

# CDE MEETING AGENDA



**COLORADO**  
Department of Education

## VISION

All students graduate ready for college and careers, and prepared to be productive citizens of Colorado.

## MISSION

Ensuring equity and opportunity for every student, every step of the way.



## Public School Capital Construction Assistance Board Agenda

**Date & Time:** April 20, 2023, 1:00pm-3:30pm

**Location:** Virtual, Microsoft Teams

### Capital Construction Assistance Board Members:

Jane Crisler – Chair	Kevin Haas	Brett Ridgway
Wendy Wyman – Vice Chair	Vaishali McCarthy	Matt Samelson
Brian Amack	Allison Pearlman	Michael Wailes

- I. Call to Order
- II. Roll Call
- III. Approve Agenda
- IV. Approve Previous Meeting Minutes from: March 16, 2023
- V. Board Report
- VI. Staff Report
- VII. Discussion Items:
  - A. Legislative Update
  - B. CCAB Conflict of Interest
  - C. May Meeting Prep
- VIII. Action Items:
  - A. Averaging CCAB Scores
- IX. Future Meetings:
  - May 15-17 –Microsoft Teams
  - June 15, 2023 (State Board, June 14-15 TBD)
  - July 20, 2023 – Microsoft Teams
- X. Public Comment
- XI. Adjournment

# CDE MEETING MINUTES



**VISION**  
All students graduate ready for college and careers, and prepared to be productive citizens of Colorado.

**MISSION**  
Ensuring equity and opportunity for every student, every step of the way.



## Public School Capital Construction Assistance Board Meeting Minutes

**Date & Time:** Thursday, March 16, 2023 - 1:00pm-3:30pm

**Location:** Virtual – Microsoft Teams

### **Capital Construction Assistance Board Members:**

Jane Crisler – Chair	Kevin Haas	Brett Ridgway
Wendy Wyman – Vice Chair	Vaishali McCarthy	Matt Samelson
Brian Amack	Allison Pearlman	Michael Wailes

- I. **Call to Order:** Meeting called to order by Jane Crisler at 1:03pm
- II. **Roll Call:**  
Members Present: Brian Amack, Kevin Haas, Allison Pearlman, Vaishali McCarthy, Brett Ridgway, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler
- III. **Approve Agenda:**  
Motion moved: Kevin Haas - *Approve agenda as written.*  
Second by: Matt Samelson  
All for: Brian Amack, Kevin Haas, Allison Pearlman, Vaishali McCarthy, Brett Ridgway, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler  
All opposed: None  
Motion passed
- IV. **Approve Minutes:** February 16, 2023  
Motion moved: Brian Amack - *Approve minutes as written.*  
Second by: Vaishali McCarthy  
All for: Brian Amack, Kevin Haas, Allison Pearlman, Vaishali McCarthy, Brett Ridgway, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler  
All opposed: None  
Motion passed
- V. **Board Report:**
  - Matt asked for a system to help the CCAB keep track of events like ribbon cutting and groundbreaking ceremonies. Andy will create a google doc to help tack this info.
  - Jane: A4LE is having a virtual panel discussion on school finance both Jane and Andy will be participating on April 5<sup>th</sup>.

VI. **Staff Report:**

- Andy attended a conference about Public Private Partnerships last week. Looking to engage them in how this model might (or might not) work with BEST or for schools in general.
- Staff met this week to discuss a few of the current projects.
- We will reopen the application portal for final revisions on March 22-29. Then will be working on putting the summary book together. The goal is to have the books to the board by the April 20<sup>th</sup> meeting.
- Andy discussed a few projects that have withdrawn their applications for this round.
- Shared photos from Facility Assessor Mark Hillen of Vineland Elementary in the Pueblo 70 School District.
- Walsh will hold groundbreaking on March 27<sup>th</sup>, more info to come.

VII. **Discussion Items:**

A. May Schedule

- Staff shared the draft schedule and review order for the upcoming 3day grant review meeting. The meeting will be May 15th-17th.

B. What to expect in Grant Review

- Andy gave an overview of what the board members can expect during the grant review process. He shared some helpful tips with the CCAB for reviewing applications and things to look for.

