



# FINAL RESOLUTIONS

## 67th Annual Delegate Assembly

*Adopted*

*Saturday, October 20, 2007*

Denver West Marriott  
Golden, Colorado



Colorado Association of School Boards



# CASB Resolutions

*adopted October 20, 2007*

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*The CASB Standing Resolutions represent philosophy and belief statements that are core to the work of local school boards. The Legislative Agenda establishes CASB's legislative priorities. These resolutions provide the foundation for CASB's advocacy work and demonstrate the ongoing commitment of local boards of education to fundamental principles and beliefs.*

**CASB believes the control of public school systems is best governed by locally-elected boards of education, and not legislated at the state or federal level. Local school boards are elected by their communities to ensure accountability in meeting student needs, provide effective oversight of educational programs and determine the efficient use of resources.**

# Governance

CASB believes that, in accordance with the Colorado Constitution, Article IX, Sections 15 and 16, local boards are responsible for the organization of the learning environment, the implementation of curriculum, the selection of textbooks, the configuration of school facilities, staffing, and necessary programs in which to create safe and academically-rich opportunities for students.

## Standing resolutions

### 1.1 Local control

CASB believes the principle of local control is derived from the involvement of the local community and the local board is the sole and final guarantor of educational quality.

### 1.2 Diverse nature of school districts

CASB believes one of the major reasons local control of instruction is the most effective approach to school governance is the diverse nature of Colorado school districts.

### 1.3 Charter schools

CASB believes local boards must retain sufficient flexibility to approve, continue or discontinue charter schools and all local choice options.

### 1.4 Accountability program

CASB believes it is the responsibility of the local board of education to develop, coordinate and monitor a successful accountability program in each local school district and report results to the public.

### 1.5 Choice with accountability

CASB supports the principle of choice with accountability believing that all education institutions supported by public funds should be required to meet the same legislatively-established requirements as those schools and districts located within the same community. It is important that the demographic makeup of the local community is reflected in all schools of choice supported by public funds.

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## Legislative agenda

### 1.6 Local control

CASB opposes efforts to shift control over public schools away from local school boards, whether by state or federal legislative action, regulation, court decision or initiative. CASB supports efforts to restore decision-making authority to locally-elected school boards.

*Rationale: Control of instruction is vested in local boards of education by the state constitution. Local boards of education are responsible and accountable to the local electorate for decisions regarding curriculum, selection of textbooks and materials, instructional delivery, personnel, fiscal management and local choice options. Just as it is important to protect the ability of local boards to make decisions, it is also important that CASB's legislative efforts focus on restoring decision-making authority that has been taken away due to "one-size-fits-all" state laws.*

### 1.7 Respect unique differences among school districts

CASB opposes the imposition of universal solutions in response to district-specific issues.

*Rationale: School districts in Colorado are unique and extremely diverse, ranging from urban and suburban districts to small rural districts. This diversity is one of the major reasons local control of instruction is the most effective approach to school governance.*

### 1.8 Colorado Department of Education

CASB supports efforts, whether through legislation or internal restructuring, that would result in the Colorado Department of Education's becoming an agency focused on providing technical assistance and support and accurate and timely data to support local school districts' efforts to improve student achievement.

*Rationale: With all the new monitoring and accountability requirements imposed on school districts, the Colorado Department of Education has become more of a compliance agency than a state agency that can provide needed technical assistance and support for school improvement efforts. There is an increasing amount of paperwork that districts need to do with no increase in funding to support added work, which causes a further rift between school districts and CDE. To some extent, CDE's change to a regulatory agency can be attributed to changes in state law and loss of state funding. School districts, particularly in rural areas, could benefit from technical assistance and support from the state education agency.*

# Board Leadership

**CASB believes boards of education should demonstrate responsible, ethical and professional leadership in all their work.**

## **Standing resolutions**

### **2.1 Open deliberation**

CASB encourages open deliberation by school boards in accordance with the spirit and intent of state law.

### **2.2 School board training**

CASB encourages board of education training and professional development through participation in CASB workshops, conferences, and the Leadership Academy, with the Standards for School Board Performance as a guide.

### **2.3 Leadership team**

CASB supports the incorporation of the superintendent in Board of Education training and team building as a means of augmenting the work of the school district.

### **2.4 Leadership in planning and budgeting**

CASB encourages board of education leadership in strategic planning and budget development that reflects the community's values and diverse needs.

### **2.5 Participation in organizations supportive of public education**

CASB encourages boards of education to participate in and support professional activities and organizations that provide unified leadership for grassroots support and advocacy for public education.

### **2.6 Participation in political process**

CASB encourages school board members to participate in the political process to influence decision makers in support of public education.

### **2.7 Student involvement in governance**

CASB encourages local school boards to examine best practices for considering student opinion when making decisions at the school and district level.

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## Legislative agenda

### 2.8 Political party affiliation

CASB opposes any effort to have school board director candidates stand for election based upon a political party platform or affiliation.

*Rationale: It is not in the best interest of public education to have partisan politics become a factor in school board elections. Education of children should not become a political issue. It is important that school board candidates make their views known prior to the election and not be bound by a political party platform.*

### 2.9 Term limitation

CASB opposes the limitation of two terms that may be served by a school board member and encourages local boards to submit a question to their electors to extend the number of terms for school board directors in keeping with their local communities.

*Rationale: While term limits are popular for state officials, Colorado is one of only a handful of states to impose term limits on local officials. Term limits have already had an impact on local school boards, as many school board members are unable to seek office after serving two terms even though they are willing to serve in this volunteer position. In some school districts, there are no declared candidates for open seats on the board, which means the board must appoint someone to serve. The voters should be able to decide who should serve on the board of education, without an artificial limit on terms of office.*

## Annual resolution

### 2.10 Scheduling of school activities

CASB encourages local school boards and the Colorado High School Activities Association to demonstrate a commitment to diversity by refraining from scheduling events that might interfere with a local student's ability to observe a major spiritual holiday.

