



2017
School Board Member
LEADERSHIP
Workbook

Advancing excellence in public education through
effective leadership by locally elected boards of education

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2017 School Board Member LEADERSHIP Workbook

Colorado school board members have the privilege of serving their communities in order to ensure all students have access to high-quality education. School board members have the ability to make positive changes, which affect the lives of students and therefore community members. Dedication, leadership, thoughtful decision-making and collaborative problem-solving are paramount to school board leadership.

The Colorado Association of School Boards (CASB) created this workbook to provide guidance and information to assist CASB members in leadership and service. School board members will find tools and resources along with information on legal structures, statutory requirements and ethical standards for school board service in the state of Colorado.

New school board members will find the workbook helpful in explaining school governance, the intricacies of school board leadership and what school boards do and don't manage. To lead effectively, school board members require knowledge, understanding and the skills to work towards best practices for their school districts.

Citizens who serve as school board members are to be commended and appreciated. Commitment of time and talent can be consuming but school board members serve because they make a dramatic difference in their schools, the lives of their students and their community.

We encourage you to bring this workbook to school board meetings and work sessions as a handy reference and resource for school board work. Helpful tips and space for notes is included in order to help you create a dynamic resource. The digital copy of the workbook will be available online and updated as needed so the materials are current and available for your school board needs.

Thank you for your service to the students, schools and communities of Colorado. CASB looks forward to partnering with you throughout your school board journey!

**“It’s not enough to be busy, so are ants.
The question is, what are we busy about?”**

— Henry David Thoreau

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Chapter 1

The Work of the School Board

School boards are local government bodies that set policies and adjudicate disputes for local school districts. They are elected to represent the interests of the community and to provide oversight for the raising and expenditure of public funds in support of the community’s schools. But how does the board accomplish this vitally important work? The mechanics of board work come down to three simple principles:

- ✓ The board works as a group
- ✓ The board works in public meetings
- ✓ The board works under the law

THE BOARD WORKS AS A GROUP

Who serves on the board?

Board members may take office by election or appointment and they may choose to serve for many different reasons. Board members might have children in the local schools, or not; they may have family members employed in the schools, or not; they may be employed by businesses that contract with the school district, or not; they may own property in the district, or not. The local electorate determines at the ballot box who will best serve the community’s interests.

Qualifications for board service:

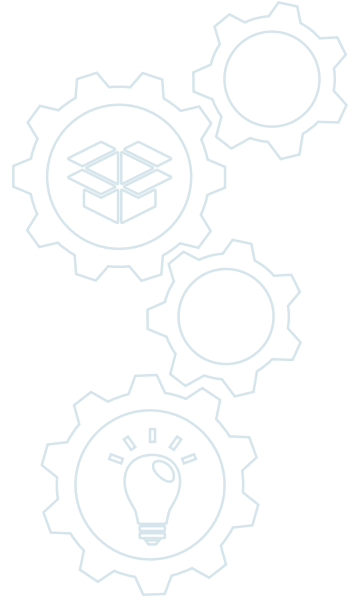
- ✓ Registered elector of the school district for at least 12 consecutive months prior to election or appointment
- ✓ If applicable, a resident of the director district for which the vacancy exists
- ✓ 18 years or older
- ✓ U.S. citizen
- ✓ Never convicted of a sexual offense against a child

What is the board's structure?

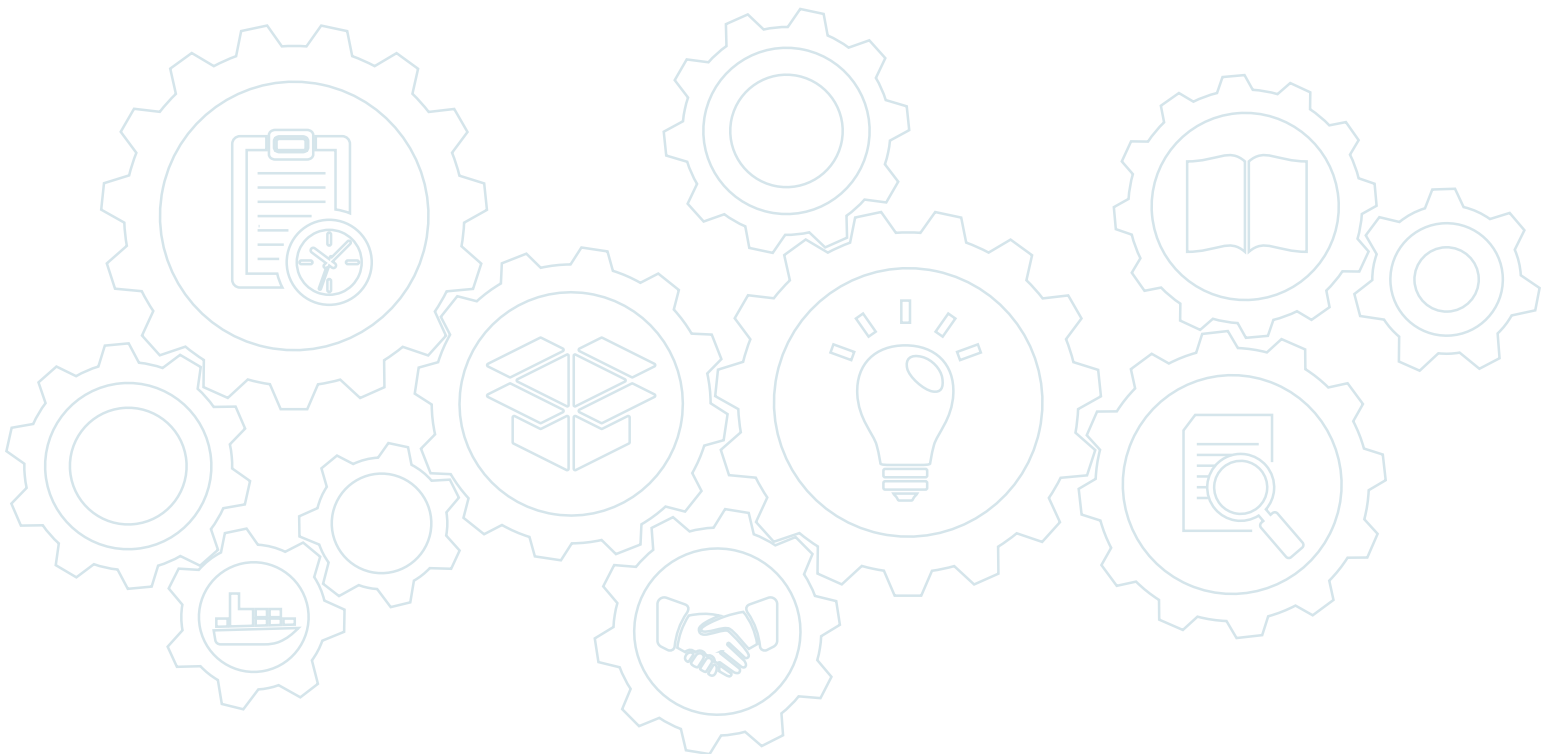
The board is made up of five, six or seven members. The members may be elected at-large, by director districts or by a combination of the two depending on the school district's plan of representation.

After each odd-year election, the board's secretary calls a special meeting of the board, called the board's organizational meeting, for the purpose of electing board officers. Board members sometimes question whether it is their responsibility to represent the director district in which they reside or the interests of the school district as a whole.

The director district plan of representation provides an opportunity for one member to become familiar with the problems and issues in a particular area. This person may assume responsibility for seeing that the special concerns of the people in the director district are brought to the attention of the board. However, each member should bear in mind that he or she has been elected to represent the interests of all students and citizens of the district. When the time comes for voting and making decisions, the individual serves as a member of the board and has a responsibility to reflect the best interests of the whole district. The highlights of each board officer position are presented on the next page.



Great school board members are good communicators. They utilize reports, have community discourse and inform the public of the district's challenges and successes.





BOARD PRESIDENT			
CHOSEN	TERM	DUTIES	NOTES
Elected by majority of board (may be by secret ballot with the outcome recorded in the meeting's minutes)	2 years	<ul style="list-style-type: none"> ✓ Presides over board meetings. ✓ Signs contracts. ✓ Signs official reports of the district. 	<ul style="list-style-type: none"> ✓ Votes on all issues as part of the alphabetical roll call vote required by law. ✓ On most boards, the president cooperates with the superintendent to build the agenda for board meetings.

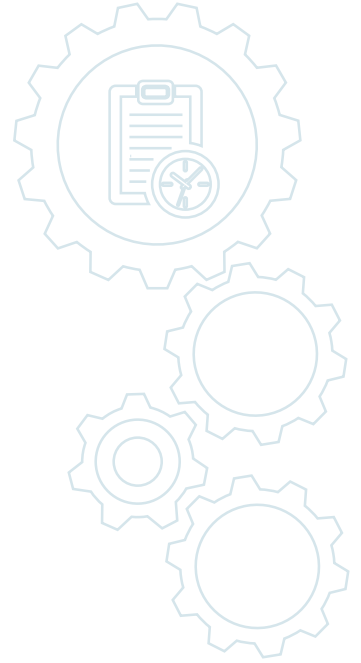
VICE PRESIDENT			
CHOSEN	TERM	DUTIES	NOTES
Elected by majority of board (may be by secret ballot with the outcome recorded in the meeting's minutes)	2 years	In the absence or inability of the president, the vice president shall have and perform all of the powers and duties of the president.	

SECRETARY			
CHOSEN	TERM	DUTIES	NOTES
Appointed by the board	At the pleasure of the board	<ul style="list-style-type: none"> ✓ Notifies each board member of all special meetings. ✓ Keeps and preserves minutes of each meeting. ✓ Acts as custodian of the district seal. ✓ Attests any written contract to which the district may be a party when the contract has been authorized by the board, and affixes the seal thereto. ✓ Performs other duties as assigned by the board. 	<ul style="list-style-type: none"> ✓ One person can hold the position of secretary and treasurer simultaneously. ✓ May or may not be a member of the board. ✓ May be compensated for service in the amount determined by the board.

Assistant Secretary: Same appointment process, term of service, duties and notes of the secretary. The law permits, but does not require, boards to have an assistant secretary.

TREASURER			
CHOSEN	TERM	DUTIES	NOTES
Appointed by the board	At the pleasure of the board	<ul style="list-style-type: none"> ✓ Accounts for all moneys belonging to the district, or coming into its possession and reports thereof when required by the board. ✓ Signs, in writing or facsimile, all warrants, orders or checks drawn in payment of the lawfully incurred and properly authorized obligations of the district. ✓ Bears legal responsibility for administering receipts and disbursements and taking care of accounting processes. ✓ Performs other duties as assigned by the board. 	<ul style="list-style-type: none"> ✓ One person can hold the position of secretary and treasurer simultaneously. ✓ May or may not be a member of the board. ✓ May be compensated for service in the amount determined by the board. ✓ In the absence or inability of the treasurer, the assistant treasurer or a board officer designated by the president (if there is no assistant treasurer or other custodians appointed by the board) shall perform the duties of the treasurer.

Assistant Treasurer: Same appointment process, term of service, duties and notes of the treasurer. The law permits, but does not require, boards to have an assistant treasurer.



How does the board act?

School boards act principally as legislative bodies, but they also have some duties that require action similar to the role of a judge.

In either role, the board acts through voting in open sessions during public meetings. Voting must occur aloud, in alphabetical order and with all members present participating. (Exceptions: members with a conflict of interest abstain from voting and the board may excuse a member from voting for good cause.) If the board has adopted an electronic participation policy, board members participating remotely pursuant to that policy are considered present and may cast votes.

Board legislative action begins in the form of policy or resolution. Thereafter, the board monitors the superintendent’s implementation of those policies, both by approving reports or recommendations made by the superintendent pursuant to board policy and by issuing directives such as requests for information, calls for attention to certain urgent matters or statements of the board’s highest priorities.

When it comes to the board’s quasi-judicial duties, such as holding hearings on student expulsions or employee terminations, the most important concept for good boardsmanship is impartiality. Students and employees appearing before the board in such situations have a right to a fair hearing before unbiased decision-makers. To prevent bias, the law presumes that the role of prosecutor and judge remain separate as much as possible. To act as a fair judge, a board member needs to maintain distance from the investigation and prosecution of the case. Keeping this distance can be very difficult, especially for high-profile incidents.

Board members want to know details as they unfold, both from a natural desire to be able to answer the public’s questions and from a sense of responsibility to ensure the matter is handled properly. Nevertheless, it is essential that boards rely upon their employees and attorney to conduct the investigation so that the board’s ultimate action on the matter can remain unbiased and above reproach.



BIAS: Bias means that a board member’s mind is made up before the hearing begins such that nothing could come up during the hearing that would change that board member’s mind.

When board members disagree

There was a time when many felt that all decisions of the board should be unanimous. However, experience has revealed that school districts can function effectively and efficiently even when the board arrives at a decision through a split vote. In some cases, when controversial issues are before the board for consideration, the healthy discussion and debate that surrounds an issue may lead to a better board decision. It also lets the community and staff know that the board considered all viewpoints and information before making its decision.

As a matter of ethical practice, board members should be prepared to accept decisions made by a majority vote. It is destructive for members who disagree with a majority decision to use the issue to promote community unrest and dissension. People who are sincerely interested in the welfare of the district can disagree on issues without destroying their capacity to work together if ethical practices are observed.

When personal difficulties between members arise, it may be wise to attempt to work out the problems in frank personal discussion. Board members should treat each other's opinions with respect and courtesy, no matter how much they may disagree on an issue. The most effective board member is usually one who has learned to disagree agreeably and from an informed perspective.

THE BOARD WORKS IN PUBLIC MEETINGS

School board meetings must be open to the public under Colorado's Open Meetings Law (also called the Colorado Sunshine Law).

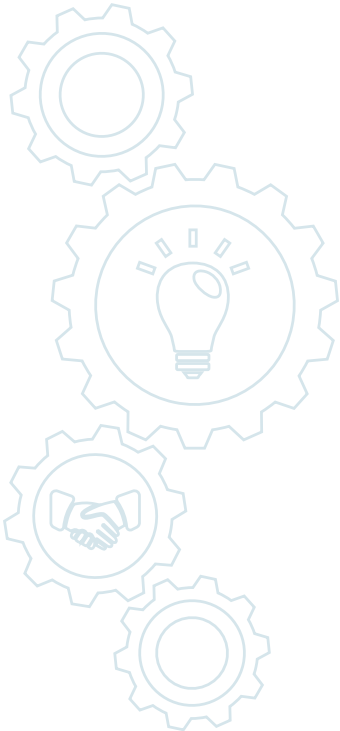
What is a public meeting?

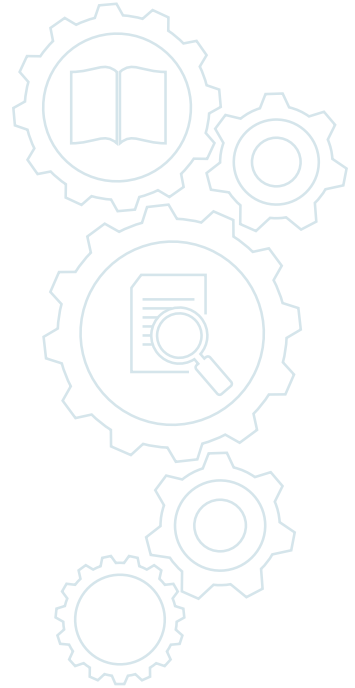
A public meeting is any gathering of three or more members of the board at which any public business is discussed or at which any formal action may be taken, regardless of whether the meeting occurs by telephone, electronically or in person. These public meetings are open to the public at all times. Chance meetings or social gatherings at which discussion of public business is not the central purpose are not considered public meetings.

When do boards meet?

Boards meet after providing full and timely notice to the public, which involves posting information regarding the meeting and its agenda at the board's designated posting place in the district at least 24 hours before the meeting begins. Publicizing meetings in this way meets the requirements of law for those meetings the board schedules as part of its annual calendar. These are called "regular meetings."

Other board meetings are scheduled as needed throughout the school year. These are called "special meetings" and they have additional notice requirements, including providing a statement of the purpose for the special meeting as well as providing individual notice to each board member.





Boards also meet during “work sessions,” which can either be regular meetings of the board or special meetings, depending on how they are scheduled. Work sessions are opportunities for local boards to learn about particular issues and the board does not typically vote during these meetings.

In a less formal sense, boards “meet” in social settings, at community events or at educational trainings like CASB’s Annual Convention. So long as boards do not use these gatherings to discuss public business or take formal action, the law does not impose its transparency requirements on these gatherings. Some boards, out of an abundance of caution, notify the public of events where three or more board members are scheduled to attend.

How do boards hold a public meeting?

School board meetings can be very formal or informal, depending on local custom. Generally, boards use Robert’s Rules of Order to maintain a common understanding of board process. The board president leads board meetings, following the board’s agenda, which is normally prepared by the board president in cooperation with the superintendent.

A board may amend its agenda in accordance with board policy, usually a majority vote of board members present during regular meetings. To amend the agenda for a special meeting, all members must be present and vote to amend. While boards possess the authority to modify the agenda, they must exercise the authority with caution. Boards have a legal duty to provide agenda information in advance of the meeting where possible. A drastic departure from the stated agenda that results in sudden board action on a matter of great importance is likely to draw sharp criticism from the public and may spark costly litigation.


How does the public participate in board meetings?

School board meetings are open to the public and most boards hold public comment periods during those meetings. Maintaining order and a professional environment ensures the public is respectfully heard and protects the board’s ability to efficiently accomplish the public’s business. To assure compliance with constitutional rights, boards should adopt and follow their policy concerning public participation at board meetings.

When can we talk in private as a board?

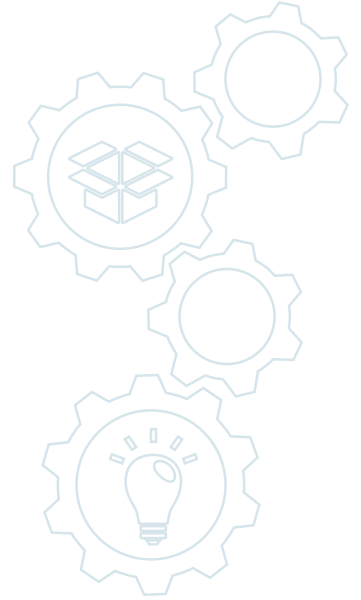
The board can meet privately, outside the public eye, in very limited circumstances, and even then, most of those conversations must be recorded. The law only provides eight purposes for convening an “executive session” or a private discussion of the board. Moreover, the law articulates very particular procedures the board must follow to enter executive session. These limitations and restrictions do not imply that executive session is frowned upon; in fact, used appropriately, these private discussions are vital to the board’s work. Knowing the parameters of executive session will help boards meet the substantive and procedural requirements of the law.

The eight purposes for entering executive session

- 
- 1 The purchase, acquisition, lease, transfer or sale of any real, personal or other property interest. [C.R.S. § 24-6-402(4)(a).] However, no executive session shall be held to conceal the fact that a member of the local public body has a personal interest in such property transaction.
 - 2 Conferences with an attorney for the purpose of receiving legal advice on specific legal questions. [C.R.S. § 24-6-402(4)(b).] The mere presence or participation of an attorney at an executive session is not sufficient to satisfy this requirement.
 - 3 Matters required to be kept confidential by federal or state law or rules and regulations. [C.R.S. § 24-6-402(4)(c).] The board must announce the specific citation of the statute or rules that are the basis for such confidentiality before holding the executive session.
 - 4 Specialized details of security arrangements or investigations. [C.R.S. § 24-6-402(4)(d).]
 - 5 Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators, except that discussion of negotiations relating to collective bargaining or employment contracts must occur in a public meeting, unless an executive session is otherwise allowed. [C.R.S. § 24-6-402(4)(e).]
 - 6 Personnel matters, except if the employee who is the subject of the session has requested an open meeting. [C.R.S. § 24-6-402(4)(f).] If the employee does not request an open meeting, the board will hold the discussion in executive session. The board may, at its discretion, invite the employee into the session. If the personnel matter involves more than one employee, all of the employees have to request an open meeting for the board to conduct the discussion in public. Discussion of personnel policies that do not require discussion of matters specific to a particular employee are not considered “personnel matters.” Discussions concerning a member of the board, any elected official or the appointment of a board member are not considered personnel matters.
 - 7 Consideration of any documents protected under the mandatory nondisclosure provision of the Open Records Act, except that consideration of work product documents and documents subject to the governmental or deliberative process privilege must occur in a public meeting, unless an executive session is otherwise allowed. [C.R.S. § 24-6-402(4)(g).]
 - 8 Discussion of individual students where public disclosure would adversely affect the person or persons involved. [C.R.S. § 24-6-402(4)(h).]

“Remember that you were elected to represent the students and to be an advocate for all students. As hard as it is, try to leave your own personal bias and issues at the boardroom door.”

Paul Reich, Telluride R-1 Board Member, CASB President-Elect (2017)



Steps to convene in executive session

- 1 The board president announces the topic of the executive session and the specific citation to the statute authorizing the board to meet in executive session.
- 2 The board president identifies 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].
- 3 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.
- 4 The discussion during executive session cannot stray from the matter(s) stated at the onset of the executive session.
- 5 The board is not allowed to adopt any proposed policy, resolution, regulation or take any formal action in an executive session.
- 6 If the board wishes to confer with its attorney during an executive session and it did not specifically announce its intent to do so prior to convening the executive session, the board should return to public session, make an additional topic announcement citing the statutory authority for conferring with its attorney, and vote on whether to convene in executive session for this purpose.
- 7 The board must maintain a log of the amount of time spent on each topic during executive session and include the log in the minutes for that meeting. The minutes of any board meeting at which the board convenes in executive session must be posted on the board’s website not later than 10 business days following the meeting at which the minutes are approved by the board.



Leadership is the act of identifying important goals and then motivating and enabling others to devote themselves and all necessary resources to achievement. It includes summoning one’s self and others to learn and adapt to the new situation represented by the goal. *(Michigan Association of School Boards)*



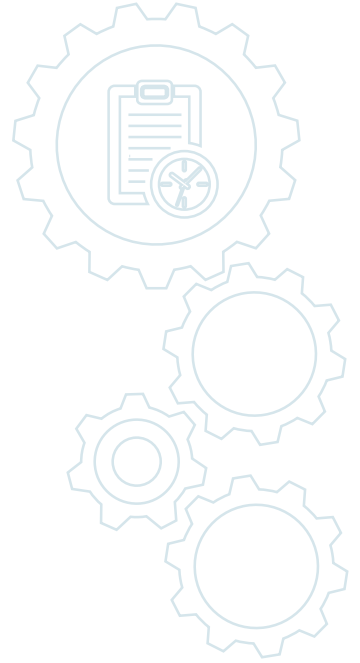
THE BOARD WORKS UNDER THE LAW

Local school districts are products of statute formed by the law and subject to the law. Individual board members are held accountable to the electorate, but the district itself is held accountable by the state through the district’s accreditation. Thus, to ensure local schools remain accredited, boards must comply with state law. Understanding these obligations helps boards define the important role they play in the education of students in their communities.

What does the law obligate boards to do?

The state legislature passes laws governing the system of public schools in Colorado. Each school board plays its part in implementing those laws at the district level. The duties of local school boards can be distilled into the following list:

- ✓ Hold regular and special meetings in public.
- ✓ Adopt policies for the efficient administration of district affairs.
- ✓ Adopt policies for accreditation of district schools.
- ✓ Adopt academic standards and a plan of implementation of such standards.
- ✓ Adopt student enrollment policies, including intra-district and inter-district choice.
- ✓ Adopt conflict of interest policies for board members.
- ✓ Ensure that “effective educational programs are carried on in the schools of the district, and textbooks for any course of instruction or study in such programs are prescribed.”
- ✓ Adopt the school district calendar.
- ✓ Provide for instruction about the use and effects of tobacco, alcohol and controlled substances.
- ✓ Require development of student Individual Career and Academic Plans (ICAP).
- ✓ Adopt a student discipline and conduct code, mission statement and safe school plan.
- ✓ Adopt a student publications code.
- ✓ Enforce the school attendance law.
- ✓ Employ all personnel required to maintain district operations and carry out the educational program.
- ✓ Implement a licensed personnel evaluation system.
- ✓ Adopt a salary schedule or salary policy.
- ✓ Keep complete and accurate financial and accounting records.
- ✓ Protect public deposits in authorized investments and depositories.
- ✓ Adopt a budget for each fiscal year.
- ✓ Certify necessary tax levies to the county commissioners.
- ✓ Protect student information.



What does the law permit boards to do?

State law provides a list of powers that boards may exercise as public bodies:

- ✓ Acquire, take and hold real personal property; sell or lease property.
- ✓ Sue and be sued.
- ✓ Purchase and construct buildings.
- ✓ Provide furniture, equipment, library books and everything needed to carry out the educational program.
- ✓ Determine which schools will be operated and fix the attendance boundaries of each school.
- ✓ Furnish transportation for pupils.
- ✓ Provide for the free use of textbooks.
- ✓ Charge tuition and fees reasonably necessary for textbooks and expendable supplies.
- ✓ Exclude books determined by the board to be of an immoral or pernicious nature.
- ✓ Suspend, expel and deny admission to students for statutory reasons.
- ✓ Employ a chief executive officer.
- ✓ Adopt policies related to all aspects of employment.
- ✓ Adopt a mission statement for the school district making safety a priority for each public school. Many school boards also include student achievement as a main focus of their mission statement. In general, the mission statement establishes a guiding vision for what the schools should achieve, and gives the entire school district a focus point and common goal to be accountable to the community.
- ✓ Discharge or otherwise terminate the employment of all personnel subject to the Teacher Employment, Compensation and Dismissal Act.
- ✓ Enter into master agreements with school employees.
- ✓ Issue tax-anticipation notes.
- ✓ Issue bonds after an election.
- ✓ Enter into agreements with other school districts or state and local agencies as necessary to carry out the board's policies.

Advisory committees

There are times when the board may find it advisable to establish a citizens advisory committee to study and make recommendations with respect to a special issue. Boards often find that such committees can be helpful in areas such as the district budget, considering the need for new facilities, supporting a bond election or providing input when decisions must be made about controversial issues.

Lay councils comprised of influential citizens and representatives of various community groups have brought about improved community understanding of the schools in many instances. The citizen committee members should be chosen by the board to represent a cross section of the community. If the committee is not representative, it cannot be effective. Citizen committees usually attract people who have an active interest in the schools. As they work with the board and become more conversant with its issues, they may become oriented to public education and stand ready to defend the district from unwarranted attack.

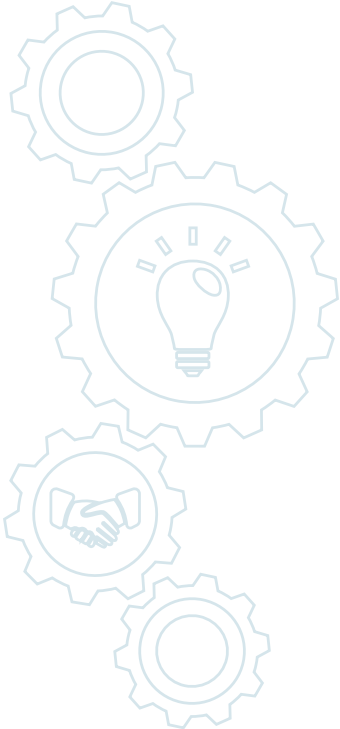
Experience has shown that it is best for citizen committee members to be advised at the outset about the committee's role and function. Members should understand the committee will be asked to report its findings and make recommendations, but it is the board's responsibility to make final decisions. Problems occasionally arise when the board decides it cannot accept a committee recommendation. Therefore, it is imperative that the members know that the board will give serious consideration to the committee's input, but the members also must know that the board cannot commit itself to accepting all of the committee's recommendations or delegate its decision-making responsibility. For its part, the board must ensure follow-through with committees.

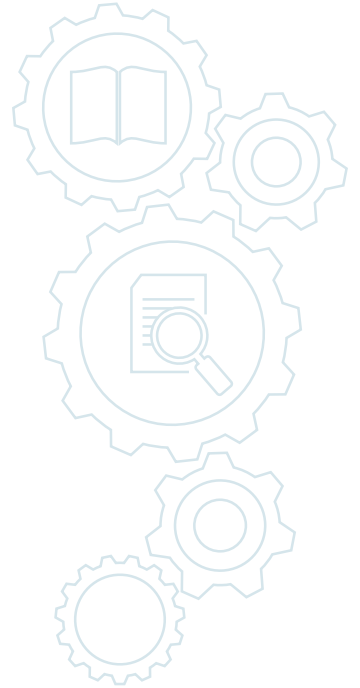
The people who are called upon to serve on citizen committees often develop a continuing interest in the school. Indeed, many who have served on such committees have later become members of the board.

There may be other advisory committees that state or federal law requires a district to form. The board must grant to these committees the planning, implementation or evaluation of any programs or projects as required by law. The district personnel performance evaluation council and the district accountability committee are examples of such groups.

What does the law forbid boards to do and what protections do boards have?

As arms of the state, school boards are government entities and are bound by the limitations on government set forth in the U.S. Constitution and Colorado Constitution. This means that local boards cannot abridge the civil rights of students, personnel or others. Qualified immunity, which shields public officials from liability for actions that violate an individual's civil rights, does not apply if a reasonable person in the official's position would have known that the action violated clearly established law.





In general, school board members are covered by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 et seq., which shields public officials from liability for good-faith action taken in performance of the school board member’s official duties. This usually means the board/school district will defend and indemnify board members in litigation arising from the individual’s board service.

