



Final Resolutions

83rd Annual Delegate Assembly

Adopted on

Saturday, October 7, 2023

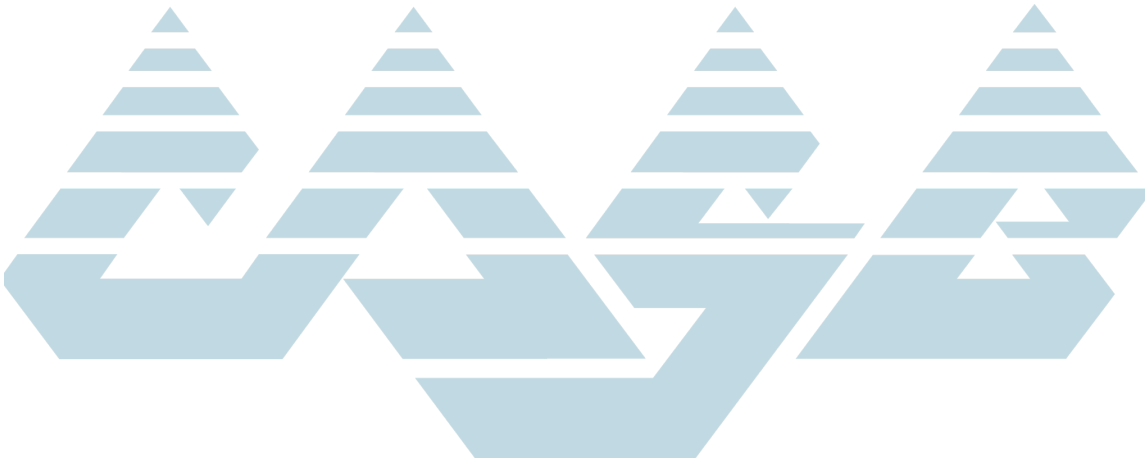


Colorado Association of School Boards

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STANDING RESOLUTIONS

Student Academic Growth and Achievement

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

Finance

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- SR6** Existing mandates that are ineffective or that have a larger cost than benefit must be rescinded so local boards may dedicate those financial resources to better use.

Local Governance

- SR7** Colorado's Constitution, Article IX, Section 15, 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** Per Article IX, Section 15, of the Colorado Constitution, 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 The Colorado Constitution Article IX, Section 15 includes 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)

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

Career and Technical Education

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

School Nutrition Funding

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

2023 LEGISLATIVE RESOLUTIONS

CONSENT AGENDA

FINANCE

- LR #1** The Colorado Constitution Article IX, Section 15 includes 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.
- LR #2** 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.
- LR #3** 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.
- LR #4** 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.
- LR #5** 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.
- LR #6** 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.
- LR #7** 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.

LR #8 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.

LR #9 CASB supports repealing the financial penalties applied to K-12 education in the Claire Davis School Safety Act.

LOCAL GOVERNANCE

LR #10 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.

LR #11 CASB supports utilizing the State Board of Education to provide oversight and accountability to the Colorado Department of Early Childhood (CDEC).

LR #12 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.

NON-CONSENT AGENDA

STUDENT ACADEMIC GROWTH AND ACHIEVEMENT

LR #14 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.

LR #15 CASB supports updating the original P-TECH design to increase flexibility, promote innovation for work-based learning, and make more accessible to districts across the state.

LR #16 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).

LR #18 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. Additionally, we propose that the Colorado Department of Education develop mentoring materials in alignment with the Teacher Effectiveness Rubric.

LR #19 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 3 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)
- Allow the Colorado Office of Information Technology (OIT) to adopt as its rules, or remove the requirement that OIT promulgate rules and instead adopt the rulemaking from the Department of Justice on Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities (88 Fed. Reg. 51948, Aug 4, 2023) once the rules are made final.

SCHOOL FINANCE

- LR #20** 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.
- LR #21** 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.
- LR #22** CASB supports making Educational Professionals, preschool and K-12, including all support staff, a priority in any and all State housing programs.
- LR #24** 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.
- LR #26** 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.

LR #27 WHEREAS, the Colorado State Constitution in Article IX, section 15, which was established in 1876, states that local school boards elected by their electors, “shall have control of instruction in the public schools of their respective districts”; a constitutional principle known as “local control”; and WHEREAS, the Colorado State Constitution in Article IX, section 2, which was established in 1876, states that “... provide for the establishment and maintenance of a thorough and uniform system of free public schools throughout the state, ...”; and WHEREAS, the School Finance Act (SFA) governed by C.R.S. Article 54 of Title 22 is intended to support the Constitutional mandates of local control for a thorough and uniform system of schools; and WHEREAS, recent legislative activity has established a number of programs that either specifically, or practically, require the use of SFA dollars that infringes upon local control by utilizing a district’s SFA general fund monies to either properly administer said programs, and/or require matching funds to qualify for the state portion of funds. NOW, THEREFORE, BE IT RESOLVED, that the Colorado Association of School Boards oppose any current or proposed legislation that requires locally-elected school boards or their districts to encumber general fund monies to participate in specific programs in violation of the fundamental principle of local control embodied in the Colorado Constitution.

LR #28 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.

LR #29 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

LR #30 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.

LOCAL GOVERNANCE

- LR #31** CASB urges the Colorado General Assembly to increase fines for cell phone use while operating a vehicle in a school zone.
- LR #32** 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;
 - 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).
- LR #33** 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.
- LR #36** CASB supports assembling a team of data scientists to analyze nationwide data on student behaviors, rank potential risk indicators, test their predictive accuracy using historical data, and provide policy recommendations to enhance risk assessment and prevention in educational institutions.
- LR #37** CASB Supports the creation of alternative pathways for experienced teachers to receive licensure in Special Education and Early Childhood Special Education.

PROPOSED RESOLUTIONS THAT FAILED/WHERE PULLED FROM THE FLOOR

LR #13 Withdrawn.

LR #17 Withdrawn.

LR #23 Failed.

LR #25 Failed.

LR #34 Failed.

LR #35 Failed.

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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