

MEMO

To: Mayor, Mayor Pro Tem, & Members of Council

From: Michelle Halstead, director of external affairs/interim director of public works

Subject: Public Education Support

Date: May 30, 2018

The purpose of this memo is to provide background information on Colorado's public education system, a brief overview of current public education providers within the city, document the city's participation and support of public education to date, and options for increased support as requested by City Council.

BACKGROUND

Colorado is home to [178 school districts](#), 1,888 schools, and approximately 905,000 public school students. Enrollment has grown every year since 1988. The average pupil per teacher ratio was 17.6.¹ Per pupil funding varies, with the lowest district receiving \$6,984 per pupil and the highest district received \$15,604 per pupil.²

Demographics

Student Enrollment and Four Year Graduation Rate by Racial/Ethnicity

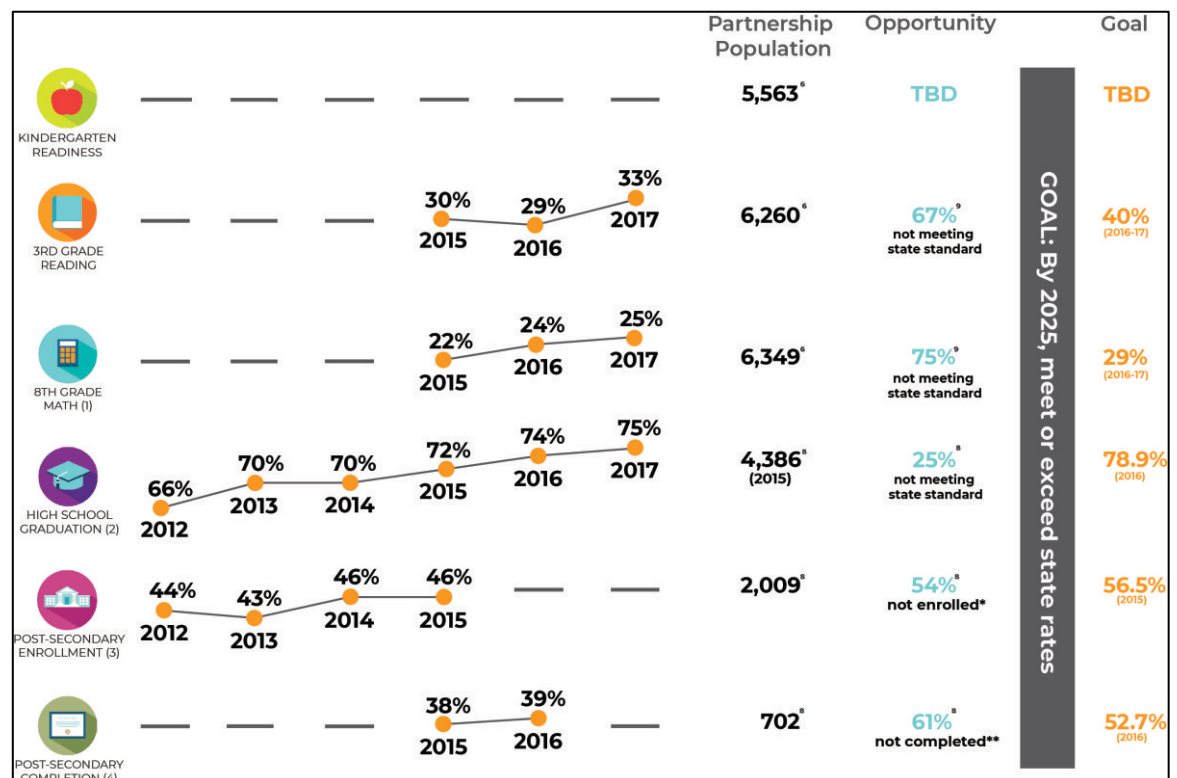
Year	Total		American Indian		Asian		Black		Hispanic		White		Hawaiian/ Pacific Islander		Two or More Races	
	Enroll- ment	Grad Rate	Enroll- ment	Grad Rate	Enroll- ment	Grad Rate	Enroll- ment	Grad Rate	Enroll- ment	Grad Rate	Enroll- ment	Grad Rate	Enroll- ment	Grad Rate	Enroll- ment	Grad Rate
2016-17	905,019	79%	6,511	64.1%	28,309	89.8%	41,478	71.9%	303,573	71.1%	486,537	83.9%	2,223	76.5%	36,388	80.2%
2015-16	899,112	78.9%	6,424	62%	27,733	86%	41,560	71.8%	300,107	69.9%	486,818	84.4%	2,077	74.4%	34,393	79.9%
2014-15	889,006	77.3%	6,537	64%	27,297	88.1%	41,660	69.8%	294,435	67.6%	484,305	82.6%	2,065	74.5%	32,707	79.7%
2013-14	876,999	77.3%	6,574	60.7%	26,895	84.7%	41,107	69%	287,402	66.7%	482,405	83.2%	1,991	73.4%	30,625	79.7%
2012-13	863,561	76.9%	6,716	61.4%	27,266	85.9%	40,496	69.5%	278,619	65.4%	480,366	82.8%	1,860	75.5%	28,238	79.0%
2011-12	854,265	75.4%	7,143	57.7%	26,522	82.9%	40,932	66.2%	272,490	62.5%	479,288	82.1%	1,817	70.1%	26,073	80.4%
2010-11	843,316	73.9%	7,452	52.2%	24,493	81.7%	40,537	64.6%	266,098	60.1%	479,327	81.1%	1,844	74.8%	23,565	82.8%

