit Board of Education

Consent Agenda Resolution #5

Forwarded with a Favorable Recommendation

Resolution: Earlier Adoption of the School Finance Act

CASB urges the Colorado General Assembly to adopt the School Finance Act (SFA) no later than twenty-one (21) days prior to the last day of the legislative session.

Rationale Statement:

Recent 11th hour SFA adoption trends unnecessarily puts pressure on school district budget development and adoption processes where employee negotiations, and staffing, student resource, and professional development decisions have to be delayed. This domino effect does not allow for much timeline flexibility with respect to statute-required budget timelines starting at the end of May.

Submitted by — Summit Board of Education

Consent Agenda Resolution #6

Forwarded with a Favorable Recommendation

Resolution: Achieve National Average Level of Public School Funding

CASB urges the Colorado General Assembly to develop a plan to achieve and maintain at least the national average in school funding via the School Finance Act (SFA) by 2028.

Rationale Statement:

According to the Bell Policy Center, as of FY 2022-2023, “Colorado is 35th in the country in per-pupil funding, and last among all states in teacher pay, compared to similarly educated professionals. To get to 25th in the country in per-pupil spending, Colorado would need to spend \$1,263 more per pupil, or \$1.1 billion total for next year” [2023-2024]. While grateful that the Colorado General Assembly increased Total Program Funding by ~\$665M for 2023-2024, we are not at the national average per-pupil funding and/or teacher pay yet. Also, “Colorado public schools have not received their full level of constitutionally mandated funding since 2010 — nearly \$10 billion.” Essentially, we have starved our public education system for over a decade so even when we achieve the national average, we have ground to make up as a result of underfunding for over a decade. Last, as we move towards a more adequately funded system, this funding needs to be distributed so Coloradan students who need more resources are funded to ensure full potential can be realized.

Submitted by — Summit Board of Education

Consent Agenda Resolution #7

Forwarded with a Favorable Recommendation

Resolution: Rural Factor Added to the School Finance Formula

CASB urges the Colorado General Assembly to amend the school finance formula by adding a rural funding factor to permanently recognize the need to provide ongoing support in lieu of multiple years of one-time funding for the rural school districts of Colorado. The addition of this factor should not come at the expense of larger districts i.e., additional funding should be appropriated.

Rationale Statement:

Previous legislative initiatives like HB15-1321, SB17-267, ballot measure Prop EE, COVID funding, and SB23-287 have provided additional one-time funding for rural districts (~83% of 178 districts per CDE Rural Designation list). Rural schools often do not have the enrollment to take advantage of economies of scale with respect to staffing and programs. It is clear that until the School Finance Act of 1994 is fully updated for proper funding equity and adequacy, ongoing and sustainable funding for rural school districts is essential.

Submitted by — Lewis Palmer Board of Education

Consent Agenda Resolution #8

Forwarded with a Favorable Recommendation

Resolution: Full Pupil Funding

The Colorado Association of School Boards urges the Colorado General Assembly to prioritize paying off the remaining balance and eliminating the budget stabilization factor by the 2024-2025 school year. The budget stabilization factor contrary to Colorado voters' intent in passing Amendment 23 to the Colorado Constitution.

Rationale Statement:

The legislature must prioritize its legal obligation to fully fund our most precious resource, our students. Restoring Colorado's basic obligation to fully fund each and every student should be the priority before appropriating any more additional dollars into programs, grants, and mandates.

Submitted by — Boulder Valley Board of Education

Consent Agenda Resolution #9

Forwarded with a Favorable Recommendation

Resolution: Repeal of Financial Obligations

CASB supports repealing the financial penalties applied to K-12 education in the Claire Davis School Safety Act.

Rationale Statement:

This law singles out K-12 public schools for special liability if certain violent crimes occur in public schools. Because the law also identifies employees as having a duty of care, the law creates confusion and concerns amongst public educators about their own potential liability. This legislation, while well-intended, will not increase incentives of schools and educators to protect their students and themselves. Preventing crimes of violence requires many agencies working together and levying financial penalties against only public schools is unfair.

Local Governance

Submitted by — Summit Board of Education

Consent Agenda Resolution #10

Forwarded with a Favorable Recommendation

Resolution: Curing Open Meetings Law (OML) Technical Violations

CASB urges the Colorado General Assembly to develop legislation to provide the ability to cure unintentional OML technical violations, such as misreading a C.R.S. title, while remaining transparent for the public.

Rationale Statement:

Per NASA, “Human error has been reported as being responsible for 60%-80% of failures, accidents and incidents in high - risk industries. We don't have to accept that all human errors are inevitable.” (<https://ntrs.nasa.gov/citations/20140008715>)

“What percentage of data loss is caused by human error? Up to 75% of data loss is caused by human error, according to a report highlighted by PC World. It's the single greatest cause of data loss in the workplace. Around the world, it happens every single day, at businesses of all sizes.”

“Acceptable human error percentage. The typical failure rates in businesses using common work practices range from 10 to 30 errors per hundred opportunities. The best performance possible in well managed workplaces using normal quality management methods are failure rates of 5 to 10 in every hundred opportunities.” (https://lifetime-reliability.com/tutorials/human_error_rate_table_insights/#:~:text=The%20typical%20failure%20rates%20in,10%20in%20every%20hundred%20opportunities)

The ability to correct an unintentional technical error under the purview of OML should be permissible given the human error factor.

Submitted by — Boulder Valley Board of Education

Consent Agenda Resolution #11

Forwarded with a Favorable Recommendation

Resolution: Independent Oversight of the Childhood Department of Early Childhood (CDEC)

CASB supports the creation of an independent body to provide oversight and accountability to the Colorado Department of Early Childhood (CDEC).

Rationale Statement:

The CDEC has been charged with significant authority, including administering the State's new Universal Preschool Program. Unlike the Colorado Department of Education, CDEC does not have an elected oversight entity. With the significant responsibilities of this Department and similarity in purpose to CDE, it is important that there be oversight and accountability for CDEC.

Submitted by — Summit and District 49 Boards of Education

Consent Agenda Resolution #12

Resolution: Capture Traffic Violators with Cameras on School Bus “Stop Arms”

Forwarded with a Favorable Recommendation

CASB urges the Colorado General Assembly to develop legislation allowing the use of stop arm camera video, if available, to capture/penalize traffic violators of “Stop” arms on school buses.

Rationale Statement:

CASB urges the Colorado General Assembly, the Colorado Department of Education, and the Colorado State Board of Education to support legislation which removes any barriers to the use of school bus video systems to identify and as evidence to penalize violators of existing traffic laws, which require drivers to stop when a school bus is loading/unloading students at school bus stops. Increased communication and enforcement of existing traffic laws will enhance student safety across Colorado.

According to the National Conference of State Legislators, “A growing number of states are attempting to catch and punish motorists who pass stopped school buses by allowing cameras to be placed on the outside of the bus to record such illegal passing. At least 24 states have school bus stop-arm camera laws. The National Highway Traffic Safety Administration states “reducing the incidence of illegal passing of stopped school buses is easier said than done. The solution to this complex problem requires the involvement and cooperation of many groups (motorists, school bus drivers, law enforcement officers, prosecutors, and local judicial officials) to make sure the law is obeyed, violations are reported, and the law is enforced. These efforts are intended to enhance student safety during the most vulnerable times of the school day.

Non Consent Agenda

Student Academic Growth and Achievement

Resolution #13

Resolution: Universal Screeners for Reading and Math

CASB urges the Colorado General Assembly to set aside resources within the READ Act (specific to dyslexia) and Math Act (HB23-1231) in order to provide universal reading and math screeners during early K12 evidence-based timeframes for best identifying deficiencies.

Rationale Statement:

The US Department of Education cites “Screening is a mechanism that targets the needs of students with learning disabilities by providing education based on scientific evidence. It is the first step in identifying students who have difficulties in learning.”

Currently, the READ Act requires diagnostic assessments or screeners only for “students identified with significant reading deficiency for the purpose of identifying the child’s specific reading deficit(s).