ROLE OF AN INDIVIDUAL BOARD MEMBER

The board, if it is to work effectively, must develop some mutual understanding among its members. It is advisable for the members to establish for themselves some ethical standards of operation that each would expect the others to observe. Board members have individual convictions and ideas and they will not always be in agreement on issues that come before the board. If these differences are allowed to create animosities, the work of the board can be seriously hampered.

Each member of the board has an equal right to be heard on matters of concern to the board. Each has an equal responsibility to do a fair share of the work, to follow the policies adopted by the board and to accept his or her share of the criticism when the board is under fire. The board must work as a team and take credit or blame as a team.

It is the collective challenge of the board and of its individual members to always bear in mind that an individual school board member has no individual authority. The board may only take action, make decisions and direct district operations as a full board acting in its corporate role. The board is responsible for adopting policies that establish how the district is to be operated and the results that are to be achieved. It is through its policies that the board provides direction to the administration.

However, it is not the responsibility of the board or of individual board members to carry out administrative functions or become directly involved in the operations of the schools or district. A board member who attempts to exercise individual authority over the administration or other staff quickly undermines the superintendent’s authority and the board’s own ability to effectively govern the district. In some circumstances, a board member acting outside his or her board role could lose immunity or insurance protections.

SPEAKING FOR THE BOARD

An individual board member does not have the right to speak for the rest of the board unless specifically authorized by the board to do so. This authorization can be implied, as when talking to the public about decisions the board already has approved. Or it can be direct, as when the board asks an individual member (usually the president) to issue a public statement about the district or a particular position taken by the board. Many boards have adopted policies in this area to guide the board and individual member’s conduct.



A board member should exercise care in writing letters to the editor and in making statements to the press. The member should not attempt to predict future actions of the board. If the matter about which the member is expressing an opinion has nothing to do with education, it is advisable to refrain from signing as “Member, _____ School Board.” When writing or speaking about something related to education, a member should be scrupulous about stating that the opinions expressed are his or her own and not the board’s unless the board has previously taken a stand on the issue.

Meeting with groups

A school board member may occasionally be asked to meet with a group of parents, taxpayers, staff members or a special interest group to discuss a particular issue. The issue may be one that involves considerable controversy.

On such occasions, it is advisable to exercise a degree of discretion. Consider discussing the intent with the superintendent or board president before committing to meet with the group. The group should clearly understand that the member speaks for himself or herself, not for the board. Unless the board has taken some kind of action on the issue, it is advisable to avoid making statements that reflect upon the board’s attitude toward the question. The member also may wish to avoid statements that could mistakenly imply that he or she intends to serve as the group’s champion when the issue is before the board. Whether the board member agrees or disagrees with the group’s point of view, the group needs to know that what the member says must not be looked upon as a commitment of the entire board.

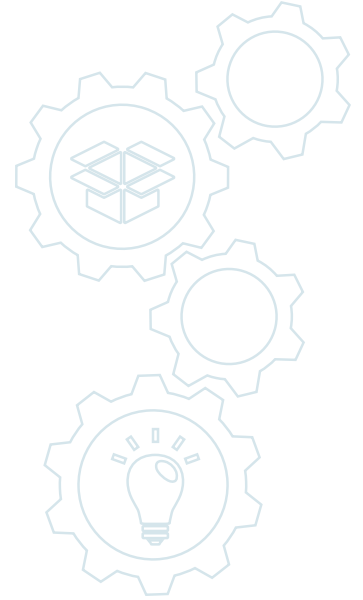
A board member has a continuing obligation to hear various points of view, consider all sides of a question and then vote his or her convictions when the time comes for board action. Sometimes, when members have made advance statements or commitments, they find it difficult to fulfill this obligation.

Conflict of interest

Public office is not to be used for the profit, gain or private interest of any individual. To maintain public confidence in the office and to prevent the use of public office for private gain, it is important for members of the board of education to publicly disclose any potential conflict of interest.

The board is required to adopt a policy relating to conflicts of interest for its own members. [C.R.S. § 22-32-109(1)(y).] A board member who has a personal or private interest in any matter proposed or pending before the board shall disclose that interest to the board, abstain from voting on the matter and refrain from attempting to influence other members of the board.

[C.R.S. § 24-18-109(3)(a).] State law creates a narrow exception allowing a board member with a conflict to vote if the board member has made specific disclosures.



Those situations that present a potential conflict of interest for a member of the board of education generally are those in which a board member will derive a private financial benefit from board actions. Members of the board of education should familiarize themselves with the board’s conflict of interest policy and state laws on standards of conduct.

Handling complaints

The opportunity to hear complaints or expressions of concern about district operations will confront every board member. Of course, the member will wish to listen with courtesy and sincerity, but, generally speaking, it is advisable to refer the person to the superintendent or administrator who has responsibilities in the area of concern. It is rarely advisable for the board member to assume direct responsibility for a problem, particularly when student or staff relations are involved.

While board members should reflect what is heard from the community during board policy discussions, usually board members can best serve their patrons’ immediate needs by telling them whom to call about their concerns. A discussion among board members with the superintendent about the process of handling complaints is worthwhile. Maintaining good public relations is essential to the well-being of the district. This is an area of board operations that should not be overlooked. For more details, see Chapter 7 on Community Relations.

What if I have questions about our board’s compliance with law?

If you are concerned about the legal implications of an upcoming issue before your board, approach the superintendent and board president with your concerns. The board’s attorney may have already provided advice about how to proceed, the attorney may be attending the meeting to confer with the entire board or perhaps no one has yet reached out to the attorney and your reminder may spark that connection.

If the board action that worries you is one the board took in the past, then again, the first person to approach with your concern is either the board president or superintendent. The objective of that conversation is to raise the issue promptly so that the board’s attorney can provide timely counsel to the board on how to move forward.

The board may seek legal advice on any matter, but the most common topics of conversation between the board and its attorney involve personnel, contracts and civil rights. Because the attorney represents the interests of the district, not individuals, the attorney’s analysis may not please every board member. Nevertheless, the board as a whole is the client and it accepts or rejects the attorney’s advice in the same way the board takes any other action—by majority rule. Members who disagree with the board’s legal position remain bound by attorney-client confidentiality and executive session privilege and may not divulge the content of those privileged conversations. Board members with personal legal questions should seek advice from their own private attorneys.

How to fill empty seats on the board

To fill a vacant board seat between elections, the board first adopts a resolution declaring a vacancy. The board has 60 days to appoint a qualified person to fill the vacancy. If the board fails to appoint within this 60-day period, the board president is authorized to make the appointment.

The appointment must be noted by an appropriate entry in the minutes of the meeting and the board must cause a “certificate of appointment” to be delivered to the person appointed. A duplicate of the certificate of appointment must also be forwarded to the Colorado Department of Education.

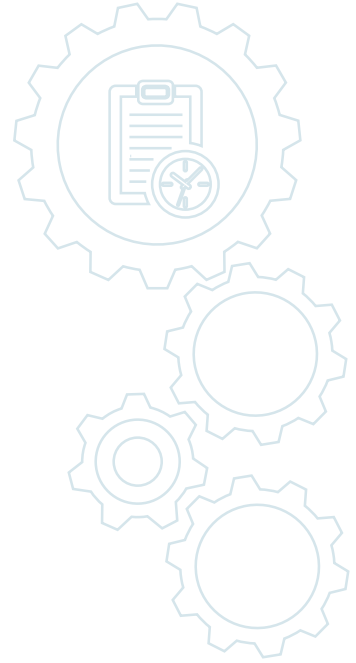
The law says nothing about how boards should seek out candidates for appointment or what kinds of notice the district must provide to the community before making the appointment. However, the law does state that board discussions “concerning . . . the appointment of a person to fill [a board vacancy]” are not “personnel matters” for purposes of entering executive session, and voting on candidate appointments must follow the board’s normal procedure—the board cannot appoint a new member by secret ballot.

To maximize the chance of finding great candidates and minimize the risk of public relations trouble, the appointment process should be open and transparent. Prominently include information in district communications about how to apply and publish the board’s resolution declaring a vacancy in local newspapers to make the application process as simple as possible. Interview candidates publicly, read their written submissions carefully and be sure to publicly commend every applicant for his or her interest.



A seat is deemed vacant if:

- 1 No one is elected at the regular biennial election.
- 2 The person elected or appointed does not take the oath of office within 10 days after receiving the certificate of election or appointment.
- 3 The board member submits a written resignation to the board and the board accepts it.
- 4 The board member becomes a nonresident of the school district [or director district].
- 5 The board member does not attend three consecutive regular meetings of the board, unless the board by resolution approves any additional absences or unless the absences are due to a temporary mental or physical disability or illness.
- 6 The board member is found guilty of a felony.
- 7 A court voids the board member’s election or removes the member from office.
- 8 A court determines that the board member is mentally incompetent.
- 9 The board member dies during the term of office.



APPLY THE LESSONS YOU'VE LEARNED

- 1 What is more important, holding a fair hearing or firing a terrible teacher? What is more important, holding a fair hearing or expelling a dangerous student from the school setting? What is at stake for the individuals involved? For the school community?
- 2 How should a board member raise questions about pursuing a cure for what he or she suspects to be an open meetings law violation?
- 3 Why aren't board members immune from liability for clear civil rights violations made by the board?
- 4 How might you help foster a new board member's understanding of the board's proper role in employee discipline matters?
- 5 How might you handle a scenario where you personally disagree with the board's decision to follow its lawyer's advice?

THE HARDEST LESSONS TO LEARN

When experienced board members from across the nation were asked to identify the most difficult lesson or fact they had to learn about board service, the most frequent responses were:

- ✓ Learning to acknowledge publicly that you have no power and authority as an individual board member; that only the board as a whole can make policies and decisions for the school district.
- ✓ Determining what your function is on the board and how to accomplish it effectively.
- ✓ Realizing that no matter what you think you know about board service when you first come on board, you still have a lot to learn.
- ✓ Recognizing the difference between setting policies (the board's job) and administering the schools (the superintendent's job).
- ✓ Accepting that you must represent all students and that your decisions must be made in the interest of the total school system and not made solely for special groups or interests.
- ✓ Learning how to respond to the complaints and concerns of citizens, school administrators and other staff members.
- ✓ Understanding that change comes slowly.
- ✓ Understanding that you cannot solve everyone's problems by yourself.
- ✓ Recognizing that you must think deeply and sometimes accept a reality that is contrary to your own beliefs.
- ✓ Accepting that effective board service means being able to hold the minority viewpoint when voting on a given issue, then openly supporting the majority vote of the board in your community.
- ✓ Discovering how the schools are funded.
- ✓ Realizing that the primary focus of all board decisions must be student achievement.

– *National School Boards Association*

CODE OF ETHICS FOR SCHOOL BOARD MEMBERS

The National School Boards Association endorses the following code for local school board members.

As a member of my local board of education, I will strive to improve public education and to that end I will:

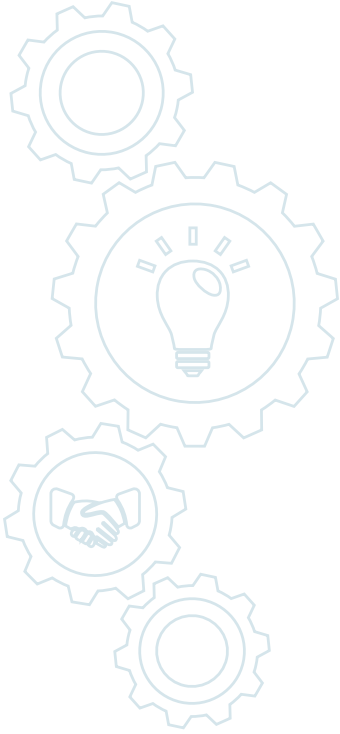
- ✓ Attend all regularly scheduled board meetings insofar as possible and become informed concerning the issues to be considered at those meetings.
- ✓ Recognize that I should endeavor to make policy decisions only after full discussion at publicly held board meetings.
- ✓ Render all decisions based on the available facts and my independent judgment and refuse to surrender that judgment to individuals or special-interest groups.
- ✓ Encourage the free expression of opinion by all board members and seek systematic communications between the board, students, staff and all elements of the community.
- ✓ Work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent.
- ✓ Communicate to other board members and the superintendent expression of public reaction to board policies and school programs.
- ✓ Inform myself about current educational issues through individual study and participation in programs providing needed information, such as those sponsored by my state and national school boards association.
- ✓ Support the employment of those persons best qualified to serve as school staff and insist on a regular and impartial evaluation of all staff.
- ✓ Avoid being placed in a position of conflict of interest.
- ✓ Take no private action that will compromise the board or administration and respect the confidentiality of information that is privileged under applicable law.
- ✓ Always remember that my first and greatest concern must be the educational welfare of the students attending the public schools.

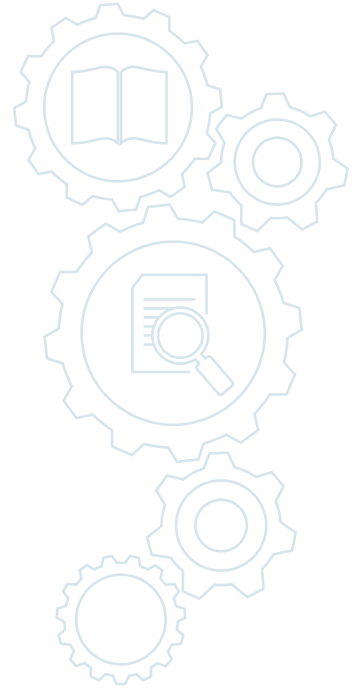
Policy History:

Approved by the Board April 19, 1979

Reviewed and Approved by the Board February 2, 1996

Reviewed and Approved by the Board November 10, 1999





Chapter 2

Organization of Education in Colorado

The laws under which Colorado’s 178 school districts have been organized permit local electors to make some variations in the structure of the board such as determining whether there will be five, six or seven school directors and whether there will be a director district or at-large plan of representation, or a combined plan.

The operation of Colorado school districts is a big business involving ever-increasing numbers of students and personnel. Nearly 900,000 children are enrolled in Colorado’s public schools, and the number grows annually. The budget for Colorado school districts exceeds \$6.5 billion, from local, state and federal revenues. As the focus on school district accountability has intensified, the role of the school board member, the responsibilities and the need to be a well-informed public official have increased proportionally.

Colorado prides itself on local control of education, and indeed it should, for we have succeeded in developing one of the finest education systems in the nation. However, it is only through vigilance, awareness of our strengths and weaknesses and the desire to meet the needs of the future that educational responsibilities can be fulfilled.

THE FEDERAL CONSTITUTION

The landmark U.S. Supreme Court decision, *Brown v. Board of Education*, characterized public education as “perhaps the most important function” of local as well as state government. [74 S.Ct. 686 (1954).] Local control of instruction is not only vital to continued public support of public schools, but it is also of overriding importance from an educational standpoint: local needs can shape local educational programs.

The federal constitution makes no reference to public education. Instead, public education is established as a state function in each of the 50 state constitutions. Colorado’s public education system is distinguished by our state constitution’s local control provision, Article IX, Section 15. Most other states have centralized, state-administered systems of education.

School boards set the vision and goals for the district.

THE COLORADO CONSTITUTION

Article 9 of the Colorado Constitution contains the legal foundation for our state’s public school system, including the respective roles of the General Assembly, State Board of Education and local school boards.

- ✓ Section 1 vests the general supervision of the public schools in the State Board of Education.
- ✓ Section 2 directs the legislature to establish and maintain a thorough and uniform system of free public schools, wherein all state residents ages six to 21 may be educated gratuitously.
- ✓ Section 7 forbids the use of public funds for the support of private schools, churches or sectarian purposes.
- ✓ Section 8 prohibits religious or racial discrimination.
- ✓ Section 11 provides for compulsory education.
- ✓ Section 15, the local control clause, vests “control of instruction in the public schools” in locally elected school boards.
- ✓ Section 16 prohibits the General Assembly and the State Board of Education from prescribing the textbooks to be used in the public schools.

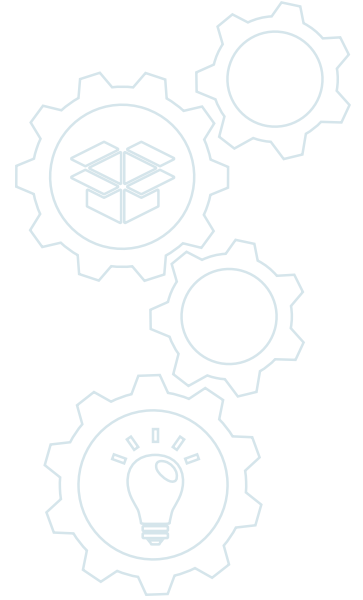
BOARDS OF EDUCATION: LOCAL CONTROL OF INSTRUCTION

Unlike most states, the public school system in Colorado grew out of an intentional commitment to local control. Rather than establishing a centralized, state-administered system, Colorado’s constitutional framers “... made the choice to place control ‘as near the people as possible’ by creating a representative government in miniature to govern instruction.” [Owens v. Congress of Parents, Teachers and Students, 92 p. 3d 933, 939 (Colo. 2004).] This choice was one that set Colorado apart—only six states in the nation have a constitutional provision for local governance.

So, unlike many of our sister states, local control in Colorado is not a matter of personal political views, national trends or public opinion; it is a matter of state constitutional law. Learning what the state constitution means by “control of instruction” is an essential step toward understanding local school boards’ roles in public education.

The Colorado Supreme Court possesses the ultimate authority to interpret the state’s constitution, and emphasizes, “control of instruction requires power or authority to guide and manage both the action and practice of instruction as well as the quality and state of instruction.” [Denver Bd. of Educ. v. Booth, 984 p. 2d 639, 648 (Colo. 1999).] The court further explains that such control allows localities to tailor educational policy to suit the needs of each district, free from state intrusion. [Owens, at 935.]





The court has also decided that districts maintain control over instruction primarily by maintaining control over locally raised funds. [Booth, at 648.] The court confirms its conclusion by articulating several benefits flowing from the control of local boards over locally raised tax dollars. [Owens, at 941-44.] Some of these benefits include:

- ✓ Empowering electors, including parents, with control over instruction.
- ✓ Providing taxpayers with a means to participate in the management of public education.
- ✓ Granting a community the freedom to devote more money to educating its children than the state-guaranteed minimum amount.
- ✓ Enabling the local citizenry greater influence and participation in the decision-making process on how local tax dollars are spent.
- ✓ Ensuring each district has the opportunity for experimentation, innovation and a healthy competition for educational excellence.

In 2013, the Colorado Supreme Court revisited the issue of local control in a school finance case that lasted almost a decade, known as *Lobato v. State of Colorado*. This lawsuit, brought by a group of school districts and students, alleged the state system’s level and methods of public school funding violated the Colorado Constitution. Siding with the state, the court’s order acknowledged deficiencies in the system but found it did not violate the Colorado Constitution’s mandates for a thorough and uniform system of education and the control of instruction by locally elected school boards. [Lobato II.]

Local school boards are constitutionally entrusted with meeting the needs of students in their communities and must exercise this authority responsibly to ensure this governance model remains relevant and respected by voters and state and federal policy-makers.

In sum and practically speaking, “local control of instruction” translates into the ability of individual school boards to make decisions on issues such as curriculum, personnel, budget, school calendars and graduation requirements.

THE GENERAL ASSEMBLY

The General Assembly is the state legislature of the state of Colorado. It is charged with maintaining a “thorough and uniform” system of education. It is comprised of 65 people elected to serve in the House of Representatives and 35 people elected to serve in the Senate. The legislative bodies in Colorado function in much the same manner as do the House and Senate of the federal government.

The Colorado House and Senate both have standing committees on education that review proposed legislation pertaining to education. Proposed bills must be “voted out of committee” before the respective bodies may consider them. Education bills introduced in the House must pass through the House Education Committee and the Appropriations Committee (if there is a fiscal impact) and then be approved by the House of Representatives. The bills then go to the Senate where the process is repeated. Bills introduced in the Senate follow a similar pattern except that they are considered first by the Senate, then the House. Bills approved by the House and Senate are then sent to the governor and, when signed by the governor, become law.



The same Lobato decision that discussed the local control constitutional provision also explained the General Assembly’s “thorough and uniform” constitutional obligation upholding the state’s school finance system. The Colorado Supreme Court rejected the argument brought by school districts and students alleging that the state was failing to meet the constitutional mandate to provide a “thorough and uniform” system of education.

Initially, the Supreme Court held (in Lobato I) that “thorough and uniform” had been defined by the legislature through a comprehensive set of school laws, including CAP4K (SB 08-212), the Education Accountability Act of 2009 (SB 09-163) and the Educator Effectiveness legislation (SB 10-191). In fact, the Lobato I order specifically stated, “The trial court [who would hear all the evidence of the case firsthand] may appropriately rely on the legislature’s own pronouncements to develop the meaning of a thorough and uniform system of education.” Citing Lobato I, the trial court ruled, “There was no effort to analyze the relationship to the actual costs [of state education laws] to provide an education of any particular quality. The failure to do any cost analysis and to provide for funding based on such an analysis demonstrates the irrationality of the existing school finance system.”

The state appealed the trial court’s decision to the Supreme Court, which had recently experienced a change in the membership of the court. Rather than following the Lobato I court’s guidance or the trial court’s conclusion based on that guidance, the Lobato II court went to Webster’s Dictionary to define a “thorough and uniform system of education” as one of a quality marked by completeness, is comprehensive, and is consistent across the state.” Having articulated a constitutional test that does not require taking into account the education system that the school finance system is intended to fund, the Lobato II decision makes no mention of the Colorado Constitution’s legislative history, the trial court’s 178-page order, or the record created over five weeks of trial. The court concludes in a succinct five paragraphs that Colorado’s use of a uniform basic school formula satisfies the constitution’s thorough and uniform provision.

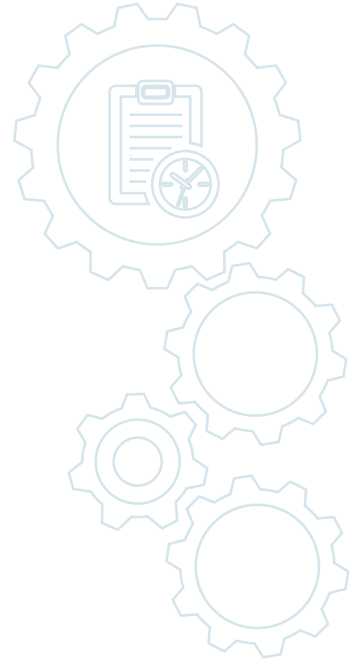
The Lobato case serves as a reminder that litigation is never a sure bet, no matter how good the case or the cause may be.

STATE BOARD OF EDUCATION

Colorado’s Constitution provides that the general supervision of the public schools shall be vested in the State Board of Education whose powers and duties are prescribed by law.

The state board currently consists of seven elected members who serve without pay. The constitution provides that there shall be one state board member elected from each of the congressional districts. When the number of congressional districts in the state is an even number, an additional state board member is elected at large. This ensures that there will always be an odd number of persons serving on the state board.

The state board is the governing board of the Colorado Department of Education (CDE). Within the limits of its jurisdiction, the state board appoints the commissioner of education, makes rules and regulations that apply to school districts, accredits public school districts and regulates educator licensing, among other things. The state board exercises judicial authority with regard to appeals by charter schools. The state board appoints and receives recommendations from a variety of advisory commissions and committees in the process of carrying out its responsibilities.



The state board has authority to release school districts from some state statutes and regulations. Districts can pursue this flexibility under the waiver statute or Innovation for Schools Act. [C.R.S. § 22-32.5-108.] The process for seeking a waiver has been expedited for those school districts with fewer than 3,000 students.

COMMISSIONER OF EDUCATION

The Office of Commissioner of Education was made an appointive office by a 1948 amendment to the constitution. The commissioner serves as the executive officer of the state board and is the chief administrator of CDE.

The commissioner advises the state board concerning educational matters, submits reports as required by law to the governor and the General Assembly and is responsible for personnel administration in the Department of Education. It is the commissioner's duty to execute the policies and regulations adopted by the state board. The commissioner must maintain adequate statistical and financial records of the school districts and maintain a continuous research program to stimulate improvements in education.

In addition, the commissioner has the authority to issue instructions to school officials concerning the governance of the public schools, to prescribe forms and items to be included in reports submitted to the department, to construe provisions of school law and to cause the preparation and distribution of printed materials that may be beneficial to school personnel and students.

COLORADO DEPARTMENT OF EDUCATION

The Colorado Department of Education (CDE) provides leadership, resources, support and accountability to the state's 178 school districts to help them build capacity to meet the needs of the state's approximately 900,000 public school students. CDE also provides services and support to boards of cooperative educational services (BOCES), early learning centers, state correctional schools, facility schools, the state's libraries, adult/family literacy centers and General Education Development (GED) testing centers reaching learners of all ages.

As the administrative arm of the State Board of Education, CDE is responsible for implementing state and federal education laws, disbursing state and federal funds, holding schools and districts accountable for performance, licensing all educators, and providing public transparency of performance and financial data. CDE serves students, parents and the general public by protecting the public trust through ensuring adherence to laws, strong stewardship of public funds and accountability for student performance.

STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION

The State Board for Community Colleges and Occupational Education (SBCCOE) is charged with establishing and maintaining a state system of community colleges. It also provides the state-level structure for the administration of occupational education programs in the public schools.

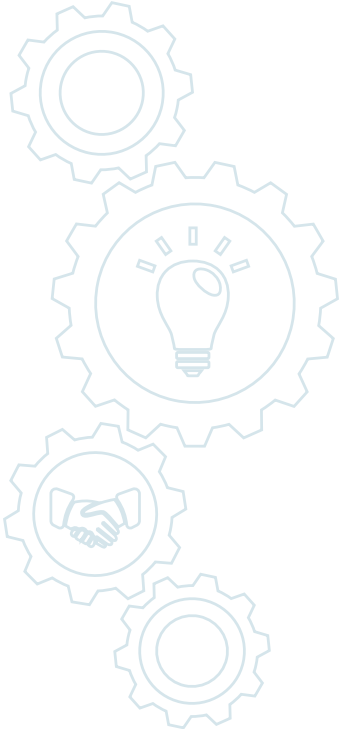
This board also administers the laws relating to occupational education programs in public schools. It must review and approve postsecondary occupational education programs to be offered through boards of cooperative services. The board supervises the allocation of all state and federal funds provided for occupational education programs and purposes, and establishes minimum qualifications for teachers of occupational subjects and other professional personnel who provide occupational education supervisory and counseling services in the schools.

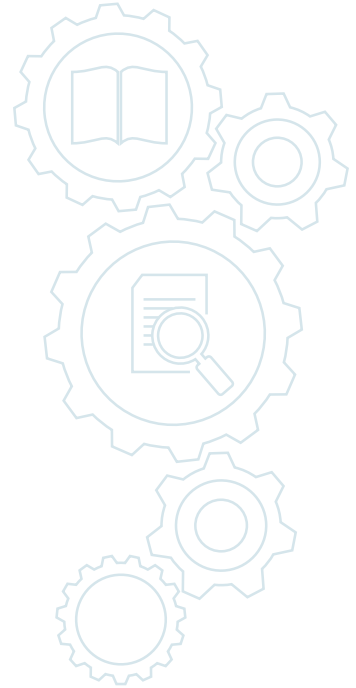
COLORADO COMMISSION ON HIGHER EDUCATION

The Colorado Commission on Higher Education (CCHE) is the state policy and coordinating board for Colorado's higher education system. CCHE sets policies, in accordance with state law, that apply to all state-supported institutions of higher education. This includes all postsecondary institutions supported in whole or in part by state funds (including junior colleges and community colleges), extension programs of the state-supported universities and colleges, local district colleges and area vocational schools. CCHE's policies also apply to the Board of Regents of the University of Colorado and the institutions it governs.

The community colleges, as well as state colleges and universities, provide many services to school districts and to boards of education. Most of these institutions have personnel who are willing to assist districts by providing consultant services, conducting school building surveys, maintaining resource libraries, providing speakers for various occasions and maintaining a close working relationship with secondary schools to better prepare students for entrance into college. State law directs CCHE to establish a network to connect the faculty of postsecondary institutions with the teachers in school districts for the purpose of exchanging information. Most of the institutions that provide teacher training also maintain a placement agency to assist school officials with the selection and screening of prospective employees.

The law recognizes that the public system of elementary and secondary education must provide students with the skills and abilities necessary to make the transition to the postsecondary system. It is the prerogative of K-12 to establish the goals and standards necessary to provide these skills. At the same time, CCHE is authorized to set the standards for admission to the postsecondary system. When these standards are raised, it has a direct impact on K-12. Ideally, there should be continual dialogue between representatives of K-12 and higher education because of common goals, numerous challenges, opportunities and overlapping interests.





Chapter 3

Leading by Policy

School board members are public school advocates. They lead their districts by making decisions that articulate their vision and goals for student learning and achievement. These vision and goals are communicated through board policy.

Policy is the voice of the board. It speaks even when the board is not convened and anchors the school district by providing consistency and stability. School board policies have the force of law in the school district. It is essential, therefore, for the board to think through the principles by which it wants the school district to be governed and to record these principles in the form of comprehensive written policies.

WHAT IS A POLICY?

Colorado law requires school boards to adopt policies and prescribe regulations necessary for the efficient administration of the district. [C.R.S. § 22-32-109(1)(b)]. Policymaking is one of the school board's most important jobs. Therefore, it is important for each board member to attain a basic understanding of what policy is. To begin with, the National School Boards Association offers the following definition of school board policy:

“Policies are principles adopted by the Board to chart a course of action. They tell what is wanted and may include why and how much. They are broad enough to indicate a line of action to be taken by the administration in meeting a number of day after day problems; they need to be narrow enough to give the administration clear guidance.”