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Four Year Graduation Rate by Instructional Program Type

Year	Students w/ Disabilities	Limited English Proficiency	Economically Disadvantaged	Migrant	Title 1	Homeless	Gifted and Talented
2016-17	56.8%	64.6%	68.5%	61.8%	56.5%	55.8%	93.0%
2015-16	57.2%	61.4%	67.8%	62.8%	56.7%	53.2%	94.5%
2014-15	53.8%	61.1%	65.5%	67.9%	51.2%	52.8%	92.2%
2013-14	54.6%	58.7%	64.2%	63%	52.4%	52.7%	92.2%
2012-13	53.8%	58.5%	63.7%	62.6%	52.8%	50.4%	91.7%
2011-12	53.7%	53.3%	61.4%	55.7%	52.1%	49.1%	91.6%
2010-11	53.5%	52.8%	62.2%	60.8%	51.6%	49.7%	93.7%

Within Adams County, there are 99,139 school age children. The [Youth Initiative of Adams County](#)³ reports on several key progress indicators:



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Legal Framework

The U.S. Constitution makes no reference to public education. Instead, public education is established as a state function in each of the 50 state constitutions. Unlike most states, the public school system in Colorado grew out of an intentional commitment to local control. Rather than establishing a centralized, state-administered system, Colorado's constitutional framers "made the choice to place control 'as near the people as possible' by creating a representative government in miniature to govern instruction."⁴

[Article IX of Colorado's Constitution](#) provides the legal framework for the state's public school system, including the respective roles of the General Assembly, State Board of Education and local school boards. General supervision of public schools is vested in the State Board of Education (Section 1). The Colorado Department of Education (CDE) is the administrative arm of the State Board of Education, with broad but not unlimited authority that responsible for implementing state and federal education laws, disbursing state and federal funds, holding schools and districts accountable for performance, licensing all educators, and providing public transparency of performance and financial data.

Section 15 vests "control of instruction in the public schools" in locally elected school boards. The Colorado Supreme Court reaffirmed this power, emphasizing "control of instruction requires power or authority to guide and manage both the action and practice of instruction as well as the quality and state of instruction."⁵ The court further explained such control allows localities to tailor educational policy to suit the needs of each district, free from state intrusion.⁶ Districts maintain control over instruction primarily by maintaining control over locally raised funds, articulating several benefits flowing from the control of local boards over locally raised tax dollars including:

- Empowering electors, including parents, with control over instruction.
- Providing taxpayers with a means to participate in the management of public education.
- Granting a community the freedom to devote more money to educating its children than the state-guaranteed minimum amount.
- Enabling the local citizenry greater influence and participation in the decision-making process on how local tax dollars are spent.



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- Ensuring each district has the opportunity for experimentation, innovation and a healthy competition for educational excellence.⁷

Unlike other states, local governments do not have a role in operating local school districts. Under the Webb administration's, Denver considered how to help the beleaguered Denver Public School system, seeking a cabinet-level "education czar" position.

Funding

Public schools in Colorado are funded from a combination of federal, state, and local sources. In FY 2016-17, total funding for school finance was \$6.4 billion, with the state contribution at \$4.1 billion, or 65 percent of the total, and the local contribution at \$2.3 billion, or 35 percent of the total.⁸

Most revenues to Colorado's 178 school districts are provided through the Public School Finance Act of 1994. The total amount of money each school district receives under the School Finance Act is referred to as "total program." Total program includes both the state share and local share. State share is funded through the state's general fund; local share is generated through property taxes and specific ownership taxes (vehicle ownership taxes). Local share varies widely by district, with local property tax mills range from less than 2 to 27.

