



Leadership Guidebook for School Board Directors

2025

A comprehensive resource for effective
governance and strong board leadership
in Colorado school districts.

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PREFACE

Congratulations on your election as a state public official serving as a director of your local school board. You are about to embark on a meaningful journey with your fellow board members, and together you will shape the future of your communities. Thank you for stepping forward and volunteering your time and passion for school board governance—this is truly rewarding, complex, and challenging work.

The Colorado Association of School Boards (CASB) is a membership organization that supports school board members throughout Colorado. CASB is in a unique position to represent and advocate for the needs of its members during legislative sessions as well as support member organizations through policy enactment, board governance, professional learning, and timely legal information. This Leadership Guidebook for School Board Directors is a valuable resource to help you serve your community with confidence and effectiveness, and the following chapters provide the information you need to serve on your local school board.

This 2025 Edition of the CASB Leadership Guidebook for School Board Directors is not unlike the previous editions that have been issued every two years for the past 30 years. However, we retitled the resource from "Workbook" to "Guidebook" to reflect the intent of the leadership resource. There are several similarities with past editions: first, there is a wealth of information contained in this guidebook about state laws and policies that help school board members; and secondly, this guidebook can be used as a reference for your local board to become exceptionally skillful at school board governance. If you picked up this Leadership Guidebook, you have already established yourself as a school board director who desires to learn the craft of school board governance, and you have a desire to do the very best you can for the students you serve.

This year's editorial review committee revised the structure of the Leadership Guidebook to make it easier to navigate. There was also a focus on ensuring that the Colorado Revised Statutes were annotated throughout the guidebook for added convenience as you govern your district. This year's edition also added references to CASB Core Policies as well as "best practices" segments which highlight the work being done throughout the state by your colleagues.



STATEMENT ON AI USE

AI tools (specifically Gamma.app) were used as a collaborative assistant in the creation and presentation of the current edition of the CASB Leadership Guidebook for School Board Directors.

The AI's role has been to:

- **Overlay design elements across the entirety of the Guidebook including formatting to highlight specific text areas or emphasize concepts.**
- **Add graphics and illustrations throughout the Guidebook for efficacy and visual appeal.**
- **Create a consistent look to CASB's own content and writing contained here.**

All creative concepts and documentation included in the Guidebook originate from the human authors who have worked on the Guidebook, whether staff or contracted on behalf of CASB to provide added value and benefit. These works are not generative of original intellectual property independent of the author's input.

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TABLE OF CONTENTS

PREFACE

INTRODUCTION 1

Key Works of School Boards 1

CHAPTER ONE: VISION 5

1.1 Board of Education Structure and Responsibilities 6

- Board Structure 6
- Working as a Team 7
- Board Codes of Conduct and Ethics 8
- Board Officers 8
- Board Vacancy and Appointments 13

1.2 Meetings 14

- Regular Board Meetings 14
- Special Meetings 14
- Work Sessions 15
- Types of Meetings Overview 15
- Other Settings 16
- Meeting Procedure 16
- Conflict of Interest 17
- Conflicts and Public Participation 18
- Public Participation in Board Meetings 18
- Virtual Meetings 19
- Executive Session 19
- Board Duties and Powers Under the Law 24

1.3 Limitations 26

- Concerns About the Board's Compliance with Law 27
- Legal Advice 27
- The Board's Spokesperson 28
- Role of an Individual Board Member 28
- When Board Members Disagree 29
- Meeting with Constituents 29
- Handling Complaints 30

<i>Code of Ethics for School Board Members</i>	31
<i>Code of Conduct</i>	32
<i>Calm/Pass Process</i>	33

CHAPTER TWO: RELATIONSHIPS 35

2.1 Introduction to School Board Relationships 35

2.2 Board and Superintendent 36

- Roles 38
- Expectations 40
- Hiring a New Superintendent 42
- Superintendent Evaluation 43
- Terminating the Relationship 44

2.3 Advisory Committees 45

2.4 Other Relationships 46

- Board and Students 46
- Board and Staff 47
- Communication with Staff 47

2.5 Community Relations 48

- Board and Community 48
- Creating a Communication Plan 48
- Community Relations Checklist 49
- Social Media Tips 50
- Handling Criticism 51
- Media Relations 51
- Crisis Communication 51
- Media Relations Checkpoints 52
- Community Engagement 53

CHAPTER THREE: ACCOUNTABILITY 55

3.1 Setting Strategic Direction 56

- Benefits of Strategic Planning 57
- Strategic Planning Process 58
- Strategic Planning Timeline 60

3.2 State Accountability and Accreditation	61
• Colorado Accountability Resources	62
• Stakeholder Responsibilities	64
• District Accountability Committees	67
• State Advisory Groups	68
• 2025 Legislation Changes	69
• Accreditation	70
3.3 High School Graduation Standards and Guidelines	70
3.4 Federal Accountability	71
• ESSA Requirements and Resources	72
3.5 Effective School Board Governance	73
• Models of Governance	73
• Policy Models and Frameworks	74
• Additional Approaches to Governance	78
3.6 Board Self-Evaluation	79
3.7 Colorado School Choice	80
• Public School Open Enrollment	80
• Private School and Home School Student Participation	81
• College Coursework	81
• District Charter Schools	82
• Charter School Institute	83
• Online Programs and Schools	84
• Innovation Schools and School Zones	85
• Board of Cooperative Educational Services	86
CHAPTER FOUR: POLICY	89
4.1 What is Policy?	89
4.2 Developing Policies	91
• Understanding the NEPN Coding System	92
• Reviewing Policies	92

• Policy on Policy Adoption	96
• Policies on Maintaining Safe Schools	96
• Parental Notification of Employee Criminal Charges	98
• Policies on Student Discipline	101
• Policies on Special Education	102
• Policies on Technology	105
• Personnel Policies	106
• Educator Effectiveness	108
• Employee Rights	115

CHAPTER FIVE: COMMUNITY LEADERSHIP..... 117

5.1 WHAT IS ADVOCACY? 117

5.2 LEGISLATIVE PRIORITIES 118

• Preserving local control	118
• Securing adequate and reliable funding	120
• Student academic growth	120

5.3 CASB ADVOCACY COMMITTEE 120

5.4 ADVOCACY TOOLS AND TIPS 121

• Advocacy begins at home	121
• CASB days at the capitol	122
• CASB advocacy tips	122

5.5 FINANCE 123

• Understanding local/state share of school funding in colorado	123
• Public school finance act of 1994	125
• Sources of revenue	127
• Local revenue and mills	128
• State share	128
• School buildings and grounds	128
• Funding of capital construction projects	129
• Bonded indebtedness	130
• Charter school funding	131
• Universal preschool funding	132
• Healthy school meals for all program	134

5.6 ACCOUNTING FOR DISTRICT FUNDS 134

• General Fund	134
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• Bond Redemption Fund	135
• Capital Reserve Fund	135
• Special Building and Technology Fund	136
• Risk Management Reserves Fund	136
• Transportation Fund	136
• Full-Day Kindergarten Fund	137
• Supplemental Capital Construction, Technology, and Maintenance Fund	137
• Total Program Reserve Fund	137

5.7 THE BUDGET 138

• Budget adoption process	138
• Appeal for revenue increase	139
• Financial accounting	139
• Cash flow loan program	139
• Financial accounting and reports	140
• Creating debt	140
• Installment purchase	140
• The board's relationship with its auditor	142

CHAPTER SIX: BUILDING BETTER BOARDS 145

A Message to School Board Directors146

CASB's Foundational Commitments147

6.1 CONFIDENCE:

Equipping Leaders to Lead with Competence and Effectiveness148

• New Board Member Onboarding -	148
• Year-Round Professional Development	148
• Custom Board Effectiveness Services	149
• On-Demand Learning Resources	149

6.2 ACCOUNTABILITY:

Demonstrating Collective Value through High Performance150

• Collective Membership Value	150
• Superintendent Search Services	151
• Strategic Planning Capabilities	151
• Executive Coaching Services	152

6.3 STEWARDSHIP:

Earning Public Trust Through Policy Excellence for Student Success...153

• Comprehensive Policy Services	153
• Expert Legal Resources	154
• Legislative Leadership and Advocacy	155
• Advocacy and Community Engagement	156
6.4 BOARDSMANSHIP: Governing with Leadership Mentality	157
• The Boardsmanship Framework	157
• Boardsmanship Throughout Your Journey	158
• Boardsmanship Online Learning Platform	159
• Boardsmanship to develop Strategic Partnerships	159
6.5 CASB Membership: Your Investment in Excellence	160
<i>Contact CASB for Support</i>	<i>160</i>
 APPENDIX A: Glossary of Education Terms	 161
APPENDIX B: Acronyms	175
APPENDIX C: History of State Accountability System	178

INTRODUCTION

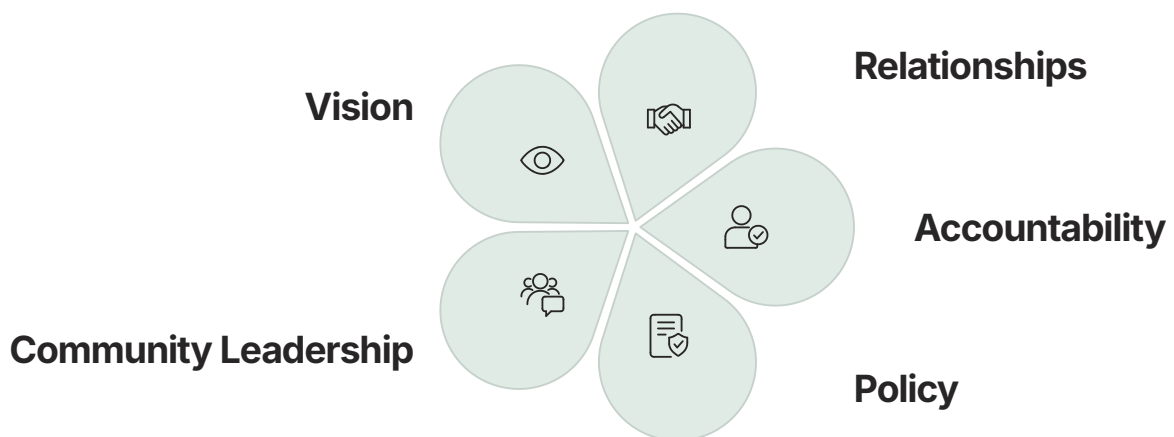
CASB Leadership Guidebook for School Board Directors is your resource to deliver effective governance and strong board leadership for your community to ensure student success. Throughout this guidebook, you will find helpful information about Colorado's educational system and your role in that system. We encourage you to consult this Guidebook frequently for the answers to questions about state and local level education challenges, developing board relationships, focusing on student success, addressing personnel concerns, operating within legal compliance, and adhering to the board's fiduciary responsibility.

School board directors new to their positions can use this Guidebook in conjunction with the CASB New Board Member Handbook to begin to develop confidence and effectiveness. The New Board Member Handbook provides brief FAQ responses, while the Leadership Guidebook provides greater description about your role as an individual serving on a board and as a member of that collective board team.

The Leadership Guidebook is structured by the key areas that school board directors perform to serve students and their communities. The National School Board Association published a framework for school board work in 2020, and these five key areas are used to frame the chapters of this Guidebook.

KEY WORKS OF SCHOOL BOARDS

The Key Work of School Boards Guidebook "provides a reliable guide through the scope of pertinent areas where boards can make an impact through leadership and governance." The model below highlights the five key areas for effective school board governance.



Key Areas for Effective School Board Governance

Vision

Boards establish a clear vision with high expectations for teaching and learning, supporting strong student outcomes.

Relationships

School boards and the superintendent lead as a united team, collaborating with mutual trust in their respective roles.

Accountability

Boards are accountable to their communities for high academic standards, transparency, efficient operations, and continuous improvement.

Policy

Policy is how boards sustainably exercise power to serve students, establishing cohesive guidelines to transform vision into reality.

Community Leadership

Through advocacy and engagement, school boards share concerns with legislators and communities, communicating strategic direction and financial obligations.



Guidebook Structure: Chapters 1-3

Chapter One—Vision

Vision is the aspiration that the school board collectively has for its community and its students. The first chapter outlines the school board's authority to establish a vision, clarify values, and govern. The chapter discusses board member roles, including the duties of the officers; instructs how to conduct board meetings, including executive sessions to adhere to the Open Meetings Law; and lists the duties and responsibilities that the school board must perform to fulfill the vision for the school district.

Chapter Two—Relationships

Developing positive relationships is all about collaboration. Chapter two discusses the relationships among school board members, the superintendent, and the community. The collaborative relationship between the school board and the superintendent as the executive team of the school district is vital to the success of the entire organization. The chapter also provides useful communications strategies to develop the relationships board members need for effective governance with staff and the community.

Chapter Three—Accountability

Accountability is how the school board establishes the right expectations for everyone in the school district. Chapter three describes additional responsibilities of the school board including setting the strategic direction for the district, establishing accountability and accreditation, refining effective school board governance, and ensuring student success by offering models of choice in public school education.



Guidebook Structure: Chapters 4-6

Chapter 4—Policy

developing effective policy is first and foremost, coherence. Policy articulates the aspirations and expectations the school board has for its students and community and aligns the board's work into a unified strategy. Developing policy inevitably leads to the consideration of legal issues that school board members may have to address including student discipline and safety, personnel issues, and legal advice from school district legal counsel. This chapter provides guidance to address these issues through policy to help alleviate or avoid placing the school district at risk.

Chapter Five—Community Leadership

one of the critical roles for school board members is communication with stakeholders. Chapter Five outlines the importance of advocacy and how to effectively communicate and advocate for students. This chapter also highlights the role that school boards must perform to communicate district finances and the budgeting process.

Chapter Six—CASB Building Better Boards

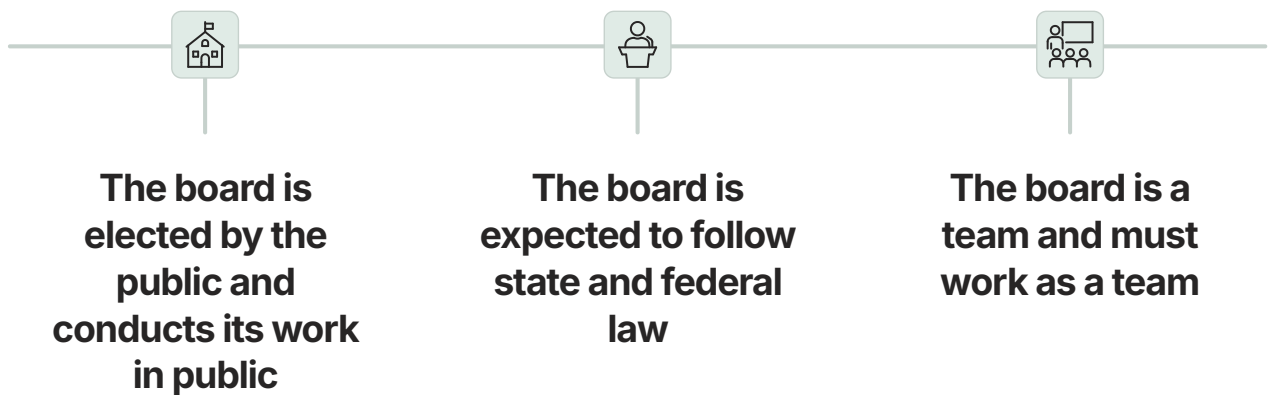
The final chapter of the Leadership Guidebook provides resources and information on how CASB can best serve you during your tenure as a school board member, including information on annual events and professional learning opportunities.

CHAPTER ONE: VISION

Aspiration for Students and Community

Effective school boards establish a clear vision with high expectations for quality teaching and learning that supports strong student outcomes.

The community board of education is one of the oldest forms of government. Boards of education were established almost 200 years ago, and their predecessors, called school committees, date back to the 1640s. In Colorado, 178 individual boards of education vitally ensure that the young people in every community gain the knowledge and skills they need to be successful, not only in the classroom, but also in the world.



1.1 BOARD OF EDUCATION

STRUCTURE AND RESPONSIBILITIES

BOARD STRUCTURE

Local school districts are established by statute, formed by the law and subject to the law. However, Colorado law grants wide latitude to the elected board of education for certain decisions. The Colorado Constitution states that boards of education ". . . shall have control of instruction in the public schools of their respective districts." (Colo. Const., Art. IX, § 15). This concept is referred to as "local control," and refers to the ability of individual school boards to make decisions on issues such as curriculum, personnel, budget, school calendars, graduation requirements, and classroom policy. Protecting "local control" as one of CASB's advocacy priorities is discussed in more detail in Chapter Five of this Guidebook. Although boards have discretion on many decisions, the Colorado Legislature may pass laws to direct boards in their work.

Individual board members are held accountable to the electorate, but the district itself is held accountable by the State through the district's accreditation. Thus, to ensure local schools remain accredited, boards must comply with state and federal law. Understanding these obligations help boards define the important role they play in the education of students in their communities.

Boards of education are governed by the Colorado Constitution as defined above, but Colorado Revised Statutes (CRS) provide specific authority, requirements, and guidance to school board members, and CRS citations that apply to recommendations found throughout this Guidebook provide school board members with additional information, and if there is an inadvertent conflict with information contained in this Guidebook and state law, then state law prevails. Colorado Revised Statutes are referenced throughout this Guidebook for your convenience.

In Colorado, boards of education are comprised of five, six, or seven members, see C.R.S. § 22-31-105. Depending on the school district's plan of representation, board members may be elected at-large, by director district, or by a combination of the two. Each member on your board of education has the same number of votes on an issue - one. That means if you want to make changes you believe will benefit students, then you need to work with your fellow board members to make it happen. An individual school board member has no individual authority. The board may only take action, make decisions, and direct district operations as a full board acting in its corporate role.



WORKING AS A TEAM

As a board member, you are a member of several teams. You and your fellow board members are a team. The board and superintendent are part of a team. Finally, no board can be effective unless your local community is also on the team.

The work of the board is carried out as a group. Although individual board members may have different ideas, the goal is to work towards consensus. In order to implement changes, you must collaborate with your fellow board members.

To work together, the full board should start with a discussion to establish how the board will work, known as a 'personal agreement' or 'board norms'. The following list is a sample of typical board norms and expectations:

Typical Norms/Expectations:

Right to be Heard

The right for every member of the board to be heard.

Shared Responsibilities

The responsibility of each board member to:

- Do their fair share of the work.
- Comply with board policies.
- Be prepared for meetings.
- Declare if they have a conflict of interest on a particular item before the board [See CASB Model Policy BCB, School Board Member Conflict of Interest (defining conflict of interest); Also note C.R.S. § 22-32-108(6) (requiring vote by a board member unless excused for good cause).]



BOARD CODES OF CONDUCT AND ETHICS

Many boards have a written board member code of conduct that lists the duties and responsibilities of board members, as well as a board member code of ethics that establishes board norms and behaviors. These types of documents help to avoid problems and facilitate understanding for board members. Be sure to consult these documents for specific coherence to your local board policy. There is a sample School Board Code of Conduct and School Board of Ethics at the end of this chapter.

BOARD OFFICERS

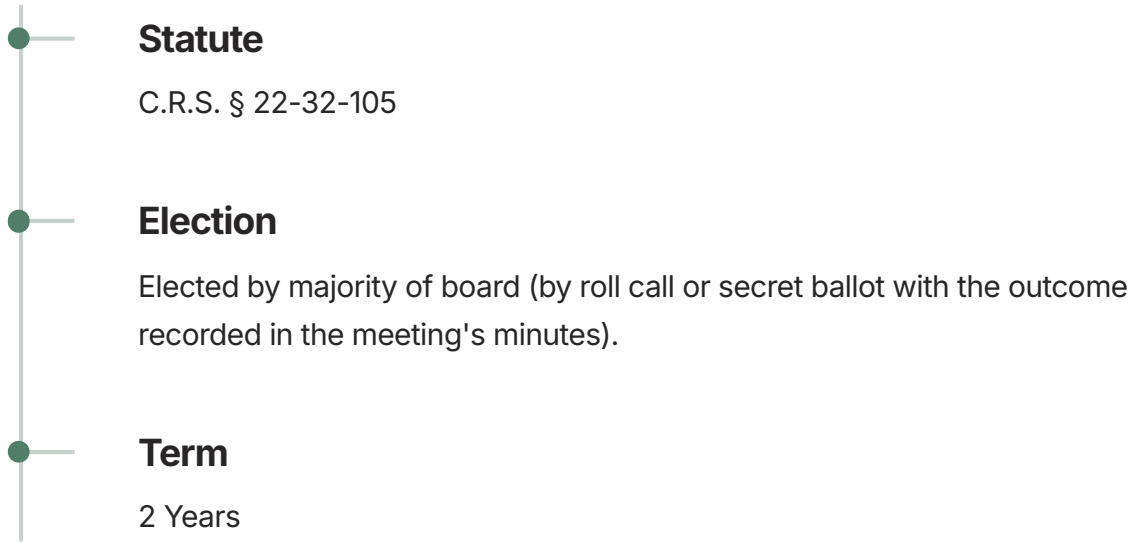
Colorado law requires officers be elected by the entire board, see C.R.S. § 22-32-104 et seq. After each regular biennial school election (held in November of each odd-numbered year), the board holds an organizational meeting of the board, for the purpose of electing board officers. The officers of a school board are President, Vice President, Secretary, Treasurer, and possibly Assistant Treasurer and Assistant Secretary.

One person may simultaneously hold the offices of secretary and treasurer, or the offices of assistant secretary and assistant treasurer, if there are such offices. Each officer of the board may have additional duties assigned to them by board policy or state law. As an example, some boards require the board president to speak to the media related to actions of the board.

Most of the laws relating to school boards and their powers and duties are found in C.R.S. § 22-32-103 et seq. This article (Article 22) contains laws relating to the organization of the board, the duties of the officers, meetings of the board, powers and duties, and so forth. When answers to specific questions are required, school boards should consult this article of the law and legal counsel. (See also CASB Model Policy BDB, Board Officers.)



Board President



Duties:

- Presides over board meetings.
- Signs written contracts to which the district may be a party when the contracts have been authorized by the board.
- Signs official reports of the district, except when otherwise provided by law.

Notes:

- Votes on all issues as part of the alphabetical roll call vote required by law.
- On most boards, the president cooperates with the superintendent to build the agenda for board meetings.



Vice President



Statute

C.R.S. § 22-32-105

Election

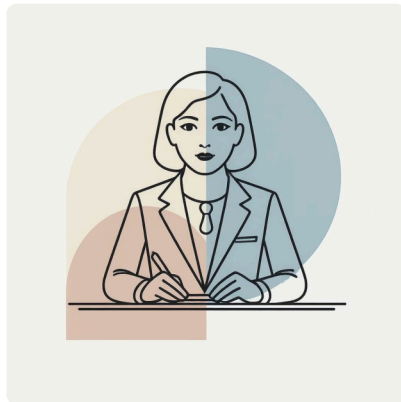
Elected by majority of board (by roll call or secret ballot with the outcome recorded in the meeting's minutes).

Term

2 Years

Duties:

- In the absence or inability of the president, the vice president shall have and perform all of the powers and duties of the president.



Secretary/Assistant Secretary*

●	Statute C.R.S. § 22-32-106
●	Election Appointed by board.
●	Term At the pleasure of the board.

Duties:

- Notifies each board member of all special meetings.
- Keeps and preserves minutes of each meeting.
- Acts as custodian of the district seal.
- Attests any written contract to which the district may be a party when the contract has been authorized by the board, and affixes the seal thereto.
- Causes all notices of election to be published and posted when required by law
- Performs other duties as assigned by the board.




Notes:

- One person can hold the position of secretary and treasurer simultaneously.
- May or may not be a member of the board.
- May be compensated for service in an amount determined by the board.
- In the absence or inability of the secretary, the assistant secretary, if any, or an officer of the board designated by the president if there is no assistant secretary shall perform the duties of the secretary.

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



Treasurer/Assistant Treasurer*

	Statute C.R.S. § 22-32-107
	Election Appointed by board.
	Term At the pleasure of the board.

Duties:

- Accounts for all moneys belonging to the district, or coming into its possession, and renders reports thereof when required by the board.
- Signs, in writing or by facsimile, all warrants, orders, or checks drawn in payment of lawfully incurred and properly authorized obligations of the district (and, if required, countersigned by the president or any other person designated by the board).
- Bears legal responsibility for administering receipts and disbursements and taking care of accounting processes.
- Performs other duties as assigned by the board.

Notes:

- One person can hold the position of secretary and treasurer simultaneously.
- May or may not be a member of the board.
- May be compensated for service in an amount determined by the board.
- In the absence or inability of the treasurer, the assistant treasurer, if any, or an officer of the board designated by the president if there is no assistant treasurer or other person shall perform the duties of the treasurer.

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

BOARD VACANCY AND APPOINTMENTS

A director office shall be deemed to be vacant upon the occurrence of any one of the following events prior to the expiration of the term of office:

1. If for any reason a school director is not elected to a school director office by the eligible electors as may be required at a regular biennial school election;
2. If the person who was duly elected or appointed fails, neglects, or refuses to subscribe to an oath of office as provided in C.R.S. § 22-31-125;
3. If the person who was duly elected or appointed submits a written resignation to the board of education and such resignation has been duly accepted by the board of education;
4. If the person who was duly elected or appointed is or becomes during the term of office a nonresident of the school district in which the person was elected;
5. If the person who was duly elected or appointed is found guilty of a felony;
6. If a court of competent jurisdiction voids the officer's election or appointment or removes the person duly elected or appointed for any cause whatsoever;
7. If a court of competent jurisdiction determines that the person duly elected or appointed is insane or otherwise mentally incompetent;
8. If the person who was duly elected or appointed does not attend three consecutive regular meetings of the board of education, unless the board by resolution shall approve any additional absences or unless the absences are due to a temporary mental or physical disability or illness;
9. If the person who was duly elected or appointed dies during the term of office.

❏ To fill a vacant board seat between elections, the board first adopts a resolution declaring a vacancy. The board has 60 days to appoint a qualified person to fill the vacancy, see C.R.S. § 22-31-129 (2) et seq. If the board fails to appoint within this 60-day period, the board president is authorized to make the appointment.

The appointment shall be evidenced by an appropriate entry in the minutes of the meeting and the board shall cause a certificate of appointment to be delivered to the person so appointed. A duplicate of each certificate of appointment shall be forwarded to the department of education.



To maximize the chance of finding great candidates and minimize the risk of public relations concern, the appointment process should be open and transparent. Filling a board vacancy does not constitute a "personnel matter" as it relates to executive session, see C.R.S. § 24-6-402 (4) (f)(II), so the process must be held in an open meeting.