C. Legislative Updates

- Match subcommittee update: Matt shared that there hasn't been much movement since the last update, but work is still happening.
- Andy shared updates on HB22-1146 and new developments and decisions made by the working group.

**Action Items:**

A. Resolution in Favor of Maximizing Revenues into the Capital Construction Assistance Fund

Motion moved: Brian Amack - *Approve resolution as presented.*

Second by: Michael Wailes

All for: Brian Amack, Kevin Haas, Allison Pearlman, Vaishali McCarthy, Brett Ridgway, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler

All opposed: None

Motion passed

VII. **Future Meetings:**

- April 20, 2023 - Microsoft Teams
- May 15-17, 2023 – Microsoft Teams

VIII. **Public Comment:**

None

X. **Adjourn:** Meeting Adjourned by Jane Crisler at 2:00pm



**COLORADO**  
Department of Education

Public School Capital Construction Assistance Board  
Meeting Agenda Sheet

**MEETING DATE: April 20, 2023**

**SUBJECT: Legislative Updates**

**ITEM TYPE: Discussion Item**

**BACKGROUND:**

Staff and board will discuss legislative updates as necessary.

1. Presentation to State Board of Education
2. Match Subcommittee Updates

**STAFF RECOMMENDATION:**

N/A

**STAFF RECOMMENDED MOTION:**

N/A

**DOCUMENTATION:**

Presentation to State Board of Education



# BEST

## Building Excellent Schools Today

A grant program for school renovations and new construction funded through local matching dollars, the Colorado State Land Board, the Colorado Lottery, and excise taxes.





- Capital Construction Assistance Board
  - Nine-member appointed board
- Available to all public school districts, charter schools, institute charter schools, boards of cooperative educational services and the Colorado School for the Deaf and Blind
- Per statute, priorities are:
  1. **Health, Safety, Security** and Technology
  2. Overcrowding
  3. CTE Programs
  4. Projects to Remove American Indian Mascots
  5. All other projects



- **Building Excellent Schools Today (BEST) Grants**

- **Cash funds** are typically used to fund smaller projects, such as roofs, boiler replacements and fire alarms.
- **Lease-Purchase or COP funds** are typically used to fund larger projects, such as new schools, major renovations and additions. These grants are financed through Certificates of Participation and repaid with Assistance Fund revenues.

- **Emergency Grants:** available for unanticipated events that threaten health or safety or render all or a significant portion of a public-school facility unusable for educational purposes.

- **Other Grants as Assigned:** FY20 Full Day Kindergarten Grants, FY22 Air Quality Improvement Grants.

- **Charter School Capital Construction Program:** used for “construction, demolition, remodeling, maintaining, financing, purchasing, or leasing of land, buildings, or facilities...”

- Funded with a percentage of marijuana excise tax revenue and State Education Fund dollars.

