



Key People



Colorado Association
of School Boards

2023 83rd Annual CASB Convention | December 7-9 | The Broadmoor

#CASBEvents



Welcome!



Agenda

- Welcome & Introduction
- Keynote Speaker: Liz Murray
- Break & Impressions of General Sessions
- Networking Lunch
- Hot Legal, Policy, and Advocacy Topics for Key People
- Colorado Organization of Superintendents Assistants (COSA) Presentation
- Wrap Up & Thank You!



Introduction Activity

What question would you like to be asked?

Directions:

- Write your question on a post it
- Find someone from another table, swap post its
- Take two minutes to answer each other's question
- Find someone else and repeat



Keynote Speaker: Liz Murray



“From Homeless to Harvard”

The child of drug-addicted parents who routinely ate from dumpsters and sought refuge at all-night subway stations to survive, Liz Murray was homeless at age 15—and fending for her life. Determined not to be defined by her circumstances, she recognized education as the key to a fresh beginning and a whole new way of living. She earned her high school diploma in just two years and won a scholarship to Harvard University that would turn her bleak circumstances into a future filled with limitless possibility. With sincerity, maturity and graciousness, Murray takes audiences along on her personal journey from street smarts to classroom triumphs, instantly becoming an inspiration to both student groups and business audiences alike in need of the motivation to overcome their own obstacles. The subject of Lifetime Television’s Emmy-nominated original film, *Homeless to Harvard*, Murray graduated from Harvard in 2009, and went on to receive her Masters in the Psychology of Education at Columbia University.



Impressions of General Session



Networking Lunch





Training Opportunities

Mikayla Unruh, Administrative Policy and Legal Specialist



How Can We Help?



- Colorado Municipal Clerks Association partnership opportunity
 - Local clerk partnership program
 - Webinars
 - Regional in-person trainings
- Content Areas
 - Election Administration, Legal Requirements, Best Practices
 - CORA / Sunshine Law
 - Minutes
 - New Board Member Orientation/Onboarding
 - Conflict Resolution and Board Management





Hot Legal, Policy & Advocacy Topics

Rachel Amspoker, CASB Staff Attorney

Hilary Daniels, CASB Staff Policy Attorney



Topics:

- Overview of passed bills in the 2023 Legislative Session
- Executive Session Legislation/Lawsuit Update
- Property Tax Update
- Elections Review



Legislative Summary



- Link to [2023 Legislative Summary](#)
- [Previous years](#)



HB23-1025: Charter School Application Timeline

- Adjusts charter school application deadlines
- **Applies to applications filed starting in 2025**
- Timeline:
 - Application due: February 1 through April 1
 - Ruling on Application: June 30
 - Contract negotiations completed: September 30, or 90 days after application approved
 - Planning year
- Optional rural timeline
 - Application due: June 1 through August 1
 - Ruling on Application: October 15



HB23-1025: Charter School Application Timeline

- **Policy Impact:** LBD*, LBD*-R
- **SPU:** Released in [August 1, 2023 SPU](#)
- **Recommended Adoption date:** December 2024 - January 2025



SB23-286: Access to Government Records

- Changes to the Colorado Open Records Act (CORA)
 - No ID required to make requests
 - District can redact telephone numbers or home addresses of people contacting district
 - Sexual harassment investigation reports must be provided (redaction possible)
 - No per-page fee for digital records
 - Credit card/electronic payments must be allowed



SB23-286: Access to Government Records

- **Policy Impact: KDB-R**
 - Released in August 1, 2023 SPU
 - Adopt ASAP

The fee for copying printed public records will be \$_____ per page. *[NOTE: This amount may not exceed \$.25 per page.]* No per-page fee will be charged for copying digital records.