Amendment 23 was a constitutional change passed in 2000 to reverse a decade of budget cuts experienced by Colorado school districts throughout the 1990s. During that decade, Colorado's education spending did not keep pace with the inflation rate. Per-pupil funding for education was well below the national average. Amendment 23 required K-12 funding to increase by inflation plus 1% from 2001-2011 and by inflation after that. Notably, even with Amendment 23, by 2007-08, per-pupil funding was still \$1,400 below the national average.⁹

Because of the economic downturn and Colorado's resulting budget crisis, Amendment 23 was not fully implemented through 2011. The negative factor was put in place in 2010-11 by the legislature as a way to reduce funding to districts to balance the state budget.

Total program funding equals: (funded pupil count x formula per pupil funding) + at-risk funding + online & ASCENT funding¹⁰

Once total program is calculated per the School Finance Act, the negative factor is applied to each district's total program funding. Some districts have tried to supplement state shortfall with local mill levy override revenue elections, which raises equity issues for taxpayers and students.



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District Consolidation

The topic of consolidation/de-consolidation of school districts has been discussed numerous times in the Colorado legislature¹¹. The passage of HB92-1003, required a majority of voters in each district being combined or deconstructed to pass a ballot question to combine school districts or deconstruct their school district.

In 2009, the Colorado School Finance Project commissioned a study to explore school district consolidation¹². Most school districts are in one county, while some cover two to three. In 2009, Adams County had seven districts serving 972 to 38,818 students within a 1,191 square mile area. The study found school districts and the education services provided are complex, academic quality is a key concern, and it's difficult to quantify cost savings or student performance benefits.

Educational Reform

Since 2008, Colorado has implemented strategic, integrated educational improvements with a singular purpose: to ensure that all students are prepared for success in a globally competitive world. The Colorado General Assembly has codified reform in a variety of bills¹³, including:

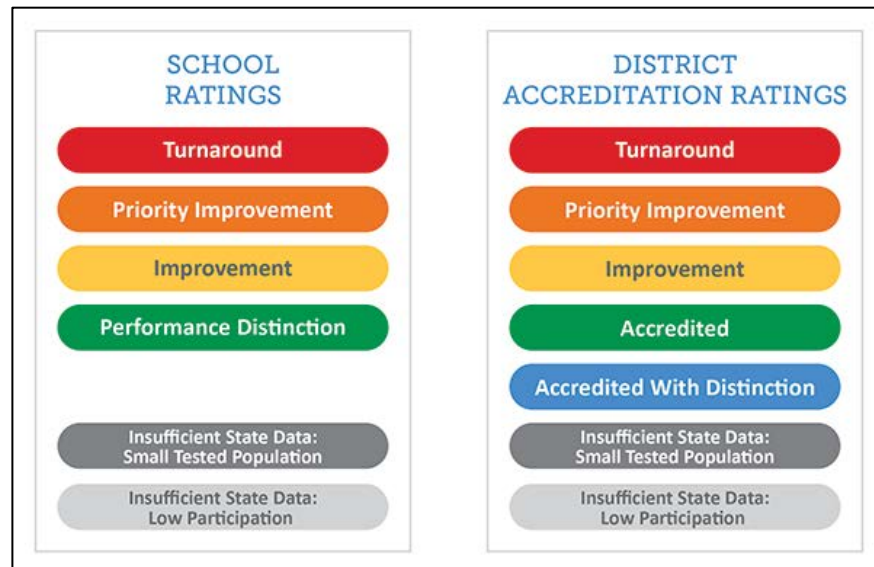
- [Senate Bill 08-212](#): Colorado's Achievement Plan for Kids (CAP4K), adopting new academic standards for Colorado, including Common Core.
- [Senate Bill 09-163](#): The Education Accountability Act, which codified new performance frameworks to hold schools and districts accountable for academic achievement, growth, growth gaps and postsecondary and workforce readiness; implemented a system of Unified Improvement Planning (UIP) that builds from the data in the performance, and enacted a tiered system of support giving higher-performing districts greater autonomy and lower-performing districts more support and intervention.
- [Senate Bill 10-191](#): The Great Teachers and Great Leaders Act, which adopted statewide teacher, principal and specialized service professional quality standards defining effectiveness and establishing a uniform evaluation model.

Accountability System

Colorado's education accountability system is based on the notion that every student should have an opportunity to receive an excellent education and graduate ready to succeed.¹⁴



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Ratings are determined through a three-tiered Performance Framework that considers:

- Academic Achievement: Average scores on state assessments for all students and disaggregated groups.
- Academic Growth: Progress students make in their achievement on assessments from one year to the next for all students and disaggregated groups.
- Postsecondary readiness (high schools and districts only): How well students are prepared for college and the workforce – measured through graduation rates, dropout rates, matriculation rates and college entrance exam scores.

