



**FINAL
RESOLUTIONS**

**79th Annual
Delegate
Assembly**

Adopted
Saturday, October 19, 2019



Colorado Association of School Boards
CASB.org

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Standing Resolutions

Local Governance

- SR1** Colorado’s Constitution acknowledges the diverse nature of Colorado school districts and establishes locally elected school boards vested with control of instruction as the guarantor of educational quality responsive to local needs.
- SR2** Control of instruction, including efforts to restructure and fund public education, must be guided by student needs, improved academic growth and achievement, with responsible use of financial resources as determined by the locally elected school board.
- SR3** Essential functions of the local board of education’s constitutional authority include establishing the course of curriculum and instruction, the process for determining the terms and conditions of employment for school district employees, and the budget to be used to implement the local community’s priorities.

Finance

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- SR6** Existing mandates that are ineffective or that have a larger cost than benefit must be rescinded so local boards may dedicate those financial resources to better use.

Student Academic Growth and Achievement

- SR7** The Colorado Association of School Boards supports a system of accountability that stresses local measures that inform instruction and separately acknowledges a need for a statewide system that allows measurement of school and district effectiveness and comparison between school districts.

- SR8** CASB opposes any state mandates beyond the federal minimums with respect to assessment and educator licensure to assure local boards' flexibility to allocate instructional time and place the best teacher in every classroom.

- SR9** Colorado school boards' constitutional authority includes the right to develop schools and programs to supplement current programs and ensure student access to diverse learning opportunities.

2020 Legislative Session Resolutions

Local Governance

- LR1** The Colorado Association of School Boards supports continued reform in the teacher evaluation process to encourage courageous conversations between administrators and teachers that leads to real goal setting and effective feedback. Evaluations are more effective when trust and communication are paramount, rather than rigidly imposed accountability measures that discourage continuous improvement in teaching methods.
- LR2** Opposing legislation that usurps local control of instruction vested by the Colorado Constitution in elected school boards. Whereas, the Colorado State Constitution in Article IX, section 15, which was established in 1876, states that local school boards elected by their electors, “shall have control of instruction in the public schools of their respective districts;” a constitutional principle known as “local control;” and whereas, the membership of the Colorado Association of School Boards has adopted Standing Resolution Number 1 recognizing that control of instruction is vested by the Colorado Constitution in locally elected school boards; and whereas, legislation passed by the general assembly and signed into law by the governor that mandates specific instruction or that directs local school districts to follow specific instructional text or content violates the fundamental principle of local control contained in Article IX, Section 15 the Colorado Constitution. Now, therefore, be it resolved, that the Colorado Association of School Boards oppose any current or proposed legislation that requires locally-elected school boards or their districts to follow or adopt specific instructional text or content in violation of the fundamental principle of local control embodied in the Colorado Constitution.
- LR3** The Colorado Association of School Boards supports legislation requiring all school district and charter school boards to post online public documents being discussed at a meeting as early as possible, but no later than two business days after meeting conclusion.
- LR4** The Colorado Association of School Boards supports changes to SB10-191 to allow evaluation of non-probationary teachers with the state-approved evaluation tool every third year after the first five annual evaluations within the same district and using locally developed evaluation methods in the interim years.

- LR5** The Colorado Association of School Boards supports amendment of the Claire Davis Act and other proposals addressing the need for safety and security of students, teachers, and staff while providing Colorado school districts with the support necessary to provide such safety and security. A waiver of governmental immunity for school districts regarding safety and security issues unnecessarily exposes taxpayers to liability for future actions, which ultimately endangers the school district's ability to educate students.
- LR6** The Colorado Association of School Boards supports legislation that honors local control of the charter school approval and renewal process. CASB supports legislation to change the State Board of Education's standard of review for charter school appeals to a determination of whether the local school board's decision was arbitrary and capricious.
- LR7** The Colorado Association of School Boards supports adoption of policies and legislation amending the Colorado Charter Schools Act to strengthen the criteria a charter school applicant must meet to obtain a District Charter or a Charter from the Colorado Charter Schools Institute.
- LR8** The Colorado Association of School Boards supports adoption of policies and legislation amending the Colorado Charter Schools Act regarding the process of obtaining non-standard waivers from Colorado law. This would include requiring the requesting charter school to provide a written rationale for seeking each such waiver.
- LR9** The Colorado Association of School Boards supports an administrative audit at the State level to consider whether there are state requirements that impose unnecessary burdens and paperwork, including but not limited to, reporting requirements which are inefficient uses of both time and money, that take educators away from teaching and drive talented people away from the profession. This Systematic Review of Education Programs, as proposed by the introduced but not passed HB18-1222, would establish process for the systematic review of programs enacted by the General Assembly. Those programs found to be ineffective or inefficient should be changed, eliminated, or sunsetted.
- LR10** The Colorado Association of School Boards urges the United States Congress to amend the Drug Free Schools and Communities Act to include an exception for the administration of non-psychoactive cannabinoid oils to students by a primary caregiver on school grounds under medical supervision when prescribed by a treating physician.