HB23-1306: Public Use of Elected Officials' Social Media

- This bill allows a state or local elected official (including board members) to block other individuals on their private social media account.
- The social media account must be the official's private account
 - not supported by district resources
 - not required by state law to be used by a board member
- US Supreme Court is currently considering a case regarding this exact issue -
 - [Can Public officials block you on social media? It's up to the Supreme Court - NPR](#)



HB23-1306: Public Use of Elected Officials' Social Media

- **Policy Impact:** Potentially BC, School Board Member Conduct
- **SPU:** If needed, next SPU



HB23-123 I: Math in Pre-K Through Twelfth Grade

- Changes to math education
- Establishes educator training, technical assistance, strategies for improvement in math, and a grant program
 - Colorado Academic Accelerator Grant Program - creating community learning centers for math
- If a district is on an improvement plan, requires them to adopt strategies to assist students below grade level in math
- **No policy impact**



SB23-058: Job Application Fairness Act

- Job applications **CANNOT** include questions about a job applicant's:
 - age
 - date of birth
 - dates of attendance at a school
 - date of graduation
- **EXCEPTIONS:** if age is required to comply with safety regulations
- Civil penalties possible
- **Policy Impact:** Most likely GCE/GCF, GCE/GCF-R, GDE/GDF, GDE/GDF-R
- **SPU:** Most likely next SPU



SB23-111: Public Employees' Workplace Protection

- Adds protections/rights for public workers regarding free speech and union activity
- Some of these protections already covered under the First Amendment
- However, National Relations Labor Act does not apply to public employees - so this bill intends to protect public employees for similar situations
- District cannot discriminate against an employee for engaging in these rights
- Regulations from the State Board of Education are upcoming
- **Policy Impact TBD**



SB23-172: Protecting Opportunities and Workers' Rights

- Changes workplace employment practices
- Adds “marital status” as a protected class
- New definition of ‘harass,’ repealing previous definition that required creation of a hostile work environment
- **Policy Impact:** GBAA
- **SPU:** Released in [August 1, 2023 SPU](#)
- **Recommended Adoption date:** ASAP



SB23-008: Youth Involvement Education Standards Review

- Adds more opportunities for student participation in the state's educational standards, as well as local education standards
- Districts must appoint two youth representatives to participate in review of elementary and secondary education standards
- Schools will nominate youth to participate
- **Policy Impact:** Most likely AEA
- **SPU:** Most likely next SPU



HB23-1263: Translating IEPs

- Districts must translate *final* IEPs into the primary language spoken in the home of a special education student
- Can contract with translation service provider
- Districts can choose whether they translate *draft* IEP documents
- IEP team must verbally inform the child's parents(s) of the right to request translation services
- **No Policy Impact**



Other changes

- Expanding Assistance for Educator Programs (HB23-1001)
- Universal High School Scholarship program for in-demand fields (SB23-205)
- Allows school-based, Colorado-licensed therapists to work in schools without a CDE license (SB23-004)
- Creates school mental health screening program (HB23-1003)



Themes for Next Legislative Session

- Student safety (potentially opiates antagonists (narcans) in K-12)
- Instruction Materials (Book Banning)
- Student Discipline
- Bullying/Harassment



Executive Session Violations

- Pagosa Springs attorney looking into OML violations, particularly in the executive session arena
- Has sued 80+ local entities for violations
- HB23-1259–Would have allowed school boards and other local public bodies to “cure” an inadequately announced closed-door meeting at a subsequent meeting, and anyone who unsuccessfully challenged an executive session announcement in court would have been liable for the government’s court costs and attorney fees.
 - Governor Polis vetoed this bill.



Executive Sessions

- From Governor Polis's veto letter:

“While I appreciate the bipartisan nature of this work and the thoughtful amendments towards the end of the legislative process, we should strive for increased transparency and accountability, not less transparency and accountability, throughout our democratic institutions.”



Executive Sessions—moving forward:

- Because Polis vetoed legislative efforts aimed at minimizing the effects of the complaints, local boards need to be hyper vigilant in their compliance.
- Current amicus brief—could maybe bring relief if case is accepted by the Court of Appeals.