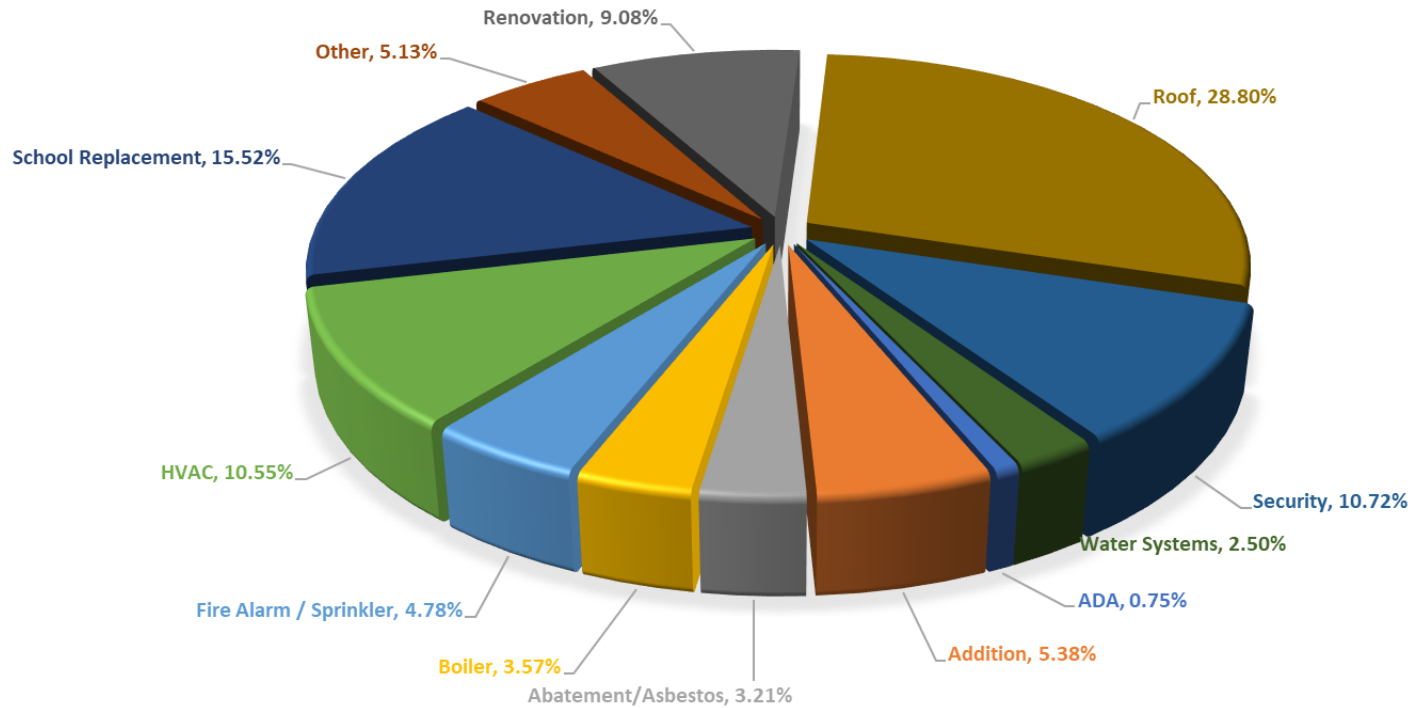
- **Facility Insight Assessments** focus on establishing an industry based standard to compare the cost of replacing major systems against replacing an entire facility.

- **Professional Resource** for facility needs (master planning, design, maintenance, construction, procurement, etc.).





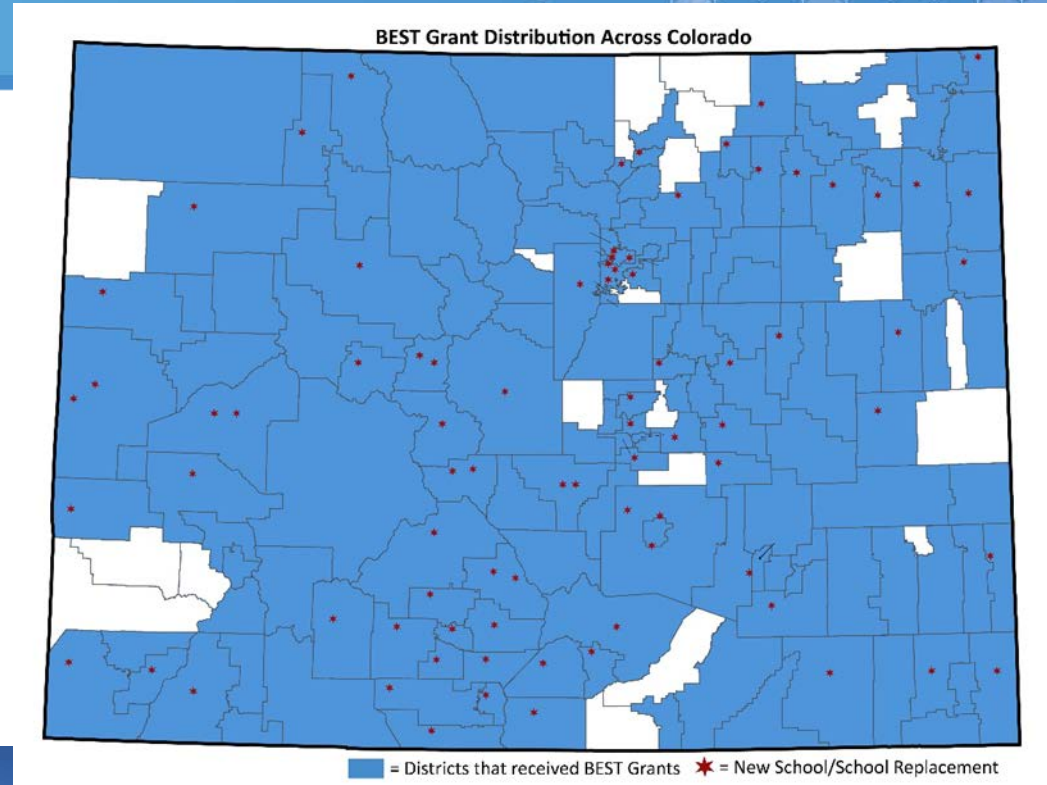
## BEST Projects Funded by Project Type through FY2021-2022