1.2 MEETINGS

REGULAR BOARD MEETINGS

The board of education is elected by the public, and, as a result, the board conducts its business in public. School board meetings must be open to the public under the Colorado Open Meetings Law (also known as the Colorado Sunshine Law), see C.R.S. § 24-6-401 et seq.

A public meeting is any gathering of three or more members of the board at which any public business is discussed or at which any formal action may be taken, regardless of whether the meeting occurs in person, by telephone, electronically, or by other means of communication. These meetings are always open to the public.

Colorado boards of education are required by law to provide full and timely notice to the public of any board meeting by posting information regarding the meeting and its agenda at the board's designated posting location in the district or on the district's website no later than 24 hours before the meeting begins. As a practical matter, many boards endeavor to post this information earlier as a courtesy to their constituents. Common practice of posting agendas a week prior to the public meeting also provides for greater transparency to stakeholders.

The Open Meetings Law also addresses the recording of meetings. Additionally, for any regular or special meeting where votes are taken and recorded, boards must make an audio recording of the meeting and retain it for 90 days.

SPECIAL MEETINGS

Other board meetings are scheduled as needed throughout the school year. These are called "special meetings" and they have additional notice requirements, including providing a statement of the purpose for the special meeting as well as providing notice to each board member, see C.R.S. § 22-32-108.



WORK SESSIONS

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

TYPES OF MEETINGS OVERVIEW

Regular Board Meeting

- Board establishes schedule of regular board meetings.
- Notice required.
- May take action.

Special Board Meeting

- Called by the board president or upon the written request of a majority of the members.
- Special notice requirements.
- No business other than stated in notice, unless reasonably related and unanimous agreement.

Work Session or Retreat

- Type of regular or special meeting.
- To receive information and for discussion.
- No action.
- Notice required, including the topics for discussion and study, must be provided.



OTHER SETTINGS

Board members also "meet" in social settings, at community events, or at educational trainings (e.g., CASB Annual Convention). Such gatherings do not constitute board meetings subject to the legal transparency requirements so long as board members do not use them to discuss public business or take formal action. However, some boards, out of an abundance of caution, notify the public of events where three or more board members are scheduled to attend.

MEETING PROCEDURE

School board meetings can be very formal or informal, depending on local custom. Generally, boards use Robert's Rules of Order to maintain a common understanding of board process. Robert's Rules of Order is a widely used manual of parliamentary procedure that governs how meetings are conducted and decisions are made. Using the standardized parliamentary procedure helps boards focus on their work more efficiently. Board presidents lead board meetings, following the board's agenda, which is normally prepared by the board president in cooperation with the superintendent. Training on Robert's Rules can be requested on CASB's website.

AMENDING AN AGENDA

A board may amend its agenda in accordance with board policy, usually a majority vote of board members present during regular meetings (See CASB model policy BEDB, Agenda). To amend the agenda for a special meeting, all members must be present and vote to amend, C.R.S. § 22-32-108(4). Although boards possess the authority to modify the agenda, they should exercise the authority with caution. Boards have a legal duty to provide agenda information in advance of the meeting when possible. A drastic departure from the stated agenda that results in sudden board action on a matter of great importance is likely to draw sharp criticism from the public and may spark costly litigation.

VOTING

In board meetings, the board acts through voting in open session. Voting must occur by roll call, in alphabetical order, and with each member present orally voting, C.R.S. § 22-32-108 et seq.) Board members present shall vote unless excused by the board for good cause (C.R.S. § 22-32-108(6)). There are some exceptions. Members with a conflict of interest may need to abstain from voting and the board may excuse a member from voting for good cause (see C.R.S. § 22-32-108(6)). If the board has adopted an electronic participation policy, board members participating remotely pursuant to that policy are considered present and shall vote. (See CASB Sample Model Policy BEAA.)

CONFLICT OF INTEREST

Conflicts of interests occur when a board member has a personal or financial interest in a matter before the board. Under Colorado law, board members and district employees hold positions of public trust, and therefore, must carry out their duties for the benefit of the people of the district, rather than serving their own interests, C.R.S. § 24-18-103(1). To maintain public confidence in the office and to prevent the use of public office for private gain, it is crucial for members of the board of education to publicly disclose any potential conflict of interest.

The board is required to adopt a policy relating to conflicts of interest for its own members, C.R.S. § 22-32-109(1)(y). A board member who has a personal or private interest in any matter proposed or pending before the board must disclose that interest to the board, abstain from voting on the matter, and refrain from attempting to influence other members of the board on the matter, C.R.S. § 24-18-109(3)(a). State law creates a narrow exception allowing a board member with a conflict to vote if the board member has made specific disclosures, C.R.S. §§ 24-18-109(3)(b), 24-18-110). Unless there is a conflict of interest or the board member is excused for good cause, board members are required to vote on all matters and may not abstain or recuse themselves at will, C.R.S. § 22-32-108(6).



Situations that present a potential conflict of interest for a member of the board of education generally are those in which a board member will derive a private financial benefit from board actions. The following are examples of situations that may present a conflict of interest under Colorado law:

- A board member uses confidential information about a district vendor to assist them in a private business contract.
- A school district hires a board member's catering company to provide food for an event.
- A construction company bidding on a school bond project gives free Denver Broncos tickets to a board member and their spouse.

CONFLICTS AND PUBLIC PARTICIPATION

If a board member is unsure whether a situation could constitute a conflict of interest, the safest course is to disclose the matter promptly in a public board meeting and seek guidance and discussion from the board.

Members of the board of education should also familiarize themselves with the board's conflict of interest policy and state laws on standards of conduct.

PUBLIC PARTICIPATION IN BOARD MEETINGS

School board meetings are generally open to the public. Most boards permit public comment periods during these meetings. Utilizing Robert's Rules of Order ensures that all meetings are conducted with decorum, provides a process for participation, and creates a structure for maintaining appropriate communication guidelines.

There is no Colorado law that requires local boards of education to allow for public comment at board meetings. However, most boards have policy related to when public comment will be heard, how much of the meeting is set aside for public comment, and what agenda items or subjects may be commented on at a board meeting. Commonly, board policies will provide that the board does not respond to public comments and will limit public comment time by speaker and overall.

Limiting or eliminating public comment or deviating from board policy on public comment should be approached with caution, as it may raise First Amendment concerns and generate controversy in the community. Best practice is to adopt a policy and follow it consistently. (See also CASB's sample model policy BEDH, Public Participation at School Board Meetings.)

VIRTUAL MEETINGS

The use of virtual meeting tools has increased significantly since the COVID-19 pandemic. Colorado law allows board members to participate in meetings electronically, but only if authorized by board policy, C.R.S. § 22-32-108(7). (See also CASB Sample Model Policy BEAA, Electronic Participation in School Board Meetings.) Additionally, many boards now live-stream meetings to promote transparency and allow for remote public comment. However, Colorado law does not require live-streaming, and some boards face technical limitations that make fully virtual meetings impractical.

EXECUTIVE SESSION

The board can meet privately, without the public, only in limited circumstances established by law. That part of the board meeting is called executive session. The law provides only nine purposes for a board to convene in executive session at regular and special board meetings, C.R.S. § 24-6-402(4). Moreover, the law articulates very specific procedures the board must follow to enter executive session. In addition, most portions of executive session must be recorded. The board cannot adopt any proposed policy, resolution, or regulation or take formal action in executive session, except for the review, approval, and amendment of the minutes of an executive session.

These limitations and restrictions do not imply that executive session is frowned upon. In fact, used appropriately, these private discussions are vital to the board's work. Knowing the parameters of executive sessions will help boards meet the substantive and procedural requirements of the law.



The Nine Purposes for Entering Executive Session

- **1. Property Transactions**

The purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest. However, no executive session shall be held to conceal the fact that a member of the local public body has a personal interest in such property transaction, C.R.S. § 24-6-402(4)(a).

- **2. Legal Advice**

Conferences with an attorney for the school board for the purpose of receiving legal advice on specific legal questions. The mere presence or participation of an attorney at an executive session is not sufficient to satisfy this requirement, C.R.S. § 24-6-402(4)(b).

- **3. Confidential Matters**

Matters required to be kept confidential by federal or state law or rules and regulations. The board must announce the specific citation of the statute or rules that are the basis for such confidentiality before holding the executive session, C.R.S. § 24-6-402(4)(c).

- **4. Security Details**

Specialized details of security arrangements or investigations, C.R.S. § 24-6-402(4)(d).

- **5. Negotiations Strategy**

Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, including strategy for negotiations relating to collective bargaining or employment contracts, and instruction of negotiators. Discussion of negotiations relating to collective bargaining or employment contracts (other than negotiations for an individual employee's contract) must occur in a public meeting, unless an executive session is otherwise allowed, C.R.S. § 24-6-402(4)(e).

The Nine Purposes for Entering Executive Session (continued)

- **6. Personnel Matters**

Personnel matters; except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting. If the employee(s) does not request an open meeting, the board may hold the discussion in executive session. The board may, at its discretion, invite the employee into the session. Discussion of personnel policies that do not require discussion of matters specific to a particular employee are not considered "personnel matters." Discussions concerning a member of the board, any elected official, or the appointment of a board member are not considered personnel matters, C.R.S. § 24-6-402(4)(f).

- **7. Protected Documents**

Consideration of any documents protected under the mandatory nondisclosure provision of the Colorado Open Records Act, except that consideration of work product documents and documents subject to the governmental or deliberative process privilege must occur in a public meeting, unless an executive session is otherwise allowed, C.R.S. § 24-6-402(4)(g).

- **8. Student Discussions**

Discussion of individual students where public disclosure would adversely affect the person or persons involved, C.R.S. § 24-6-402(4)(h).

- **9. Superintendent Contract Negotiations**

Negotiations concerning the terms of an employment contract with one or more superintendent finalists if the board has named more than one finalist and holds a forum open to the public to conduct interviews with each of the finalists. The board may also, in addition to interviewing finalists in a public forum, interview finalists in executive session, C.R.S. § 24-6-402(4)(i).



Executive Session Procedures

Steps to Convene in Executive Session

Announce Topic and Citation

The board president announces in open session the topic of the executive session and the specific citation to the statute authorizing the board to meet in executive session.

Identify Particular Matter

The board president identifies in open session the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized. In crafting this announcement, the board president may factor in how much the public already knows about the particular matter and provide additional detail when describing the topic to be discussed consistent with this public knowledge. This information should be incorporated into the board motion to convene an executive session. We recommend consulting an attorney for guidance in drafting the motion. The following is a sample motion:

"I move that the board of education convene into executive session to discuss/review pursuant to C.R.S. § 24-6-402 [see list of permissible topics for the precise statutory reference]."

Vote to Convene

The board votes whether to convene in executive session. Upon the affirmative vote of two-thirds of the quorum present, the board then goes into executive session. The board may determine which individuals will be invited to join members of the board in executive session.



Rules for Executive Session

The discussion during executive session cannot stray from the matter(s) stated as the purpose(s) for going into executive session. The board is not allowed to adopt any proposed policy, resolution, regulation, or take any formal action in an executive session. If the board wishes to confer with its attorney during an executive session and it did not specifically announce its intent to do so prior to convening the executive session, the board should return to public session, make an additional topic announcement citing the statutory authority for conferring with its attorney, and vote on whether to convene in executive session for this purpose.

The board must maintain a log of the amount of time spent on each topic during executive session and include the log in the minutes for that session. The minutes of any board meeting at which the board convenes in executive session must be posted on the board's website not later than 10 business days following the meeting at which the minutes are approved by the board. If the board does not maintain a website, the minutes must be published in the same manner as the board regularly provides public notice. In addition, discussions that occur at executive session must be electronically recorded, with two exceptions. First, if the executive session is held to discuss an individual student matter, boards are not required to make any record of the executive session. Second, if the executive session is held to receive legal advice from an attorney on a particular matter, an electronic recording must be made of the statutory citation authorizing the board to meet, but the board is not required to record the actual discussion. The recording must be retained for at least 90 days following the meeting at which the executive session occurred.



BOARD DUTIES AND POWERS UNDER THE LAW

Colorado statute C.R.S. § 22-32-109 specifically outlines the powers and duties of school board members, which are more detailed in policy BBA-School Board Powers and Responsibilities. The following duties are of particular importance:

Duties - Boards of Education Must:

- Hold regular and special meetings in public and keep required records of these meetings.
- Adopt policies and regulations for the efficient administration of the affairs of the district and as required by law.
- Adopt policies for accreditation of district schools.
- Adopt academic standards and a plan of implementation of such standards.
- Adopt student enrollment policies, including intra- and inter-district choice.
- Adopt conflict-of-interest policies for board members.
- Determine the educational programs in the schools of the district and prescribe the textbooks for any course of instruction or study in such programs (Policy AEA-Standards Based Education).
- Adopt the school district calendar.
- Provide instruction about the use and effect of tobacco, alcohol, and controlled substances (Policy ADC - Tobacco Free Schools).
- Require development of student Individual Career and Academic Plans (ICAP).
- Adopt a student discipline and conduct code, mission statement, and safe school plan.
- Educate children with disabilities.
- Adopt a student publications code.
- Enforce the school attendance law (Policy JEA - Compulsory Attendance Ages)..
- Employ all personnel required to maintain district operations and carry out the educational program (Policy GCE/GCF - Professional Staff Recruiting/Hiring; plus additional policies for support and other staff).
- Ensure that required background checks are conducted prior to hiring district personnel.
- Provide an in-service program for district teachers, including mandatory reporting obligations.



- Implement a licensed personnel evaluation system (Policy GCO – Evaluation of Licensed Personnel; GDO – Evaluation of Support Staff).
- Adopt a teacher schedule or salary policy. Keep complete and accurate financial and accounting records.
- Protect public deposits in authorized investments and depositories.
- Adopt a budget for each fiscal year. Certify necessary tax levies to the county commissioners.
- Protect student information.
- Preserve and dispose of district records in accordance with the law.
- Adopt a medically necessary treatment in school setting policy.

Powers – Boards of Education May:

- | | |
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| <ul style="list-style-type: none"> • Acquire, take, and hold real personal property; sell or lease property. • Purchase and construct buildings. • Provide furniture, equipment, library books, and everything needed to carry out the educational program. • Determine which schools will be operated and maintained, and fix the attendance boundaries of each school. • Furnish transportation for students. • Provide food services for students. • Provide textbooks for enrolled students free of charge or for a reasonable rental fee. • Require entitled students to have suitable supplies. • Charge tuition as permitted by law and fees reasonably necessary for textbooks, expendable supplies, and school-sponsored extracurricular activities, programs, and events. | <ul style="list-style-type: none"> • Procure supplies and equipment required to carry on the musical, dramatic, athletic, and equivalent programs of the district • Exclude books, magazines, papers, or other publications determined by the board to be of an immoral or pernicious nature. • Suspend, expel, and deny admission to students for statutory reasons. • Employ a chief executive officer to administer the affairs and the programs of the district, pursuant to a contract. • Adopt policies related to all aspects of employment. • Enter into master agreements with school employees. • Discharge or otherwise terminate the employment of all personnel, subject to the Teacher Employment, Compensation and Dismissal Act. |
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Powers— Boards of Education May (Continued)

- Reimburse board members and employees of the district for expenses incurred in the performance of their duties. Procure group life, health, or accident insurance covering employees of the district. Issue bonds after an election.
- Enter into agreements with other school districts, state and local agencies, or other entities as permitted by law to carry out the board's policies and district services.
- Procure insurance coverage for the district, including buildings, structures, equipment, vehicles, personal property, and its directors and employees.
- Provide for the necessary expenses of the board in the exercise of its powers and the performance of its duties.
- Accept, use, or expend gifts, donations, or grants to the district, unless prohibited by law.
- Maintain membership in established school board organizations.
- Sue and be sued.

1.3 LIMITATIONS

In general, school board members are covered by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 et seq. The Act shields school board members from liability for good faith actions taken in the performance of their official duties. This usually means the board/school district will defend and indemnify board members in litigation arising from the individual's board service. Exceptions to immunity include the Claire Davis Act (see Chapter Three), and actions beyond the scope of board duties, malicious, or otherwise unlawful acts.

As arms of the state, school boards are government entities and are bound by the limitations on government set forth in the U.S. Constitution and Colorado Constitution. This means that local boards cannot abridge the civil rights of students, personnel, or others. Immunity does not apply if a reasonable person in the official's position would have known that the action violated clearly established law.



CONCERNS ABOUT THE BOARD'S COMPLIANCE WITH LAW

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

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

LEGAL ADVICE

The board may seek legal advice on any matter, but the most common topics of conversation between the board and its attorney involve personnel, contracts, and civil rights. Because the attorney represents the interests of the district, not individuals, the attorney's analysis may not please every board member. Nevertheless, the board as a whole is the client, and it accepts or rejects the attorney's advice in the same way the board takes any other action, by majority rule.

Even when board members disagree with the board's legal position, they remain bound by attorney-client privilege and the confidentiality of executive sessions. This means they may not divulge the content of those privileged and confidential conversations. Board members who have personal legal questions or concerns should consult their own private attorneys, as the district's counsel does not represent individual members in personal matters.

To maintain a clear and consistent line of communication, it is generally the board president who serves as the primary point of contact with the district's legal counsel.



THE BOARD'S SPOKESPERSON

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

A board member should exercise care in posting on social media, writing letters to the editor and in making statements to the press. The member should not attempt to predict future actions of the board. If the matter about which the member is expressing an opinion has nothing to do with education, it is advisable to refrain from signing it as "Member, _____ School Board." When writing or speaking about something related to education, a member should be very clear to state at the outset that the opinions expressed are his or her own and not the board's unless the board has previously taken a stand on the issue. (Best Practices Tip: see sample Durango Communications Guidelines in the Appendix).

ROLE OF AN INDIVIDUAL BOARD MEMBER

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

It is the collective challenge of the board and of its individual members to always bear in mind that an individual school board member has no individual authority. The board may only act, make decisions, and direct district policies as a full board acting in its corporate role. It is through its policies that the board provides direction to the administration and sets expectations for the organization.

It is not, however, the responsibility of the board or of individual board members to carry out administrative functions or become directly involved in the operations of the schools or the district. A board member who attempts to exercise individual authority over the administration or other staff undermines the superintendent's authority and the board's ability to effectively govern the district.



WHEN BOARD MEMBERS DISAGREE

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

As a matter of ethical practice, board members should be prepared to accept decision made by a majority vote. Board members should treat each other's opinions with respect and courtesy regardless of how much they may disagree on an issue. The most effective board member is usually one who has learned to disagree agreeably and from an informed perspective.

Please see the Code of Ethics for School Board Members at the end of this chapter.

MEETING WITH CONSTITUENTS

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

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

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



HANDLING COMPLAINTS

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

While board members should reflect what is heard from the community during board policy discussions, board members can best serve their constituents' immediate needs by telling them whom to contact about their concerns (i.e., the superintendent or administrator who has responsibilities for the concern).

A discussion among board members with the superintendent about the process of handling complaints is worthwhile. Maintaining good public relations is essential to the well-being of the district. This is an area of board operations that should not be overlooked.



CODE OF ETHICS FOR SCHOOL BOARD MEMBERS

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

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

National Association of School Boards



CODE OF CONDUCT

BC - School Board Member Conduct

Public office is a trust created by the confidence which the public places in the integrity of its public officers. To preserve this confidence, it is the desire of the Board to operate under the highest ethical standards.

In carrying out his/her fiduciary duties, a Board member shall not:

1. Disclose or use confidential information acquired in the course of official duties to further substantially the member's personal financial interests.
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position to depart from the faithful and impartial discharge of the Board member's public duties or which the member knows or should know is primarily for the purpose of a reward for official action taken.
3. Engage in a substantial financial transaction for the member's private business purposes with a person whom the member supervises in the course of official duties.
4. Perform an official act which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the member has a substantial financial interest or is engaged as counsel, consultant, representative or agent.

It shall not be considered a breach of conduct for a Board member to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members or business associates.
2. Accept or receive a benefit as an indirect consequence of transacting school district business.

CASB Sample Core Policy, BC-School Board Member Conduct (Revised July 2023)



CALM

Present yourself professionally, positively, and with genuine concern when using these steps to receive a complaint.

Receiving Complaints

C OMPLIMENT

Focus in a positive direction.

A SK

Start with an assumption that the chain of command was followed.

L ISTEN

Hold any judgement; practice deep listening. Only ask questions for clarification.

M IMIC

Summarize what you heard with a short and concise paraphrase with no agreement or editorial comment.

PASS

It is not your job to understand the complaint – this would take from hearing from all sides. Respond with a sense of direction and assistance rather than compassion and understanding.

Hand Off Complaints

P OINT

Defer or refer the individual to the chain of command.

A VOID

Avoid any promise action and assurance you understand the issue.

S HARE

Share your role, position in the chain of command, and reliance on the system to function as designed.

S UMMARIZE

Redirect the individual to someone in the chain of command.

CHAPTER TWO: RELATIONSHIPS

Collaboration is Vital for the Executive Team

Both the school board and the superintendent have essential leadership roles that are interconnected but different. Effective school boards lead as a united team with the superintendent, each in their respective roles, with strong collaboration and mutual trust.

2.1 INTRODUCTION TO SCHOOL BOARD RELATIONSHIPS

Cultivating relationships takes time and effort. Good relationships are the very foundation of effective board work. Without them, even the best plans cannot be enacted. To maintain the support needed for a successful school district, the local board of education must build productive working relationships, both internally and externally.

Productive relationships must be nurtured. A successful board devotes a significant amount of time and attention to its relationships and to clear, two-way communication with the variety of audiences it serves.

Internal

- School Board
- Superintendent
- Students
- Personnel
- Parents

External

- Community
- Other Local Government Officials
- State and Federal Officials
- Business Owners
- Community Leaders



2.2 BOARD AND SUPERINTENDENT

A positive relationship between the superintendent and the school board is essential for a thriving school district that promotes outstanding student performance, educational opportunities for all students, and successful programs that support student growth and learning. Developing a relationship built on trust, respect, and confidence in each other leads to an executive team that efficiently and effectively governs the school district.

One of the most important responsibilities of the school board is to employ a superintendent and promote a positive working relationship that allows the board to hold the superintendent responsible for managing the district in accordance with federal law, state law, and the school board's policies.

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

If the school district is to be operated efficiently and effectively, it is essential that there be an understanding among board members and the superintendent regarding the functions and responsibilities of the board versus the superintendent and staff. Taking the time necessary to have clarity on roles and responsibilities will pay dividends because in many cases, strained relationships between a board and the superintendent are caused by misunderstandings or disregard for the responsibilities each is expected to assume.

Board members are encouraged to discuss these issues with the superintendent and arrive at understandings before problems arise. A board should assist the superintendent, ensuring that board members uphold these understandings and do not deviate from an appropriate working relationship. If the superintendent is infringing upon the functions of the board, a prompt reminder from the board maintains trust and confidence in the positive working relationship of the executive team. Conversely, trust in the working relationship between the superintendent and the school board president allows the superintendent to share expectations when the board steps over into the management of the school district.

Board-Superintendent Roles

Board: **Setting Direction**



Strategic Guidance

Mission, Vision, Goals, Policies

Focus: End Results (What)

Who? What? How Much?

Action:

Vote on major decisions

Superintendent: **Executing Strategy**



Operational Leadership

Initiatives, Action Plans, Objectives,
Regulations

Focus: Means (How)

How? What? When?

Action:

**Provide recommendations and
execute**

FOUNDATION OF TRUST & COMMUNICATION

ROLES

Board of Education

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

Superintendent

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

RESPONSIBILITIES (Partial List)

Board of Education

- Ensures educational programs are designed to achieve desired end results for students
- Accredits the district's schools.
- Serves as a legislative body, adopting policies and regulations pertinent to the affairs of the district.
- Recognizes the superintendent as the professional leader of the staff and adviser to the board.
- Establishes written policies for the administration of the schools; considers policy recommendations from the superintendent, staff, and community; revises policies as necessary.
- Adopts policies governing financial transactions; receives and reviews periodic reports relating to the financial status and transactions of the district.
- Adopts policies that ensure proper operations and adequate maintenance of transportation services, the buildings, and grounds of the district.
- Adopts policies relating to the employment of personnel; appoints instructional personnel upon recommendation of the superintendent.

RESPONSIBILITIES (Partial List Continued)

- Prohibits its members from assuming responsibilities of the full board or assuming responsibilities of administration.
- Authorizes the superintendent to prepare a budget for board consideration; considers the proposal and makes revisions that appear to be necessary; holds public hearings; adopts a budget and an appropriation resolution; authorizes the superintendent to implement and administer the adopted budget.

Superintendent

- Ensures educational programs are achieving the board's desired end results for students.
- Administers the affairs of the district in conformity with the policies and regulations adopted by the board.
- Implements the directives of the board.
- Serves as professional leader of the staff and adviser to the board.
- Conducts studies and investigations necessary to the development of policies; makes recommendations with respect to policies; advises the board and provides information and materials to assist the board in its deliberations.
- Assumes responsibility for administering the financial affairs of the district pursuant to established policy; provides periodic reports to the board relating to financial status and transactions.
- Advises the board on the transportation, operation, and maintenance needs of the district; supervises the operation and maintenance of school plants in accordance with board policy.
- Determines instructional personnel requirements, qualifications, and duties for the approval of the board; nominates instructional personnel for employment upon board approval.
- Works with the board as a whole; keeps all members informed; does not usurp board responsibilities or prerogatives.
- Prepares a proposed budget for board consideration; interprets the proposal to the board; provides the board with pertinent data and information; implements and administers the budget upon board approval.



EXPECTATIONS

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

Board of Education

A superintendent should expect that the board will:

- Carry out its duties and function in an ethical and responsible manner.
- Give authority commensurate with the responsibilities it expects the superintendent to assume.
- Hold the superintendent accountable for situations and problems they have been given authority to correct or control and, likewise, not hold the superintendent accountable when denied such authority.
- Stand behind and support the superintendent if they are carrying out the policies and directives of the board.
- Provide objective counsel and advice; offer any criticism in a constructive manner.
- Adopt policies to guide the superintendent in the performance of their duties.
- View the superintendent as a professional educator and administrator; give due consideration to the superintendent's recommendations on matters pertaining to education and the administration of the schools.
- Keep current with education program trends and actively participate in workshops and conferences designed for school board members.
- Follow meeting agendas and established school board meeting procedures so the board can be adequately prepared to respond to questions.



EXPECTATIONS

Superintendent

The board should expect that the superintendent will:

- Administer the operations of the school district in conformity with directives and policies adopted by the board; be accountable to the board in all related matters.
- Assume responsibility for serving as the administrative officer of the district and as adviser to the board.
- Facilitate preparation of board meeting agendas.
- Provide recommendations, advice, information, and materials to assist the board in its deliberations.
- Keep the board advised of changes, innovations, and trends in education that might be applicable to the district.
- Keep the board fully informed on all matters of its concern.
- Keep the board informed of student achievement data and other information affecting the district's accreditation.
- Utilize the professional competencies of the staff in conducting studies, evaluating programs, and developing recommendations for consideration by the board.
- Make an effort to work with all board members on an equal basis and not unduly rely on certain individuals.
- Accurately interpret the needs of the school system to the board and to the public.
- Consistently strive to improve the district's instructional programs.
- Make a conscious effort to maintain good staff and community relations.
- Operate the district in a fiscally sound manner.
- Support board decisions.
- Ask to be relieved of their contract if unable to perform as expected.