The board's role and privilege, then, is to set policies that chart a course of action for the school district. Through policies, the board establishes the organizational structure, educational program objectives and operational practices of the district. Policies should state the board's expectations and desired results and articulate why the board believes achieving the results is important. Well-planned, clearly written and up-to-date policies are the basis for governing students, evaluating staff and more. They also provide the board with a framework to:

- ✓ Keep the community informed about the board's philosophy and actions.
- ✓ Provide a forum for involving the community in the district's educational programs.
- ✓ Improve board/superintendent/staff relationships.
- ✓ Provide a means for staff members to assess their individual roles in achieving the board's stated results.
- ✓ Enable partnerships in the policy development process.
- ✓ Notify staff, students and community of their rights and responsibilities.
- ✓ Provide fair, reasonable, consistent and impersonal treatment of issues.
- ✓ Eliminate the need to make a new decision each time there is a recurring situation.
- ✓ Comply with state and federal laws that require specific policies.
- ✓ Foster stability, continuity and accountability.

DEVELOPING POLICIES

Where does the board begin? The need for new policy or to review existing policy originates from two main areas:

- 1 Policies necessitated by board discussions with:
 - ✓ Community members
 - ✓ Students
 - ✓ Parents
 - ✓ Staff
- 2 Policies required by state or federal laws.

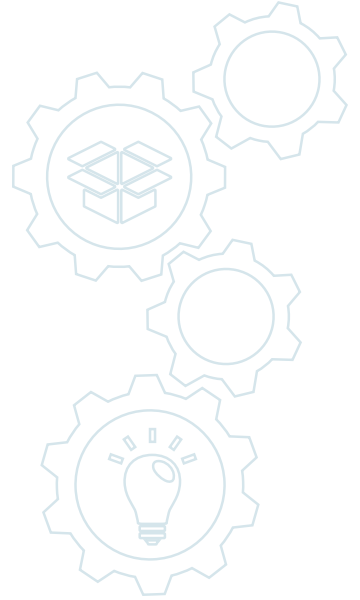
School boards typically adopt policies that fall into the following general categories:

- ✓ Organization of the school district
- ✓ School board operations
- ✓ School administration
- ✓ Fiscal management
- ✓ Support services such as transportation and food service
- ✓ Facilities
- ✓ Personnel
- ✓ Instruction – philosophy and programs
- ✓ Students – discipline, conduct, attendance, grading, etc.
- ✓ Community and parent relations
- ✓ Relations with other education agencies and organizations

Policymaking is a much simpler and more effective process when school boards spend time identifying their resources in this effort. There are professionals in each school district who can be asked to collect data and provide research, offer expert opinions and present the board with options for policymaking. Boards can also benefit from the experiences of neighboring districts. The district's legal counsel can also help make informed local policy decisions. Finally, CASB provides essential policy guidance to member boards.

“A strong board consists of passionate individuals who are willing to check their egos and ideologies at the door and work as a group for the benefit of every child.”

Linda Van Matre, Academy 20 and CASB board member



THE POLICY ADOPTION PROCESS

An essential policy is one that outlines the process of policy adoption.

Maintaining such a policy assists the board in approaching policymaking in a concise and consistent way. Since there are many factors to consider with the development and revision of board policy, a board should adopt a policy regarding the process it wishes to follow to accomplish this important task.

Important questions to ask in the policy adoption process

By consistently using a defined approach to policy adoption and by asking the right questions, a board can see beyond immediate circumstances and formulate sound policy on the basis of agreed-upon criteria. A policy analysis model should recognize legal and other practical constraints yet remain focused on objective outcomes. Local criteria are important, including the mission and goals of the school district and the context of the community being served.

When considering policy options, the following questions should be asked:

- 1 How does the policy advance the best educational interests of all students?**

This question can easily be overlooked in the heat of a policy debate on specific issues. Policies must be carefully formulated to address the needs of all students and must not ignore the concerns of any specific demographic group. For example, policies addressing academic standards should not ignore students with disabilities, who may require modified standards.
- 2 How does this policy support the mission and goals of the district?**

Comparing a policy to the district’s mission and goals is a crucial component in effective policy analysis. If such a comparison reveals little or no correlation, or even a negative correlation, the board should closely examine the policy or revise its mission and goals.
- 3 What does current educational literature and research say that is relevant to the policy?**

Reviewing educational literature and current research can point the board in productive directions and keep it from making policy mistakes. For example, studies of student achievement in relation to class size are worth investigating in relation to policies on teacher assignments.
- 4 What is the relationship of the policy to recent changes in education?**

This criterion justifies updating and revising policy on an ongoing basis. It is important to repeal policies that are obsolete or no longer appropriate due to adoption of new programs. For example, a policy that does not allow students to bring personal technology devices to school would be inappropriate if such devices are now being used as instructional tools.
- 5 How is the policy related to other board policies?**

By asking this question, the board can guard against one policy contradicting another and ensure that individual policies support each other. The definition of “immediate family,” for example, should be consistent throughout personnel policies that address leaves of absence.

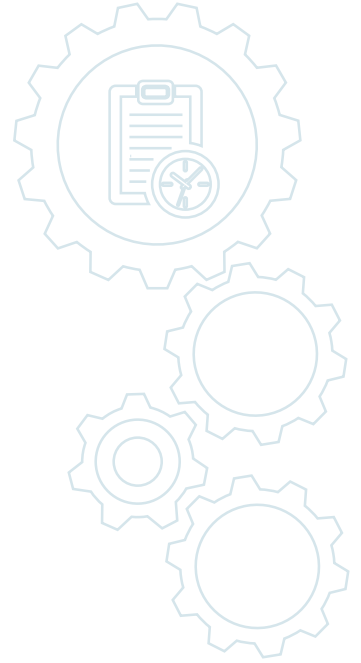


- 6 Is compliance with the policy likely to be consistent?**
High expectations are an important attribute of effective schools and the board’s expectation of compliance with policy should be high. If the board cannot reasonably expect a high degree of compliance with a policy, it should rethink the policy.
- 7 How can the board evaluate the effectiveness of the policy?**
To answer this question, look again at the first question —the relationship of the policy to the best educational interests of students. The board should develop a comprehensive system to measure the effectiveness of its policies to ensure that reasonable progress is being made toward achieving the board’s policy goals.
- 8 What external support does the policy require?**
As soon as a policy requires external support, the board’s control over compliance is diminished. Parents can be asked to help support attendance or homework policies, for example, but they cannot be forced to comply.
- 9 What will it cost, in human and fiscal terms, to implement the policy?**
The time administrators and teachers will spend implementing a policy is an important consideration. Also important are costs related to the physical plant or other budgetary concerns, all of which must be weighed against the importance of the policy issue. Cost should not be the single controlling factor in formulating policy. If a specific policy is vital to supporting the primary mission of the district, the board should shift the necessary human and fiscal resources from low-priority items to those identified as crucially important.
- 10 What steps will be taken to implement and enforce the policy?**
A policy that is a well-kept secret will not fulfill its purpose. The administration must clearly define what strategies it will employ to achieve the policy’s desired results and continuously monitor the effectiveness of the strategies. For example, a policy on bullying prevention must be well communicated to staff and monitored to ensure students and staff are complying with the policy.
- 11 Is the policy understandable and clear?**
Ask someone who is not involved in the school district to read and interpret the proposed policy or policy change to gauge its clarity.
- 12 How is the policy affected by federal and state law?**
This is an important criterion because the autonomy of the district’s operation depends on the board’s ability to operate within the limits of federal and state law. However, the complexity of the law should not be used as a barrier to thoughtful policy discussions.

The board creates, reinforces or negates policy every time it makes a decision. If the board has no written policies or if the policies are not kept up-to-date, the operation of the district will be inconsistent and inefficient.

Creating, implementing and monitoring policy can be an arduous journey, but the payoffs are big. Effective board policies allow the board and school district to exhibit consistency, stability and most of all, accountability.

CASB offers custom policy options to make certain your board policies are up-to-date. To learn more about these options read Chapter 9 or contact CASB at 303.832.1000.



Chapter 4

Student Achievement

Until roughly 30 years ago, the most important institution for accountability was the locally elected school board. The various state and federal accountability systems described in this chapter either did not exist or existed only as rudimentary and unobtrusive programs. Similarly, most of the choice options described in this chapter did not exist. In large measure, the accountability systems and the choice options that have been imposed on local school districts by the state and federal government were adopted based on the perception, whether right or wrong, that local school boards had failed in their role to make local school systems highly effective.

Nonetheless, even with all the changes over the last 30 years, it remains true that the local school board is the key focus of accountability in every school district. Local taxpayers will look to the school board if school finances are not handled in an appropriate way. Parents look to the school board on matters of student safety, teacher quality, student achievement and on every other matter pertaining to the district or their child.

This chapter is designed to provide a better understanding of a school board's role in accountability and student achievement by providing an overview of:

- ✓ Federal and state accountability requirements
- ✓ School choice options in Colorado
- ✓ Teacher employment and evaluation laws
- ✓ School safety requirements

STATE ACCOUNTABILITY REQUIREMENTS

The development of academic standards in Colorado was launched when the Colorado General Assembly adopted the Colorado Education Reform Act of 1993. [C.R.S. § 22-7-401 et seq.] The legislature declared, "This system of standards-based education will serve as an anchor for educational reform, promote authentic assessment of student learning, reinforce accountability and encourage equity."

Academic standards are statements of what students should know and be able to do at the end of a grade level or grade span. Standards are not the same as the curriculum, which is the plan or sequence of instructional units employed to teach students. Colorado uses "performance levels" to refer to how well students are doing on the academic standards.

In 2008, the state legislature passed the Preschool to Postsecondary Alignment Act, also referred to as CAP4K (Colorado's Achievement Plan for Kids). CAP4K took standards-based education to the next level by requiring the State Board of Education and the Colorado Commission of Higher Education (CCHE) to create a seamless system of public education standards, expectations and assessments. This alignment is intended to ensure that a student who achieves the required level of proficiency on state academic standards as the student progresses through the K-12 education system will achieve postsecondary and workforce readiness when the student graduates from high school.

MEETING HIGHER EXPECTATIONS: GRADUATION REQUIREMENTS

The implementation of the Colorado Academic Standards, coupled with new admission requirements for higher education institutions, has increased expectations for the coursework students must complete in high school. State and local policymakers acknowledge the importance of obtaining core-competency skills to succeed in the 21st century, including proficiency in math, science and written and verbal communication. The challenge for local boards is to empower students to develop 21st century skills and knowledge in a system that provides multiple and diverse pathways to a high school diploma so that more students will complete high school and be prepared for a successful future.

In 2007, the state legislature passed House Bill 1118, which was intended to spur local boards to adopt high school graduation requirements consistent with a standards-based education system. As amended by CAP4K, the law requires local boards to adopt graduation requirements that meet or exceed the graduation guidelines adopted by the state board. [C.R.S. § 22-32-109(1)(kk).]

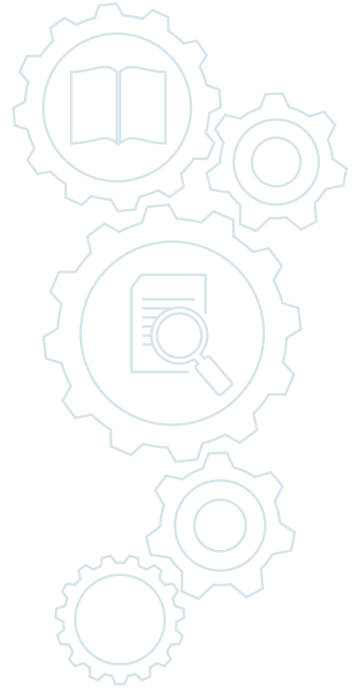
Graduation guidelines were first adopted by the state board in May 2013 and then revised in September 2015. Local boards' graduation requirements consistent with the state board's guidelines must be adopted and applicable to ninth graders in the 2017-18 school year.

State accreditation and accountability

The state accreditation program was enacted into law in 1998. The purpose of accreditation is to provide a process for the State Board of Education to fulfill its constitutional responsibility for supervising the state's public schools and to encourage excellence by assessing student performance in relation to state academic standards. A major focus of the accreditation program is to close the achievement gap between children of poverty and color and their counterparts in the educational system.

In 2007, the state legislature called for student growth to be used as the "cornerstone of the state's accountability system." In response, the Colorado Department of Education (CDE) developed the Colorado Growth Model. As explained by CDE, the Colorado Growth Model offers a way for educators to understand how much growth a student made from one year to the next in the context of a student's "academic peers." The growth model compares each student's performance to students in the same grade throughout the state who had similar scores on state assessments in past years. The model then produces a growth percentile, much like children's height and weight growth charts. If a student grew as well or better than 60 percent of his or her academic peers, he or she would be at the 60th percentile. The growth model also shows how much progress a student needs to make to reach proficiency on the state assessments within one, two or three years.

After development of the Colorado Growth Model, the state accreditation program was significantly overhauled by the Education Accountability Act of 2009 (the Act). [C.R.S. § 22-11-101 et seq.] Before it was signed into law, the Act was numbered Senate Bill 09-163 and is still often referred to as Senate Bill 163. The Act required the state board to adopt rules implementing the state's new accreditation and accountability system. After receiving valuable input from school districts, CASB and other education organizations, the state board adopted new accreditation rules in the spring of 2010.



The Act creates an expanded set of state performance indicators for the state, districts and schools that includes:

- 1 Student academic growth (as measured by the Colorado Growth Model).
- 2 Student achievement levels (as measured by the percent of students scoring advanced, proficient, partially proficient and unsatisfactory on state assessments).
- 3 Extent of achievement gaps based on income and ethnicity.
- 4 Postsecondary readiness (as measured by graduation rates and scores on the standardized college entrance exam administered as a state assessment or the Postsecondary Workforce Readiness Assessment).

Based primarily on these four state performance indicators, the Act creates the following accreditation categories:

- ✓ Accredited with distinction
- ✓ Accredited
- ✓ Accredited with improvement plan
- ✓ Accredited with priority improvement plan
- ✓ Accredited with turnaround plan
- ✓ Unaccredited

The state board’s accreditation rules specify the content and terms of the accreditation contract between each school district and the state board. The rules also determine the appropriate accreditation category for each district, which considers the duration of the district’s performance challenges and progress made under current improvement efforts. Lastly, the rules specify the circumstances in which CDE may recommend the removal of a district’s accreditation, or take other action to impact consistently low-performing schools and districts.

Regarding the accreditation of schools, the Act requires local boards of education to assign accreditation categories to schools in a manner that is aligned with and meets or exceeds the rigor of the state’s accreditation system for districts and is in accordance with the Act and the state board’s accreditation rules. As discussed in Chapter 3 of this workbook, policymaking is one of the board’s most important jobs. The Act emphasizes this important role by requiring each local school board to adopt policies for the accreditation of its schools.

The Act also requires each district and school to create an annual improvement plan based upon the district’s or school’s accreditation category. CDE has developed “unified improvement plans” (UIPs) to support schools and districts in their performance management efforts. The UIP template is designed to meet state as well as federal accountability requirements and to enable a shift from planning as an “event” to planning as a critical component of “continuous improvement.”



Finally, the Act builds upon the Colorado Growth Model to provide state, district and school performance reports that include the state performance indicators and data required by state and federal law. School districts must report the required information to CDE, which then places all data onto its online data portal called School View®. In addition to the minimum information required by the Act and the state board’s accreditation rules, school performance reports must include information about the school environment, including discipline information, student attendance, teacher experience and student-teacher ratios, among others.

Visit www.schoolview.org to see your district’s performance report and UIP.

“Keep the best interest of the students at the forefront of all you do.”

Jack Reutzel, Littleton Board President

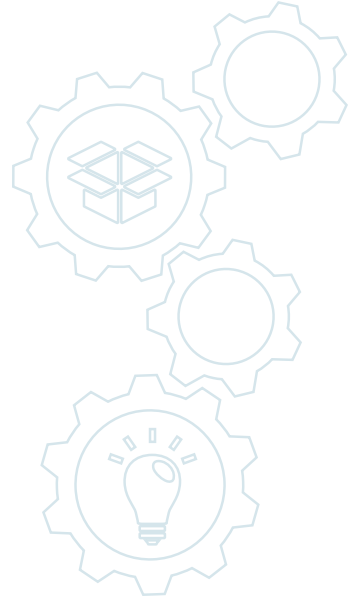
FEDERAL ACCOUNTABILITY REQUIREMENTS

The Elementary and Secondary Education Act (ESEA) was last reauthorized as the Every Student Succeeds Act (ESSA) and signed into law December 10, 2015. ESSA impacts Title I schools and programs (which receive federal financial assistance targeted at low-income students) most dramatically, but also affects all school districts, schools and students.

Importantly, ESSA eliminates several requirements of the previous law (the No Child Left Behind Act) and provides more discretion to states and local school boards regarding the development of state plans and accountability systems.

ESSA prohibits the U.S. Department of Education from coercing states to adopt any specific state academic standards, including Common Core standards. It facilitates states developing their own challenging academic and achievement standards in math, reading/language arts, and science that are aligned with entrance requirements for respective state institutions of higher education and state career and technical education standards. ESSA defers to states and school districts about policies to opt-out of state standardized assessments, but does maintain the minimum requirement that states assess at least 95 percent of students. ESSA eliminates the Title I School Improvement Grant (SIG) program and requires states to set aside seven percent of their respective Title I allocations for school improvement efforts that are to be designed and managed by states and school districts. Finally, ESSA requires states to identify schools for “comprehensive support and improvement” every three years, and establish exit criteria for schools that are identified to exit such status. Such schools would be the lowest performing five percent of schools in a state; high schools that graduate less than two-thirds of their students; and schools in which a subgroup is consistently underperforming in the same manner as a school under the previous two categories for a state-determined number of years.

For more information about ESSA and its implementing regulations, visit the U.S. Department of Education’s website, <https://www.ed.gov/esea>. For more information about Colorado’s ESSA state plan, visit the Colorado Department of Education’s website, <http://www.cde.state.co.us/fedprograms/essa>.



CHOICES IN PUBLIC EDUCATION

Traditional public school and open enrollment

Colorado provides many avenues for parents to select a public school for their child to attend. Usually, a family that chooses their child’s neighborhood school is happy with that choice. However, Colorado law requires school districts to have open enrollment policies that allow students within the district to select any school or program in the district, provided there is space available in the requested school. Nonresident students may also request to attend school within the district on a space-available basis. This is called “intra-district” choice. No tuition can be charged to Colorado parents who enroll their students in another district within the timelines and procedures established by the district of choice. The district of choice is not required to enroll nonresident students after the pupil enrollment count day. [C.R.S. § 22-36-101 et seq.]

Private school and home school student participation

Students participating in a private school or home-based school are permitted to participate in the district’s extracurricular or interscholastic activities. [C.R.S. § 22-32-116.5.]

College coursework

High school students have the opportunity to enroll in courses offered by institutions of higher education under the Concurrent Enrollment Programs Act. [C.R.S. § 22-35-101 et seq.] It is possible for students to obtain both high school and college credit for coursework taken under this program.

In addition, students may enroll in postsecondary courses through a program called the “Accelerating Students through Concurrent enrollment program” (ASCENT) administered by CDE. The ASCENT program allows a student to concurrently enroll in postsecondary courses in the year directly following the year in which the student was enrolled in 12th grade. The Concurrent Enrollment Programs Act specifies how school districts must count these ASCENT program students for purposes of per pupil funding.

District charter schools

Colorado was one of the first states in the nation to implement charter schools. In 1993, the Colorado General Assembly enacted the Charter Schools Act that authorizes the local board of education to enter into a charter with parents, teachers or others to operate a school. [C.R.S. § 22-30.5-101 et seq.]

A charter school is a public, nonsectarian, nonreligious, non-homebound school that continues to be a part of the public school district in accordance with the terms and conditions of the charter. Each charter school must be organized as a nonprofit entity and must have its own independent governing board, even if the charter school is managed by a private, for-profit management provider. The charter school and its board are accountable to the local board for compliance with the charter. Charter schools are subject to all laws governing public schools, unless specific requirements are waived as part of the charter process. The charter school is responsible for its own operation, including budget, personnel and contracts.



Among other things, the application to create a charter school must include: a mission statement; evidence that an adequate number of parents, teachers and pupils support the formation of a charter school; and a description of the charter school's research-based educational program, pupil performance standards and curriculum, which must meet or exceed the academic standards adopted by the local school board. Students enrolled in the charter school are included in the pupil enrollment of the school district within which the pupil resides.

The charter application process and the contract between the district and the charter school are heavily regulated by state law. Smaller school districts that do not have existing charters and staff familiar with these laws should seek assistance from legal counsel or knowledgeable consultants as soon as possible after the district learns an application will be submitted.

It is also important for the board to adopt a local policy and regulation to govern the charter application process, including all contracts and appeals of local board decisions, and to govern all aspects of the board's oversight of the charter school. CASB sample policies and procedures contain the requirements for charter school applications and oversight it believes to be necessary by law or good practice. These policies and regulations should be in place before an application is submitted.

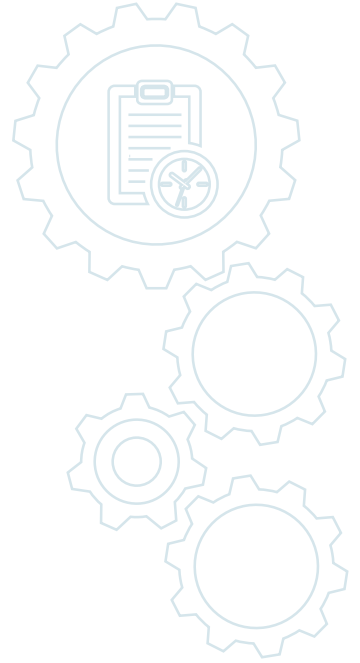
The Charter School Institute

In 2004, the Charter School Institute (CSI) was formed to encourage creation of charter schools serving at-risk students and to model best practices in charter school authorizing. The board of directors for CSI is comprised of nine people, seven of whom are appointed by the governor, with the remaining two members appointed by the Colorado commissioner of education.

CSI cannot approve a charter school within the boundaries of a school district when the local board has exclusive chartering authority to authorize charter schools. A local board may voluntarily cede its exclusive authority and allow CSI to open a school within its boundaries, or it may be forced to share authorizing authority if a challenge to that authority is upheld by the state board. [C.R.S. § 22-30.5-504.] For some school boards, this exclusive chartering authority is assured (those with fewer than 3,000 students). Other school boards must demonstrate to the state board that they have treated charter schools in a fair and equitable manner to retain their exclusive chartering status once it has been challenged.

All charter schools authorized by the school board will continue to be district charter schools, even if the district loses exclusive chartering authority, unless they go through a process to convert to institute charter schools.

The application and requirements for an institute charter school are essentially the same as those for district charter schools. Institute charter school students are included in the funded pupil count of the district where the school is located. The funding is then transferred out of the state equalization payments that otherwise would have been paid to the school district. In this way, the funding is based solely on state funds, using the same per pupil funding formula currently in place for school districts.



Online programs and schools

School districts may incorporate online coursework into the district’s curriculum to enhance, supplement or enrich the existing curriculum and provide an alternative means of instruction. These supplemental online courses can be an effective tool to expand the educational opportunities for students at all levels of achievement. A state grant program is available to school districts with fewer than 3,000 students interested in using supplemental online courses.

State law allows school districts and charter schools to operate online education programs and schools in which a student can enroll and take all his or her coursework over the Internet. A 2007 state law created a statutory framework for quality oversight of online education programs. [C.R.S. § 22-30.7 101 et seq.] The Division of Online Learning at CDE provides support for online education programs and rules adopted by the state board establish quality standards for the operation of such programs.

In 2011, the legislature shifted some of the division’s oversight responsibilities to local districts. School districts that authorize online programs are now required to review their online program’s alignment with the state board’s quality standards as part of its accreditation process. CDE’s Online Division continues to collect information regarding online schools’ financial and accounting practices. Each student in an online school is evaluated, tested and monitored at the same intervals as other students of the same grade level in the student’s regular school and takes all state assessments.

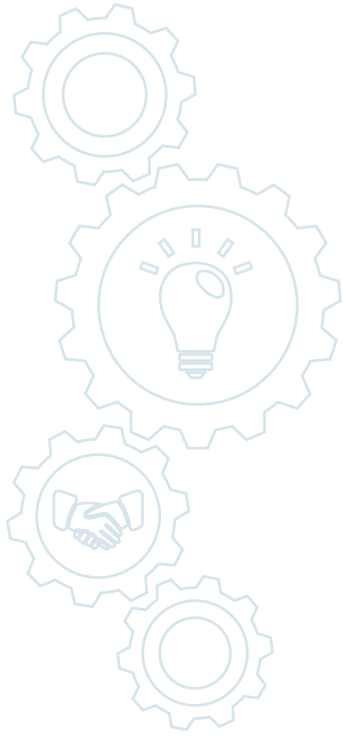
Legislation adopted in 2012 defined online programs as those with fewer than 100 students and online schools as those with 100 or more students. Accountability for online programs is attributed to the school that houses the program. Online schools have their own school codes and are subject to all state and federal accountability requirements.

Colorado resident students are eligible to participate in online programs or schools offered by other districts. A student participating in the online program or school may participate on an equal basis in any extracurricular or interscholastic activity offered by the district. [C.R.S. § 22-30.7-108.]

Colorado school districts, charter schools and BOCES may apply for funding for students who qualify for per pupil funding for online enrollment. Per pupil funding for online students is set by the School Finance Act.

Innovation schools and school zones

The state legislature passed the Innovation Schools Act of 2008 (Innovation Act) to encourage creativity and innovation by giving greater autonomy and managerial flexibility to school leaders. [C.R.S. § 22-32.5-101 et seq.] Recognizing the ultimate responsibility for controlling instruction continues to lie with the local school board, the Innovation Act strongly encourages a local board to delegate to each of its schools a high degree of autonomy in implementing curriculum, making personnel decisions, organizing the school day, determining the most effective use of resources and generally organizing the delivery of high-quality educational services.



A school's designation as an innovation school will affect its autonomy. A group of schools within a school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education, may jointly submit to their local school board a plan to create an innovation school zone. The Innovation Act prescribes specific steps that must be followed to seek designation as an innovation school or school zone, including providing evidence that a majority of the administrators and teachers employed at each school consent to designation as an innovation school or school zone.

The board may also initiate or collaborate with one or more schools to create an innovation school or school zone, which may include the entire district. Through policy, the board can establish its desired focus areas for innovation schools and any limitations the board believes are necessary. An increasing number of districts and schools are seeking innovation status as a means to obtain more flexibility and waive burdensome and expensive state mandates.

SUPPORTING STUDENT ACHIEVEMENT THROUGH RESPONSIBLE PERSONNEL OVERSIGHT

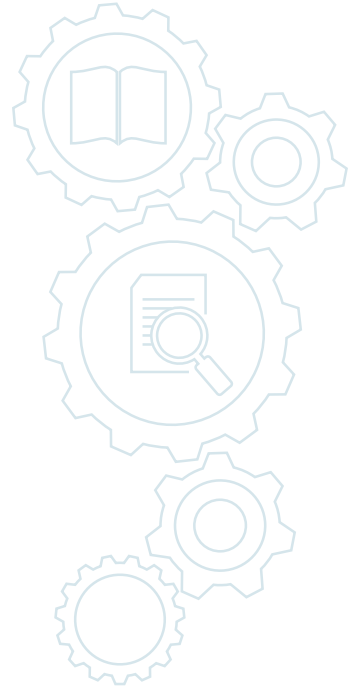
Successful school districts are first about people. Quality instruction, sound fiscal management, visionary leadership and effective governance cannot happen without a capable staff, beginning with the superintendent, and the policies and contracts necessary to carry forward the district's mission. Local accountability starts here.

Educator effectiveness

It is not difficult to uncover stories of inspirational teachers—those who transform teaching from a profession into a true art. Educators are, of course, central to student achievement. Numerous studies conclude a good teacher can be more important to student success than any other factor, including race, poverty level or parents' education. See, e.g., Chetty, Friedman & Rockoff, "The Long-Term impacts of Teachers: Teacher Value-Added and Student Outcomes in Adulthood" (December 2011). Accordingly, school board members must lead the charge to ensure a quality teacher is in every classroom so students will learn the skills necessary to succeed in the 21st century.

The state legislature also took on that work in 2010 when it passed Senate Bill 191, frequently referred to as the Educator Effectiveness bill. SB 191 imposed new requirements for evaluating licensed personnel and altered tenure eligibility. In doing so, SB 191 aims to improve the quality of evaluations as a means to improve the quality of education in Colorado and better provide students with the skills they need to be college and workforce ready.

SB 191 establishes a performance evaluation system that measures teacher and principal "effectiveness" based on quality standards adopted by the State Board of Education. SB 191 specifically requires that at least 50 percent of teacher and principal evaluations be determined by the academic growth of students. To assist districts in implementing SB 191 in accordance with the state board's rules, CDE created a State Model Evaluation System.



SB 191 required all Colorado school districts to implement an evaluation system for teachers and principals in the 2013-14 school year that aligns with the state’s teacher and principal quality standards and state board rules. Under SB 191, a local board of education could choose to adopt the State Model Evaluation System or create its own distinct evaluation system that meets state requirements. Most local boards adopted the State Model Evaluation System.

Because SB 191 requires ALL licensed personnel to be evaluated, the state board adopted rules defining effectiveness as well as other details of the evaluation system for licensed “specialized service providers” (SSPs) such as school counselors, nurses and psychologists. Districts were required to implement an evaluation system for SSPs in the 2014-15 school year.

Employment practices

Guidelines for the selection and appointment of personnel should be included in board policies. It is the board’s responsibility, by official action, to approve the appointments of all instructional personnel who work for the district. The courts have held that while the administration may directly hire and terminate the employment of noninstructional personnel, the responsibility to hire and terminate the employment of instructional personnel belongs to the board and may not be delegated to others.

