



A Handbook on K-12 Policy Issues for Colorado School Board Members

September 2023 Revision



INDEPENDENCE
INSTITUTE.ORG

CONTENTS

ABOUT THE INDEPENDENCE INSTITUTE	2
ABOUT THE EDUCATION POLICY CENTER	2
ISSUES: CHOICE AND INNOVATION	3
Open Enrollment	3
Charter Schools	4
Innovation Schools and Waivers	6
Online and Blended Learning	8
Career and Technical Education	9
The Story of the Douglas County School District's Choice Scholarship Program	11
ISSUES: DOLLARS AND CENTS	12
School Funding Facts	12
School Finance Formula	13
K-12 Financial Transparency	15
Student-Based Budgeting	15
Course-Level Funding	16
ISSUES: TEACHERS AND UNIONS	17
Teacher Evaluations	17
Evaluation Requirements under SB 191	17
Teacher Tenure	19
Compensation Reform	20
Collective Bargaining Reform	21
Dues Deduction and Union Privileges	22
ISSUES: ACADEMIC STANDARDS AND ACCOUNTABILITY	24
Colorado Academic Standards	24
Controversy Regarding the Common Core State Standards	24
Revisions to Colorado Academic Standards	25
State Assessments	27
Accreditation and Accountability	27
ISSUES: THE COLORADO READ ACT	29
The Science of Reading	29
ISSUES: TRANSPARENCY	31
Curriculum Transparency	31
Miscellaneous Transparency Initiatives	32
ISSUES: STATE GOVERNANCE	32
State Board of Education	32
ENDNOTES	34

ABOUT THE INDEPENDENCE INSTITUTE

A central role of an effective think tank is to produce quality research and analysis. For more than 35 years, we have provided research resulting in changes in law and policy. Yet, we are more than a think tank. We are an “action tank.” We put our ideas into action through groundbreaking litigation, activist training, work on ballot initiatives, new media, and investigative reporting. We don’t just fight on paper. We fight for freedom on the streets, in the statehouse, in the media, on the ballot, and in the courts.

OUR MISSION

The mission of Independence Institute is to empower individuals and to educate citizens, legislators, and opinion makers about public policies that enhance personal and economic freedom.

ABOUT THE EDUCATION POLICY CENTER

Independence Institute is a leader in addressing education’s pressing issues in modern America. The Institute’s Education Policy Center promotes issues such as school choice, accountability, curriculum transparency, and parents’ and teachers’ rights through its publications, print media, internet, radio, television, and briefings. The Center has special projects to educate and empower parents, teachers, and school board members.

OUR MISSION

The mission of Independence Institute’s Education Policy Center is to advance K-12 public policy that empowers parents with the freedom to choose the most beneficial form of education for their children, fosters the development of effective delivery and support systems that enhance student learning, and provides accountability for the productive use of taxpayer dollars directed to education.

Education Policy Center Director: Pam Benigno

Email: Pam@i2i.org

Website: i2i.org/education

School board member resources:

i2i.org/education/school-board-resources

Parent resources in English and Spanish:

schoolchoiceforkids.org

Teacher resources:

independentteachers.org



ISSUES: CHOICE AND INNOVATION

OPEN ENROLLMENT

Open enrollment policies enable parental choice by allowing students to enroll in public schools or public school districts other than those they would ordinarily be assigned. Colorado has one of the least restrictive [open enrollment](#) laws in the United States. There are two types of open enrollment:

- Intradistrict open enrollment refers to students' ability to enroll in public schools other than their assigned neighborhood schools within their public school district's boundaries. Intradistrict open enrollment has been the law in Colorado since 1990.
- Interdistrict open enrollment refers to students' ability to enroll in public schools outside their district's boundaries. Interdistrict open enrollment began in the 1994-95 school year.

Colorado school districts must adopt open enrollment policies, timelines, and procedures. School districts and schools must make an effort to accept students wishing to open enroll if there is adequate space and staff available. Additionally, parents are responsible

for transportation to the school. Such requests can be denied if:

- The school does not offer appropriate programs, is not structured or equipped with the necessary facilities to meet the pupil's special needs, or does not offer a particular program requested.
- The pupil does not meet the established eligibility criteria for participation in a particular program, including age requirements, course prerequisites, and required levels of performance.
- The student has been expelled or is prohibited from enrolling for certain reasons defined in law.

Lessons and Observations

1. Individual district school boards must craft their open enrollment policies within the confines of Colorado statute. This potentially allows school boards to tailor their policies to encourage open enrollment and to create pathways through which families from both inside and outside the district can more easily find the schools that best meet their students' needs.
2. Colorado's strong open enrollment laws create healthy competition between school districts



and even between schools within districts. Each student gained equates to more funding for schools and districts, which creates a strong incentive to attract and retain students. School board members should be attuned to the needs in their geographic area when it comes to creating, modifying, or expanding academic or other programs.

3. School districts should provide comprehensive information about their open enrollment policies on district websites, including details about timelines and where to submit applications.
4. Transportation to locations outside of assigned school zones can be challenging for families. School districts should provide busing options if possible.

Key Resources

- [Colorado Open Enrollment Statute](#)
- History of Colorado's open enrollment law: [On the Road of Innovation: Colorado's Charter School Law Turns 20](#)
- [SchoolChoiceforKids.org "Open Enrollment"](#) webpage

CHARTER SCHOOLS

As of 2022, there were 45 states with a charter school law, plus Washington D.C. Passed in 1993, Colorado's charter law is now 30 years old. For historical background about the bipartisan support and the passage of Colorado's law, see [On the Road of Innovation: Colorado's Charter School Law Turns 20](#).

Charter schools are public schools that are given additional flexibility to innovate through waivers exempting them from specific state and district requirements. For more information on these waivers, see the [Colorado Department of Education's Waiver Requests](#) page. Charter flexibility allows various educational models that provide parents and students with additional options when selecting a school. For example, some charters focus on academically rigorous education models, others utilize more experiential learning approaches, and others focus specifically on Science, Technology, Engineering, and Math (STEM).



While charter schools must be authorized by a school district's board of education or the [Charter School Institute](#), they are operated by their own boards instead of the authorizer's board. These boards are made up of parents, community members, or teachers. Some board members may include the charter school's founders, who often [made enormous sacrifices to start the school](#). The [Colorado Association of Charter School Authorizers](#) (CACSA) is an organization dedicated to helping Colorado authorizers improve their practices.

Colorado has three charter school member organizations. The state's original charter school advocacy and support organization is the [Colorado League of Charter Schools](#). The other two organizations are the [Education Alliance of Colorado](#) and the Charter Advocacy Coalition.

Charter schools are public schools. Charter schools:

- Have their own governing board
- Cannot charge tuition
- Cannot have special entrance requirements
- Are bound by federal and state public school laws unless they receive a state-approved waiver
- Must administer state academic assessments and conform to state academic standards
- May not discriminate

- Must accept students with disabilities or special needs, if possible
- May not teach religion
- Hire and fire personnel
- Teachers are not required to be licensed

Overview of Charter Schools in Colorado

In the 2022-23 school year, 137,722 Colorado public school students were enrolled at 269 charter campuses across the state; this accounts for 15.6 percent of the state's total public school enrollment. Despite arguments that charter schools promote racial segregation, in the 2022-23 school year, minority students made up 49.9 percent of Colorado's charter school enrollment—a slightly higher percentage than in traditional public schools (48.6 percent). Also, in 2022-23, Colorado charters served relatively fewer low-income children, with roughly 35.5 percent of charter students qualifying for free or reduced-price lunches under the National School Lunch Program compared to 41 percent of traditional public school students.

Similarly, based on data from 2022-23, charters in Colorado serve a smaller percentage of special education students (8.3 percent) than traditional public schools (13.2 percent).¹

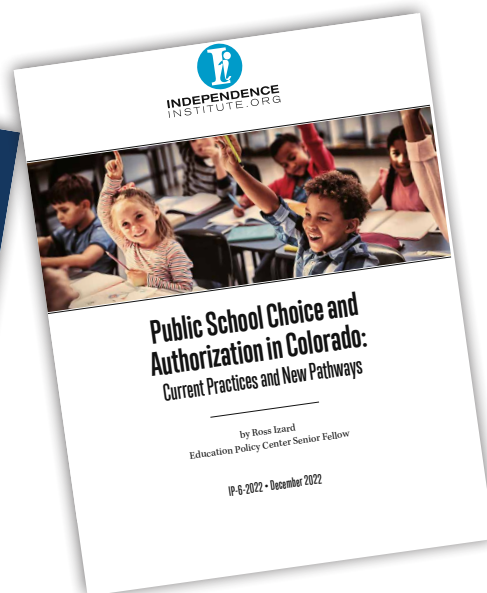
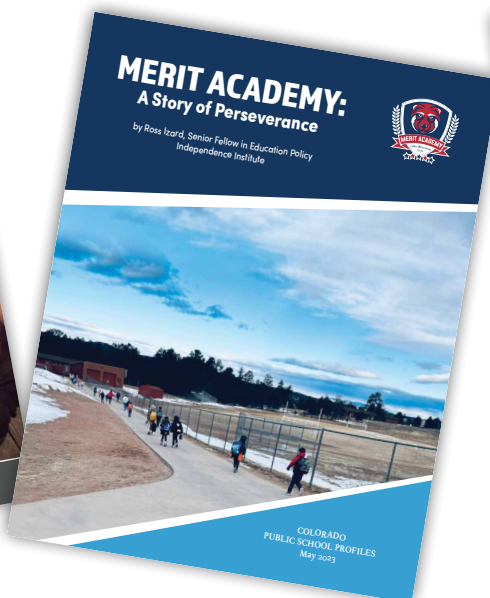
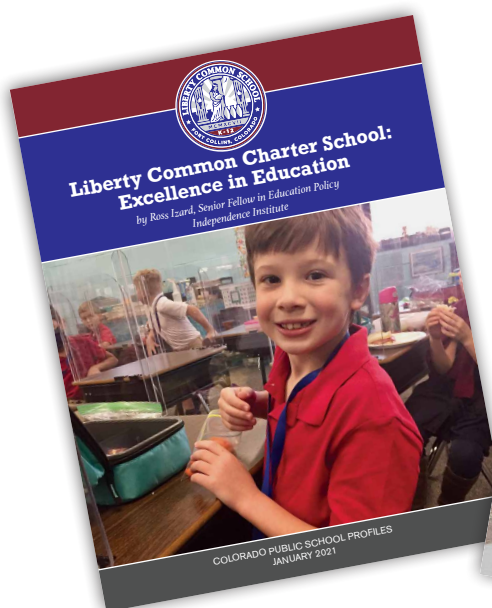
Charter Funding Issues

Charter schools face unique funding challenges. Across the United States, charter schools [tend to be underfunded](#) compared to traditional public schools.

In Colorado, charter schools receive the same state per pupil revenue (PPR) as traditional public schools. However, some of that revenue may be charged back by a school district for central administrative costs associated with services provided to the school. Districts with enrollments under 500 students can withhold up to 15 percent of the PPR, while those with more than 500 students can withhold up to 5 percent. Authorizers must report the central administrative services provided and related costs to the charter school. Additionally, charter schools sometimes purchase services such as technology or sanitation from their authorizing districts.

In 2022, [House Bill 22-1294](#) passed, allowing charter schools to serve special education students better. One provision in the bill allows charter school networks or collaboratives to form administrative units that provide special education services to students with disabilities. Charter schools outside the network or collaborative can join the administrative unit or the Charter School Institute's administrative unit for special education services. Previously, most charter schools were required to purchase special education services from their authorizing school district.

