



# COLORADO STATE BOARD OF EDUCATION

201 East Colfax Avenue • Denver, Colorado 80203-1704  
303.866.6817 • Fax: 303.830.0793 • www.cde.state.co.us

## RESOLUTION

- WHEREAS: Senate Bill 10-191 (hereinafter “SB 10-191”) creates “[a] system to evaluate the effectiveness of licensed personnel [that] is crucial to improving the quality of education in this state;” and
- WHEREAS: SB 10-191 is one of the pillars of bi-partisan education reform efforts in the State of Colorado; and
- WHEREAS: The Colorado Education Association and the Denver Classroom Teachers Association (hereinafter the “CEA/DCTA”) have indicated an intent to file a civil action in Denver District Court attacking the constitutionality of SB 10-191; and;
- WHEREAS: The successful implementation of SB 10-191 being crucial to the success of continuing education reform efforts in Colorado, the State Board wished to enter into negotiation with CEA/DCTA to ensure statewide implementation of SB 10-191 and to amicably settle this matter short of litigation; and
- WHEREAS: To this end, and to allow sufficient time for SB 10-191’s critical first year of implementation throughout the state the State Board entered into a tolling agreement on August 28, 2013, postponing the filing of such a lawsuit until on or after January 1, 2014, in order to give all interested parties sufficient time to negotiate a resolution of these issues; and
- WHEREAS: Since that time, concerns have arisen regarding CEA/DCTA’s possible violation of the Tolling Agreement by raising the constitutionality of SB 10-191 in other cases, and negotiations have reached an impasse;

**Paul Lundeen**  
**Chairman**  
5th Congressional District

**Marcia Neal**  
**Vice-Chairman**  
3rd Congressional District

**Elaine Gantz Berman**  
1st Congressional District

**Jane Goff**  
7th Congressional District

**Pam Mazanec**  
4th Congressional District

**Debora Scheffel**  
6th Congressional District

**Angelika Schroeder**  
2nd Congressional District



NOW,

THEREFORE:

The State Board of Education calls upon CEA/DCTA to demonstrate good faith support for bi-partisan education reform efforts in Colorado by agreeing to not file the threatened lawsuit or any future legal challenge to the constitutionality of Senate Bill 10-191; and

In the event CEA/DCTA does not engage in good faith negotiations and chooses to file a lawsuit challenging SB 10-191, the Commissioner of Education and the State Board of Education will defend any such lawsuit to the fullest extent of the law, to preserve the integrity of SB 10-191 and the ongoing education reforms in Colorado.

DATED THIS 9<sup>TH</sup> DAY OF October, 2013



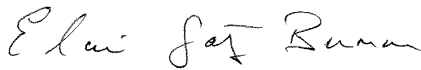
---

Paul Lundeen, Chairman  
5<sup>th</sup> Congressional District



---

Marcia Neal, Vice-Chairman  
3<sup>rd</sup> Congressional District



---

Elaine Gantz Berman  
1<sup>st</sup> Congressional District



---

Jane Goff  
7<sup>th</sup> Congressional District



---

Pam Mazanec  
4<sup>th</sup> Congressional District

Absent

---

Debora Scheffel  
6<sup>th</sup> Congressional District



---

Angelika Schroeder  
2<sup>nd</sup> Congressional District