Preliminary ratings are assigned by the Colorado Department of Education in August. Districts can pursue a change in their ratings through a request-to-reconsider process throughout the fall, and final ratings are assigned by the State Board of Education in December.

Schools and districts with the lowest two ratings (priority improvement and turnaround) for five or more years receive specific direction from the Colorado State Board of Education for a pathway to pursue. Possible actions the board can direct include: school closure, turning a district-run school into a charter school, working with an external management partner, district reorganization (for the district only) and seeking “innovation status” for a school or network of

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schools that could provide needed flexibility from certain state and local rules. CDE seeks to work with districts to determine the pathway that has the greatest likelihood of increasing student performance.

The State has never “taken over” a district; rather, CDE works with the district to select [a pathway that is best suited to create dramatic change](#). [HB18-1355](#) further defines criteria measures for determining accountability next steps for CDE and school districts in addressing historically underperforming schools.

CURRENT PUBLIC EDUCATION PROVIDERS

Adams 14 School District

The Adams County 14 School District serves nearly 7,500 students with 905 staff members. Student demographics are as follows:

- 83.5% Hispanic
- 11.7% White
- 2.6% Black or African American
- 1.2% Two or more races
- < 1% American Indian or Alaskan Native (0.66%)
- < 1% Asian (0.29%)
- < 1% Native Hawaiian or Other Pacific Islander (0.05%)
- 84.12% are eligible for free or reduced lunch
- The mobility rate of students is 19.3%

The District [has 13 schools](#) within historic Commerce City and unincorporated Adams County and is currently rated as accredited with priority improvement¹⁵. Ten out of 11 schools increased in their overall framework points, which included three schools moving up a rating; one school achieved the performance rating while two achieved improvement. Two schools moved down a performance rating, one due to not meeting participation rates and one due to a decrease in overall framework points¹⁶.



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In 2015-16, total per pupil funding was \$8,713.52; after the negative factor was applied it was \$7,682.72.¹⁷ Since 2009, the District has lost \$71,633,848 in funding as a result of the negative factor.¹⁸

Community Leadership Academy

Community Leadership Academy is a state-governed charter school that serves 908 students in historic Commerce City, with a 19:1 teacher ratio. Student demographics include:

- 0% American Indian or Alaskan Native
- 0% Asian or Pacific Islander
- 1% African American
- 94% Hispanic
- 5% White

The charter system has two schools and is currently rated as performance with distinction.¹⁹

School District 27J

School District 27J serves approximately 17,500 students from the cities of Brighton, Commerce City, and Thornton as well as portions of unincorporated portions of Adams, Broomfield and Weld Counties. Student demographics are included below:

- 45.08% Hispanic
- 46.51% White
- 3.06% Two or more races
- 2.02% Black or African American
- 2.73% Asian
- < 1% American Indian or Alaskan Native (0.42%)
- < 1% Native Hawaiian or Other Pacific Islander (0.15%)
- 36.37% are eligible for free and reduced lunch²⁰
- 13.8% of students are mobile.



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The District has [26 schools](#) and is currently accredited with improvement.²¹ In 2015-2016, total per pupil funding was \$7,983.86; after the negative factor was applied it was \$7,039.37.²² Since 2009, the District has lost \$141,053,904 in funding as a result of the negative factor.²³

PUBLIC EDUCATION SUPPORT

The City's support of the local public education system is demonstrated in a variety of ways and represents a significant financial investment:

- ***Capital investment and maintenance***
 - Athletic field maintenance within Adams 14 and School District 27J
 - Construction of joint use ball fields
 - City facility usage at no cost for preschool programs
 - Secured federal grant and use of city general funds for improved pedestrian connections to Adams 14 schools
 - Focused school crosswalk striping program
- ***Out-of-school programming***
 - After-school programming within Adams 14 and School District 27J
 - Annual contribution to Suncor Boys & Girls Club
- ***Advocacy***
 - Inclusion of education within annual policy principles
 - Lobbying on behalf of education funding, poverty programs, accountability
 - Recognition of outstanding youth, teachers, and programs
 - Official city council actions supporting District bond and mill levy measures
 - 9Health Fair partnership
 - Funding of educational scholarships
 - School Resource Officer allocation
 - Youth Initiative of Adams County annual funding