Charter funding inequity has historically been exacerbated by their frequent exclusion from district bond issues and mill levy overrides (MLO). Bond issues are voter-approved long-term debt obligations financed through property taxes. These are used to finance capital projects. MLOs, which also rely on property taxes, are voter-approved tax increases



typically used to fund “soft” projects or initiatives like starting new programs, hiring teachers, or purchasing new textbooks or equipment. With the passage of 2017’s House Bill 17- 1375, Colorado’s lawmakers made clear their intention to begin addressing the issue of charter funding inequity, with the new legislation requiring school districts to either fully share MLO revenue with charter schools or to devise a plan for how to otherwise equitably distribute the revenue. The first academic year to see the law fully in effect was 2019-20.

A challenge that persists is that although charters must be included in conversations about bond issues, they are often not included in district bond requests. Thus, despite assistance from the [Charter School Capital Construction Fund](#), charter schools find themselves in a uniquely challenging position because they must pay for their own facilities out of their allotted per pupil revenue. Traditional public schools do not face this challenge, as their school facilities are funded at the district level using general fund money, certificates of participation (COPs), or voter-approved bond issues.

Charter School Academic Performance

Despite generally lower resources, typical charter school students outpace their traditional public school counterparts in math and reading, according to [a new national study](#) released in 2023. For Black and Hispanic students, the gains are by large margins.

The positive trend in charter school performance is also evident in Colorado. In the 2019 [State of Charter Schools Triennial Report](#), Colorado charters generally outperform non-charter schools on state performance measures overall and with educationally disadvantaged subgroups. However, they lag behind non-charter schools in workforce readiness. Well-run charter schools offer powerful public school choices to parents and students.

Lessons and Observations

1. School board members should remember that all charter school students are public school students. Many charter opponents treat charter students as somehow external to or different than other district students. This is simply not the case.

2. School boards play an essential role in authorizing charter schools to operate in their districts. This creates exciting opportunities for school boards to encourage innovation and choice within their districts and provide more specialized education to meet the demands of their communities.
3. School board members should exercise their best judgment when approving schools. They should also monitor their charter schools’ performance and listen to charter parents’ feedback to make informed decisions on reauthorizing existing schools.
4. School districts must ensure equitable funding for all charter school students under any applicable mill levy overrides. School boards should also work to include charter schools in bond issues, alleviating some of the facility-related financial burdens that charter schools may face.

Key Resources

- Colorado Department of Education, [Charter Schools](#) webpage
- Independence Institute, [On the Road of Innovation: Colorado Charter School Law Turns 20](#)
- Independence Institute, [The Challenges of Opening a Charter School: Three Colorado Case Studies](#)
- Independence Institute, [Public School Choice and Authorization in Colorado: Current Practices and New Pathways](#)
- Independence Institute Charter School Profile, [Power Technical: Preparing Educated and Ethical Leaders in the Trades](#)
- Independence Institute Charter School Profile, [Liberty Common Charter School: Excellence in Education](#)
- Independence Institute Charter School Profile, [Merit Academy: A Story of Perseverance](#)
- Stanford University CREDO study, [As a Matter of Fact: The National Charter School Study III 2023](#)

INNOVATION SCHOOLS AND WAIVERS

In 2008, the Colorado General Assembly adopted Senate Bill 08-130, the Innovation Schools Act. According to a [description](#) from the Colorado Department of Education website, the Act “provides a pathway for schools and districts to develop

innovative practices, better meet the needs of individual students, and allow more autonomy to make decisions at the school level.” The description continues:

The Act allows schools greater control over matters such as educational programming, personnel selection and evaluation, calendars and scheduling, and budgeting. Under the Act, a public school or group of public schools may submit an innovation plan to a local board of education outlining the innovative practices the school or schools intend to implement and identifying the state laws or rules and local policies that the school(s) seek to waive. Once approved by a local board of education, the district submits the innovation plans and waiver requests to the Colorado State Board of Education for approval.

In the [2021-22 school year](#), Colorado had 107 innovation schools serving 48,258 students across 17 districts. Denver, for whom the Act was primarily written, had by far the most such schools with 52. Next is innovative District 49 in El Paso County, with 11. Some districts have innovation zones that have more than one school in a zone. For instance, though Denver Public Schools has 52 innovation schools districtwide, 12 of those schools are within three different zones. Schools within a zone coordinate in some fashion with each other.

Waiver requests provide innovation schools with the freedom to innovate. Waivers can address state laws, state regulations, and district policies. Individual schools also may opt out of collective bargaining provisions with a 60 percent vote from affected employees. The school finance formula and the requirement to take state assessments are primary areas for which waivers cannot be provided. Innovation plans require reports that show evidence of sustained or boosted academic performance. Possible areas that could be requested for flexibility in an innovation plan include the following:

- School curriculum and program
- School calendar
- School governance

- Teacher recruitment, training, professional development, and dismissal
- Performance standards for teachers and principals

In 2022, [Senate Bill 22-197](#) passed, allowing an innovation school zone to use an alternative governance structure by which the school district board of education delegates management activities of schools within the innovation zone to an alternative governing organization. Read the bill summary or the adopted legislation linked above for more details.

Lessons and Observations

1. Two primary opportunities exist with innovation status. First, a local board of education may foster a school-level culture of innovation and encourage creative requests for waivers. They can develop relationships with effective principals to bring discrete problems and opportunities into public dialogue. More ambitiously, a board may lead a [broad innovation](#) effort along the lines of Falcon District 49.
2. Not all policy waivers require Innovation Schools Act procedures. Some items may need state-level waivers, but the local board can empower much of the innovation process through its own policy-making authority.
3. Innovation schools can be a useful tool in many situations, but they are not a panacea. They help to create the conditions to succeed by removing barriers, but they do not guarantee success. Their results have been mixed. As with any education model, academic achievement is dependent on the quality of the leadership, program, and instruction.
4. Consider that a new charter school may be preferred to an innovation school. The waiver power makes the two entities potentially very similar, but charters have more and easier access to needed waivers to enact their programs and policies.

Key Resources

- Colorado Department of Education, [Innovation Schools](#) webpage
- Colorado Department of Education, [2022 Innovation Schools Annual Report](#)

ONLINE AND BLENDED LEARNING

Both full-time online education and blended learning use internet technology to deliver instruction to students. However, blended learning blends technology with at least some face-to-face time with an instructor.

Colorado has both full-time online schools and full-time online programs. Many models enable students to access courses entirely from home, while others provide a physical location for students to access courses and receive help. Families from any location in Colorado have numerous online multi-district schools to choose from. Some school districts have authorized single-district schools or programs that serve students who primarily reside in their district. For a list of full-time online schools and programs, visit the Colorado Department of Education's "[Online Schools and Programs](#)" page.

Blended learning can take many forms, but, as its name suggests, blends online learning with more traditional classroom instruction or guidance. Blended learning has been defined as "a formal education program in which a student learns at least in part through online delivery of content and instruction with some element of student control over time, place, path, and/or pace and at least in part at a supervised brick-and-mortar location away from home." Some

examples of blended learning models:

- **Rotation:** Students alternate between face-to-face instruction and online lesson delivery in a classroom, computer lab, or home.
- **Flex:** The curriculum is delivered online, usually in a learning lab, while teachers provide on-site support through tutoring or small-group instruction.
- **Self-blend:** Students take traditional courses at school and self-selected online courses at home.
- **Enriched Virtual:** Students take classes online at home and check in with teachers for face-to-face learning as needed.

The benefits of effective technology integration in a classroom include reducing the time teachers spend on tasks like attendance, grading, data aggregation and analysis, and skills practice, thereby enabling teachers to focus on high-impact instructional strategies and personalized attention. Blended learning can give a teacher flexibility to have students who have mastered the material move ahead to the next online module while the teacher personally works with struggling students.

Lessons and Observations

1. Full-time online education works well for self-motivated students. Schools and programs should carefully screen students to ensure the model can



meet the student's educational needs. Students not motivated to learn and complete assignments in a traditional setting may not do well in a full-time online learning program. Although, in some cases, students who are unhappy in a particular school social setting may be more educationally motivated in a full-time online program.

2. Blended learning can be innovative in raising academic achievement and providing students with a personalized education. It can also be a way to reduce costs in some instances, but it is not suitable for every situation.
3. Blended learning requires a certain level of investment in the network infrastructure, software, and hardware tools necessary to make such models work. Additionally, some students may need access to technology for any work required at home. Board members should weigh these start-up costs to potential benefits offered by blended learning.
4. School board members can and should investigate innovative new ways of allocating funds within their districts, particularly in cases where doing so could allow individual schools to build specialized programs like blended learning if they so choose. Perhaps the most promising example of such a funding mechanism is student-based budgeting. Additionally, school board members should pay close attention to strategies other districts use to cover blended learning-related costs.

Key Resources

- Colorado Department of Education's "[Online Schools and Programs](#)" webpage
- Colorado Department of Education's [Blended Learning Initiative](#)
- Colorado Empowered Learning: [2022 Report on Blended and Supplemental Learning](#)
- [Colorado Digital Learning Solutions](#)
- [Maximizing Competency Education and Blended Learning](#)
- [Clayton Christensen Institute for Disruptive Innovation](#)
- [Aurora Institute](#)

- Independence Institute [School District Partnerships Help Colorado K-12 Blended Learning Take Flight](#) (2014)

CAREER AND TECHNICAL EDUCATION

Technical training at the middle and high school levels has long been around, but career and technical education (CTE) programs have garnered renewed attention in recent years. Though the umbrella term of CTE tends to elude a concise definition, the overarching aim of CTE is to emphasize instruction in skills and practical training to better integrate a student's education at the secondary level with their post-graduation careers. This means that CTE programs are not necessarily vocational training that prepares students to enter the workforce immediately upon graduating high school but may instead prepare them for postsecondary schooling. Yet, many CTE programs prepare students for skilled work immediately following high school graduation.

Colorado career and technical education programs tend to be subdivided into the following sets of updated [career clusters](#):

- Agriculture, Food, and Natural Resources
- American Sign Language
- Architecture and Construction
- Barbering and Cosmetology
- Business Management and Administration
- Criminal Justice and Public Safety
- Education and Training
- Energy
- Engineering and Technology
- Entrepreneurship
- Fashion Design
- Finance
- Government and Public Administration
- Health Science
- Hospitality and Food Production
- Human Services
- Information Technology
- Manufacturing

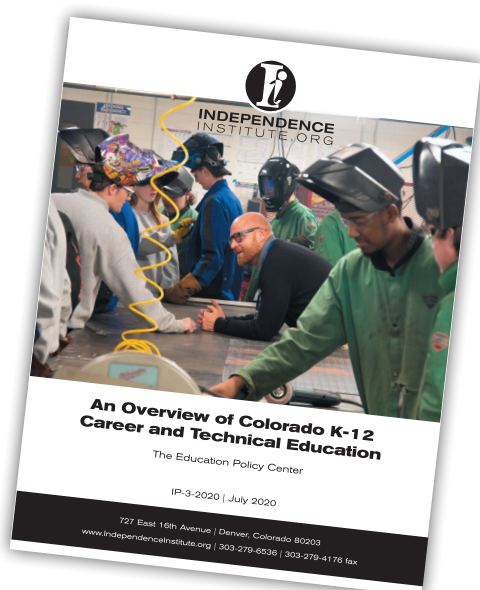
- Marketing
- Media Arts
- Outdoor Recreational Leadership
- Transportation, Distribution, and Logistics

Even a superficial glance at the above categories reveals that many areas of career training under the CTE umbrella are not merely the sort of instruction in low-skill jobs that the conventional idea of vocational education generally entails.