Hiring a New Superintendent

Employing a superintendent is a critical decision for a school board.

Who is qualified to serve as a superintendent?

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

Many boards utilize consultants to assist in an initial screening process that usually reduces the applicant number. The board can choose to utilize consultants to further assist with the entire hiring process. CASB offers assistance with superintendent searches. Please contact us for more information.

How are candidates assessed?

- A board should decide upon the required qualifications, salary, other terms of the contract, and procedures to be observed in the selection process. Consideration should be given to qualified people within the school system as well as those applying from the outside.
- The entire board may wish to take part in screening applications, but this can become time-consuming. A narrowed pool of candidates should be invited to a formal interview with the board.
- The interview process should reduce the number of candidates to two or three. State law requires that a board make public the finalist or finalists it is considering for the superintendent's position no later than 14 days prior to employing a finalist to fill the position. A board cannot make a final offer of employment until this 14-day waiting period has passed, see C.R.S. § 24-6-402(3.5).
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- Colorado's Open Meetings Law (C.R.S. § 24-6-401 et. seq.) requires some aspects of the search for a superintendent to be conducted in public. Helpful resources on the CASB website include [Superintendent Search Memo](#) and [Executive Session Guidance for Boards Conducting a Superintendent Search](#). (Both documents can be found by navigating to <https://www.casb.org>).

How is the board's choice announced?

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

Is a contract required?

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

Superintendent Evaluation

The responsibility to evaluate the superintendent's performance rests exclusively with the board, see C.R.S. § 22-9-106(4)(b). The evaluation process is often laid out in the superintendent's contract and/or board policy and regulation and should be established well before the board sits down to formally evaluate the superintendent. The board should inform the superintendent of the standards by which the superintendent will be evaluated. While performance goals for the following year are often included in an evaluation, boards should remember to provide performance goals upon hiring a new superintendent. It is important to approach an evaluation as an ongoing process, not a single event.

A good place to begin the conversation is to mutually agree upon a mission, purpose, and performance goals that will be discussed and monitored during the year. The board and superintendent should determine the best way to monitor progress on an ongoing basis.



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

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

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

Terminating the Relationship

CASB believes that a critical link in a board's responsibility to students is the superintendent's success as an educational leader. It is important to have a frank and open discussion during the evaluation process to address issues that might affect the superintendent's continued employment.

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

2.3 ADVISORY COMMITTEES

Only two types of advisory committees are required of school districts by Colorado law: district accountability committees and school accountability committees. C.R.S. §§ 22-11-301, 22-11-401. A detailed description of the District Accountability Committee (DAC) and the School Accountability Committee (SAC) can be found in Chapter Three.

From time to time the board may wish to seek the input of the community on a particular topic and may convene a committee, either standing or ad hoc, to accomplish this work. The board should thoughtfully consider the need for a committee and keep the number of committees to a minimum. Some guidelines are helpful regarding committees.

Board appointments

The board appoints the members of the committee, which may consist of board members, community members, district staff, etc.

Scope of the committee

The board should have a clearly written statement about the following:

- Type of work the committee is to do.
- How long the committee has to complete their work.
- How information will be reported back to the board.

Decision-making authority is advisory in nature

It is very important that all members of the committee understand that they are only making an advisory report to the board of education. The final decision will be made by the board members.

2.4 OTHER RELATIONSHIPS

BOARD AND STUDENTS

Board members have the privilege of engaging in two-way conversations with students. Follow these best practices to engage your students and create an open pathway for future conversations:

- Listen, share, listen, and listen some more. Don't be quick to answer.
- Acknowledge their concerns.
- Students want to hear what you have to say, and they want to know you are authentic.
- Brainstorm together. Collaboration is always appreciated. Take all of their ideas to heart.
- Keep the door open for further discussion and let them know this.
- If possible, meet with students at a designated time during their school day as arranged by an administrator or staff. Make sure to comply with any board policies related to communicating with students. Do not arrange one-on-one meetings offsite.

Students may not know nor understand the role the school board plays in district decisions. It is always helpful to give them a very quick summary of the role of the board and an individual serving on the board. Encourage them to attend a board meeting to gain a better perspective and to share their voice.

Finally, there are some key principles for sustaining youth involvement in your work:

Respect

Positive communication

Investment

Meaningful involvement

The most effective way to solve complex challenges is to bring multiple perspectives together through collaboration. Elevating the student voice and collaborating with students is a great place to start.



BOARD AND STAFF

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

The school board can promote goodwill and understanding between the board and district employees. Well-informed teachers, administrators, and support personnel create a positive public image with respect to their schools and school district.

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

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

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

Communication with Staff

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

- Periodically schedule meetings with various staff representatives to gain firsthand knowledge of the workings of various departments.
- Ask the superintendent to meet with staff and then report to the board.
- Schedule informal gatherings to become better acquainted with employees.
- Meet with committees representing employees.



- Utilize the district communication channels to keep employees informed of the board's vision and actions.
- Ask for staff committees to study specific problems and issues.
- Establish appropriate avenues for communicating with administrative personnel as well as licensed and support staff.
- Coordinate board-staff communications through the superintendent.
- Develop a schedule for regular school visits.
- Schedule informal visits to schools and classrooms, either for volunteer purposes or drop-ins, through the principals of the various schools with the full knowledge of the superintendent and fellow board members.
- Share all information gleaned through school visits with the full board-superintendent team; these visits are not to be used as inspections or for supervisory or administrative purposes.

2.5 COMMUNITY RELATIONS

BOARD AND COMMUNITY

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

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

Creating a Communication Plan

School districts thrive as a result of the community's satisfaction with its schools. Bond elections, board elections, and curriculum buy-in are dependent on the degree to which the community understands and trusts the decision-making process of the board. A communication plan that outlines goals, policy, and best practices will help the district communicate district goals and promote community engagement. For more resources, consult the CASB website, or visit the [National School Public Relations Association](https://www.nspr.org/) website (<https://www.nspr.org/>).



Community Relations Checklist

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





Social media has changed the way districts and schools engage with their communities. Improper social media use by board members can also lead to controversy and legal liability. Carefully consider how you use social media to communicate with your school community. Check your board and administrative policies to ensure you understand the rules to follow.

RECOMMENDED



Tips & Guidance

- Separate your personal and public social media accounts.
- Focus your public social media accounts on district events and updates, no personal views or updates.
- Consider disabling comments entirely on your public social media account.
- Be cautious sharing others' information on social media.
- Direct complaints to appropriate school staff or administrators.
- Decide on the frequency of your posts to provide fresh content.
- Follow and friend only useful resources.
- Promote your social media presence through email auto-signature.

CAUTION



- On your public social media account never delete comments or block individuals.
- Avoid discussing topics related to board service on your personal social media account.
- Refrain from engaging in arguments with community members or critics.
- Avoid connecting with other board members on social media due to the Colorado Open Meeting Law.
- Avoid sharing uncertain or inaccurate information.



Handling Criticism

While board members may hear varying opinions from community members, ultimately a board member's job is to discern what is best for all students. In the event of a complaint, it is advantageous to listen, be informed, and direct people to the proper channels in the system (e.g., the superintendent or administrator who has responsibilities in the area of concern).

Occasionally, external audiences may come to board meetings and express concerns. These events should be anticipated, and the board should have a well-developed and communicated protocol in place for public comment. The school board policy should address avenues for hearing and addressing public input which may involve criticism. See Chapter One for more on public participation in board meetings.

Media Relations

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

Crisis Communication

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

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



Media Relations Checkpoints

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

- ☐ **Have a written policy.**
- ☐ **Be aware of upcoming issues.**
- ☐ **Designate district spokespersons.**
- ☐ **Be accessible.**
- ☐ **Be accurate.**
- ☐ **Expect anything you say to show up in the news.**
- ☐ **Avoid media confrontation.**
- ☐ **Use plain language.**
- ☐ **Be fair to media outlets.**
- ☐ **Learn how to be interviewed.**
- ☐ **Appreciate the work of reporters.**

Community Engagement

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

Ideas for successfully engaging the community:

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



CHAPTER THREE: ACCOUNTABILITY

Boards are accountable to their communities for ensuring high academic standards, transparency, efficient and effective operations, and a commitment to continuous improvement.








As stewards of public education, school boards operate within a comprehensive accountability system that spans local, state, and federal requirements, encompassing everything from academic achievement and student outcomes to financial stewardship and operational effectiveness.

Accountability is how the school board establishes the right expectations for everyone in the school district and how the board establishes processes to monitor the success of these expectations. The right expectations necessarily begin with one of the most important responsibilities of the school board: establishing the strategic direction for the school district. The first section describes the process for setting strategic direction and then moves to sections about adhering to the accountability and accreditation systems; utilizing an effective school board governance structure; being accountable to the community through board self-evaluation; and ensuring accountability for various school choice models that may be operating in the school district.



3.1 SETTING STRATEGIC DIRECTION

Strategic planning is among the most impactful work a board of education can do to set expectations for the school district, and it is one of the primary responsibilities of the school board. Strategic planning is so important that it should not be done without the school board. Even though this is the board's primary responsibility, it is a shared role and should be completed with the superintendent, all educational staff, and the community. When completed successfully, it is a document that articulates the district's mission, vision, goals and objectives to move the district closer to realizing a future of success for all students. As leaders in your district, it is important to look toward the future and anticipate opportunities and roadblocks in preparing students for school and a lifetime of success. The strategic plan will address the following:

-  **Mission**
The mission of the school district
-  **Vision**
The vision for the future of the school district
-  **Status**
The status of the school district
-  **Expectations**
The expectations of stakeholders about the school district
-  **Challenges**
The challenges facing the school district
-  **History & Culture**
The history and culture of the school district
-  **Goals & Actions**
The goals, objectives, and actions that will move the school district toward its future vision

Benefits of Strategic Planning

A well-crafted strategic plan aligns the entire school community—from board members and administrators to teachers, staff, parents, and students—around shared goals and priorities. This alignment ensures that daily decisions and resource allocations support long-term objectives rather than short-term pressures, creating coherence across schools and departments while providing measurable benchmarks for progress.

While specific approaches may vary, most successful strategic planning processes include these key phases:



Preparation and Organizing

- Form a strategic planning committee with diverse representation (board members, administrators, teachers, staff, parents, students, community members)
- Establish a timeline (typically 6-12 months for the full process)
- Secure resources and determine the planning methodology
- Decide whether to use internal facilitators or hire external consultants

Data Collection and Analysis

- Review current student achievement data, demographics, and trends
- Analyze financial resources and operational efficiency
- Conduct a SWOT analysis (Strengths, Weaknesses, Opportunities, Threats)
- Examine best practices from high-performing districts
- Review compliance with state and federal requirements

Stakeholder Engagement

- Conduct surveys with parents, staff, students, and community members
- Host focus groups and public forums
- Interview key stakeholders
- Gather input on priorities, concerns, and aspirations



Strategic Planning Process (Continued)

Developing Core Elements

- Craft or revisit the district's mission statement (purpose)
- Define the vision statement (aspirational future state)
- Identify core values that guide decision-making
- These elements should reflect community input and remain relatively stable over time

Setting Strategic Goals and Objectives

- Identify 3-6 major strategic goals (broad areas of focus)
- Develop specific, measurable objectives under each goal
- Ensure goals address key areas: academic achievement, student well-being, operational excellence, community engagement, and staff development
- Prioritize initiatives based on impact and feasibility

Action Planning

- Create detailed action plans for each objective
- Assign responsibility to specific individuals or departments
- Establish timelines and milestones
- Identify required resources and budget implications
- Develop key performance indicators (KPIs) and metrics for measuring progress

Review and Approval

- Present the draft plan to stakeholders for feedback
- Revise based on input received
- Seek formal approval from the school board
- Ensure the plan aligns with board policies and budgetary realities

Strategic Planning Process (Continued)

Communication and Rollout

- Develop a communication strategy to share the plan with all stakeholders
- Create accessible versions (executive summary, visual infographics, website content)
- Conduct presentations at schools and community meetings
- Ensure all staff understand their role in implementation

Implementation and Monitoring

- Integrate strategic plan goals into annual operational plans and budgets
- Establish regular check-ins (quarterly or bi-annual progress reviews)
- Adjust strategies as needed based on data and changing circumstances
- Maintain transparency through public progress reports

Evaluation and Renewal

- Conduct annual reviews of progress toward goals
- Make mid-course corrections when objectives aren't being met
- Plan for a comprehensive review and update cycle (typically every 3-5 years)
- Use evaluation findings to inform the next planning cycle



Strategic Planning Timeline


Most districts find that the entire process takes between six months to a year, with the resulting strategic plan covering a three to five-year period. The key to success is maintaining authentic stakeholder engagement throughout and ensuring the plan remains a living document that guides real decisions rather than sitting on a shelf. Even though a plan may be established for three to five years, actual implementation of strategic initiatives is usually done month-to-month on an 18-month cycle. The district has a plan, but it is responsive to the changes inherent in the public education environment.

Planning Duration

6-12 months for complete strategic planning process

Plan Coverage

3-5 years for strategic plan implementation period

 **Key Success Factor:** The strategic plan must remain a living document that guides real decisions and adapts to the changing public education environment through responsive 18-month implementation cycles.

Districts can consult with a number of vendors statewide to provide strategic planning services. CASB can also provide strategic planning services for member districts.

3.2 STATE ACCOUNTABILITY AND ACCREDITATION

The Colorado legislature authorizes the Colorado Department of Education (CDE) to develop and maintain standards for school district accountability and accreditation, see C.R.S. § 22-11-101, through the Education Accountability Act of 2009. The Act clarifies the authority of the State Board of Education and authorizes the Colorado Department of Education to conduct an annual review of the performance of public schools and districts in the state and to make recommendations to the State Board of Education concerning the type of school improvement plan to be implemented in each school and the accreditation category for each district.

Accountability and Accreditation are defined in the Education Accountability Act of 2009 as follows:

Accountability: "Holds the state, school districts, the institute, and individual public schools accountable for performance on the same set of indicators and related measures statewide, ensures that those indicators and measures are aligned through a single accountability system, to the extent possible, that objectively evaluates the performance of the thorough and uniform statewide system of public education for all groups of students at the state, school district or institute, and individual public school levels, and, as appropriate, rewards success and provides support for improvement at each level," see CRS 22-11-102(1)(d).

Accreditation: "Accreditation" means certification by the state board that a school district and the public schools of the school district, or the institute and the institute charter schools, meet the requirements established by this article and the rules promulgated pursuant to this article. "Accreditation" includes the process for accrediting school districts and the institute and reviewing the performance of public schools as provided in part 2 of this article and the rules promulgated pursuant to this article," CRS 22-11-103 et seq.

Colorado Accountability Resources

The Colorado Department of Education provides the authoritative guide for Accountability and Accreditation in the [Colorado District Accountability Handbook, July 2025](https://www.cde.state.co.us/accountability/2025_accountability_handbook) (https://www.cde.state.co.us/accountability/2025_accountability_handbook). The following section is taken from segments of the CDE District Accountability Handbook, but the entire handbook can be found at the link above or on the [Colorado Department of Education website](https://www.cde.state.co.us/) (<https://www.cde.state.co.us/>). The handbook outlines Colorado's educational accountability system, which operates under the Education Accountability Act of 2009 and federal Every Student Succeeds Act (ESSA) requirements. It provides guidance for state, district, and school stakeholders on accountability processes, requirements, and responsibilities. The CDE also published a [FactSheet](https://www.cde.state.co.us/accountability/stateaccountabilityoverviewfactsheet): (<https://www.cde.state.co.us/accountability/stateaccountabilityoverviewfactsheet>) which provides a brief overview of the accountability system.

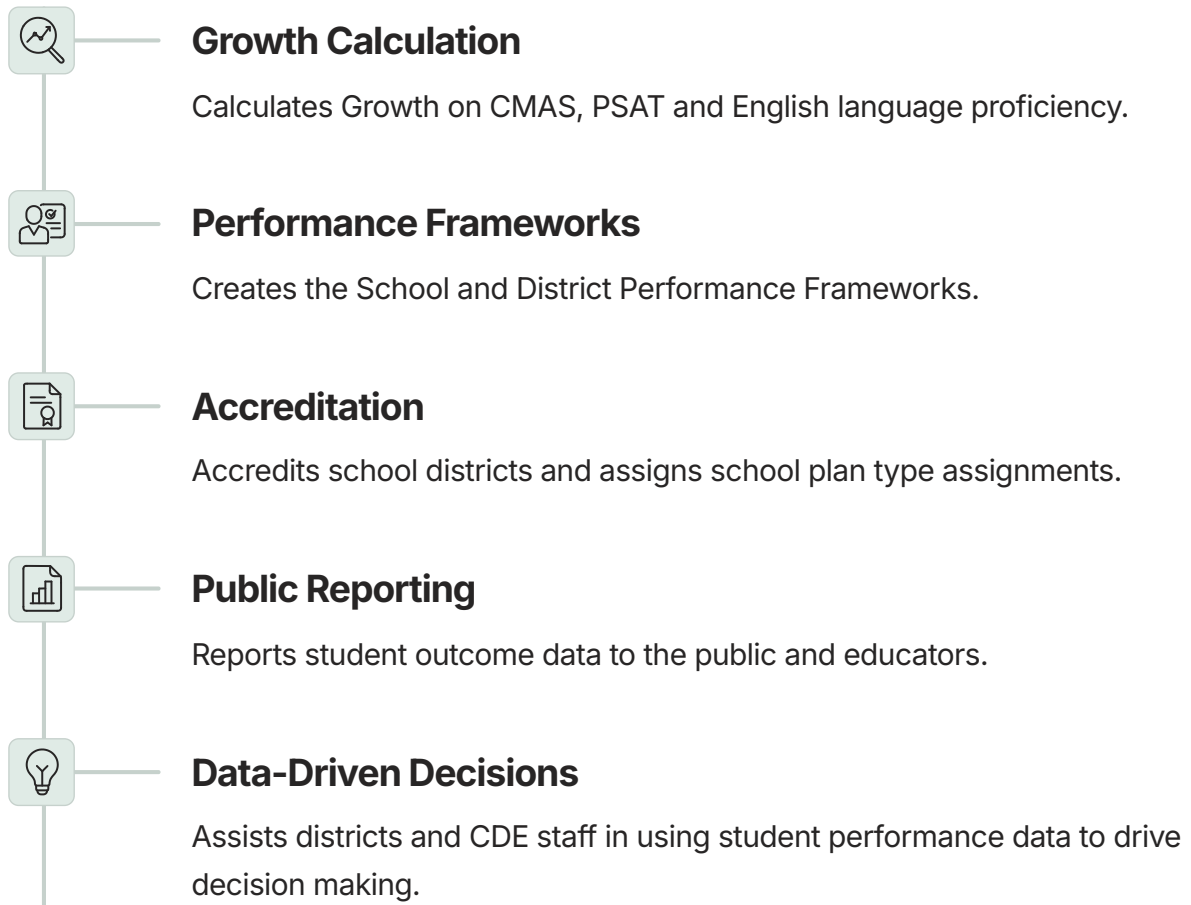
Goals of the Colorado's Education Accountability System

Colorado's education accountability system is based on the belief that every student should receive an excellent education and graduate ready to succeed. Successful schools and districts are recognized and serve as models, while those that are struggling receive support.



CDE Accountability Implementation

To support goal of providing all students with an excellent education, the Colorado Department of Education implements the following:



Three Levels of Accountability: The accountability system consists of local, state, and federal processes:

- **Local accountability** is driven by locally elected boards and reflects locally-held values. Boards oversee superintendent and district policies.
- **State accountability** is informed by the Education Accountability Act of 2009 and by rules set by the Colorado Board of Education. This policy context drives the creation of performance frameworks, public reporting, improvement planning, performance watch, accreditation contracts, accountability committees, supports and interventions, and several state awards programs.
- **Federal accountability** is informed by the Every Student Succeeds Act (ESSA) and the approved Colorado state plan. The state plan establishes the criteria to identify schools on improvement.

STAKEHOLDER RESPONSIBILITIES

The system requires coordinated efforts from the Colorado Department of Education, State Board of Education, local school boards, district leaders, accountability committees, and school leaders, each with specific statutory responsibilities for evaluation, planning, and implementation. This comprehensive system aims to ensure every student receives an excellent education while providing appropriate support and intervention for underperforming schools and districts.



Colorado Department of Education (CDE)

The Colorado Department of Education (CDE) is responsible for providing high quality information to a variety of stakeholders about school and district performance. The Department evaluates the performance of all public schools and local education agencies (i.e., school districts, Charter School Institute, BOCES that operate schools) using a set of common Performance Indicators (i.e., achievement, growth, and postsecondary and workforce readiness). The Department accredits districts and supports them in evaluating student performance at the district and school levels so that information can be used to inform improvement planning.



Colorado State Board of Education

The Colorado State Board of Education (state board) is responsible for entering into accreditation contracts with local school boards and directing local school boards regarding the types of plans each district's schools implement.



Local School Boards

Local school boards are responsible for accrediting their schools and ensuring that the academic programs offered by their schools meet or exceed state and local performance expectations for attainment in the performance frameworks. Local school boards are also responsible for creating, adopting, and implementing a Performance, Improvement, Priority Improvement, or Turnaround district plan, whichever is required by the Department, and ensuring that their schools create, adopt and implement their assigned plan type.



District Leaders

District leaders are responsible for overseeing that the academic programs offered by district schools meet or exceed state and local performance expectations on the performance frameworks.

District Accountability Committees

District Accountability Committees (DACs) are responsible for:

1

Budget Priorities

making recommendations to their local school boards concerning budget priorities;

2

District Plans

making recommendations concerning the preparation of the district Performance, Improvement, Priority Improvement, or Turnaround plan (whichever is applicable);

3

Evaluations

providing input and recommendations, on an advisory basis, concerning the principal development plans/principal evaluations and teacher evaluations;

4

Implementation

discussing implementation of the district plan; and

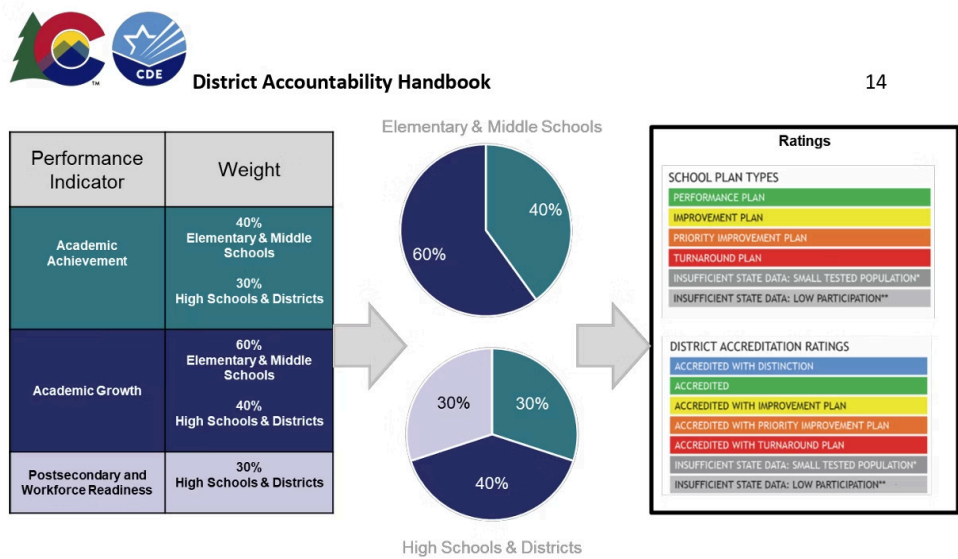
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Additional Areas

cooperatively determining other areas and issues to address and make recommendations upon. (See additional description of DAC responsibilities below).

PERFORMANCE INDICATORS

The image below describes the process of assigning ratings based on indicator weights. More detailed information about performance indicators is also available on the CDE [Performance Frameworks](https://www.cde.state.co.us/accountability/performanceframeworks) (<https://www.cde.state.co.us/accountability/performanceframeworks>) or the information can be found in the CDE District Accountability Handbook.



Performance Framework Indicators

IMPROVEMENT PLAN PROCESS AND TIMELINE

As improvement planning is on a continuous cycle, districts and schools should be monitoring and adjusting the existing improvement plan throughout the year. Typically, sites begin revising the Unified Improvement Plan (UIP) in late spring or summer based upon local assessment data. New planning templates are available by April 15 of each school year. State data can be used to verify and refine the plan when it is available in summer or fall. The [Unified Improvement Planning Handbook](https://www.cde.state.co.us/uiip/uiphandbook) (<https://www.cde.state.co.us/uiip/uiphandbook>) provides guidance for developing the required continuous improvement plan.

Late Spring/Summer

Begin revising UIP based on local assessment data

April 15

New planning templates become available

Summer/Fall

Use state data to verify and refine the plan


DISTRICT ACCOUNTABILITY COMMITTEES

A District Accountability Committee's primary responsibility is to advise their local school board. Each local school board is responsible for either appointing or creating a process for electing the members of a DAC (C.R.S. .§ 22-11-301). At minimum, DACs must consist of the following:

1. Three parents of students enrolled in the district;
2. One teacher employed by the district;
3. One school administrator employed by the district; and
4. One person involved in business in the community within district boundaries.

A person may not be appointed or elected to fill more than one of the required positions in a single term. If the local school board chooses to increase the number of persons on the DAC, it must ensure that the number of parents exceeds the number of representatives from the group with the next highest representation.

To the extent practicable, the local school board must ensure that the parents appointed reflect the student populations significantly represented within the district. Such representation might include, for example, a variety of different races/ethnicities, families eligible for free or reduced-price lunch, families whose dominant language is not English, migrant families, families with children with disabilities and/or children identified as gifted.

 **Note:** Generally, a parent who is a district employee or spouse, son, daughter, sister, brother, mother or father of a district employee is not eligible to serve on a DAC. However, such an individual may serve as a parent on the DAC if the district makes a good faith effort but is unable to identify a sufficient number of eligible parents who are willing to serve on the DAC.

A local school board that appoints DAC members should, to the extent practicable, ensure that at least one of the parents has a student enrolled in a charter school authorized by the board (if the board has authorized any charter schools) and ensure that at least one person appointed to the committee has demonstrated knowledge of charter schools.