*Rationale: The purpose of this resolution is to encourage a statewide commitment and recognition by school boards of religious diversity among students by not scheduling school activities and athletic events on major religious holidays. The decision about scheduling of activities is primarily a local decision. However, this commitment has to be widely shared among school districts because many events involve more than one school. Students in communities that avoid scheduling activities on major religious holidays often must make difficult choices or lose out on a competition because of activities scheduled by another school district. The Colorado High School Activities Association has been asked to make this same commitment when scheduling playoff events.*

# Finance

**CASB believes the state must provide school districts with an adequate amount and reliable source of funding based on a balance of state and local revenue sources, structured to equitably meet the educational needs of those students served by public education in Colorado.**

## **Standing resolutions**

### **3.1 Use of public monies for private education programs**

CASB believes the use of public monies for private educational programs requires adherence to uniform legislated standards and assessment, accreditation requirements and nondiscrimination in student enrollment and employment policies.

### **3.2 Amendment 23**

CASB reiterates that the purpose and intent of voter support for Amendment 23 was to phase in school funding to the level that existed in 1988, and should not be construed as adequate and equitable funding.

### **3.3 Needs of students guide reform, finance**

CASB believes all efforts to restructure and fund public education should be guided by student needs, improved academic achievement and responsible use of financial resources as determined by the locally-elected school board, who is accountable to its voters and best able to identify community and district funding priorities.

## **Legislative agenda**

### **3.4 School finance**

CASB supports a comprehensive reform of Colorado school finance structure that includes:

- a) Per-pupil funding to a level necessary for a regular student (a student without any special needs) to meet state and local academic content standards and other legislated accountability requirements;
- b) Adjustments to the per-student base cost should equitably reflect added costs of delivery of services associated with the school district or the student that require supplementary expenditures, including special education and English Language Learners;
- c) Adjustments to the per-student base cost should be based on verifiable indicators which impose costs that are beyond a district's control, such as district size and cost of living;
- d) Identification and implementation of a consistent definition for determining the actual number of "at-risk" students for funding purposes;
- e) Funding for categorical programs at a level sufficient to cover the costs associated with providing services to students served by those programs;

- f) Funding for transportation that takes into consideration the unique circumstances districts face in transporting students;
- g) Funding for costs associated with enrollment fluctuations and averaging for declining-enrollment districts;
- h) Preservation of local control when allocating resources and flexibility when implementing mandated programs;
- i) Authorization for local-school districts to increase funding to 25% of total program funding with approval of the local electorate;
- j) Funding for full-day kindergarten, early childhood education and alternative education to ensure that all children have a proper educational foundation to be successful in school;
- k) Adjustment to the per-pupil base funding for school districts to reflect the impact to school districts of public school choice which may include both those resulting from an immediate loss of student enrollment as well as those related to the ongoing oversight of choice programs; and
- l) An increase in funding for the lowest funded or “floor” school districts to address the disparity in per pupil funding among Colorado school districts.

*Rationale: The current school finance act, which was enacted in 1994, is in need of a comprehensive revision. Over the past 13 years, the ability of the system to promote inter-district fiscal equity or to assure that adequate funds will be available in all school districts has deteriorated. Declining enrollment districts face unique difficulties in financing their district operations and student services. Fixed costs for services can create additional financial strain on districts as per pupil revenue decreases. The under-funding of all categorical programs impacts local districts' ability to fund other educational programs. The percentage of categorical program funding supported by local school districts' general fund dollars is estimated as follows: special education 79%, transportation 83%, English language learners 97% and career and technical education 61%. Most agree that a new system is needed which builds on the strength of the existing one while addressing the many issues that have arisen in the last 13 years. A legislative interim committee and school finance task force studied the act and proposed revisions in 2005. In addition, considerable work has been done by the Colorado School Finance Project to call the legislature's attention to the issues. This resolution addresses the goals or ideals in any revision of school finance. According to national school finance experts, allowing districts to have an override up to 25 percent of program costs would be acceptable to the courts and not be viewed as materially inequitable between school districts. The 2007 freeze to property tax mill levies lessens the equity concerns to other districts when overrides are approved locally.*

### **3.5 Unfunded mandates**

CASB urges the General Assembly to make compliance with new laws conditional upon receipt of sufficient funding from the state. School districts should be given the option to partially implement programs to the extent of state funding allocated for this purpose.

*Rationale: Every year the state and federal government pass legislation requiring local school districts to do or provide certain things, without providing funding for districts to comply with these mandates. The local fiscal impact is not sufficiently analyzed in information provided to lawmakers considering proposed legislation. State lawmakers should understand this frustration because the same thing happens to the state when unfunded or under-funded federal mandates are imposed. It is unrealistic to expect local governments to continue to absorb new requirements that are not funded. It is reasonable to expect that if lawmakers fail to provide sufficient funding to allow the mandate to be carried out, they should not be in a position to enforce the mandate.*

### **3.6 Special education**

CASB urges the General Assembly to make increased funding for special education a priority until such time as funding is adequate to meet the needs of special education students without diverting funds from important student services and programs that benefit all students.

*Rationale: The recommendations from a study of special education funding in Colorado that was initiated by the General Assembly and reported to the State Board of Education in October 2000, are still pertinent. The study determined that on average, 69.3 percent of special education expenditures are paid from local funds, which compares to a national average of 32.3 percent. The report termed this level of funding inadequate. While the legislature did increase special education funding in 2006, more work needs to be done. With the new funding scenario, the local share for special education was reduced by about one-half percent for the 2005-06 fiscal year. The financial impact on school districts from insufficient funding for this state and federal mandate is profound. Inadequate funding has led to several other deficiencies: special education funding does not address the challenges of high-growth districts or out-of-district placements; monies are not available to train, retain and attract quality staff; and increasing conflicts between regular and special education arise. All of these issues need to be addressed by lawmakers.*

### **3.7 Out-of-district placements**

CASB supports full reimbursement of all actual costs of instruction to school districts for nonresident children who are placed in group homes, foster homes or detention facilities within their boundaries or institutions outside of districts by the courts, or by nonprofit or for-profit agencies.