According to [2018-19 data](#) made available by the Colorado Community College System, 110,265 high school students (or 38 percent of the statewide total) and 37,240 middle school students in Colorado were enrolled in CTE programs. The same report also presents figures about student outcomes; these include high school graduation rates that are 11 percentage points higher than the statewide total, as well as a 98 percent employment, postsecondary enrollment, or military enlistment rate for CTE concentrators.

Effective instructors are key to the success of CTE programs. The Colorado Department of Education makes available [a set of parameters](#) that prospective instructors must meet to be authorized to teach CTE courses.

Recommended reading: [An Overview of Colorado K-12 Career and Technical Education](#).

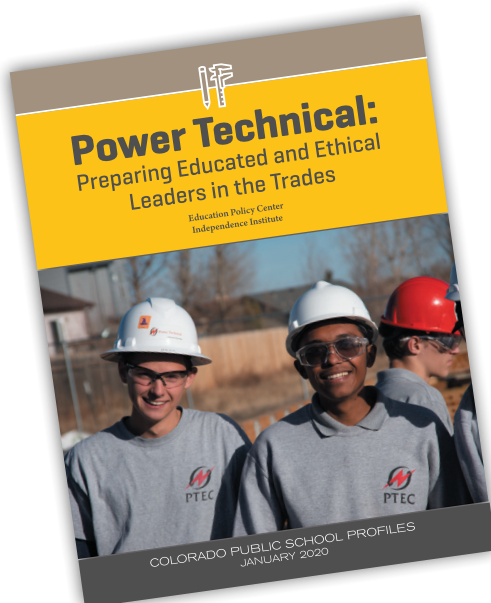


Lessons and Observations

1. Career and Technical Education programs personalize a student's academic needs, capacities, and postsecondary career interests. School and district administrators should pay special attention to their communities' characteristics for CTE instruction programs to work to their fullest potential.
2. There is much talk of a wide "skills gap" that exists in the U.S. labor market (especially in the various skilled trades), meaning that many positions remain unfilled because employers cannot find qualified applicants. CTE programs can address this issue by training students for jobs in high demand in their school's respective town, state, or region. Students who successfully complete CTE training can find fulfilling and often high-paying jobs without college debt.

Key Resources

- Colorado Department of Education's "[Career and Technical Education](#)" webpage
- Colorado Community College System's CTE website [Colorado Career and Technical Education](#)
- Independence Institute, [An Overview of Colorado K-12 Career and Technical Education](#)
- Independence Institute School Profile, [Power Technical: Preparing Educated and Ethical Leaders in the Trades](#)



LOCAL PRIVATE SCHOOL CHOICE: THE STORY OF THE DOUGLAS COUNTY SCHOOL DISTRICT'S CHOICE SCHOLARSHIP PROGRAM

In 2003, efforts to assist families with private school tuition assistance passed Colorado's state legislature. The [Colorado Supreme Court eventually ruled](#) against the program based on a local school district control provision in the Colorado Constitution. This issue could not be appealed to the U.S. Supreme Court.

Based on the 2011 Colorado Supreme Court ruling, [Douglas County School District](#), the state's third-largest school district, launched its pilot Choice Scholarship Program (CSP). The Douglas County School District Board of Education agreed that district students should have increased choice so that all students' educational needs were met. Students residing within the district's boundaries who had been enrolled in a Douglas County public school for at least one year were eligible to apply for a scholarship under the CSP and could receive as much as 75 percent of per pupil funding toward their education at a participating non-public school.

Before the program's first academic year could even commence, plaintiffs, including the ACLU and Americans United for Separation of Church and State, moved to challenge the CSP. The Denver District Court enjoined the program days before CSP participants were scheduled to begin attending their schools; subsequently, the District Court struck the program down. The Colorado Court of Appeals then sided with the Douglas County Board and issued a ruling favorable to the scholarship program. However, this decision was overturned by a 2015 Colorado Supreme Court decision that declared that the Choice Scholarship Program provided government aid to religious institutions.

The Douglas County case made its way to the United States Supreme Court, which vacated the Colorado ruling and directed the state court to reconsider its decision in light of the 2017 decision in *Trinity Lutheran v. Comer*. Before the Colorado Supreme Court could revisit the case, the newly elected Douglas County Board of Education voted unanimously to terminate the Choice Scholarship Program in December 2017. With the program's ending, Colorado's educational

choice landscape effectively reverted to what it had been prior to 2011, as all rulings were rendered moot, and the Court handed down no decision to clarify the status of private school choice in the state.

In July 2019, the United States Supreme Court announced that it would hear the case of *Espinoza v. Montana Department of Revenue*. The petitioners were a group of mothers who wanted to send their children to private religious schools with money from a scholarship program. A modest state tax credit incentivized philanthropic contributions to the scholarship program. The mothers challenged a state rule that barred funding from the program on the grounds that it helped finance religious institutions. Though the case was not perfectly analogous to what happened in Douglas County, it stood to clarify some aspects of the constitutionality of state-level Blaine provisions, which are written into a number of state constitutions to bar state aid from benefitting "sectarian" institutions.

On June 30, 2020, the [U.S. Supreme Court ruled](#) in *Espinoza v. Montana Department of Revenue* that states that are subsidizing private education cannot disqualify a private school from participating in a school choice program solely because it is a religious school. The ruling effectively ended Blaine Amendments—at least as they are usually applied—in Colorado and elsewhere.



SCHOOL CHOICE

Another case regarding the constitutionality of private school choice was decided on June 21, 2022. The [U.S. Supreme Court ruled](#) in *Caron v. Makin* that Maine in 1981 violated the Constitution when it no longer allowed parents to choose religious schools when participating in the Town Tuitioning Program. The program was launched in 1873 to provide tuition assistance to students to attend a private school when a public school was not located in a geographic area. The Court held that a state may not prohibit families participating in a private school choice program from choosing schools that include religious instruction.

Lessons and Observations

1. School districts interested in instituting a private school choice program should contact experts in the school choice legal field and individuals with institutional knowledge of aspects of the Douglas County School District program. Independence Institute has been involved in all viable private school choice efforts in Colorado and can make the appropriate local and national connections.
2. Public and private schools educate the public—a good relationship between the two benefits the community.

ISSUES: DOLLARS AND CENTS

SCHOOL FUNDING FACTS

Colorado K-12 public schools are primarily funded through a combination of state, local, and federal tax dollars, along with various other revenues collected through fees and private grants.

The Colorado General Assembly has budgeted \$9.1 billion in student formula funds for the state's public schools in FY 2023-24. Of that amount, \$4.1 billion is anticipated to come from local funds and \$5 billion from the state. An additional \$500 million has been appropriated for categorical programs. The statewide average per pupil revenue is projected to be \$10,613, an increase of 10.6 percent from last school year.²

When discussing school funding levels, observers often only count per pupil revenue. But this figure excludes billions of dollars in additional revenue. According to the most recent Colorado Department of Education data, the total revenue spent on PK-12 education in FY 2020-21 was \$15.4 billion, or \$17,292 for each funded pupil.³

Comparing state-by-state school funding data remains a challenge. In attempting to measure the same things and drawing from the same pool of information, two



different credible entities can report two different results, depending on what specific data is included and what factors are adjusted for. Additionally, most state rankings represent statewide averages that conceal that some schools or districts spend more than others based on their specific demographics and needs. Some outlets publish school finance rankings, and Colorado ranks as follows:

United States Census Bureau 2021 Statics:
33rd in revenue and 38th in spending⁴

National Education Association 2021-22: 34th
in revenue and 28th in spending⁵

Lessons and Observations

1. Be wary of state-by-state K-12 revenue and expenditure comparisons because many different categories and funding sources can produce rankings that reflect a specific policy objective.
2. Neither spending nor revenue guarantees academic achievement.

Key Resources

- Colorado Legislative Council, [2023 School Finance Handbook](#)
- Colorado Department of Education, [School Finance](#) webpage
- Independence Institute, [Counting the Cash Again: An Update on Colorado School Finance](#) (Figures from 2016 but offers valuable insights.)



SCHOOL FINANCE FORMULA

School board members should be familiar with how school districts receive funding. Each year, the state legislature sets the primary funding for Colorado public schools through the School Finance Act and appropriates funds through the state's budget bill, referred to as the Long Bill.

The Colorado Legislative Council staff has created a handbook that explains school finance in easy-to-understand terms. The 2023 edition is [linked here](#).

The following is a high-level and simplified summary of school finance:

The legislature sets the statewide base funding amount in the School Finance Act, but per-pupil funding varies at the local level. Factors including cost of living, personnel, and size of enrollment adjust the statewide base for each district.

After a district's per pupil funding rate is determined, **Total Program** funding can be calculated by multiplying that rate by the district's October 1 student count adjusted for the number of at-risk students, English language learners, multi-district online students, and extended high school students. The state also gives declining enrollment districts allowances to adjust their October 1 student count for a limited number of years.

Where does the funding come from:

A combination of local and state dollars pays for School Finance Act allotments to districts. The **Local Share** consists of money collected from a district's standard property tax assessment and from specific ownership taxes on vehicle registrations. These revenues provide the first portion of school funding in any school district.

The difference between the local share and the calculated Total Program amount is then backfilled by the **State Share** from the Colorado treasury. CDE pays out the amount on a monthly basis, adjusted over time from original projections to match precise figures. The state share comes from three revenue sources: the Colorado General Fund, the State Education Fund, and the State Public School Fund.

A term commonly heard in Colorado education funding debates is the **Budget Stabilization Factor** (previously referred to as the Negative Factor). This theoretical figure refers to the difference between the current Total Program and the amount available in the Total Program had the state followed the funding increase requirements of [Amendment 23, passed in 2000](#).

The Budget Stabilization Factor was created by Colorado legislators to balance the state budget because of other state funding obligations in unrelated areas like health care. It reflects increasing external budgetary pressures, not malice on the part of lawmakers. The legislature's authority to use the Budget Stabilization Factor under Amendment 23 was upheld by the Colorado Supreme Court in [Dwyer v. State](#).

The shortage of funds necessary to meet the requirements under Amendment 23 currently stands at \$141.2 million for the 2023-24 school year. [Lawmakers committed](#) in 2023 to no longer allow the application of the Budget Stabilization Factor beginning with the 2024-25 budget.⁶

Additional Funding Sources

Whether measuring the total tax revenues received by Colorado K-12 agencies or the total funds available for operating expenses, the amount of money allocated through the state's School Finance Act represents only a portion of total funds. Other sources of revenue include:

State categorical programs: School districts receive state revenue for programs that serve special groups of students or student needs. In 2023-24, approximately \$497 million in assigned state funds will support the following categorical programs:

- Special education for children with disabilities
- Special education for gifted and talented education
- English language proficiency
- Transportation
- Career and technical education
- Small attendance centers
- Expelled and at-risk student services grant program
- Comprehensive health education⁷

Local mill levy overrides: Voter-approved property tax funds supplement the school district's general fund or other specific initiatives. Statewide, mill levy override revenue for FY 2022-23 totaled roughly \$1.5 billion.⁸

Local Bonds: Voter-approved bond debt for major capital construction projects. Statewide, bonded debt mill levy revenue for FY 2023-23 brought in about \$1.3 billion.⁹

Local and state facilities funding sources: The primary option to pay for facilities outside the general budget is to finance debt through local bond elections. The state also has made available the competitive BEST (Building Excellent Schools Today) matching grant program and a loan program for capital improvements in "growth districts."