DACs must select one of their parent representatives to serve as chair or co-chair. Local school boards will establish the length of the terms. If a DAC vacancy arises, the remaining members of the DAC will fill the vacancy by majority action.



STATE ADVISORY GROUPS

State advisory groups provide non-binding recommendations and formal feedback to the Department related to the state accountability system and other topics prescribed by future statute and/or as requested by CDE staff members. These advisory groups include the Technical Advisory Panel for Longitudinal Growth (TAP), Accountability Work Group (AWG), and the State Advisory Council for Parent Involvement in Education (SACPIE). In general, for these state advisory groups:

- Meetings are open to the public.
- There is a membership appointment process with specific candidate requirements.
- Members have terms and serve without compensation.
- Regular meetings occur throughout the school year.

Technical Advisory Panel

The Technical Advisory Panel (TAP) consists of state and national experts on longitudinal measurement of academic growth for state accountability purposes, convened by the Commissioner of Education to provide technical recommendations to the State Board of Education regarding the implementation of the Colorado Growth Model and the Educational Accountability Act. All members are appointed by the Commissioner of Education and are expected to serve three-year terms. The TAP was created in accordance with the Education Accountability Act of 2009 (S.B. 09-163) and state statute, see C.R.S. § 22-11-202. For more information, visit the [TAP website \(https://www.cde.state.co.us/accountability/tap\)](https://www.cde.state.co.us/accountability/tap).

Accountability Work Group

The Accountability Work Group (AWG) serves as a policy advisory group to research and explore ideas in support of federal and state accountability policies and decision points (e.g., ESSA implementation). This group seeks to collect input from additional stakeholders in developing recommendations. It was first convened by the Commissioner of Education in 2014 to gather input on improving the state accountability performance framework reports. Members consist of regional superintendent representatives, school and district leadership, charter school leadership, Colorado Association of School Executives (CASE), Colorado Association of School Boards (CASB), Colorado Education Association (CEA) leaders, advocacy and civil rights group members and parents. For more information, visit the [AWG website \(https://www.cde.state.co.us/accountability/accountabilityworkgroup\)](https://www.cde.state.co.us/accountability/accountabilityworkgroup).

State Advisory Council for Parent Involvement in Education

The SACPIE is a legislatively required body of diverse stakeholders charged to advise state organizations and school districts on issues related to increasing parent involvement in education. The premise is that, by promoting family-school partnerships, the quality of public education will improve and the level of students' academic performance throughout the state will increase, see C.R.S. §§ 22-7-301, 22-7-304. This responsibility specifically includes involving families in programs to increase high school and college graduation rates, decrease drop-out rates, and close the achievement and growth gaps between learner groups in the state. For more information, visit the [SACPIE website \(https://www.cde.state.co.us/sacpie\)](https://www.cde.state.co.us/sacpie).

2025 Legislation Changes related to State Accountability

The 2025 legislature made significant changes to the Accountability Act through three primary bills: [HB25-1278](#) (Education Accountability System); [HB25-1210](#) (Data Reporting Requirements for Kindergarten through 12th Grade Schools); and [HB25-1167](#) (Alternative Education Campuses). The CDE is not anticipating any substantial changes to the 2025 Performance Frameworks or other parts of the accountability system District Accountability Handbook in the 2025-26 school year, but a summary of final accountability changes, along with information about anticipated future changes, is available in the [Summary Accountability and Improvement Planning Changes for 2025 fact sheet \(https://www.cde.state.co.us/accountability/2025changesdoc\)](#). The Summary of Changes for 2025 can be found at the end of this chapter. All Colorado legislation can be found by navigating to <https://leg.colorado.gov/bills> and entering the provided bill information into the search criteria.)



Accreditation

The State Board of Education is responsible for the annual accreditation of school districts. Accreditation ratings are based on the results of each district's performance framework and selected compliance indicators (e.g., safety and finance indicators, state assessment participation).

Districts are responsible for accrediting their schools based upon the state's appraisal of the school's performance. After performance frameworks are released in the fall, all districts are responsible for verifying their district rating and school plan types in the Accreditation Form (within the UIP/ACI online system). Under some conditions, districts may submit additional evidence to adjust a school or district's plan type through the request to reconsider process.

Once school and district plan types are finalized, the Accreditation Contract is signed by state and local leadership. The final Accreditation Contract documents that the district is in good standing with the state and remains in compliance as laid out by state statute and regulated by the state board.

- ❏ A brief history of Colorado Education Reform as it relates to accountability can be found in the Appendix of this Leadership Guidebook.

3.3 HIGH SCHOOL GRADUATION STANDARDS AND GUIDELINES

Graduation Guidelines are designed to help students and their families plan for success after high school. See guidelines on [CDE website](https://www.cde.state.co.us/postsecondary/graduationguidelines) (<https://www.cde.state.co.us/postsecondary/graduationguidelines>).

Students choose from a [Menu of Options](https://www.cde.state.co.us/postsecondary/graduationguidelinesmenuofoptionspd) (see CDE website: <https://www.cde.state.co.us/postsecondary/graduationguidelinesmenuofoptionspd>) embedded in each school district's graduation requirements to demonstrate their readiness for career, college and the military, based on at least one measure in Reading, Writing, and Communicating, and one measure in Mathematics.

Graduation Guidelines give students the chance to experience all kinds of learning in and out of the classroom, and to achieve education and workplace credentials.

Graduation Guidelines begin with the implementation of Individual Career and Academic Plans (ICAP) (<https://www.cde.state.co.us/postsecondary/icap>), Essential Skills (<https://www.cde.state.co.us/standardsandinstruction/essentialskills>), and Colorado Academic Standards (<https://www.cde.state.co.us/standardsandinstruction/standards>) for all content areas.

3.4 FEDERAL ACCOUNTABILITY

The Elementary and Secondary Education Act of 1965 (ESEA) is the primary federal education legislation and has undergone several reauthorizations, the latest of which is the Every Student Succeeds Act of 2015 (ESSA). Importantly, the ESSA eliminated several requirements of the previous law (No Child Left Behind Act) and provided more discretion to states and local school boards regarding the development of state plans and accountability systems. It also added new federal accountability requirements.

The ESSA most significantly impacts Title I schools and programs (which receive federal financial assistance targeted at low-income students), but it affects all school districts, schools, and students. The ESSA requires states to develop a statewide accountability system, with long-term and interim progress goals, for all students and specific disaggregated groups. The system must be based on five indicators: academic achievement and growth in English language arts, and mathematics, English language proficiency for English learners, graduation rates, and school quality or student success. Colorado's state plan, approved by the U.S. Department of Education in May 2018, builds upon the existing state accountability system to focus even more on ensuring historically disadvantaged populations are meeting performance expectations and graduating ready for postsecondary and workforce pathways.

The ESSA prohibits the U.S. Department of Education from requiring states to adopt specific state academic standards, including Common Core standards. Instead, it allows states to develop their own challenging academic content and achievement standards in math, reading/language arts, and science that are aligned with entrance requirements for respective state institutions of higher education and state career and technical education standards. The ESSA defers to states and school district policies regarding student opt-outs from standardized assessments, but still requires that states assess at least 95 percent of students.



ESSA Requirements and Resources

The ESSA also eliminated the Title I School Improvement Grant (SIG) program and requires states to set aside a specific percent of their respective Title I allocations for school improvement efforts independently designed and managed by states and school districts. The ESSA also requires states to identify schools for "comprehensive support" and "targeted support and improvement" and establish exit criteria for schools that are identified to exit such status. Such schools would be the lowest performing five percent of schools in a state; high schools that graduate less than two-thirds of their students; and schools in which a subgroup is consistently underperforming in the same manner as a school under the previous two categories for a state-determined number of years. Colorado's accountability system already included these indicators; accordingly, Colorado's identification of schools for support and improvement under the ESSA relies upon the data from the multi-year School Performance Frameworks.

For more information about ESSA and its implementing regulations, visit the [U.S. Department of Education's website](#). For more information about Colorado's ESSA state plan, visit the [CDE's website](http://www.cde.state.co.us/fedprograms/essa) (<http://www.cde.state.co.us/fedprograms/essa> and <https://www.cde.state.co.us/accountability/federalaccountability>).

School Identification

Lowest performing 5% of schools, high schools with graduation rates below 67%, and schools with consistently underperforming subgroups

Assessment Requirements

States must assess at least 95% of students while deferring to local policies on opt-outs

Standards Flexibility

States develop their own challenging academic standards aligned with higher education requirements

3.5 EFFECTIVE SCHOOL BOARD GOVERNANCE

School board members often discuss governance models and choosing the right one for the school district, but there is not one best model for every school district. There are various models that have been developed, and school boards adopt an approach for various reasons—primarily, experience with an approach they have seen, or an approach that superintendent has used in a previous district. To demystify school board governance, the following examples provide an overview of some of the approaches with a specific focus on three popular models used in public education: policy governance, balanced governance, and coherence governance.

Governance is defined as "the act or process of governing or overseeing the control and direction of something (such as a country or an organization)." Regardless of the approach that a school board uses to govern—whether a structured approach used with fidelity, or a hybrid approach using a combination of strategies, school boards are governing when they gather at the board table to oversee the business of the district and fulfill their obligations as an elected official. Boards should not get caught up in the discussion of "are we doing this right," but rather, have a thoughtful discussion about what are the most effective ways to govern their district given their local context and capabilities.

MODELS OF GOVERNANCE

There are two typical school board governance models that most public school boards follow:

- **Traditional Model:** The board president oversees daily activities while other members focus on oversight and planning. These often lead to operational and managerial responsibilities, which are often contrary to roles and responsibilities that highly effective school boards utilize.
- **Policy-Based Model:** The school board leads through policy by implementing policies to express their priorities and then making decisions that align with those policies.



Dominant Framework: National School Boards Association's Key Work of School Boards

The most prominent set of school board governance best practices used in the United States is the National School Boards Association's (NSBA's) Key Work of School Boards. This framework has become the foundation for many school board governance approaches nationwide. The development of the Key Work framework was informed by The Lighthouse Inquiry, a notable, extensive study conducted by the Iowa Association of School Boards on how school boards make a difference in student outcomes. The findings were clear: school districts were higher achieving when the Team of 10, which includes the school board and superintendent, had a greater understanding of, and decision-making focus on, student achievement. (See also Iowa School Boards Association, The Lighthouse Study.)

POLICY MODELS AND FRAMEWORKS

There are several organizations that have created specific governance models that are available for school boards to adopt, but they usually come with a cost for either training or resources. CASB provides training and support for Policy Governance, but there are a two other models described below.

POLICY GOVERNANCE

The Policy Governance Model developed by John Carver (often called the Carver Model) emphasizes that boards should focus on establishing broad policies and goals while leaving implementation details to administrators. The board sets clear boundaries and expectations through written policies, then monitors results without interfering in operational decisions. This creates clearer role separation between the board and superintendent including the following key characteristics that make it distinct from other models:

Clear Role Separation - The board's role is strictly governance while management handles operations. This means the board focuses exclusively on creating policies and monitoring outcomes, while the superintendent handles all operational decisions and implementation details.



Ends and Means Distinction - The model makes a clear distinction between:

- "Ends" policies: What benefits should be produced, for whom, and at what cost.
- "Means" policies: How those ends will be achieved (which is left to management).

Policy Categories – The model defines four specific types of policies:

1. Ends Policies

Define the expected outcomes and results.

2. Executive Limitations

Set boundaries on what means management cannot use.

3. Board-Management Delegation

Clarify how the board delegates to and evaluates management.

4. Governance Process

Describe how the board will conduct itself and its work.

The model aims to create:

- Greater role clarity between board and management.
- More strategic focus at the board level.
- Clearer accountability for results.
- More efficient use of board time.
- Enhanced organizational performance.



BALANCED GOVERNANCE MODEL

The Balanced Governance Model was developed by Thomas Alsbury, and this approach seeks to balance oversight responsibilities with respect for professional expertise. It emphasizes evidence-based decision-making and clear role boundaries while maintaining appropriate board involvement in key areas. The model also includes specific indicators for both board and superintendent behaviors. Thomas Alsbury's Balanced Governance approach recognizes that effective governance requires flexibility and context-sensitivity rather than adherence to a single model. The key features of this model:

Integration

Integrates elements from multiple governance theories.

Adaptation

Adapts governance structures to organizational context and lifecycle stage.

Balance

Balances board oversight responsibilities with executive autonomy.

Collaboration

Emphasizes collaborative relationships while maintaining accountability.

Flexibility

Allows for situational variation in board involvement levels.

Strengths

- Flexibility
- Contextually appropriate
- Leverages diverse governance wisdom

Challenges

- May lack clear boundaries
- Requires ongoing calibration
- Can be ambiguous

School districts that use Balanced Governance say that they prefer this model because it is research-based and practical, it builds trust, clarity, and accountability, and it offers a proven path for effective governance.

COHERENCE GOVERNANCE

Coherence is another important approach to school board governance. This model was notably developed through the work of Michael Fullan and Joanne Quinn, who emphasized the importance of alignment and focused direction in educational leadership. Key characteristics of the Coherence Model include:

Focused Direction

The board and district leadership work together to develop clear goals and ensure that all initiatives align with these core priorities. Rather than pursuing multiple disconnected programs, they focus on a few key areas for improvement.

Collaborative Culture

This model emphasizes building collective capacity through purposeful collaboration between the board, administrators, teachers, and community stakeholders. There's a strong emphasis on developing a shared understanding and commitment to the district's goals.

Deep Learning

The governance structure supports continuous learning at all levels. Board members actively engage in professional development and encourage evidence-based practices throughout the district.

Systems Thinking

Decisions are made with consideration of how they affect the entire educational system, not just isolated components. The board works to ensure that policies, resources, and practices are aligned and mutually reinforcing.

Accountability

Instead of traditional top-down accountability measures, this model promotes what Fullan calls "internal accountability" where all stakeholders feel personally responsible for student success and system improvement.

Proponents of the Coherence Model state that it is particularly effective because it reduces fragmentation in district initiatives, creates stronger alignment between board goals and classroom practices, builds sustainable change through shared ownership, and focuses resources on what matters most for student learning.



ADDITIONAL APPROACHES TO GOVERNANCE

There are several models of governance, and as previously mentioned, in the absence of a structured model, school boards are using some approach or combination of approaches to govern the school district. Understanding a specific approach or being methodical about an approach provides greater clarity for board members and transparency for the public. Each of the previous models has unique strengths and may be more appropriate depending on:



District context and challenges

The specific circumstances and issues facing your district



Community characteristics and expectations

The unique demographics and values of your community



Available resources and capacity

The financial and human resources at your disposal



State policy environment

The regulatory framework within which you operate



Current district performance and needs

Your district's current achievement levels and improvement areas



Board member expertise and experience

The skills and backgrounds of your board members

3.6 BOARD SELF-EVALUATION

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



Meeting Debriefs

Building a debriefing session into the conclusion of meetings to assess how the meeting went and what they can improve upon.



Regular Assessment

Holding sessions two to three times a year to assess their work and progress toward the board goals.



Ongoing Training

Regularly engaging in school board training.



Learning from Others

Observing other governance teams.



CASB offers a valuable assessment tool for school board evaluation, and this can be accessed on the website or contacting the CASB offices.

3.7 COLORADO SCHOOL CHOICE

This section on school choice is in the chapter on "Accountability" because school boards are responsible for the students in their local district. Colorado law provides a lot of latitude for school choice, but ultimately, the district is responsible for the students in their communities and can help facilitate the educational options for parents and students.

Colorado law requires every child who turns six before August 1 of each year to attend either, public school, private school that provides a basic academic education, or be instructed at home, see C.R.S. § 22-33-104. However, beginning with the 2020-21 school year, students who have attained the age of five years on or before October 1 are eligible for full-time funding, see C.R.S. § 22-54-103(10)(b). Students' families are able to choose from a variety of educational options which are displayed below. More information can be found on the [Colorado Department of Education website \(https://www.cde.state.co.us/choice\)](https://www.cde.state.co.us/choice).

Public School Open Enrollment

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

Private School and Home School Student Participation

Home-based instruction and nonpublic schools are recognized as legitimate alternatives to public school attendance. As such, the parent or guardian takes on all the responsibility for the student's education, subject to certain requirements, see C.R.S. §22-33-104.5.

The term "nonpublic school" applies to private, parochial, and independent schools that provide education to children of compulsory school age. Nonpublic schools are required by state law to provide a basic academic education to enrolled students and comply with certain requirements but are otherwise not subject to the jurisdiction of the State Board of Education nor any local board of education, see C.R.S. §§ 22-1-106, 22-1-108, 22-1-109, 22-33-104, 22-1-114, 25-1-107(1)(m).

Students attending a nonpublic school or home-based school are permitted to participate in a school district's extracurricular or interscholastic activities, see C.R.S. § 22-32-116.5. Some districts have home school enrichment programs that receive per-pupil funding

College Coursework

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

In addition, students may enroll in postsecondary courses through the "Accelerating Students through Concurrent ENrollmentT" (ASCENT) program administered by the CDE. The ASCENT program allows a student to concurrently enroll in postsecondary courses in the year directly following the year in which the student was enrolled in 12th grade. The Concurrent Enrollment Programs Act specifies how school districts must count ASCENT program students for purposes of per pupil funding, see C.R.S. § 22-35-108.



District Charter Schools

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

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

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

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



Charter School Institute

In 2004, the Charter School Institute (CSI) was formed to encourage the creation of charter schools serving at-risk students and to model best practices in charter school authorizing, see C.R.S. § 22-30.5-501 et seq. The board of directors for CSI is comprised of nine people, seven of whom are appointed by the governor (with consent of the senate), and the remaining two members are appointed by the Colorado Commissioner of Education, see C.R.S. § 22-30.5-505.

CSI cannot approve a charter school within the boundaries of a school district if the local board has exclusive chartering authority to authorize charter schools. A local board may voluntarily cede its exclusive authority and allow CSI to open a school within its boundaries, or it may be forced to share authorizing authority if a challenge to that authority is upheld by the State Board of Education, see C.R.S. § 22-30.5-504. For school districts with less than 3,000 students, the local school board is granted exclusive chartering authority by law, see C.R.S. § 22-30.5-504(5)(b)(I). All other school boards must demonstrate to the State Board of Education that they have treated charter schools in a fair and equitable manner to retain their exclusive chartering status once it has been challenged.

All charter schools authorized by a local school board will continue to be district charter schools, even if the district loses exclusive chartering authority, unless the charter schools go through a process to convert to institute charter schools. Likewise, an institute charter school that is located within the geographic boundaries of a school district that recovers authority to authorize charter schools, or that permitted the establishment of the institute charter school within its geographic boundaries, does not convert to a district charter school unless the institute charter school applies to and is approved by the local school board, see C.R.S. § 22-30.5-504.

The application and requirements for an institute charter school are essentially the same as those for district charter schools. Institute charter school students are included in the funded pupil count of the district where the school is located. The funding is then transferred out of the state equalization payments that otherwise would have been paid to the school district. In this way, the funding is based solely on state funds, using the same per pupil funding formula currently in place for school districts, see C.R.S. § 22-30.5-513.



Online Programs and Schools

School districts may incorporate online coursework into the district's curriculum to enhance, supplement, or enrich the existing curriculum and provide an alternative means of instruction. These supplemental online courses can be an effective tool to expand the educational opportunities for students at all levels of achievement.

State law allows school districts and charter schools to operate online education programs and schools in which students can enroll and take all of their coursework over the Internet. A 2007 state law created a statutory framework for oversight of online education schools and programs, see C.R.S. § 22-30.7-101 et seq. State Board of Education rules set forth quality standards for the operation of online schools and programs (1 CCR 301-71), and CDE provides support through the Schools of Choice Unit.

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

Accountability for each student in an online program is attributed to the designated school that houses the online program. Online programs are statutorily defined as those with fewer than 100 students and online schools as those with 100 or more students.

Online schools have their own school codes, a separate budget, and a complete instructional program, and are subject to all state and federal accountability and reporting requirements. Online programs and schools may be "single district" serving only students who reside within a single district, or "multi-district" serving students from two or more school districts, see C.R.S. § 22-30.7-102.

Colorado students are eligible to participate in online programs or schools offered by other districts. A student participating in the online program or school may also participate in any extracurricular or interscholastic activity offered by the district, see C.R.S. §22-30.7-108.

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



Innovation Schools and School Zones

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

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

The local school board also may initiate or collaborate with one or more schools to create an innovation school or school zone, which may include the entire district. Through policy, the board can establish its desired focus areas for innovation schools and any limitations the board believes are necessary. An increasing number of districts and schools are seeking innovation status as a means to obtain more flexibility and waive burdensome and expensive state mandates. Support is available to schools, districts, and school boards through the CDE Schools of Choice Office. CDE also monitors the performance of innovation schools and produces an annual report for the legislature.



Board of Cooperative Educational Services

Board of Cooperative Educational Services. The statutory name of BOCES is Board of Cooperative Services, as set forth by Title 22, Article 5, C.R.S., Boards of Cooperative Services Act of 1965. The following description of how BOCES function in Colorado is taken from the [Colorado BOCES Association website](https://www.coloradoboces.org/) at <https://www.coloradoboces.org/>.

BOCES exist to supply educational services to two or more school districts that alone cannot afford the service, or find it advantageous and cost-effective to cooperate with other districts. These services represent a financial commitment that is best met by several districts sharing costs and programs. In some instances, BOCES also operate as Special Education Administrative Units, in which Colorado Revised Statutes require a minimum number of students or participants in order to qualify.

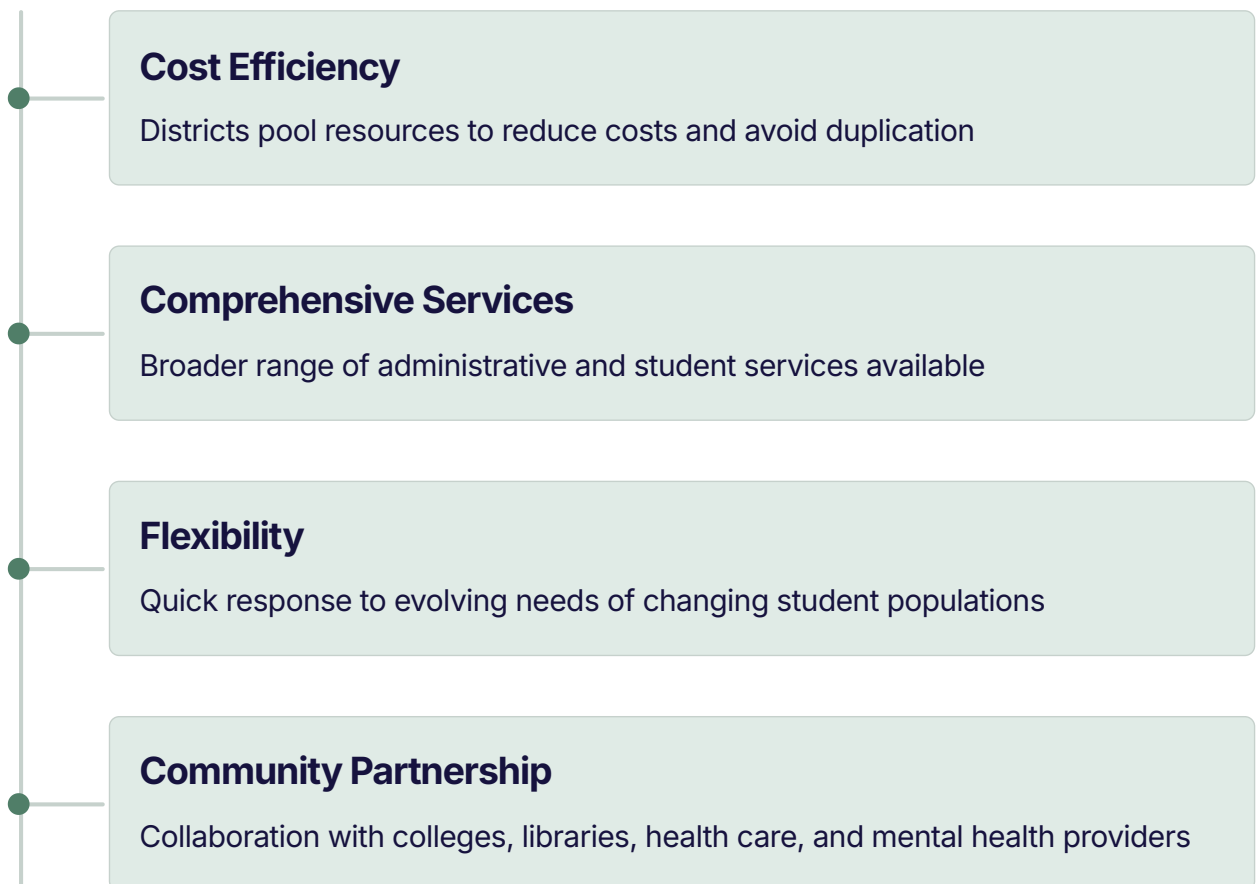
The following examples are not intended to limit or define the scope of a BOCES, but rather are illustrative of the variety of services currently provided:

- Special Education
- Curriculum/Staff Development
- Migrant Educational Fiscal Operations
- Alternative Schools/Programs
- Federally Funded, Specialized Programs
- Standards and Assessment Support
- Cooperative Purchasing
- Computer Technology Support
- Data Management and Utilization
- Vocational Education
- Alternative Schools
- Gifted and Talented Coordination
- Alternative Licensure Programs
- Grant Management



The BOCES Philosophy

The success of the BOCES concept is rooted in its cooperative, service-driven philosophy. Each BOCES exists because the school districts it serves see the value of the services provided. Individual districts may lack the personnel or the fiscal resources required to provide a broad range of administrative and student services. By pooling resources, districts reduce costs, avoid duplication, and provide for a more comprehensive range of services and programs. Being service-driven, BOCES have the flexibility to respond quickly to the evolving needs of today's changing student population. Programs can be developed, training provided, or outside expertise engaged as situations arise. BOCES also understand that school districts do not exist in isolation and most reach out to engage the community-at-large. To that end, the BOCES work in partnership with colleges, libraries, health care providers, mental health professionals and others.



CHAPTER FOUR: POLICY

Coherence—Aspirations and Expectations

Policy is how a board sustainably exercise power to serve students. Through policy, school boards establish a set of cohesive guidelines enabling them to transform vision into reality.

4.1 What is Policy?

Colorado law requires school boards to adopt policies and prescribe regulations necessary for the efficient administration of the district, see C.R.S. § 22-32-109(1)(b). This is a broad mandate, but Colorado law requires specific policies that boards are required to adopt, in areas such as personnel, instruction, and school safety. Even if there is not a legal mandate, school boards should consider adopting policies that benefit their districts within the framework of existing statute/law. It is essential, therefore, for the board to think through the principles by which it wants the school district to be governed, ensure all proposed principles are in compliance with Colorado law, and to record these principles in the form of comprehensive written policies.