*Rationale: School districts are faced with significant cost pressures due to placement of students requiring extensive special services by some other agency over which the district has no control. This resolution encourages the state to assume financial responsibility for placements for which either the state or its various agencies are responsible instead of placing that financial burden solely on those districts where the parents of the student reside. Issues related to students in foster care, group homes and detention facilities also have a financial impact on school districts, particularly smaller districts in rural areas. Often these students are sent to foster homes in mid-year or even at the end of the year and have severe problems that require immediate placement into treatment facilities. This is a significant expense for the district. Because the money must be spent regardless of the location of the child, it makes sense that a central pool of funds be used to cover these expenses. This would relieve a significant cost pressure for school districts.*

### **3.8 Tuition charge for excess costs**

CASB urges the general assembly to address the financial burden the tuition charge for the excess costs incurred in educating a child with a disability places on the district of residence when parents choose to have their child attend a school other than a school in the district of residence.

*Rationale: Because the special education program has never been fully funded by the state and federal government, it must be subsidized to a large extent by a local school district's general fund.. As opportunities for education choice continue to expand, the issues associated with which entity is ultimately required to subsidize the unreimbursed expenses associated with special education can be a source of friction between the district of residence and the school the child attends. The 2006 School Finance Act amendments limit billing of special education excess costs to students falling under the Tier B category as defined in the law. The State Board of Education is authorized to establish criteria around the time spent receiving special education services and the severity of the disability. Even though these changes are beneficial, issues surrounding responsibility for payment of excess costs continue to be an important issue because of the impact on the district of residence's general fund.*

### **3.9 High-cost grant program for special education**

Until such time as special education costs are fully reimbursed by the state and federal government, CASB supports increased funding for the high-cost grant program to assist districts in meeting the needs of special education students with severe needs.

*Rationale: The amount of reimbursement school districts receive for the costs of providing an educational program and related services to disabled students falls significantly short of the expense of providing services. This means that school districts annually spend a significant portion of their general fund to cover those costs. The state created a program to address the expense of high-cost special education students in the 2006 legislative session that begins to address this important issue. Although the new high-cost pool does not by any means solve the issue, it is an important step and the first of its kind at the state level in Colorado.*

### **3.10 Capital facility needs**

CASB urges the General Assembly to continue to address the disparity among school districts in the ability to pay for capital facilities as it relates to health, safety and growth issues so that all children in the state have access to adequate facilities.

*Rationale: The dependence on property taxes to pay for school district capital facilities creates a system of districts that have the capacity to pay (with voter support) and those that don't. The condition of school facilities can have an impact on student learning. Children should not be penalized or put at risk in an unsafe environment simply because the community in which they live has low property tax wealth. The state provides some financial assistance for school districts, but the need continues to surpass available revenues.*

### **3.11 Mitigation for cost of residential development**

CASB supports legislation authorizing school districts to levy impact fees or tax on the development of residential property to offset incremental costs.

*Rationale: Local governments, working together, have a responsibility to see that residential development bears its fair share of the cost of providing necessary public services caused by the development. This includes helping school districts offset a portion of their capital needs related to the development. Mitigation fees can be structured to offset school district capital costs at the time the development is going through the approval process.*

### **3.12 Tax policy reform**

CASB urges the General Assembly to commit to finding a fair and equitable solution through a bipartisan effort to the State of Colorado's fiscal crisis caused by the following conflicting amendments to the state's constitution: TABOR, Amendment 23 and the Gallagher Amendment. It will be critical for the state to develop a long-term strategy to permanently capture a significant portion of the TABOR surplus to address funding for all state tax supported entities, including public education.

*Rationale: The passage of Referendum C in 2006 and the mill levy freeze enacted by the General Assembly in 2007 are both stop gap measures. Neither provides a long-term solution for the state's fiscal crisis. Over time, more and more of the responsibility for funding public schools has shifted to the state budget because of these provisions in our state constitution, which also increases the temptation by state policymakers to make decisions that properly belong with the locally-elected board of education. These and other fiscal constraints are compromising the state's ability to provide basic services to its citizens and must be addressed. CASB believes it is essential that lawmakers craft a long-term fix to the constitutional tax code.*

### **3.13 Revision of tax code**

CASB strongly urges a revision of Colorado's tax code enabling the Colorado legislature to increase funding for public education to a level commensurate with its importance to the future of Colorado and its students.

*Rationale: The passage of Amendment 23 in November 2000 requires that school funding will at least keep pace with the rate of inflation, but it does not address any of the underlying problems with the state's fiscal structure. Unless changes are made to the tax structure, the state will continue to have insufficient resources to meet its fiscal obligations at the level expected by Colorado citizens including increases in funding for public education. CASB has been an active participant in efforts to propose tax policy changes.*

### 3.14 Double TABOR reserve

CASB supports an amendment to the state constitution exempting state money appropriated for school finance from local TABOR reserve requirements because the effect is a double TABOR reserve.

*Rationale: This resolution would eliminate double reserving for the same money at both the state and the local levels. Right now, the state must reserve 3 percent of its budget to fulfill the emergency reserve requirements of the TABOR amendment. Each school district also reserves 3 percent of each of its funds for this purpose. Thus, much of the money that schools receive is reserved at what amounts to a 6 percent rate. Because the state portion of per pupil operating revenue is merely a transfer of tax money from one government entity to another, it should not be subjected to the same reserve requirement twice.*

### 3.15 School trust lands

CASB supports efforts by a coalition of stakeholders interested in optimizing all aspects of the school trust lands including improving the management and accountability for such lands so that they provide a more substantial and reliable source of revenue over time for the support of public schools.