Federal funds: For FY 2020-21, Colorado received \$1.6 billion in K-12 education funding from the federal government. These revenues include but are not limited to, funds received for vocational education, education of children with disabilities, adult education, migrant children education, and nutrition and meal programs.¹⁰

Federal COVID-19 Funds: Congress passed three stimulus bills that include funding for education: the Coronavirus Aid, Relief, and Economic Security (CARES) Act (March 2020); the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act (December 2020); and the American Rescue Plan (ARP) Act (March 2021). Colorado received over \$2 billion in combined COVID aid for elementary and secondary education. See the [CDE Overview](#).

Lessons and Observations

1. The only area in which local school boards can actively drive changes to revenue is through a local mill-levy override or a debt-increasing bond campaign. In the best interests of making wise use of taxpayer dollars, this approach should not be pursued before streamlining administrative overhead and seeking flexible options for financing employee PERA pensions, among other initiatives.

Key Resources

- Colorado Legislative Council, [2023 School Finance Handbook](#)
- Colorado Department of Education, [Understanding Colorado School Finance](#)
- Colorado Department of Education, [School Finance Funding](#) (School district level details 2004-05 to present)
- Colorado Joint Budget Committee, [Appropriations Report Fiscal Year 2023-2024](#)

K-12 FINANCIAL TRANSPARENCY

The national movement toward greater transparency of government financial activities affects school districts and other local education agencies. In 2010, the Colorado General Assembly passed House Bill 1036, the Public School Financial Transparency Act. Signed into law by then-Governor Bill Ritter, the Act requires “local education providers” – including school districts, the Charter School Institute, charter schools, and Boards of Cooperative Education Services (BOCES) – to post a wide range of financial information online in an accessible and downloadable format. Early levels of compliance ranged from incomplete and shoddy to “going above and beyond the call of duty” with user-friendly, searchable databases.

The passage of the 2014 Student Success Act (House Bill 1292) included a [revamping of K-12 financial transparency requirements](#). In 2017, the state released a [website](#) where citizens can compare K-12 expenditures across districts and schools. The website supersedes and replaces the requirement for school districts to post financial information on their sites. Like nearly all school finance sources, the website only reports revenue and expenditures from certain sources. It offers a more complete picture than the School Finance Act alone, but it is certainly not comprehensive.

Lessons and Observations

1. Colorado’s first state legislative effort to promote online K-12 financial transparency occurred in 2009. Even before a bill passed, several school districts (including District 49 and Jefferson County) moved ahead of the curve to build greater

trust with the public. Nothing in state law prevents districts from taking additional steps beyond existing requirements.

2. School boards should not discontinue all current financial transparency reporting practices simply because state requirements changed in 2017. Many posted documents and other data will remain useful.

Key Resource

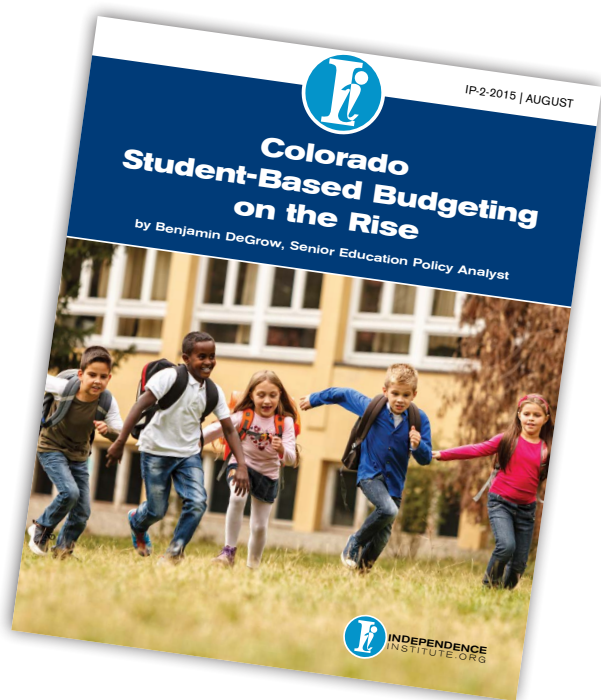
- [Financial Transparency for Colorado Schools website](#)

STUDENT-BASED BUDGETING

Colorado school districts were at the forefront of the [move to student-based budgeting](#) (SBB)—also known as student-based allocation (SBA) or “backpack funding.” Such systems are most clearly identified by designating a significant share of per pupil funding to follow students to the school where they are enrolled. Funding should reach the school in the form of actual dollars that can be spent flexibly at school leaders’ discretion, not as district programs or staffing formulas. In essence, SBB extends Colorado’s established system of “local control” beyond district headquarters to decision-makers closer to individual students. It also bolsters parental choice by directing more dollars to follow students directly to their chosen public school. SBB promotes the following established benefits:

- **Transparency:** to show more clearly the amount of funding distributed to individual schools and for which purposes
- **Equity:** to ensure a rough parity of funds distributed based on actual identified student need
- **Flexibility:** to give school leaders and communities the power and responsibility to make more program decisions with budgeted dollars

In addition, Colorado’s SBB practitioners demonstrate a level of diversity in detail and implementation. Several important lessons can be gleaned from the most robust (District 49) and oldest (Poudre, Denver, Douglas County) SBB programs. Adams 12 and Jefferson County also launched similar initiatives. (This list of school districts is based on Independence Institute’s 2015 publication, [Colorado Student-Based Budgeting On the Rise](#).)



School Board Role: Little is needed except to set the direction for the superintendent or other district leaders to pursue the development of SBB. Certainly, no state intervention is required, just school board-level oversight to ensure progress is made toward smarter spending in service of student needs.

Lessons and Observations

1. District leadership needs to set the standard for a culture shift, but the chief business or financial officer role is crucial to success, using accounting tools to expand opportunities for smarter school-level decision-making.
2. District officials need to communicate regularly with building leaders about their risks and opportunities and be patient for a two- to three-year transformation. Principals should be prepared to justify their decisions with their respective communities and highlight the successes enabled by a rational and inclusive SBB process.
3. There will always be limitations to funds that can be empowered at the school level, but they are likely fewer than you think. SBB districts should constantly look at ways to preserve and expand both the revenue streams and budget areas under school-level autonomy.
4. Enable individual schools to carry over funds in “savings accounts” for local priorities. This

approach stifles the “use-it-or-lose-it” mentality and empowers student-centered programming and creative solutions at the building level.

5. Examine and pursue ways to use SBB to reward schools for meeting performance targets based on multiple valid measures aligned with local academic goals.

Key Resources

- Independence Institute, [Colorado Student-Based Budgeting on the Rise](#)
- Georgetown University, [Edunomics Lab](#)
- Reason Foundation Policy Brief Series, [Student-Centered Funding Roadmap for Policymakers](#)
- Reason Foundation, [Weighted Student Funding Yearbook 2019](#) (Includes Denver, Douglas County, Jefferson County, and Poudre school districts.)
- Reason Foundation, [A Handbook for Student-Based Budgeting, Principal Autonomy, and School Choice](#)

COURSE-LEVEL FUNDING

Many Colorado secondary students may benefit from the flexibility to choose primarily digital courses from outside their district while maintaining enrollment in their district school. Students’ ability to “self-blend” courses in this manner is hampered by school district control of per pupil funding and course options. According to a [report](#) by the Digital Learning Collaborative, as of September 2019, 15 states had bypassed the old system and enacted a version of Course Choice or Course Access.

To maximize student choice and access, some share of per pupil revenue or other dedicated funding stream needs to be portable and student directed. A central agency can oversee and advertise the course catalog. The preferred form of quality oversight would be to tie at least half of the funding to successful course completion.

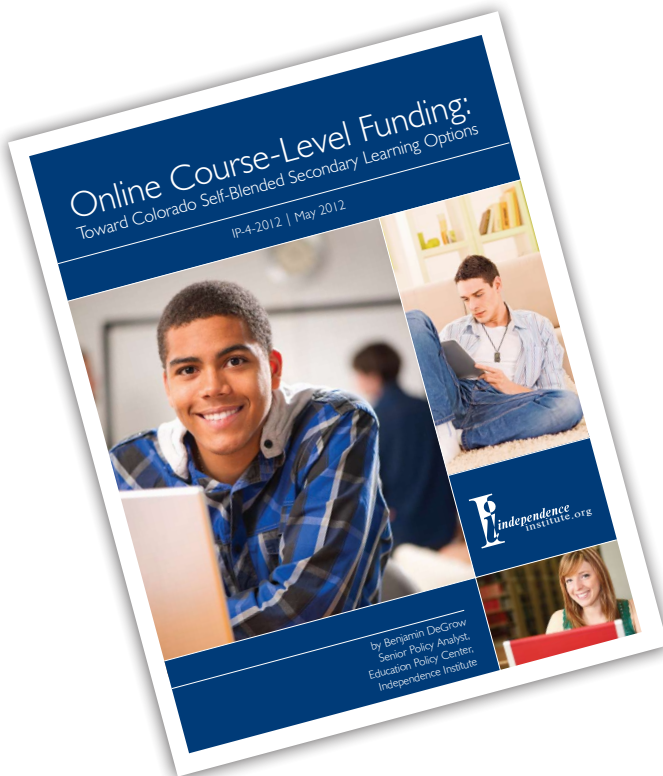
School Board Role: Creating statewide student-centered course access must be done through the General Assembly. Under such a system, innovative school districts could leverage their educational strengths to compete in course offerings.

Lessons and Observations

1. Unresolved disputes about ownership of student achievement data under the state's current accountability system would require changes to current law.
2. There is significant reason to believe this type of program would not interest a significant number of students, but the demand for student-directed and individualized programming is growing.

Key Resources

- Independence Institute, [Online Course-Level Funding: Toward Colorado Self-Blended Secondary Learning Options](#)
- Foundation for Excellence in Education, [Course Access](#)
- [Louisiana Course Choice](#)
- [Colorado Digital Learning Solutions](#)



ISSUES: TEACHERS AND UNIONS

TEACHER EVALUATIONS

[Research consistently shows](#) that teaching is the most important school-related factor in students' academic performance. It is, therefore, critically important to ensure that every student has an effective teacher. Thus, the fundamental goal of any educator evaluation system should be to determine a teacher's effectiveness.

Unfortunately, evaluation systems relying solely on subjective classroom observations have proven inadequate by [classifying nearly 100 percent of teachers](#) as effective. In the absence of other forms of effectiveness measurement, these systems treat all teachers as being precisely the same in terms of performance. They implicitly encourage the idea that teachers are simply interchangeable widgets—a notion called the “Widget Effect.”

A system that does not meaningfully differentiate performance makes it impossible to reward great teachers, build performance-based compensation systems, or dismiss ineffective teachers. It is, therefore, critically important that evaluation systems find ways to augment subjective evaluations of teacher effectiveness.

EVALUATION REQUIREMENTS UNDER SB 191

Historical Background: Passed in 2010, Colorado's [Senate Bill 10-191](#) (SB 10-191) significantly altered the landscape surrounding how teachers were evaluated and their ability to remain in the classroom.