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- ***Communication***
 - Inclusion within city's printed newsletter
 - Annual superintendent columns in printed newsletter
 - Use of Friday folders to share program information/services
 - Cross promotion of events and announcements through city website calendar, social media channels
 - Channel 8 usage and partnership
 - Event sponsorship/participation – i.e. Winterfest, Homecoming
- ***Coordination***
 - Fifth Monthly Meetings with Adams 14 and School District 27J, including catering
 - Participation as members of Adams 14 and 27J foundation board of directors
 - Participation in various district committees (i.e. facility fee foundation)

POLICY OPTIONS FOR INCREASED SUPPORT

City Council could consider increasing support of public education in the following areas:

- ***Advocacy***
 - Increase advocacy efforts at state and federal legislative level for increased funding, accountability
 - Develop relationship with State Board of Education Representative, CDE Commissioner
 - Identify next steps with HB-1355 and potential process for direct city participation in pathway options
 - Establish specific funding outcomes for Quality Community Foundation relative to public education support
 - Increase support for city's annual foundation scholarship golf tournament
- ***Capital investment and maintenance***



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- Financially contribute or provide bonding backstops for needed capital investments
- Increase maintenance contributions (financial or in-kind) to district facilities
- Commit financial and in-kind resources to improved pedestrian connectivity within 1.5-miles of schools, securing grant funds as appropriate
- ***Out-of-school programming***
 - Subsidize transportation to out-of-school city programming options
 - Target city-provided youth programs and services to specific data outcomes, such as reducing youth drug use, increased reading scores, and increase funding
 - Direct programmatic resources to school-based sites (city/third-party led)
 - Financially support programs that increase post-secondary enrollment, workforce development, summer employment
 - Deepen partnership with Boys & Girls Club, considering need for second facility
- ***In-school programming***
 - Increase funding and availability of school resource officers and youth/family community navigators
 - Redirect youth programs to in-school options, focused on data driven results (i.e. increased math, reading scores)
 - Increase funding for programs that reduce truancy rates
 - Increase funding for programs that increase graduation rates
 - Fund/subsidize PreK and/or full-day kindergarten programs
 - Fund/subsidize site-specific mental health resources
- ***Communication***
 - Invite District participation in quarterly telephone town halls
 - Provide avenues for quarterly or monthly updates on District activities within city manager's report or other communication channels



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- **Coordination**

- Identify specific outcomes by district, engaging elected peers to achieve collective actions, incorporating in annual work plans
- Implement Education Commission with support of all districts

Please contact City Manager McBroom with questions.

¹ [Colorado Education Facts & Figures](#), Colorado Department of Education. February 2018.

² [Colorado School Finance Booklet](#), Colorado Legislative Council. 2017.

³ [Vital Signs](#), Youth Initiative of Adams County, 2018.

⁴ *Owens v. Congress of Parents, Teachers and Students*, 92 P.3d 933, 939 (Colo. 2004)

⁵ *Denver Bd. of Educ. v. Booth*, 984 P.2d 639, 648 (Colo. 1999)

⁶ *Owens*, 92 P.3d at 935.

⁷ [Colorado Association of School Boards](#). 2018.

⁸ [Colorado School Finance Booklet](#), Colorado Legislative Council. 2017.

⁹ [Amendment 23 FAQs](#), Great Education Colorado. 2018.

¹⁰ [Public School Finance](#), Colorado Department of Education.

¹¹ <http://www.cosfp.org/HomeFiles/ServicesConsolidation/2017/Consolidation-District-Services-Overview.pdf>

¹² [District Consolidation Study](#). Augenblick, Palaich and Associates. 2009.

¹³ [Colorado Education Reform 101](#), Colorado Department of Education. February 2017.

¹⁴ [Accountability System](#), Colorado Department of Education. 2017.

¹⁵ [Unified Improvement Plan; District Improvement Plan](#), Colorado Department of Education. 2017-2018.

¹⁶ [Preliminary results](#), Adams 14 School District, 2017.

¹⁷ [Public School Finance Act Historical Funding Information](#), Colorado Department of Education. 2018.

¹⁸ [A Decade of K-12 Funding Cuts](#), Colorado School Finance Project. 2018.

¹⁹ [Unified Improvement Plan; District Improvement Plan](#), Colorado Department of Education. 2017-2018.

²⁰ [County Profile](#), Youth Initiative of Adams County, 2018.

²¹ [Unified Improvement Plan; District Improvement Plan](#), Colorado Department of Education. 2017-2018.

²² [Public School Finance Act Historical Funding Information](#), Colorado Department of Education. 2018.

²³ [A Decade of K-12 Funding Cuts](#), Colorado School Finance Project. 2018.