This does not mean that board members must be deeply involved in seeking out and screening teacher candidates. Screening and recommending teacher candidates is a proper administrative function. However, boards must act upon the appointment recommendations made by the superintendent or administrative staff regarding instructional personnel. If the board feels a recommendation should not be accepted, the superintendent should be asked to come forth with another recommendation.

The superintendent should expect to be held accountable for the performance of all employees. Accordingly, it is important that he or she be given authority to select people the administration believes would be best suited to the positions.

The district is required to conduct reference checks of applicants and to see that the applicants selected for classified positions are fingerprinted. Licensed employees are fingerprinted during the licensure process.

Negotiating processes

Colorado law neither requires nor prohibits collective bargaining between the board and an employee union or association. The Colorado Supreme Court has determined that it is permissible for a school district to enter into a master agreement with a group of employees on a collective basis, but it is not required for the district to do so. Further, there can be nothing in the agreement that is in conflict with any statute.

The approaches used by Colorado school districts for negotiation with employees vary throughout the state from very informal models, which are often called “meet and confer,” to more formal collective bargaining agreements. Those boards that engage in collective bargaining with their teachers’ union are bound by Proposition 104, which requires collective bargaining negotiations between school district and union representatives to take place in public.

TEACHER EMPLOYMENT, COMPENSATION AND DISMISSAL ACT OF 1990

A comprehensive state law, known as the Teacher Employment, Compensation and Dismissal Act of 1990 (TECDA), sets forth specific practices to be observed in the process of teacher employment and dismissal. [C.R.S. § 22-63-101 et seq.] TECDA defines a teacher as one who is regularly licensed and employed to instruct, direct or supervise the instructional program. [C.R.S. § 22-63-103(11).] This means that classroom teachers, as well as most principals, assistant superintendents, etc., are legally classified as teachers. TECDA excepts the superintendent and persons holding letters of authorization from the definition of the word “teacher.” Following is a discussion of some of the provisions in this law.

Licensure

All persons who fall under the definition of “teacher” must have a teaching license or letter of authorization issued by CDE. The board may not enter into a contract for instructional services with persons who do not have a teaching license or letter of authorization. [C.R.S. § 22-63-201.] Further, the board may not order the payment of salaries to teachers if they do not have a current license or letter of authorization. [C.R.S. § 22-63-402.]

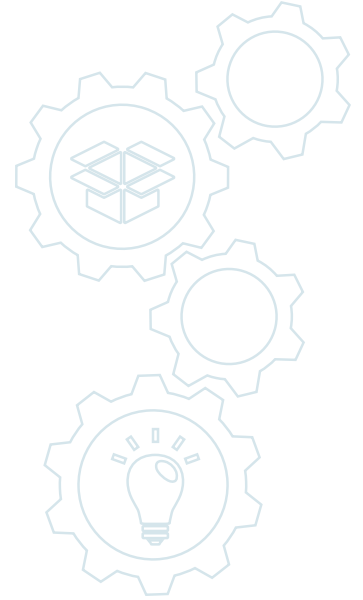
Contracts

Except for part-time or substitute teachers, the law requires all employment contracts with teachers to be in writing. The contract must contain a damage provision that permits the board to collect or withhold an amount up to 1/12 of the annual salary if the teacher abandons, breaches or otherwise refuses to perform services pursuant to the contract. [C.R.S. § 22-63-202(2).] The teacher is exempt from such penalties if a resignation is submitted 30 days prior to the beginning of the school year. After the beginning of the school year, the teacher is exempt from damages if a 30-day notice of resignation is provided.

Part-time or substitute teachers need not be issued written contracts, but they must have a teaching license or substitute authorization. [C.R.S. § 22-60.5-111(6).] Part-time teachers, as defined by TECDA, are those who normally perform services less than four hours during each regular school day. Substitute teachers are those who work on one continuous assignment for a total of less than 90 days during the academic year or one semester or its equivalent. The definition of a “substitute” also includes an itinerant teacher who performs services on a day-to-day or similar short-term basis during the school year as a replacement teacher.

TECDA also permits school districts to hire “alternative teachers” participating in a state-approved alternative teacher preparation program. Alternative teacher programs offer an opportunity for nontraditional teacher candidates to enter the profession and for school districts to customize the preparation of their teacher candidates. These programs are designed to provide nontraditional candidates with adequate supervision and education in teaching methods and practices as they “learn the ropes” and work toward initial teacher licensure. An alternative teacher may be offered a contract containing terms and conditions which differ from other teacher contracts. [C.R.S. § 22-60.5-207.]





Salary schedules

Another provision of TECDA requires boards to adopt a salary schedule that may be by job description and job definition, a teacher salary policy based on performance demonstrated by the teacher, or a combination of the salary schedule and salary policy for teachers prior to or in conjunction with the adoption of the budget for the following calendar year. [C.R.S. § 22-63-401.] Each teacher must be compensated as provided in the salary schedule or policy. During the contract year, the board may not change the schedule or policy so as to reduce the salary of any teacher. Pay may be modified for succeeding years, but no teacher’s salary may be reduced unless the new schedule or policy provides for a general reduction in the salaries of all teachers.

The law permits a reduction in salary if an individual’s job classification is changed or if the teacher has been relieved of additional duties for which he or she received additional compensation. It is advisable to consult an attorney in such cases and whenever a change in the salary schedule or policy is contemplated.

Probationary teachers and nonrenewal

In addition to overhauling state law regarding the evaluation of licensed personnel, SB 191 also significantly revised TECDA. Prior to the passage of SB 191, teachers were considered probationary during the first three years of employment in a school district. Under SB 191, a probationary teacher is defined as one who has not completed three consecutive years of demonstrated “effectiveness” or a nonprobationary teacher who has two years of demonstrated “ineffectiveness.” Effectiveness and ineffectiveness are statutory terms that are defined by rules of the state board. Under SB 191’s timeline, ineffective teachers may be subject to loss of their nonprobationary status beginning in the 2015–16 school year.

A probationary teacher does not have the right to annual renewal of his or her teacher contract. The board of education has complete discretion when it reviews the annual contracts and decides which probationary teachers it wishes to re-employ. To preserve the concept of annual contracts, it is important that care be taken throughout board policies and procedures that no statements are made, either directly or indirectly, which would imply that a probationary teacher’s annual contract will automatically be renewed.

TECDA provides that a probationary teacher shall be deemed to be re-employed for the succeeding school year at the salary that he or she would be entitled to receive under the general salary schedule unless the board of education formally votes not to renew the teacher’s contract and notifies the teacher of its decision, in writing, prior to June 1. [C.R.S. § 22-63-203(3).] This process of nonrenewal requires the board to vote in a legally constituted public meeting not to re-employ the probationary teacher for the succeeding school year. The board also must take action to see that written notice is delivered to the individual teacher prior to June 1.

A probationary teacher who is notified of contract nonrenewal may request and receive the reasons for nonrenewal from the superintendent. Nonrenewal may be based on any rational and bona fide cause or ground deemed sufficient and may not be based on the teacher’s exercise of a constitutional or legally protected right. Given SB 191’s change to the definition of a “probationary” teacher, it is recommended that boards consult with an attorney for guidance through the nonrenewal process.



Dismissal procedures

Dismissing a teacher is a complicated matter. Proceed only under the advice of legal counsel.

It is important to distinguish between the terms “nonrenewal” and “dismissal.” As discussed above, the term “nonrenewal” is the process whereby the board takes appropriate action to establish that a probationary teacher shall not be re-employed for the succeeding school year. “Dismissal” means the involuntary termination of employment of a nonprobationary teacher or of a probationary teacher during the school year while his or her annual contract is still in effect.

Specific procedures are set forth in TECDA for teacher dismissals. The legal grounds for dismissal are “physical or mental disability, incompetence, neglect of duty, immorality, unsatisfactory performance, conviction of a felony (including certain pleas), insubordination or other good and just cause.” [C.R.S. § 22-63-301.]

To initiate the dismissal process, TECDA provides that the superintendent recommends to the board that a teacher be dismissed. [C.R.S. § 22-63-302.] The superintendent should proceed with a teacher dismissal only under the direction and guidance of an attorney. One can reasonably expect that the case will be referred to the courts if the district fails to follow any of TECDA’s procedures.

Once the superintendent recommends dismissal, the teacher has the right to request a hearing before an impartial hearing officer. The hearing officer recommends either dismissal or retention. The board, after reviewing the hearing officer’s findings and recommendation, may order that the teacher be dismissed, retained or placed on probation for one year.

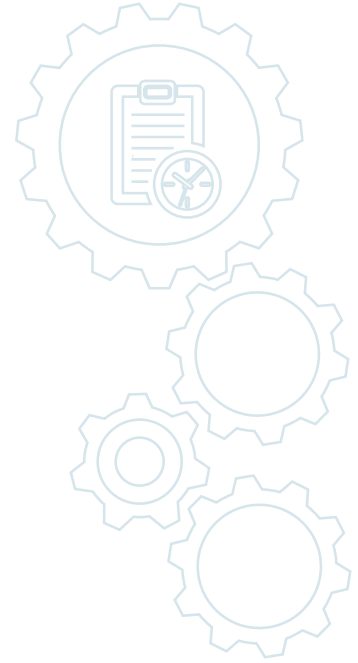
Subject to limited exceptions, state law requires the school district to continue to pay a teacher 100 days after the dismissal recommendation has been accepted by the board for review. If a teacher’s compensation is discontinued and the board ultimately takes action to retain the teacher, any compensation beyond the 100 days must then be paid to the teacher.

The board may take immediate action to dismiss a teacher, without a hearing, when the teacher is found guilty of certain criminal offenses involving unlawful sexual behavior or sale of controlled substances. If the teacher does not request a hearing, the board may take action to dismiss the teacher at its next regular meeting or at a special meeting called for that purpose.

Reduction in force

TECDA allows the board to cancel a teacher’s employment contract during the contractual period when there is a justifiable decrease in the number of teaching positions. [C.R.S. § 22-63-202(3).] TECDA requires procedures for a reduction in force (RIF) to be addressed in a contract between the board and employees or in board policy. Generally, a RIF occurs when there is a program change or a financial exigency to create a justifiable reduction in the number of teaching positions.

SB 191 amended TECDA’s RIF provision to require boards to give significant consideration to teachers’ performance or “merit,” as reflected in their performance evaluations, when determining which contracts to cancel. Each school board’s RIF policy or contract must also include consideration of length of service in the district and probationary and nonprobationary status, but only after the consideration of merit and only if such consideration is in the best interest of students.



Mutual consent/displacement

SB 191 also added the concept of mutual consent to TECDA and affects school districts' ability to transfer nonprobationary teachers who are displaced as a result of board action taken pursuant to a drop in enrollment, turnaround, phase-out, reduction in program or reduction in building. [C.R.S. § 22-63-202(2)(c.5).] In summary, TECDA requires both the teacher and receiving school's principal to consent prior to the teacher's transfer. Mutual consent has limited application in smaller districts because the consent requirements only apply when a displaced teacher's transfer places him/her under the supervision of a new principal. Mutual consent is a complex process and districts should discuss these requirements with an attorney before taking any personnel action.

Portability

"Portability" is a complex concept from SB 191 that allows a teacher to take his/her nonprobationary status with them when the teacher is hired to teach in another school district so long as the teacher received an effective rating in two prior performance evaluations. Portability took effect in the 2014–15 school year and could impact a district's hiring processes and decisions.

The statute is not clear as to when a teacher must assert the right to portability, and districts are encouraged to address this through policy language. CASB's sample policy states that a teacher seeking recognition of nonprobationary status must do so either during the hiring process or within a short, defined period of time after hire.

Portability cannot be asserted by probationary teachers, and years of employment in a prior district do not transfer when a probationary teacher takes a job in another school district.

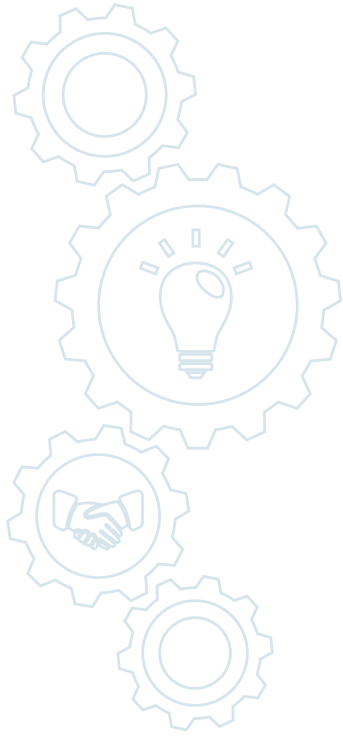
Resignations

Resignations are not effective until acted upon by the board. When a licensed employee resigns or is dismissed under circumstances that may give rise to a loss of his/her professional license, the district has a mandatory duty to report this to the commissioner of education. CDE then will follow its own procedures to determine whether the employee's license will be withdrawn.

If an employee is dismissed or resigns as a result of an allegation of unlawful behavior involving a child, which is supported by a preponderance of the evidence, the district also must immediately notify CDE. [C.R.S. § 22-32-109.7(3).]

SAFE AND SUPPORTIVE SCHOOLS

Issues related to student discipline and school safety are critical to the daily operation of the school district and have a significant impact on the board's efforts to focus on and improve academic achievement. The learning environment must be safe, secure and free from disruption for teaching and learning to occur. At the same time, it is important to remember that the rights of school officials to adopt and enforce reasonable rules of student conduct are not unlimited. Certain constitutional, statutory and regulatory laws protect students from arbitrary and unreasonable discipline. It is also important to remember that parents and students often form their strongest impressions of a school's climate from policies and regulations established by the board and administration. It is up to the board of education to establish the tone.



To provide a learning environment that is safe, conducive to the learning process and free from unnecessary disruption, state law requires the board of education to adopt and implement a safe schools plan. [C.R.S. § 22-32-109.1.] As a starting point, boards must adopt a mission statement for the district that includes making safety a priority and also adopt a student conduct and discipline code. Each local board must also adopt a crisis management policy and approve the district's overall safety plan. In addition, local boards of education are responsible, to the extent possible, for developing written agreements with law enforcement officials, the juvenile justice system and social services to keep each school environment safe.

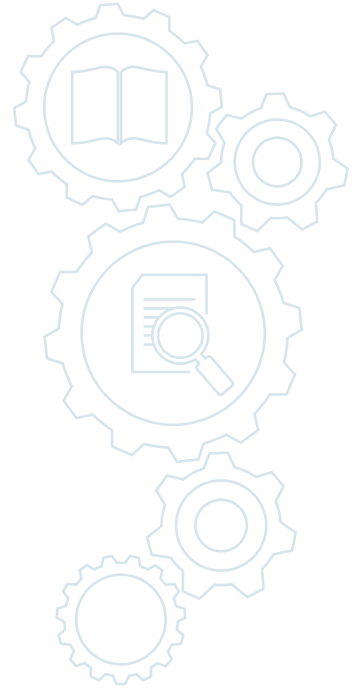
Local boards and school districts should also be mindful of potential liability for school violence due to the passage of SB 15-213, "Concerning the limited waiver of governmental immunity for claims involving public schools for injuries resulting from incidents of school violence." The 2015 bill declares that it shall be known and cited as the "Claire Davis School Safety Act," in memory of Claire Davis, who was killed by another student at Arapahoe High School in Littleton, Colorado, on December 13, 2013.

Beginning July 1, 2017, the Claire Davis School Safety Act (the "Act") waives a school district's protection of governmental immunity if the district fails to take "reasonable care" to guard against an "incident of school violence" that occurs at school or a school-sponsored activity. [C.R.S. § 24-10-106.3(9)(b).] The Act defines "incident of school violence" to include actual or attempted murder, first degree assault and felony sexual assault. [C.R.S. § 24-10-106.3(2)(b).] An incident of school violence may be between students, staff members or any other persons. A district may be liable for up to \$350,000 for an injury to one person in a single occurrence and up to \$990,000 for an injury to two or more persons in a single occurrence.

The board's role in student discipline

Enforcement of the board's student conduct and discipline code is generally an administrative function carried out by the building principal or classroom teachers. A board's student discipline policies are sometimes challenged in court, but the courts will generally defer to the decisions of school officials in enacting rules of conduct if the rule relates to legitimate school concerns, such as avoiding disruption, maintaining a safe school environment or promoting learning. However, if the rule infringes on the constitutional rights of a student, it will be judged by a higher standard, generally balancing the student's and the school's interest.

In addition to policy development, a board of education may become involved in student discipline when it is necessary to expel a student from school. In many districts, the board has delegated authority to an administrator or third party to hear the expulsion case. However, even when such authority is delegated, the student must be provided an opportunity to appeal the expulsion decision. In those cases, the board of education acts as an impartial decision-maker, listening to the recommendations of the administration and the defense of the student. All parties, including the board, are often represented by legal counsel during the proceeding.



Chapter 5

Advocacy – You are the Best Advocate for Your Community

School board members are elected to represent their community which includes advocacy for students, teachers and administrators. Beyond local representation, CASB members are strong voices for public education at the Colorado Capitol with the Colorado General Assembly and on Capitol Hill in Washington D.C. with the U.S. Congress.

The CASB advocacy team represents the best interests of school boards during interactions with education organizations, political leaders and business leaders. When legislative proposals concerning education are under development and up for consideration, CASB's advocacy team protects the interests of local school boards and provides data, advice and assistance to legislators on CASB members' behalf.

CASB offers school board members a variety of avenues for determining CASB's legislative platform and priorities and members play a critical role in the final outcomes affecting their local schools.



Local boards of education are the pulse of America. Without them, democracy itself doesn't have a foothold. We are bigger than one board and when working together, we (Colorado school boards) have great power and influence.

THE CASB ADVOCACY PLATFORM

Delegate Assembly

CASB is a membership organization and the strength of CASB depends upon its members which is especially true when it comes to CASB's legislative platform. Members are involved in determining the platform and priorities CASB will pursue and the process begins during the annual Fall Delegate Assembly Conference with the adoption of resolutions.

Adopted resolutions provide a framework in guiding CASB's advocacy efforts as well as set the direction for the legislative program for the following year. Each member school board has the opportunity to propose resolutions, appoint and send a delegate to discuss, debate, amend and vote on resolutions that reflect the current priorities of local boards.

Resolutions approved by the delegate assembly are important in influencing statewide policy. In 2015 and 2016, CASB delegates approved resolutions encouraging the Colorado General Assembly to move the Hospital Provider Fee (HPF) to a statewide enterprise. These resolutions were an important element for CASB's advocacy team as they were able to state that school boards across Colorado felt strongly about the issue. The hard work paid off during the 2017 session of the General Assembly with the passage of SB 267 moving the HPF to a statewide enterprise fund.



Advocacy efforts continue throughout the year and appointed delegates set themselves apart with their strong interest in education policy and politics, which they both understand and enjoy. Delegates also form an important link between legislators and the CASB membership. They contact legislators to keep them abreast of school issues and are a ready resource for information when legislators have questions on a particular piece of legislation. The appointed delegates also keep their fellow school board members informed about important legislation.

Legislative Resolutions Committee

The Legislative Resolutions Committee (LRC) is a dedicated group of CASB members appointed by the CASB board president. Committee members review and vote to determine positions on Colorado legislation related to K-12 education. The LRC meets at least once a month during the General Assembly session. The resolutions adopted by the CASB Delegate Assembly inform and guide the LRC decisions. During the assembly, members of the LRC are available to answer delegate's questions and to offer insight into particular issues. The LRC provides a great opportunity for CASB member involvement in the legislative process.

Federal Relations Network

While a majority of CASB's advocacy efforts are directed towards issues at the state level, CASB does not ignore federal issues coming from our nation's capital that impact local school districts. The CASB Federal Relations Network (FRN) builds bridges between Colorado's Congressional Delegation and local school board members. The FRN team also works closely with the staff of the National School Boards Association (NSBA) to inform and influence lawmakers in the capitol.

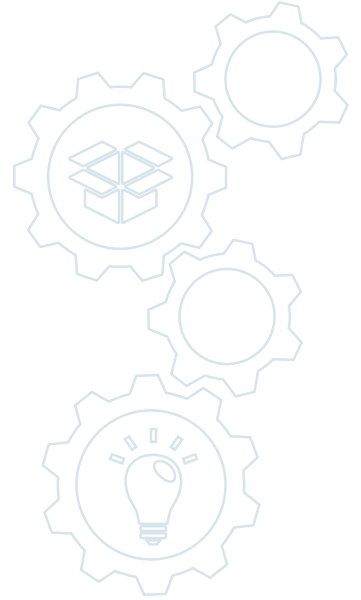
Once a year, the FRN and interested CASB members travel to Washington D.C. for a face-to-face meeting with our United States Representatives and Senators. The trip is in conjunction with the NSBA Advocacy Institute to ensure that members of Congress do not forget the important role local school boards play in educating students. The committee closely follows federal legislation and keeps members informed about federal issues that affect Colorado public schools.

Advocacy begins at home

School board members advocate for local schools by working with their legislators and it is important that members take time to know their legislators and gain the ability to share the challenges and the successes their teachers and students face on a daily basis. Invite legislators to visit local schools to see first-hand how state policies affect students, teachers and administrators. As fellow elected officials, board members bring expertise and knowledge about education in their community to their legislators.

School board members have strength in numbers and should not be afraid to work with surrounding school districts in order to plan meetings with legislators. This not only enables increased board member participation, but also provides the legislator with a broad perspective of ideas from around their district and region.

Legislators are more receptive to invitations during the legislative "off-season" from June to December. This does not mean that once the General Assembly session begins in January communication ends. In fact, the CASB advocacy team offers several ways to work with legislators during the legislative session.



CASB Days at the Capitol

The CASB advocacy team hosts board members at the Colorado State Capitol in order to meet and interact with legislators. Significant numbers of CASB members attend Days at the Capitol every year which run from January through April during the legislative session.

The program includes separate days for students offering tomorrow's leaders an opportunity to observe the political process up close and personal.

America's Legislators Back to School Program is sponsored by the National Conference of State Legislatures and occurs in September. For more information, resources and marketing materials, visit www.ncsl.org or email btsp@ncsl.org.

“State level advocacy is one of the most consequential things board members can do to improve education.”

Cathy Kipp, Poudre Board President

CASB advocacy tips

Stay up to date with the latest information from the CASB advocacy team:

- ✓ The School Board Advocate is published twice a month during the General Assembly session from January to May and once a month from August to November.
- ✓ The CASB Bill Tracker is available online and updated daily while the General Assembly is in session.
- ✓ The CASB advocacy team hosts monthly electronic legislative updates while the General Assembly is in session.
- ✓ The CASB advocacy team hosts legislative wrap-up meetings around the state following the completion of the session.

Stay connected with legislators:

- ✓ Follow legislators on Facebook, Twitter, Instagram and any other social media platforms they utilize.
- ✓ Interact with legislators utilizing personal or district social media accounts.
- ✓ Social media is a highly effective avenue for communication with Congress due to the distance between Colorado and Washington D.C.



Partnering *for Success* *in Colorado*

“In my 29 years as a teacher and administrator, **I have never seen a program that transforms a school and a school community more than AVID!** Everything we do and everything we are is because of our focus on the AVID strategies and AVID training. I cannot imagine leading a school that does not have AVID at its core.”

– Dr. Alicia Durand, Principal of Wellington Middle School



“**AVID is one of the best universal interventions we have invested in as a resource** to help get more students prepared to create a pathway towards the college and/or career of their choice. The support that comes in the form of professional development, instructional resources, and relevant materials has helped our school immediately reach students who have been historically underserved in their quest to become college and/or career ready.”



– Greg Doan, Eagle Valley High School Principal

“**I love AVID, I really do,**” Cherry Creek School District Superintendent told a recent meeting of AVID teachers and personnel. “I think that what you do for our kids and what you do in the context of our overarching goals about all children is probably some of the most significant work that we do ... In Cherry Creek, when we talk about all students, we really have to deliver on that commitment to all students. That’s part of what you do every day.”



Dedicated to Excellence
Cherry Creek Schools

– Harry Bull,
Superintendent of Cherry Creek Public Schools



Closes the Achievement Gap

With AVID, all racial/ethnic groups complete four-year college entrance requirements at a rate of 93% or higher, closing the achievement gap.

2017 AVID Seniors Completing Four-Year College Entrance Requirements

Hispanic or Latino	93%
Black or African American	94%
White (Not Hispanic)	93%
Asian	94%
Other*	92%

*Other includes American Indian or Alaska Native students, students of two or more races, and students who declined to state.

AVID. (2017). *AVID senior data collection*: N = 44,174 [Electronic database].

Partner with AVID to close the achievement gap in your district.

Explore www.avid.org/coloradoschoolboards to learn more.

AVID IS A NON-PROFIT ORGANIZATION THAT PROVIDES EDUCATORS WITH PROVEN, REAL-WORLD STRATEGIES TO ACCELERATE THE PERFORMANCE OF UNDERREPRESENTED STUDENTS SO THAT THESE STUDENTS AND ALL STUDENTS ACROSS THE ENTIRE CAMPUS SUCCEED IN COLLEGE, CAREER, AND LIFE.

Chapter 6

School Finance and Budgets

Citizens of a school district expect efficiency in the operation of their schools, and they expect their board and administrators to stand accountable for use of the district's money. The community expects that its board will exercise the proper level of oversight to protect public assets and manage the school district effectively.

There is more to a board's role in fiscal management than oversight responsibilities. It is up to a board to set priorities that are reflected in the budget. How a district allocates its resources will determine how likely it is that it will realize its goals. In fact, how a district uses its resources sends a message to staff and constituents as to how serious a board is about its goals. The old adage about "putting your money where your mouth is" may be a tired one, but it applies directly in this area.

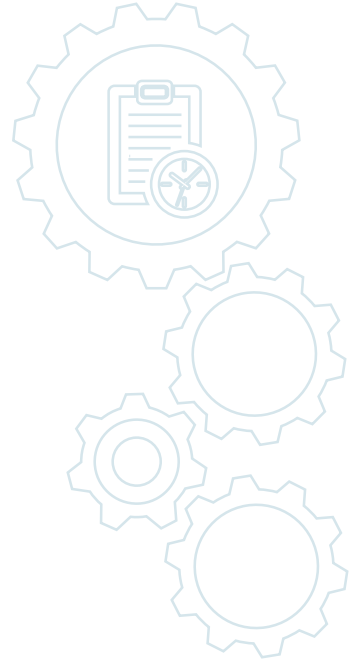
THE BOARD'S RESPONSIBILITY

In a business enterprise, making money is the prime objective. The service, product or commodity is used as a means to this end. However, in public schools, the profit motive does not play a role. The principal responsibility of a board is to deliver a well-rounded education to district students. A board has the responsibility to manage district financial resources wisely for this purpose. If a board is to fulfill its primary responsibility, it may also need to take steps to secure adequate resources to finance the needed instruction in the district.

Community support for adequate financing of education programs often requires a board to exert leadership in promoting understanding of the district's needs. Because the state and federal governments are also involved in financing schools, boards must also communicate the needs of their schools to state and federal lawmakers.

Often school boards feel they have little control over budget decisions. Fundamental operating costs are long established and difficult to alter. Community groups, employee organizations and others have learned to exert political influence on the budget process. When money is tight, people defend their turf and protect their programs from cuts. When money is available for growth or improvement, the same people want a piece of the new resources as well. School boards often find themselves caught in the middle of these political tugs-of-war.

It is natural to want to be responsible to constituents, but school boards that have established clear goals and priorities based on input from all the stakeholders will focus on making spending decisions that support the shared vision. Guidance from the National School Boards Association's "Key Work of School Boards Guidebook" ©2015 underscores the importance of aligning the board's vision for improved student achievement with available resources.



SOURCES OF REVENUE

The revenue in school district general funds comes from several sources. State revenues now account for approximately 65 percent of the total general fund operating revenues of Colorado school districts. Approximately 35 percent of school districts’ general fund revenues comes from local sources. Local property taxes account for the major portion of the local revenues, with specific ownership taxes, delinquent taxes, penalties and interest and other local revenue comprising the remainder. The federal contribution to school finance is approximately 11 percent of school districts’ total operating revenues, but most of the federal money flows to school districts through the state.

State aid, allocated annually through the Public School Finance Act, is the primary source of state revenue for school districts. Most of the remaining state revenue is used to fund categorical programs, which include special education, English language proficiency education, gifted education, small attendance centers, transportation, and career and technical education.

Federal revenue is generally provided for specific programs. Examples of these programs include special education, career and technical education, compensation for the impact of federal facilities in the district and assistance to districts for at-risk students. Use of federal revenues is strictly regulated by federal law.

PUBLIC SCHOOL FINANCE ACT OF 1994

The major allocation of state funds for financing schools comes through the Public School Finance Act of 1994. [C.R.S. § 22-54-101 et seq.] Under this act, state and local general fund revenues are distributed to school districts on a per pupil basis. Each district’s per pupil funding amount includes a base per pupil amount and additional per pupil funding based on characteristics, or “factors,” applicable to the district, such as cost of living, the number of at-risk pupils in the district and the size of the district. This additional funding of the factors is designed to ensure that each school district has the resources to provide an adequate educational opportunity to every student regardless of local property values.

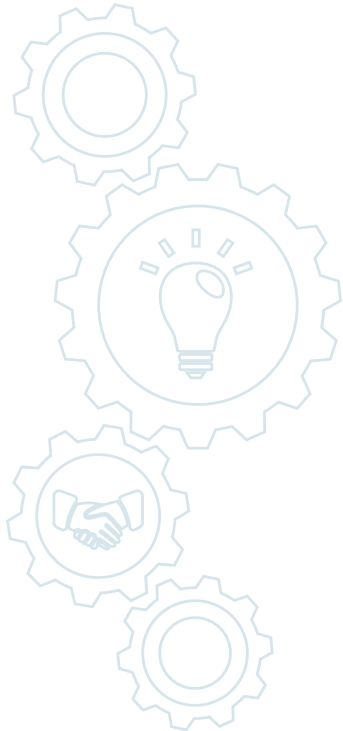


SCHOOL FINANCE ACT IN 2017–18

In fiscal year 2017-18, the School Finance Act is expected to provide \$6.4 billion in total program funding to school districts. The state will provide \$4.1 billion, while local property and specific ownership taxes are expected to provide \$2.3 billion.