Republicans unanimously supported the bill, though it caused deep rifts in the Democratic Party. SB 10-191 was vehemently opposed by the Colorado Education Association, Colorado's largest teachers union. SB 10-191 had four primary features:

- Requiring that 50 percent of teacher and principal effectiveness ratings be tied to multiple measures of student academic growth.
- Requiring that teacher effectiveness ratings be tied to the earning or loss of non-probationary status, which triggers additional procedural job protections. Non-probationary status can be earned after three consecutive years of

demonstrated effectiveness and lost after two years of demonstrated ineffectiveness.

- Requiring the “mutual consent” of both a teacher and a principal when placing the teacher into a new school.
- Requiring effectiveness ratings be a significant factor in layoff decisions, with seniority considered after effectiveness instead of the other way around.

Basing the earning of non-probationary status on teachers’ effectiveness in the classroom—and allowing teachers to lose such status if they perform poorly—is an essential step toward ensuring children are taught by effective teachers. However, such provisions rely on evaluation systems that can meaningfully differentiate teacher performance using multiple measures of effectiveness.

Many misconceptions arose about this requirement. Some argued, either implicitly or explicitly, that the entire 50 percent of evaluations allotted to student learning data had to be from state tests or median growth percentiles calculated under the Colorado Growth Model. The reality was more nuanced than that.

It is true that SB 10-191 and its associated rules required incorporating state assessment data and Colorado Growth Model data when appropriate. However, there was no requirement for how these data should be weighted within the 50 percent of evaluations dedicated to student learning data, or even if they should be applied individually (results from only one teacher) or collectively (results from all teachers in a school, or a specific subset of those teachers). Additional measures—student learning objective results based on pre-and post-tests at the course level, district assessments, school performance frameworks, and even teacher-developed assessments—could have also been used, giving teachers, schools, and districts the flexibility to design assessment systems that work best for them. Some districts had been [developing and utilizing such systems for quite some time](#). Expectations for student academic growth were required by law to take into account factors such as special needs students, student mobility, and instances in which teachers have very high percentages of low-income students.

A trend against high-stakes testing has taken hold in Colorado in recent years. In 2022, [Senate Bill 22-070](#) made key changes to teacher and principal evaluations. By the beginning of the 2023-24 school year, the act directed CDE to comply with the following duties:

- Create a modified rubric for evaluating personnel who are consistently rated highly effective;
- Create specialized rubrics for particular teacher or principal roles;
- Provide free evaluator training for school districts and boards of cooperative services (BOCES);
- Provide guidelines for incorporating a licensed person’s professional growth achievements into the evaluation; and
- Provide best practices in methods of conducting evaluations.

The act directs the Colorado State Board of Education to adopt rules as necessary to ensure that, beginning with evaluations completed in the 2023-24 school year:

- 30% of a teacher’s or principal’s evaluation is based on the academic growth of students, and the remainder is based on the teacher’s or principal’s attainment of quality standards;
- Of that 30%, up to 10% of a teacher’s or principal’s evaluation may be based on measures of collective student academic growth for a particular grade level or an entire school, but the evaluation must not include measures of collective student



academic growth for students who are not enrolled in the school at which the teacher or principal is employed; and

- If a licensed person has been employed by a school district or BOCES for one year or less, the person's evaluation must not include data created before the licensed person's employment began.

State assessment data are no longer required to be included in the academic growth measure in teacher evaluations. The Colorado State Board of Education made the [rule change](#) in May 2023. If available, the data from the School Performance Framework must be included in principal evaluations.

Additionally, [Senate Bill 22-069](#) precluded districts from using academic growth measures to evaluate teachers during the 2021-22 and 2022-23 school years. The legislation was based on COVID-19's disruption of learning.

TEACHER TENURE

Before Senate Bill 10-19, teachers, in a sense, had a property right to their job after they had completed three years of continuous employment. This non-probationary status has often been referred to as tenure. Once a teacher was granted non-probationary status, it became extremely difficult and expensive for districts to let the teacher go without first completing an arduous and costly due process—even if that teacher was ineffective in the classroom. In 2009, a large study showed that there had been [zero formal dismissals](#) in Denver Public Schools during a three-year period.

Colorado school district teachers hold a probationary status for their first three years of teaching. They

must be rated effective or highly effective on their evaluations for three consecutive years and be hired for a fourth year to earn non-probationary status.

Non-probationary teachers rated ineffective for one year are not summarily fired. They receive a remediation plan—including professional development opportunities—designed to help them achieve an effective rating on their next evaluation. When teachers are rated ineffective the following year, their non-probationary status is revoked. This allows a district or school to cancel the teacher's contract should they so choose.

For more detailed information on teacher tenure reform, SB 10-191, and educator evaluations, see Independence Institute's 2016 publication, [Eternal LIFO: Unlawful Layoff Procedures in Unionized Colorado School Districts](#).

Lessons and Observations

1. Teachers are the single most important school-related factor in students' academic achievement. School boards should work closely with teachers and district staff to develop meaningful, rigorous ways to evaluate teachers' performance in the classroom.
2. Though no longer required, school districts are encouraged to include academic student growth state assessment data in teacher evaluations.
3. Teacher buy-in is an essential factor in the success of any evaluation system. Teachers should be closely involved in developing and implementing district evaluation systems. School board members should work with district administration to clearly understand and explain to teachers and the public how the evaluation system works, the factors included in the system, the possible outcomes of negative evaluations under SB 10-191, and the importance of rigorous evaluation.
4. As required by Senate Bill 10-191, school board members should develop policies prioritizing performance over seniority in cases of teacher displacement or reductions in force. In districts under collective bargaining agreements, school board members should include these issues in negotiations.



Key Resources

- Colorado Department of Education, [Educator Effectiveness webpage](#)
- Colorado Department of Education, [Slide Deck: Evaluation Updates for 2023-2024](#)
- Independence Institute, [Eternal LIFO: Unlawful Layoff Procedures in Unionized Colorado School Districts](#)

COMPENSATION REFORM

The prevailing traditional teacher compensation system is based strictly on years of experience, graduate credit, and degrees earned. The traditional salary schedule rose to prominence from the 1920s to the 1950s to combat gender discrimination. It has become entrenched through a combination of administrative convenience and union political and negotiating power. Various K-12 compensation reforms have been attempted in the past, to varying degrees of success. First, it is important to understand the different types of compensation reform and related concepts:

- **Strategic compensation** is a comprehensive description that entails various means of linking pay to the promotion of strategic group or individual objectives
- **Performance(-based) pay or pay for performance** distinguishes individual salary earnings based on objective measures of student academic data and/or professional evaluations
- **Merit pay** is an alternative definition of “performance pay” that often carries a connotation of linking compensation solely or primarily to student test scores
- **Incentive pay** offers bonuses for meeting professional goals or provides incentives to work in hard-to-serve schools or fill extra roles (e.g., mentorship)
- **Differential pay** gives extra pay to teachers based on non-traditional external qualifications or service in a harder-to-fill capacity (e.g., math, special education)
- **Market-based pay** is a form of differential pay that uses measures of supply and demand to pay teachers different amounts by specialty or job description

School board members need to be clear regarding their goals. Compensation reform can be built and used as a tool to accomplish one or more of the following objectives:

- Motivate current teachers to put forth more effort
- Incentivize high-quality teachers to continue in the profession
- Attract new quality teachers into the workforce

The research supporting the effectiveness of the first approach is mixed and somewhat weak. The evidence for achieving the other two objectives is somewhat stronger. Direct links between revised pay systems and large-scale improved student achievement are limited and unclear. But other reasons exist for pursuing sensible compensation reform: to build an excellent teaching workforce focused on achieving district goals.

Examples of Colorado school districts that have implemented significant versions of compensation reform include Denver Public Schools, Jefferson County, Douglas County, Harrison 2, Mesa 51, and Eagle County. Numerous Colorado public charter schools have also incorporated their own kind of non-traditional pay plans.



Lessons and Observations

1. There is no one-size-fits-all pay plan that promises the most effective results for all K-12 systems. Current conditions and policy goals should be considered carefully.
2. Engage teachers and principals in the process of studying and crafting a pay plan, but make certain to include a broader group of stakeholders in the process. Do not concede the power to any third-party group, including an exclusive union bargaining agent.
3. Reforming compensation will be less effective if done in isolation from a review of evaluations, professional development, student assessment, and recruitment and hiring.
4. Consider a strategic pay plan that addresses not only teachers but also principals and other district personnel. Discuss it as systemic innovation.

Key Resources

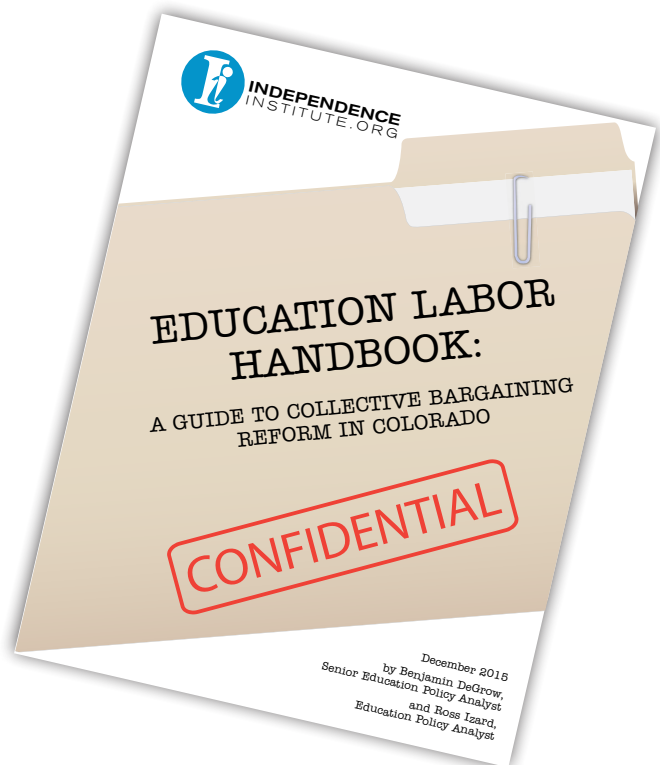
- Independence Institute, [*Performance Pay Pioneers, Harrison's 'Effectiveness and Results' Raises the Bar*](#)
- Independence Institute, [*Douglas County, Building a Better Education Model*](#)
- Independence Institute, [*Pioneering Teacher Compensation Reform, K-12 Educator Pay Innovations in Colorado*](#)
- Independence Institute, [*The Ignacio Market-Driven Compensation System and Why It Fell Short*](#)
- Colorado Department of Education, [*School/District Staff Statistics*](#) (Includes employee salaries and turnover rates.)
- Manhattan Institute, [*Teachers Matter*](#)

COLLECTIVE BARGAINING REFORM

Of Colorado's 178 school districts, fewer than 40 have a formal bargaining relationship with one or more employee unions. [A Cornell University study](#) shows that restrictive bargaining policies can have a negative impact on students.