# Bragging

BEST has awarded health and safety grants, additions and replacement schools in nearly every Colorado school district.



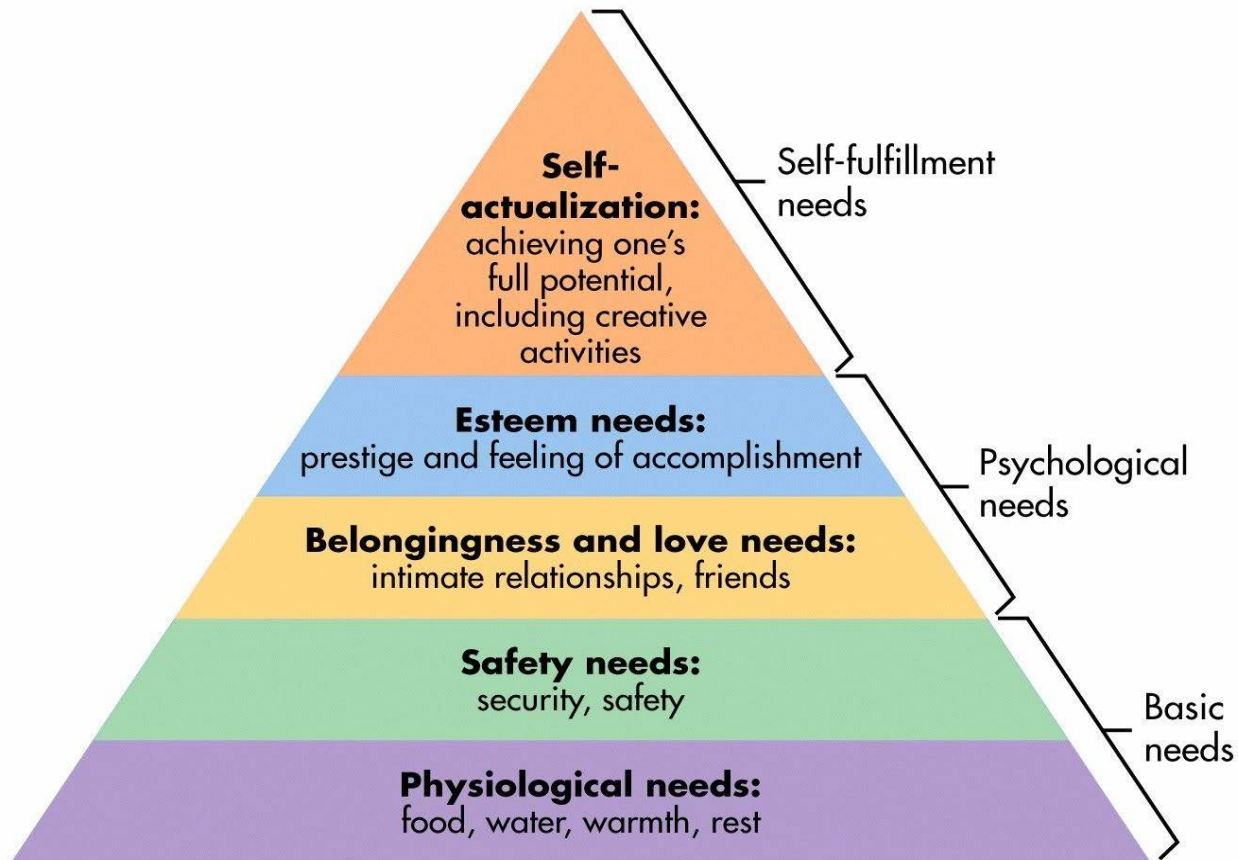
# Bragging



- BEST has generated over \$3.5 billion in school construction projects.
- BEST projects create or support 17.5 direct and indirect jobs (contractors, architects, materials suppliers, restaurants and grocery stores) for every \$1 million invested.