LR11 The Colorado Association of School Boards supports a proposal to use bus video to capture and penalize traffic violators of “Stop” arms on buses.

LR12 The Colorado Association of School Boards believes that given the current state of technology and the mobile nature of many jobs, allowing board members to attend meetings digitally should not be considered less valid than in-person meetings. Current state statute prevents remote access attendance from being counted toward quorum. We believe that this should be changed so that board members making the extra effort to attend despite work or other challenges that require their physical presence elsewhere should be counted toward quorum. By removing this limitation, local boards can adopt appropriate policies detailing how modern virtual attendance is to be handled within their own meetings. They can decide what limits to place on board members utilization of technological means to attend remotely.

LR13 The Colorado Association of School Boards urges the Colorado General Assembly to develop legislation that prohibits use of cell phones (both voice and text) in school zones unless in a legally parked vehicle or while on foot in safe pedestrian areas.

LR14 The Colorado Association of School Boards supports legislation that requires charter school applicants to submit accurate data on intentions to enroll from new families. The number of letters of intent should meet the standard for a minimally viable number of students established by each local school board with at least 55% of the interested students residing within the district at the time of application. The local school district may only use data from letters of intent for the purposes of verifying numbers of interested students. A letter of intent must be submitted for each family and include the following requirements:

- Student name(s) and date(s) of birth;
- Parent or legal guardian name;
- Proof of address/residency;
- Grade(s), school(s), and district(s) where student(s) currently enrolled;
- Intended grade level(s) at enrollment with charter;
- Acknowledgement of plans to withdraw student(s) from current school(s);
- Any additional information required by policy.

- LR15** The Colorado Association of School Boards supports legislation that would require equal access for all students to attend charter schools. Charter schools must demonstrate that their lotteries and other admission processes are open and non-discriminatory. Charter schools may not at any time require or ask families to submit student performance or Individual Education Program (IEP) data before admissions decisions are made. Preferential admissions should not be allowed based on legacy. Charter schools must also show the capacity of the district supports the opening of the charter school.
- LR16** The Colorado Association of School Boards supports legislation that gives the local school board sufficient authority to set appropriate policies and direct charter schools to take corrective or remedial action when the school district may have legal liability for actions of the charter school. The standard of review by the State Board of Education shall be whether the local board's recommended corrective actions were arbitrary and capricious. In cases where the local board's authority to direct the charter school does not exist, the charter school shall be required to indemnify the school district, including but not limited to financial losses caused by the charter school, its policies, or acts of its agents.
- LR17** The Colorado Association of School Boards supports legislation that results in initiatives to increase the numbers of vaccinated children.
- LR18** The Colorado Association of School Boards supports school boards placing a high priority on reducing carbon consumption in making decisions regarding capital improvement, energy use, and transportation; and supporting climate change and environmental education. CASB also urges the Colorado General Assembly and federal government to take swift and effective action on climate change to protect current and future students.

Finance

LR19 The Colorado Association of School Boards supports the intent of Proposition CC and encourages Colorado voters to approve Proposition CC on the November 2019 ballot. The vast majority of Colorado school districts have asked the voters in their community to allow the local district to retain tax dollars already collected. Voters have approved these “de-brucing” measures in their local community and they should be allowed to vote on the same issue on a statewide basis.