Executive Sessions

Steps for convening an executive session–

- The board president announces in open session the topic of the executive session and the specific citation to the statute authorizing the board to meet in executive session.
- The board president identifies in open session the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized. In crafting this announcement, the board president may factor in how much the public already knows about the particular matter and provide additional detail when describing the topic to be discussed consistent with this public knowledge. This information should be incorporated into the board motion to convene an executive session.
- The following is a sample motion:
 - “I move that the board of education convene into executive session to discuss/review _____ pursuant to C.R.S. § 24-6-402_____ [see list of permissible topics for the precise statutory reference].”
- The board votes whether to convene in executive session. Upon the affirmative vote of two-thirds of the quorum present, the board then goes into executive session. The board may determine which individuals will be invited to join members of the board in executive session.



Executive Sessions

Minutes and Recordings—

- Discussions that occur within an executive session are to be electronically recorded.
 - Can be satisfied by making any form of electronic recording of the discussions, but the recording must include the specific citation to the provision in subsection (4) that authorizes the executive session;
 - If the discussion constitutes a privileged attorney-client communication or a discussion of students, no record or electronic recording is required;
 - Not required to keep the recording after ninety days—suggest deleting upon the 90th day.
 - Strongly suggest deleting after this period.



Executive Sessions

- **Rules for executive session–**
 - Stay on topic; only discuss the matter(s) stated as the purpose(s) for entering executive session.
 - Discussion only; cannot adopt proposed policy, resolution, regulation, or take any formal action.
 - Maintain a log of the amount of time spent on each topic during executive session.
 - Electronically record discussions in executive session and retain for 90 days (*except discussions concerning students and attorney-client privileged matters).
 - Return to open session to announce new matters (e.g. if need to confer with legal counsel) and vote to reconvene in executive session.
 - Post minutes of board meeting where convened in executive session within 10 business days following the meeting at which the minutes were approved by the board.



Executive Sessions

- Executive Session violations are commonly from—
 - The citation—if entering an executive session you are required to announce the statute that authorizes the use of an executive session.
 - Example—if you are planning to discuss the lease or acquisition of land, the board president would reference C.R.S. 24-6-402(4)(a).
 - Not providing enough detail—
 - The statute requires “identification of the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized.”



Property Taxes

- Proposition HH
 - Proposition intending to reduce property taxes, and backfill schools, failed
 - Would have allowed to retain more money than currently allowed under TABOR
- Special Session
 - Passed [SBB-001](#): reduces tax assessment valuation rates for 2023
 - Schools are backfilled through the State Education Fund (146 million)
 - Changes mill levy certification deadline: January 10, 2024
 - Reach out to CDE or review their resources for more information
- Governor's Letter to Districts
 - Governor released [statement](#) asking schools to reduce property taxes via mills, if possible
 - Districts are not required to do so



Elections

- Final reminder: Board Organizational Meeting
 - District must hold this meeting to elect new officers
 - After new officers are elected, districts must inform CDE via their website, and please notify CASB as well!
- Congrats on completing the election process! We are going to work on updating/revamping our election materials for 2025.
- ***If you have any feedback about the elections process or our resources, please let us know!***





Questions?



New Board Member Onboarding

Checklist:

- ODPM - update board members with Diana Calderon, dcalderon@casb.org
- Update in our database with Bryce Reedy, breedy@casb.org

What is your process?

Resources:

- [New Board Member Cafes](#) (CASB A-Z)
- [New School Board Member Handbook](#) (CASB A-Z)
- Leadership Workbook (handing out)



Policy 101 Sessions

- Friday 9:15 - 10:15 AM
- Friday 3:45 - 5:00 PM
- Saturday 1:20 - 2:30 PM



Colorado Organization of Superintendents Assistants (COSA)



Thank You!

Contact Information

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