Source: Legislative Council Staff

The total amount of funding received by a district under the School Finance Act – state aid and local property tax – is frequently referred to as “total program.” The practice of using both state and local revenue to fund the School Finance Act is intended to offset large disparities in the ability of local school districts to raise money from local property tax.



Local tax rates against property are always computed in mills. A mill is one one-thousandth of a dollar of taxable value (.001). For example: One mill produces \$1 in tax income for every \$1,000 of the assessed (taxable) value of the property it is levied against. A mill levy of one mill could also be stated as a local property tax rate of .1% against the taxable (assessed) value of property. About 30 years ago, local taxes actually funded the bulk of total program funding. However, since that time, a complex interplay between several state statutory and constitutional tax and spending laws has significantly limited the amount of revenue generated by local property taxes.

The state aid provided to a school district is intended to make up the difference between the amount of the total program funding set by the School Finance Act and the amount raised by local property taxes. State aid varies from district to district to ensure that each district, regardless of local property values, receives the total program funding set by the formula in the School Finance Act.

It is not feasible in this workbook to detail the provisions of the School Finance Act. Central concepts from the law include:

- ✓ The formula by which “factor funding” is calculated.
- ✓ A procedure to count pupils on Oct. 1 each school district budget year.
- ✓ Rules to govern funding special programs such as online education and concurrent enrollment of district students in college courses.
- ✓ An allowance for school districts with declining enrollment to average the last five years of enrollment to permit districts to plan and implement any cuts in staff and facilities.
- ✓ Authority for school districts to collect revenues in addition to the amounts specified in the School Finance Act, if local voters approve.
- ✓ Voter approval is subject to limitations on when the elections may be held, the language that must appear on the ballot and specified caps on the additional amounts that may be raised.

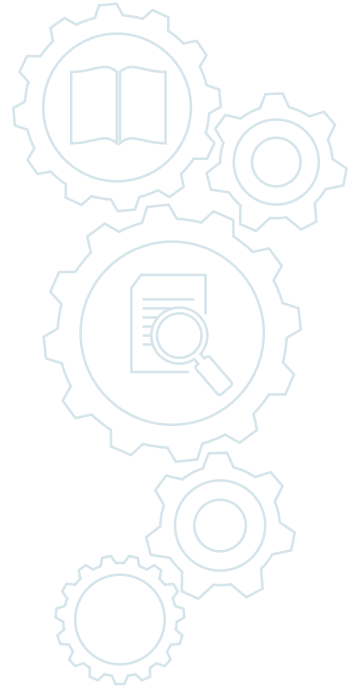
AMENDMENT 23 AND THE NEGATIVE FACTOR

In the 2000 election, Colorado voters made an important commitment to our public schools by passing Amendment 23 to amend Colorado’s Constitution. Amendment 23 was intended by its proponents to provide a stable and predictable funding base for Colorado school districts. [Colo. Const. Art. IX, Sec. 17.] Amendment 23 requires annual per pupil funding to increase from year to year at a rate no less than the rate of inflation. Similarly, the total funding for the categorical programs funded under the School Finance Act must also be increased each year by at least the rate of inflation.



IN BRIEF: AMENDMENT 23

Amendment 23 requires annual base per pupil funding to increase from year to year at a rate no less than the rate of inflation, and funding for categorical programs must increase each year by at least the rate of inflation.



In each of the last seven fiscal years, the legislature has applied a new “negative factor” to the funding formula in the School Finance Act. The negative factor defunds part of the “factor funding” required by the funding formula in the School Finance Act. The legislature took this step because falling state revenues as a result of the recent recession required the legislature to use school finance revenues to fund other parts of the state government. After the recession ended, the legislature has been unable to restore these cuts.

In the 2017-18 fiscal year, the negative factor is slightly less than \$840 million. This amounts to approximately 13 percent of the funding most school districts in Colorado would receive under the School Finance Act if the negative factor were not applied. In round numbers for 2017-18, a district of 25,000 students loses approximately \$25 million to the negative factor, a district of 10,000 students loses approximately \$10 million, and a district of 2,000 students loses \$2 million. Recent legislation has changed the name of the negative factor to the “Budget Stabilization Factor.”

Conversely, on a per pupil basis, a district that receives significant additional funding as a result of the factors will lose more money per pupil than a district which relies less heavily on factor funding to compensate for unique local conditions. For example, assuming two districts of about 20,000 students each, in which one has an 80 percent at-risk student population and one has a 20 percent at-risk student population, the negative factor will be approximately \$40 per student higher in the district with a higher percentage of at-risk students, reducing overall funding in that district \$800,000 compared to the district with the lower at-risk population. This happens because the total per pupil funding, after adjustments of the factors for local conditions, is higher in the district with 80 percent at-risk students and the negative factor is applied as a percentage of total per pupil funding.

In 2015, the Colorado Supreme Court rejected the school finance lawsuit, *Dwyer v. Colorado*. The Dwyer plaintiffs, a group of school districts and parents, challenged the constitutionality of the legislature’s implementation of Amendment 23 in the state constitution and the use of the “negative factor” mechanism.

The plaintiffs argued the intent of Amendment 23 was to mandate minimum increases in education funding every year. However, the Supreme Court found those mandatory increases applied only to base funding, not to the factors in the school finance formula that are intended to equalize funding for districts based on size, at-risk populations, cost-of-living and personnel costs.

This means that the legislature has great discretion to annually determine any increase or decrease in education funding as long as the total allocations are at least the base amount from the prior year as adjusted for population growth and inflation.

GALLAGHER AND TABOR

In 1982, Colorado voters added the Gallagher Amendment to Colorado’s Constitution to limit increases in residential property taxes. A decade later, voters added the Taxpayer’s Bill of Rights (TABOR) to limit state and local taxes and revenues and to impose a broad array of additional limits on government and elections. The specific requirements of Gallagher and TABOR are too lengthy and too complex for this workbook, but there are some key effects of these two constitutional provisions on the funding of school finance:

- ✓ Since 1992, the interaction of these two constitutional provisions has deeply eroded the local property tax base of school finance. As a result of the unintended effects of this interaction, the state’s local taxpayers now pay about 35 percent of the tab for school finance and the state’s general fund pays about 65 percent. At the time TABOR was passed, the local contribution and the state contribution were roughly equal at 50 percent each. This shift has required the state to make up for approximately \$900 million of lost local revenue. This has put additional strains on the state’s general operating budget. Not coincidentally, \$900 million would also fully fund the negative factor.
- ✓ By state statute, the mill levies paid by different school districts had been standardized to be the same in nearly every school district in Colorado at the time TABOR was passed in 1992. Since 1992, the combined effects of TABOR and Gallagher have caused mill levies to fall in wealthy and rapidly growing school districts and to remain high in school districts with low growth and low property values. In addition, as a result of TABOR and Gallagher, the state legislature no longer has the power to maintain a standard mill levy for all school districts.
- ✓ The total revenues collected by the state and local governments have not kept pace with the growth of the Colorado economy since 1992 as a result of the restrictions in TABOR and Gallagher.



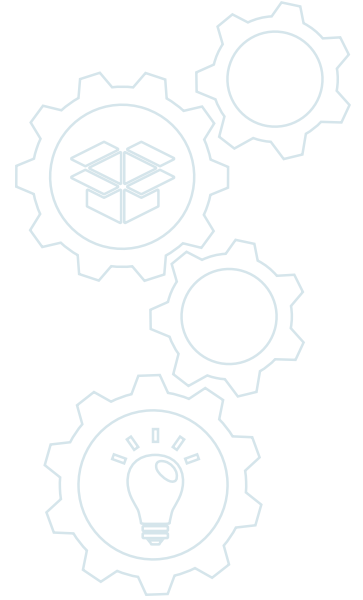
IN BRIEF: LOCAL VS. STATE FUNDING, PRE- AND POST-TABOR AND GALLAGHER

Since the late 1980s, state and local funding for K–12 education has flip-flopped. Previously, the state’s share was about 40 percent; now it accounts for about 65 percent.

The local share once was about 60 percent; now it’s about 35 percent.

Bottom line: K–12 education accounts for the largest portion of General Fund spending, and the state is locked into back-filling for local shortfalls.

Source: Joint Budget Committee



EFFORTS TO REFORM COLORADO’S TAX STRUCTURE

As discussed above, “Colorado’s constitutional tax code” – the Gallagher Amendment, TABOR and Amendment 23 taken together – has caused significant financial challenges for the state. During recessions, these challenges are much greater. The recent “great recession” sharply cut the revenues of this state and nearly every other state in the nation. However, in Colorado, those revenue shortfalls pose special challenges because of the constitutional tax code and how it operates in this state.

CASB actively works with business groups, local government associations and other groups to find solutions for the problems Colorado now faces. CASB welcomes interest and participation from its members in all of these efforts.

SCHOOL BUILDINGS AND GROUNDS

A significant portion of the education dollar is spent on the construction, maintenance and operation of school facilities. The school board is responsible for providing adequate educational facilities, keeping them in the proper state of repair and operating them in a manner that ensures the learning experience of students takes place in clean and comfortable surroundings.

Colorado law authorizes boards of education to determine the location of public schools and erect necessary buildings and structures. Major construction projects are generally financed by the sale of bonds, but boards sometimes finance lesser projects using capital reserve funds or other funding arrangements.

Funding of capital construction projects

Traditionally, school districts have funded school capital construction through the issuance of general obligation bonds, paid back through property tax revenues with only limited assistance from the state. General obligation bonds may be issued only if approved by voters in the school district. Low assessed property values in some districts limit the ability of those school districts to keep up with the capital needs in the district.

The state struggled for several years to find ways to meet the capital needs of school districts unable to meet those needs with local mill levies. In 2008, the state legislature adopted legislation known as “Building Excellent Schools Today” (BEST). The BEST legislation was designed to use the growth in the Public School Fund – money and resources that reside in a state trust fund originally created as a result of federal lands dedicated to Colorado’s public schools when Colorado became a state – to create resources for school construction.

The money utilized under the BEST legislation is generated from interest earnings, lease payments and mineral royalties earned on the school trust lands and other investments. It is not tax revenue. By using these funds, the state has been able to create a pot of hundreds of millions of dollars to address high-priority school capital construction needs. Under BEST, school districts are expected to bear part of the costs for these construction projects, according to the ability of local taxpayers and the school district.

Districts with the most immediate health and safety needs as a result of the poor condition of their buildings are the top priorities for supplemental assistance from the state. The state program has distributed \$1.246 billion to high-needs school districts around the state. At this time, limited funds are available through BEST, but additional funds may be available at some time in the future.

Most school districts still must rely primarily on traditional sources of funding for school construction or other creative local solutions to meet their needs.



IN BRIEF: BONDED INDEBTEDNESS

Bonded indebtedness may be incurred only to:

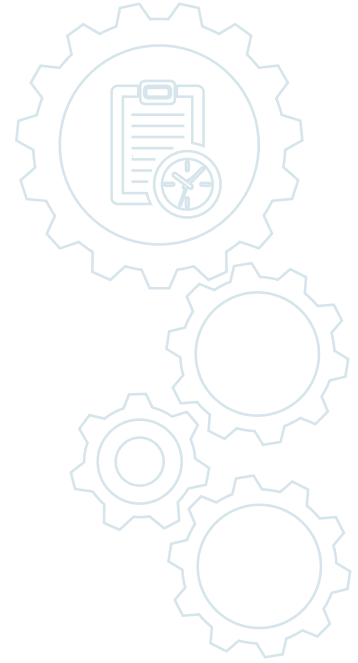
- ✓ Acquire or purchase buildings or grounds.
- ✓ Remodel or add to any school building.
- ✓ Construct school buildings.
- ✓ Equip or furnish buildings.
- ✓ Improve school grounds.
- ✓ Fund floating indebtedness.
- ✓ Acquire, construct or improve a capital asset.
- ✓ Support charter school capital construction or the charter schools' land and facilities needs. [C.R.S. § 22-42-102].
- ✓ Construct a building to lease to a state institution of higher learning.

Creating bonded indebtedness must be approved at an election, which can only be held in November each year. The process of incurring bonded indebtedness is complex and will require the assistance of competent fiscal agents and bond counsel.

Planning for new buildings

The most successful school facility and community master planning is achieved by early and frequent communication between school districts and other local government leaders. Sharing information such as enrollment trends, proposed residential areas or developments and other factors affecting the number of students and future need for school capacity will help avoid conflicts.

State law requires school boards to consult with the local planning commission prior to acquiring a school site. A board must advise the commission in writing of the site's location and confirm that the proposed site will "conform to the adopted plan of the community insofar as is feasible." [C.R.S. § 22-32-124 (1)(a).] State law also requires the board to consult with the Colorado Geological Survey regarding potential swelling soil, mine subsidence and other geologic hazards to determine suitability of the site for the proposed use. [C.R.S. § 22-32-124 (1)(b).]



After site selection and before construction of any structure or building on the site, a board must submit a site development plan to the planning commission for review. As long as the district follows the required planning commission review process, the board has the ultimate authority to determine the location of its public schools and erect the necessary buildings and structures. All buildings and structures must be constructed in conformance with the state, not local, standards of the Colorado Department of Public Safety.

CHARTER SCHOOL FUNDING

Charter schools authorized by a local school board are funded from the local school district's budget. The exact level of funding will be set in the authorizing contract between the local board and the charter school. However, funding levels for a charter school are also tightly regulated by statute. In general, a charter school will receive for each student 100 percent of the school district's per pupil funding, less amounts negotiated to be retained by the school district for administrative costs for services provided by the district to the charter school. In most cases, those administrative costs cannot exceed five percent of the per pupil funding received by the charter school. There are special rules for online charter schools.

If a school district collects additional operating revenues from a mill levy approved by local voters, the board may elect to permit its charter schools to share in those revenues. In addition, each time the school district decides to submit to local voters a request to approve either a mill levy for additional operating revenues or a bond issue for school district capital needs, the board must include charter schools in the district in the planning process. The board is not required to include charter schools in a revenue or bond question submitted to the voters, but if it does not include charter schools it must provide to the charter schools the reasons for its denial.

In 2017, the state legislature passed HB 17-1375, which places additional requirements on school districts' sharing of mill levy overrides with charter schools.

Beginning in the 2019-20 school year, those school districts that collect revenue from mill levies in addition to the total program mill levy and that also authorize an innovation school or a charter school must either:

- ✓ Adopt a plan or policy for distributing these mill levy override revenues to all the district schools, including charter schools, for the benefit of specified groups of students enrolled in the school district.
- ✓ Distribute 95 percent of the per pupil amount of the revenue to the innovation schools and charter schools of the school district (per pupil distribution).

The bill specifies the requirements for the plan or policy and the requirements that apply if the school district makes a per pupil distribution. If the local board of education decides to adopt a plan or policy for distributing revenue, such plan or policy must be in place and posted on the school district's website by July 1, 2018.

If a school district was distributing a portion of the mill levy revenue to the charter schools or innovation schools of the school district during the 2016-17 budget year, it must maintain the same distribution amount for the 2017-18 and 2018-19 budget years.

DISTRICT FUNDS

Colorado law requires that district money be deposited and disbursed through specified funds. The funds described below are specified in law. [C.R.S. § 22-45-103.]

General fund

Expenditures for day-to-day district operations are accounted for in the general fund. This includes all transactions not accounted for in another fund. Although the law provides that expenditures for certain purposes may be made out of other district funds, money may be expended out of the general fund for any purpose for which the board is authorized to expend money. In other words, money in the general fund may be budgeted and spent for any lawful purpose.

Bond redemption fund

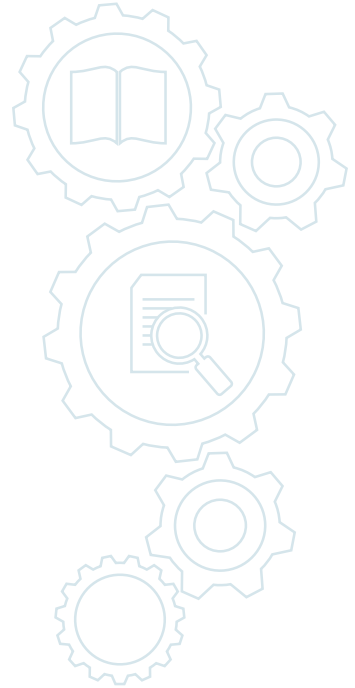
The revenue for satisfying bonded indebtedness obligations, both principal and interest, is deposited in the bond redemption fund. The fund may include subsidiary accounts for each obligation of bonded indebtedness.

In this fund, the revenue from each separate tax levy is held in trust to satisfy the obligations of bonded indebtedness for which the levy is made. Revenue remaining in an account after all obligations have been satisfied shall be transferred to another account in the fund that still has outstanding obligations. If all obligations of the bond redemption fund have been satisfied, the board may transfer the balance in the fund to the general fund.

The board must select a third-party custodian to administer this fund, unless the county treasurer maintains the accounts and funds of the school district. This third-party custodian is responsible for making payments from the bond redemption fund, for administering the fund and for investing the money as provided by law and upon the direction of the school district.

“If you can’t work together in an effective manner, all work of the board will suffer. Just like with a puzzle, if you can’t put the pieces together, it’s just a bunch of random cardboard.”

*Jaye Sudar, Huerfano Board President,
CASB Board Member*



Capital reserve fund

The board determines the amount to be maintained in its capital reserve fund. [C.R.S. § 22-45-103 (1)(c); 22-54-105.] Money received from gifts, donations and tuition receipts also may be deposited in this fund. The money in this fund may be accumulated from year to year and used when needed. Expenditures are limited to long-range capital outlay expenditures and may be made only for the following purposes:

- ✓ Acquiring land, making improvements, constructing structures or adding to existing structures and acquiring equipment and furnishings.
- ✓ Alterations and improvements to existing structures.
- ✓ Acquiring school buses or other equipment.
- ✓ Any installment purchase agreement or lease agreement with an option to purchase for a period not to exceed 20 years and any lease agreement without an option to purchase.
- ✓ Any software licensing agreement.
- ✓ Acquiring computer equipment.

Unencumbered money in this fund may be transferred to a fund or account within the general fund by action of the board.

The board, through adoption of a resolution, must authorize expenditures from the fund. The law requires that the resolution set forth in detail the purpose of the expenditure and the estimated total cost and location of the project. It is advised that boards look closely at the detailed provisions of the law before authorizing capital reserve fund expenditures.

Special building and technology fund

A board can call a special election to ask the voters for authority to set a mill levy for a special building and technology fund. The levy must not exceed 10 mills in any year or exceed three years in duration. [C.R.S. § 22-45-103 (1)(d).]

Expenditures from the special building fund are limited to acquiring land; acquiring or constructing structures; maintaining structures to enhance their function, protect their value and extend their economic life; and the purchase and installation of instructional and informational technology, including expenditures for software and staff training related to the new technology.

Transportation fund

The revenues from a voter-approved transportation tax or fee imposed to pay excess transportation costs must be deposited in the transportation fund. Expenditures in the fund are limited to payment of transportation costs. Any money remaining in the fund at the end of any fiscal year must remain in the fund and be used to reduce the levy for transportation costs in future years.

Full-day kindergarten fund

The revenues from a tax levy for the purpose of paying excess full-day kindergarten program costs shall be deposited in the district's full-day kindergarten fund. Expenditures for the fund are limited to payment of excess full-day kindergarten program costs, as authorized in the district's budget.

THE BUDGET

The annual budget is the financial plan for the operation of the school system. It provides the framework for both expenditures and revenues for the year and future years and translates into financial terms the district's educational programs and objectives of the district. Colorado school districts are required to operate on a July 1–June 30 fiscal year. Board members should become familiar with state law relating to school district budgets. [C.R.S. § 22-44-101 et seq.]

Budget adoption process

Generally, a board delegates to the superintendent overall responsibility for annual budget preparation, budget presentation and budget administration. As part of this responsibility, the superintendent should provide a budget preparation calendar that ensures the district meets all the deadlines established by law. The budget must be presented in a summary format that is understandable by a layperson. Many school districts choose to include staff and community input in the budget preparation process.

As part of the process, each school-level accountability committee must make recommendations to the principal relative to priorities for expenditures of district funds by the school. The information from school-level committees is shared with the district accountability committee. All of this information is taken into consideration on a district-wide basis as the budget is prepared.

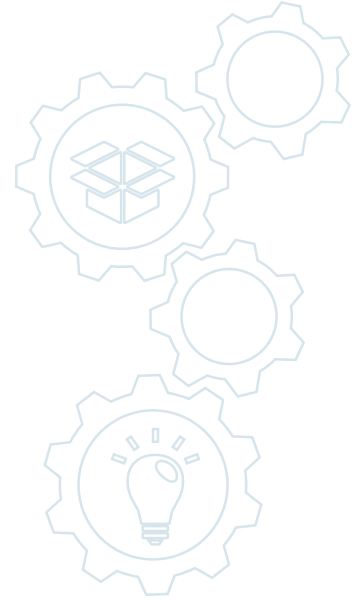
It is a board's responsibility to review the proposed budget in open session, make such changes as it may deem necessary and adopt a budget and appropriation resolution prior to the end of the fiscal year. After adoption of the budget, a board may review and change the budget with respect to both revenues and expenditures at any time prior to Jan. 31 of the fiscal year for which the budget was adopted. If money for a specific purpose other than property taxes becomes available to meet a contingency after Jan. 31, a board may adopt a supplemental budget for expenditures not to exceed that amount. Once adopted, the budget becomes the plan and legal authority for receiving and spending money.

Appeal for revenue increase

Total program funding received by a school district may not exceed the amount of total program funding allowed under the School Finance Act unless a board holds a successful election to seek additional funds in November, either in conjunction with the general election or the regular school biennial election.

The maximum amount of additional local property tax revenue that can be requested from the voters cannot exceed 25 percent of the district's total program funding for the first budget year in which the additional revenues will be collected, or \$200,000, whichever is greater. In 2015, legislation passed allowing small rural districts to seek additional local property tax revenues in an amount not to exceed 30 percent of the district's total program funding, or \$200,000, whichever is greater. Districts are advised to seek legal counsel about the specific procedures that must be followed in conducting the election and the requirements under the Fair Campaign Practices Act pertaining to this election.





Cash flow loan program

Upon application by a school district and approval by the state treasurer, any school district may participate in an interest-free loan program. The program is designed to mitigate the impact of collecting property taxes at the end of the fiscal year rather than at the beginning. This law allows the state treasurer to issue tax and revenue anticipation notes for school districts. Payments of principal on the notes will be made from property taxes as those revenues are received by the school district.

Financial accounting and reports

The board may decide to have the district’s money received and disbursed through the office of the county treasurer, or it may elect to have district money received by the county treasurer paid over to the treasurer of the district. The law requires the county treasurer to provide an itemized statement of account not later than the 10th day of each month.

Financial accounting

The law requires school district financial records to be kept in accordance with generally accepted principles of governmental accounting. Appropriate entries from the adopted budget are made in the records for the respective funds.

A board has the responsibility to oversee the district’s fiscal affairs. State law requires that a board receive a quarterly financial report for the general fund and on any other funds in accordance with the board’s request. More frequent reports can be requested so a board can fulfill its trustee responsibilities. The quarterly report must include several comparisons so a board can review the current state of revenues and expenditures. All financial and audit reports are public records.

Since 2010, the Public School Financial Transparency Act has required school districts to post financial information online in downloadable format and to link to CDE’s website where additional district reports may be found. [C.R.S. § 22- 44-301 et seq.]

Audits

The Local Government Audit Law requires a board to provide for an annual audit of the district’s financial statements for each fiscal year. [C.R.S. § 29-1-603.] The audit must be conducted in accordance with generally accepted auditing standards by a certified public accountant licensed to practice in Colorado.

The auditor must ensure that a school district is complying with the Financial Policies and Procedures Handbook adopted by the State Board of Education. The audit report shall contain a report of receipts and expenditures of each fund.

The audit report must be filed with the state auditor in accordance with the timeline set out in state law.

Creating debt

A board is authorized to borrow money on a short-term basis with repayment to be made within six months. [C.R.S. § 22-40-107.] Limits on the amount to be borrowed and interest rates are defined by statute.



The Colorado Constitution provides that a political subdivision (which includes a school district) cannot incur any multiple-year fiscal obligations or contract a general obligation debt by loan in any form unless the debt is approved by the voters. Generally, debt is not created by an obligation that can be met out of current district revenues (within one year’s budget) or by an obligation that does not obligate payments out of future revenues. Under Colorado law, discretionary or contingent obligations in future years do not constitute debt.

Installment purchase

State law requires the district to submit any installment purchase or lease agreement to a vote of the people when the repayment obligations in the agreement extend beyond one year. This same restriction applies to expenditures from the capital reserve fund for an installment purchase or lease agreement with an option to purchase for a period exceeding one year and not to exceed 20 years.

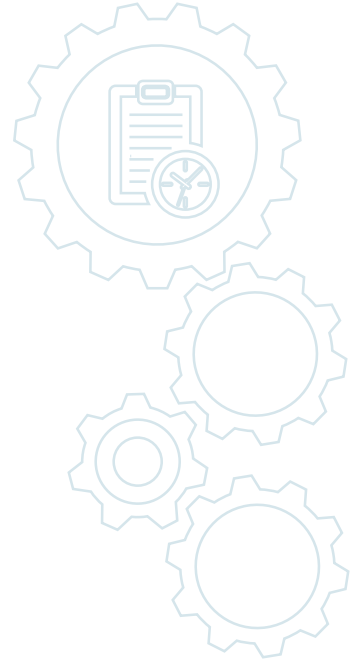
However, Colorado courts have held that the election requirement does not apply to these types of agreements, even though the terms may be greater than one year, if the district’s obligation to make payments under the agreement is subject to annual appropriation by the board of the funds necessary to pay those amounts. These are, in the courts’ view, discretionary or contingent obligations.



TOP 10 THINGS YOU CAN DO WRONG IN DEVELOPING YOUR BUDGET

- 1** Forget to hold the public hearings required by law.
- 2** Use a fund balance you do not really have.
- 3** Use a one-time only revenue more than once.
- 4** Overlook something that is small now but will be big next year.
- 5** Overestimate revenue.
- 6** Underestimate cost increases.
- 7** Adopt a budget without an adequate contingency.
- 8** Forget to certify your mill levy to the county by the deadline.
- 9** Fail to adopt the budget.
- 10** Use an enrollment forecast from anyone who does not have to live with the adjustments if the forecast is too high.

Sources: Ken Hoover, former chief operating officer, Jefferson County Schools; Glenn Gustafson, chief financial officer and deputy superintendent, Colorado Springs District 11



THE BOARD'S RELATIONSHIP WITH ITS AUDITOR

Communication is key

Strong lines of communication between a school board and the auditor it has hired can be the cornerstone to a strong foundation for ensuring taxpayers that their funds are being well cared for.

The overall responsibility for the review of the financial affairs and reporting to the public at large is one of the most important roles of a school board. Colorado statutes require that the governing body of every school district in the state shall provide an annual audit of the financial affairs and transactions of all funds and activities of the school district. The audit must be completed not later than five months after the close of the fiscal year and, in fact, school boards may at their own discretion require more frequent intervals for audits, whether they are comprehensive in nature or on specific programs.

The audit serves several important purposes. It attests to the accuracy of the financial reporting and fiscal status of a district. It also provides an opportunity for a board and staff to find new and improved ways of doing business.

After reviewing a district's records and verifying the accuracy of the financial numbers for the prior year's activity, the work of a board and its auditor is just beginning. There are several steps in this process:

- ✓ A presentation of the results of the audit to the board in public session. This can involve a frank conversation with the auditor either at a public board meeting or at a public work session. Discussion topics would include areas that are being managed well, as well as concerns or areas where the district might benefit from additional improvements. To generate a good dialogue with the auditor means that each board member should review the management letter to the board of education and the audit document itself.
- ✓ A discussion with the staff on what the next steps will be to address any issues presented by the auditor.
- ✓ Formal acceptance of the annual fiscal year audit during a regular board meeting.
- ✓ Perhaps the most important function a board can perform in relation to the audit is asking good questions during the auditor's presentation to the board. Questions from the board to the auditor need not be technical, and, in fact, often serve the public, fellow board members and the staff better by being of a more practical nature.