Building conditions influence the health, well-being and performance outcomes of students and teachers. Research shows healthy schools promote positive learning environments and improves student academic performance.



- Healthy schools benefit from 14% lower suspension rates.
- Students in healthy schools earn test scores 5-17% higher than those in substandard buildings.
- Reading speed, comprehension, and mathematics performance decrease at temperatures above 74 degrees.
- Student performance is improved by an even distribution of daylight.
  - 20% faster student progress in math and 26% faster progress in reading

*\*Source: California Department of Education*

## **BEST Schools**

### Anecdotal

- Culture shift
- Community pride
- Student pride
- Reduced truancy
- Reduced vandalism

### Quantitative

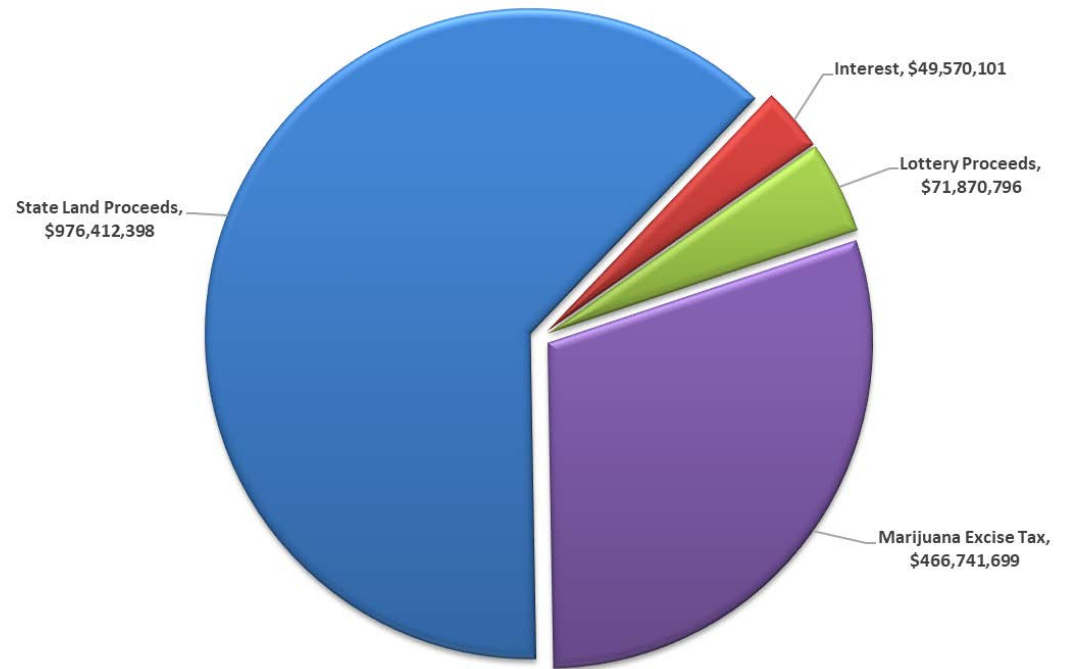
- Teacher retention
- Truancy
- Disciplinary
- Test scores?