The dynamics of union negotiations can make it difficult for reform-minded school board directors to effect positive change. They should keep in mind the following:

- **Prior Contract Terms:** Timing will determine a great deal of strategy. Certain elements of a negotiated agreement may be off-limits to discuss or change except in years when the contract's terms are set to expire. Pursue fiscally responsible and student-centered reforms as the previously negotiated scope allows. Study the current agreement to ensure deadlines are met, then work toward a more flexible agreement or other arrangements.
- **Board-Staff Alignment:** A competent, focused, and aligned district negotiating team can make a huge difference in favor of pursuing reform goals and strategies. Think carefully about what can address union privileges, focus personnel policies on smart, performance-based systems, and reasonably promote individual teachers' working environment, benefits, and culture.
- **Open Negotiations Law:** Under Proposition 104, which 70 percent of Colorado voters approved in 2014, all negotiation sessions must be held in public. Under the hot light of transparency, it is difficult for union negotiators to defend unreasonable positions.



Commonsense changes that can be pursued include the following:

- **Stop using seniority to place teachers:** SB 10-191 helps empower school boards to end provisions that favor less effective but more senior teachers in deciding transfers and avoiding layoffs. Procedures like coin flips should no longer be used to make personnel decisions.
- **Encourage more decision-making authority at the school level,** including collaboration between building principals and effective master teachers.

There are also several other lessons and changes that can be applied by school districts interested in maintaining local control and scaling back union involvement in their school districts. These lessons and changes are covered in detail in the Independence Institute's, [*Education Labor Handbook: A Guide to Collective Bargaining Reform in Colorado*](#).

School boards should consider exploring alternatives to the traditional bargaining model. The following options are available:

1. The example of some Colorado school districts can be followed by terminating exclusive bargaining or other negotiation privileges entirely.
2. Districts may switch from the traditional monopoly bargaining scheme to an informal, non-binding, meet-and-confer arrangement with teachers in an open and transparent setting.
3. Teachers from districts in other states have pursued a local-only union by seceding from the state and national union chapters, reducing dues rates while putting more burden on local union leaders. This change is not achieved without some friction. (Such a change must be initiated by the teachers, not the school board.)

Lessons and Observations

In Colorado, collective bargaining is not mandated between a school district and a union. The board of education is in the driver's seat for collective bargaining reform. Board members should be thoughtful and strategic but seize the opportunity to set the reform agenda at the union bargaining table.

1. When possible, start renegotiating a collective bargaining agreement from scratch rather than

tinker around the edges of existing contracts. It is easier to achieve a lean, efficient, and flexible contract when the starting point is neutral, the focus is on student achievement, and the public can watch.

2. Think carefully about the transition from union to non-union arrangements. Guide the transition, demonstrate good faith in rewarding teacher professionalism, and welcome input from individual teachers. Individual teachers have legitimate job security concerns.
3. If currently a non-union district, continue to focus on keeping your professional teachers happy and respected.
4. Welcome [alternative organizations](#) to inform teachers about their services and benefits.

Key Resources

1. Independence Institute, "[Nine Key Changes at the Bargaining Table: A Policy Handbook for Colorado School Reform Leaders](#)"
2. Independence Institute, "[The State of K-12 Union Contract Transparency](#)"
3. IndependentTeachers.org, [Collective Bargaining webpage](#)
4. IndependentTeachers.org, [Local-Only Union Option webpage](#)

DUES DEDUCTION AND UNION PRIVILEGES

Most local teachers unions in Colorado are affiliated with the Colorado Education Association and National Education Association. Members must belong to all three union levels and remit over \$800 a year in dues on average. Colorado teachers have legislated right-to-work protections, which prevent them from losing their jobs for refusing to join or subsidize a union. Still, that right is generally hindered in two different ways through local policies:

- In nearly all bargaining districts, only union representatives are allowed to communicate with new and veteran teachers through induction and orientation sessions, district mailboxes and email systems, and other forms of official communication. Teachers may not be aware that alternatives exist.

- Teachers can join the union at any time. But in many districts, teachers who belong to the association can only terminate their membership [during a limited window of time](#), in many cases by visiting the union office in person to submit forms.

Thanks to the United States Supreme Court’s 2018 decision in *Janus v. AFSCME*, public sector employees can no longer be assessed “agency fees,” “dues equivalencies,” or “fair-share provision fees.” In Colorado, the practice of collecting such fees was not widespread, though it was in force in a handful of districts.

School Board Role: School boards do not have absolute power over union membership policies (such as the bullet above), but they can make stipulations as long as district resources are involved or can stop making those resources available. Even if a union is denied the use of public payroll to collect dues yet continues to force onerous opt-out provisions on its members, boards can use district resources to notify teachers of their options.

Labor unions are private organizations that have accorded to themselves several tax-funded privileges. While these privileges are often established and enforced through formal collective bargaining agreements, they are known to occur in non-union districts as well. Opportunities for reform lie at the union negotiating table and through the board’s unilateral policymaking authority.

Key examples of common privileges that can be addressed through one of these primary means include the following:

1. **End union payroll dues deduction services.** Collecting funds for groups that finance local board candidates creates real and potential conflicts of interest. Suspending the privilege still allows educators the option to support a union through private transactions.
2. **Allow union members to opt-out at any time.** Employees could be set free from tight timelines and onerous procedures to opt out of union membership.
3. **Provide equal access to district systems.** Honor teachers’ right to know about their various membership options by repealing measures that give unions free and privileged use of school district property and communication systems and exclusive access to events and information.
4. **End / Bring accountability to union release days.** Many agreements allow educators tax-funded release time from classroom responsibilities to perform union business—including lobbying—an unaccountable practice that should end.
5. **Make unions pay for their officers’ services.** No local teachers union should be subsidized for the extended leave time their presidents and other officers receive to perform union service. State union officers on leave from district employment



still may accrue PERA service, even though the union reimburses salary and other benefits.

Lessons and Observations

1. Establish fair and appropriate local labor reform policies that can only be altered or rescinded by a public board vote or action.

Key Resources

- Independence Institute, [*Education Labor Handbook: A Guide to Collective Bargaining Reform in Colorado*](#)
- Independence Institute, [IndependentTeachers.org](#)
- Independence Institute, “[Colorado Schools and Association Release Time: Making the Privilege Accountable to Citizens](#)”
- IndependentTeachers.org, [Membership Options](#)
- IndependentTeachers.org, [Revocation of Membership](#)

ISSUES: ACADEMIC STANDARDS AND ACCOUNTABILITY

COLORADO ACADEMIC STANDARDS

The Colorado State Board of Education (SBE) adopts state academic standards for preschool through high school public education. All public schools must “meet” or “exceed” state standards. The [Colorado Department of Education](#) describes these standards as “the expectations of what students need to know and be able to do at the end of each grade. They also stand as the values and content organizers of what Colorado sees as the future skills and essential knowledge for our next generation to be more successful.”

Colorado school boards have a constitutional right to direct instruction in their schools. Standards differ significantly from curricula and materials such as textbooks. The Colorado Department of Education [provides a helpful description](#) of the difference:

Educational standards help teachers ensure their students have the skills and knowledge they need to be on course toward college or career readiness by providing clear goals for student learning at each grade level. Standards

establish what students need to learn, but they do not dictate how teachers should teach. Instead, schools and teachers decide how best to help students reach the standards. Put another way, standards are not a curriculum (lesson plans); it’s up to school districts to design curricula that aligns to the standards.

Colorado has academic standards in the following content areas:

- Visual and Performing Arts (Dance, Drama and Theatre Arts, Music, and Visual Arts)
- Comprehensive Health
- Computer Science
- English Language Proficiency
- Mathematics
- Physical Education
- Reading, Writing, and Communicating
- Science
- Social Studies (Geography, Economics, Civics, History, and Financial Literacy)
- World Languages

CONTROVERSY REGARDING THE COMMON CORE STATE STANDARDS

There is often confusion about the [Common Core State Standards](#) and how they relate to the Colorado Academic Standards. A new version of the Colorado Academic Standards was created in 2008 by the Colorado’s Achievement Plan for Kids Act, or CAP4K. The Colorado State Board of Education (SBE) officially adopted these standards in 2009. The Common Core State Standards were also being developed during this time, and Colorado was one of six states asked to provide feedback during that process.

In 2010, the SBE adopted the Common Core State Standards in English Language Arts and Math. These standards were folded into the Colorado Academic Standards. Thus, the Colorado Academic Standards encapsulate the entirety of the Common Core State Standards, but the Common Core State Standards do not encapsulate the entirety of the Colorado Academic Standards.

The Common Core State Standards have garnered significant criticism since their introduction. In particular, this criticism has focused on the Race to the Top (RTT) program's role in incentivizing states to adopt the standards. Created in 2009 with a portion of the \$800 billion American Recovery and Reinvestment Act, RTT set aside \$4.35 billion in competitive grant money for state education reform. States' chances of winning this money were tied to their adoption of a number of educational reforms, each of which was worth a certain number of points on a 500-point rubric. Forty of these 500 points were tied to "adopting common standards," which was most easily attainable by adopting the Common Core State Standards.

Contrary to popular perception, Race to the Top did not explicitly require the adoption of the Common Core State Standards. Yet the functional result of the competitive points system was that most states did adopt the standards. Thus, the Common Core State Standards have raised significant concerns about the federal role in education, the use of competitive grants by the federal government, and whether standards are best developed in a one-size-fits-all fashion or on a state-by-state basis.

Some national education experts contend that the implementation of Common Core has been [flawed](#), and the standards' quality and rigor [may not be as high as advertised](#).

Technically speaking, there is no "Common Core curriculum." However, the nature of academic standards and their alignment with Common Core-based assessments necessarily result in some influence on curricula and materials used in the classroom. It is impossible to fully disentangle standards from curricula and assessments.

REVISIONS TO COLORADO ACADEMIC STANDARDS

The SBE reviews each [academic standard](#) subject area every six years. The process includes selecting Colorado teachers for a subject area review committee. The committee recommends revisions to the standards. In 2022, the SBE adopted revised Performing Arts and Social Studies standards. The adoption of new [history and civics standards](#), which are included in Social Studies, caused a [great deal of controversy](#).

(The following information is not comprehensive and only covers one of several legislative bills that the review committee was required to include in the social studies revisions.)

The standards review committee was required to follow the mandate in [House Bill 19-1192](#) to include in civics and history standards "the history, culture, and social contributions of American Indians, Latinos, African Americans, and Asian Americans, the Lesbian, Gay, Bisexual, and Transgender Individuals within these minority groups, the contributions and persecution of religious minorities, and the intersectionality of significant social and cultural features within these communities."

The house bill also created an appointed [commission](#). The commission was charged with making content recommendations to the standards review committee, compiling and promoting resources for teachers to teach about minorities, and participating in school board-hosted community forums about civics standards.

The standards revision process includes collecting public comments. CDE received a record number of comments both in support of and against the revisions. Most agreed that the United States is not flawless. Still, many felt that the standards depicted the United States of America unfairly as a country created for marginalizing groups of people and did little to highlight the country's progress in adopting civil rights laws and upholding those rights in court rulings.



Others rejected the state's emphasis on "groups" of people rather than "individuals." While the teaching of contributions of minority individuals has been statutorily required for decades, House Bill 19-1192 emphasized "groups" of people into the academic standards rather than individuals. The legislation exceeded the previous statute and added Asian Americans, religious minorities, and LGBTQ individuals.

Numerous parents were concerned that their young children would be introduced to sexual issues before they had gained the maturity to discuss and understand topics such as sexual orientation or gender identity. This topic created intense discussions between state board members. Contention centered around which grade level should introduce the discussion of LGBTQ figures to civics and history standards. The 1192 Commission recommended starting at the preschool level, but the review committee had introduced LGBTQ individuals at the 1st-grade level.