*Rationale: In 1876, when Colorado became a state, the federal government in the state's Enabling Act, granted sections 16 and 36 in every township, or approximately 4.4 million acres, to the state for the support of common schools. The Colorado State Board of Land Commissioners (State Land Board) manages the school trust lands and the State Treasurer manages the permanent fund. A coalition has been formed to review issues related to the school trust lands with the goal of increasing revenues for schools. There are both short-term and long-term goals that have surfaced in the discussion. The coalition has had some success with the legislature aimed at increasing the corpus of the permanent fund. A current priority is providing additional flexibility in the investment strategy used by the State Treasurer to generate a higher rate of return on investment of the permanent fund. The work of the coalition is ongoing.*

### 3.16 Sales and use tax exemption for school construction

CASB encourages legislation that would make school building construction materials exempt from local sales and use taxes.

*Rationale: Current financial conditions make it imperative that school districts maximize the value received for all of their expenditures, including investments in capital facilities. Some local governments choose to grant a tax exemption only if these materials are purchased directly by a school district, and impose taxes if building supplies are purchased by a school district's contractor. This practice adds substantial additional costs to school construction projects and can result in a reduction in the size and quality of school facilities promised to taxpayers. In short, imposition of these taxes upon contractors elevates form over substance and fails to recognize that school districts lack qualified staff and sufficient human resources to directly make these purchases. Eliminating this loophole will allow school districts to honor facilities commitments made to taxpayers while placing districts and local governments on equal footing in negotiating joint development and use of these facilities.*

## Annual resolutions

### 3.17 Program funding for English language learners

CASB urges the General Assembly to increase categorical funding for English language acquisition programs so school districts can better meet the needs of students and the expectations for English language competency imposed by state and federal accountability requirements.

*Rationale: State funding for English language acquisition programs covers only a small portion of the cost of providing ELA programs in local school districts. State funding has not kept pace with the growing demand for ELA programs as the needs and complexities of services required to serve English language learners continues to increase. The severe lack of state funding for this important categorical program significantly impacts a local district's ability to fund other educational programs.*

### 3.18 Inequities created by declining enrollment

CASB supports legislation that acknowledges and insures equity in the school finance formula particularly between districts whose enrollment is declining as opposed to increasing.

*Rationale: Demographic changes within the school district are not within the control of a board of education. Each year a board in a district with declining enrollment must consider budget reallocations to offset the loss in per pupil revenue from declining enrollment. Many of these costs cannot be simply reduced and must be part of a long-range plan including facility needs and personnel. In effect, revenue declines faster than expenses and students, teachers and parents are affected. Casual observations of facilities and program offerings of school districts with increasing enrollment compared to those in decline reveal inequities, e.g. age of facilities, quality of furniture and equipment, ability to provide competitive salaries, and variety of program offerings. Although legislation providing for averaging of pupil count for declining enrollment was well intended, when a district's enrollment eventually levels off, the district must then financially manage years of decline in funded count even though their actual pupil count has leveled off. The legislature should study the short term and long-term effects of using an averaging formula for increasing enrollment as well as declining enrollment.*

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# Student Achievement

**CASB believes the core responsibility of a local school board is to adopt and implement policies and practices that increase student achievement.**

## **Standing resolutions**

### **4.1 Standards-based education**

CASB endorses the state model content standards and encourages local districts to develop and adopt local content standards and performance-based assessments to cause improvement in student academic achievement that will allow Colorado students to compete with students throughout the world.

### **4.2 Purpose of educational accountability system**

CASB believes the purpose of the educational accountability system is to support districts and schools in ensuring that all students meet the state's academic standards and that those students who have done so continue to progress.

### **4.3 State data collection**

CASB believes an effective state data collection system must directly support student learning, align with all state-level data collection systems, eliminate redundancies and minimize the burden on local school districts.

### **4.4 Improvement of low-performing schools**

CASB believes it is crucial that low-performing schools receive all the necessary resources, support, time and flexibility to improve.

### **4.5 Dialogue between K-12 and higher education**

CASB believes ongoing dialogue between early childhood education systems, K–12 schools and postsecondary institutions is necessary to ensure that all students obtain the opportunities and skills for success.

## **Legislative agenda**

### **4.6 Accountability system**

CASB urges the legislature to adopt an educational accountability system in which:

- a) Achievement is judged by a single system of accountability based on multiple measures that are defensible, credible and diagnostically meaningful to a variety of stakeholders (community, parents, students, teachers, administrators, school board members and other policymakers).
- b) Judgments take into account achievement status, growth over time and sub-group performance (status and growth) based on a statewide assessment that reflects individual student achievement performance resulting from a standards-based system of education.
- c) District judgments of the local schools they are charged with accrediting are taken into consideration.

d) Judgment results are publicly reported.

*Rationale: Colorado's current accountability system is confusing because it does not present a clear picture of student achievement to any of the stakeholder groups it is intended to inform. The current measures use multiple rating systems that are not coordinated in any fashion. It is difficult to determine their relationship to an accurate view of student achievement. Therefore, it is difficult to determine upon which measure(s) and in what priority to focus improvement efforts. It is important that the accountability system be based on an assessment program that tracks individual student performance over time.*

#### **4.7 High school graduation requirements**

CASB opposes any effort by state policymakers to set uniform high school graduation requirements because it is a violation of the state constitutional principle of local control of instruction.

*Rationale: The statistics on student dropout and graduation rates have caused many groups to talk about the need for high school reform. The temptation is for state policymakers to respond with proposals setting uniform graduation requirements. Setting graduation requirements is central to the board's constitutional authority to control instruction. A process was enacted into law in 2007 by which the State Board of Education will develop guidelines for school boards to consider when developing high school graduation requirements. The guidelines are to consider the multiple pathways to diplomas that will capture a student's unique interests. It is important that the process established in 2007, which involves considerable involvement of various stakeholders in each local community, be given an opportunity to work before further efforts to set uniform graduation requirements are considered.*

#### **4.8 High school exit exam**

CASB opposes a mandated state or federal high school exit exam.

