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WAYS FORWARD ON FIVE KEY SCHOOL DISTRICT POLICIES

Education Policy Center

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TABLE OF CONTENTS

Introduction.....	2
Expand Parental Choice by Fostering New Charter Schools	3
Facilitate and Support Homeschool Opportunities.....	6
Expand Curriculum Transparency for Parents	8
Include Parents and Community Members in Solving the Literacy Crisis	10
Streamline District Operations by Revising Collective Bargaining Agreements	12

INTRODUCTION

As a school board member, you are tasked with overseeing the operations of your school district, casting a vision, and making policy changes where appropriate for the benefit of students, families, and staff. It is a big responsibility, and many board members find themselves looking for ways to move the ball forward on critical issues like academic performance, educational choice, collective bargaining, and more.

This publication was designed to give you a starting point when considering impactful changes in your local school district. Every district is different, and each unique situation requires a different approach. However, these ideas will interest board members in nearly every district—perhaps specifically, perhaps more generally. Use each of the five policy sections as a resource as you think through how to be an agent of change in your local community.

EXPAND PARENTAL CHOICE BY FOSTERING NEW CHARTER SCHOOLS

The Problem

Charter schools are governed by their own independent boards and operate with more autonomy than district-run public schools. Thanks to a system of waivers from certain sections of state education law, charter schools can adopt a wide range of educational models. Parents can choose from charter schools that provide classically oriented education; experiential learning; specialized programming in science, technology, engineering, and math (STEM); and much more.

Despite their independence from local school districts in terms of governance and operations, every public charter school in Colorado must be authorized by one of two bodies: its locally elected board of education or the Colorado Charter School Institute (CSI). However, because nearly all CSI-authorized schools must first be released by their local school board for authorization—a process discussed in more detail later below—virtually all prospective charter schools must begin their journey by navigating the complexities of authorization processes in their local school districts.

The control of charter authorization by local school districts is called exclusive chartering authority, or ECA. All but a small handful of districts retain exclusive chartering authority within their geographic boundaries. While ECA can be challenged, this process is extremely difficult and typically not successful.

In theory, these local authorization requirements are meant to ensure that public schools of choice are held accountable for their operations, academic performance, and compliance with various laws. In reality, they often represent serious obstacles on the path to creating new choice schools for two key reasons.

First, these authorization processes require that charter schools receive approval from the very entities with which they compete for student enrollment and, therefore, for the revenue associated with that enrollment. School districts are often reluctant to

allow charter schools to start or grow because they perceive those schools as “stealing” students—and the funding attached to them—from the traditional public schools operated by the school district. Perversely, this bias against charter schools can be particularly severe in cases where charter schools can demonstrate significant parental demand—an illustration of the frequent mismatch between school district interests and the desires of parents.

Second, district authorization processes can subject debates about the formation of charter schools to intense political pressure. Local school board members must stand for election every four years, and their most important voting constituency tends to be employees of the school district they oversee. These boards are responsible for approving not only the budget of the school districts they govern but also the personnel policies, pay systems, benefits, and a variety of other factors that directly impact teachers, non-licensed personnel, and others.

Unsurprisingly, it is to these groups that school board members tend to feel most beholden. School district employees tend to prioritize the traditional schools in which they work above choice schools, often viewed as external pressures or threats. For instance, a recent national poll found that 61 percent of teachers oppose the formation of charter schools.

Thus, school board members who are viewed as championing school choice rather than representing district interests can find themselves in challenging political straits. These political pressures can create powerful incentives for school board members to limit or block the creation of new charter schools within their district boundaries.

Potential Solutions

Legislative changes altering the current dynamics surrounding charter authorization or scaling back exclusive chartering authority are unlikely, at least in the foreseeable future. However, school board members who support parental choice do have options when it comes to expanding the number of charter schools within their geographical borders.

Here are a few directions for school board members to consider, ranging from soft touches to potentially more controversial (but also more impactful) district policy changes:

1. **Solicit Charter School Applications from the Community** – School boards too often take a passive stance on charter applications, simply waiting for motivated parents or other community members to take it upon themselves to apply for charter school authorization. However, this does not have to be the case. School boards that believe the parents in their districts need more educational options can actively solicit charter applications via a public resolution adopted at a board meeting, on social media, or through a media or press release. It may be surprising how many people are interested in starting a charter school—they just need a little encouragement.
2. **Start with “Yes” as a Default** – School board members who support parental choice should keep an open mind on charter school applications and start with

“Yes” as their default position on new applications. The school board should approve the application if a prospective school can demonstrate parental demand, avoid glaring issues, and meet basic requirements. “No” votes should be reserved only for situations where there are serious or egregious concerns with a school.