LR20 It is a state obligation to create and fund a system of school finance which adequately and equitably funds all public schools in Colorado, and which includes both state and local tax revenues. The Colorado Association of School Boards supports legislation to create a uniform, statewide school mill levy to fund the local share of the Colorado School Finance Act to the maximum extent such uniform school mill levy is permitted by the Colorado Constitution and provided the legislation addresses the following requirements:

1. All new funding from local property tax revenue will be stable and sustainable in future years;
2. All state General Fund revenues which fund the Colorado School Finance Act and which are replaced by local property tax revenue as a result of this legislation will be reinvested in our public schools by providing additional state funding to significantly reduce the Budget Stabilization Factor;
3. The options made available to school districts which must increase their local school mill levies to the uniform school mill levy, and the length of time available to make such an increase will be fair and reasonable to school districts and local taxpayers;
4. School districts which have characteristics or circumstances that make it difficult or impossible to raise their local school mill levies to the uniform school mill levy will not lose funding as a result of this legislation; and
5. If as a result of this legislation, the Colorado Constitution requires any school district to lower its mill levy to the uniform school mill levy, any such decrease in the local school mill levy shall be temporary, to the extent legally permissible, and local school boards shall have the ability to restore the local school mill levy to the same level the school mill levy was set prior to the temporary decrease without voter approval.

- LR21** The Colorado Association of School Boards encourages the General Assembly and the Colorado Department of Education (CDE) to revise the student enrollment count system from one count day and develop a system for counting student enrollment that is more equitable than the current single-day “October-count” model. CASB also encourages CDE to collaborate with districts, charter schools, superintendents and their respective professional associations to ensure any new system serves the needs of all schools across the state.
- LR22** The Colorado Association of School Boards recognizes that a structural change is needed in how the State of Colorado funds K-12 education and other critical state and local programs. This structural change includes addressing the negative impacts of provisions in the Colorado Constitution such as TABOR and Gallagher that continue to impact the state budget. These provisions have caused the Colorado General Assembly to subject K-12 education to significant budget cuts through the mechanism formerly known as the “Negative Factor,” which is now termed the “Budget Stabilization Factor.”
- LR23** The Colorado Association of School Boards supports federal reauthorization and funding of the Secure Rural Schools (SRS) program, long-term forest management, and fire prevention.
- LR24** The Colorado Association of School Boards supports the General Assembly’s creation of a new School Finance Act framework that allows it to assess and rebalance the formula variables, factors, and categoricals in a manner that ensures equity, stability, and consistency in public school funding.
- LR25** The Colorado Association of School Boards supports the state’s identifying an on-going funding source for the Special Education High-Cost Trust Fund.
- LR26** The Colorado Association of School Boards advocates that the legislature make permanent a \$40 million annual investment in rural school sustainability, to be distributed to rural and small rural school districts as defined by the Colorado Department of Education, on a dollars-per-pupil basis as has been done at the end of the last three legislative sessions. This would build on rural school funding previously appropriated in SB17-267, “Sustainability of Rural Colorado” and also subsequently approved in SB18-215, “Additional Funding for Small Rural Schools,” and SB19-246, “Colorado School Finance Act.”

- LR27** The Colorado Association of School Boards supports the full funding of the Individuals with Disabilities Education Act (IDEA). Congress has never fully funded the federal government's portion of IDEA. CASB, however, recognizes the efforts of Colorado's delegation to add \$1 billion in the IDEA reauthorization bill passed by the U.S. House. CASB urges Colorado's delegation to act on IDEA reauthorization and increase the federal share in the 116th United States Congress before the 2020 election cycle further slows legislative action.
- LR28** The Colorado Association of School Boards supports current efforts to build a coalition addressing Colorado state funding requirements resulting from TABOR that may result in a future statewide referendum or initiative for a ballot measure amending the Colorado Constitution.
- LR29** The Colorado Association of School Boards supports adoption of policies and legislation recognizing the need and providing funding for more mental health support for students and educators. CASB encourages the Colorado General Assembly to continue to fund and expand social-emotional health supports (preventative and reactive) within Colorado, specifically for P-12 school-age youth.
- LR30** The Colorado Association of School Boards urges the Colorado General Assembly to continue to fund educator preparation programs as well as educator recruitment and retention programs in order to reduce and eventually eliminate current and future educator shortages. Additionally, CASB urges the Colorado General Assembly to continue to implement financial incentives such as loan forgiveness/tuition assistance for those educators choosing to teach in small and rural school districts.
- LR31** The Colorado Association of School Boards advocates that the legislature guarantees the capability of the Building Excellent Schools Today program to provide long term sustainability of multi-year financing of large-scale capital facilities improvement projects for schools and districts in dire need, thereby allowing the BEST program to continue awarding grants financed through an annual Certificate of Participation (COP) process.
- LR32** The Colorado Association of School Boards recognizes that a financial structure change is needed as it pertains to schools that choose to be chartered under CSI (Charter Schools Institute). Schools under this designation should be given the state base per child funding with no mill levy increases based on the district of the students' residency. CSI schools can go for mill levy increases as stated through TABOR as a statewide initiative where amendment 71 applies (2% of registered voters in all 35 senate districts).