# Capital Construction Assistance Fund Revenue Sources Through FY22

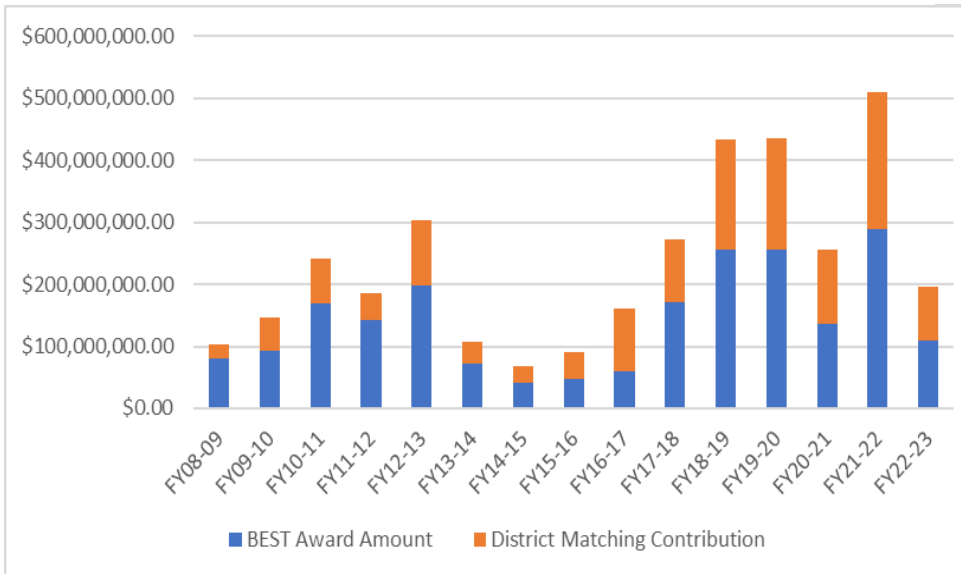
## \$1.5 Billion in Total Revenue

- 62% State Land Proceeds
- 30% Marijuana Excise Tax
- 5% Colorado Lottery
- 3% Interest

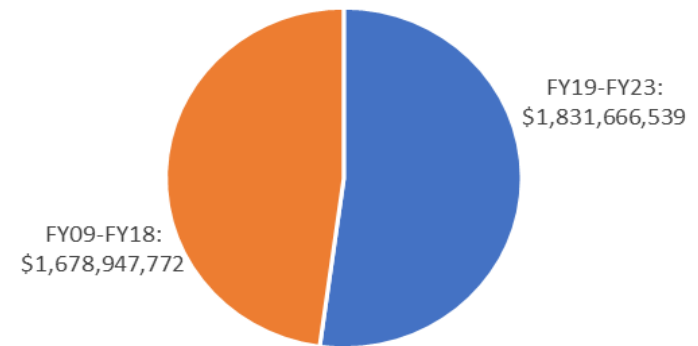
Capital Construction Assistance Fund Revenue Sources  
Life of Program



# Building Excellent Schools Today Grants FY09 – FY23



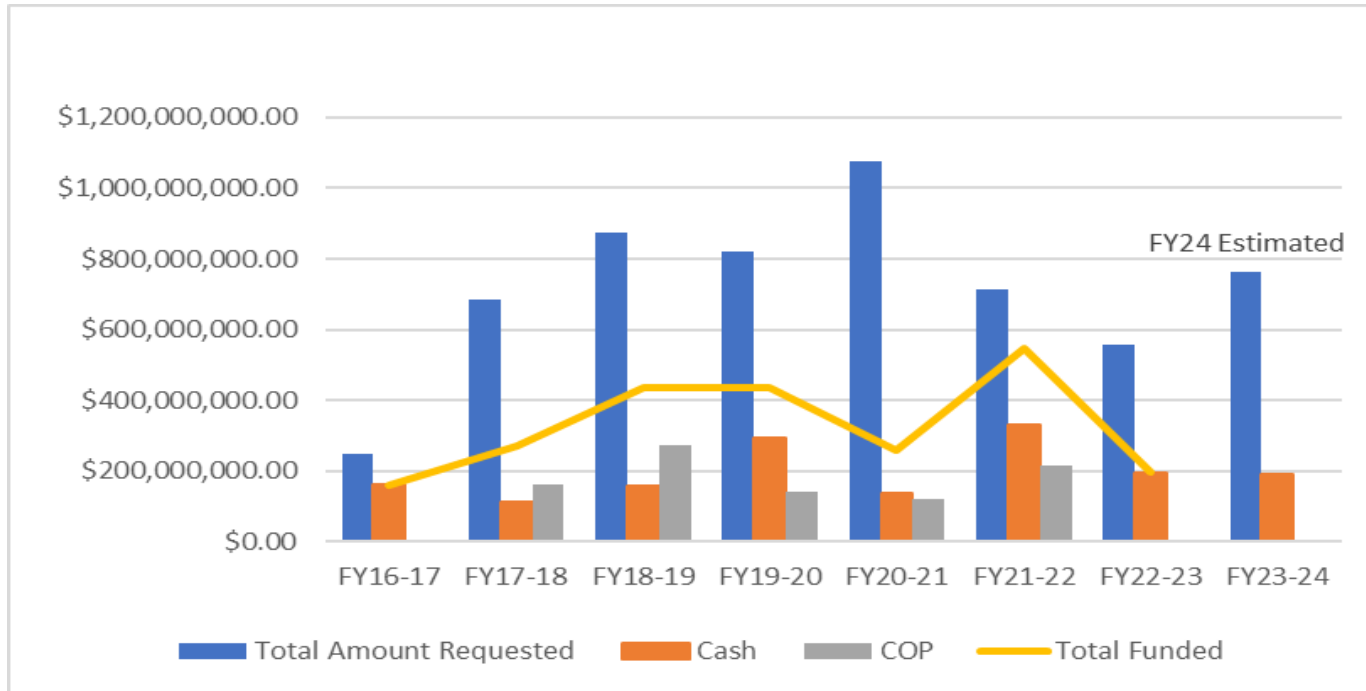
Total Cost of projects first 10 years vs. current five years