Currently, the READ Act requires diagnostic assessments or screeners for K3 and the list of approved screeners do not necessarily include aspects to identify dyslexia.

HB23-1231 does not provide specific provisions for math screeners; however, encourage districts to identify “students who are below grade level of struggling in mathematics based on academic assessments administered pursuant to section 22-7-1006.3.”

Per the US Dept of Education, “a major advance in the field of reading over the past 15 years has been the development and validation of screening measures that can detect, with reasonable accuracy, kindergartners and first graders likely to experience difficulty in learning to read. These students now receive additional instructional support during the critical early years of schooling. This is especially important because we know that most students who are weak readers at the end of first grade remain struggling readers throughout the elementary grades (Juel, 1988).

Similarly, studies in early mathematics have shown that students who complete kindergarten with weak knowledge of mathematics tend to experience consistent difficulties in that content area (Duncan et al., 2007; Jordan, Kaplan, Ramineni, & Locuniak, 2009; Morgan, Farkas, & Wu, 2009). In fact, using a nationally representative sample of students, Morgan et al. (2009) found that students who remained in the lowest 10th percentile at both the beginning and end of kindergarten (often considered an indicator of a learning disability in mathematics) had a 70% chance of remaining in the lowest 10th percentile five years later.

They also tended to score, on average, two standard deviation units (48 percentile points) below students in the acceptable range of mathematics performance in kindergarten. Jordan et al. (2009) found that kindergarteners' number sense, knowledge of number relationships, and understanding of number concepts predict later mathematics achievement even when controlling statistically for intelligence quotient and socio- economic status.”

Evidence-based universal screeners data will also assist in the developing strategies in the delivery of student-centered, effective first instruction especially as we remain in a challenging educator workforce recruitment and retention environment.

Resolution #14

Resolution: Early Literacy

CASB supports legislation that will increase the number of students meeting or exceeding state reading standards by the completion of third grade and continue the state's focus and investment in early literacy. Such legislation should include:

- Comprehensive, robust and evidence-based screeners and assessments to better identify students' reading proficiency in all areas and provide targeted interventions for identified weaknesses in reading skills;
- Diagnostic scores to identify specific foundational areas of weakness for each component of screeners and assessments;
- Explicit intervention recommendations and progress monitoring;
- Training and certification programs for classroom teachers, reading interventionists and literacy specialists;
- Creation of an independent ombudsman office outside of the Colorado Department of Education for parents to raise concerns and to more accurately report to the State Board of Education and legislators on the state's implementation and progress of developing early literacy skills; and
- Implementation of the recommendations of the state's Dyslexia Working Group created by House Bill 19-1134.

Rationale Statement:

Research shows that proficiently reading by grade 3 is critical to student success. As a result, the state has emphasized and funded the READ Act, targeting dramatic improvement in Colorado students' achievement of this measure. As a state, Colorado is currently only at 40.7% of students in aggregate meeting or exceeding this measure by the end of 3rd grade. If this data is disaggregated by groups, the percentages are much lower, specifically: 22.2% of students who qualify for free and reduced lunch; 11.7% of students who are English Language Learners; and 10.9% of students with Individualized Education Programs (IEPs) meet or exceed this measure by the end of 3rd grade. State data also shows that these groups of students are much less likely to ever meet or exceed grade level measures, even by grade 12. Research also shows, and the state's Dyslexia Working Group has validated, that through the use of evidence-based and comprehensive screening assessments, an updated and specific skills evaluation matrix, and clear targeted intervention instruction, Colorado should be able to dramatically increase the literacy achievement of all students so that more students achieve reading proficiency at an earlier age.

Submitted by — St. Vrain Board of Education

Resolution #15

Forwarded with a Favorable Recommendation

Resolution: Updates to Pathways in Technology Early College High School (P-TECH)

CASB supports updating the original P-TECH design to make it more flexible and accessible to districts across the state.

Rationale Statement:

House Bill 15-1270 authorized Pathways in Technology Early College High School (P-TECH) programs. The legislation facilitates collaborations between K-12, higher education, and industry partners to deliver a free associates degree to students when they graduate high school.

Since its inception, twenty different programs have been established across Colorado. Programs currently exist in Poudre Valley, St. Vrain Valley, Greeley-Evans, Mesa District 51, Denver, Adams County, Douglas County, Eagle County, Canon City, Cotopaxi, and Florence School Districts ([click here for a description of the various P-TECH programs](#)).

While the model has worked well, improvements can be made, such as:

- Allow the funding model to pay for college classes starting in the 9th grade;
- Remove College Opportunity Fund Caps;
- Open the model to more expansive work-based learning programs;
- Allow 4-year institutions to collaborate as a higher education partner; and
- Include P-TECH courses in the definition of concurrent enrollment.

Updates to P-TECH would increase the state's work-based learning pipeline.

Submitted by — Boulder Valley Board of Education

Resolution #16

Forwarded with a Favorable Recommendation

Resolution: Alternate Measure to CMAS Science

CASB supports legislative direction to seek a federal waiver that allows for a more meaningful alternative measure to the CMAS Science exam to show proficiency in science as required by Every Student Succeeds Act (ESSA).

Rationale Statement:

Colorado's education accountability system is based on goals outlined in the Colorado Achievement Plan for Kids Act of 2008 (CAP4K) and the 2015 Every Student Succeeds Act (ESSA). Though the Colorado Department of Education explains that the system is intended to "focus even more keenly on ensuring historically disadvantaged populations (e.g., poverty, minority, English language learners, students with disabilities) are meeting performance expectations", however, the State's achievement and opportunity measures do not show that these populations are benefitting or improving. Data from these high stakes, summative, exams do not provide timely information to drive instructional practices, or improve educational opportunities and outcomes for students. Persistent inequities support the need for a federal waiver and alternative means of assessing postsecondary and workforce readiness.

Submitted by — Boulder Valley Board of Education

Resolution #17

Resolution: Social Studies Assessment

CASB supports legislative direction to seek a federal waiver to eliminate the requirement for the Colorado Department of Education to administer assessments in social studies.

Rationale Statement:

State assessments in social studies are not required by the federal government, and high stakes summative testing yields little useful information for schools and imposes unnecessary burdens on students. Such tests are not true measures of students' learning, content familiarity, and are often biased against Emerging bilingual students, English Language Learners, and students from low socioeconomic backgrounds. Additionally, data from these exams do not provide timely information to drive instructional practices, or otherwise improve educational opportunities and outcomes for students.

Submitted by — Poudre Board of Education

Resolution #18

Resolution: New Teacher Mentoring

The Colorado Association of School Boards (CASB) supports making the new teacher mentoring grant program a permanent program to support new teachers. Yearly funding would be calculated by the last three years average of the districts hiring licensed staff and would be adjusted yearly.

Rationale Statement:

By making this commitment Colorado will improve its teacher retention and will be giving our students a better learning experience. Teacher recruitment and retention remains a challenge for school districts. This program has proven to be an effective way to support new teachers as they acclimate to a new career.

Submitted by — Poudre Board of Education

Resolution #19

Forwarded with a Favorable Recommendation

Resolution: CASB Resolution on HB21-1110

The Colorado Association of School Boards (CASB) supports the idea and intent of making all digital content more accessible. However, CASB has concerns about the cost, timing, and potential unintended impact HB21-1110 may have if enforced as is on July 1, 2024. Therefore, CASB asks the legislature to:

- Delay the enforcement of HB21-1110 from July 1, 2024, until at least 2 years after the state Office of Information Technology (OIT) final rules are set.
- Create and/or clarify the following:
 - A curing/remediation process
 - An ability to waive aspects of the rules, law, or technical standards in certain circumstances or for certain government entities (e.g., school districts)

Rationale Statement:

The idea and intent of making digital content more accessible is a noble and necessary one. However, the OIT has yet to set the rules that school districts and other municipalities must follow. Therefore, the current time frame for the implementation of HB21-1110 is too short.