3. **Voluntarily Relinquish Exclusive Chartering Authority** – Although nearly all school districts in Colorado have exclusive chartering authority, they are not obligated by law to utilize it. A school board could decide to rescind or relinquish ECA voluntarily, thereby allowing potential schools to apply to the Charter School Institute for authorization without requiring consideration by or a release from the local school board.

Importantly, under this model, a school district and CSI remain the only two possible authorizers for public charter schools. Because these are the only two entities that can authorize charter schools under state law, there is no risk of an unknown or outside authorizer starting an unaccountable school—even if a board were to voluntarily relinquish its exclusive chartering authority.

4. **Provide Automatic Releases to the Charter School Institute for Denied Charter Applications** – Similarly, a school board could opt to provide automatic releases to any charter schools whose applications the board does not approve, meaning those schools would be immediately able to seek authorization through CSI if the district is not willing or able to authorize directly. This would avoid the often contentious and sometimes time-consuming process of approving releases to CSI one by one.

READ MORE: [*Public School Choice and Authorization in Colorado: Current Practices and New Pathways*](#)

FACILITATE AND SUPPORT HOMESCHOOL OPPORTUNITIES

The Problem

During the COVID-19 pandemic, tens of thousands of Colorado families exited the traditional public school system to explore new educational options. Over the last five years, more than 31,000 students have left the public school system. Many of these families have looked to homeschooling as an alternative way to continue their children's education.

This rise in homeschooling poses two problems for school board members to consider. First, and most immediately, the loss of these students represents a loss of potentially millions of dollars per year in annual per-pupil revenue for school districts. Meanwhile, districts must still cover their fixed costs—facilities, personnel, etc. The net result is a significant financial impact on many Colorado school districts, even those receiving additional funding for declining enrollment. Because this financial impact directly impacts district budgets, it is of immediate importance to school board members.

Second, choice-minded school board members must consider how best to facilitate all educational choices in their districts, which means thoughtfully looking at ways to provide strong education and enrichment opportunities to homeschool students.

Ways Forward

One of the fastest-growing and most innovative sectors of Colorado's educational system is homeschool enrichment programming. Now offered by many school districts, charter schools, and Boards of Cooperative Educational Services, these programs are designed to enhance, supplement, and complement students' homeschool education. The programs are highly varied and provide a large menu from which homeschool parents can choose.

Here are just a few examples from the dozens of homeschool enrichment programs currently operating in Colorado:

- » Falcon AeroLab – Provides students interested in aviation with STEM education, aeronautical training, and aviation-related experience
- » Colorado Agribusiness and Equine Sciences Academy - Industry-based program that provides students experience in animal and plant sciences, agriculture, food, horticulture, entrepreneurship, and natural resource management
- » Heartseed Wildschooling – Integrates an outdoor-focused forest school model with traditional academics driven by nature experiences and emergent curriculum
- » My Tech High – Allows homeschool families to build and customize their own educational experiences, including through the provision of various supplemental technology, services, and educational supports
- » Front Range Construction Academy – Industry-driven education program that provides opportunities for middle- and high school students to explore careers in construction
- » Programs attached to charter schools, including classical, Montessori, and other models

Some school districts also offer specific homeschooling programs, including dual enrollment options, home education support, and part-time online classes through district schools.

Of particular note is the fact that homeschool students participating in these programs are typically eligible for part-time funding under the Colorado School Finance Act. That means districts can maintain their enrollment levels and continue to receive funding for homeschooled students who are not attending their schools on a full-time basis.

School boards can better support homeschool communities in their districts in several key ways:

- » Actively solicit and/or seek out innovative homeschool enrichment programs that would serve their communities
- » Develop their districts’ capabilities to directly support homeschool families through online learning, part-time enrollment, enrichment programs, and sports
- » Ensure that information is available to homeschool families and families considering homeschooling in an accessible, easily understood manner on the district’s website and in various district materials
- » Provide opportunities for homeschool families or families considering homeschooling to connect with and learn from the school district about options, opportunities, etc.

READ MORE: [Colorado Department of Education Homeschool Resources and Information](#). See also, [Education reEnvisioned BOCES Homeschool Enrichment Program Information](#).

EXPAND CURRICULUM TRANSPARENCY FOR PARENTS

The Problem

The United States has experienced an unprecedented level of disruption in its K-12 education system in recent years. Political division, social strife, and the COVID-19 pandemic have radically altered both what and how students learn in public schools. Due to extended periods of virtual learning, 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: 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.

Information about what students are learning in the classroom is the key to building trusting, mutually supportive partnerships between families, schools, and districts.

Furthermore, this information is fundamental to enabling and supporting school choice. Without information about what is being taught and how, it is extremely difficult for parents to make informed decisions about where to enroll their students.