*Rationale: Currently there is no Colorado law requiring a diploma be contingent upon an exit examination score. The state constitution vests authority in the local board to determine graduation requirements. There is no evidence to show that an exit exam requirement leads to improvements in student achievement for the 26 states that have instituted these exams. If the state or federal government has a role, it is to develop a common, sensible definition of "graduation rate" and to collect reliable data related to high school graduation.*

#### **4.9 Colorado State Assessment Program (CSAP)**

CASB urges state policymakers to provide sufficient resources and technical expertise to periodically monitor and improve the state testing program in order to provide more timely and relevant data to educators and students. Because CSAP is based on Colorado standards, CASB believes that any additional standardized tests required by the state to assist students with career planning should supplement and not supplant CSAP

*Rationale: The accreditation law calls for testing that will "demonstrate individual student progress over time and provide an accurate indicator of how well the public schools and school districts are educating the children of the state." It is critical that the quality of CSAP be maintained and that the tests relate to Colorado's academic content standards. School boards find CSAP is a useful tool to evaluate their districts' academic programs because it is based on Colorado standards. While there may be merit in adopting additional tests that assist students with career planning, these tests should be in addition to CSAP.*

#### **4.10 State accreditation**

CASB urges state policymakers to review and monitor the state accreditation process and regulations in partnership with local boards of education, including all language surrounding labels and sanctions taking into consideration the following:

- a) Multiple measures of student performance must be incorporated into the process.
- b) District performance should be judged by tracking the academic growth of individual students over time rather than relying on an isolated “snapshot” such as CSAP.
- c) The process must give local districts flexibility in developing accreditation contracts that show “reasonable progress over reasonable time.”

*Rationale: This resolution emphasizes factors the State Board should consider as it reviews accreditation issues. It is important that the State Board works with local boards of education to see that the accreditation process enables school districts to effectively meet both their state and federal accountability requirements.*

#### **4.11 Evidence of school performance**

CASB urges the legislature to look at a full body of evidence about school performance, including longitudinal data on academic achievement, before mandating that school districts participate in programs based solely on an arbitrary number of low and unsatisfactory schools at one point in time.

*Rationale: School districts have made significant strides in reducing the number of students in the unsatisfactory category on the CSAP test. State policymakers should look closely at the body of evidence from other testing measures such as the ALT, NWEA or other nationally recognized standard tests before making judgments about school performance.*

#### **4.12 State designated low-performing schools**

CASB opposes any state or federal effort to remove any school, regardless of its performance record, from a local school district governed by a locally-elected board of education.

*Rationale: There are no quick fixes that address the significant challenges facing many of our schools. Instead of conversion to an independent charter school, the state should partner with the local district to provide the necessary resources and technical assistance to achieve the desired results. This is preferable to the punitive approach, which is already making some schools fear the local district will abandon them.*

#### **4.13 Online schools**

CASB supports efforts to modify the accreditation process to address the unique characteristics of online schools and to facilitate collaboration between online schools and physical schools in meeting students' needs. The reporting of student participation and completion rates in online programs should be comparable to traditional public schools for accountability purposes.

*Rationale: Students are best served when online and physical schools work together to create educational options and support for students. Almost all online students need personal, onsite support to achieve academic success, but there is not a cost effective vehicle in the current delivery system to provide an incentive for this collaboration. There are issues unique to online schools that should be addressed through the accreditation process to ensure that students are well served by the programs that are offered in the state. The Colorado Department of Education should track and report the non-completer rates of online schools in the same manner as traditional publicly funded school systems. Students that participate in full-time online programs that return to their home school district should be counted as non-completers in the online school's statistics. The new Division of Online Education created by legislation in 2007 is expected to address many of the quality control issues with online education programs, including necessary accountability measures.*

#### **4.14 Home schooling**

CASB supports legislation that holds parents of home-schooled children accountable for their child's reasonable academic progress and urges the Colorado General Assembly to enact meaningful education standards for home-based education programs and other measures necessary to facilitate collaboration between the home school and the school district in which the child resides in order to best meet the child's needs.

*Rationale: Home schooling is a viable alternative to available education opportunities and many parents provide an exemplary education for their children. However, school districts have also had experiences with home-schooled children who re-enroll in public school that indicate some children are not receiving educational opportunity through their home-school experience. It is important for the state to reexamine its accountability program for home schools. The current requirement that home-schooled students only need to meet the 13<sup>th</sup> percentile on a nationally-standardized test in order to remain in a home-based education program is not sufficient. Annual testing would provide an accountability framework comparable to public schools. Annual test scores would also be helpful if the child chooses to re-enroll in a public school so the school can determine an appropriate placement. For a variety of reasons, it is important that a home-school family provide notice of intent to home school to the school district in which the family resides. Providing notice locally establishes eligibility to participate in sports and activities and is a good first step to facilitate collaboration between the home school and the school district.*

#### **4.15 State plan for NCLB**

CASB encourages the state to submit a revised state plan for approval by the federal government in accordance with the No Child Left Behind Act that includes a more realistic measure of academic growth and fully recognizes and acknowledges district and school achievement based upon a reasonable standard.

*Rationale: Colorado is currently developing a measurement that compares student growth for an individual student in one year to that student's growth in subsequent years. However, this model is not taken into consideration under the determination of adequate yearly progress under the federal law. The current measure of academic growth under NCLB has several problem areas that should be addressed through an amendment to Colorado's plan with the federal government or through a federal waiver.*

#### 4.16 Public education in the 21st century

CASB urges state and local policymakers to forge a new working relationship in redesigning Colorado's public education system for the 21st century, with a focus on improving student achievement and holding each level of the system accountable, from preschool through post-secondary education, in a manner that:

- a) eliminates bureaucratic mandates and fragmentation so that multi-level communication and interaction can take place to enhance student academic success;
- b) offers all students a rigorous, developmentally-appropriate curriculum designed to provide opportunities and choice, regardless of the post-secondary path they choose;
- c) engages the assets of the full community;
- d) utilizes data and technology to individualize education for students and to incorporate new learning into the design;
- e) provides psychological and health services, academic and career, technical and vocational education opportunities for all students, particularly at the middle and high school level;
- f) closes the achievement gap by focusing on quality teaching and learning opportunities;
- g) implements standards-based education fully in a seamless curriculum, so one level of the system builds on the next and the end result is known and understood from the beginning;
- h) provides sufficient resources at every level of the system to meet the challenge; and
- i) preserves the ability of local communities to address local needs and challenges in a creative manner.

