

**Board Resolution in Support of Lawsuit Challenging HB 18-1306's
School Choice Transportation Provision**

WHEREAS, during the 2018 legislative session, the Colorado General Assembly enacted House Bill (HB 18-1306, "Improving Education Stability for Foster Youth" concerning ensuring educational stability for students in out-of-home placement, also known as foster students; and

WHEREAS, an amendment to HB 18-1306 occurred the last day of the session without public explanation or debate, and added a "school choice" transportation provision to the bill; and

WHEREAS, the school choice amendment made a significant change to state law regarding inter-district student transportation by deleting the requirement that a school district obtain the consent of any adjacent district prior to entering such district for the purpose of transporting non-resident students across district lines; and

WHEREAS, on June 1, 2018, the Governor signed HB 18-1306 into law due to the support for students in foster care, but sent a letter to the Colorado House of Representatives expressing serious concerns about the process in which the school choice transportation provision was "bolted on" to the bill; and

WHEREAS, this matter was discussed with board members in June 2018 and agreed was consistent with the plaintiffs eventual assertion that the process and manner in which the school choice transportation provision was added to HB 18-1306 violated the Colorado Constitution on a number of points, specifically that of single issue legislation; and

WHEREAS, on August 6, 2018, the Colorado Association of School Boards, the Colorado Association of School Executives, along with other plaintiffs filed a lawsuit in Denver District Court, challenging the constitutionality of the school choice transportation provision of HB 18-1306; and

WHEREAS, Superintendent Dr. Jason Glass requested that Jeffco Public Schools become a plaintiff in this lawsuit.

NOW THEREFORE, BE IT RESOLVED THAT, the Jeffco Public Schools Board of Education supports this lawsuit, referred to as *Poudre Sch. Dist. R-1 et al. v. State of Colorado et al.*, and ratifies Dr. Jason Glass' decision to have Jeffco Public Schools as a plaintiff in this lawsuit.

ADOPTED AND APPROVED this 6th day of September 2018.

Jeffco Public Schools

ATTEST:

By: _____

Amanda Stevens
Secretary, Board of Education

By: _____

Ron Mitchell
President, Board of Education