Way Forward

School board members are elected to serve the parents and children who attend their schools. Fulfilling that mission requires strong, trusting partnerships between parents, schools, and school districts. Just as in any relationship, that partnership begins with trust.

The state legislature is unlikely to adopt statutory changes expanding curriculum transparency for parents in the foreseeable future. However, because school boards exercise broad control over their own districts and the policies underlying those districts' operations, a local solution does exist.

In the absence of a statewide statutory change, school boards should utilize their existing authority to adopt new policies or modify existing policies to clarify that educational materials, as defined in policy, are always available for review and inspection by parents and members of the public and for any reason.

Here is a simple model policy that a school board could adopt to immediately increase transparency and empower parents to access the materials their children are seeing in the classroom:

It is the policy of the school district to provide open, transparent access to educational materials utilized within the school district. To that end, educational materials shall be made available for inspection to members of the public at reasonable times upon request for any reason.

Definitions

For the purposes of this policy:

“Educational Materials” means all written materials and electronic resources that an educator for a local education provider uses in teaching in preschool, kindergarten, or grades one through five or in teaching a course in grades six through twelve, including but not limited to textbooks, supplemental worksheets or texts, assigned or recommended reading materials, electronic or digital materials or other resources, and course syllabuses, but does not include tests or student assignments developed by educators but not yet distributed to students.

“Educator” means a classroom teacher, a person employed by the local education provider to provide professional services to students in support of the education instructional program, and includes a school administrator, contractor, or volunteer.

READ MORE: [*Curriculum Transparency: A Must for Effective Parent-Teacher Partnerships*](#)

INCLUDE PARENTS AND COMMUNITY MEMBERS IN SOLVING THE LITERACY CRISIS

The Problem

It is not an overstatement to say that most Colorado students are in trouble when it comes to reading ability. According to statewide assessment (CMAS) results, roughly 60 percent of third-grade students are not at grade level in reading and writing. Third-grade students who don't read at grade level are four times more likely to drop out of school without a high school diploma.

For years, educators and researchers have debated which approach to teaching reading is most effective for children. Essentially, there are two schools of thought:

1. 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.
2. 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 clear and 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 what needs to take place instructionally in order to wire the brain to be able to read, often referred to as the Science of Reading.

The Colorado READ Act requires public schools to provide evidence-based reading instruction focused on developing the foundational reading skills of phonemic awareness, phonics, vocabulary development, and reading fluency, which includes oral skills and reading comprehension. All K-3 teachers must have completed training in evidence-based reading instruction. Beginning in the 2024-2025 school year, school administrators who supervise educators in grades K-3 must complete or have completed similar training designed for administrators.

Ways Forward

Considering how far behind Colorado students are in reading, school board members should do more to drive real change. As leaders, they have the responsibility to hold their superintendents accountable for ensuring students become proficient readers.

School board members can become champions of literacy in their communities. They should become familiar with the district's literacy curricula, attend curriculum training sessions, and visit classrooms.

When passing READ Act legislation, the Colorado legislature encouraged school districts to make evidence-based training in reading instruction available to parents and members of the community in order to effectively partner with them in teaching young learners to read. There is strong, research-backed evidence that parents and community members can be just as effective as reading tutors and supporters as professional educators.

Community literacy initiatives can take many forms. Here are just a few of many possible ways to inspire parents, community members, and nonprofit organizations to become involved in helping all students learn to read:

- » Encourage community members and parents to volunteer as tutors through existing literacy programs in district schools, libraries, or community centers
- » Train volunteers using the district's professional instructional staff or other experts who may not otherwise be available to the community outside of school
- » Offer district school facilities as safe places for additional reading instruction, tutoring, or literacy-focused after-school programming
- » Use volunteers, including parent volunteers, to read to students both inside and outside the classroom on a regular basis
- » Provide information about local reading supports or opportunities in district communications, on bulletin boards, and through other media

Read More: [*The Science of Reading: What Every Colorado School Board Member Should Know*](#). See also, [Reading Rockets advice for community literacy initiatives](#) and ["Oakland Study Finds Parents as Effective as Teachers in Tutoring Young Readers"](#)

STREAMLINE DISTRICT OPERATIONS BY REVISING COLLECTIVE BARGAINING AGREEMENTS

The Problem

Colorado law places no obligation on school boards to give special union status to employee labor organizations. Unions win recognition and privilege at the district level, a status that typically becomes entrenched over time. The inertia of time and union influence tends to promote policies that can harm students by protecting ineffective teachers and solidifying the union's ability to promote its political agenda under the assumed moral authority of representing educators.

Though Colorado is not a right-to-work state, the law grants teachers the freedom from being forced to join or underwrite union membership. At the local level, many negotiated agreements weaken that right by making it difficult for teachers to withdraw membership.