## Totals do not include:

- \$36 million in Emergency Projects related to COVID in FY22.
- \$10 million in Air Quality Improvement grants in FY22.
- \$66 million in Charter School Capital Construction Fund distributions since FY14.

# Funding in FY17 – FY24 Grant Rounds



- BEST averages \$521 million in total project requests each year with \$236 million in total project cost funded.





## FY24 request is **\$522 million**

- 57 grants requesting \$522 million from BEST with a project total of \$763 million.
  - Six supplemental requests for \$34 million due to inflation.
  - 15 projects requesting over \$10 million each, totaling about \$428 million.
  - 10 charter school applications for \$46 million.

## FY24 available is **\$134.7 million**

- \$160 million available for cash grants based on estimated revenues.
- \$30 million deposit into the Assistance Fund eliminated (originally called for in SB21-207, with no indication of transferring in the future).
- \$4.7 million in cash increased (originally set aside for Air Quality Improvement Grants in SB21-202 but not fully awarded).

## Total State need is \$22 billion \*

- 98% of districts under 1M sq. ft. assessed in person.
- Modeled data for 22 of 26 largest districts.
- Aging facilities and recent extreme cost escalations continue to push this number up.





**Public School Capital Construction Assistance Board**  
**Meeting Agenda Sheet**

**MEETING DATE:** April 20, 2023

**SUBJECT:** Conflict of Interest Training and Forms

**ITEM TYPE:** Discussion

**BACKGROUND:**

Each year the CCAB reviews its conflict of interest policy. The Office of the Attorney General will provide training. Section 3 of the BEST Rules states:

3.1. Conflict of Interest

3.1.1. In regard to Board members providing information to potential Applicants:

3.1.1.1. Board members shall exercise caution when responding to requests for information regarding potential Applications, especially in regard to questions that may increase the chances that the Board would give a favorable recommendation on an Application or Project.

3.1.2. If a potential or actual conflict of interest occurs with a Board member, the Board member will complete a Conflict of Interest disclosure form and it will be presented at the following CCAB meeting. The Division shall document the date of the disclosure, the name of the board member and conflict disclosed, and the documented disclosure shall be retained and made available at all board meetings which evaluation of applications or voting occurs.

3.1.3. Board members, and their firms, shall not present their position on the Board to School Districts, Charter Schools, Institute Charter Schools, BOCES, or the Colorado School for the Deaf and Blind as an advantage for using their firm over other firms in a bid to provide services on any capital construction project.