The Voice of the Board

Policymaking is the voice of the board and should be responsive to the board's community. The Board's policies speak even when the board is not convened and anchor the school district by providing consistency and stability; thus,, it is crucial that board policies are made readily accessible to the community, ideally through an online policy manual that community members can review at their convenience. Boards should understand that policies have the force of law in their districts, and that boards are also required to comply with their own policies. Failure of district staff to comply with policies or failure to implement policies required by law could lead to lawsuits against the district, complaints from parents, and a lack of consistency and reliability within the district.

Policies also provide the board with a framework to:

Community Engagement

- Keep the community informed about the board's philosophy and actions.
- Provide a forum for involving the community in the district's educational programs.

Relationships & Roles

- Improve board/superintendent/staff relationships.
- Provide a means for staff members to assess their individual roles in achieving the board's stated results.

Rights & Responsibilities

- Notify staff, students, and community of their rights and responsibilities.
- Provide fair, reasonable, consistent, and impersonal treatment of issues.

Efficiency & Compliance

- Eliminate the need to make a new decision each time there is a recurring situation.
- Comply with state and federal laws that require specific policies.
- Foster stability, continuity, and accountability.

4.2 Developing Policies

Boards develop policies when they are legally required, or when the community necessitates a certain policy. When developing policies, boards should engage the staff, students, parents, and community members to receive input and to help develop policies that are meeting the needs of the community.

School boards typically adopt policies that fall into the following general categories and are coded in accordance with the National Education Policy Network (NEPN) classification system which outlines school board policies and regulations in several sections:

Section A Foundations and Basic Commitments	Section B School Board Governance and Operations
Section C General School Administration	Section D Fiscal Management
Section E Support Services (transportation and food service)	Section F Facilities Planning and Development
Section G Personnel	Section H Negotiations
Section I Instruction	Section J Students
Section K School-Community-Home Relations	Section L Education Agency Relations

Understanding the NEPN Coding System

The NEPN uses a hierarchical alphabetic coding system where each letter position has a specific meaning: the first letter is a major section (outlined above). The second letter narrows down the topic within the major section, for example within the G Section, Personnel:

- GA is Personnel Goals
- GB is General Personnel Policies
- GC is Professional Staff
- GD is Support or Classified staff

The third letter is a specific topic, for example, GCC is professional staff leaves and absences and GCE is professional staff recruiting. Finally, the fourth and fifth letters provide even more detail or a subtopic. For example, GCCA is professional staff leaves and absences and, GDCA would be support staff leaves and absences.

The CASB policy services department is the best source for clarifying the coding system for a policy that a school board is considering, and CASB has sample CORE policies for members to access and utilize.

Reviewing Policies

In addition to developing policies, boards are responsible for regularly reviewing existing policies and modifying them if needed.

Boards should regularly review CASB's Special Policy Updates (SPUs), which are published three or four times per year. An SPU describes policies that should be updated, based on statute changes in the most recent legislative session or policy implications required through the Colorado State Board of Education rule making process. SPUs also provide sample policy language for any new policies that are required by law or recommended by CASB and these policies are updated in CASB's sample core policies. Boards should also set up a policy review system such that policies are periodically reviewed to ensure they continue to meet the needs of the district and comply with state and federal law.



Resources for Policymaking

Policymaking is simpler and more effective when school boards utilize their resources. Boards can reach out to professionals in each school district who can be asked to collect data and provide research, offer expert opinions, and present the board with options for policymaking. Boards also can benefit from the experiences of neighboring districts. The district's legal counsel also can help make informed local policy decisions. Finally, CASB provides essential policy guidance to member boards which includes policy updates by legal and policy specialists.

Important Questions to Ask in the Policy Adoption Process

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



When considering policy options, these questions should be asked:

How does the policy advance the best educational interests and equity of all students?

How does this policy support the mission and goals of the district?

What do current educational literature and research say that is relevant to the policy?

What is the relationship of the policy to recent changes in education?

How is the policy related to other Board policies? Does it duplicate or contradict another policy? Is it relevant?

Is compliance with the policy likely to be consistent?

How can the board evaluate the effectiveness of the policy?

What external support does the policy require?

What will it cost, in human and fiscal terms, to implement the policy?

What steps will be taken to implement and enforce the policy?

Is the policy clear and realistic?

How is the policy affected by federal and state law?

Although a board's policy manual will contain many policies, in the table below are some of the more notable policies for school board members and school districts.

Notable Policies

Policy Section	Policy Code	Policy Name
A	AC	Nondiscrimination/Equal Opportunity
B	BBA	School Board Powers and Responsibilities
B	BC	School Board Member Conduct
B	BCB	School Board Member Conflict of Interest
B	BE	School Board Meetings
B	BEC	Executive Sessions
B	BEDH	Public Participation at School Board Meetings
B	BG	School Board Policy Process
C	CBI	Evaluation of Superintendent
D	DB	Annual Budget
D	DJE	Bidding Procedures
E	EH	Safeguarding Personal Identifying Information
G	GCQF	Discipline, Suspension and Dismissal of Professional Staff
I	IC/ICA	School Year/School Calendar/Instruction Time
I	IKF	Graduation Requirements
J	JLF	Reporting Child Abuse/Child Protection
J	JRA/JRC	Student Records/Release of Information on Students
J	JRCB	Privacy and Protection of Confidential Student Information
K	KDB	Public's Right to Know/Freedom of Information
K	KE	Public Concerns and Complaints
K	KL	Relations with State and Federal Agencies

The above list of policies includes some that are highly recommended and others that are legally required. A policy is legally required when state or federal law specifically stipulates that school boards must have a policy on the referenced topic. Other policies are highly recommended, which means that even if there is not a specific requirement to have that policy, boards or districts are required to follow laws that are relevant to the policy. For more information on legally required and recommended policies, visit the [Frequently Requested Forms page on CASB's website \(https://casb.org/policy-forms-lists\)](https://casb.org/policy-forms-lists).

Policy on Policy Adoption

An essential policy is one that outlines the process of policy adoption. Maintaining such a policy assists the board in approaching policymaking in a concise and consistent way.

Since there are many factors to consider with the development and revision of board policy, a board should adopt a policy regarding the process it wishes to follow to accomplish this important task. CASB sample policy BG, School Board Policy Process, illustrates one workable process.

Policies on Maintaining Safe Schools

To provide a learning environment that is safe, conducive to the learning process, and free from unnecessary disruption, state law requires the board of education to adopt and implement a safe schools plan, see C.R.S. § 22-32-109.1.

As a starting point, boards must adopt a mission statement for the district that includes making safety a priority and also adopt a student conduct and discipline code.

Each local board also must adopt a crisis management policy and approve the district's overall safety plan.

A critical component of ensuring a safe learning environment is the inclusion of a bullying prevention and education policy. Each school district must ensure that its bullying prevention and education policy is updated on an ongoing basis to incorporate the approaches, policies, and practices outlined in [CDE's Model Bullying Prevention and Education Policy \(https://www.cde.state.co.us/mtss/model_bullying_prevention_policy\)](https://www.cde.state.co.us/mtss/model_bullying_prevention_policy).

Addressing Harassment and Discrimination

Additionally, school districts have a responsibility to address harassment and discrimination to maintain a safe and inclusive learning environment. State law prohibits harassment or discrimination against students based on race, sex, gender identity, disability, creed, color, sexual orientation, gender expression, family composition, religion, age, national origin, and ancestry, see C.R.S. § 22-1-143. In addition to complying with these state protections, school districts must also adhere to federal laws, such as Title IX, which provide additional safeguards against harassment. Districts may also choose to implement policies that go beyond legal requirements to better protect students and foster a positive school climate. See [CASB Sample Policy AC \(https://policies.boardbook.org/casb/browse/casbcore](https://policies.boardbook.org/casb/browse/casbcore), Section A) and its associated regulations for more information on nondiscrimination.

In addition, local boards are responsible, to the extent possible, for developing written agreements with law enforcement officials, the juvenile justice system, and social services to keep each school environment safe.

Claire Davis School Safety Act

Local boards and school districts should be mindful of potential liability for school violence due to the passage of the Claire Davis School Safety Act in 2015, see C.R.S. § 24-10-106.3. The Act waives governmental immunity if the district fails to exercise "reasonable care" to protect students, faculty, and staff from "reasonably foreseeable" "incident(s) of school violence" that occur(s) at school or a school-sponsored activity, see C.R.S. § 24-10-106.3(4). This means victims or their families can sue districts for liability if they fail to ensure that students, faculty, and staff are protected from violence on school property or at school events.

An "incident of school violence" is defined as an occurrence at a public school or public school-sponsored activity in which a person commits or attempts to commit murder, first degree assault, or felony sexual assault, causing serious bodily injury or death to another person, see C.R.S. §§ 24-10-106.3(2)(b), (c). An incident of school violence may be between students, staff members, or any other persons. A district may be liable for up to \$350,000 for an injury to one person in a single occurrence and up to \$990,000 for an injury to two or more persons in a single occurrence, see C.R.S. § 24-10-106.3(9)(a). In crafting its safe schools policy and other policies, districts should be aware of this law and its impact on districts.



Mental Health Supports and Services

Mental health concerns for our youth are a high priority for school boards and districts, and districts are in a unique and influential position to assist children with mental health. When school-based mental health services are available, students are substantially more likely to seek mental health support, as services may reduce the stigma in seeking help. However, many schools in Colorado lack full-time mental health and substance use providers in schools, adequate mental health and social-emotional learning training for school staff, and access to mental health services where transportation to mental health centers is a challenge.

School boards are not required to adopt a policy on promoting mental health, but they are "encouraged" to expand wellness policies to include goals for "providing increased access to mental health counseling and services," among other wellness goals, see C.R.S. 22-32-136 (5.5). Additionally, boards are required to adopt a policy concerning screening of students for mental health concerns, see C.R.S. § 22-32-109.2.

Many school boards utilize CDE's Colorado Multi-Tiered System of Supports (MTSS) to promote student mental health. This is a prevention-based framework used to improve the outcomes of each student, to engage the school with the student's family, and uncover mental health concerns if applicable. CDE provides MTSS resources on its website to assist school boards with implementation. Additionally, to learn more about mental health needs in our schools, the School Mental Health Toolkit by Mental Health Colorado is a helpful place to start.

Parental Notification of Employee Criminal Charges

School districts are required to notify students' parents when an employee or former employee is charged with certain criminal offenses, see C.R.S. § 22-1-130.

For the purposes of the parental notification requirement, employee means a person whose employment by the school district requires or required the employee to be in contact with students or whose work area gives or gave the employee access to students. It includes former employees if the person was employed by the school district at any time within 12 months before an offense is charged, see C.R.S. § 22-1-130(2)(a).

Districts must notify parents when the employee or former employee has been charged with any of the following criminal offenses, see C.R.S. § 22-1-130(3)(b):

- felony child abuse, as specified in C.R.S. § 18-6-401;
- a crime of violence, as defined in C.R.S. § 18-1.3-406, except second degree assault, unless the victim is a child;
- felony involving unlawful sexual behavior, as defined in C.R.S. § 16-22-102(9);
- felony domestic violence, as defined in C.R.S. § 18-6-800.3;
- felony indecent exposure, as described in C.R.S. § 18-7-302; or
- level 1 or level 2 felony drug offense, as described in C.R.S. § 18-18-401 et seq.

The notification must be given to those parents of students enrolled in the school in which the employee is employed or was employed at the time of the alleged criminal offense, or with whom the school district has reason to believe the employee may have had contact as part of their employment, see C.R.S. § 22-1-130(4)(c).

Notification Timeline and Requirements

School districts must notify students' parents within two school days after the employee's preliminary hearing for the criminal offense is held, waived, or deemed waived by the employee. If the criminal offense is not eligible for a preliminary hearing, the school district must notify parents within two school days after the date on which the employee is charged with the criminal offense, see C.R.S. § 22-1-130(4)(a). If the school district notifies parents of an employee's arrest or pending criminal charges and such notice "substantially conforms" with the notice requirements, the school district is not required to provide an additional notice once the employee or former employee is formally charged, see C.R.S. § 22-1-130(4)(b). However, school districts should consult with legal counsel prior to notifying parents of an employee's arrest or pending criminal charges, as it is possible the employee or employee's attorney may seek to prevent and/or challenge the notification.

Furthermore, school districts are required to "monitor the criminal proceedings" when the school district receives information from the Colorado Bureau of Investigation, via the Colorado Department of Education's "subsequent arrest" reporting database, that an employee or former employee has been arrested for one of the above-listed criminal offenses, see C.R.S. § 22-1-130(3)(a).

The notice must include:

name of employee or former employee;

employment position;

employment status, i.e., whether the person remains employed by the school district;

length of employment with the school district;

alleged criminal offense that the employee or former employee has been charged with, including the violation of statute or code; and

a statement that, under state and federal law, a person is presumed innocent until proven guilty, see C.R.S. § 22-1-130(5)(a).

Additional Notification Details

The school district may choose to include in the notice additional information to parents regarding the underlying facts relating to the charge. However, the district cannot disclose the identity of any alleged victim, see C.R.S. § 22-1-130(5)(b).

The law also dictates how the notice must be sent to parents. Notice must be provided to parents "in the same manner" by which the school district notifies parents of important school business, which may include "email notification or other electronic communication sent directly to parents or by first-class mail," C.R.S. § 22-1-130(4)(d).

Importantly, if a delay in parent notification is requested by "the appropriate law enforcement agency," the school district "shall delay notification to parents until the request is withdrawn," C.R.S. § 22-1-130(4)(e). Thus, it is critical for the school district to be in close communication with the police and/or district attorney to determine whether a delay in notification is required.

Policies on Student Discipline

The school board must adopt a written student conduct and discipline code, see C.R.S. § 22-32-109.1(2)(a). Enforcement of the board's student conduct and discipline code is generally an administrative function carried out by the building principal or classroom teachers.

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

In addition to policy development, a board of education may become involved in student discipline when it is necessary to expel a student from school or deny admission to a student. In many districts, the board has delegated authority to an administrator or third party to hear an expulsion or denial of admission case. However, even when such authority is delegated, the student must be provided an opportunity to appeal a decision to expel or deny admission to the student. In those cases, the board of education acts as an impartial decision-maker, listening to the recommendations of the administration and the defense of the student, see C.R.S. §§ 22-33-105, 22-33-106. All parties, including the board, are often represented by legal counsel during the proceeding.



Policies on Special Education

"Special education" is a broad term used to describe the education of children with disabilities. Special education in Colorado is required and governed by a complex framework of statutes and regulations, most notably the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400 et seq.), Section 504 of The Rehabilitation Act of 1973 (Section 504) (29 C.F.R. § 794), the Elementary and Secondary Education Act (ESEA) (20 U.S.C. § 6301), the Colorado Exceptional Children's Educational Act (ECEA), C.R.S. § 22-20-101 et seq., and the federal and state administrative regulations pertaining to these statutes.

This framework requires administrative units to provide a free appropriate public education (FAPE) in the least restrictive environment (LRE) to public school students with disabilities. This has been interpreted by courts to require two things of public schools: (1) the school must substantially comply with the procedures set forth in the law, and (2) the school must offer an individualized education program (IEP) "reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances." *Endrew F. v. Douglas County School District*, 137 S.Ct. 988 (2017).

Who Receives Special Education?

"Children with disabilities" means students from 3 to 21 years of age who are unable to receive reasonable benefit from general education due to one or more of the statutorily-defined disability categories. Such children are eligible to receive special education and related services provided by administrative units pursuant to the IDEA and the ECEA. In addition, students may receive special education and related services pursuant to Section 504.

Administrative units are obligated to seek out and identify children who may have a disability and need special education. This is called "child find." The child find duty is triggered when the school district has reasonable suspicion to believe that a student is a "child with a disability." *D.T. by & through Yasiris T. v. Cherry Creek Sch. Dist. No. 5*, 55 F.4th 1268 (10th Cir. 2022). When an administrative unit identifies a child who may have a disability, the child must receive an initial evaluation performed by members of a school IEP team, subject to parental consent.

The components included in an initial evaluation are determined by the IEP team review of relevant "domains" of child functioning based on the perceived needs of the individual child. The IEP team must then determine if the child is eligible for special education services. Once the IEP team determines a child is eligible for special education services, the team, including the parent, must develop an IEP containing certain mandatory components, including educational programs and services designed to meet the child's individual needs. A child must be reevaluated at least every three years unless the administrative unit and the parent agree a reevaluation is unnecessary.

Private School Placement and Dispute Resolution

A child with a disability who is placed voluntarily by their parent in a private school does not have the same right to FAPE, or the procedural protections that accompany it, as a public school student. Rather, private school students as a group have a right, at a minimum, to a "proportionate share" of the administrative unit's federal funding under IDEA as determined by the "timely and meaningful consultation" process between the administrative unit and private school representatives.

Dispute Resolution

In the event of a dispute between the parent of a child with a disability and an administrative unit, the parent and the administrative unit have the right to an impartial due process hearing as set forth in the IDEA and the ECEA. In Colorado, an Administrative Law Judge (ALJ), conducts a due process hearing, much like a formal court proceeding. The ALJ considers the information and testimony offered by each side and issues a written decision. The IDEA mandates that the parents and administrative unit participate in a resolution session or mediation before a due process hearing is held, unless both parties waive the requirement.

If both parties agree, they may choose to participate in mediation, rather than filing a due process complaint. Mediation is an informal, voluntary process in which a neutral person assists the parties in communicating and exploring possible options for resolving conflict. The goal of special education mediation is to help the parties reach their own mutually acceptable resolution of the disputed issues related to a student's special education services.

In addition, the parties have the right to utilize the State Complaint process to resolve a dispute. Under that process, a State Complaints Officer (SCO) will conduct an informal investigation, considering the information and interviews of the parties involved, and issue a written decision.



Discipline of Students with Disabilities

The IDEA includes extensive provisions governing the discipline of children with disabilities. The regulations are based on the principle that a child should not be penalized for conduct that is a result of the child's disability or disabilities. Therefore, when a child with disabilities engages in misconduct and is subjected to disciplinary exclusion from school, administrative units must take certain steps to determine whether the conduct was a function of the child's disability. This is often referred to as a manifestation determination review (MDR).

Prior to removing a child with disabilities from school for more than 10 consecutive days or 10 cumulative days in one school year for disciplinary reasons, the administrative unit must conduct an MDR. If it is determined that the child's conduct was a manifestation of their disability, the child cannot be excluded from school. The IEP team should meet to identify additional actions and supports, including developing or reviewing the behavior intervention plan (BIP), to ensure the student's successful return to the placement from which the child was removed. The parent and administrative unit also may agree to a change of placement as part of reviewing the child's IEP and BIP. If it is determined that the child's conduct was not a manifestation of their disability, the child may be excluded from school consistent with the administrative unit's code of conduct and discipline policies. Importantly, administrative units must continue to provide FAPE to students with disabilities who have been excluded from school for disciplinary reasons.

In addition, a student may be unilaterally removed by the administrative unit and placed in an interim alternative placement in specific situations described in the law.

Special Education Policy Guidance

Discipline of students with disabilities is a complex process and administrative units should consult their legal counsel.

Policies on special education vary by the school district. CASB recommends that school boards adopt a general special education policy, which explains that the district provides special education to all students with disabilities in accordance with state and federal law. See CASB Sample Policy IHBA.



However, most details of special education procedures are not found in board-level policy, for several reasons. First, special education is the responsibility of administrative units, which are responsible for implementing special education services and which may or may not be an individual board (many administrative units are BOCES that offer special education services to several districts.) Second, the details of special education law are complicated and broad, making board-level policy not always appropriate.

For more information on special education in Colorado, visit the [CDE website](https://www.cde.state.co.us/cdesped) (<https://www.cde.state.co.us/cdesped>).

Policies on Technology

Technology continues to play a significant role in school district operations, from the use of district devices to the emergence of tools such as artificial intelligence (AI). As technology evolves rapidly, it may be advisable to maintain broad policy language that can accommodate future developments while still addressing current trends.

In light of the increasing presence of AI in schools, CASB has recommended updates to existing policies; specifically, (1) Policy JS (Student Use of Technology) and (2) Policy GBEE (Staff Use of Technology). CASB has not recommended the adoption of a separate policy focused solely on AI, as maintaining flexibility within existing technology policies is preferable. Districts are encouraged to focus on guiding principles and user conduct rather than the specifics of individual technologies.

Superintendents may choose to develop more detailed administrative regulations that address particular technologies. Boards and superintendents should also be aware that Policy JICDA (Code of Conduct) may be implicated by AI use but does not necessarily require specific revisions at this time.



Personnel Policies

Successful school districts are first about people. Quality instruction, sound fiscal management, visionary leadership, and effective governance cannot happen without a capable staff, beginning with the superintendent, and the policies and contracts necessary to carry forward the school district's mission. Before taking any personnel action consult school board policies.

Employment Practices

Board policies should include guidelines for the selection and appointment of personnel. It is the school board's responsibility, by official action, to approve the appointments of all instructional personnel who work for the district. The courts have held that while the administration may directly hire and terminate the employment of non-instructional personnel, the responsibility to hire and terminate the employment of instructional personnel belongs to the board and may not be delegated to others.

This does not mean that board members must be deeply involved in seeking out and screening teacher candidates. That is a proper administrative function. It does mean that the board must approve the appointment recommendations made by the superintendent or administrative staff regarding instructional personnel.

The superintendent is held accountable for the performance of all employees. Accordingly, it is important that he or she be given authority to select people the administration believes would be best suited to the positions. If the board feels a recommendation should not be accepted, the superintendent should provide another recommendation.

Employee Background Checks

Prior to the employment of any person, in accordance with state law, the district is required to conduct criminal history background checks and contact previous employers regarding an applicant's fitness for employment, see C.R.S. §§ 22-32-109(1)(f), 22-32-109.7, 22-32-109.8, 22-32-109.9, 22-32-122(4), 22-60.5-103. Licensed employees are fingerprinted during the licensure process with the Colorado Department of Education. In addition, pursuant to Colorado House Bill 19-1166 (effective April 18, 2019), an applicant must submit to a name-based criminal history record check if the fingerprint-based criminal history check reveals a record of arrest without disposition.



In all cases where credit information or reports are used in the hiring process, the district shall comply with the Fair Credit Reporting Act and applicable state law. 15 U.S.C. § 1681 et seq. The district is required to conduct reference checks of applicants and to see that the applicants selected for classified positions are fingerprinted. Licensed employees are fingerprinted during the licensure process.

Negotiating Processes

Colorado law neither requires nor prohibits collective bargaining between the board and an employee union or association. In 1976, the Colorado Supreme Court ruled that a school district may enter into a master agreement with a group of employees on a collective basis. *Littleton Education Association v. Arapahoe County School District*, No. 6, 191 Colo. 411, 553 P.2d 793 (1976).

Colorado school districts use a variety of approaches for negotiation with employees, ranging from very informal models, often called "meet and confer," to more formal collective bargaining agreements. Boards that engage in collective bargaining with their teachers' union are bound by the Colorado Open Meetings Law and Proposition 104, which requires that negotiations related to collective bargaining and employment contracts (except an individual employee's contract) between school district and union representatives must take place in public, see C.R.S. § 24-6-402(4)(e)(II). However, school boards may convene in executive session "for the purpose of developing the strategy of the school district for negotiations related to collective bargaining or employment contracts," see C.R.S. § 24-6-402(4)(e)(III). Thus, a distinction between the "development of strategy" (permitted in executive session) and "discussion" (still prohibited in executive session) must be made by the school board in consultation with legal counsel.



Educator Effectiveness

Colorado law imposes requirements for evaluating licensed personnel and altered tenure eligibility, many of which must be incorporated within district policy.

Teacher Employment, Compensation, and Dismissal Act of 1990

The Teacher Employment, Compensation, and Dismissal Act of 1990 (TECDA) is a comprehensive law that sets forth specific practices to be observed in the process of teacher employment and dismissal, see C.R.S. § 22-63-101 et seq. "Teacher" means any person who holds a teacher's license issued pursuant to the provisions of article 60.5 of this title and who is employed to instruct, direct, or supervise the instructional program. "Teacher" does not include those persons holding authorizations and the chief administrative officer of any school district, see C.R.S. § 22-63-103(11).

This means that classroom teachers, as well as most principals, assistant superintendents, educators, are subject to the laws. TECDA excepts the superintendent and persons holding letters of authorization from the definition of "teacher." The key provisions in TECDA are as follows, and are incorporated in CASB Sample Policy GCO and Sample Regulation GCO-R.

Licensure

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

Contracts

All employment contracts entered into with teachers must be in writing, see C.R.S. § 22-63-202(1). The contract must contain a damage provision. If the teacher abandons, breaches, or otherwise refuses to perform services providing that pursuant to the contract, the board may collect or withhold an amount equal to the ordinary and necessary expenses to secure the services of a suitable replacement or 1/12th of the annual salary, whichever is less. The teacher is exempt from such penalties if a resignation is submitted 30 days prior to the beginning of the school year. After the beginning of the school year, the teacher is exempt from damages if a 30-day notice of resignation is provided, see C.R.S. § 22-63-202(2).

Contracts for Part-Time and Substitute Teachers

School districts do not need to issue written employment contracts to part-time or substitute teachers. However, these employees must have a teaching license or substitute authorization, see C.R.S. §§ 22-63-202(1), 22-60.5-111(6). Part-time teachers, as defined by TECDA, are teachers who normally perform services less than four hours during each regular school day, see C.R.S. § 22-63-103(6). Substitute teachers are teachers who normally perform services for four hours or more during each regular school day, but work on one continuous assignment for a total of less than 90 regular school days during the academic year, or for less than one semester or its equivalent. The definition of a "substitute teacher" also includes an itinerant teacher who performs services on a day-to-day or similar short-term basis during the school year as a replacement teacher. It does not include any non-probationary or probationary teacher who is assigned as a permanent substitute teacher within a school district, see C.R.S. § 22-63-103(10).

TECDA also permits school districts to hire "alternative teachers" participating in a state-approved alternative teacher preparation program, see C.R.S. § 22-63-201(1)(b). Alternative teacher programs offer an opportunity for nontraditional teacher candidates to enter the profession and for school districts to customize the preparation of their teacher candidates. These programs are designed to provide nontraditional candidates with adequate supervision and education in teaching methods and practices as they "learn the ropes" and work toward initial teacher licensure. An alternative teacher may be offered a contract containing terms and conditions that differ from other teacher contracts, see C.R.S. § 22-60.5-207.