Questions posed to the auditor could include:

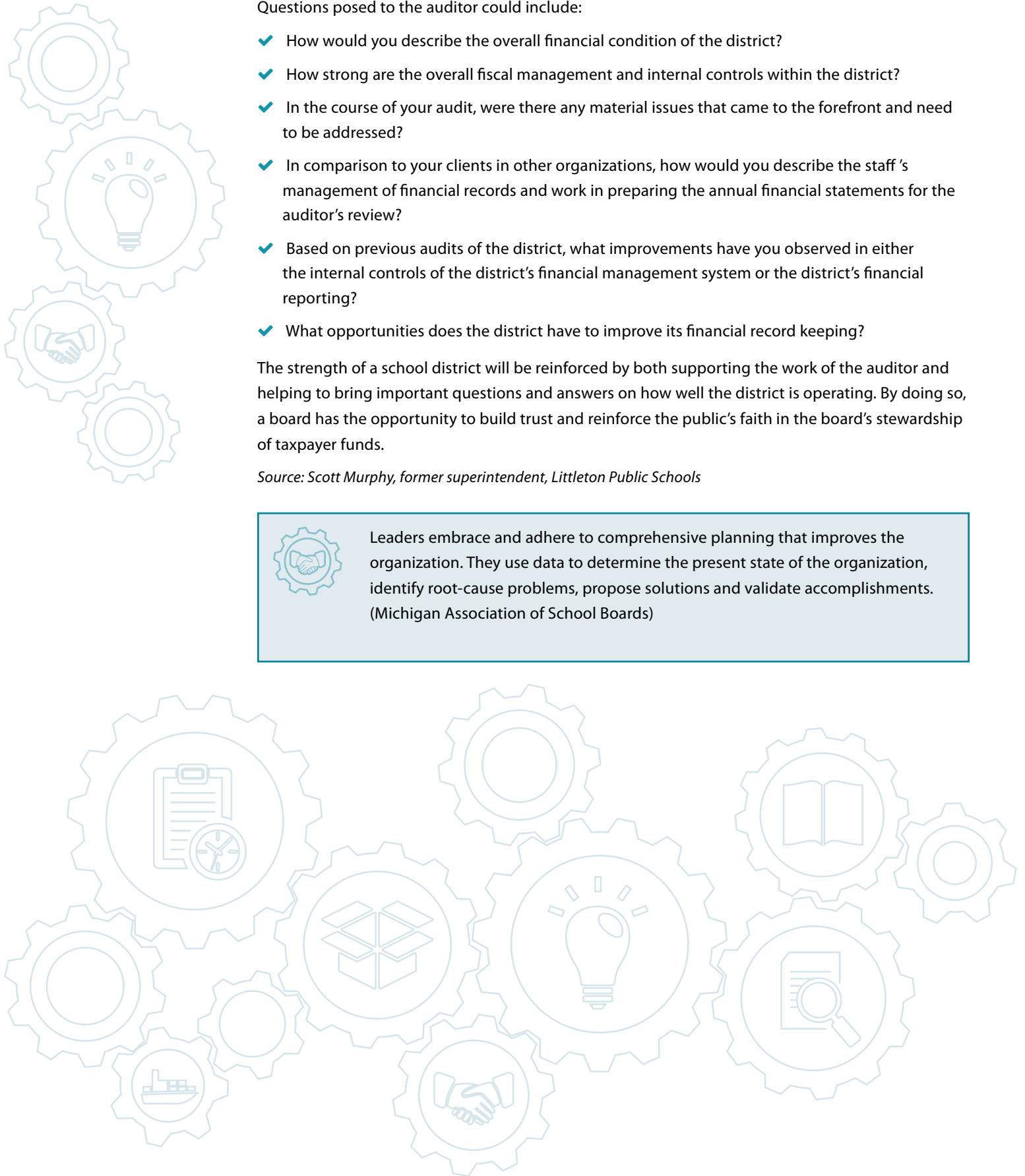
- ✓ How would you describe the overall financial condition of the district?
- ✓ How strong are the overall fiscal management and internal controls within the district?
- ✓ In the course of your audit, were there any material issues that came to the forefront and need to be addressed?
- ✓ In comparison to your clients in other organizations, how would you describe the staff's management of financial records and work in preparing the annual financial statements for the auditor's review?
- ✓ Based on previous audits of the district, what improvements have you observed in either the internal controls of the district's financial management system or the district's financial reporting?
- ✓ What opportunities does the district have to improve its financial record keeping?

The strength of a school district will be reinforced by both supporting the work of the auditor and helping to bring important questions and answers on how well the district is operating. By doing so, a board has the opportunity to build trust and reinforce the public's faith in the board's stewardship of taxpayer funds.

Source: Scott Murphy, former superintendent, Littleton Public Schools

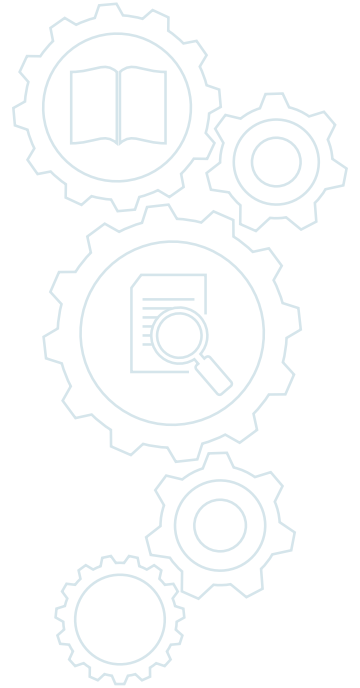


Leaders embrace and adhere to comprehensive planning that improves the organization. They use data to determine the present state of the organization, identify root-cause problems, propose solutions and validate accomplishments. (Michigan Association of School Boards)



Chapter 7

Community Relations and Engagement



COMMUNITY RELATIONS

Effective community relationships are essential in order for board members to champion the needs and successes of students. To do this board members must understand they have two publics involved in communication:

- ✓ **Internal** – those taught in or employed by the school district; students, superintendent and staff
- ✓ **External** – those outside of the organization; parents, community members, local governments, state and federal officials

Attention to nurturing continuous, two-way communication with the community will ensure the school district is meeting the community’s needs, as well as gaining public support. Some school districts choose to engage professional communications personnel while others take on the role themselves.

Written school board policy will provide guidance to the administration for quality communication and outline actions the school board will take in providing the public with information. Written policy reinforces the intent of the board to establish an open flow of information between the school district and the community.

“Be open to learning, listening and trying new ideas. Sometimes what a school board looks like from the outside is very different than what it looks like from the inside!”

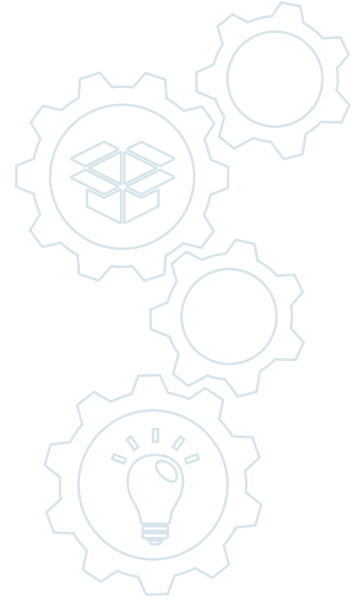
Kentee Pasek, Ouray Board President

Creating a communications plan

The National School Public Relations Association (NSPRA), in *School Public Relations: The Complete Book*, suggests the following guidelines for boards in developing communication plans:

- ✓ **Recognize citizens have the right to know:** Citizens have the right to know what is occurring in their school district. Board members and central office staff have an obligation to see that the system will benefit from making sure citizens receive all information directly from the system itself – good and bad.
- ✓ **Appoint a committee:** A committee should be appointed to include board members, staff members and community experts in the field of communication. This group should be large enough to brainstorm ideas, but not so large as to be hampered by the number of members.
- ✓ **Develop a policy statement:** Develop a policy statement for the board that commits the school district to development of a program for open communication with its publics. This statement will serve as the goal of the community relations program.
- ✓ **Develop guidelines:** Once the policy statement is adopted and publicized, the committee should develop guidelines for work that include what their final report to the board will cover and a timeline for activities.
- ✓ **Appoint a researcher:** A person with strong professional skills should be in charge of the main research and development procedures as directed by the committee.
- ✓ **Check out other district plans:** The committee should secure workable background information on what is occurring in the area of school/community relations around the country and assess their own system. This analysis should include an evaluation of all communication presently being used.
- ✓ **Develop goals for communication:** Using the policy statement adopted by the board, the committee should develop goals for open communication between the organization and its internal and external publics. This goal statement will form the basis of the public relations program and be used in selecting activities to be initiated the first year.
- ✓ **Develop a list of communication techniques:** The list should include different techniques for communicating with both internal and external publics to ensure a systemic process of meeting the system-wide goals.
- ✓ **Create social media protocol:** Social media protocol should be developed with an understanding that comments and photos, which may misrepresent the intentions of the board, can be spread quickly and widely. Board members should understand that both publics may confuse board social media comments as official board positions.
- ✓ **Prepare the committee's report:** The committee's report to the board should contain the goal statements of the community relations program and the activities that will meet those goals. Provisions must be made for both an adequate staff and adequate funding to ensure success of the program. Accountability procedures should be included so the results of the program may be carefully analyzed.
- ✓ **Necessary staff:** The basic staff should include an efficient, reliable secretary and a communications specialist.
- ✓ **Evaluation process:** An evaluation process must be provided to ensure needs are being met, new ideas and/or techniques are incorporated and unsuccessful techniques are discontinued.





Building a quality community relations program

Quality community relations programs create community-wide benefits. A good community relations program not only builds trust, but also respect, cooperation and assistance within the business community. In the end, a good program allows misunderstanding to be clarified quickly or altogether avoided. Good community relations help the school district attract quality staff and assist in attracting business, individuals and industry to the community. A good community relations program also develops positive relationships with the media.

The following steps will help in building a quality community relations program:

- ✓ **Interpret the needs and values of the community:** Use public forums, surveys, town meetings, focus groups, needs assessments, advisory committees and other programs to help interpret public attitudes and desires for the school district.
- ✓ **Communicate district goals, progress and news:** Use newsletters, a website, news articles, blogs, tweets, videos, social media, speaking engagements, open houses, brochures, annual reports and other items to share information, explain policies or initiatives and build understanding within the community.
- ✓ **Support community involvement:** Create volunteer, mentor and adult education programs; allow public use of school facilities; promote school/business partnerships.



School districts thrive as a result of the community's satisfaction with its schools. Bond elections, board elections and curriculum buy-in are dependent on the degree to which the community understands and trusts the decision-making process of the board of education.

Handling criticism

A school board member's job is to discern what is best for all children while a parent's job is to discern what is best for his/her child. As a board member, there may be pressure from a community member in regard to what is best for that community member's child and it is advantageous to listen, be informed and direct them to the proper channels in the system.

Occasionally, external publics may come to board meetings and express concerns. These events should be anticipated and the board should have a well-developed and communicated protocol in place for public comment. The school board policy should address avenues for hearing and addressing public input which may involve criticism. Procedures should address the amount of time individuals are permitted to speak, the expected civil tone and a statement that the board will not make decisions on issues not included on the agenda.

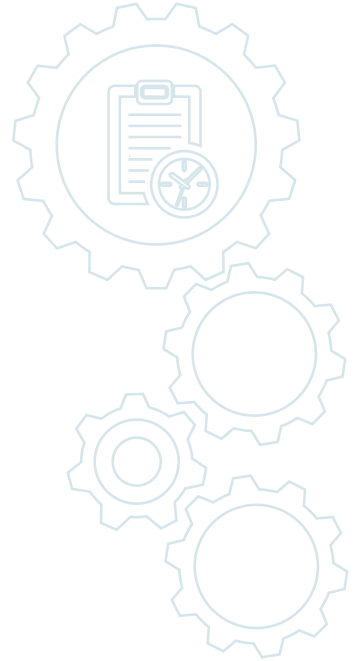
MEDIA RELATIONS

The news media plays an important role in efforts to communicate with the public at large. School boards must understand they are responsible for communicating with the public and the media is not responsible for being the public relations agent.

As a school board media plan is developed, the following checkpoints may be helpful in assessing the media relationship:

- ✓ **Have a written policy:** Good written communication policies outline the action the board wants taken in providing its public with information about the school district and reinforces the intent of the school board to establish an open flow of information between the school district and the community.
- ✓ **Be aware of upcoming issues:** Stay informed of events and trends that are both statewide and national and be prepared to respond to what is occurring in your district. Media tend to localize stories and want to know how the issue or trend affects your district.
- ✓ **Designate district spokespersons:** For some types of news, building principals or instructors may be able to speak to the media. For district philosophy and policy, the superintendent, board president or another spokesperson may be appropriate.
- ✓ **Be accessible:** Building a trusting relationship with the media requires commitment. Respect media deadlines with prompt responses that are honest and open.
- ✓ **Be accurate:** Never use the phrase “no comment.” If you are unable to respond due to legal consideration, tell the media you cannot respond due to litigation in progress. If you do not know the answer to a question be honest, but let reporters know you will do your best to get the correct information or direct them to the source that can answer their questions.
- ✓ **Know what “news” is:** The media definition of “news” is the remarkable, the timely, the controversial and the outstanding. A news “peg” is the hook that will interest the media in your district’s news. Pegs can be statistics as well as human interest stories based upon individual success, a compelling personality, faces or names.
- ✓ **Avoid media confrontation:** Give the media the news your board wants reported knowing the media has the final say on what is shared. Evaluate whether an inaccuracy is worth rehashing. If there is a major error, be rational in asking for a correction.
- ✓ **There is no such thing as “off the record”:** Expect anything you say to show up in the news. Share your words wisely and understand if you do not want information to show up in the media, do not share it.
- ✓ **Use plain language:** Avoid education jargon and explain your district’s issues in terms that the average citizen can understand.
- ✓ **Be fair:** Do not play favorites with the media. Additionally, if reporters have discovered a story through their own initiatives, respect their efforts and do not interfere with the release of the story.
- ✓ **Learn how to be interviewed:** Be prepared to take advantage of books and workshops that teach the art of the interview. Do not fill pauses, and speak only when you are ready. Ask for clarification when you do not understand a question.
- ✓ **Say “thank you”:** Reporters appreciate the occasional “thank you” for the work they put forth in covering education news. They value their objectivity. A job well done is a story that accurately conveys the important facts to the community, although it may not be the story you would have written.





Crisis communication

School districts must have a crisis communication plan in place with the hope that it is never used. A crisis might include an angry student/parent/community protest, weather events, personnel issues, a school shooting, a death or suicide or any number of events or tragedies that may affect the school district. The safety and security of students and staff is paramount and should determine/govern/inform/define the manner in which a crisis is communicated to the public.

The crisis communication plan should designate spokespersons and important methods/channels of communications (TV, radio, social media, district website, etc.). It should provide guidelines regarding what information is communicated, who will receive the information, in what order the information will be communicated and much more.

“Not only get involved, “BE” involved!”

W.A. “Tony” Lobato, West End Board President

Community engagement

Community engagement is a long-term effort to generate community dialogue around broad issues affecting a school district and community. Engagement is not a newsletter, survey or effort to gain buy-in from the community. Engagement involves face-to-face discussions about education issues of importance which gives the school board insight into community values. Engagement creates a shared sense of direction and willingness to allocate responsibility if done correctly.



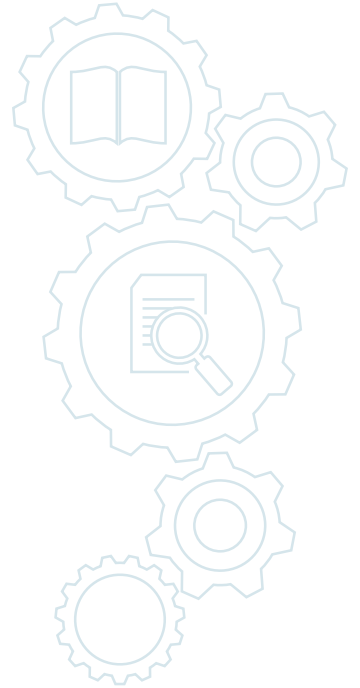
Face-to-face dialogue on issues is important and most effective when conducted through small group discussions.

Ideas for successfully engaging the community:

- ✓ **Start with the correct issue:** The community does not need to be engaged on every decision made by the school board. Engage the community in the big issues with broad impact such as:
 - ⦿ District budget priorities
 - ⦿ The school district’s mission and vision
 - ⦿ Graduation guidelines
 - ⦿ Superintendent searches
- ✓ **Frame the issue in community terms:** Use terms that are attractive and meaningful so citizens will choose to engage and attend meetings.
- ✓ **Create conversation, not education:** This occurs face-to-face and is most effective in small groups. Discussions can take place in homes, churches, workplaces, recreation centers, schools and any place citizens feel comfortable gathering. The best discussions are guided - not managed. Agendas are important, but there should be freedom for participants to share their thoughts. Facilitation should be from a school board member or outside facilitator and notes should be kept from each meeting. This is a time to listen instead of educating participants on what the board is doing.
- ✓ **Keep the conversations going:** Asking community members to discuss issues only when the school district has a need, rather than when the community has insights to share, can create distrust. Instead, think about having several groups of participants discussing several different issues. Many times, a group may want to have more than one meeting on a topic and the benefits outweigh the time allocation.
- ✓ **Staff and students are important:** Be sure to include these groups in the engagement process. Staff should be kept informed in regard to what you are hearing from the community. This gives them an understanding of community values, which helps them in their district role.



Lines of communication and active engagement are crucial for building trust and gaining buy-in.



Community relations checklist

Do you have the following in place?

- School board policy specifying community relations goals and objectives.
- Implementation plan specifying aspects of the communication or community relations program and the person responsible for each aspect.
- Media communication plan.
- Adequate budgetary provisions and delegated community relations responsibilities.
- Superintendent understanding the need to regularly report on progress of community relations program.
- Good communication flow stressed by school board.
- Community relations training for district employees.
- District publication for employees.
- Communication plan for parents and nonparents.
- Feedback plan for staff members and publics.
- Meetings scheduled for communication and feedback.
- Citizen advisory committees.
- School board members active in school and community events as well as other public service and government agencies.
- Appropriate chain of command for resolving complaints or grievances raised by school staff or publics.
- Process for evaluating communication efforts on an annual basis.
- Designated spokesperson for the board.
- Public access to board agendas, policies, financial data, student achievement data and other information.
- Public surveys, community conversations and other tools utilized before the board takes action on major policy items.
- Plans to showcase district programs and student achievement at board meetings.

Chapter 8

Board-Superintendent Roles and Responsibilities

The board-superintendent relationship is defined by clearly articulated responsibilities and expectations. An important endeavor of a school board is to employ a superintendent and to hold the superintendent responsible for managing the district in accordance with federal law, state law and the school board's policies. Being the board's sole employee, the board routinely evaluates the superintendent. If necessary, the board also has the authority to terminate the superintendent.

In contrast to the laws in some states, Colorado statutes do not define the duties and responsibilities of the superintendent. They do, however, spell out a board of education's authority to employ a superintendent of schools to administer the affairs of the district. [C.R.S. § 22-32-110(1)(g).] As a result, a board must set forth the superintendent's duties and responsibilities in board policy and/or the superintendent's contract.

SUPERINTENDENT AND BOARD RESPONSIBILITIES

In order for a school district to operate efficiently and effectively, it is essential that board members and the superintendent understand their respective roles. The superintendent should not assume the functions and responsibilities of the board. Similarly, the board or its individual members should not attempt to function as the superintendent.

In many cases, strained relationships between a board and the superintendent are caused by misunderstandings or disregard for the responsibilities each is expected to assume. Board members are encouraged to discuss these issues with the superintendent and arrive at understandings before problems arise. A board should assist the superintendent by ensuring that none of its members violate the understandings of a working relationship. If the superintendent is infringing upon the functions of the board, a prompt reminder from the board is in order.

The two basic responsibilities of the superintendent are:

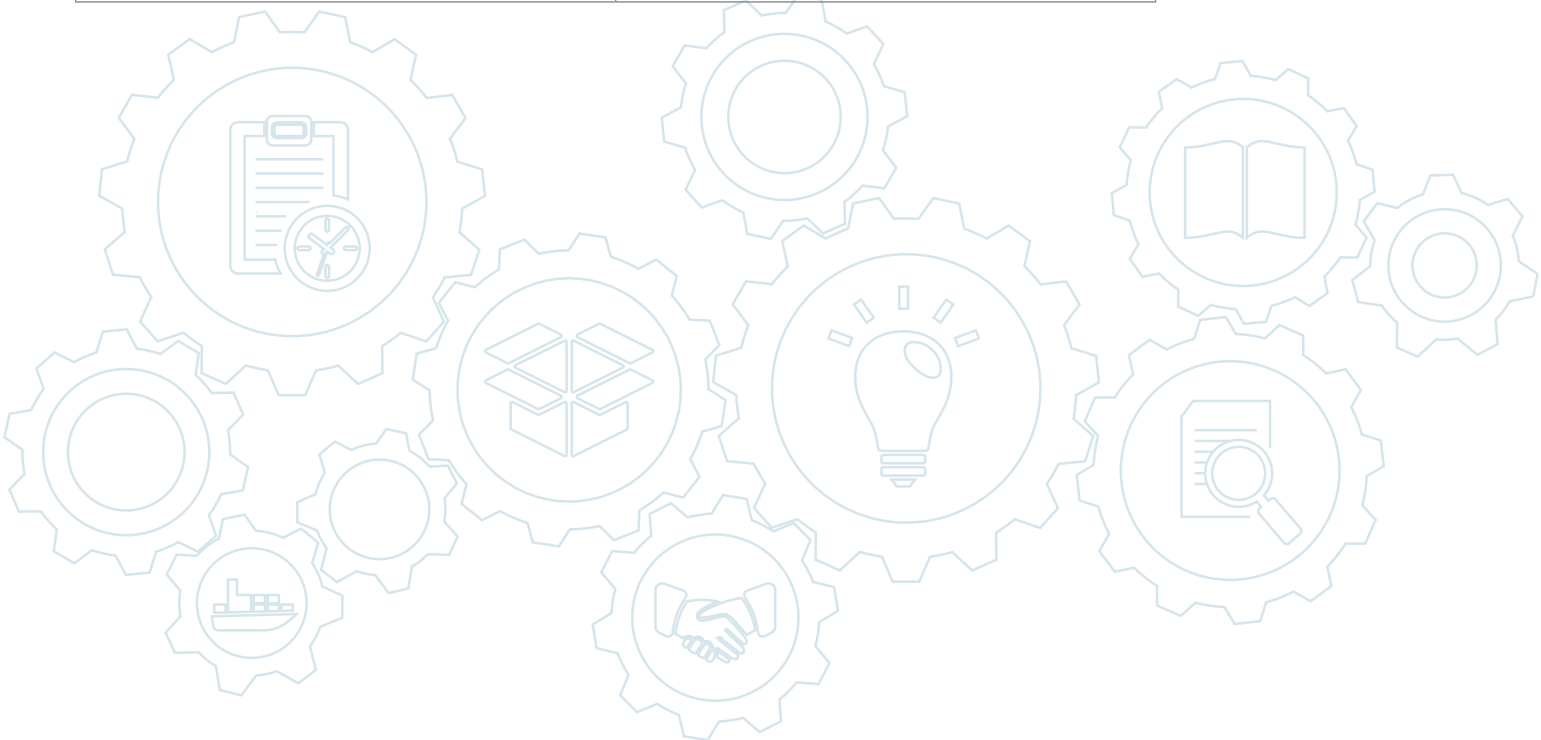
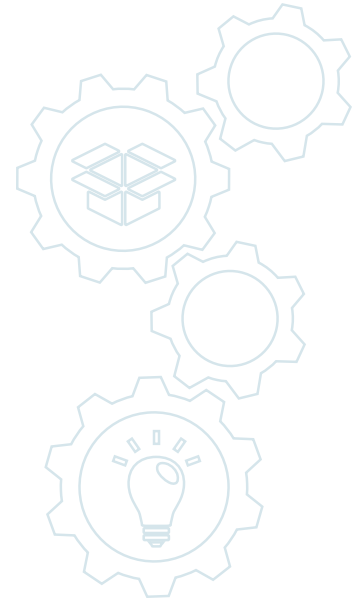
- ✓ To serve as principal adviser to the board on all matters having to do with the district, and education in general.
- ✓ To serve as the executive administrator of the district with the responsibility for seeing that the policies and directives of the board are implemented.

The two basic responsibilities of the board are:

- ✓ To serve as a representative of the community in providing direction for district programs and ensuring that the school system operates efficiently and effectively.
- ✓ To adopt policy, plan school services and evaluate the quality and effectiveness of district services.

ROLES AND RESPONSIBILITIES OF THE BOARD AND SUPERINTENDENT

BOARD OF EDUCATION	SUPERINTENDENT
<ul style="list-style-type: none"> ✓ Ensures educational programs are designed to achieve desired end results for students. ✓ Accredits the district's schools. ✓ Serves as a legislative body, adopting policies and regulations pertinent to the affairs of the district. ✓ Recognizes the superintendent as the professional leader of the staff and adviser to the board. ✓ Establishes written policies for the administration of the schools; considers policy recommendations from the superintendent, staff and community; revises policies as necessary. ✓ Adopts policies governing financial transactions; receives and reviews periodic reports relating to the financial status and transactions of the district. ✓ Adopts policies that ensure proper operations and adequate maintenance of transportation services and adequate maintenance of the building and grounds of the district. ✓ Adopts policies relative to employment of personnel; appoints instructional personnel upon recommendation of the superintendent. ✓ Prohibits its members from assuming responsibilities of the full board or assuming responsibilities of administration. ✓ Authorizes the superintendent to prepare a budget for board consideration; considers the proposal and makes revisions that appear to be necessary; holds public hearings; adopts a budget and an appropriation resolution; authorizes the superintendent to implement and administer the adopted budget. 	<ul style="list-style-type: none"> ✓ Administers the affairs of the district in conformity with the policies and regulations adopted by the board; implements the directives of the board. ✓ Assumes responsibility for serving as professional leader of the staff and adviser to the board. ✓ Conducts studies and investigations necessary to the development of policies; makes recommendations with respect to policies; advises the board and provides information and materials to assist the board in its deliberations. ✓ Assumes responsibility for administering financial affairs of the district pursuant to established policy; provides periodic reports to the board relative to financial status and transactions. ✓ Submits policy recommendations and advises the board on the transportation, operation and maintenance needs of the district; supervises the operation and maintenance of school plants in accordance with board policy. ✓ Determines instructional personnel requirements, qualifications and duties for the approval of the board; nominates instructional personnel for employment upon board approval. ✓ Works with the board as a whole; keeps all members informed; does not usurp board responsibilities or prerogatives. ✓ Ensures educational programs are achieving the board's desired end results for students. ✓ Prepares a proposed budget for board consideration; interprets the proposal to the board; provides the board with pertinent data and information; implements and administers the budget upon board approval.



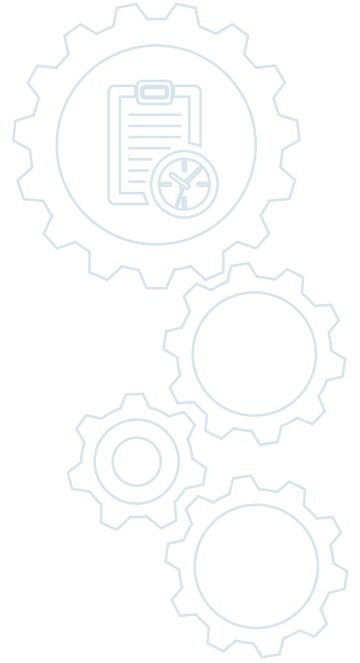


Board and superintendent expectations

Both the board and superintendent should have high expectations of one another in order to serve the school district efficiently and effectively. The board should expect assistance, cooperation and professional leadership from its superintendent. A superintendent should be expected to recommend changes in district programs and board policies whenever it is believed that they are necessary. Without exception, a superintendent should put into effect the policies and plans adopted by the board.

The following are examples of board and superintendent expectations of one another:

EXPECTATIONS	
FOR THE BOARD OF EDUCATION	FOR THE SUPERINTENDENT
<p>A superintendent should be able to expect that the board will:</p> <ul style="list-style-type: none"> ✔ Carry out its duties and function in an ethical and responsible manner. ✔ Give authority commensurate with the responsibilities it is expected to assume. ✔ Hold the superintendent accountable for situations and problems he or she has been given authority to correct or control and, similarly, not hold the superintendent accountable when denied such authority. ✔ Stand behind and support the superintendent if he/she is carrying out the policies and directives of the board. ✔ Provide objective counsel and advice and offer any criticism it may have in a constructive manner. ✔ Adopt policies to guide the superintendent in the performance of his/her duties. ✔ Look upon the superintendent as a professional educator and administrator; give due consideration to the superintendent's recommendations on matters pertaining to education and the administration of the schools. ✔ Keep current with education program trends and actively participate in workshops and conferences that are designed for school board members. ✔ Follow meeting agendas and established school board meeting procedures so the board can be adequately prepared to respond to questions. 	<p>The board should expect that the superintendent will:</p> <ul style="list-style-type: none"> ✔ Administer the operations of the school district in conformity with directives and policies adopted by the board and be accountable to the board in all related matters. ✔ Assume responsibility for serving as the administrative officer of the district and as adviser to the board. ✔ Facilitate preparation of board meeting agendas. ✔ Provide recommendations, advice, information and materials to assist the board in its deliberations. ✔ Keep the board advised of changes, innovations and trends in education that might be applicable to the system. ✔ Keep the board fully informed on all matters of its concern. ✔ Keep the board informed of student achievement data and other information affecting the district's accreditation. ✔ Utilize the professional competencies of the staff in conducting studies, evaluating programs and developing recommendations for consideration by the board. ✔ Make an effort to work with all board members on an equal basis and not place undue reliance upon certain individuals. ✔ Accurately interpret the needs of the school system to the board and to the public. ✔ Consistently strive to provide for improvements in the instructional programs of the district. ✔ Make a conscious effort to maintain good staff and community relations. ✔ Operate the district in a fiscally sound manner ✔ Support board decisions. ✔ Ask to be relieved of his/her contract if unable to perform as expected.



Board self-evaluation

Boards should evaluate their own effectiveness by determining their purpose, goals, roles and core values. Once these facets are determined, they can continuously measure their success against the descriptions. Effective boards measure their success by:

- ✓ Building a debriefing session into the conclusion of meetings to assess how the meeting went and what they can improve upon.
- ✓ Holding sessions two to three times a year to assess their work and progress toward the board goals.
- ✓ Regularly engaging in school board training.
- ✓ Observing other governance teams.