*Rationale: While school districts are making progress in closing the student achievement gap, too many students still fall below the proficiency level. Often these gaps are known before children reach the schoolhouse door, yet the education system is not always responsive because of lack of communication, scarce resources and low expectations. Can the adults who make policies affecting the academic lives of students talk to each other? In an ideal world, schools would be organized around students' needs, starting at an early age, and designed to enhance success at the post-secondary level to meet the required skills and knowledge for students to be successful in the 21st century. The intent of this resolution is to set a framework for the dialogue about a next-generation system of education designed with the best interests of students in mind.*

## **Annual resolution**

### **4.17 Graduation and drop-out rate calculations**

CASB urges state policymakers to reexamine how the student drop-out and graduation rate is calculated so that school districts are not penalized by inaccurate statistics that do not fairly reflect that a student transferred to another school or finished school by completion of a graduation equivalency diploma (GED).

*Rationale: Changes in the definition of “adequate documentation” for student transfers have increased dropout rates and adversely affected the graduation rate. If a student transfers to a private, parochial or out-of-state school, the only form of adequate documentation of such a transfer is a formal records request from the receiving school. However if the parent comes to the local district to obtain the records for use in a future registration, the local school does not receive a formal request and therefore most students that transfer in this manner are counted as dropouts. Additionally, GED is not considered as equivalent to a graduate, and the district’s graduation rate is negatively impacted when students successfully obtain a GED. The graduation calculation should not include a disincentive for districts to encourage students leaving the district to pursue a GED.*

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# Personnel

**CASB believes personnel policies, practices and relationships that support the hiring, evaluation and retention of quality employees in an atmosphere of trust and shared accountability will provide the working foundation for successful district operations and student learning.**

## **Standing resolutions**

### **5.1 Articulation of vision and goals to staff**

CASB believes boards of education that clearly articulate district vision and goals to staff will be successful.

### **5.2 Staff professional development**

CASB supports staff professional development, which includes an understanding of developmentally appropriate learning environments, curricula and assessments beginning with early childhood education, as an important element for school improvement and a key factor for successful implementation of standards-based education and integration of technology into the classroom.

### **5.3 Employee evaluation**

CASB encourages local boards of education to make employee evaluation a priority by providing the necessary resources to implement a quality evaluation system.

## **Legislative agenda**

### **5.4 Incentives to enter teaching profession**

CASB supports legislation that creates incentives to enter the teaching profession and remain in Colorado to teach.

*Rationale: There are various models in place in other states and from other professions to encourage interested persons to pursue a profession where there is a genuine shortage. Colorado is just beginning to feel the impact of a teacher shortage. In some subject areas, that shortage is acute. Rural areas in the state are particularly hard hit. An example of an incentive would be a state income tax credit that does not require additional state or local tax dollars to fund the program or redirect existing funds, which makes it an attractive incentive.*

### **5.5 Multi-year contracts**

CASB supports legislation that replaces the current “non-probationary” status for teachers with multi-year contracts that allow the Board of Education to make a decision on continuation of employment at the end of each contract term. Discussions on continuation of employment will be based upon a written record of skilled, knowledgeable and frequent observation and mentoring of teacher performance based upon commonly understood criteria. Until such time that legislation is adopted which implements multi-year contracts for all teachers, CASB supports extending the probationary period for teachers to five years because of the evolving accountability laws and the efforts of local boards to assure that the most effective teachers are in the classroom at all times.

*Rationale: Under current law, once a teacher completes a three-year probationary period, the teacher attains “nonprobationary” status. If problems develop with a nonprobationary teacher’s performance, the school district must initiate a dismissal process that is often costly and very time consuming. Given the demands placed on schools to improve student performance, school boards need the flexibility to retain the best teachers to provide students with the instruction that they need and that the state mandates. Under a multi-year contract plan, a teacher’s initial employment will be on a series of one-year contracts during the probationary period. A probationary teacher’s contract can be nonrenewed for any reason at the end of the contract year. Following completion of the probationary period, the teacher would be issued a contract for a set number of years, i.e. four years. At the end of the contract term, the local board would be able to decide whether to renew the contract for another four-year term. The opportunity to dismiss the teacher for cause during the contract period should continue. Until such a system is implemented, this resolution proposes extending the probationary period to five years.*

### **5.6 Teacher contracts**

CASB supports legislation that would impose penalties on licensed school personnel who enter into contracts with more than one school district for the same academic year as well as change the deadline date by which a licensed employee must give written notice to a school district that he or she will not fulfill the obligations of the employment contract.

*Rationale: The current law, which allows teachers to resign up to 30 days before the start of the academic year, poses a hardship for school districts. The pool of teaching candidates in smaller districts for “hard-to-recruit” instructional areas such as English as a second language, upper-level secondary mathematics and science, foreign languages, special education and so forth, is significantly limited in comparison to larger districts. The closer to the opening of the school year “late resignations” are statutorily allowed, the more likely smaller districts will need to reduce or eliminate academic programs for students. Even worse, the hiring of sub-par teachers simply to retain programs so students can meet college entrance course requirements becomes a very sad reality. There should be a liquidated damages provision of a specified amount, i.e. \$1,500, set forth in statute that a teacher would pay if he or she terminates the contract without sufficient notice to the district.*

### **5.7 Fair balance in hearing process**

CASB supports the development of an administrative hearing process that achieves a balance between adequate due process for teachers and the ability of school boards as employers to respond to demands for accountability and high-level performance.