The standards review process allows the committee to consider public comments and make revisions accordingly. The revised revisions introduced LGBTQ individuals, religious minorities, and other groups at the 4th grade level. This compromise pleased many but offended others who said these groups were being erased from history. In its final vote, the Democrat majority on the Colorado State Board of Education included the list of groups from House Bill 19-1192 to begin in preschool and added Hawaiian/Pacific Islanders to the list of identity groups. Based on public comments, the SBE adopted the review committee's



modifications regarding the portrayal of the United States of America.

Since academic standards are not curricula, school district boards can guide districts to respect their community's values. See below under "Resources" to learn about social studies resources for school board members.

Lessons and Observations

1. Since the State Board of Education has the final say about the contents of state academic standards, school board members cannot directly affect the standards, but they should not ignore the revision process. School boards should be aware of the standards revision process and participate in public comment. CDE requests school districts to identify teachers to participate as members of revision committees. As the public education system in many communities has become focused on polarizing social and political issues, school board members should speak to their superintendents about recommending teachers who focus on academics.
2. School boards should exercise their constitutional right to control district curricula, materials, and instruction.
3. Clear avenues for parents concerned about textbooks or other curricular materials should be created. This should include a formal, transparent review process that allows community members, parents, students, teachers, board representatives, and district officials to participate.
4. Board members should pay close attention to what is being taught in their district's classrooms and should be prepared to raise issues with district officials should they have concerns.
5. If problems are found, there are various options at a school board's disposal, including curricular shifts or transitioning to new materials. A strong district academic staff can be immensely helpful during such processes, particularly when monitoring the impact of new curricula or materials on student achievement.

Key Resources

- Independence Institute, [Social Studies Resources for School Board Members](#)
- Colorado Department of Education, [Academic Standards Information Page](#)
- Colorado Department of Education, [Common Core State Standards as a part of the Colorado Academic Standards](#)

STATE ASSESSMENTS

The State of Colorado requires a number of assessments in various subjects and grade levels. The federal government requires the administration of some of the state assessments before a state can receive particular federal education dollars. As a result of the onset of COVID-19 in the spring of 2020, both the state and federal governments put a hold on the administration of state assessments. In 2021, the federal government required state testing but allowed modifications. The U.S. Department of Education accepted the Colorado waiver request to reduce the number of assessments for the 2020-21 school year.

In the 2022-23 school year, the following assessments were required for all public school students:

- Colorado Measures of Academic Success (CMAS) English Language Arts/Literacy, and Math in grades 3 through 8
- CMAS Science in grades 5, 8, and 11
- PSAT in English Language Arts and Math in grades 9 and 10
- Colorado SAT in 11th grade

School district boards of education have the right to see their schools' assessment results, including any results that may not be publicly posted because of small cohorts of students.

Lessons and Observations

1. Public schools, including charter schools, cannot opt out of administering state-mandated assessments. Even though parents have the right to opt their children out of state assessments, school staff should not encourage them to do so.
2. Board members should note that research conducted for a legislatively mandated Standards



and Assessments Task Force found that a large percentage of overall testing and preparation time is accounted for by district- and school-level assessments not mandated by state or federal law. In cases where lost instructional time is a concern, the easiest place to make reductions is in non-mandated school and district assessments. However, educators often view these assessments as valuable, and discretion should be used.

Key Resources

- Colorado Department of Education, [State Assessment Results](#)
- Colorado Department of Education, [State Assessment Fact Sheet](#)

ACCREDITATION AND ACCOUNTABILITY

Colorado's school and district accountability system is primarily based on School and District Performance Frameworks (SPFs and DPFs). These frameworks determine accreditation ratings for schools and districts. The possible accreditation ratings for districts are:

- **Accredited with Distinction:** The district meets or exceeds statewide attainment on the performance indicators and is required to adopt and implement a Performance Plan.
- **Accredited:** The district meets statewide attainment on the performance indicators and is required to adopt and implement a Performance Plan.
- **Accredited with Improvement Plan:** The district is required to adopt and implement an Improvement Plan.

- **Accredited with Priority Improvement Plan:** The district is required to adopt and implement a Priority Improvement Plan.
- **Accredited with Turnaround Plan:** The district is required to adopt and implement a Turnaround Plan.

School performance frameworks assign one of four types of plans based on performance:

- **Performance Plan:** The school meets or exceeds statewide attainment on the performance indicators and is required to adopt and implement a Performance Plan.
- **Improvement Plan:** The school is required to adopt and implement an Improvement Plan.
- **Priority Improvement Plan:** The school is required to adopt and implement a Priority Improvement Plan.
- **Turnaround Plan:** The school is required to adopt and implement a Turnaround Plan.

In November of 2023, the State Board of Education will vote on changes to the 2024 Performance Frameworks. In 2023, CDE assessed performance based on the following three indicators:

- **Academic achievement:** How students performed on achievement tests in English language arts, math, and science. Specifically, this indicator examines whether students scored at or above proficiency. This indicator is weighted at 40 percent of a school's total score in elementary and middle school and 30 percent in high schools and school districts.
- **Academic Growth:** How much students grew academically year-over-year in comparison to their academic peers or students with similar score histories. This indicator relies on the [Colorado Growth Model's](#) median growth percentile calculation and is less prone to statistical bias than raw achievement scores. It is possible, for instance, for a child with very low academic achievement scores to exhibit very high growth. This indicator is weighted at 60 percent of a school's total score in elementary and middle schools and 40 percent in high schools and school districts. [CDE's Growth Model Fact Sheet](#) for parents provides a helpful explanation. Colorado will be implementing a new ["On-Track" Growth Measure](#).

- **Postsecondary and Workforce Readiness:** Used only for high schools and school districts, this indicator includes graduation rates, dropout rates, matriculation rates, and the 11th-grade average Colorado SAT composite scores. It is weighted at 30 percent in the frameworks in which it is included.

School and district performance frameworks can be found by visiting the Colorado Department of Education's [School View system](#). Some parents and concerned community members also rely on [GreatSchools.org](#). (As of August 2023, School View is in the process of a remodel.)

Lessons and Observations

1. Student academic success should be the goal of every board of education. Yet measuring success requires that school board members be able to find and interpret state-level educational achievement data. These data can illustrate trends, show impacts, and provide easily comparable points of reference between schools and districts.
2. School board members should know how to find and interpret both district and school performance frameworks. Performance frameworks can be used to dig deeper into academic performance. In particular, data produced by the Colorado Growth Model can be very informative.
3. District chief academic officers are excellent sources of data, analysis, and comparison for busy school board members. However, the presentation makes a great deal of difference when it comes to interpreting data, and some district officials may not present information in a way that school board members find helpful. Board members should be prepared to discuss the data based on their own research and to request further information if necessary.

Key Resources

- Colorado Department of Education, [On-Track Growth Measure](#)
- Colorado Department of Education, View district and school level results: [Assessment Home Page](#)
- Colorado Department of Education Accountability, [Performance and Support Home Page](#)

ISSUES: THE COLORADO READ ACT

THE SCIENCE OF READING

Local board of education members have the unique opportunity to impact each student enrolled in their district's public schools. As leaders, they are responsible for holding their superintendents accountable for ensuring students become proficient readers. Educators and researchers have long debated "the Reading Wars," a term used to describe which approach to teaching reading is most effective for children. Essentially, there are two schools of thought:

- Those who advocate for reading instruction centered around the importance of explicit instruction in the five components of reading (phonemic awareness, phonics, fluency, vocabulary, and comprehension) to equip students with "the code" to learn to read the English language.
- Those who are proponents of whole language, an approach that prioritizes immersing children in authentic literature.

The key difference between the two approaches is that the first is based on explicit instruction. This means the teacher directly instructs students in the skill or content to be learned, using unambiguous language. The latter assumes that a child will learn to read independently by being immersed in literature.

The last three decades have brought important research and understanding to this age-old debate. Through modern technology, cognitive neuroscientists have been able to study the neural pathways of children who read fluently to those students who struggle with reading. We now have evidence of the instruction that needs to take place to wire the brain to read. As cognitive neuroscientist [Stanislas Dehaene](#) states, "It simply is not true that there are hundreds of ways to learn to read.... When it comes to reading, all [children] have roughly the same brain that imposes the same constraints and the same learning sequence."¹¹

Many Colorado school districts, including some of the largest in the state, remain deeply rooted in the whole language approach to teaching reading, a practice that is effective for only about 5 percent of children.



The children in this small population typically come from homes of high socioeconomic status and have parents who expose them to rich language and literacy experiences. These children will learn regardless of the instruction they receive.

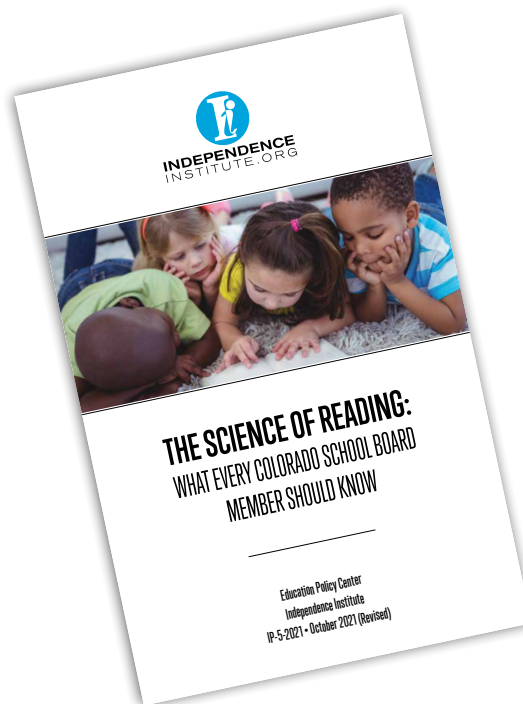
In 2019, only 41.3 percent of third-grade students in Colorado were considered proficient at reading and writing, as measured by the state assessment's English Language Arts (ELA) portion, the Colorado Measures of Academic Success (CMAS). Coming back from the impact of COVID-19 school closures, in the 2022-23 school year, 39.9 percent of third graders were proficient. This means 60 percent of Colorado third graders do not read and write at grade level. The stark reality is [children who miss this third-grade](#) milestone are four times more likely to leave school without a diploma than their peers who read proficiently.

The Colorado legislature and State Board of Education have taken steps to provide more direction on how schools teach reading, aligning with the research on how children learn to read. [The Colorado Reading to Ensure Academic Development Act](#) (READ Act), passed into law in 2012, focuses on early literacy development for all students, especially those at risk of not reading at grade level by the end of third grade.

Children who fall below grade level on interim assessments are given individual READ plans, which must include explicit steps teachers will take to address learning gaps specific to each child's needs aggressively.

Under the READ Act, all local education providers in Colorado are required to use instructional programs in reading that are evidence- and scientifically-based and that focus on reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency (including oral skills), and reading comprehension, regardless of funding source. When READ Act funds are spent on instructional programs, a school district must choose a program approved by the Colorado Department of Education.

A classroom teacher is the single most impactful component of a child's success in school. In an effort to increase a teacher's knowledge of how children



learn to read, all K-3 teachers in Colorado are required to complete 45 hours of evidence-based training in teaching reading.

The requirement is not just limited to classroom teachers. The READ Act defines a 'teacher' as: "The professional responsible for the literacy instruction of the student(s) and may include the main instructor for a class, an instructional coach, reading interventionist, special education teacher, Title I teacher or other personnel who are identified as effective in the teaching of reading."

