

**RESOLUTION OF THE BOARD OF EDUCATION
JEFFERSON COUNTY SCHOOL DISTRICT NO. R-1**

WHEREAS, the Colorado Constitution mandates:

1. That the general assembly shall establish and maintain a thorough and uniform system of free public schools throughout the state; and,
2. That the general assembly shall provide for the organization of school districts to be governed by locally elected boards of education that are vested with the control of instruction in the public schools of their respective districts; and,

WHEREAS, on October 19, 2009, the Colorado Supreme held in *Lobato v. State of Colorado*:

1. That the Education Clause of the Colorado Constitution contains a substantive mandate to the general assembly to assure that thorough and uniform educational opportunities are available in every school district and that every school district has the control necessary to implement the mandate at the local level; and,
2. That the state's public school finance system must be rationally related to fulfilling the constitutional mandate that the General Assembly establish and maintain a "thorough and uniform" system of free public schools throughout the state; and,
3. That it is the responsibility of the judiciary to review claims that allege a failure by the general assembly to fulfill the mandate of the Education Clause; and,
4. That Colorado school districts may participate as plaintiffs in the pending public school finance litigation; and,

WHEREAS, *Lobato v. State of Colorado* is now remanded to the district court for trial on the merits; and,

WHEREAS, this Board of Education is authorized and charged by law with the responsibility to provide an educational program that meets the high expectations of the students, parents, and taxpayers within the School District; and,

WHEREAS, the general assembly has enacted legislation establishing a system of educational accountability based upon goals, objectives, content standards, standardized testing, assessment, school accreditation, and school accountability, which system has also incorporated the federal No Child Left Behind Act; and,

WHEREAS, this system has imposed increased expectations and obligations upon local school districts, which include progressively more demanding standards, all under threat of state and federal sanctions, up to and including privatization of local schools; and,

WHEREAS, the Colorado public school finance system is not designed to assure the level of funding necessary to provide the programs and services guaranteed by the Colorado Constitution and to meet the academic standards to which all school districts and their students are held accountable; and,

WHEREAS, the general assembly has failed to fund categorical and other programs intended to provide badly needed support and to meet the requirements of federal and state law for at risk student populations, low income families, second language learners, and special education students, all of which further impacts the educational opportunities available to all students; and,

WHEREAS, the general assembly has failed to demonstrate the commitment or ability to provide for and fund an adequate and equitable system of public education that meets the standards of the Colorado constitution; and,


WHEREAS, the school districts and their boards of education have special constitutional and statutory interests that are substantially independent of the state board of education, the general assembly, and the State of Colorado; and,

WHEREAS, the Colorado Association of School Boards ("CASB") and the Colorado Association of School Executives ("CASE") governing boards have strongly endorsed the Colorado school finance litigation;

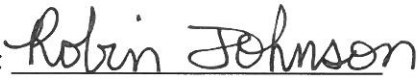
THEREFORE, IT IS RESOLVED, that the Board of Education endorses and supports the Colorado school finance litigation, known as *Lobato v. State of Colorado*; and, determines that it is in the best interests of the Jefferson County School District and Jefferson County school community, parents, children, and teachers, to join as a Plaintiff in that litigation and to provide financial support to the litigation; and,

IT IS FURTHER RESOLVED, that in furtherance of such litigation, the School District shall provide financial support by making a special contribution to assist in paying the expenses thereof, to be managed and distributed by CASB or a group organized by CASB. The amount of financial support shall be One Dollar (\$1.00) per enrolled Jeffco student as reflected in the October 2009 student count.

Approved this 25th day of February, 2010, by a vote of 4 - 0.



Jane Barnes, First Vice President
Board of Education

Attest: 

Robin Johnson, Secretary
Board of Education