School districts have hundreds, if not thousands of different hardware and software applications, kiosks, and digital signs. Many of these school districts and hired vendors do not have the technical ability to meet these yet to be finalized rules in the time frame mandated, nor do school districts have the staff, time or resources to change them.

We anticipate that this bill will have unintended consequences and possibly divert time and energy away from the important work supporting all individuals and making digital content accessible regardless of ability. Unfortunately, with the given liability and monetary fine structure, the unintended consequences may be the reverse of what this bill intends. School Districts may start to remove information in digital form to reduce liability, reducing the ability for all people to access information in a timely manner.

Finance

Submitted by — Telluride R-1 Board of Education

Resolution #20

Resolution: BEST Funding Early Childhood Classroom Construction

CASB supports changes to the funding requirements of the Building Excellent Schools Today (BEST) to allow these funds to be used for the construction of safe, appropriate and adequate classroom space for Colorado's youngest learners. CASB members are committed to working with the Colorado General Assembly to make the necessary changes and prioritize funding for these projects.

Rationale Statement:

Data has consistently shown a link between high quality Early Childhood Education (ECE) and future academic success for students. In many small Colorado school districts the lack of classroom space for ECE instruction is a significant barrier to ensuring young students are equipped with the knowledge and skills necessary to start their academic career. The success of any student should not be determined by the zip code of the community in which they live. The General Assembly must help address this chronic problem by expanding and fully funding the BEST capital construction fund to allow these funds to be used to support young learners as they take their first steps along their path to becoming lifelong learners.

Submitted by — Telluride R-1 Board of Education

Resolution #21

Resolution: Full and Sustainable Funding for BEST

CASB supports the full and adequate funding of the Building Excellent Schools Today (BEST) program. CASB member Boards of Education need access to the necessary and sustainable funding for the construction of safe, modern and appropriate classroom space for all students. CASB calls on the Colorado General Assembly and Colorado's Governor to work with locally elected Board of Educations and their communities to address the billions of dollars necessary to provide the construction of classrooms across the state.

Rationale Statement:

The Colorado economy is consistently ranked in the top tier of all states nationally. The strength of the Colorado economy is in stark contrast to the outdated and often dangerous classrooms many students are expected to learn in. It is unconscionable that Colorado students continue to lack access to safe, modern and appropriate learning environments simply because the community in which they live lack the ability to build said classrooms. CASB members are committed to working with the Colorado General Assembly, The Governor and State Treasure to put in place the changes required to fully and sustainably fund the BEST program.

Submitted by — Telluride R-1 Board of Education

Resolution #22

Resolution: Housing for Educational Professionals

CASB supports making Educational Professionals, preschool and K-12, a priority in any and all State housing programs.

Rationale Statement:

Colorado is experiencing a chronic shortage of Educational Professionals. Access to affordable housing is one issue in meeting our staffing needs. Every year school districts have necessary positions unfilled, placing a strain on our educational system. Many preschools are unable to stay open for 5 days a week due to lack of staffing. Educational Professionals are frontline civil servants that must live within a reasonable distance of the Preschool Center or School District in which they are employed.

Submitted by — Mancos Board of Education

Resolution #23

Resolution: Minimum Wage

CASB supports establishing a minimum wage of \$45,000 for every teacher in Colorado. This minimum wage would start at \$45,000 or higher, regardless of the school district where the teacher is employed. CASB calls on the state to backfill school districts for the increased labor costs experienced by school districts to achieve the new minimum wage. The state would not be funding an increase for all teachers by setting a minimum starting level, which is a fiscally affordable measure. As such, this is likely not to impact most urban or suburban districts but will affect most rural communities.

CASB proposes the state of Colorado to allow a seven-year window for school districts to increase their salary schedule before the subsidy ends. Each year the subsidy would decrease by 1/7 to reflect positive changes in school district salary schedules.

Rationale Statement:

In the Mancos School District, the Board of Education would need to increase the district salary schedule for seven years, year one by 3.0%, and decrease in percentage terms each year until year 7 2.5%. This represents an increase of \$1,142 in our teacher's salary schedule each year. When we adjust our salary schedule, it increases all teachers' compensation. In this example, the most experienced teachers should see a \$1,142 raise each year.

This proposal will address teacher pay, retention, and recruitment across the state. It is not acceptable that Colorado is 49/50 when it comes to lowest-paid teachers. In addition, according to the Uncover Colorado website (August 5, 2022), the housing market is 34% more expensive than the national average, and the average Colorado home costs \$591,189. The state of Colorado is at a critical juncture in regard to teacher pay.. If this proposal is adopted by the Colorado General Assembly, it will address some of the most pressing issues, including recruiting and retaining high-quality teachers that are imperative to all PreK-12 classrooms.

Pros: It would increase the interest in becoming a teacher and increase pay for most rural teachers.

Cons: It does not fully honor years of service for teachers that have been with the district for many years and have salaries above the new minimum wage. It compacts the salary schedule, and experienced teachers may feel it is unfair even though it would not decrease their salary. However, it would narrow the dollar and percentage difference between their rate and teachers making less.

Submitted by — Summit Board of Education

Resolution #24

Resolution: Mill Levy Overrides (MLO) Options

CASB urges the Colorado General Assembly and the Governor to provide Funding flexibility for staff recruitment and retainment via Mill Levy Overrides 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.

Rationale Statement:

Under current law, a school district that wants to raise and spend local property tax revenue in excess of the district's total program funding under the state's School Finance Act may submit a ballot question to the voters in that district for approval. These are referred to as mill levy overrides. The total additional local property tax revenue that may be authorized by voters may not exceed an amount equal to 25 percent of that district's total program funding. For some small rural districts, the limit is 30 percent of total program funding.

This bill authorizes an additional mill levy that is not constrained by these limits. In addition to a property tax mill levy override for the district's general operating budget, school districts may also raise property tax revenue to:

- Buy back categorical funding provided by the state;
- Provide a supplemental cost of living adjustment for the district; or
- To provide funding for full day kindergarten programs.”

Source of the above quote: HB 16-1354 (Debt Free Schools Act, signed May 17 2016) Final Fiscal Note, Background Section;

Last, consideration should be given to declining student population impact on district operations with respect to staff recruitment and retainment.

Additional MLO information by District is located at: <https://www.cde.state.co.us/cdefinance/sfmilllevy>

Submitted by — Summit Board of Education

Resolution #25

Resolution: Sustainability of the Colorado Intergenerational Public School Land Trust Fund (AKA Permanent Fund or Public School Fund or Corpus)

CASB urges the Colorado General Assembly to develop a phased plan aligned with the HB22-1146 workgroup recommendations to ensure intergenerational Public School Land Trust sustainability in order to equitably benefit current and future Colorado public school students (beneficiaries) by optimizing contribution, investment, and distribution policy via statutory means.

Rationale Statement:

History:

- Public school trust lands were set aside by the federal government via the township grid system created by Thomas Jefferson as petitions for statehood were granted. The purpose of these public school trust lands was for the intergenerational benefit of public school students.
- The first federal land grants for the public school land trust were one (1) square mile section (section 16) within each thirty-six (36) square mile township boundary. Later, in western states, two (2) square mile sections (sections 16 and 36; applicable to Colorado) within each thirty-six (36) square mile township boundary was established for public school land trust. Arizona, New Mexico, and Utah received four (4) sections per township.
- Today, twenty (20) states hold and administer 515 million acres of public school trust lands. Thirty (30) states have zero (0) acres because they sold their public school trust lands forfeiting a means for intergenerational public school benefit.
- Colorado became a state in 1876 and was granted four (4) million acres out of the 66.5 million acres statewide towards the public school trust. Currently, Colorado holds and administers 2.8M surface acres and 4M sub-surface acres. Per the 2019 State Land Board strategic plan, public school trust assets (permanent fund, minerals, commercial real estate, land, water) are worth ~\$4.1B – the Public School Land Trust Fund or Permanent Fund is worth ~\$1.26B.