Superintendent evaluation

The responsibility to evaluate the superintendent's performance rests exclusively with the board. [C.R.S. § 22-9-106(4)(b).] The evaluation process is often laid out in the superintendent's contract and/or board policy and regulation and should be established well before the board sits down to formally evaluate the superintendent. It is important to approach an evaluation as an ongoing process, not a single event. A good place to begin the conversation is to mutually agree upon a mission, purpose and performance goals that will be discussed and monitored during the year. The board and superintendent should determine the best way to monitor progress on an ongoing basis.

Eventually, the board will prepare a written evaluation that will:

- ✓ Set forth recommendations and plans for improvement, including recommendations for additional education and training.
- ✓ Identify the superintendent's performance strengths and weaknesses.
- ✓ Identify sources of data upon which the evaluation document is based.

The superintendent's evaluation report is public information as it relates to the performance of the superintendent in fulfilling adopted school district objectives, fiscal management of the district, district planning responsibilities and supervision and evaluation of district personnel. [C.R.S. § 22-9-109(1)(a).] This means that most, if not all, of the superintendent's summative evaluation report must be disclosed to the media and/or a member of the public upon request. Boards should confer with legal counsel before releasing the superintendent's evaluation pursuant to an open records request.



There are more than 90,000 school board members across the United States and all serve as important trustees of the nation's public education system.
(Arizona School Boards Association)

Hiring a new superintendent

Employing a superintendent is a critical decision for a school board and even though the choice may be difficult, the process is fairly simple.

✓ Who is qualified to serve as a superintendent?

- ⊙ Superintendents are not required by law to hold a professional license. As long as they meet the qualifications set by the board, any person may serve as superintendent. A board may determine it is necessary or desirable for the superintendent to hold an administrator's license issued by the Colorado Department of Education.
- ⊙ To obtain an administrator's license, an individual must demonstrate knowledge in basic management, leadership, decision-making and problem-solving, communication and human relations, personnel administration, resource utilization, child growth and development, and knowledge and application of standards-based education. [C.R.S. § 22-60.5-308.]

✓ How are candidates assessed?

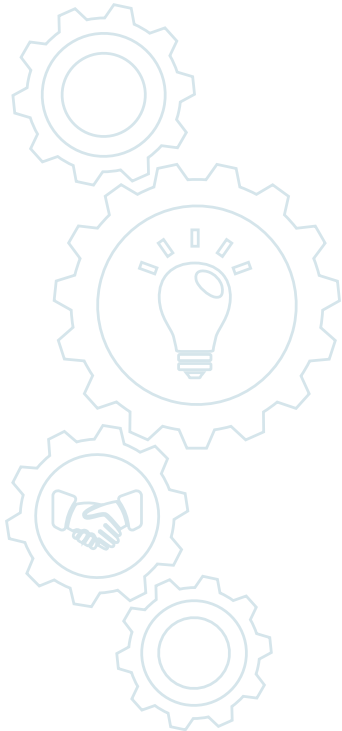
- ⊙ A board should decide upon the required qualifications, salary and other terms of the contract and procedures to be observed in the selection process. Consideration should be given to qualified people within the school system as well as those applying from the outside.
- ⊙ The entire board may wish to take part in screening applications, but this can become time-consuming. Many boards utilize consultants to assist in the initial screening process that usually reduces the applicant number to around four or five. These candidates should be invited to a formal interview with the board. It is advisable to ask the same questions in each interview in order to permit comparisons.
- ⊙ The interview process should reduce the number of candidates to two or three. State law requires that a board make public the list of finalists it is considering for the superintendent's position no later than 14 days prior to employing one of the finalists to fill the position. [C.R.S. § 24-6-402(3.5).] A board cannot make a final offer of employment until this 14-day waiting period has passed.

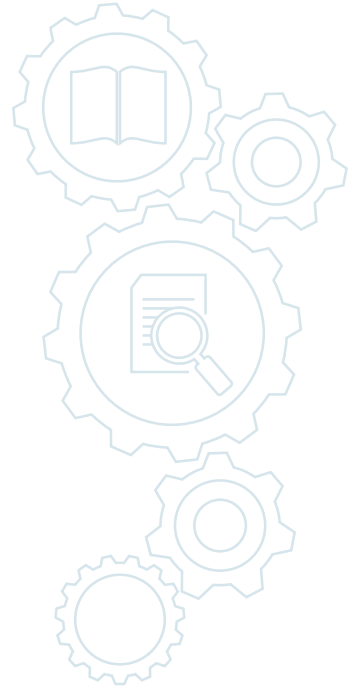
✓ How is the board's choice announced?

- ⊙ The final decision of the selection of the superintendent is the responsibility of the entire board. Unanimous election is desired, but not required. Announcement of the appointment should be in the form of a prepared board statement and should share the qualifications of the person selected. Announcements should not be made until the person has accepted the position.

✓ Is a contract required?

- ⊙ Yes. The law requires a written contract for the superintendent, but the terms of the contract are left largely to negotiations between the board and the individual. [C.R.S. § 22-63-202.] Typically, the contract defines the board-superintendent relationship, the superintendent's salary and other terms of service, including the annual evaluation process and grounds for termination. Boards should review and understand the terms of their superintendent's contract and are advised to seek legal counsel when negotiating or renegotiating their superintendent's contract.





HEALTHY BOARD-SUPERINTENDENT RELATIONSHIPS AND HEALTHY BOARD-STAFF RELATIONSHIPS

The board employs the superintendent to be the professional leader of the district’s employees and should not undermine that authority. The board also fosters a positive, respectful relationship with its superintendent in order to help build a positive school climate for employees and the students they serve.

The school board has the ability to promote good will and understanding between the board and district employees. Well-informed teachers, administrators and support personnel instill a positive public image with respect to their schools and school district.

All district personnel, both licensed and classified, should be governed by written policies concerning duties, salaries, insurance, absences, leaves, resignations, dismissal and other items applicable to a particular group.

The board should keep in mind that the teacher stands as the focal point in delivering educational services. Such services cannot be adequately provided without leadership or cooperation and assistance of all personnel. Board policies should ensure that there will be opportunities for the ideas, concerns, and expertise of employees to be given due consideration as efforts are made to improve board policies and district services.

The board should provide opportunities for employees to participate in professional growth activities, provide in-service programs as needed and demonstrate interest in the financial and professional security of school employees. The board has the ability to show appreciation and respect to all district employees.

“A board that works together is critical in supporting the superintendent; it models what we want to see from the district leaders and it sends a strong message to the community.”

Karen Fisher, Cherry Creek Board Member, CASB Board Member

Communication Processes

Many boards and superintendents deem it necessary to use a variety of processes for communicating with staff. Board meetings are open to all employees and it is important that the staff be familiar with the work of the board. Generally, board-staff communications are coordinated through the superintendent. The following ideas are examples of communication processes:

- ✓ Periodically schedule meetings with various staff representatives to gain firsthand knowledge of the workings of various departments.
- ✓ Ask the superintendent to meet with staff and then report to the board.
- ✓ Schedule informal gatherings to become better acquainted with employees.
- ✓ Meet with committees representing employees.
- ✓ Utilize the district bulletin or periodic newsletter to keep employees informed of the board's vision and actions.
- ✓ Ask for staff committees to be assigned responsibility for studying specific problems and issues.
- ✓ Establish appropriate avenues for communicating with administrative personnel as well as licensed and support staff.
- ✓ Develop a schedule for regular school visits.
- ✓ Schedule informal visits to schools and classrooms, either for volunteer purposes or drop ins, through the principals of the various schools with the full knowledge of the superintendent and fellow board members.
- ✓ Information gleaned through school visits should be shared with the full board-superintendent team and are not to be used as inspections or visits for supervisory or administrative purposes.

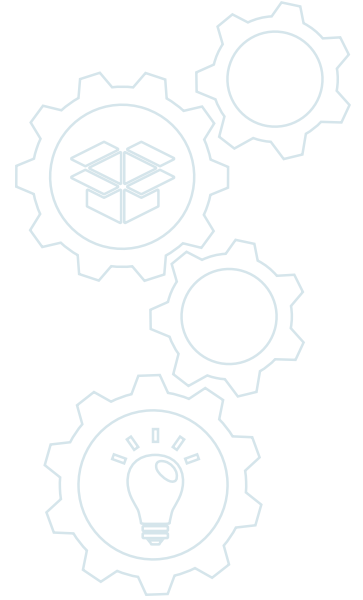
It is important to remember that staff and board members share the same interest in public education. At social affairs and other functions, informal discussion on education trends, issues and innovations, as well as general district problems, can be anticipated. Board members should recognize times for social communication and collegiality, while respecting the requirement to discuss official business in a formal meeting.

TERMINATING THE RELATIONSHIP

A critical link in a board's responsibility to students is the superintendent's success as an educational leader. It is important to have a frank and open discussion during the evaluation process to address issues that might affect the superintendent's continued employment. A board should never retain an ineffective or unsatisfactory superintendent because of sentiment or lack of courage to terminate the employment relationship.

When a superintendent change is necessary, the board should proceed in an orderly and courteous manner to accomplish the change with a minimum of confusion and disruption in the community. The superintendent's contract will address how the employment relationship may be terminated – both voluntarily and involuntarily. A board should work with legal counsel to ensure the termination of a superintendent's employment complies with the provisions of the superintendent's contract and applicable law.





HABITS AND STANDARDS FOR EFFECTIVE GOVERNING

All great teams have habits and standards. Wisdom from around the country about the ongoing work of providing effective governing helps in establishing good board habits and standards. The information that follows is designed to support and encourage local efforts to discuss, develop, own and continuously improve.

IOWA “LIGHTHOUSE” STANDARDS

Great governing helps increase student achievement. In order to pursue world-class education that results in high achievement for students, effective school boards will:

- ✓ Operate as a visionary governance team in partnership with the superintendent.
- ✓ Provide effective leadership for quality instruction and high, equitable student learning.
- ✓ Foster a culture that enables excellence and innovation.
- ✓ Lead through sound policy, ensuring transparent, ethical, legal operations.
- ✓ Sustain and enhance district resources through planning and fiduciary oversight.
- ✓ Advocate for public education and the needs of students.

National Lighthouse Project, Iowa School Boards Association

FIVE TRAITS OF HIGH-IMPACT SCHOOL BOARDS

- ✓ Concentration on governing above all other board work.
- ✓ Development of the board’s capacity to govern.
- ✓ Active participation in leading district strategic change.
- ✓ Meticulous attention to keeping the board-superintendent partnership healthy.
- ✓ Active participation in reaching out to a wider community.

Doug Eadie’s Five Habits of High-Impact School Boards, 2004

“FOUR SACRED DUTIES”

- ✓ Establish and promulgate ownership of the district’s vision and values.
- ✓ Articulate expected district results and monitor progress.
- ✓ Create the conditions for achievement of the district’s vision, values and expected results through effective use of the five areas of board authority: Promulgation of policies; governing the use of community fiscal resources for education; engaging the community in its schools; sustaining an effective board-executive relationship; negotiating and approving contracts.
- ✓ Ensure a community-wide climate of commitment, respect and trust.

Doing the Right Thing – The Panasonic Foundation’s Guide for Effective School Boards



HABITS AND STANDARDS FOR EFFECTIVE GOVERNING

THE 10 PRINCIPLES OF POLICY GOVERNANCE®

- ✓ Govern on behalf of ownership.
- ✓ Speak with one voice.
- ✓ Make policy decisions.
- ✓ Policy formed from large issues/values, then add necessary detail.
- ✓ Define and delegate, rather than react and ratify.
- ✓ Focus on ends not means.
- ✓ Set boundaries rather than prescriptions.
- ✓ Own, develop and improve board effectiveness.
- ✓ Foster relationship with management that's empowering, safe and effective.
- ✓ Monitor performance constantly with rigor.

Adapted from many renditions of Policy Governance® created and developed by John and Miriam Carver

FOUNDATIONAL PRINCIPLES OF EFFECTIVE GOVERNANCE

Illinois leaders have long framed “the work of great governing” around foundational principles. “The collective wisdom is always introduced with language of social, moral and legal responsibility: As the corporate entity charged by law with governing a school district, each school board sits in trust for its entire community. The obligation to govern effectively imposes some fundamental duties on the board”:

- ✓ The board clarifies the district purpose.
- ✓ The board connects with the community.
- ✓ The board employs a superintendent.
- ✓ The board delegates authority.
- ✓ The board monitors performance.
- ✓ The board takes responsibility for itself.

Illinois Association of School Boards

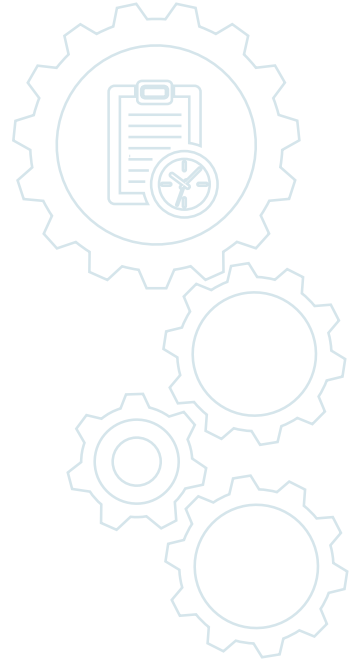
HABITS AND STANDARDS FOR EFFECTIVE GOVERNING

EIGHT CHARACTERISTICS OF EFFECTIVE SCHOOL BOARDS

What makes an effective school board? From a research perspective, it's a complex question. It involves evaluating all functions of a board, from internal governance and policy formulation to communication with teachers, building administrators, and the public. But the research that exists is clear: boards in high-achieving districts exhibit habits and characteristics that are markedly different from boards in low-achieving districts. So, what do these boards do? Here are eight characteristics:

- ✓ Effective school boards commit to a vision of high expectations for student achievement and quality instruction and define clear goals toward that vision.
- ✓ Effective school boards have strong shared beliefs and values about what is possible for students and their ability to learn, and of the system and its ability to teach all children at high levels.
- ✓ Effective school boards are accountability driven, spending less time on operational issues and more time focused on policies to improve student achievement.
- ✓ Effective school boards have a collaborative relationship with staff and the community and establish a strong communications structure to inform and engage both internal and external stakeholders in setting and achieving district goals.
- ✓ Effective school boards are data savvy: they embrace and monitor data, even when the information is negative, and use it to drive continuous improvement.
- ✓ Effective school boards align and sustain resources, such as professional development, to meet district goals.
- ✓ Effective school boards lead as a united team with the superintendent, each from their respective roles, with strong collaboration and mutual trust.
- ✓ Effective school boards take part in team development and training, sometimes with their superintendents, to build shared knowledge, values and commitments for their improvement efforts. High-achieving districts have formal, deliberate training for new board members. They also gather to discuss specific topics.

The Center for Public Education: "What makes an effective school board – one that positively impacts student achievement?"



Chapter 9

CASB and You

The Colorado Association of School Boards was established in 1940 to provide a structure through which school board members could unite in their efforts to promote the interests and welfare of Colorado's 178 school districts.

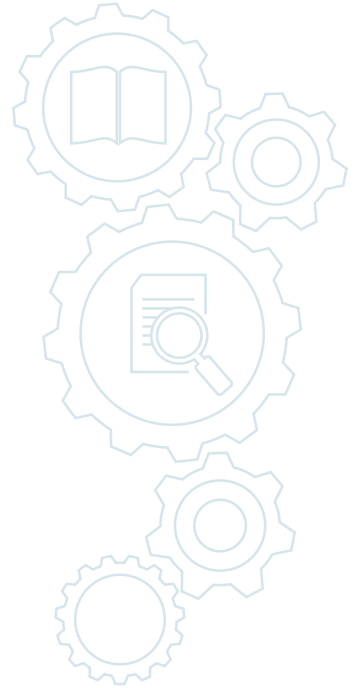
CASB represents and advocates for more than 1,000 school board members and superintendents statewide to groups both within and outside the K–12 education community. CASB provides services, information and training programs to support school board members as they govern their local districts. Membership benefits and solutions are designed to enhance school board effectiveness and help board members increase their knowledge, boost their efficiency and connect with their communities.

CASB also cultivates relationships with dozens of governing bodies and other education stakeholders — at both the state and national level — to ensure a unified and effective voice and presence on behalf of its members. The association is guided and governed by a 22-member board of directors comprised of school board members representing 12 CASB regions across the state.

ASSOCIATION GOVERNANCE

CASB bylaws, which were adopted by the membership, provide the structure for the governance of the association. For purposes of association governance:

- ✓ The state is divided into 12 CASB regions.
- ✓ At the annual convention, local school board members are elected as directors to represent each of these regions. For the more populous regions, the bylaws provide for the election of more than one director.
- ✓ Directors are elected for three-year terms.
- ✓ The 22-member board of directors, which serves as the governing body of the association when the membership is not assembled, is comprised of the regional directors.
- ✓ Four seats on the board are dedicated to the six school districts in the state that have the greatest number of students and that hold active membership in the association.
- ✓ The CASB Board of Directors elects officers annually.
- ✓ The board of directors appoints CASB's executive director, who serves as the chief executive officer of the association.



Executive committee

The purpose of the executive committee is to facilitate the work of the CASB Board of Directors and to take final action on behalf of the board when necessary if the full board is unable to meet. The executive committee also provides internal leadership development for the board, anticipates issues for discussion with the full board, previews and provides information about candidates for appointment to fill vacancies on the board and serves other functions in accordance with the governance policies adopted by the CASB Board.

MEMBERSHIP

Membership in the association is open to the boards of all Colorado school districts and community colleges, boards of cooperative education services, the State Board of Education and the State Board for Community Colleges and Occupational Education. Member boards of education represent more than 90 percent of the student population in Colorado. The association is primarily supported by voluntary payment of dues and fees by local school boards from district funds. Annual dues vary with the size of the school district, based upon the general fund budget.

Benefits of membership

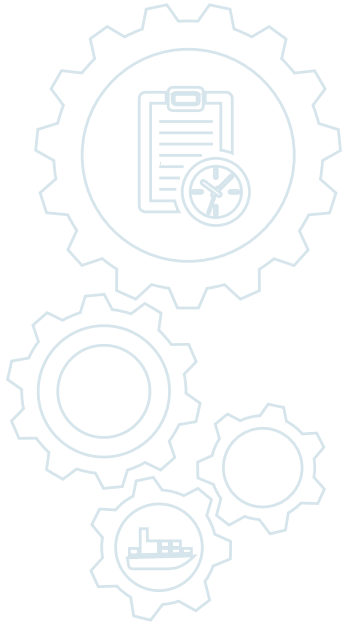
CASB offers a diverse range of benefits and services that are included in membership dues, as well as additional fee-based customized solutions that are offered at rates far below market value.

Membership benefits & services included with CASB dues:

- ✓ Phone and email support
- ✓ Policy leadership and support
- ✓ Legal information and updates
- ✓ Advocacy and lobbying
- ✓ Peer learning and networking
- ✓ Board governance support
- ✓ Engagement and partnership with education stakeholders

Fee-based solutions & special projects:

- ✓ Policy projects
- ✓ Policy updates based on legislation and court decisions
- ✓ Annual convention
- ✓ Fall and winter conferences, regional meetings
- ✓ Superintendent search
- ✓ Community engagement and focus groups
- ✓ Board effectiveness workshops and retreats
- ✓ BEST Health Plan



POLICY SERVICES

CASB offers a menu of policy services designed to promote effective school board governance and assist boards with their essential policy role.

Policy member benefits

Benefits of membership include:

- ✓ Unlimited phone and email consultations with policy experts
- ✓ Sample policies on individual topics upon request
- ✓ Review of individual policies
- ✓ Policy manual audit service (spot-check of board's policy manual for legally required policies, as well as feedback on organization and format)

Custom policy solutions

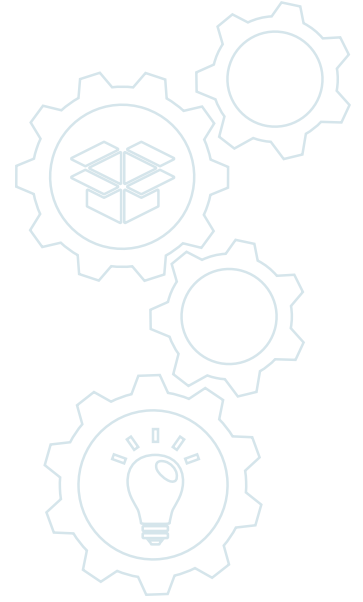
CASB's custom policy options offer ways to ensure that local policy remains relevant and complies with applicable law.

A policy manual overhaul project helps districts or Boards of Cooperative Educational Services (BOCES) create a comprehensive, customized policy manual using CASB's Core Sample Policy Manual as a starting point.

The Core Sample Policy Manual is a comprehensive, attorney-reviewed sample policy resource that includes all legally required policies, as well as numerous other policies addressing virtually every issue likely to arise in a public school district.

For BOCES, CASB offers a modified version of the Core Sample Policy Manual. The comprehensive, attorney-reviewed sample policy manual includes all legally required policies, as well as numerous policies addressing BOCES-specific issues.

CASB's user-friendly online policy solutions are designed for more effective local policy leadership and consist of policy support and online district policy maintenance.



Policy support includes:

- ✓ CASB core policy online allows subscribers to search CASB’s sample policies anytime, and includes links to current state statutes and regulations.
- ✓ *Policy Parameters* is CASB’s policy newsletter that informs boards and staff about changes to federal and state law and the policy implication of such changes. In addition to explaining any new or revised legislation, rules and/or applicable case law, *Policy Parameters* also provides pertinent policy updates to CASB’s sample policies.
- ✓ *Special Policy Update* is CASB’s newsletter that alerts boards and staff to time sensitive or hot-topic policy issues that require immediate attention. *Special Policy Update* also provides pertinent policy updates to CASB’s sample policies.

Online district policy maintenance service transforms the board’s policy manual into a convenient, online policy collection. CASB hosts the manual and performs all updates at the district’s request.

Policy training sessions are offered on a variety of topics, including:

- ✓ Policy manual orientation
- ✓ Keeping a board policy manual current
- ✓ Key policy areas

If the board’s policy manual is not currently using the National Education Policy Network (NEPN)/ National School Board Association (NSBA) policy letter codes or is using outdated letter codes, CASB will recode the manual to the current NEPN/NSBA coding system, allowing for greater ease in referencing and updating

CASB’s Policy Governance® service provides comprehensive facilitation and consultation, enabling boards to establish a specific framework for effective governance using the Policy Governance® model.

LEGAL RESOURCES

Member legal resources

CASB’s legal team provides general legal information to educate school leaders about the law and help avoid potential legal problems.

CASB attorneys will:

- ✓ Correspond directly with members on legal questions arising in their communities.
- ✓ Publish memos on frequently asked questions and topics of interest to school leaders, e.g., nonrenewal process, elections.
- ✓ Provide updates on legal issues affecting schools throughout the state, e.g., recent court decisions, legislative changes.
- ✓ Email updates with upcoming compliance deadlines.
- ✓ Provide regional seminars and training sessions for school board members and administrators.
- ✓ Review legislation and assist with CASB’s advocacy efforts.
- ✓ Support CASB’s development of sample policies as required by legislative or judicial action.
- ✓ Participate on task forces and other committees to influence and develop education policy.

Training and seminars

CASB's legal team offers training and seminars designed to reduce districts' potential liability by providing staff and board members with an understanding of their rights and obligations under the law. In addition, CASB members may request specialized trainings tailored to their local concerns for a flat fee. Such retreats and presentations are customized to the board's needs and may relate to any topic from board governance to special education laws.

CONFERENCES

CASB believes that local school districts can only be as good as the quality of their leadership. To that end, CASB offers school board leaders numerous training, education and networking opportunities throughout the year to strengthen their governance role.

- ✓ **Fall Regional Meetings:** CASB hosts annual meetings in each of its 12 regions to enable school board members to network with colleagues and share challenges and success stories with neighboring districts. Board members receive necessary tools to start conversations in their communities and position their board to influence state education policy.
- ✓ **Fall Delegate Assembly Conference:** The Delegate Assembly is the foundation of CASB's governance structure and provides critical direction to CASB when it represents members' interests before state and national policymakers. This conference is an opportunity for members and their delegates to learn about issues facing public education in Colorado and to debate and deliberate those issues before the delegates vote on resolutions. Participation by members ensures that CASB understands the interests of all boards of education across the state.
- ✓ **Annual Convention:** CASB's signature event is the largest gathering of school board members in the state and provides a unique opportunity to learn, connect, grow and gain inspiration. Attendees hear from national speakers, focus on statewide education initiatives and directives, and have a chance to network and share experiences with other education leaders throughout the state.
- ✓ **Winter Legislative Conference:** CASB provides school board members the opportunity to meet with their state legislators, learn about legislative issues impacting public education and spend time at the state capitol to watch the House and Senate in action.

COMMUNICATION

Implementing effective communication strategies is no easy task, especially when taking into account the distinct internal and external audiences of each school district. While some are fortunate to have an in-house communication expert, many districts do not. This is where CASB can help.

Communication benefits

Members receive up-to-date education, legislative and conference information through [CASB's website \(www.casb.org\)](http://www.casb.org), publications, email newsletters and social media channels.

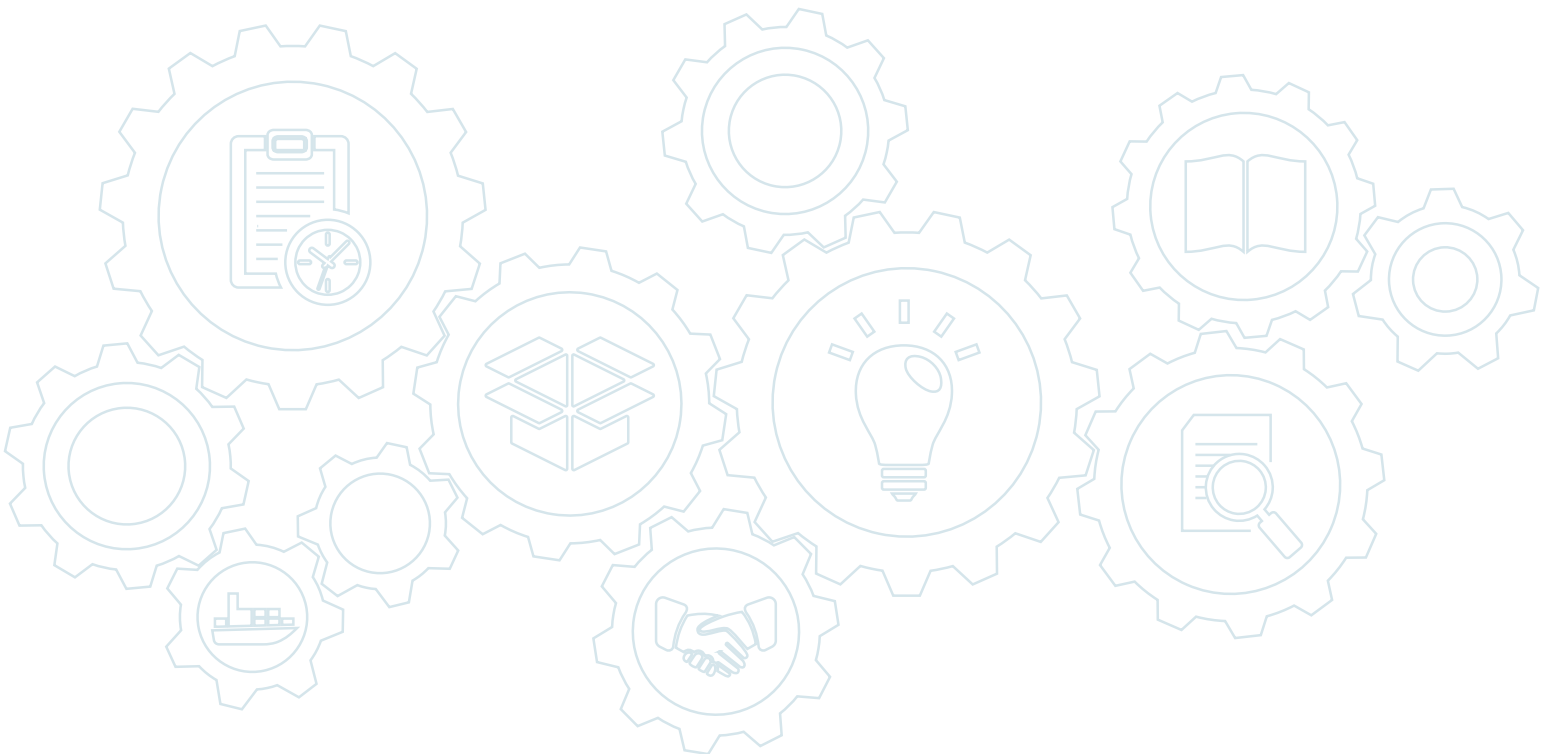
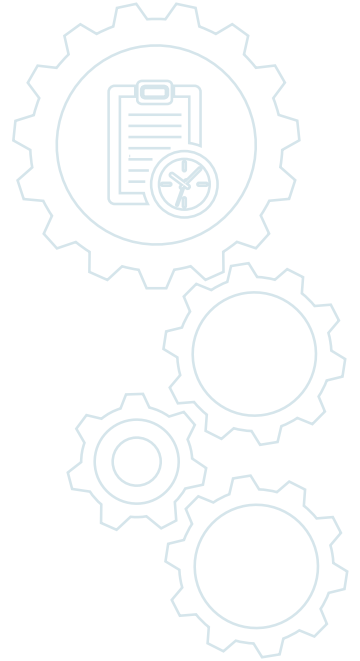


ADVOCACY SERVICES

CASB's advocacy team represents school boards at the state and federal levels by lobbying members of the Colorado General Assembly and U.S. Congress and staying abreast of key legislative issues that relate to education.