An association is any membership organization of teachers or other education employees within the context of a local school district. A union is an association that has been recognized by the local board of education as the exclusive collective bargaining agent for all teachers or other specific groups of employees in a district, according to the terms of a binding contract. A contract may be referred to as a collective bargaining agreement (CBA), master agreement, or memorandum of understanding.

Of Colorado's 178 school districts, at least 39 have one or more active collective bargaining agreements. A larger number of districts have informal, non-binding meet-and-confer agreements or negotiation policies that give school boards somewhat greater latitude over personnel policies and association recognition.

While these agreements can sometimes be useful to employees and the district, they are more often weighted heavily in favor of the employees—sometimes at the expense of students, families, and district budgets.

Because contract negotiations typically occur at wide time intervals, and because the negotiations typically start with an existing contract as a base upon which new provisions are added, they are very often long, outdated, and potentially burdensome for school districts. They also feed and empower teachers unions—the primary opponents of educational choice—who use the leverage they gain through these agreements to influence policy at the local, state, and federal levels.

Ways Forward

Eliminating collective bargaining agreements can be extremely difficult, even for unified school board majorities. Additionally, some agreements may include desirable or helpful provisions. Yet, school boards can still take proactive steps to shorten, streamline, and improve their collective bargaining agreements to better serve students and remain fiscally responsible.

1. **Compensation Reform** – School districts still predominately pay teachers according to a standard schedule based solely on seniority and academic credentials, though the number offering alternative compensation plans has grown in recent years. Reform-minded school boards in many districts have opportunities to craft or improve systems that reward teachers and other district employees based on demonstrated effectiveness.
2. **Stop Using Seniority to Make Personnel Decisions** – Despite legislative and other changes designed to lessen the focus on seniority in personnel decisions, some local bargaining agreements still grant seniority preference in internal hiring, transfer, and staff reduction decisions. While seniority can certainly factor into these decisions in some instances, performance, student needs, and budgetary considerations are typically more important considerations that should be reflected in any collective bargaining agreement. Note that in some instances, a CBA may simply reference or imply that seniority is to be used in personnel decisions. Board members should pay close attention to any reference to this term and ask specifically how it will be used and why it was included.
3. **Bring Accountability to Union Release Days** – Most bargaining districts grant unions annual allotments of leave days to conduct union business. In some cases, tax dollars underwrite both the released employee and the substitute teacher. Anecdotes suggest that release time is often used for professional development, grievances, collective bargaining negotiations, internal membership drives, legislative lobbying, or political activities. Reform-minded school boards may seek to eliminate release days, require full substitute cost reimbursement, or impose reporting requirements to ensure release days benefit the general education program.
4. **Make Unions Pay for Their Officers' Services** – A smaller number of bargaining districts grant extended-release time off to the local union president,

with only a few requiring the union to cover the full cost of salary and benefits of the released employee. The net taxpayer subsidy to the union may exceed the cost of employing one or more new teachers. The simple solution is to stop the release time or at least stop underwriting it with tax dollars.

5. **End Union Payroll Dues Deduction Services** – The privilege of government payroll deduction of association member dues is not limited to districts with exclusive union relationships. School boards without bargaining agreements could terminate the practice of dues collection through a standard policy change. Whether achieved through a change in board policy or master agreement, the rationale for the move is that it levels the playing field. Interest groups that support school board and other candidates should not have the privilege of having their campaign, lobbying, and negotiating funds collected by the government whose officials they influence.
6. **Allow Union Members to Opt Out at Any Time** – Most bargaining districts place direct limitations on when union member teachers can terminate their automatic monthly dues deductions. Most provide a 15-day or 30-day period in the fall in which union members can opt out, though some provide summer or winter revocation windows. Only when a district continues to play a role in collecting and transferring dues money can local reformers enforce policies giving individual teachers more latitude with membership decisions.
7. **Provide Equal Access to District Systems** – Nearly all of Colorado’s existing certified education employee bargaining agreements grant union agents exclusive access to school district property, events, or information that is denied to other union or non-union membership groups. Common provisions include specified union authorization to contact teachers through workplace mailboxes, bulletin boards and district email systems; or special privileges to use district facilities for meetings at no cost. If enforced, such policies have the practical effect of keeping teachers from being able to access fair information about non-union membership alternatives, such as the Professional Association of Colorado Educators (PACE).
8. **End Exclusive Representation** – To propose the local union surrender its status as the exclusive representative means that a teacher or other individual employee has a choice concerning who represents them in the case of a grievance. (Exclusive representation is to be understood distinctly from exclusive bargaining status, which entitles a local association to negotiate contractual policies with the Board of Education.)

READ MORE: [*Education Labor Handbook: A Guide to Collective Bargaining Reform in Colorado*](#)

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