How it works:

- The Colorado Constitution and state statute provides direction for Public School Land Trust Fund or Permanent Fund contribution, investment, and distribution policies.
- The Colorado State Land Board (CSLB) manages the non-permanent fund assets (land, water, mineral, commercial real estate in order to “generate reasonable and consistent income [or revenue] over time” and “protect and enhance the long-term productivity and sound stewardship of working trust lands” for the benefit of Colorado public schools.

- The Public School Fund Investment Board (PSFIB), lead by the Colorado State Treasurer, manages the investment strategy of the Public School Land Trust Fund or Permanent Fund, which generates interest/dividends.
- The General Assembly determines how the permanent fund interest/dividends and non-permanent fund asset revenue is spent and/or deposited/reinvested in the Permanent Fund.
Exception: Revenue generated from Public School Trust Land sales and mineral royalties are automatically deposited into the Public School Land Trust Fund or Permanent Fund.

Recent Efforts towards Sustainability:

House Bill 22-1146, *Investment of Public School Fund Study and Report*, in part, created a working group, led by the State Treasurer, “to consider opportunities to improve the growth of the Public School Fund [or Permanent Fund] and its distributions for the intergenerational benefit of public schools. ... Not later than February 28, 2023, the State Treasurer shall report the findings and recommendations of the working group to the Joint Budget Committee and to the Education Committees” of both General Assembly chambers.

The HB22-1146 work group regarding state school trust lands and the Public School Fund or Permanent Fund agreed to the following two (2) recommendations:

#1: Greater Flexibility Related to the Permanent Fund

The legislature should consider constitutional and statutory changes to allow for greater flexibility related to the current policies of the Permanent Fund including:

1. The requirement that the General Assembly must make up for the loss of principal in the fund;
2. The inability to invest in private companies and real estate; and
3. The current provision requiring \$21M going to the School Finance Act

The Working Group looked carefully at issues related to the Permanent Fund, including the asset allocation of the fund and the distribution policy, as required by statute. The Working Group recommends eliminating current statutory provisions that restrict the flexibility of the fund while preserving the intent of the fund.

Benefits of this recommendation could include higher investment returns; preserving the value of permanent fund distributions over time; and access to investment assets that could provide more opportunities for impact investing. Risks of the recommendation were also discussed and documented.

Resolution #26

Resolution: Sustainability of the Building Excellent Schools Today (BEST) Grant Program

CASB urges the Colorado General Assembly to develop long-term, sustainable distribution policies that can grow the Permanent Fund in conjunction with sustainability efforts of the Public School Land Trust, to ensure the Building Excellent Schools Today (BEST) Grant Program remains viable and grows towards a level of annual sufficiency in order to support funding of deferred and newly realized public school capital needs (~\$20B per CDE 2016 Facility Assessment).

In order to really start this process, outside of the legislative process, CASB needs to strongly encourage the State Treasurer to pursue Internal Revenue Service (IRS) determination regarding current and future Certificates of Participation (COPs) eligibility because the current landscape of Permanent Fund investments have changed.

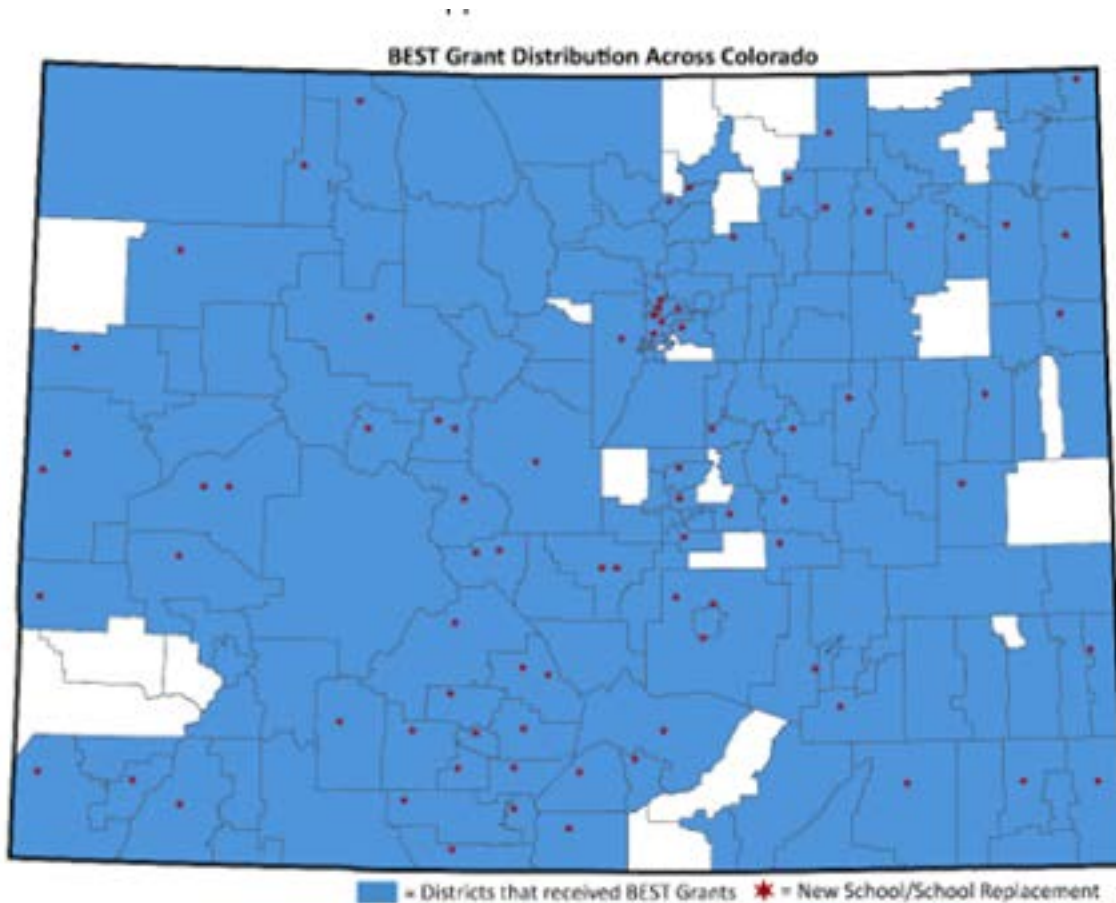
Rationale Statement:

Overview of BEST:

“Established in 2008 with the signing of C.R.S.22-43.7, BEST provides an annual amount of funding in the form of competitive grants to school districts, charter schools, institute charter schools, boards of cooperative educational services, and the Colorado School for the Deaf and the Blind. BEST funds can be used for the construction of new schools as well as general construction and renovation of existing school facility systems and structures.”

“The Colorado Department of Education’s Office of Capital Construction manages programs and resources for public school construction funding and technical assistance.

- BEST Grants are available to all public school districts, charter schools, institute charter schools, BOCES and the Colorado School for the Deaf and Blind. The primary focus of BEST is to resolve health, safety, and security issues in Colorado public schools.
- Charter School Capital Construction funds are distributed to qualified charter schools with capital construction needs to promote a safe and healthy learning environment.
- Emergency Grants are available for unanticipated events that threaten health or safety or render all or a significant portion of a public school facility unusable.
- Facility Insight team continuously conducts state-wide facility assessments of all public school educational facilities to support the mission of the division.