CASB advocates for local school boards in the following ways:

- ✓ Lobbies the state legislature based on the resolutions adopted by the CASB Delegate Assembly, the legislative priorities established by the CASB Board of Directors and input from the Legislative Resolution Committee.
- ✓ Hosts Days at the Capitol program from January through April in order to give school board members from across the state a chance to experience the legislative process firsthand and help strengthen the voice of school boards.
- ✓ Sends legislative updates and alerts on a regular basis during the legislative session. CASB makes it simple and quick for board members to contact legislators and make their voices heard. CASB's *School Board Advocate* online newsletter is distributed every other week during the legislative session to inform members about the latest developments at the state capitol that impact K-12 education.
- ✓ Compiles a list of the education bills introduced each year by the legislature, including a summary of each piece of legislation and CASB's position on the bill.
- ✓ Provides federal advocacy by responding to lobbying requests from the National School Boards Association. Through CASB's Federal Relations Network, the advocacy team and committee members also correspond with Colorado's congressional delegation to convey the position of local boards of education on federal issues.



SCHOOL BOARD EFFECTIVENESS

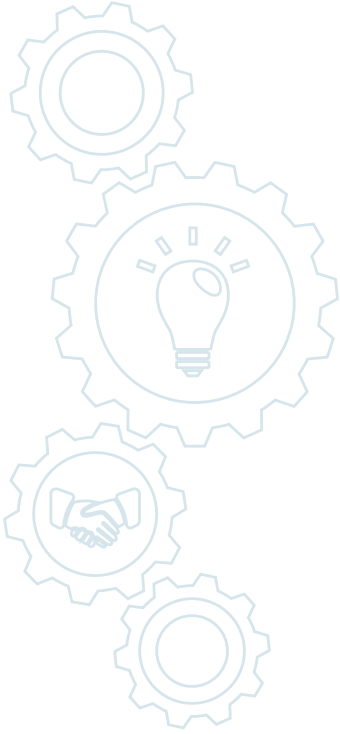
CASB provides opportunities for growth and skill building for governing teams, board members and superintendents at every experience level. From phone and email support to in-district conversations and annual events, CASB's year-round leadership development offerings help members strengthen the effectiveness and relevance of their board. Resources are available anytime and anywhere on the CASB website.

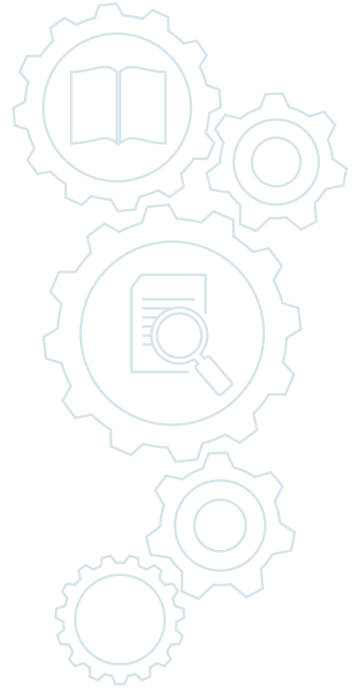
Workshops and retreats

CASB offers skilled facilitation and custom workshops and retreats for school boards' continuous improvement and unique needs. CASB facilitators work with school boards in the following general areas:

- ✓ Team building and leadership
- ✓ High-performance governing
- ✓ Constituent and community engagement
- ✓ Conflict resolution
- ✓ Effective meetings
- ✓ Vision and goal-setting
- ✓ Trust building
- ✓ Evaluating board and/or superintendent effectiveness

On behalf of a local board of education, CASB facilitators will work with district/site staff, community leaders, BOCES and others.





SUPERINTENDENT SEARCH

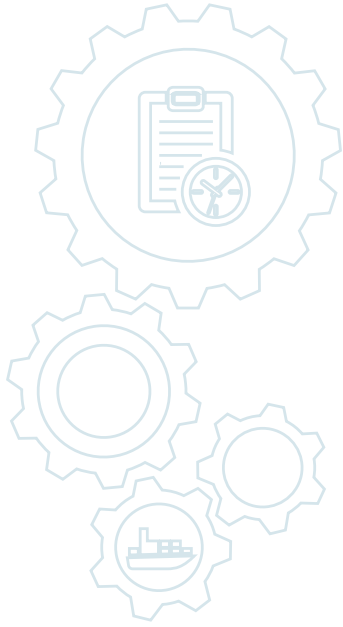
Finding the right superintendent to lead a school district is one of the most important — and difficult — tasks a school board must accomplish. CASB helps local school boards find the best possible match for their unique district. The service CASB provides is distinguished from that of private consultants in two key ways:

- ✓ CASB works first and foremost for the board of education.
- ✓ CASB seeks the best possible match for the distinctive needs of the district — one candidate does not fit all.

In a typical superintendent search project, CASB will:

- ✓ Identify and prioritize the board's needs and wishes for a new superintendent.
- ✓ Engage staff and community members in a process to determine their desires for their next school district leader.
- ✓ Develop and distribute a promotional brochure about the position and district, and place state and national advertisements.
- ✓ Recruit potential candidates based on the profile identified by the board, staff and community.
- ✓ Provide a user-friendly online application system for all candidates.
- ✓ Work with the board to determine the best screening strategies to ensure a fair process for all candidates.
- ✓ Manage application files and correspondence with candidates with strict confidentiality.
- ✓ Work with the board to set up a complete interview process to guarantee a professional, thorough and legal interview procedure.
- ✓ Assist the district in working with the news media during the process.
- ✓ At the board's request, CASB will conduct a first-year performance plan session with the superintendent and board after the superintendent is hired.

CASB consultants guide the board through each step of the process — with the ultimate decision made by the board. A typical superintendent search takes three months to complete, but can be shortened and/or modified to meet the district's needs.



BEST HEALTH PLAN

In 2004, CASB sponsored the formation of the Colorado Boards of Education Self-Funded Trust Inc. (BEST) to provide a multi-employer/employee health benefit program that offers administrative, underwriting, provider network, reinsurance, shared financial risk and other services to its member employers.

BEST operates under the philosophy that its members are the critical links to managing rising health care costs and expenses. Strong wellness initiatives and resources are made available to assist members, and are designed to work together to promote health, reduce lost productivity and ultimately limit the spiraling costs of health care. By standing together, school districts can create a program that serves them and their employees, not the profit line of a larger insurance company.

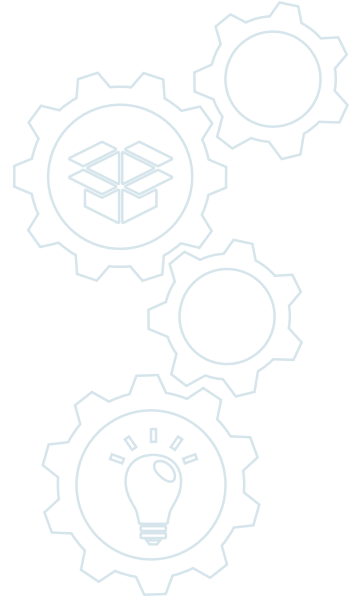
BEST provides the following advantages:

- ✓ Integrated health strategy incorporates biometric screens, health risk assessments, nurse navigators and incentive programs to control health care costs from both the demand and supply side of the health care equation.
- ✓ Competitive direct contracting delivers network options that include leading health care providers and facilities throughout Colorado.
- ✓ Pooling allows member employers to share the risk associated with unpredictable large claims.
- ✓ Cooperative purchasing lowers expenses and provides opportunities to stabilize rates and reserves.

For more information, visit www.Best-HealthPlan.com.

PARTNERSHIP PROGRAM

In addition to board membership, CASB offers a Partnership Program for businesses and organizations that offer products and services to Colorado school districts, as well as underwriting opportunities and an exhibit hall at our annual convention. Partners are vital in the work of CASB's mission: Advancing excellence in public education through effective leadership by locally elected boards of education.

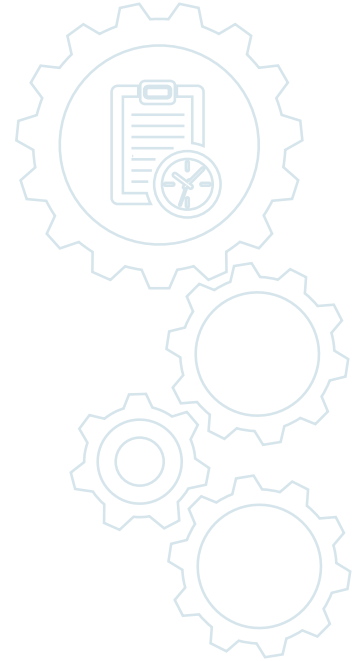


ACRONYMS AND EDUCATION TERMS

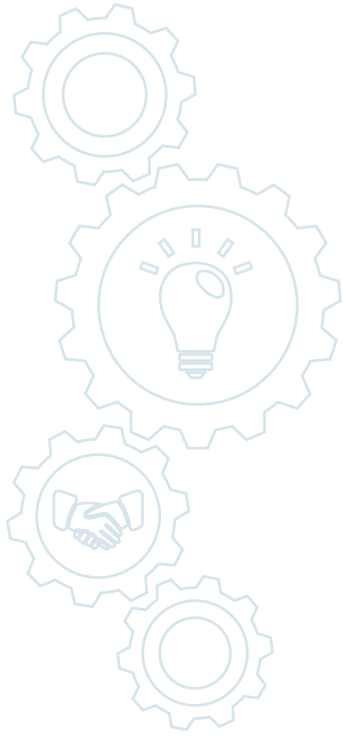
Acronym/Educational Term	Definition
504	Section 504 of the Rehabilitation Act of 1973. A civil rights statute that prohibits discrimination on the basis of disability.
Academic standards	The written standards established by Colorado that outline what a student should know and be able to do at each grade level. The state assessment system is based on (aligned with) these academic standards.
Accountability committees (district and school)	Committee created by law that includes parents, teachers and administrators. Makes recommendations about budget and school improvement.
Accreditation	The purpose of accreditation is to provide a process for the State Board of Education to fulfill its constitutional responsibility for supervising the state's public schools and to encourage excellence by assessing student performance in relation to state academic standards. Categories of accreditation include: Accredited with distinction, Accredited, Accredited with improvement plan, Accredited with priority improvement plan, Accredited with turnaround plan, Unaccredited.
Administrative unit	A sufficiently large school district or BOCES that is responsible for distributing special-education funds and delivering education services to students with disabilities.
AED and SAED	Amortization Equalization Disbursement and the Supplemental Amortization Equalization Disbursement (Related to the employee contribution of PERA).
AFT	American Federation of Teachers, one of two national teacher unions. The other is the National Education Association (NEA).
Alternative education	Schools or classrooms that are designed to serve students who aren't succeeding in the traditional school or classroom environment. Students who are failing academically or may have learning disabilities or behavioral problems may need a different setting. Alternative schools or classrooms have flexible schedules, smaller teacher-student ratios, counseling support and modified curricula.
Amendment 23	Constitutional change requiring K-12 funding to increase by inflation plus 1 percent from 2001-2011 and by inflation after that.
Annexation	Joining a school district or parts of a district with a receiving district.
AP	Advanced Placement. The designation of the College Board for college-preparatory courses that high school students can take to earn college credit. Students must master a generally higher level of coursework and pass an accompanying test to earn college credit.
ASCENT Program	Accelerating Students Through Concurrent Enrollment allows student participation in concurrent enrollment courses directly following their 12th grade year. Students remain in their Local Education Provider (LEP) for one additional year and the LEP receives ASCENT specific per-pupil state funding that is used to pay their college tuition at the resident community college rate. Students receive their high school diplomas at the end of their ASCENT year.
Assessments	Tests or other tools that measure students' skills and knowledge. Formative assessments are used so instruction can be adjusted as needed to improve learning. Summative assessments assess the student's overall mastery of the subject matter.
Authentic learning	Education focused on real-world complex problems. Students use a variety of avenues to develop solutions. Mutually beneficial relationships are established connecting students with businesses, scientific endeavors and public entities in their community.
BEST	Building Excellent Schools Today. This is a state matching-funds program providing financial assistance to local districts for K-12 capital construction.
BEST Health Plan	Colorado Boards of Education Self-Funded Trust Inc., is a multi-employer/employee health benefit program.
Blended learning	Combination of face-to-face and online student instruction designed to offer more personalized and student-centered learning.
Boardmanship	Describes the skills school board members need in order to work together effectively and ensure competent governance of a local school district.



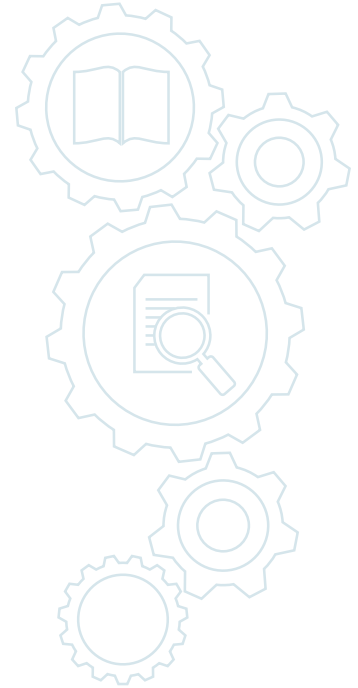
Acronym/Educational Term	Definition
BOCES	Board of Cooperative Educational Services. Typically, a BOCES is a group of school districts that join together for a better and/or more efficient use of funds.
CAES	Colorado Association of Education Specialists.
CAESP	Colorado Association of Elementary School Principals.
CALET	Colorado Association of Leaders in Educational Technology.
CAP4K	Colorado Achievement Plan for Kids (SB 08-212). Sets a plan for establishing P-20 standards.
CASB	Colorado Association of School Boards.
CASE	Colorado Association of School Executives.
CASPA	Colorado Association of School Personnel Administrators.
CASSA	Colorado Association of Superintendents and School Administrators.
CASSP	Colorado Association of Secondary School Principals.
CBA	Colorado BOCES Association.
CCC	Colorado Children’s Campaign. An education advocacy organization.
CCHE	Colorado Commission on Higher Education.
CCSBA	Colorado Council of School Board Attorneys.
CCSSO	Council of Chief State School Officers.
CDE	Colorado Department of Education.
CDHE	Colorado Department of Higher Education.
CDPHE	Colorado Department of Public Health and Environment.
CEA	Colorado Education Association. An affiliate of the National Education Association.
CFT	Colorado Federation of Teachers. An affiliate of the American Federation of Teachers.
Charter school	A public, nonsectarian, nonreligious, non-homebound school that operates as part of its authorizing school district in accordance with the terms and conditions of the charter contract.
Chartering authority	The ability of a local board to determine whether to open charter schools in the school district.
CHSAA	Colorado High School Activities Association.
CIPA	Children’s Internet Protection Act.
Classical education	Classical school mission and curriculum draws from the classical tradition of identifying wisdom and virtue as the ultimate goals of education. Students read and discuss the Great Books, take advanced math and science courses, study Latin, engage in community service and explore the fine arts.
Classified staff	School district employees who are not required to have Colorado teaching credentials as a condition of employment. Bus drivers, janitors and cafeteria workers are examples of classified staff.
The League/CLCS	Colorado League of Charter Schools.
CEI	Colorado Education Initiative, formerly CLF. CDE’s 501(c)(3) corporation that receives grants and promotes work in select areas.
CMAS	Colorado Measures of Academic Success.
CML	Colorado Municipal League. Represents Colorado’s cities and towns.
Colorado Early College	Tuition-free charter high schools that provide high school students access to college courses by partnering with a variety of higher education institutions in order to earn an Associates Degree or higher upon high school graduation.



Acronym/Educational Term	Definition
Colorado Growth Model	Collection of data enabling parents, educators and community members to easily evaluate growth in student achievement over time in public schools across the state.
Common Core Standards	Academic standards determined by a coalition of states to establish the common core of knowledge and skills that students should develop in K-12 education in order to graduate from high school prepared for college or careers.
Community engagement	Approach to community problem-solving. Citizens gather to consider relevant facts and values from varying points of view; listen to each other; consider the underlying tensions, tough choices and varied consequences inherent when addressing public problems; are willing to refine and adapt their opinions and interests; and ultimately seek to come to a conclusion for action based on a reasoned public judgment.
Concurrent enrollment	The Concurrent Enrollment Programs Act created the simultaneous enrollment of a qualified student in a local education provider and in one or more postsecondary courses, including academic or career and technical education courses, which may include course work related to apprenticeship or internship programs, at an institution of higher education.
Consolidation	Joining two or more school districts or parts of districts to create a single new school district.
CORA	Colorado Open Records Act requiring that most public records be available to the public.
COSA	Colorado Organization of Superintendent's Assistants.
CRSA	Colorado Rural Schools Alliance.
CSDSIP	Colorado School Districts Self-Insurance Pool.
CSFP	Colorado School Finance Project.
CSI	Charter School Institute. An agency that can authorize CSI Charter Schools.
Curriculum	The subject matter, skills and processes that are taught so students will achieve identified standards of knowledge and skill. Curriculum is singular and curricula is plural.
DAC	District Assessment Coordinator or District Accountability Committee.
DBO	Department of Business Officials.
Design thinking	An approach to creative problem solving that employs skills of empathy, synthesis, brainstorming, prototyping and that challenge definition. Students utilize their intuitiveness and ability to recognize patterns and construct ideas in order to express themselves in building solutions.
Disaggregated data	Information that has been sorted according to certain criteria or subdivisions. Test results can be sorted by groups of students with similar characteristics, such as economic disadvantage, race or ethnicity, disabilities or limited English proficiency. Teachers and parents can then determine how each group is performing.
DOE	Department of Education (Federal).
Drop-out rate	The proportion and time at which students leave school before graduating. Reasons may include failing grades, suspension or expulsion, lack of interest, economic hardship, pregnancy, marriage, peer conflict, incarceration, lack of attendance and use of alcohol or drugs.
Dual credit/dual enrollment	Dual credit refers to students completing college-level courses via their high school classes and earning college and high school credit simultaneously. Courses are taught by college approved high school faculty or adjunct college faculty. Dual enrollment refers to students taking courses concurrently at two separate institutions such as their high school and a local community college or university. Students earn college credit through both avenues.
ECS	Education Commission of the States.
ELL	English language learners. Involves programs or approaches used to teach English to those who do not speak English as their first language. Formerly known as Limited English Proficiency (LEP).



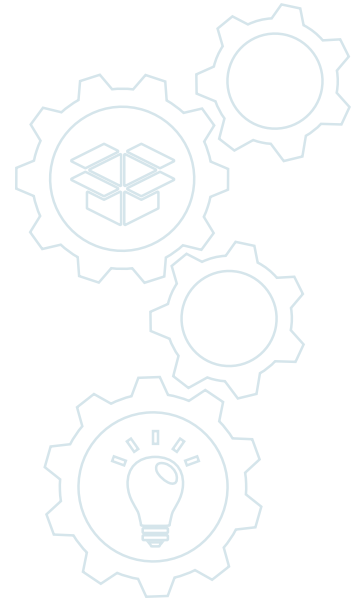
Acronym/Educational Term	Definition
ESEA	Elementary and Secondary Education Act reauthorized by ESSA.
ESSA	Every Student Succeeds Act.
Ex officio	Literally means “by virtue of one’s office”. The term refers to the practice that allows a member of an official group, such as a school board, to designate someone to fill a certain role at the group’s request.
Executive session	A private portion of a meeting of a school board or other governing body that can be held only for purposes specified by law and from which the general public and press are excluded.
Fiduciary	The concept of stewardship, referring to a person or persons having duties, on behalf of others, that require good faith, trust and special confidence. Fiduciary duty is to act for someone else’s benefit, while subordinating one’s personal interests. The term is often used in conjunction with managing money or property for another, using a very high standard of care. A school board acts as the community’s trustee of public funds for the schools and therefore has a fiduciary responsibility for using those funds for the benefit of the community.
Fiscal year (FY)	All financial accounts are to be completed by the end of the 12-month period known as the fiscal year, which begins July 1 and ends June 30.
Free and Reduced Lunch Program	See National School Lunch Program.
FRN	Federal Relations Network. The National School Boards Association and CASB program for federal lobbying.
FTE	Full-time equivalent. Refers to a full-time position.
Gallagher Amendment	Enacted in 1982 as an amendment to the Colorado Constitution. It set forth the guidelines for determining the actual value of property and the valuation for assessment of such property.
GED	General Education Development test is a nationally recognized measure of high school-level knowledge and skills. In Colorado, GED has been replaced by the “high school equivalency examination”.
Good faith	The duty to act in a fair and equitable manner, without coercion, intimidation or threats of coercion or intimidation.
GPA	Grade point average.
Grievance	A formal, written complaint from an employee regarding working conditions or violation of board policy.
Gifted education	Refers to children identified with above-average intellectual potential.
HB	Abbreviation preceding legislative bill originating in the State House of Representatives, “house bill.”
Head Start	A federally sponsored comprehensive child-development program serving children from birth to age five, pregnant women and their families. Child-focused programs are offered with the goal of increasing school readiness of young children in low-income families.
HIPAA	Health Insurance Portability and Accountability Act. Protects the privacy of individually identifiable health information.
Home school	A school conducted by parents or legal guardians for their own children.
ICAP	Individual Career and Academic plan. This is required for all students by Colorado law.
IDEA	Individuals with Disabilities Education Act. A federal law that requires states to provide all eligible children with disabilities a free, appropriate public education (FAPE) from infancy through age 21, consistent with a state’s more specific legal provisions.
Individualized Education Program (IEP)	A written instructional plan for students with disabilities who are designated as special education students under federal law.



Acronym/Educational Term	Definition
International Baccalaureate (IB)	The IB program is offered at the elementary, middle and high school levels and can be school-wide or course specific. IB classes and assessments involve research, writing and hands-on evaluations challenging students to apply what they've learned through scenario-based testing. College credit is earned based on high school IB exam scores.
J or JT	At the end of the school district name. Joint, crosses county lines.
JBC	Joint Budget Committee. Made up of members from both the House of Representatives and Senate.
Licensed staff	Within a school district there are employees who, by law, must hold certain Colorado credentials as a condition of employment. This level of personnel includes teachers, principals and others.
Mill	One thousandth of a dollar, a mill is a rate similar to a percentage (a percentage is one hundredth). One mill = .001/\$1, or one tenth of one penny.
Mill levy	A tax rate, measured in mills, representing the portion of a property's value collected by a government entity's tax (called a levy) to fund its budget.
NACSA	National Association of Charter School Authorizers.
NAEP	National Assessment of Educational Progress. Often referred to as the Nation's Report Card, NAEP is a standards-based test that is sponsored by the U.S. Department of Education as a means for measuring student achievement so that student performance in one state can be compared with that of another. NAEP exams are given to a representative sample of the student population in grades 4, 8 and 12 in every state.
NASBE	National Association of State Boards of Education.
National School Lunch Program	Formerly known as the federal free or reduced lunch program, meals are provided free or at a low cost to children who are determined eligible according to federal guidelines based on family income.
NCAA	National Collegiate Athletic Association.
NCSL	National Conference of State Legislators.
NEA	National Education Association, one of two national teacher unions. The American Federation of Teachers (AFT) is the second organization.
NREA	National Rural Education Association.
NSBA	National School Boards Association. A federation of state school board associations.
P20	A name for education involving preschool through higher education.
PARCC	Partnership for Assessment of Readiness for College and Careers.
PBIS	Positive Behavioral Interventions and Supports. A program used by many districts.
PEBC	Public Education Business Coalition.
PERA	Public Employees' Retirement Association. Manages pensions and other benefits for public employees.
PLACE	Program for Licensing Assessments for Colorado Educators. PLACE exams are used in the licensing process.
Policy	A general statement a school board or other governing authority adopts to indicate a desired condition, direction or belief.
Policy Governance	Policy Governance is a governance model that some school boards use to provide policy leadership. It is a system of interrelated principles that uses policies to express board values and perspectives in all areas with clear authority and accountability for all significant roles.
Poverty rate	The economic level of a school's student enrollment, which is generally determined by the percentage of students who are eligible to receive free or reduced price meals by participating in the National School Lunch Program.
PPA	Per pupil allocation.



Acronym/Educational Term	Definition
PPOR	Per pupil operating revenue.
PPR	Per pupil revenue.
Professional development	Ongoing, systemic learning activities designed to enhance the professional knowledge, skills and attitudes of educators to achieve specific objectives toward the goal of increasing student achievement. Also known as in-service training.
Proprietary functions	In school districts these include activities such as hosting athletic contests, leasing or renting school-owned facilities or engaging in any similar revenue-yielding activity.
PSF	Public school finance.
PTA	Parent Teacher Association.
PTO	Parent Teacher Organization.
Public engagement or involvement	The sustained, active interest and participation of parents, community members and other taxpayers in supporting and improving schools.
Quorum	Defined by statute or in the bylaws of a board or other governing body as the number or proportion of members that must be present in order to conduct business. Commonly, a majority of members constitute a quorum.
R or RE	At the end of a school district name, reorganized.
READ Act	The Colorado READ Act establishes a process for districts to identify K-3 students who read below grade level and work with their parents to provide extra reading support before students reach the fourth grade.
Referendum C	Approved by Colorado voters in 2005 to temporarily override TABOR limits on state revenues and allow the state to keep and spend excess of TABOR revenues it collected for five years.
Referred measure	Any ballot question or ballot issue submitted by the General Assembly or the governing body of any political subdivision to the eligible electors of the state or political subdivision.
Regular board meeting	A scheduled board meeting that is held at least monthly during the school year, but may also be held when school is not in session.
Remediation	The process of providing extra instruction to help a student improve in a particular subject area identified in the student's Academic Improvement Plan (AIP).
RIF	Reduction in force occurs when a teacher's contract is canceled as a result of budget or program cuts.
Root cause	Statements that describe the deepest underlying cause, or causes, of performance challenges. They become the focus of major improvement strategies.
RTI	Response to intervention.
Rules/regulations	Mandates issued by the State Board of Education or other state and federal agencies to guide, require or limit school district operations. Rule regulations stem from state statutes or federal law and may identify procedures for carrying out the requirement.
SACPIE	State Advisory Council for Parent Involvement in Education.
SB	Abbreviation preceding bills originating in the Colorado State Senate, "senate bill."
SB 08-212	A 2008 state law requiring new state standards and setting a P-16 framework in place (CAP4K).
SB 09-163	Educational Accountability Act; passed in 2009.
SB 10-191	Educator Effectiveness law; passed in 2010.
SB 15-213	Bill removes governmental immunity if the district fails to take reasonable care to guard against an incident of school violence. The Claire Davis School Safety Act.
SBE	State Board of Education.
School board	The local legislative unit of school district governance charged with operating the district according to the mandates of laws and regulations.



Acronym/Educational Term	Definition
School district	A defined geographic and government area, overseen by a locally elected school board and managed by a superintendent in which the public schools serve students who either live within the area's boundaries or enroll through school choice or a legal transfer from a different school district.
School-community partnership	A voluntary relationship between a school and a community group or business that meets the needs and uses the resources of both partners for their mutual benefit.
School-wide programs	Comprehensive school improvement programs accessible to all students, particularly those who are low achievers and at risk of failure. The programs are funded by a school's Title I money, which is based on an enrollment of at least 40 percent low income students.
SDFSC	Safe and Drug Free Schools and Communities.
SEA	State Educational Agency (see CDE).
SES	Socio-economic status.
SFP	School Finance Partnership (state organization).
SMART	Specific, Measurable, Attainable, Research-based, Time-phased. Usually references elements of well-written student learning objectives for students with and without disabilities.
SOA	School of accountability.
SOP	State operated program.
Special board meeting	A board meeting convened for a special purpose by the proper procedures to decide a specific item of business.
SPED	Special education for students with disabilities.
SRO	School resource officer.
Standards-based test	An assessment that shows how a student's performance compares to some standard of knowledge or skill. A criterion-referenced test (CRT) is a standards-based test.
STAR	Standardized Test for Assessment of Reading.
State Board of Education	Authorized by the Colorado State Constitution to provide general supervision of public schools. Comprised of seven elected officials representing Colorado's congressional districts for six-year terms.
Statutes	Laws created by state or federal legislation.
STEM	Science, technology, engineering and math. STEM promotes competencies toward careers in STEM fields to ensure our nation stays strong and competitive in the global economy. STEAM includes the arts.
TABOR	Taxpayer's Bill of Rights. This provision in Colorado's Constitution limits revenues and requires voters to approve tax increases.
TELL	Teaching, Empowering, Leading and Learning. An anonymous statewide survey of licensed school-based educators to assess teaching conditions at the school, district and state level.
The College Board	A mission-driven not-for-profit organization connecting students to college success and opportunity through the SAT (Scholastic Aptitude Test) and Advanced Placement (AP) program.
TIF	Tax Incremental Funding. An economic-development funding program that permits municipalities to use tax revenues resulting from economic development to fund new public construction.
Title I	The largest federal aid program for elementary and secondary schools. Funding is based on the number of low-income students enrolled in a school. Title I money pays for extra educational services for children who are behind or at risk of falling behind in school.



Acronym/Educational Term	Definition
Title IX	Title IX of the Education Amendments of 1972 states: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.
Turnaround	Schools and districts not meeting expectations in achievement, growth and postsecondary workforce readiness, as determined by the School and District Performance Frameworks, are assigned a plan type of Priority Improvement or Turnaround.
UIP	Unified Improvement Plan. Used to streamline improvement planning components of state and federal accountability requirements. Shifts from planning as an “event” to planning as a component of “continuous improvement”. The plans also provide a mechanism for external stakeholders to learn about schools’ and districts’ improvement efforts.
URS	Uniform Readiness Screening. A state-mandated, developmentally appropriate assessment used to determine if a student has substantial difficulty reading.
USDOE	United States Department of Education

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