*Rationale: Education reform will not occur if local boards of education as employers cannot respond appropriately and in a timely and cost-effective manner when teachers are not meeting district standards of performance or when misconduct occurs. The teacher dismissal process has not been reviewed since 1998. The concern that the process is too costly and too cumbersome is the primary reason for a look at revising the process.*

### **5.8 Public employee retirement**

CASB supports legislation that strengthens the actuarial funding of the Public Employee Retirement fund and assures the long-term viability of the pension program for existing and future school district employees, while minimizing the financial impact on school districts.

*Rationale: PERA is an important benefit that attracts and retains quality professionals in the teaching and school district support professions. The long-term financial viability of PERA is crucial for school employees. At the same time, it is important that any adjustments made to the rates employers must pay to preserve the financial stability of the fund be done in a manner that does not cause undue hardship for employers, which includes school districts, during tough economic times.*

## **Annual resolution**

### **5.9 Establishing terms and conditions of employment**

CASB believes an essential function of the local board of education's constitutional authority is to establish the process by which terms and conditions of employment for school district employees are determined.

*Rationale: This resolution essentially endorses the status quo in which local boards, generally in consultation with their employees, decide the process by which the terms and conditions of employment will be established. This may be by negotiated agreement or by district policy. Those districts that do not have a formal process to negotiate with employees, generally use a "meet and confer" process. Formalizing the negotiation process in state law through a "one size fits all" collective bargaining law is unnecessary.*

# Community

**CASB encourages local boards to engage in strategic and long-range planning with significant involvement from the community to provide leadership and direction for the district and to regularly engage their constituents so that the board's policies and actions reflect the diverse communities they serve.**

## **Standing resolutions**

### **6.1 Role of parents**

CASB believes in the fundamental principle that parents/guardians are the foundation of each student's education and that this important role should be respected when a local board adopts curriculum and when CASB advocates on behalf of local boards.

### **6.2 Parental involvement**

CASB supports partnerships between parents/guardians and schools that encourage parental/guardian involvement both in classrooms and outside of school.

### **6.3 Safe schools**

CASB urges local school boards to work with parents, students, community organizations, youth and family-serving agencies, business community, law enforcement and the judiciary to develop and implement effective policies and programs that will ensure continued safe and violence-free schools.

### **6.4 Diversity**

CASB encourages local boards to create an atmosphere welcoming people of diverse backgrounds to actively participate in district activities at all levels.

### **6.5 Relationships with governmental and community agencies**

CASB supports efforts to build relationships with local governmental entities and community organizations to strengthen, support and maximize the resources for public education.

### **6.6 Coordination of services**

CASB supports voluntary coordination of school, human and social services to ensure that children and families receive necessary assistance so children enter school ready to learn, and to avoid duplication of services.

## **Legislative agenda**

### **6.7 School organization process**

CASB believes any decisions about school district consolidation or deconsolidation should be made by local districts in conjunction with local communities.

*Rationale: On occasion, state policymakers begin analyzing the size of school districts to determine what size is optimum for efficiency and effectiveness. There are also issues related to school district boundaries and size when enrollment is declining or when a district is experiencing rapid growth in one area. All of these concerns should be addressed at the local level through the planning that takes place in the school organization process, without the state imposing solutions on a local community.*

## **6.8 Flexibility on CPKP requirements**

CASB believes that any state legislation and regulations addressing the Colorado Preschool and Kindergarten Program (CPKP) must allow for local community flexibility to ensure that school districts have the authority to spend resources in ways that meets local needs.

*Rationale: It is important that local school districts retain the ability to determine how the funding for full-day kindergarten is used and how the ratio between full-day kindergarten and state-funded preschool is determined.*

## **Annual resolution**

## **6.9 Coordinated system of early childhood education**

CASB supports establishing a new statewide structure with the authority to oversee early care and education programs and funding streams that will lead to more efficiency and equity in program quality and funding. The goal is to develop a structure that will fairly and accurately represent both public sector and private sector services and programs and will not reduce funding to the K-12 public education system.

*Rationale: The Preschool-3 Committee of the P-20 Council is expected to recommend a new governance structure for early childhood education. The CASB Early Childhood Task Force believes that such a structure would help to ensure that all 3 and 4 year old children would have quality early care and education programs. The intent is not to establish a new regulatory agency for childcare and early childhood education but rather to create a structure capable of coordinating the outcomes of Colorado's disparate system with the entrance needs of the elementary school system. Statewide coordination of early childhood education could focus on the following activities: 1) development of ECE program exit standards based on elementary entrance needs; 2) coordination of professional development resources for program providers; 3) administration of public funding and licensing functions; and 4) measurement of results. Service delivery conducted by community-based councils established under the auspices of the state-level structure provides for local control.*

# Federal Issues

**CASB believes that preK-12 public schools should be governed at the local level. Any federal education requirements should be limited, fully funded and judiciously made.**

## **Standing resolutions**

### **7.1 Role of federal government**

CASB believes that the federal government should not set achievement standards. The fundamental role of the federal government in education is to help ensure equal educational opportunity for each child by helping states and local school districts overcome economic and social barriers through research and targeted resources.

### **7.2 Implementation of federal mandate**

CASB believes implementation of any federal program or other requirement that is not fully funded should become optional at the district level.

### **7.3 Reimbursement for federal impact**

CASB believes the federal government should reimburse a local district for any lost revenue resulting from the implementation of federal activities or placement of federal facilities and/or personnel.

## **Legislative agenda**

### **7.4 Federal investment in education**

CASB supports full funding for federally-mandated programs. Federal dollars are more efficient, effective and have longer-lasting effects when they are distributed by formula through states to local school districts, rather than by competitive grants which often disadvantage those school districts most in need because of limited capacity for the grant-writing process.