Benefits of Healthy Schools:

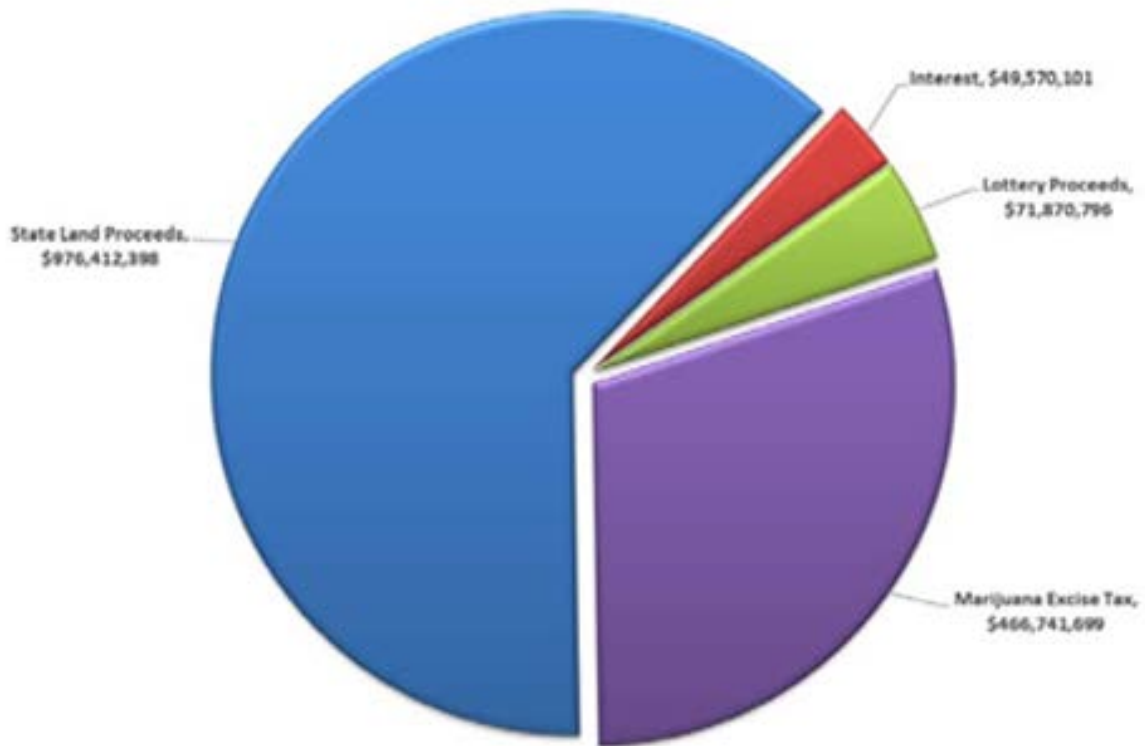
Building conditions influence the health, well-being and performance outcomes of students and teachers. Research shows healthy schools promote positive learning environments and improves student academic performance.

- Healthy schools benefit from 14% lower suspension rates.
- Students in healthy schools earn test scores 5-17% higher than those in substandard buildings.
- Reading speed, comprehension, and mathematics performance decrease at temperatures above 74 degrees. **Source: California Department of Education*

Revenue Sources:

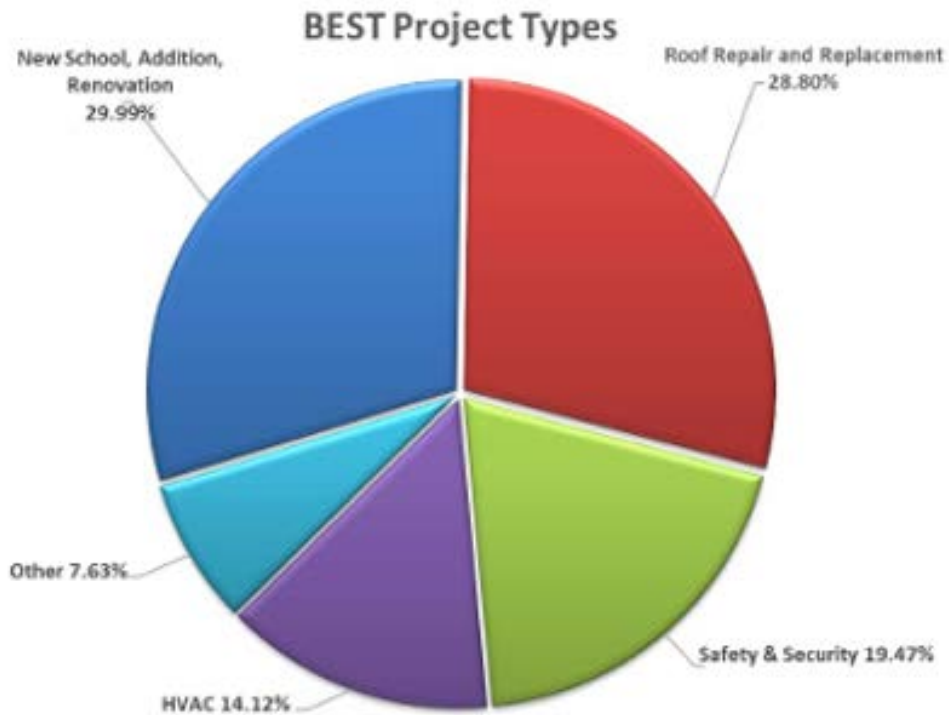
Since 2008 the Capital Construction Assistance Fund has received more than \$1.5 billion in revenue to fund the BEST program and a portion of the Charter School Capital Construction program. With these revenues, local matching dollars, and financing, BEST has generated more than \$3.3 billion in school infrastructure projects.

Capital Construction Assistance Fund Revenue Sources
Life of Program



BEST Projects:

BEST Grants fund a range of project types, including roof and boiler replacements, safety, and security upgrades, as well as occasionally major renovations and new schools.



By the Numbers:

- BEST has awarded grants in nearly every Colorado school district, improving learning environments for more than 325,000 students.
- In 2009, over 8,000 school facilities were inventoried and more than 123 million square feet assessed, revealing \$13.9 billion in capital construction needs.
- Revisions of facility assessments began in 2016 with results currently estimating \$20 billion in capital construction needs.

In FY2022:

- 17.5 direct and indirect jobs (contractors, architects, materials suppliers, grocery stores, restaurants etc.) are created or supported for every \$1 million invested in BEST schools.
- BEST generated \$545 million dollars in school construction projects, creating or supporting 9,672 jobs.
- \$38.6 million distributed to 247 charter schools through Charter School Capital Construction program.”

Source: <https://www.cde.state.co.us/capitalconstruction/best>;

Office of Capital Construction – Fact Sheet <https://www.cde.state.co.us/communications/capitalconstruction-factsheet>

Additional Background:

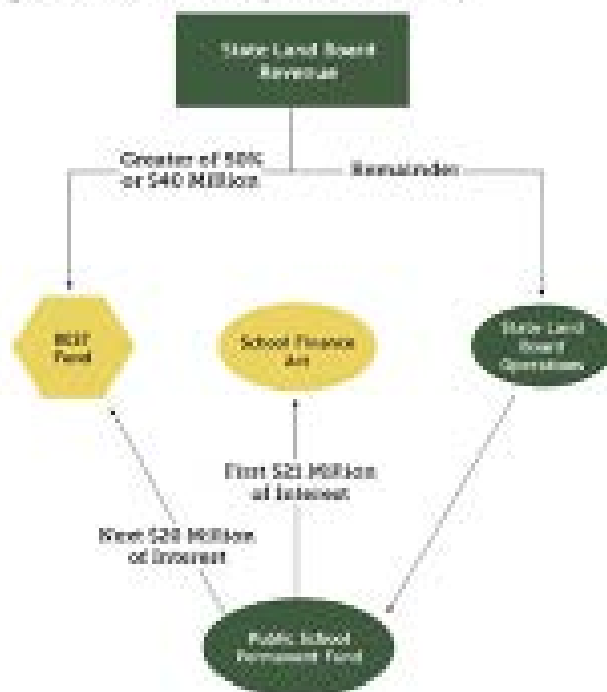
Currently, a majority of the BEST distribution policy is linked to oil and gas revenue. With movement away from highly profitable, non-renewable resources, BEST needs to be linked to the distribution value of the Permanent Fund, which requires a larger corpus.

The biggest hang up to pursuing a changed distribution policy is linked to originating activity related to BEST creation. The initial COP intent was to use interest/distributions from tax-exempt bonds to fund low rate COPs; however, the IRS denied this practice because a lot of the Permanent Fund portfolio interest/distributions was based on tax exempt bonds. Now, the Permanent Fund investments are more diverse, and we need to revisit the current IRS determination in hopes of an updated and agreeable IRS determination to ensure current and future COPs are not at risk.