Salary Schedules

School boards must adopt a salary schedule. This may be based on job description, job definition, performance demonstrated by the teacher, or a combination of the salary schedule and salary policy for teachers prior to or in conjunction with the adoption of the budget for the following fiscal year. All teachers must be compensated as provided in the salary schedule or policy. During the contract year, the board schedule or policy must remain in effect until changed or modified by the board. Additionally, the board cannot change the schedule or policy to reduce the salary of any teacher. A teacher's salary may be modified for any succeeding school year in accordance with the schedule or policy, but no teacher's salary may be reduced unless the new schedule or policy provides for a general reduction in the salaries of all teachers, see C.R.S. § 22-63-401(4). The law permits a reduction in salary if an individual's job classification is changed, the teacher is reassigned, or the teacher has been relieved of additional duties for which they received additional compensation, see C.R.S. § 22-63-401(3). It is advisable to consult legal counsel in such cases and whenever a change in the salary schedule or policy is contemplated.

Probationary Teachers and Non-renewal

A "probationary teacher" is a teacher who has not completed three consecutive years of demonstrated "effectiveness" or a non-probationary teacher who has two years of demonstrated "ineffectiveness", see C.R.S. § 22-63-103(7). That is, non-probationary status is earned after three consecutive years of demonstrated effectiveness; non-probationary status is lost after two consecutive years of less than effective ratings. Effective and ineffective, as well as partially effective and highly effective, are statutory terms that are defined by State Board of Education rules, see 1 C.C.R. 301-87.

A probationary teacher does not have the right to annual renewal of their teacher contract. The board of education has complete discretion when it reviews the annual contracts and decides which probationary teachers it wishes to re-employ, see C.R.S. §22-63-203. To preserve the concept of annual contracts, it is important that care be taken throughout board policies and procedures that no statements are made, either directly or indirectly, that would imply a probationary teacher's annual contract will automatically be renewed.



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

A probationary teacher who is notified of contract non-renewal may request and receive the reasons for non-renewal from the superintendent, see C.R.S. § 22-63-203(4)(b). Non-renewal may be based on any rational and bona fide cause or ground deemed sufficient and may not be based on the teacher's exercise of a constitutional or legally protected right. Given the technical requirements associated with non-renewal it is recommended that boards consult with legal counsel for guidance through the non-renewal process.

Dismissal Procedures

Dismissing a teacher is a complicated matter. Proceed only under the advice of legal counsel. It is important to distinguish between the terms "non-renewal" and "dismissal." As discussed above, "non-renewal" is the involuntary termination of employment of a probationary teacher by a board at the expiration of a specific contractual period; i.e., the process whereby the board takes appropriate action to establish that a probationary teacher shall not be re-employed for the following school year, see C.R.S. §§ 22-63-103(5), 22-63-203. "Dismissal" means the involuntary termination of employment of a non-probationary or probationary teacher for any reason other than a justifiable decrease in teaching positions during the school year while the teacher's annual contract is still in effect, see C.R.S. §§ 22-63-103(4), 22-63-301.

The legal grounds for dismissal of a teacher are physical or mental disability, incompetence, neglect of duty, immorality, unsatisfactory performance, insubordination, conviction of a felony (including acceptance of certain pleas or deferred sentence), or other good and just cause, see C.R.S. § 22-63-301.

TECDA provides specific procedures and timelines for teacher dismissals, see C.R.S. § 22-63-302. The superintendent should proceed with a teacher dismissal only under the direction and guidance of legal counsel. One can reasonably expect that the case will be challenged in court, alleging violations of TECDA's procedural requirements and/or on substantive grounds.



To initiate the dismissal process, the superintendent recommends to the board, at a board meeting, that the teacher be dismissed. Once the superintendent recommends dismissal, written notice of the intent to dismiss must be sent to the teacher. The teacher has the right to request a hearing before an impartial hearing officer. If the teacher does not request a hearing, the board may take action to dismiss the teacher at its next regular meeting or at a special meeting called for that purpose, see C.R.S. §§ 22-63-302(2)-(3).

The impartial hearing officer is to be selected jointly by the teacher and superintendent, with all expenses paid by the school district. The hearing shall be open to the public, unless either the teacher or superintendent requests a private hearing, but no findings of fact or recommendations shall be adopted by the hearing officer in any private hearing. The superintendent bears the burden of proof, meaning they are required to prove that the recommendation for the dismissal of the teacher was for the reason(s) given in the notice of dismissal and that the dismissal was in compliance with the law, see C.R.S. §§ 22-63-302(4)-(8).

The hearing officer recommends either dismissal or retention. The board reviews the hearing officer's findings and recommendation, and subsequently may order, in writing, that the teacher be dismissed, retained, or placed on probation for one year. If the board dismisses the teacher over the hearing officer's recommendation of retention, the board shall write a conclusion and reasons, which must be supported by the hearing officer's findings of fact. The teacher may appeal the board's dismissal by filing an action for review with the court of appeals, see C.R.S. §§ 22-63-302(9)-(10).

Subject to limited exceptions, the school district must continue to pay a teacher for up to 100 days after the dismissal recommendation has been accepted by the board for review. If a teacher's compensation is discontinued and the board ultimately takes action to retain the teacher, any compensation beyond the 100 days must then be paid to the teacher, see C.R.S. § 22-63-302(3). In addition, a teacher may be suspended temporarily during the contractual period until the date of dismissal as ordered by the board, see C.R.S. § 22-63-202(3).

The board may take immediate action to dismiss a teacher, without a hearing, when the teacher is found guilty of certain criminal offenses involving unlawful sexual behavior or sale of controlled substances, see C.R.S. § 22-63-302(11).



Reduction in Force

A board may cancel a teacher's employment contract during the contractual period if there is a justifiable decrease in the number of teaching positions, or a reduction in force (RIF).

Procedures for a RIF must be addressed in a contract between the board and employees, or in board policy, see C.R.S. § 22-63-202(3). Generally, a RIF occurs when there is a program change or a financial exigency to create a justifiable reduction in the number of teaching positions.

Boards must consider teachers' performance or merit, as reflected in their performance evaluations, when determining which contracts to cancel. Each school board's RIF policy or contract also must include consideration of length of service in the district and probationary and non-probationary status, but only after the consideration of merit and only if such consideration is in the best interest of students, see C.R.S. § 22-63-202(3).

Mutual Consent / Displacement

The concept of mutual consent affects school districts' ability to transfer non-probationary teachers who are displaced as a result of board action taken pursuant to a drop in enrollment, turnaround, phase-out, reduction in program, or reduction in building. Both the teacher and receiving school's principal must consent prior to the teacher's transfer. Mutual consent has limited application in smaller districts because the consent requirements only apply when a displaced teacher's transfer places them under the supervision of a new principal, see C.R.S. § 22-63-202(2)(c.5). Mutual consent is a complex process and districts should discuss these requirements with legal counsel before taking any personnel action.

Portability

Portability is a complex concept that allows a teacher to take their non-probationary status with them when the teacher is hired to teach in another school district so long as the teacher received an effective rating in two prior performance evaluations, see C.R.S. § 22-63-203.5. Portability took effect in the 2014-15 school year and could impact a district's hiring processes and decisions.

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



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

Portability is the right of the teacher; as such, a teacher may assert the right and provide appropriate documentation of their status, fail to assert the right, or voluntarily waive the right.

However, a 2021 Colorado Supreme Court case made clear that school districts cannot require teachers to waive their right to portability as a condition of employment. *Poudre Sch. Dist. R-1 v. Stanczyk*, 489 P.3d 743 (2021). As the issues regarding portability are complex, boards are encouraged to consult with local counsel on this issue.

Resignations

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

If an employee is dismissed or resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, which is supported by a preponderance of the evidence, the district also must immediately notify the CDE and provide any information requested concerning the circumstances of the dismissal or resignation. Furthermore, the district cannot enter into a settlement agreement that would restrict the district from sharing any relevant information pertaining to the employee related to a conviction for child abuse or a sexual offense against a child with the CDE or another school district related to the incident upon which the dismissal or resignation was based, see C.R.S. § 22-32-109.7(3).

Employee Rights

Public school employees are entitled to a range of legal protections that are often reflected in district policy and may significantly affect district operations and workplace culture. These rights are shaped by evolving legislation and case law, and school boards are encouraged to stay informed about any developments.

Public employees may engage in personal religious expression, provided it is not part of their official duties and is not coercive. In *Kennedy v. Bremerton School District* (2022), the U.S. Supreme Court held that a coach's quiet, personal prayer after a game was protected by the First Amendment. The decision marked a shift in how courts may interpret religious expression by school employees.

Employees retain First Amendment rights, though protections depend on the context. When speech occurs outside the scope of an employee's official duties, involves a matter of public concern, and does not cause substantial disruption, it is more likely to be protected. However, if the speech causes disruption in the school community or undermines student trust, the district may have grounds for disciplinary action. These situations can be highly fact-specific, and districts are advised to consult legal counsel when addressing employee speech issues. Employees have the right to a work environment free from unlawful discrimination and harassment. In Colorado, the POWR Act, enacted in 2021, expanded these protections by lowering the legal standard for bringing harassment claims and requiring updated policies and training. Boards should review current policies and procedures to ensure alignment with the POWR Act and to support a safe and inclusive workplace.



CHAPTER FIVE:

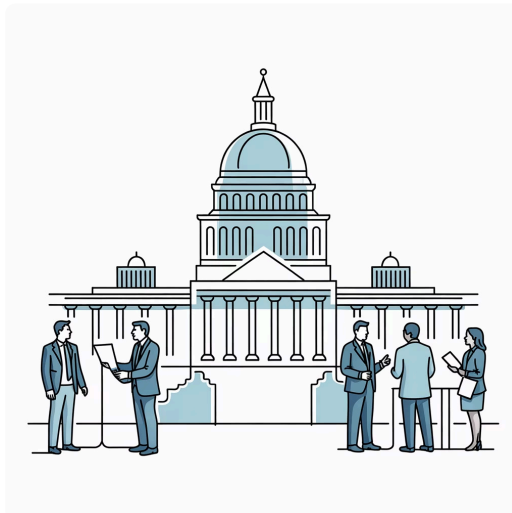
COMMUNITY LEADERSHIP

Communication with all Stakeholders

Through public advocacy and strategic engagement, school boards share their concerns and needs with legislators, public office holders, and the community.

5.1 WHAT IS ADVOCACY?

School board members are elected to represent their community. In order to adequately represent their communities, the role includes promoting legislation that would benefit students, teachers, administrators, and innovative practices in education. CASB members are strong voices for public education at the Colorado Capitol with the Colorado General Assembly and on Capitol Hill in Washington D.C. with the U.S. Congress, and the CASB advocacy team assists CASB members in making their voices heard.



5.2 LEGISLATIVE PRIORITIES

When legislative proposals concerning education are under development and up for consideration, CASB's advocacy team promotes the interests of local school boards and provides information, data, advice, and assistance to legislators on CASB members' behalf.

CASB members are involved in developing CASB's legislative priorities. The process begins during the annual Fall Delegate Assembly with the adoption of resolutions.

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

Some of CASB's resolutions are standing resolutions, which remain the same year to year and form the foundation of Colorado K-12 advocacy efforts. Several of CASB's standing resolutions are described below, and the remaining standing resolutions can be found on CASB's website.

PRESERVING LOCAL CONTROL

Local Control is a foundational constitutional principle concerning school boards and public education. Local Control refers to Colo. Const., Art., Section 15 of the Colorado Constitution, which vests school boards with authority over instruction within their districts and has been interpreted to afford boards significant discretion in matters of curriculum and personnel. The public school system in Colorado grew out of an intentional commitment to local control. Rather than establishing a centralized, state-administered system, Colorado's constitutional framers "... made the choice to place control 'as near the people as possible' by creating a representative government in miniature to govern instruction." *Owens v. Congress of Parents, Teachers and Students*, 92 P.3d 933, 939 (Colo. 2004). This choice was one that set Colorado apart. Only six states in the nation have a constitutional provision for local governance. See Colo. Const., Art. IX, Section 15.

Local control in Colorado is not a matter of personal political views, national trends, or public opinion; it is a matter of state constitutional law. Understanding what the state constitution means by "control of instruction" is an essential step toward understanding local school boards' roles in public education.

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

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

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

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

In sum and practically speaking, "local control of instruction" refers to the ability of individual school boards to make decisions on issues such as curriculum, personnel, budget, school calendars, graduation requirements, and classroom policy.



SECURING ADEQUATE AND RELIABLE FUNDING

An additional standing resolution is CASB's commitment to promoting legislation that will adequately fund Colorado's public schools. 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.

STUDENT ACADEMIC GROWTH

Several of CASB's standing resolutions address student academic growth and achievement. This is accomplished through promoting 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. Additionally, 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. Finally, CASB promotes any programs or legislation which will support school boards' constitutional authority to develop schools and programs to supplement current programs and ensure student access to diverse learning opportunities.

5.3 CASB ADVOCACY COMMITTEE

LEGISLATIVE RESOLUTIONS ADVOCACY COMMITTEE

The Legislative Resolutions Advocacy Committee (LRAC) is a dedicated group of CASB members appointed by the CASB board president. Committee members review and vote to determine CASB's positions on Colorado legislation related to K-12 education. The LRAC meets every other week during the General Assembly session. The resolutions adopted by the CASB Delegate Assembly inform and guide the LRAC's decisions. During the Delegate Assembly, members of the LRAC are available to answer delegates' questions and to offer insight into particular issues. The LRAC provides a great opportunity for CASB member involvement in the legislative process and as well as "boots on the ground" education in current state legislation.

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

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

5.4 ADVOCACY TOOLS AND TIPS

ADVOCACY BEGINS AT HOME

School board members advocate for local schools by working with their legislators. School board members can request certain policy changes, inform legislators about issues in their community, and provide input on legislation if the legislator introduces a bill. To build meaningful connections with legislators, school board members should invite legislators to visit local schools to see first-hand how state policies affect students, teachers, and administrators.

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

Legislators are more receptive to invitations outside legislative session (from June to December). This does not mean that once the General Assembly session begins in January, legislators no longer communicate with constituents. In fact, the CASB advocacy team offers several ways to work with legislators during the legislative session.



CASB Days at the Capitol

- Through CASB's Days at the Capitol program, CASB members can visit and tour the capitol, view the senate or house in session, and meet with their legislators. Significant numbers of CASB members attend Days at the Capitol every year, in February during the legislative session.
- The program includes a separate day for students offering tomorrow's leaders an opportunity to observe and engage in the political process up close and personal.

CASB Advocacy Tips

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



The School Board Advocate is published twice a month during the General Assembly session from January to May and once a month from August to November.



The CASB Bill Tracker is available online and updated daily while the General Assembly is in session.



The CASB advocacy team hosts monthly electronic legislative updates while the General Assembly is in session.



The CASB advocacy team hosts legislative wrap-up meetings around the state following the completion of the session.

Stay connected with legislators:



Follow state and federal legislators on Facebook, Twitter, Instagram, and any other social media platforms they utilize.



Interact with legislators utilizing personal or district social media accounts.

5.5 FINANCE

Citizens of a school district expect a school board to be efficient in the operation of their schools, to be accountable for use of the district's money, and responsible for protecting public assets. This chapter provides an overview of school funding and budgeting processes.

UNDERSTANDING LOCAL/STATE SHARE OF SCHOOL FUNDING IN COLORADO

Every district calculation begins with a per pupil amount, called the base amount, which must increase by inflation each year.

Base Amount for 2025-26: \$8,691.80

The base is run through a formula that considers economies of scale and additional costs needed to educate every student.

Total Program Funding is different for every district due to:

District Characteristics

- District Size
- Cost of Living
- Personnel Costs

Student Characteristics

- At-Risk Students
- English Language Learner

Budget Stabilization Factor

Applied between 2009-2023 in order to reduce Total Program Funding amount. This factor has not been applied in the last two years of the School Finance Act.

Local Share of Total Program Funding

Once the district's Total Program Funding is calculated, the local share of funding is determined.

- Local property taxes make up the majority of local share
- All local property taxes stay local
- The majority of school districts are not able to reach their Total Program Funding calculation through local share alone

State Share of the Total Program Funding

The state backfills the difference between the Total Program Funding calculation and the local contribution. This amounts to the district's state share.

- This equalization allows each district to receive its Total Program Funding amount regardless of the amount of local taxes raised.
- Since 2009-10, the state has not been able to meet its obligation to backfill districts to meet their Total Program Funding. The Budget Stabilization Factor tracks the shortfall in state share.

Categorical Funding



Special Education



Vocational Education



Transportation



Gifted & Talented



English Language Proficiency



Career and Technical Education

These programs are funded adequately even with the categorical allocations.

Statewide Local/State Share

The state/local share varies widely across school districts because of factors such as each district's own property wealth and residential mix vary significantly.

2025-26 Share:

- **Local Sources: 45.5%**
- **State Sources: 54.5%**

Total: \$10.03 billion

PUBLIC SCHOOL FINANCE ACT OF 1994

The Public School Finance Act of 1994 is the primary mechanism for allocating state funding to Colorado school districts. Updated annually to set funding amounts, the Act includes a formula to calculate the Total Program Funding each district receives, see C.R.S. § 22-54-101 et seq. State and local funding is distributed on a per-pupil basis. Each district's per pupil funding amount includes a base per pupil amount set by statute, and additional funding based on district-specific factors such as cost of living, the number of at-risk pupils, and district size. This additional funding of the factors is designed to ensure that each school district has the resources to provide an adequate educational opportunity to every student regardless of local property values.

In 2000, Colorado voters passed Amendment 23, adding Colo. Const. Art. IX, Section 17, to the state constitution. Amendment 23 was intended to provide stability and predictability in school funding. It requires that the base per-pupil funding increase each year at a rate no less than inflation and that total funding for categorical programs, such as special education and transportation, also increase annually by at least the rate of inflation.

However, beginning in the 2009–10 school year, the legislature began applying what became known as the Budget Stabilization Factor to reduce total school funding below what the formula would otherwise require. This step was taken in response to a sharp drop in state revenue during the Great Recession. The budget stabilization factor effectively withheld a portion of the funding generated by the formula's factors. In 2015, the Colorado Supreme Court upheld this practice in the case of *Dwyer v. Colorado*, holding that Amendment 23 only guaranteed inflationary increases to the base funding amount, not to the full amount calculated by the school finance formula.

As a result, the legislature retained broad discretion to determine school funding levels beyond the base amount, as long as the base is adjusted for inflation. Over the next decade, the Budget Stabilization Factor amounted to billions of dollars in withheld funding. By fiscal year 2020–21, it reached a high of approximately \$1 billion.

After years of advocacy from the education community, the legislature eliminated the Budget Stabilization Factor in the 2024 School Finance Act. This marked a significant milestone in efforts to restore education funding. However, the impact of over a decade of underfunding remains. The state still faces the challenge of making up for lost ground, especially as inflation continues to erode purchasing power, and Colorado continues to rank relatively low in national per-pupil funding comparisons.

Colorado's school finance system has also been shaped by two major constitutional provisions: the Gallagher Amendment (Gallagher) and the Taxpayer's Bill of Rights (TABOR). Gallagher Amendment was adopted in 1982 and repealed in 2020, limited the growth of residential property tax revenue by adjusting assessment rates. TABOR, adopted in 1992, restricts the amount of revenue state and local governments may collect and spend without voter approval, and it imposes a wide range of limits on government fiscal policy.

Together, Gallagher and TABOR significantly eroded the local property tax base for school funding. When TABOR was adopted, the state and local share of school finance was roughly equal. By around 2020, local taxpayers covered about 39 percent of school funding, while the state general fund covered about 61 percent. This shift increased pressure on the state budget to backfill declining local revenue. Gallagher and TABOR also caused mill levies to fall in high-growth, high-wealth districts while remaining high in lower-wealth, slower-growth districts, further exacerbating inequities. In addition, because of TABOR's revenue caps, total revenue collected by state and local governments has not kept pace with the growth of Colorado's economy.

Beyond immediate funding issues, policymakers and education advocates have long raised concerns about whether the existing school finance formula equitably addresses the needs of students and districts. In response to these concerns, the legislature passed House Bill 24-1448 in 2024, which enacts a major overhaul of the school finance formula. This legislation was designed to better allocate funding based on the needs of individual students and to reflect more current data on student populations.

Colorado House Bill 24-1448 introduces a new school funding formula that adjusts funding more precisely according to student characteristics, such as poverty, English language proficiency, and special education status. The legislation builds on previous efforts to reform the at-risk pupil funding factor, which had been proposed in 2022, postponed in 2023, and reintroduced with refinements in 2024. The new formula also includes a separate factor for English language learners and incorporates updated data to more accurately measure student needs across districts. The new funding formula is being phased in over several years, and further changes are possible as implementation continues.

The total amount of funding a district receives through the School Finance Act, combining both state aid and local property tax, is referred to as Total Program Funding. The practice of using both state and local revenue helps offset large disparities in the ability of local districts to generate funding from property taxes. For the most up-to-date information, the Colorado Department of Education provides ongoing updates on the implementation of the new formula and school finance data. The most recent changes to the School Funding Formula as a result of HB 25-1320 can be found in the Total Program Fact Sheet prepared by the Colorado Department of Education:

(<https://www.cde.state.co.us/cdefinance/totalprogramfundingfactsheet>)

Additionally, the [Colorado School Finance Project](https://cosfp.org/) (<https://cosfp.org/>) offers many helpful resources and documents, including individualized worksheets for each district that share funding information under the new school finance formula.

SOURCES OF REVENUE

The state's contribution to a district's funding comes mostly from state income and sales taxes, which are primarily deposited in the state General Fund. State aid, allocated annually through the School Finance Act, is the primary source of state revenue for school districts. Most of the remaining state revenue is used to fund categorical programs, which include special education, English language proficiency education, gifted and talented education, small attendance centers, transportation, and vocational education.

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



LOCAL REVENUE AND MILLS

Local tax rates against property are always computed in mills. A mill is one one-thousandth of a dollar of taxable value (.001). For example: One mill produces \$1 in tax income for every \$1,000 of the assessed (taxable) value of the property it is levied against. A mill levy of one mill could also be stated as a local property tax rate of .1% against the taxable (assessed) value of property. Taxes are paid on the assessed value of the property and mill rates vary from about 2 to 27 mills at the local level. The example below demonstrates several scenarios based on various mill levy rates.

STATE SHARE

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

SCHOOL BUILDINGS AND GROUNDS

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

Colorado law authorizes boards of education to determine the location of public schools and erect necessary buildings and structures, see C.R.S. § 22-32-110(1)(b). Major construction projects are generally financed by the sale of bonds, but boards sometimes finance lesser projects using capital reserve funds or other funding arrangements.

FUNDING OF CAPITAL CONSTRUCTION PROJECTS

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

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

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

Districts with the most immediate health and safety needs as a result of the poor condition of their buildings are the top priorities for supplemental assistance from the state. Utilizing district matches and financing for increased project dollars, BEST has funded \$3.3 billion in projects. BEST has improved health, safety, and security in more than 525 schools, improving the learning environment for at least 325,000 students. At this time, limited funds are available through BEST, but additional funds may be available at some time in the future. Most school districts still must rely primarily on traditional sources of funding for school construction or other creative local solutions to meet their needs.



BONDED INDEBTEDNESS

Bonded indebtedness may be incurred only to:



Acquire or purchase buildings or grounds.



Remodel or add to any school building.



Construct school buildings.



Equip or furnish school buildings, in conjunction with building, adding to, or remodeling a school building.



Improve school grounds.



Fund floating indebtedness.



Acquire, construct, or improve a capital asset.



Support charter school capital construction or the charter schools' land and facilities needs.



Construct a building to lease to a state institution of higher learning.

Creating bonded indebtedness must be approved at an election, which can only be held in November each year. The process of incurring bonded indebtedness is complex and will require the assistance of competent fiscal agents and bond counsel, see C.R.S. § 22-42-102.

Planning for New Buildings

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

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

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

CHARTER SCHOOL FUNDING

Charter schools authorized by a local school board are funded from the local school district's budget, see C.R.S. §§ 22-30.5-112, 22-30.5-112.3. The exact level of funding will be set in the authorizing contract between the local board and the charter school. However, funding levels for a charter school also are tightly regulated by statute. In general, a charter school will receive for each student 100 percent of the school district's per pupil funding, less amounts negotiated to be retained by the school district for administrative costs for services provided by the district to the charter school. In most cases, those administrative costs cannot exceed five percent of the per pupil funding received by the charter school, and cannot exceed 15 percent for charter schools in districts with 500 or fewer pupils. There are special rules for online charter schools.

Each time the school district decides to submit to local voters a request to approve either a mill levy for additional operating revenues or a bond issue for school district capital needs, the board must include charter schools in the district in the planning process.

Boards are encouraged to include funding for the capital needs of the charter schools in the district's question, and charter schools may request this of the board. However, the board is not required to include charter schools in a revenue or bond question submitted to the voters, but if it does not include charter schools it must provide to the charter schools the reasons for its denial, see C.R.S. § 22-30.5-401 et seq.

Additionally, school districts that collect revenue from mill levies in addition to the total program mill levy and that also authorize an innovation school or a charter school must either:

- adopt a plan or policy for distributing mill levy override revenues to all the district schools, including charter schools, for the benefit of specified groups of students enrolled in the school district; or
- distribute 95% of the per pupil amount of the revenue to the innovation schools and charter schools of the school district (per pupil distribution), see C.R.S. § 22-32-108.5.

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

UNIVERSAL PRESCHOOL FUNDING

In 2020, Colorado voters approved Proposition EE to provide state-funded voluntary preschool services for every child in the year before they are eligible for kindergarten, known as the Colorado Universal Preschool Program (UPK), see C.R.S. § 26.5-4-201 et seq. The enacting legislation also created a new state department, the Colorado Department of Early Childhood (CDEC), which is responsible for implementing the program. Previously, Colorado funded preschool services for some high-risk children through the now-discontinued Colorado Preschool Program.

UPK began in the 2023-2024 academic year. It was established to provide high-quality, voluntary, preschool programming to children throughout the state. The program is a mixed delivery system, meaning families select an appropriate setting for their child, such as licensed community-based, school-based, or a home-based preschool setting, and are matched with an appropriate provider. UPK is available to all children in the year preceding eligibility for kindergarten and provides additional preschool services for children who are in low-income families or who meet identified qualifying factors.

UPK is funded through Proposition EE, state funding that was previously appropriated through School Finance, and additional General Funds. All funding is consolidated within the Preschool Program Cash Fund with distributions out of it being made in strict accordance with the prioritization schemes that state law provides. The prioritization

requirements are intended to ensure that all eligible children with disabilities are funded at the number of hours determined by their IEP, and all eligible 4-year-olds are funded at a minimum of 10 hours a week.

Funding for the program is distributed directly to participating school districts and private providers. In turn, school districts and private providers can subcontract with Administrative Units to provide preschool services to both general and special education students.

A preschool provider that receives any amount of UPK funding distributed by CDEC can only use the funds to pay the costs of providing preschool services directly to eligible children enrolled by the preschool provider or by a subcontracted preschool provider, see C.R.S. § 26.5-4-208(5).