- LR33** The Colorado Association of School Boards urges the Colorado General Assembly to continue to strengthen efforts of talentFOUND as established in C.R.S. 24-46.3-103 and amended by SB14-205, Talent Pipeline Working Group. Additional consideration should be given to include the Colorado Department of Public Health and Environment (CDPHE) in this collaboration to address and help overcome social-emotional/economical and cross-generational/gender/race/culture/etc. barriers in this cross-functional work.
- LR34** The Colorado Association of School Boards supports legislation to address the epidemic of vaping by our youth. CASB supports legislation that employs proven means to reduce youth usage including: increasing the price of vaping products through a tax similar to the one on traditional tobacco products, raising the age of use, possession and purchase to 21, and through limitations of flavored products that would appeal to youth. Increased resources should be invested in public health programs that educate youth about the dangers of vaping and provide alternative to suspension opportunities for students caught using vaping products.
- LR35** The Colorado Association of School Boards encourages the state to inventory and assess the various teacher recruitment and incentive programs passed in the previous five years and determine the relative success of each program. Further those programs demonstrating little or no impact on teacher recruitment or retention should be eliminated and funding associated with such programs be applied to those demonstrating success. Additionally, the state should work with K-12 and higher education to develop a teaching-degree pathway starting in the 9th grade that utilizes concurrent enrollment to offer college-level teacher preparation courses to high school students considering careers in teaching. CASB also encourages the state to review mandated articulation agreements among and across 2-year and 4-year colleges and universities and ensure that all credits earned by high school students in concurrent enrollment teacher preparation programs be guaranteed to transfer toward a 4-year bachelor teaching degree.
- LR36** The Colorado Association of School Boards supports the establishment of a program similar to that of the “Colorado Health Service Corps”, with the stipulation that it be created for educators in our state who choose to join our career field despite the many barriers that have conspired to forge a negative perception of teaching in general.

Student Academic Growth and Achievement

- LR37** The Colorado Association of School Boards supports adoption of policies and legislation adjusting current timelines for Academic Standard Review. Currently, all 10 content areas are updated in one year, followed by a two-year implementation period, for a total of six years for the entire cycle.
- LR38** The Colorado Association of School Boards supports reducing the number of testing requirements imposed by the State of Colorado while maintaining instruments that allow teachers to track the achievement and growth goals for students and reward great teaching methods.
- LR39** The Colorado Association of School Boards supports the expansion of career and technical education for all students as an equally well-regarded element of education that prepares students for today’s modern workforce.
- LR40** The Colorado Association of School Boards supports incorporating multiple measures in evaluating student learning to better reflect and communicate growth of the whole child and to better serve a balanced, meaningful, and inclusive vision of quality public education.
- LR41** The Colorado Association of School Boards urges the Colorado General Assembly, via modifying state statute, to allow the Colorado State Board of Education and Colorado Department of Education to change the School Performance Frameworks to implement a more equitable school and district scoring system. CASB supports changes to replace “curve and percentile”-based cut points with straight “percentage”-based final assessment scoring. These structural changes are necessary to allow all schools to achieve these benchmarks. Additionally, these changes would provide equity statewide for homogeneous and non-homogeneous student populations. These changes would account for traditional and non-traditional matriculation pathways leading to post-secondary success.