Figure 4. Current Endowment Distribution Policy



Figure 5. Current Statutory Distribution Policy

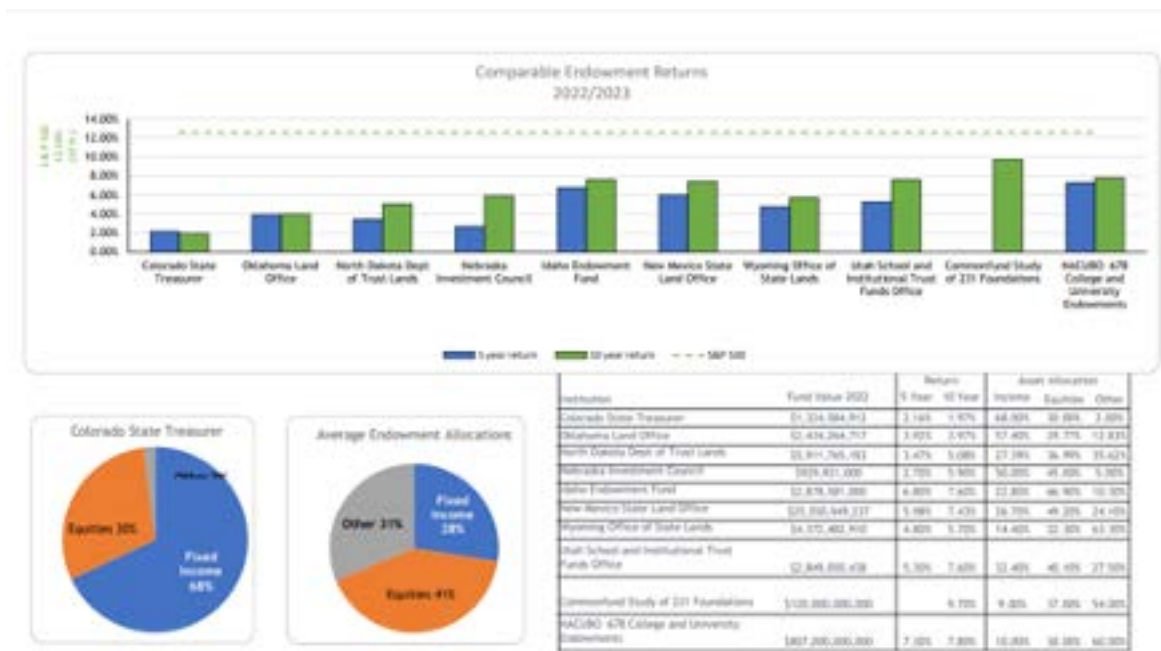


#2: Impact Investing

The legislature should consider allowing for opportunities to pursue impact investing related to the [State] Land Board and Permanent Fund.

1. The [State] Land Board and the Public School Fund Investment Board (PSFIB) should create mission statements that encourage investments to be made for the intergenerational benefit of the public education of school children;
2. The [State] Land Board and the PSFIB should explore education impact investment opportunities within the State School Lands Trust and the Public School Fund

The Working Group discussed a range of strategies for increasing the benefit of Land Board assets and the permanent fund to Colorado schoolchildren. Impact investing is one strategy that, subject to an evaluation of investment risk and return, could expand the meaning of investments for intergenerational benefit and deliver an overall positive impact. Risks of this recommendation were also discussed and documented.”



Sources:

<https://slb.colorado.gov/> <https://leg.colorado.gov/bills/hb22-1146https://www.advocatesforschooltrustlands.org/>
https://leg.colorado.gov/sites/default/files/images/astl-co-2021_0.pdf

Investment of Public School Fund Report, February 2023 (<https://treasury.colorado.gov/sites/treasury/files/Investment%20of%20Public%20School%20Fund%20Report%202.28.2023.pdf>)

Submitted by — Lewis Palmer Board of Education

Resolution #27

Forwarded with a Favorable Recommendation

Resolution: Protecting Local Control of PPR (Per Pupil Revenue) from State Initiative Grants

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.

Rationale Statement:

Appropriations and monies used for grants and unfunded mandates created by legislation are dollars that could be used to increase per pupil funding. With limited funding and resources, districts across the state are already stretched while trying to meet the educational needs of ALL students, hire and retain educators, bus drivers, counselors, and staff, and address capital improvement needs. Requiring districts to match grants and fund mandates further stretches those limited dollars and resources.

Submitted by — Lewis Palmer Board of Education

Resolution #28

Resolution: Opposing Legislation that Usurps Local Control of Instruction Vested by the Colorado Constitution in Elected School Boards

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.” Legislation passed by the General Assembly and signed into law that mandates specific instruction and requires local school districts to fund and follow specific instructional text or content violates the fundamental principle of local control contained in the Colorado Constitution. The Colorado Association of School Boards has adopted Standing Resolution Number 1 recognizing that control of instruction is vested in locally elected school boards. The Colorado Association of School Boards opposes legislation or mandates that violate local control of instruction.

Rationale Statement:

Legislation that mandates locally-elected school boards and their districts to fund, follow/adopt specific instructional text or content violates the fundamental principle of local control embodied in the Colorado Constitution and Standing Resolution Number 1. A best practices approach, for example, that includes local collaboration and engagement would allow districts to better facilitate education and service to their students and staff, with stakeholder support.

Submitted by — Calhan and District 49 Boards of Education

Resolution #29

Resolution: Support for School District Construction Impact Fees

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.

CASB will convene a broader conversation to explore ways to ensure a meaningful and dedicated sources of revenue for school districts to develop additional school capacity required by residential construction projects including:

- Developing model (voluntary) agreements between schools and developers and/or pursuing legislation on this subject

Stakeholders to engage with should include but not limited to the following groups:

- K-12 partners
- The development community and related industries

Rationale Statement:

Colorado statute governing the county subdivision process, C.R.S. 30-28-133, includes provisions for school land dedications, as necessary to serve the future residents of the subdivision or, alternatively a payment of a fee in lieu of land dedication. As determined by the Colorado Supreme Court in *County Com'rs of Douglas v. Bainbridge, Inc.*, 929 P.2d 691 (Colo 1996), counties do not have authority to impose “impact fees” which are fees for capital construction in excess of the fee in lieu of land dedication permitted by law.

Colorado state law gives local government or fire and emergency services providers that provide fire protection, rescue, and emergency services the authority to impose impact fees when the local government or fire and emergency services provider serves a new development. These legislatively adopted impact fees are intended to defray the projected impacts on capital facilities caused by proposed development.

The Public-School Finance Act of 1994 specifically disallows School Districts from assessing similar development fees. CASB believes that School Districts should not be prohibited from assessing impact fees because School Districts are also impacted by proposed development. If the constituents of a School District legislatively adopt an impact fee on new development, the School District would be able to collect impact fees to offset some of the additional capital construction costs associated with serving the residents of the new development.

All Colorado's school districts, regardless of their location, should be able to collect fees for school capacity needed as a result of residential growth and CASB is in an excellent position to convene K-12 partners and other stakeholders to discuss mutually agreeable ways to address the issue.

Submitted by — Calhan Board of Education

Resolution #30

Forwarded with a Favorable Recommendation

Resolution: Resolution to Increase the BEST Program's capacity to Fund New School Projects

The Colorado Association of School Boards will work to maximize the capacity of the Building Excellent Schools Today (BEST) Program to fund new and expanding school projects by advocating to increase the current cap on Certificates of Participation (COP) and exploring other funding mechanisms to create ongoing revenue streams for COPs.

CASB will also work to prioritize student growth as a health and safety consideration for purposes of prioritizing BEST grant applications and will work with the State and K-12 partners to develop a mechanism and revenues to fund school districts with limited or no bonding capacity that need to expand existing facilities to accommodate exponential student growth.

Rationale Statement:

The Building Excellent Schools Today (BEST) Program provides critical funding for rural school districts to update, expand and replace aging school facilities that the districts could not otherwise generate through local property tax revenues.