UPK dollars can be used to cover the following general education and special education costs:



Teacher and paraprofessional salaries and benefits;



The cost of providing to teachers and paraprofessionals any professional development activities associated with the preschool services;



The costs incurred in purchasing supplies and materials used in providing the preschool services;



Any additional costs that a preschool provider would not have incurred but for the services provided in conjunction with the preschool services; and



A reasonable allocation of overhead costs.

More details regarding the UPK program process, funding for UPK, and the prioritization schedule can be found on CDEC's website, as the details are subject to change due to funding, enrollment projections, and the specific location of the program.

HEALTHY SCHOOL MEALS FOR ALL PROGRAM

In 2022, the Colorado General Assembly established the Healthy School Meals for All Program to expand student access to school nutrition services. The program provides free meals to all students enrolled in participating districts, regardless of income level.

To participate, a district must take part in the federal National School Lunch Program or School Breakfast Program. Federal funds are used to cover the cost of meals for eligible students, and the state reimburses districts for any remaining expenses not covered by federal programs. Participation is optional, but districts must submit an annual notice of participation to the Colorado Department of Education.

Additional information is available on [CDE's website](https://www.cde.state.co.us/nutrition/healthy-school-meals-for-all-program) (<https://www.cde.state.co.us/nutrition/healthy-school-meals-for-all-program>).

5.6 ACCOUNTING FOR DISTRICT FUNDS

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

General Fund

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

Bond Redemption Fund

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

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

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

Capital Reserve Fund

The board determines the amount to be maintained in its capital reserve fund. Money received from gifts, donations, and tuition receipts also may be deposited in this fund. The money in this fund may be accumulated from year to year and used when needed. Expenditures are limited to long-range capital outlay expenditures and may be made only for the following purposes:

- Acquisition of land; improvements, construction of structures, or addition to existing structures; and acquisition of equipment and furnishings.
- Alterations and improvements to existing structures.
- Acquisition of school vehicles or other equipment.
- Any installment purchase agreement or lease agreement with an option to purchase for a period not to exceed 20 years and any lease agreement without an option to purchase.
- Any software licensing agreement.
- Acquiring computer equipment.



The board, through adoption of an appropriate resolution, must authorize expenditures from the fund. The law requires that the resolution specifically set forth the purpose of the expenditure; the estimated total cost of the project; the location of the structure to be constructed, added to, altered, or repaired; a description of any school vehicles or equipment to be purchased; and where such equipment will be installed. It is advised that boards look closely at the detailed provisions of the law before authorizing capital reserve fund expenditures.

Special Building and Technology Fund

A board can call a special election to ask the voters for authority to set a mill levy for a special building and technology fund. Expenditures from the special building and technology fund are limited to acquiring land; acquiring or constructing structures; maintaining structures to enhance their function, protect their value, and extend their economic life; and the purchase and installation of instructional and informational technology, including expenditures for software and staff training related to the new technology. The board, through adoption of an appropriate resolution, must authorize expenditures from the fund. Any money in the fund that have not been authorized for expenditure within three years after being recorded in the fund shall revert to the capital reserve fund.

Risk Management Reserves Fund

Money allocated by state law for risk management, including insurance, shall be recorded in a fund solely for the management of risk. Unencumbered money in this fund may be transferred to the capital reserve fund or to any other fund established solely for the management of risk-related activities by action of the board.

Transportation Fund

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

Full-Day Kindergarten Fund

The revenues from a tax levy for the purpose of paying excess full-day kindergarten program costs shall be deposited in the full-day kindergarten fund of the district.

Expenditures for the fund are limited to payment of excess full-day kindergarten program costs, as authorized in the district's budget. Any money remaining in the fund at the end of any fiscal year must remain in the fund and be used to reduce the levy for excess full-day kindergarten program costs in future years.

The revenues from a tax levy to meet capital construction needs associated with a district's full-day kindergarten program shall be credited to the capital construction account in the district's full-day kindergarten fund. Money in the account must be used to meet the district's capital construction needs associated with the full-day kindergarten program and may not be expended by the district for any other purpose. Any money remaining in the account at the end of the fiscal year must remain in the account and may be budgeted in the next fiscal year.

Supplemental Capital Construction, Technology, and Maintenance Fund

The revenue from a tax levy for the purpose of providing ongoing cash funding for the capital construction, new technology, existing technology upgrades, and maintenance needs of a school district, and no other money other than interest and income credited to the fund, must be deposited in the supplemental capital construction, technology, and maintenance fund of the district. The board may expend money from the fund only for the purposes of providing cash funding for the aforementioned reasons.

Total Program Reserve Fund

The board must deposit the property tax revenues that it collects from a tax levy imposed pursuant to C.R.S. § 22-54-107(5) in the total program reserve fund of the district. The board may expend money from the total program reserve fund only to offset the amount of a reduction in the district's state share caused by application of the budget stabilization factor (BSF); except that, in a budget year in which the board levies for its total program the number of mills calculated pursuant to C.R.S. § 22-54-106(2)(a)(II), if the balance of the total program reserve fund exceeds an amount equal to the district's total program for that budget year multiplied by the BSF calculated pursuant to C.R.S. § 22-54-104(5)(g) for that budget year, the board may expend the amount of the excess balance. Any money remaining in the fund at the end of a fiscal year must remain in the fund and may be used in future years only for the reasons stated here.



5.7 THE BUDGET

The annual budget is the financial plan for the operation of the school system. It provides the framework for both expenditures and revenues for the year and future years and translates into financial terms the district's educational programs and objectives of the district.

Colorado school districts are required to operate on a July 1 to June 30 fiscal year. Board members should become familiar with state law relating to school district budgets, see C.R.S. § 22-44-101 et seq.

Budget Adoption Process



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

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

It is a board's responsibility to review the proposed budget in open session, make such changes as it may deem necessary, and adopt a budget and appropriation resolution prior to the end of the fiscal year. After adoption of the budget, a board may review and change the budget with respect to both revenues and expenditures at any time prior to January 31 of the fiscal year for which the budget was adopted. If money for a specific purpose other than property taxes becomes available to meet a contingency after January 31, a board may adopt a supplemental budget for expenditures not to exceed that amount, see C.R.S. § 22-44-110. Once adopted, the budget becomes the plan and legal authority for receiving and spending money.

Appeal for Revenue Increase

Total program funding received by a school district may not exceed the amount of total program funding allowed under the School Finance Act unless a board holds a successful election to seek additional funds in November, either in conjunction with the general election or the regular school biennial election, see C.R.S. § 22-54-108.

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

FINANCIAL ACCOUNTING

The law requires school district financial records to be kept in accordance with generally accepted principles of governmental accounting. Appropriate entries from the adopted budget are made in the records for the respective funds, see C.R.S. § 22-45-102.

A board has the responsibility to oversee the district's fiscal affairs. State law requires that a board receive a quarterly financial report for the general fund and on any other funds in accordance with the board's request. More frequent reports can be requested so a board can fulfill its trustee responsibilities. The quarterly report must include several comparisons so a board can review the current state of revenues and expenditures, see C.R.S. § 22-45-102. All financial and audit reports are public records.

CASH FLOW LOAN PROGRAM

Upon application by a school district and approval by the state treasurer, any school district may participate in an interest-free loan program. The program is designed to mitigate the impact of collecting property taxes at the end of the fiscal year rather than at the beginning. This law allows the state treasurer to issue tax and revenue anticipation notes for school districts. Payments of principal on the notes will be made from property taxes as those revenues are received by the school district, see C.R.S. §§ 22-54-110, 29-15-112.



FINANCIAL ACCOUNTING AND REPORTS

The board may decide to have the district's money received and disbursed through the office of the county treasurer, or it may elect to have district money received by the county treasurer paid over to the treasurer of the district. The law requires the county treasurer to provide an itemized statement of account not later than the 10th day of each month, see C.R.S. § 22-45-108.

School districts are also required to post financial information online in downloadable format and to link to CDE's website where additional district reports may be found, see C.R.S. § 22-44-301 et seq.

CREATING DEBT

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

The Colorado Constitution provides that a political subdivision (which includes a school district) cannot incur any multiple-year fiscal obligations or contract a general obligation debt by loan in any form unless the debt is approved by the voters. Colo. Const., Art. X, Section 20. Generally, debt is not created by an obligation that can be met out of current district revenues (within one year's budget) or by an obligation that does not obligate payments out of future revenues. Under Colorado law, discretionary or contingent obligations in future years do not constitute debt.

INSTALLMENT PURCHASE

State law requires the district to submit any installment purchase or lease agreement to a vote of the people when the repayment obligations in the agreement extend beyond one year. This same restriction applies to expenditures from the capital reserve fund for an installment purchase or lease agreement with an option to purchase for a period exceeding one year and not to exceed 20 years, see C.R.S. § 22-45-103(1)(c)(II.5).

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



Top 10 Things to Get Right When Developing Your Budget

- 1** — Hold the public hearings required by law and adopt the budget by the deadline.
- 2** — Remember to certify your mill levy to the county by the deadline.
- 3** — Only use a portion of fund balance you have actually "realized" (accounted for).
- 4** — Use one-time only revenue once (non-recurring vs recurring).
- 5** — Identify and address anything that is small now but will be bigger next year or in future years.
- 6** — Estimate revenue accurately and realistically.
- 7** — Budget for cost increases related to contracts and agreements.
- 8** — Adopt a budget with an adequate contingency for unexpected surprises.
- 9** — Collaboratively involve key stakeholders in the development of the budget.
- 10** — Use an enrollment forecast that you have confidence in.



THE BOARD'S RELATIONSHIP WITH ITS AUDITOR

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

School boards are required to provide for an annual audit of the district's financial statements for each fiscal year, pursuant to the Colorado Local Government Audit Law, see C.R.S. § 29-1-601 et seq. The audit must be conducted in accordance with generally accepted auditing standards by a certified public accountant licensed to practice in Colorado. The auditor must ensure that a school district is complying with the Financial Policies and Procedures Handbook adopted by the State Board of Education. The audit must be completed not later than five months after the close of the fiscal year and, in fact, school boards may at their own discretion require more frequent intervals for audits, whether they are comprehensive in nature or on specific programs, see C.R.S. § 29-1-606. The audit report must contain a report of receipts and expenditures of each fund, and must be filed with the state auditor in accordance with the timeline set out in state law, see C.R.S. § 29-1-603.

The overall responsibility for the review of the financial affairs and reporting to the public at large is one of the most important roles of a school board. The audit serves several important purposes. It attests to the accuracy of the financial reporting and fiscal status of a district. It also provides an opportunity for a board and staff to find new and improved ways of doing business.

After reviewing a district's records and verifying the accuracy of the financial numbers for the prior year's activity, the work of a board and its auditor is just beginning. The next steps should include:

- A presentation of the results of the audit to the board in public session. This can involve a frank conversation with the auditor either at a public board meeting or at a public work session. Discussion topics would include areas that are being managed well, as well as concerns or areas where the district might benefit from additional improvements. To generate a good dialogue with the auditor, each board member should review the management letter to the board of education and the audit document itself. Being prepared for this important discussion means being prepared to ask good questions.

- A discussion with the staff on what the next steps will be to address any issues presented by the auditor.
- Formal acceptance of the annual fiscal year audit during a regular board meeting.
- Perhaps the most important function a board can perform in relation to the audit is asking good questions during the auditor's presentation to the board. Questions from the board to its auditor need not be technical, and, in fact, often serve the public, fellow board members and the staff better by being of a more practical nature.

Questions Posed to the Auditor Could Include:

- **How would you describe the overall financial condition of the district?**
- **Did your plan to audit the district's financials change in any way? If the plan changed, why did it change?**
- **Did you encounter any difficulties in dealing with management in performing the audit?**
- **Were the financial statements completed in a timely manner by management?**
- **During the audit, were there any significant deficiencies or material weaknesses in internal controls that came to the forefront and need to be addressed?**
- **What opportunities does the district have to improve its financial record keeping?**

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



CHAPTER SIX:

BUILDING BETTER BOARDS

CASB exists so that Colorado students benefit from leaders who govern with expertise, confidence, and collective strength.



A Message to School Board Directors

Dear School Board Directors,

I trust that you have enjoyed this Leadership Guidebook and found the information beneficial for leading your school district. Although there is a lot of information contained in the previous chapters, the most important resource you have at your fingertips is your school district board policy manual. Your policy manual is the definitive source for everything that occurs in the school district and how the school board communicates its expectations to students and the community.

Second to your policy manual, this Leadership Guidebook is simply that, a guide to help you step into your role as a locally elected public official. The information contained in this Leadership Guidebook provides a structure for your work and helps you with vision setting, developing relationships, enacting policy, and advocating for students and your communities.

By virtue of your position, you are shaping the future for students, and you bring your expertise, knowledge, passion, and caring to this honorable work. You certainly could not have known everything that is required of a school board director, but you also brought a willingness to serve and learn. This chapter is structured by the values you bring to your role: your confidence to lead, your expectation for accountability, your stewardship of district resources, and your commitment to Boardmanship (the act of governing effectively).

You may have noticed in the other chapters of this Guidebook that CASB can provide resources and support for everything you do as a school board director. In this chapter, we define more clearly the ways that we can support you.

I am certain you do not hear it enough, but **thank you** for stepping forward, placing your name on the ballot, or simply saying "yes" to volunteering to serve your community. You have accepted a vitally important role for students and the future of Colorado.

Please do not hesitate to reach out to me or someone at the CASB offices whose desire is only to serve you as you lead your school district.

With sincere gratitude and respect,

Jubal C. Yennie, Ed.D.

Executive Director



CASB's Foundational Commitments

The Colorado Association of School Boards (CASB) empowers local boards of education through four foundational commitments that drive excellence in governance and student achievement across our state: **Confidence, Accountability, Stewardship, and Boardsmanship**. With these foundational commitments, "CASB" delivers the resources and expertise to support school board leaders. Every resource, service, and program we offer is designed to strengthen your capacity to lead with purpose and impact. Whether you're a new board member or a seasoned leader, CASB provides the tools, expertise, and support you need to govern effectively and keep student success at the center of every decision.



Confidence

Equipping Leaders to Lead with Competence and Effectiveness

Accountability

Demonstrating Collective Value through High Performance

Stewardship

Earning Public Trust Through Policy Excellence for Student Success

Boardsmanship

Governing with Leadership Mentality

6.1 CONFIDENCE: Equipping Leaders to Lead with Competence and Effectiveness

CASB ensures you have the knowledge, skills, and resources to govern with confidence. From your first day on the board through years of service, we provide comprehensive support that transforms uncertainty into expertise. Here are some of the services we provide:

New Board Member Onboarding

Starting strong matters. CASB's comprehensive onboarding services include:

- Online Boardsmanship Learning Platform—a five-part introduction to effective leadership and governance
- New Board Member Track at the Annual Convention – Designed specifically for new members to build foundational governance knowledge
- New Board Member Handbook – Your essential guide to board service and responsibilities
- New Board Member Café – Monthly virtual roundtable connecting you with fellow new members and experienced mentors
- Customized District Orientation – Personalized support tailored to your district's unique context and needs

Year-Round Professional Development

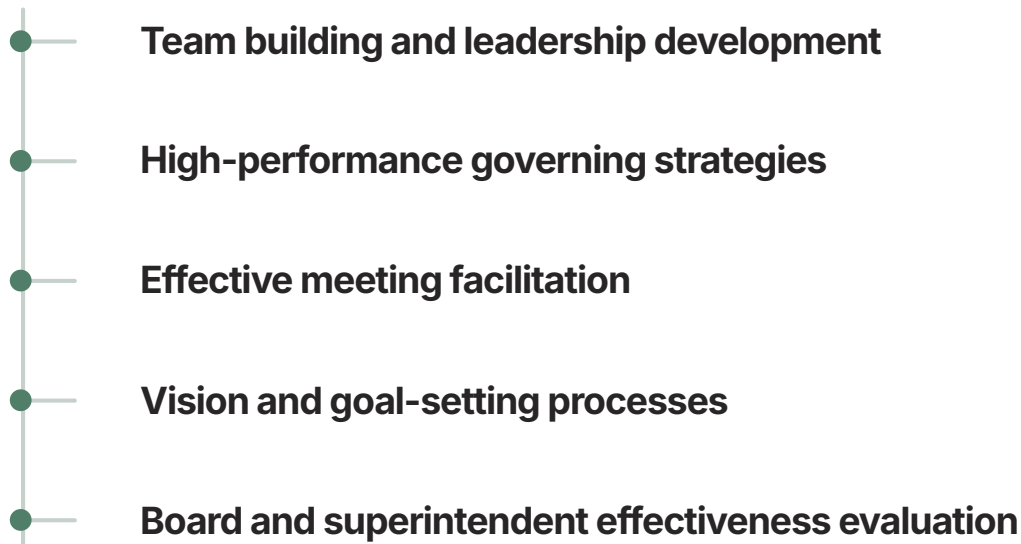
CASB believes local school districts can only be as good as the quality of their leadership. We offer multiple opportunities throughout the year to strengthen governance skills:

- Annual Convention – Colorado's largest gathering of school board leaders featuring national speakers, statewide education initiatives, and networking with peers across the state
- Fall Conference and Delegate Assembly – Professional development sessions combined with critical direction-setting for CASB's statewide advocacy
- Winter Legislative Conference – Direct engagement with state legislators and firsthand experience of the legislative process

- Fall Regional Meetings – Connect with neighboring districts in all 13 CASB regions to share challenges and success stories
- Monthly Virtual Cafés – Specialized roundtables for rural board members, board presidents, mountain resort communities, and key district staff

Custom Board Effectiveness Services

CASB consultants provide tailored workshops and retreats for continuous improvement at every experience level:



On-Demand Learning Resources

Access expertise whenever you need it:

- CASB Boardsmanship Online Learning Platform
- CASB Connections Podcasts – Expert conversations on advocacy, governance, legal issues, equity, mental health, and more
- CASB Conversations Webinars – Interactive learning on emerging topics in public education
- Leadership Guidebook and Resource Library – Comprehensive materials available anytime at casb.org
- Unlimited Phone and Email Support – Direct access to CASB experts whenever questions arise



6.2 ACCOUNTABILITY: Demonstrating Collective Value through High Performance

CASB delivers measurable value that extends far beyond individual district capabilities. Through collective strength, shared expertise, and strategic services, CASB helps boards maximize their effectiveness.

Collective Membership Value

CASB membership delivers exceptional return on investment through services included in dues and customized solutions offered at rates far below market value:

- Unlimited access to policy, legal, and governance consultants
- Statewide advocacy and lobbying representation
- Professional development at member rates
- Legal updates, policy alerts, and legislative tracking
- Network of peer districts for shared learning and problem-solving



Superintendent Search Services

Finding the right superintendent is one of the most critical decisions a board makes. CASB partners with professional superintendent search services to provide:

1

Comprehensive search process management from start to finish

2

Access to qualified candidates across Colorado and beyond

3

Community engagement strategies to ensure stakeholder input

4

Professional facilitation of interviews and selection processes

Strategic Planning Capabilities

Effective governance requires clear direction and measurable goals. CASB consultants facilitate strategic planning processes that:



Engage stakeholders in creating shared vision and goals



Align board priorities with community values and student needs



Establish accountability measures and progress monitoring systems



Build board capacity for continuous improvement and adaptive leadership

Executive Coaching Services

Strong superintendent-board relationships drive district success. CASB's executive coaching services support superintendents and boards with:



One-on-one Coaching

For superintendents navigating complex challenges.



Team Development

Board-superintendent team development and relationship building.



Leadership Transition

Support for new superintendents.



Strategic Planning

Facilitation and implementation support.



6.3 STEWARDSHIP: Earning Public Trust Through Policy Excellence for Student Success

As stewards of public education, boards hold fiduciary responsibility for their communities and set expectations for their communities. CASB provides the policy and legal expertise necessary to govern wisely, comply with law, and keep student success at the heart of every decision.

Comprehensive Policy Services

CASB offers an unparalleled menu of policy services designed to promote effective governance and ensure legal compliance:

Member Policy Benefits

Unlimited phone and email consultations with policy experts

Sample policies on individual topics upon request

Individual policy review and feedback

Policy manual audit service (spot-check for legally required policies with feedback on organization and format)

Custom Policy Solutions

Fee-based services ensure your policy manual remains relevant and complies with current law:

- Policy Support Service – CASB Core Policy Online database with searchable sample policies and regular policy update newsletters tracking legislative and regulatory changes
- Online District Policy Manual Service – Transform your policy manual into a user-friendly online format, with CASB hosting and performing all updates

- Policy Manual Overhaul Project – Comprehensive manual revision to reflect local practices and legal requirements
- CASB Core Sample Policy Package – Attorney-reviewed comprehensive policy manual including all legally required policies
- Policy Manual Re-coding Project – Reformat existing policies to current NEPN/NSBA coding system
- Policy Governance® Service – Comprehensive facilitation for boards implementing the Policy Governance model

Expert Legal Resources

CASB's legal team provides general legal information to member boards as a core membership benefit—at no additional charge, no matter how often you use these services:



Direct Legal Correspondence

Direct correspondence on legal questions affecting board governance



Legal Memos and Resources

Legal memos and resource documents on issues affecting school districts (COML, CORA, non-renewal process, elections)



Regular Updates

Regular updates on court decisions and legislative changes



Legal Seminars

Legal seminars and training for board members and administrators



Sample Policy Development

Sample policy development supporting legislative and judicial requirements



Amicus Curiae Briefs

Amicus curiae briefs supporting districts on issues of statewide importance



Task Force Participation

Participation in task forces and committees to influence education policy development

Legislative Leadership and Advocacy

CASB advocates tirelessly for local school boards and public education:



Advocacy and Community Engagement

Effective stewardship requires strong community connections. CASB provides tools and resources to help you:



Engage Parents and Community

Engage parents and community members in supporting public education



Communicate Effectively

Communicate board priorities and district achievements effectively



Build Public Support

Build public support for education initiatives and funding



Amplify Student Voice

Amplify student voice in governance and decision-making through student programming at the annual conference and Days at the Capitol



Your Voice Matters: CASB ensures that local school boards have a powerful collective voice in shaping education policy at the state and federal levels. Through strategic advocacy and community engagement, we help you build the support necessary to advance student success.

6.4 BOARDSMANSHIP: Governing with Leadership Mentality

Boardsmanship represents the skills, knowledge, and mindset that school board members need to work together effectively and ensure competent governance. CASB has developed a comprehensive framework for building and sustaining these essential leadership capabilities.

The Boardsmanship Framework

Effective governance requires more than individual competence—it demands collective excellence. Boardsmanship encompasses:

Understanding Roles

Understanding roles and responsibilities within the governance structure

Transparent Communication

Communicating transparently with stakeholders

Visionary Leadership

Leading with vision while maintaining accountability



Building Trust

Building trust and effective working relationships among board members

Strong Partnerships

Developing strong board-superintendent partnerships

Student-Focused Decisions

Making decisions focused on student outcomes rather than adult interests

Continuous Learning

Engaging in continuous learning and professional growth

Boardsmanship Throughout Your Journey

CASB integrates Boardsmanship principles across all our programs and services, providing multiple opportunities to develop these essential leadership capabilities:



Annual Convention

Annual Convention sessions featuring Boardsmanship concepts and practical applications



Leadership Workbooks

Leadership Workbooks incorporating Boardsmanship scenarios and reflection exercises through the Boardsmanship Online Learning Platform



Effectiveness Workshops

Board effectiveness workshops focused on team dynamics and governance excellence



Cafés & Meetings

Monthly cafés and regional meetings reinforcing Boardsmanship practices



Podcasts & Webinars

Podcasts and webinars exploring Boardsmanship topics in depth



Policy Governance

Policy Governance services for boards seeking structured governance frameworks

Boardsmanship Online Learning Platform

CASB has developed a comprehensive online learning platform that provides:

- **Self-paced courses on essential governance topics**
- **Interactive modules applying Boardsmanship principles to real-world scenarios**
- **Progress tracking and certification for professional development hours**
- **Access anytime, anywhere for flexible professional development**
- **National perspective through educational thought leaders included in the learning platform**

Boardsmanship to develop Strategic Partnerships

CASB's Board of Directors and Executive Leadership work continually to establish and maintain statewide partnerships that support member districts:



Core Education Partners

CASB partners with Colorado Association of School Executives (CASE), Colorado Rural School Alliance (CRSA), Colorado Board of Cooperative Education Services (CBA), and the Colorado School Finance Project (CSFP) to support member districts



Strategic Community Partners

CASB develops strategic partners throughout the state including Public Education and Business Coalition (PEBC), Great Education Colorado, Boettcher Foundation to name a few



Solution Providers

CASB also partners with strategic solution providers to bring member organizations reduced fees on programs and services



6.5 CASB Membership: Your Investment in Excellence

Active membership in CASB is open to publicly elected boards of education of all Colorado school districts, Boards of Cooperative Educational Services (BOCES), and the State Board of Education. Member boards represent nearly all the K-12 student population in Colorado, creating a powerful collective voice for public education.

CASB also offers affiliate memberships to leaders of public education-related organizations. While affiliate members enjoy many benefits such as resources, training, and member pricing, they do not participate in CASB's governance structure.

Contact CASB for Support

Please do not hesitate to contact CASB whenever you need support in any area of board governance. Our team is committed to your success.

- Visit www.casb.org for complete information on all services, resources, upcoming events, and membership benefits.

Glossary of Education Terms

A comprehensive reference guide to key terms, acronyms, and concepts in Colorado education policy and practice.

504

Section 504 of the Rehabilitation Act of 1973. A civil rights statute that prohibits discrimination on the basis of disability.

Accountability Committees

Committee created by law that includes parents, teachers and administrators. Makes recommendations about budget and school improvement. (District Accountability Committee, DAC; School Accountability Committee, SAC.)

Accreditation

A process for the State Board of Education to fulfill its constitutional responsibility for supervising the state's public schools and to encourage excellence by assessing student performance in relation to state academic standards. Categories of accreditation include:

- Accredited with Distinction,
- Accredited,
- Accredited with Improvement Plan,
- Accredited with Priority Improvement Plan,
- Accredited with Turnaround Plan,
- Unaccredited.

Administrative Unit

A sufficiently large school district or Board Of Cooperative Educational Services that is responsible for distributing special-education funds and delivering education services to students with disabilities.

Advanced Placement (AP)

The designation of the College Board for college-preparatory courses that high school students can take to earn college credit. Students must master a generally rigorous higher level of coursework and pass an accompanying test to earn college credit.

Alternative Education

Schools or classrooms that are designed to serve students who aren't succeeding in the traditional school or classroom environment. Students who are failing academically or may have learning disabilities or behavioral problems may need a different setting. Alternative schools or classrooms have flexible schedules, smaller teacher-student ratios, counseling support, and modified curricula.