In 2022, [legislation](#) passed that requires [principals and administrators](#) who work in schools that include grades K-3 to complete 20 hours of evidence-based training in the Science of Reading by August 1, 2024.

Every school board member should ask the following questions:

- What is the percentage of students at the district level and school level that meet or exceed proficiency on all elementary English Language Arts CMAS assessments? (Look at subgroups, too.)
- How many students at the district and school levels have a Significant Reading Deficiency?
- Are district schools using reading programs and interim assessments that are listed on the Colorado Department of Education's advisory list?
- How is the district spending its READ Act dollars? Are the funds being used wisely?
- What percentage of the district's required teachers, principals, and administrators have completed evidence-based training in the Science of Reading?
- Does the district offer the 45-hour training in Structured Literacy to parents and community members?
- How can I become a champion for literacy in my district?

Imagine the difference for Colorado's children and society if all school board members followed the necessary steps to ensure every child in their districts has the appropriate instruction and supports to learn to read at grade level or above.

Key Resources

- Independence Institute, [*The Science of Reading: What Every Colorado School Board Member Should Know*](#)
- Colorado Department of Education, [The Colorado READ Act webpages](#)
- Zaner-Bloser, [*The Science of Reading: Evidence for a New Era of Reading Instruction*](#)
- Amplify:
 - » Amplify Literacy Hub: www.amplify.com/literacy-hub
 - » Science of Reading Podcast: <https://amplify.com/science-of-reading-the-podcast>
 - » Science of Reading Primers, scroll down for Parts 1 and 2: <https://amplify.com/literacy-hub>

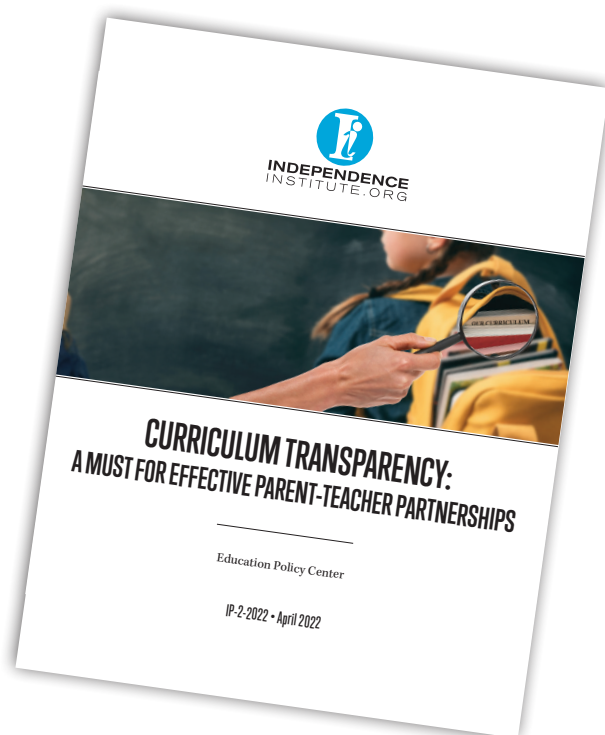
ISSUES: TRANSPARENCY

CURRICULUM TRANSPARENCY

According to the Colorado state constitution in Article IX Sections 15 and 16, Colorado school boards have the constitutional authority to control the instruction in the public schools of their respective districts. Neither the Colorado legislature nor the State Board of Education have the power to prescribe textbooks used in public schools. School boards should take this responsibility seriously and ensure that textbooks and other materials they approve are focused on academics without the infusion of political agendas.

Due to extended periods of virtual learning during school shutdowns, heightened social tensions, and extensive media coverage of a variety of hot-button issues, parents have taken a keener interest in the business of their children's education than at any other time in recent memory.

In particular, parents have demanded more access to information regarding which curricula schools adopt, which educational materials are utilized in the classroom, and how educators are trained to handle difficult or controversial subjects. The ever-increasing use of digital materials—often locked behind portals and passwords—has led to new sources of friction and



technological hurdles for families to overcome as they strive to be more involved in their children's education.

Parental requests for information in the post-COVID era have highlighted an interesting challenge: that existing state laws and local district policies governing the cataloging and disclosure of curricula and materials were not designed to provide the level of transparency modern parents demand.

Instead of finding the proverbial “open book” when it comes to what and how their children are taught, which one might expect from a taxpayer-funded enterprise like public education, many parents have found themselves needing to navigate refusals to provide information, complex bureaucratic processes, and disagreements about to what extent current law and policy allows them access to educational materials and other information.

Colorado's current laws and [local policies could be strengthened](#) to equip parents with the information they need to make sound educational choices and act as full partners in their children's education.

School district boards should pass curriculum transparency policies that clarify to staff and parents that all educational materials are covered under the Colorado Open Records Act (CORA) and that parents should not be forced to file a CORA request to access materials used to teach their children. Policies should include supplemental materials and materials used by third-party presenters, including the content of their presentations. For more on this topic, read [Curriculum Transparency: A Must for Effective Parent-Teacher Partnerships](#).

MISCELLANEOUS TRANSPARENCY INITIATIVES

In addition to complying with basic Open Meetings Law standards, providing online financial transparency, and complying with the spirit of Proposition 104 in conducting open union negotiations, there are other advances in transparency that local school boards should consider pursuing.

The following list of questions, though not exhaustive, could open the door to changes in local policy and practice that promote good government and greater accountability to parents and taxpayers:

- Does our district live-stream board meetings and employee union negotiations (if applicable) online?
- Does our district provide the public with an online method to sign up to comment during board meetings?
- Are relevant documents and agenda items publicly posted on the website in a timely manner, using a service such as Board Docs?
- Does the district's website include a searchable database of contracts, including the superintendent's contract and agreements of \$10,000 or more with private vendors?
- Does our district post board-approved curricula on the district's website?
- Since curriculum and textbook review is one of the board's primary responsibilities, is there a policy that ensures public observation and reporting?
- Is basic information (including contact information) for school board members easily accessible on the district's website?
- Is the information for how to submit a Colorado Open Records Act (CORA) request easy to locate and access on the district's website?
- Do the district's board meetings allow individual directors to remove items from the consent agenda for discussion?

Key Resources

- Independence Institute, [Curriculum Transparency: A Must for Effective Parent-Teacher Partnerships](#)
- [Ballotpedia, Transparency Checklist](#)

ISSUES: STATE GOVERNANCE

STATE BOARD OF EDUCATION

The Colorado State Board of Education is a nine-member elected board entrusted by the state constitution with “general supervision of the public schools.” They usually meet for two days, the second week of each month. The meetings are live-streamed and archived for later viewing. School district board members are encouraged to view the informative sessions.

Each Congressional district elects one member on a partisan basis to serve a six-year term of office. Since Colorado now has eight congressional districts, an at-large member was also elected. As of September 2023, the following elected officials are Members of the Colorado State Board of Education:

Lisa Escárcega (D), 1st District
Angelika Schroeder (D), 2nd District
Stephen Varela (R), 3rd District
Debora Scheffel (R), 4th District
Steve Durham (R), 5th District
Rebecca McClellan (D), 6th District
Karla Esser (D), 7th District
Rhonda Solis (D), 8th District
Kathy Plomer (D), At-Large

The State Board of Education selects a Commissioner of Education who oversees the implementation of initiatives through the Colorado Department of Education. In June 2023, Susana Cordova was named Colorado's 18th commissioner.

For many enacted K-12 laws, the General Assembly grants the State Board rulemaking authority. Among the State Board's other primary responsibilities are overseeing teacher licensure and related disciplinary cases, approving waiver and innovation requests, and hearing charter school appeals in cases of disputes with an authorizer.

Key Resources

- [Colorado State Board of Education](#)

ENDNOTES

- 1 Bill Kottenstette, Executive Director, Schools of Choice Unit, Colorado Department of Education, Data emailed to Pam Benigno on August 25, 2023. A CDE report about the state of Colorado charter schools will be published in December 2023.
- 2 Colorado Joint Budget Committee, "Appropriations Report Fiscal Year 2023-24," Part III pgs. 24 and 25
<https://leg.colorado.gov/sites/default/files/fy23-24apprept.pdf>.
- 3 Colorado Department of Education, [School Finance Unit home page](#), "Statutory Compliance Reporting,"
"Report on District Revenues and Expenditures," "Fiscal year 2020-21" "Comparison of Revenues and Other Sources," See the last tab on the workbook at the bottom (Tab IC), line 1220, column K, [IA_IB_IC.xlsx \(live.com\)](#).
- 4 United States Census Bureau, 2021 Public Elementary-Secondary Education Finance Data, Summary Tables, Table 11, Sheet 11,
<https://www.census.gov/data/tables/2021/econ/school-finances/secondary-education-finance.html>.
- 5 NEA Research April 2023, "Rankings of the States 2022 and Estimates of School Statistics 2023," pgs. 23 and 30,
<https://www.nea.org/sites/default/files/2023-04/2023-rankings-and-estimates-report.pdf>.
- 6 Colorado Joint Budget Committee, "Appropriations Report Fiscal Year 2023-24," Part III pg. 24,
<https://leg.colorado.gov/sites/default/files/fy23-24apprept.pdf>.
- 7 Colorado Joint Budget Committee, "Appropriations Report Fiscal Year 2023-24," Part III pg. 24,
<https://leg.colorado.gov/sites/default/files/fy23-24apprept.pdf>.
- 8 Colorado Legislative Council, "School Finance in Colorado 2023, Research Publication No. 791, pg. 20,
https://leg.colorado.gov/sites/default/files/images/final_-_2023_booklet_with_cover.pdf.
- 9 Colorado Legislative Council, "School Finance in Colorado 2023, Research Publication No. 791, pg. 21,
https://leg.colorado.gov/sites/default/files/images/final_-_2023_booklet_with_cover.pdf.
- 10 Colorado Department of Education, [School Finance Unit home page](#), "Statutory Compliance Reporting,"
"Report on District Revenues and Expenditures," "Fiscal year 2020-21" "Comparison of Revenues and Other Sources," See the last tab on the workbook at the bottom (Tab IC), line 1219, column G, [IA_IB_IC.xlsx \(live.com\)](#).
- 11 Laura Stewart, *The Science of Reading: Evidence for a New Era of Reading Instruction*, (Zaner-Bloser), pg. 3,
https://www.zaner-bloser.com/reading/superkids-reading-program/pdfs/Whitepaper_TheScienceofReading.pdf. t

Copyright ©2023, Independence Institute

INDEPENDENCE INSTITUTE is a non-profit, non-partisan Colorado think tank. It is governed by a statewide board of trustees and holds a 501(c)(3) tax exemption from the IRS. Its public policy research focuses on economic growth, education reform, local government effectiveness, and constitutional rights.

JON CALDARA is President of the Independence Institute.

DAVID KOPEL is Research Director of the Independence Institute.

PAMELA BENIGNO is the Director of the Education Policy Center.

ADDITIONAL RESOURCES on this subject can be found at: <https://i2i.org/education/>.

NOTHING WRITTEN here is to be construed as necessarily representing the views of the Independence Institute or as an attempt to influence any election or legislative action.

PERMISSION TO REPRINT this paper in whole or in part is hereby granted provided full credit is given to the Independence Institute.



INDEPENDENCE
INSTITUTE.ORG

727 East 16th Avenue
Denver, Colorado 80203

www.IndependenceInstitute.org | 303-279-6536 | 303-279-4176 fax