Established in 2008, and administered by the Colorado Capital Construction Assistance Board ("CCAB"), BEST provides an annual amount of funding in the form of competitive cash grants to school districts and charter schools, to be used for the construction of new schools as well as smaller construction projects; i.e., new roofs and HVAC upgrades or replacements.

Certificates of Participation (COPs) are a form of lease-purchase agreement CCAB uses to finance the construction of new school facilities through BEST largely because the Colorado Supreme Court has ruled that COPs are not considered a form of long-term debt and do not require prior voter approval before issuance under TABOR.

Local Governance

Submitted by — Summit Board of Education

Resolution #31

Forwarded with a Favorable Recommendation

Resolution: No Cell Phone Use in School Zone

CASB urges the Colorado General Assembly to increase fines for cell phone use while operating a vehicle in a school zone.

Rationale Statement:

The inattentiveness caused by cell phones while driving is staggering. Studies show that the use of cell phones while driving is as dangerous as driving after consuming four alcoholic beverages. In addition, cell phone use while driving is four times more likely to cause an accident than drivers not using their cell phones. The second highest cause of accidents in 2009 was inattentive driving, following speeding. 4,691 accidents in 2008 were attributed to inattentive driving; this category includes talking on cell phones.” (<https://aliveat25.us/content/view/35/>)

Currently the only Colorado statute addressing school zone vehicle use is C.R.S. § 42-4-615, which speaks to moving traffic violations. “With respect to cell phone usage, House Bill 091094 (effective December 1, 2009) imposed new statutory restrictions regarding the use of a cellular phone device while operating a motor vehicle. ”

This resolution seeks to increase the penalty for operating a vehicle while distracted by cell phone use in an area with known populations of children. See example from another state below.



Submitted by — Boulder Valley and Poudre Boards of Education

Resolution #32

Forwarded with a Favorable Recommendation

Resolution: Updates to the Colorado Open Records Act (CORA)

CASB supports an amendment to Colorado Open Records Act (CORA) (C.R.S. § 24-72-201) to improve access to records while not causing school districts to redirect resources away from the classroom. CASB supports the following updates to the CORA statute:

- CORA should define a “reasonable amount of time” for CORA requests as no more than seven (7) working days, with extensions not to exceed fourteen (14) working days.
- Increase fees that public entities may legally charge to fully cover the costs associated with responding;
- Prioritize requests made by legitimate media outlets;
- Ensure all communications that include personally identifiable information are appropriately protected in accordance with state and federal laws (i.e., student emails with student ID needs to stay redacted).

Rationale Statement:

Colorado locally elected Boards of Education support transparency by public entities. With historic high numbers of requests of public entities, CASB believes existing CORA provisions should be adjusted to account for the increased workload associated with compliance.

Historically, open records laws were used to access specific and known documents. With the explosion of digital resources, such requests often seek any document that addresses a specific topic. As a result, school districts and other public agencies have to cull through a significant amount of data and documents to determine whether any such documents exist. Examples from recent years include any documents that reference masking requirements for schools or Critical Race Theory.

For the 2022-23 school year, the Poudre School District alone had 272 requests. The average for the 5 school years prior to the 2021-2022 school year was 59.9. In the 2021-2022 school year, Poudre School District responded to 162 requests, 54 (32%) were from one individual. School districts are already working at full capacity to ensure students receive the services and supports they need to succeed. The additional workload created by the increasing volume of CORA requests is diverting resources and attention that should be devoted to our students.

Submitted by — Poudre Board of Education

Resolution #33

Resolution: Update to State Hiring Laws

The Colorado Association of School Boards (CASB) supports strengthening State law to the maximum amount possible to prohibit (or make it more difficult) for those convicted of offenses against children from being employed in positions in school districts where there will be working directly with pre-kindergarten through twelfth grade students. At a minimum, this would mean amending CRS 22-32-109.8 to contain the same provisions regarding employment considerations in light of convictions for non-licensed employees as CRS 22-60.5-103 does for licensed employees. More than that, state law should prohibit employment of those with misdemeanor convictions for child abuse or neglect and other offences against children. Further, a new provision in state law should be added to require employees, after they are hired to self-report all felony and misdemeanor charges to the district immediately.

Rationale Statement:

The intent of these changes is to protect students from those that may do them harm based on convictions which may reasonably be seen to increase the risk to those students. Currently, state law is stronger in this regard around licensed employees than around non-licensed employees. There is no reason for that disparity. Going further and prohibiting employment in student-contact positions based on misdemeanors involving harm to children makes sense on its face and also in light of the fact that sometimes felony charges (which would result in inability to hire) are pled down to misdemeanors in our justice system. We and our parents want our children protected to the maximum extent possible.

Other

Submitted by — Colorado Springs District 11 Board of Education

Resolution #34

Resolution: Support for Economic Freedom and Impartial Classrooms

Whereas on April 22, 2023, the Colorado Education Association (CEA) passed a resolution condemning capitalism, stating, "The CEA believes that capitalism inherently exploits children, public schools, land, labor, and resources. Capitalism is in opposition to fully addressing systemic racism (the school to prison pipeline), climate change, patriarchy (gender and LGBTQ disparities), education inequality, and income inequality”;

And Whereas the Colorado Association of School Board (CASB) has heard from members, parents, and other community members expressing strong disapproval of the CEA’s resolution and concern about its impact on the education of children in classrooms;

And Whereas CASB wants to assure the public that CEA's position does not represent CASB’s point of view, and that CASB considers the vilification of capitalism to be grossly incorrect;

And Whereas CASB and all Colorado schools are committed to providing impartial classrooms free of ideological and political advocacy;

And Whereas CASB believes that, far from exploiting children and public schools, capitalism is the engine that generates the resources on which public schools and teachers’ salaries depend; and Whereas CASB recognizes that capitalism rewards individual efforts and has lifted enormous numbers of people out of poverty, both in the United States and around the world; and Whereas CASB holds that capitalism is a mighty force for economic prosperity, the preservation of liberty, and the protection of private property rights;

Therefore, be it resolved that the Colorado Association of School Boards strongly rejects the CEA resolution, recognizes that capitalism has done immeasurably more than any other economic system in history to advance human prosperity, and assures parents across Colorado school districts their commitment to providing students neutral learning environments that prioritize academic achievement free of political and ideological advocacy.

Rationale Statement:

Our board saw the concerns around the CEA's stance of anti-capitalism, As passed, the resolution stated:

“The CEA believes that capitalism inherently exploits children, public schools, land, labor and resources. Capitalism is in opposition to fully addressing systemic racism (the school to prison pipeline), climate change, patriarchy (gender and LGBTQ disparities), education inequality and income inequality.”

We want our fellow board directors to keep their districts free of ideologies and hope this resolution is considered.

Submitted by — Summit Board of Education

Resolution #35

Resolution: Guardrails for Artificial Intelligence (AI) use in Educational Environments

CASB urges the Colorado General Assembly to enhance data privacy and security policy to address AI capabilities and non-biased algorithm use in educational environments.

Rationale Statement:

Per the US Officer of Educational Technology: “Today, many priorities for improvements to teaching and learning are unmet. Educators seek technology-enhanced approaches addressing these priorities that would be safe, effective, and scalable. Like all of us, educators use AI-powered services in their everyday lives, such as voice assistants in their homes; tools that can correct grammar, complete sentences, and write essays; and automated trip planning on their phones. As a result, educators see opportunities to use AI-powered capabilities like speech recognition to increase the support available to students with disabilities, multilingual learners, and others who could benefit from greater adaptivity and personalization in digital tools for learning. They are further exploring how AI can enable writing or improving lessons, as well as their process for finding, choosing, and adapting material for use in their lessons. Educators are also aware of new risks. Useful, powerful functionality can also be accompanied with new data privacy and security risks. Educators recognize that AI can automatically produce output that is inappropriate or wrong.