*Rationale: While our national leaders profess a commitment to education as one of their highest priorities, the funding of federally-mandated programs often falls far short of the promise. NCLB places significant new requirements on local school districts and greatly expands federal involvement in education decisions. While a corresponding increase in federal funding was promised to coincide with this new role, actual appropriations are falling short of the original promise. School districts are far too familiar with the shortfalls in federal funding for the mandated program related to education of children with disabilities. The federal government's willingness to create new responsibilities without providing sufficient funding significantly increases the pressure on the district's operating budget to the detriment of other programs.*

### **7.5 Adequate yearly progress (AYP)**

CASB encourages the federal government to approve a revision to Colorado's interpretation of AYP that would include a more realistic measure of academic growth over time for all students. Any new measure must fully recognize and acknowledge district and school achievement based upon a reasonable standard.

*Rationale: The current measure of academic growth under NCLB has several problem areas that should be addressed through an amendment to Colorado's plan with the federal government or through a federal waiver, as addressed in a previous resolution. This resolution encourages the federal government to approve the waiver request or change to the state plan so a better measure of adequate yearly progress is applied to Colorado school districts.*

### **7.6 Choice with accountability**

CASB supports educational choice with uniform accountability for all publicly-funded educational institutions.

*Rationale: Proponents of nonpublic education choice options often resist efforts to hold private schools receiving public money to the same accountability, evaluation and oversight standards as regular education choices. Unless there is fair and uniform accountability associated with all forms of school choice, it will be impossible to determine what educational opportunities best support student achievement. A level playing field will exist only if there is uniform accountability for all publicly-funded educational institutions.*

### **7.7 Eligibility for free and reduced school lunch**

CASB believes that eligibility for free and reduced school lunches should be calculated on the basis of all bona fide income or loss.

*Rationale: Families in many rural school districts combine their farm and ranch activities with hourly-wage jobs to provide a more stable income flow. Unfortunately the procedure for qualifying for free and reduced lunches exclude losses from farm and ranch activities when they are combined with an hourly-wage job.*

### **7.8 Implementation of NCLB**

CASB urges the U.S. Department of Education, in the interest of public transparency, to publicize the variances it has granted to provide states' flexibility in the accountability plans required by the federal No Child Left Behind Act and to make these waivers or revisions available to other states upon request on a case-by-case determination.

*Rationale: In approving a state's NCLB accountability plan, the Secretary of Education routinely grants states flexibility to alter the federal framework to align with some unique features of the state's own accountability system. Information about amendments to state plans or waivers granted to individual states should be readily available. In addition, that same waiver or revision in a state plan should be available to any other state that is similarly situated. There is concern that the U.S. Department of Education's process for state plan approval and amendment has not been uniform, transparent, deliberate, or prompt.*

## Annual resolutions

### 7.9 Reauthorization of NCLB

CASB urges Congress to modify the federal No Child Left Behind Act so the law reflects a larger vision of the kind of education system needed to ensure students develop the 21<sup>st</sup> century skills and abilities they will need for successful lives in a global economy and to amend NCLB so the law:

- incorporates growth for all students over time (longitudinal growth) as the primary measure of school success;
- creates financial incentives for recruiting and retaining teachers in low-performing schools, high-poverty schools or hard-to-staff rural schools;
- allows states flexibility (with accountability) to determine how best to assess and measure learning progress for special education students in accordance with their individual education plans; and
- provides flexibility in assessing the progress of English language learners until they become proficient in English.

*Rationale: Local school board members support a strong system of accountability that gives the public an accurate reflection of how students are learning and growing. There is concern that the federal framework for accountability under NCLB does not accurately or fairly assess student or school performance. Legislative changes to NCLB are necessary to ensure not only that each student improves academically, but also to ensure that the public reporting accurately reflects student, school and school district performance. Providing high-quality instruction and accurately assessing academic growth for students with disabilities and students who are learning to speak English constitute the greatest challenges for school districts. States should be allowed to set separate starting points and AYP projection paths for students with disabilities as well as ELL students instead of subjecting these students to arbitrary determinations or deadlines that do not reflect their individual needs. Criteria for determining the qualifications of principals, teachers and other education professional are the responsibility of state and local school districts. The federal government could have a greater impact on improving student achievement by providing incentives to attract better teachers to challenging school districts, instead of creating burdens that exacerbate the supply of good teachers.*

## 7.10 Opposition to Pinon Canyon Maneuver Site

CASB joins local school districts in opposition to the proposed expansion of the Pinon Canyon Maneuver Site. If the U.S. Army expands the existing site as is being discussed, it will take away property ownership from hundreds of rural residents, which will mean rural schools in southeastern Colorado will experience loss of enrollment and property beyond comparison.

*Rationale: The U.S. Army is in the initial planning stages of increasing the size of the existing Pinon Canyon Maneuver Site by 750,000 acres. There is concern that some school districts and local communities will cease to exist after the expansion. It has been difficult to get information about the proposed expansion from Army officials so it is impossible for local school districts and counties to determine the local impact. This current atmosphere of uncertainty and potential impact on local communities is of concern to school districts around the state.*

# Resolution adopted at CASB SPECIAL DELEGATE ASSEMBLY

*JUNE 11, 2005*

## **School finance adequacy lawsuit**

CASB supports proposed litigation on behalf of parents, students, boards of education and Colorado school districts to challenge the constitutionality of the Colorado public school finance system and other constitutional impediments that restrict the General Assembly from establishing a “thorough and uniform system of free public schools.” CASB believes litigation is part of a strategy to bring increased awareness to the problems caused by funding deficiencies as school districts struggle to meet increased accountability and academic performance expectations from the state and federal government. At the same time, CASB will continue to pursue other strategies through the legislative process to address the inadequacies and inequities in the current public school finance framework.

*Rationale: The current Public School Finance Act was enacted in 1994 before many of the standards-based reform efforts were in place, such as state assessments, charter schools and state and federal accountability systems, including state accreditation, school accountability reports and No Child Left Behind. There have been significant changes in the tax structure of the state since 1994 that have created major variance in school district mill levies and the share of school funding supported by local property taxes. Funding for categorical programs, particularly for special education programs, falls far short of the services that school districts are required to provide. These funding inadequacies have a serious impact on the education of Colorado’s children and the quality of life in this state.*