Amendment 23

Constitutional change requiring K-12 funding to increase by inflation plus 1 percent from 2001-2011 and by inflation after that.

American Federation of Teachers (AFT)

One of two national teachers' unions. The other is the National Education Association (NEA).

Annexation

Joining a school district or parts of a district with a receiving district.

Accelerating Students through Concurrent Enrollment Program (ASCENT)

Allows student participation in concurrent enrollment courses directly following their 12th grade year. Students remain in their Local Education Provider (LEP) for one additional year and the LEP receives ASCENT specific per-pupil state funding that is used to pay their college tuition at the resident community college rate. Students receive their high school diplomas at the end of their ASCENT year.

Assessments

Tests or other tools that measure students' skills and knowledge. Formative assessments are used so instruction can be adjusted as needed to improve learning. Summative assessments evaluate the student's overall mastery of the subject matter.

Authentic Learning

Education focused on real-world, complex problems. Students use a variety of avenues to develop solutions. Mutually beneficial relationships are established connecting students with businesses, scientific endeavors and public entities in their community.

Blended Learning

Combination of face-to-face and online student instruction designed to offer more personalized and student-centered learning.

Boardsmanship

Describes the skills school board members need to work together effectively and ensure competent governance of a local school district.

Board Of Cooperative Educational Services (BOCES)

Typically, a group of school districts that join for a better and/or more efficient use of funds.

Building Excellent Schools Today (BEST)

A competitive grant program for public school construction.

Charter School

A public, nonsectarian, nonreligious, non-homebound school that operates as part of its authorizing school district in accordance with the terms and conditions of the charter contract.

Chartering Authority

The ability of a local board to determine whether to open charter schools in the school district.

Children's Internet Protection Act (CIPA)

A national law designed to limit children's exposure to sexually explicit material. It requires schools using federal discounts for internet access to filter obscene content.

Classified Staff

School district employees who are not required to have Colorado teaching credentials as a condition of employment. Bus drivers, janitors and cafeteria workers are examples of classified staff.

The College Board

A mission-driven not-for-profit organization connecting students to college success and opportunity through the SAT (Scholastic Aptitude Test) and Advanced Placement (AP) program.

Colorado Academic Standards

The written standards established by Colorado that outline what a student should know and be able to do at each grade level. The state assessment system is based on and aligned with these academic standards.

Colorado Achievement Plan for Kids (CAP4K)

Sets a plan for establishing P-20 standards. (Colorado Senate Bill 08-212)

Colorado Early College

Tuition-free charter high schools that provide high school students access to college courses by partnering with a variety of higher education institutions, allowing students to earn an associate's degree or higher upon high school graduation.

Colorado Education Association (CEA)

Colorado affiliate of the National Education Association.

Colorado Education Initiative (CEI)

Formerly Colorado Legacy Foundation (CLF), CDE's 501(3) corporation that receives grants and promotes work in select areas.

Colorado Federation of Teachers (CFT)

Colorado affiliate of the American Federation of Teachers.



Colorado Growth Model

Collection of data enabling parents, educators and community members to easily evaluate growth in student achievement over time in public schools across the state.

Colorado Open Records Act (CORA)

Requires that most public records be available to the public.

Common Core State Standards

Academic standards determined by a coalition of states to establish a common set of knowledge and skills that students should develop in K-12 education in order to graduate from high school prepared for college or careers.

Concurrent Enrollment

The Concurrent Enrollment Programs Act created the simultaneous enrollment of a qualified student in a local education provider and in one or more post-secondary courses, including academic or career and technical education courses, which may include course work related to apprenticeship or internship programs, at an institution of higher education.

Consolidation

Joining two or more school districts or parts of districts to create a single new school district.

Curriculum (Plural Curricula)

The subject matter, skills and processes that are taught so students will achieve identified standards of knowledge and skill.

Design Thinking

An approach to creative problem solving that employs skills of empathy, synthesis, brainstorming, and prototyping and that challenge definition. Students utilize their intuitiveness and ability to recognize patterns and construct ideas in order to express themselves in building solutions.

Disaggregated Data

Information that has been sorted according to certain criteria or subdivisions. For example, test results can be sorted by groups of students with similar characteristics, such as economic disadvantage, race or ethnicity, disabilities or English proficiency. Teachers and parents can then determine how each group is performing.

Drop-Out Rate

The proportion and time at which students leave school before graduating. Reasons may include failing grades, suspension or expulsion, lack of interest, economic hardship, pregnancy, marriage, peer conflict, incarceration, lack of attendance and use of alcohol or drugs.

Dual Credit / Dual Enrollment

Dual credit refers to students completing college-level courses via their high school classes and earning college and high school credit simultaneously. Courses are taught by college approved high school faculty or adjunct college faculty. Dual enrollment refers to students taking courses concurrently at two separate institutions such as their high school and a local community college or university. Students earn college credit through both avenues.

Educational Equity

The intentional allocation of resources, instruction, and opportunities according to need.

English Language Learners (ELL)

Instruction involves programs or approaches used to teach English to those who do not speak English as their first language. Formerly known as Limited English Proficiency (LEP).

Ex Officio

Literally means "by virtue of one's office". The term refers to the practice that allows a member of an official group, such as a school board, to designate someone to fill a certain role at the group's request.

Executive Session

A private portion of a meeting of a school board or other governing body that can be held only for purposes specified by law, from which the general public and press are excluded.

Every Student Succeeds Act (ESSA)

National law defining the federal government's role in K-12 education. Reauthorized the Elementary and Secondary Education Act (ESEA).

Federal Relations Network (FRN)

The National School Boards Association and CASB program for federal lobbying.

Fiduciary

The concept of stewardship, referring to a person or persons having duties, on behalf of others, that require good faith, trust and special confidence. Fiduciary duty is to act for someone else's benefit, while subordinating one's personal interests. The term is often used in conjunction with managing money or property for another, using a very high standard of care. A school board acts as the community's trustee of public funds for the schools and therefore has a fiduciary responsibility to use those funds for the benefit of the community.

Fiscal Year (FY)

All financial accounts are to be completed by the end of the 12-month period known as the fiscal year, which begins July 1 and ends June 30.

Free and Reduced Lunch Program (FRL)

See National School Lunch Program.

Gallagher Amendment (Gallagher)

Enacted in 1982 as an amendment to the Colorado Constitution. It sets forth guidelines for determining the actual value of property and the valuation for assessment of such property.

General Education Development (GED)

A nationally recognized measure of high school-level knowledge and skills. In Colorado, GED has been replaced by the High School Equivalency Examination.

Grievance

A formal, written complaint from an employee regarding working conditions or violation of board policy.

Gifted Education

Refers to the education of children identified with above-average intellectual potential.

Head Start

A federally sponsored comprehensive child development program serving children from birth to age five, pregnant women and their families. Child-focused programs are offered with the goal of increasing school readiness of young children in low-income families.

Health Insurance Portability and Accountability Act (HIPAA)

Protects the privacy of individually identifiable health information.

High School Equivalency Examination

A nationally recognized measure of high school-level knowledge and skills. Some states still refer to this measure as a General Education Development (GED).

Home School

A school conducted by parents or legal guardians for their own children.

Individualized Education Program (IEP)

A written instructional plan for students with disabilities who are designated as special education students under federal law.

Individuals with Disabilities Education Act (IDEA)

A federal law that requires states to provide all eligible children with disabilities a free, appropriate public education (FAPE) from infancy through age 21, consistent with a state's more specific legal provisions.

International Baccalaureate (IB)

The IB program is offered at the elementary, middle, and high school levels and can be school-wide or course-specific. IB classes and assessments involve research, writing, and hands-on evaluations challenging students to apply what they've learned through scenario-based testing. College credit is earned based on high school IB exam scores.

The League

Term referencing the Colorado League of Charter Schools.

Licensed Staff

Within a school district there are employees who, by law, must hold certain Colorado credentials as a condition of employment. This level of personnel includes teachers and principals among others.

Local Education Provider

An organization, such as a school district, that provides educational services, which can include public schools, charter schools, and boards of cooperative services.

Mill

One thousandth of a dollar, a mill is a rate similar to a percentage (a percentage is one hundredth). One mill = \$0.001, or one tenth of one penny.

Mill Levy

A tax rate, measures in mills, representing the portion of a property's value collected by a government entity's tax (called a levy) to fund its budget. One mill produces \$1 in tax income for every \$1,000 of assessed value.

National Assessment of Educational Progress (NAEP)

Often referred to as the Nation's Report Card, NAEP is a standards-based test sponsored by the U.S. Department of Education as a means of measuring student achievement so that student performance in one state can be compared with that of another. NAEP exams are given to a representative sample of the student population in grades 4, 8, and 12 in every state.

National Education Association (NEA)

One of two national teachers unions. The American Federation of Teachers (AFT) is the second organization.

National School Lunch Program

Formerly known as the Federal Free or Reduced Lunch Program, meals are provided free or at a low cost to children who are determined eligible according to federal guidelines based on family income.

Policy

A general statement a school board or other governing authority adopts to indicate a desired condition, direction, or belief.

Policy Governance®

Policy Governance® is a governance model that some school boards use to provide policy leadership. It is a system of interrelated principles that uses policies to express board values and perspectives in all areas with clear authority and accountability for all significant roles.

Poverty Rate

The economic level of a school's student enrollment, which is generally determined by the percentage of students who are eligible to receive free or reduced price meals by participating in the National School Lunch Program.

Professional Development

Ongoing, systemic learning activities designed to enhance the professional knowledge, skills and attitudes of educators to achieve specific objectives toward the goal of increasing student achievement. Also known as in-service training.

Proprietary Functions

In school districts these include activities such as hosting athletic contests, leasing or renting school-owned facilities or engaging in any similar revenue-yielding activity.

Public Employees' Retirement Association (PERA)

Manages pensions and other benefits for public employees.



Public Engagement or Involvement

The sustained, active interest and participation of parents, community members and other taxpayers in supporting and improving schools.

Quorum

Defined by statute or in the bylaws of a board or other governing body as the number or proportion of members that must be present in order to conduct business. Commonly, a majority of members constitute a quorum.

Read Act

The Colorado READ Act establishes a process for districts to identify K-3 students who read below grade level and work with their parents to provide extra reading support before students reach the fourth grade.

Reduction In Force (RIF)

Occurs when a teacher or other staff member's contract is canceled as a result of budget or program cuts.

Referred Measure

Any ballot question or ballot issue submitted by the General Assembly or the governing body of any political subdivision to the eligible electors of the state or political subdivision.

Regular Board Meeting

A scheduled board meeting that is held at least monthly during the school year, but may also be held when school is not in session.

Remediation

The process of providing extra instruction to help a student improve in a particular subject area identified in the student's Academic Improvement Plan (AIP).

Root Cause

The deepest underlying cause or causes of performance challenges. They become the focus of major improvement strategies.



Rules / Regulations

Mandates issued by the State Board of Education or other state and federal agencies to guide, require or limit school district operations. Rules and regulations stem from state statutes or federal law and may identify procedures for carrying out the requirement.

Safe and Drug Free Schools and Communities (SDFSC)

National grants program authorized in 1994, intended to prevent youth drug and alcohol use.

School District

A defined geographic and government area, overseen by a locally elected school board and usually managed by a superintendent in which the public schools serve students who either live within the area's boundaries or enroll through school choice or legal transfer from a different school district.

School-Community Partnership

A voluntary relationship between a school and a community group or business that meets the needs and uses the resources of both partners for their mutual benefit.

School-Wide Programs

Comprehensive school improvement programs accessible to all students, particularly those who are low achievers and at risk of failure. The programs are funded by a school's Title I money, which is based on an enrollment of at least 40 percent low income students.

Special Board Meeting

A board meeting convened for a special purpose by the proper procedures to decide a specific item of business.

Specific, Measurable, Attainable, Research-Based, Time-Phased (SMART)

Usually refers to elements of well-written student learning objectives for students with and without disabilities.



Standards-Based Test

An assessment that shows how a student's performance compares to some standard of knowledge or skill. A criterion-referenced test (CRT) is a standards-based test.

State Board of Education

Authorized by the Colorado State Constitution to provide general supervision of public schools. Comprised of seven elected officials representing Colorado's congressional districts for six-year terms.

Statutes

Laws created by state or federal legislation.

Tax Incremental Funding (TIF)

An economic development funding program that permits municipalities to use tax revenues resulting from economic development to fund new public construction.

Taxpayer Bill Of Rights (TABOR)

Provision in Colorado's Constitution limiting revenues and requiring voters to approve tax increases.

Teaching And Learning Conditions Survey

Formerly the Teaching, Empowering, Leading, And Learning (TELL Survey). An anonymous online survey of all school-based licensed educators and education support professionals promotes discussions in schools and districts about instruction, planning time, professional development, school improvement and related policy issues.

Title I

Title I of the Elementary and Secondary Education Act of 1965 establishes the largest federal aid program for elementary and secondary schools. Funding is based on the number of low-income students enrolled in a school. Title I money pays for extra educational services for children who are behind or at risk of falling behind in school.



Title IX

Title IX of the Education Amendments Act of 1972 states: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Turnaround

Along with Priority Improvement, a type of plan assigned to schools and districts not meeting expectations in achievement, growth and postsecondary workforce readiness, as determined by the School and District Performance Frameworks.

Unified Improvement Plan (UIP)

Used to streamline improvement planning components of state and federal accountability requirements. Shifts from planning as an "event" to planning as a component of "continuous improvement". The plans also provide a mechanism for external stakeholders to learn about schools' and districts' improvement efforts.

ACRONYMS

- **AASA** - American Association of School Administrators
- **ACT** - American College Test
- **ADA** - Americans with Disabilities Act
- **ADD** - Attention Deficit Disorder
- **ADHD** - Attention Deficit Hyperactivity Disorder
- **AFT** - American Federation of Teachers
- **AP** - Advanced Placement
- **ASCENT** - Accelerating Students Through Concurrent Enrollment
- **BEST** - Building Excellent Schools Today
- **BOCES** - Board of Cooperative Educational Services
- **CAESP** - Colorado Association of Elementary School Principals
- **CAP4K** - Colorado Achievement Plan for Kids (SB 08-212)
- **CASB** - Colorado Association of School Boards
- **CASBO** - Colorado Association of School Business Officials
- **CASE** - Colorado Association of School Executives
- **CASSA** - Colorado Association of Superintendents and School Administrators
- **CBA** - Colorado BOCES Association
- **CCC** - Colorado Children's Campaign
- **CCHE** - Colorado Commission on Higher Education
- **CCSBA** - Colorado Council of School Board Attorneys

Appendix B

- **CCSSO** - Council of Chief State School Officers
- **CCSBA** - Colorado Council of School Board Attorneys
- **CCSSO** - Council of Chief State School Officers
- **CDE** - Colorado Department of Education
- **CDEC** - Colorado Department of Early Childhood
- **CDHE** - Colorado Department of Higher Education
- **CDPHE** - Colorado Department of Public Health and Environment
- **CEA** - Colorado Education Association
- **CEI** - Colorado Education Initiative
- **CFT** - Colorado Federation of Teachers
- **CHSAA** - Colorado High School Activities Association
- **CIPA** - Children's Internet Protection Act
- **CLCS/The League** - Colorado League of Charter Schools
- **CMAS** - Colorado Measures of Academic Success
- **CML** - Colorado Municipal League
- **CORA** - Colorado Open Records Act
- **COSA** - Colorado Organization of Superintendent's Assistants
- **CRSA** - Colorado Rural Schools Alliance
- **CSBO** - Colorado School Business Officials
- **CSDSIP** - Colorado School Districts Self-Insurance Pool



- **CSFP** - Colorado School Finance Project
- **CSI** - Charter School Institute
- **CTE** - Career and Technical Education
- **DAC** - District Assessment Coordinator or District Accountability Committee
- **DBO** - Department of Business Officials
- **DHS** - Department of Human Services
- **DOE** - Department of Education (federal)
- **ECS** - Education Commission of the States
- **EEOC** - Equal Opportunity Employment Commission
- **ELL** - English Language Learners
- **ESEA** - Elementary and Secondary Education Act
- **ESSA** - Every Student Succeeds Act
- **FAPE** - Free Appropriate Public Education
- **FERPA** - Family Rights and Privacy Act
- **FLSA** - Fair Labor Standards Act
- **FMLA** - Family Medical Leave Act
- **FOIA** - Freedom of Information Act
- **FRL** - Free and Reduced Price Lunch
- **FRN** - Federal Relations Network
- **FTE** - Full-time equivalent
- **GED** - General Education Development
- **GPA** - Grade Point Average
- **HB** - House Bill
- **HIPAA** - Health Insurance Portability and Accountability Act
- **HIPPA** - Health and Individual Personal Privacy Act
- **IB** - International Baccalaureate
- **ICAP** - Individual Career and Academic Plan
- **IDEA** - Individuals with Disabilities Education Act
- **IEP** - Individualized Education Program
- **J or JT** - Joint
- **JBC** - Joint Budget Committee (Colorado General Assembly)
- **LD** - Learning Disabled
- **LEA** - Local Education Agency
- **LEP** - Limited English Proficiency
- **LEP** - Local Education Provider
- **MTSS** - Multi-Tiered System of Supports
- **NACSA** - National Association of Charter School Authorizers
- **NAEP** - National Assessment of Educational Progress
- **NASB** - National Association of State Boards of Education
- **NCAA** - National Collegiate Athletic Association
- **NCSL** - National Conference of State Legislators
- **NEA** - National Education Association
- **NFHS** - National Federation of High School Associations
- **NREA** - National Rural Education Association
- **NSBA** - National School Boards Association



- **OCR** - Office of Civil Rights
- **P-20** - Preschool through higher education
- **PARCC** - Partnership for Assessment of Readiness for College and Careers
- **PBIS** - Positive Behavioral Interventions and Supports
- **PEBC** - Public Education Business Coalition
- **PERA** - Public Employees' Retirement Association
- **PLACE** - Program for Licensing Assessments for Colorado Educators
- **PPR** - Per Pupil Revenue
- **PPRA** - Protection of Pupil Rights Amendment
- **PSAT** - Preliminary SAT
- **PTA / PTO** - Parent-Teacher Association / Parent-Teacher Organization
- **R or RE** - Reorganized
- **RFI** - Request for Information
- **RFP** - Request for Proposal
- **RFQ** - Request for Qualifications
- **RIF** - Reduction in force
- **SACPIE** - State Advisory Council for Parent Involvement in Education
- **SAED** - Supplemental Amortization Equalization Disbursement (PERA term)
- **SAT** - Scholastic Aptitude Test
- **SB** - Senate Bill
- **SBE** - State Board of Education
- **SDFSC** - Safe and Drug Free Schools and Communities
- **SEA** - State Educational Agency (see CDE)
- **SMART** - Specific, Measurable, Attainable, Research-based, Time-phased
- **SMI** - Severely Mentally Impaired
- **SPED** - Special education
- **SPMP** - Skilled Professional Medical Personnel
- **SRO** - School Resource Officer
- **STAR** - Standardized Test for Assessment of Reading
- **STEM** - Science, technology, engineering, and math
- **STEAM** - Science, technology, engineering, arts, and math
- **TABOR** - Taxpayers Bill of Rights
- **TIF** - Tax Incremental Funding
- **UFLP** - Unfair Labor Practice
- **UPK** - Universal Preschool
- **UIP** - Unified Improvement Plan
- **USDOE** - United States Department of Education

APPENDIX C

HISTORY OF STATE ACCOUNTABILITY SYSTEM

The Colorado Education Reform Act of 1993

The Colorado Education Reform Act of 1993 created a system of academic standards in Colorado, see C.R.S. § 22-7-401 et seq. (repealed in 2015). The system was intended to serve as an anchor for educational reform, promote authentic assessment of student learning, reinforce accountability and encourage equity.

Five years later, Colorado began an accreditation program to assist the State Board of Education in supervising the state's public schools and assessing student performance in relation to the state's academic standards. A major focus of the accreditation program is to close the achievement gap between children of poverty and color and their counterparts in the educational system.

In 2007, the state legislature modified the accountability system by emphasizing the importance of the student growth metric. To facilitate this, the Colorado Department of Education (CDE) developed the Colorado Growth Model to determine how individual students progress from year to year based on the state standards. As explained by the CDE, the Colorado Growth Model offers a way for educators to understand how much growth a student made from one year to the next compared to a student's "academic peers." The growth model compares each student's performance to other Colorado students in the same grade who had similar scores on state assessments in past years. The model then produces a student growth percentile, much like children's height and weight growth charts. If a student grew academically as well or better than 60 percent of his or her academic peers, he or she would be at the 60th percentile.

In 2008, the state legislature expanded Colorado's education standards to promote post-secondary success by passing the Preschool to Postsecondary Alignment Act, also referred to as the Colorado Achievement Plan for Kids Act of 2008 (CAP4K), see C.R.S. § 22-7-1001 et seq. CAP4K required the State Board of Education and the Colorado Commission of Higher Education (CCHE) to create a seamless system of public education standards, expectations, and assessments. This system is intended to ensure that a student who achieves the required level of proficiency on state academic standards as the student progresses through the K-12 education system will graduate high school ready for postsecondary and workforce success.



The Education Accountability Act of 2009

In 2009, after development of the Colorado Growth Model, the state accountability and accreditation systems were significantly overhauled by the Education Accountability Act of 2009, see C.R.S. § 22-11-101 et seq. The main purposes of the Act were to align school and district accountability systems into a single system, modernize and align reporting of state, district, and school performance information, create a fairer, clearer, and more effective cycle of supports and intervention, and enhance state, district, and school oversight of improvement efforts. The Act required the State Board of Education to adopt rules implementing the state's new accreditation and accountability system, which were adopted in the spring of 2010.

The Public Education Accountability System of 2018

In 2018, the legislature passed House Bill 18-1355, the Public Education Accountability System, which made changes to the state accountability and accreditation system, see C.R.S. § 22-11-101 et seq. The stated purpose of the changes is to ensure all students receive a high-quality education that prepares them for college, career, and life, and to ensure that school districts have the support and oversight to achieve that goal. The key changes in this 2018 update were related to the Accountability Clock/Performance Watch process and adjustments to delegation of authority over Performance Indicator calculations and the Request to Reconsider process. Practically, the accountability system begins when schools and districts receive performance ratings each year. These reports are called the District Performance Frameworks and School Performance Frameworks. The frameworks measure performance based on three key performance indicators: **Academic achievement** (measured by scores on state assessments); **Academic growth** (measured by a growth model); and **Post-secondary and workforce readiness** (measured by graduation rates, dropout rates, scores on a standardized college entrance exam, and matriculation into college or career certificate program). State-identified measures and metrics for each of these performance indicators are combined for an overall evaluation of a school's or a district's performance. Districts receive an accreditation rating based on their overall evaluation. Schools are required to implement a specific plan based on their overall evaluation. More information available at the CDE website

(<https://www.cde.state.co.us/accountability/stateaccountabilityregulations>).

Accreditation Ratings and Performance Plans

Districts receive one of the following accreditation ratings: Accredited with Distinction, Accredited, Accredited with Improvement Plan, Accredited with Priority Improvement Plan, Accredited with Turnaround Plan, or Unaccredited. Unaccredited must adopt and implement one of four plan types under the school performance framework: Performance Plan, Improvement Plan, Priority Improvement Plan, or Turnaround Plan. Currently, the Growth to Standard measure is included in the district and school performance frameworks. Growth to Standard examines achievement and growth indicators to show student growth relative to their historical peers. If the student is already performing at grade level, the metric is designed to determine how much yearly growth is needed for the student to maintain their current level of performance.

While the Growth to Standard measure has been included in Colorado educational accountability law since 2009 (previously known as "Adequate Growth"), revised State Board of Education rules provide flexibility as to the specific calculation methodology, and CDE is preparing to implement the "On Track Growth" measure as early as the time of the 2026 Performance Frameworks (<https://www.cde.state.co.us/accountability/ontrackgrowthfactsheet>). During 2018 and 2019, the Technical Advisory Panel for Longitudinal Growth (TAP) worked to develop this new measure. The On Track Growth measure will combine elements of both achievement and growth methodologies. It is intended to show whether a student is currently making enough growth to reach a specified achievement target within a defined timeframe. In 2023, CDE announced that starting in 2024, the On Track Growth indicator will account for 10% of points in the school performance framework, weighted alongside a growth indicator (55%) and an achievement indicator (35%). The State Board of Education's accreditation rules specify the content and terms of the accreditation contract between each school district and the state board. The rules also determine the appropriate accreditation category for each district, including consideration of the district's performance challenges and progress made under current improvement efforts. Lastly, the rules specify the circumstances in which CDE may recommend the removal of a district's accreditation, or take other action to impact consistently low-performing schools and districts. Local school boards are required to assign accreditation categories to schools in a manner that is aligned with and meets or exceeds the rigor of the state's accreditation system for districts and is in accordance with the Act and the State Board of Education's accreditation rules. Colorado educational accountability law emphasizes this important role by requiring each local school board to adopt policies for the accreditation of its schools. Each district and school are also required to create an annual improvement plan based upon the district's or school's accreditation category.



Unified Improvement Plans and Current Status

The CDE developed unified improvement plans (UIPs) to support schools and districts in their performance management efforts. The UIP template is designed to meet state as well as federal accountability requirements and to support planning as a critical component of continuous improvement. Finally, Colorado educational accountability law requires that state, district, and school performance reports are made available. School districts must report statutorily required information to CDE, which places all data onto its online data portal called School View. Visit CDE's School View page on their website

(<https://www.cde.state.co.us/schoolview/explore/welcome/>) to see your district's performance report and UIP. In August 2019, the State Board of Education approved updates to the Rules for the Administration of Statewide Accountability Measures as required by Colorado House Bill 18-1355. 1 CCR 301-1. However, in response to the disruptions created by COVID-19, the Colorado legislature paused the state's accountability system for the 2020-21 and 2021-22 school years (see Colorado House Bill 21-1161). To date, the performance framework pause is lifted, reinstating the accountability system. Due to requirements imposed by Colorado House Bill 21-1294, the legislative audit committee completed an evaluation of the accountability system, released in December 2022. It found that Colorado's system provides a "reasonable and appropriate basis" for measuring the performance of districts and public schools. In the 2025 legislative session, the Colorado General Assembly passed Colorado House Bill 25-1278, which implements changes to the accountability system based on a previous task force that had made recommendations. The bill requires CDE to divide state assessments into shorter sections, translate state assessments into different languages when appropriate, provide guidance on encouraging student participation in state assessments, and more changes designed to reduce inequities in the system and improving its effectiveness. Review CASB's and CDE's website for up-to-date information on the accountability system.



**Together, we build better school boards
for Colorado's students.**

CASB's Mission

The Colorado Association of School Boards, through leadership, service, training, and advocacy, engages and supports local boards of education to advance a system of public schools where each and every student is equipped to meet their full potential.

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