They are wary that the associations or automations created by AI may amplify unwanted biases. They have noted new ways in which students may represent others’ work as their own. They are well-aware of “teachable moments” and pedagogical strategies that a human teacher can address but are undetected or misunderstood by AI models. They worry whether recommendations suggested by an algorithm would be fair. Educators’ concerns are manifold. Everyone in education has a responsibility to harness the good to serve educational priorities while also protecting against the dangers that may arise as a result of AI being integrated in educational technology.”

Submitted by — St. Vrain Board of Education

Resolution #36

Resolution: Student Safety Risk Assessment Tool

CASB supports creating safer learning environments through the development of a transparent, fair, and data-driven student risk assessment tool.

Rationale Statement:

This proposal calls for the development of a risk assessment tool, similar to the Colorado Actuarial Risk Assessment Scale (CARAS), aimed at safely and more quickly returning students to the classroom who have been suspended or expelled due to making threats of physical harm to others. The objective is to provide superintendents with a structured framework for evaluating the potential readmission of these students after a period of exclusion from the school environment.

Under the Claire Davis Act, educational institutions are bound by the obligation to exercise reasonable care in ensuring the safety of all students, faculty, and staff during school activities or within school premises (C.R.S. § 24-10-106.3). Additionally, schools are granted the authority to suspend or expel students who pose threats of physical harm (C.R.S. § 22-33-105).

The challenge lies in determining how superintendents can uphold "reasonable care" when deciding whether a previously threatening student should be readmitted. Current risk assessment tools suffer from subjectivity and potential biases, leading to unequal outcomes. To address these concerns, a data-driven risk assessment tool is needed, offering transparency, data-based decisions, fairness, and enhanced community confidence. This tool can shape a safer and equitable educational environment.

Submitted by — St. Vrain Board of Education

Resolution #37

Resolution: Special Education Teacher Licensing

CASB supports creating alternative pathways for experienced teachers to receive licensure in Special Education and Early Childhood Special Education.

Rationale Statement:

The demand for special education teachers in both Colorado and nationwide has reached a critical point to meet IDEA requirements. Presently, Colorado mandates that individuals seeking endorsements in Special Education, Early Childhood Special Education, and Early Childhood Special Education Specialist complete an approved program, a student teaching practicum, and pass PRAXIS exams.

However, experienced teachers aiming to educate special needs or early childhood students might lack the time or resources to return to school for these requirements. These educators already collaborate with special education teachers to follow IEPs, possess pedagogical expertise, and showcase teaching skills. For this unique group, an alternate licensure pathway is essential. Educators with a professional teaching license and a passed PRAXIS exam would earn a 3-year initial license in Special Education or Early Childhood Education. Districts could hire such licensed teachers with the obligation to provide a tailored induction program in their first year. Establishing this pathway would significantly alleviate the teacher shortage in Special Education and Early Childhood Special Education.

CASB Board of Directors

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[illegible]

REGION 1

Akron R-1
Arickaree R-2
Brush RE-2(J)
Fleming School District
Haxtun RE-2J
Holyoke Re-1J
Idalia R-J-3
Julesburg RE-1
Liberty J-4
Lone Star #101
Morgan County RE-3
Otis R-3
Pawnee RE-12
Peetz Plateau RE-5
Prairie RE-11J
RE-1 Valley
Revere School District
Weld County RE-10
Weldon Valley RE-20J
Wiggins RE-50J
Wray RD-2
Yuma 1

REGION 2

Agate 300
Arriba-Flagler CSD #20
Bennett 29J
Bethune Schools
Big Sandy 100J
Burlington RE-6J
Byers 32-J
Calhan R-J1
Cheyenne County RE-5
Deer Trail 26J
Edison #54JT
Elbert #200
Elbert County C-2
Elizabeth C-1
Genoa-Hugo C-113
Hi-Plains R-23
Karval RE-23
Kiowa RE-1
Kit Carson R-1
Limon Public Schools
Miami Yoder JT-60
Plainview RE-2
Strasburg #31J
Stratton R-4
Woodlin R-104

REGION 3

Aguilar RE-6
Branson RE-82
Campo RE-6
Cheraw #31
Crowley County RE-1J
East Otero School District R-1
Fowler R4J
Granada RE-1
Hoehne RE-3
Holly RE-3
Kim R-88
Lamar RE-2
Las Animas No. RE-1
Manzanola 3J
McClave RE-2
Primero RE-2
Pritchett RE-3
Rocky Ford R2
Springfield RE-4
Swink #33
Trinidad #1
Vilas RE-5
Walsh RE-1
Wiley RE13 Jt.

REGION 4

Eaton RE-2
Estes Park R-3
Poudre R-1
St. Vrain Valley RE-1J
Thompson R2-J
Weld County RE-3(J)
Weld County 6
Weld RE-5J
Weld RE-1
Weld RE-4
Weld RE-7
Weld RE-8
Weld RE-9

REGION 5

Adams 14
Boulder Valley School District
School District 27J
Englewood Schools Littleton
Public Schools Mapleton
Public Schools Sheridan
Schools Westminster School

REGION 6

Academy District 20
Cañon City RE-1
Cheyenne Mountain 12
Colorado Springs 11
Cripple Creek-Victor RE-1
CSDB
Custer County C-1
Ellicott 22
Falcon 49
Fountain-Fort Carson 8
Fremont RE-2
Hanover 28
Harrison 2
Huerfano RE-1
La Veta RE-2
Lewis-Palmer 38
Manitou Springs 14
Peyton 23-Jt
Pueblo No. 60
Pueblo No. 70
Widefield 3
Woodland Park RE-2

REGION 7

East Grand Schools
Hayden Schools
Moffat County RE-1
North Park R-1
South Routt RE-3
Steamboat Springs RE-2
West Grand 1-JT

REGION 8

Buena Vista R-31
Clear Creek RE-1
Cotopaxi RE-3
Eagle County RE-50J
Gilpin County RE-1
Lake County R-1
Park RE-2
Platte Canyon No. 1
Salida R-32-J
Summit School District

LARGE DISTRICTS

Adams 12 Five Star Schools
Aurora Public Schools
Cherry Creek Schools
Denver Public Schools
Douglas County RE-1
Jefferson County Schools

REGION 9

Alamosa RE-11J
Centennial R-1
Center Consolidated 26JT
Creede School District
Moffat Consolidated #2
Monte Vista Schools
Mountain Valley RE-1
North Conejos RE1-J
Sanford School District
Sangre de Cristo RE-22J
Sargent RE-33J
Sierra Grande R-30
South Conejos RE-10
Upper Rio Grande

REGION 10

Aspen School District
DeBeque 49-JT
Garfield RE-2
Garfield 16
Meeker RE-1
Mesa County Valley #51
Plateau Valley #50
Rangely RE-4
Roaring Fork RE-1

REGION 11

Delta County 50J
Gunnison Watershed RE1J
Hinsdale County RE-1
Montrose County RE-1J
Norwood Public Schools
Ouray R-1
Ridgway School R-2
Telluride R-1
West End Schools RE-2

REGION 12

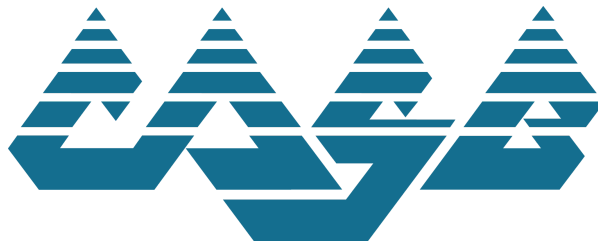
Archuleta 50J
Bayfield 10 Jt-R
Dolores County RE-2(J)
Dolores RE-4A
Durango 9-R
Ignacio 11-JT
Mancos RE-6
Montezuma-Cortez RE-1
Silverton Public Schools

Mission Statement

The Colorado Association of School Boards, through leadership, service, training, and advocacy, engages and supports local boards of education to advance a system of public schools where each and every student is equipped to meet their full potential.

Vision Statement

Excellence in public education through effective leadership and the collective action of locally elected school boards.



Colorado Association of School Boards

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