3.1.4. In regard to Board members avoiding potential conflicts of interest in evaluation of and voting on Applications:

3.1.4.1. If a Board member's firm has no prior involvement regarding the Project included in an Application and the Board member does not have a direct or indirect substantial financial interest in an Application, the Board member may appropriately vote on the Application, but may not bid or work on the Project. The Board member's firm may bid or work on the Project, so long as the Board member plays no role in the entire procurement process and the Board member discloses any conflict of interest;

3.1.4.2. No Board member shall participate in the Board's evaluation process, including voting, for any Application when the Board member has a direct or indirect

substantial financial interest in the Project or Application or the Board member's firm has had prior involvement with the Applicant directly related to the Project or Application;

3.1.4.3. At all times Board members must exercise judgment and caution to avoid conflicts of interest and/or appearance of impropriety, and should inform the Division staff of any questionable situation that may arise. A Board member may recuse himself or herself from any vote.

3.1.4.4. Board members shall be aware of and comply with the Colorado Code of Ethics, § 24-18-108.5(2), C.R.S., and shall not perform any official act which may have a direct economic benefit on a business or other undertaking in which the member has a direct or substantial financial interest.

3.1.4.4.1. A financial interest means a substantial interest held by an individual which is (i) an ownership interest in a business, (ii) a creditor interest in an insolvent business, (iii) an employment or prospective employment for which negotiations have begun, (iv) an ownership interest in real or personal property, (v) a loan or any other, or (vi) a directorship or officer ship in a business.

3.1.4.4.2. An official action means any vote decision, recommendation, approval, disapproval or other action, including inaction, which involves the use of discretionary authority.

3.1.5. In cases where a Board member has violated the conflict of interest policy as determined by the board chair, the Division Director will notify the Board member's appointing authority of the violation in writing. In the event of a conflict involving the board chair, the vice-chair will make the determination.

**STAFF RECOMMENDATION:**

Review the rules, ask questions, and complete forms.

**STAFF RECOMMENDED MOTION:**

N/A

**DOCUMENTATION:**

Attached (to email) Conflict of Interest Disclosure Form



**Public School Capital Construction Assistance Board**  
**Meeting Agenda Sheet**

**MEETING DATE:** April 20, 2023

**SUBJECT:** May Meeting Prep/Grant Selection Overview

**ITEM TYPE:** Discussion

**BACKGROUND:**

Staff will walk CCAB members through the:

- Summary Book
- Evaluation Tool
- Waiver Evaluation Tools

**STAFF RECOMMENDATION:**

N/A

**STAFF RECOMMENDED MOTION:**

N/A

**DOCUMENTATION:**

Necessary documents or links to be shared day of meeting.



Public School Capital Construction Assistance Board  
Meeting Agenda Sheet

**MEETING DATE: April 20, 2023**

**SUBJECT: Averaging CCAB Scores**

**ITEM TYPE: Action Item**

**BACKGROUND:**

At the August 2022 board retreat, staff and board reviewed several topics from the previous grant round's applicant survey. One of those was a question raised about the best methodologies related to averaging board members' scores. Staff have reviewed several methods and reviewed final consideration with Phil Beaver, Professor of Business Analytics at Daniels College of Business at the University of Denver.

Current Methodology is to have board members score each project, break any ties with a forced ranking completed by each board member, average the scores of all voting board members, break any ties using the average ranks, then vote to break any remaining ties as a group. The challenge with this is that if one or two board members score a single project drastically different than the others, it risks putting an outsized weight on that score and negating the will of the majority. Other concepts discussed, like eliminating low scores as outliers, were not well received by the board, because this in effect eliminates voice.

Staff have determined that averaging the final rankings of each voting member (rather than the scores) does a better job of eliminating the unintended consequence of a single low score, while also not eliminating or elevating the voice of any one board member. Additionally, the concept of prioritizing is more specifically referenced in statute, which the forced ranking accomplishes more directly:

**22-43.7-106(2)(c)** To review financial assistance applications and prepare and submit to the state board a prioritized list of projects to receive financial assistance and the amount and type of financial assistance that should be provided for each project;

**STAFF RECOMMENDATION:**

Discuss and consider changing board score averaging methodology to the average rank, using the average score as a tie-breaker.

**STAFF RECOMMENDED MOTION:**

I move to request that staff use average rank (as opposed to average score) when determining the final prioritized list of projects to receive financial assistance.

**DOCUMENTATION:**

**Score vs. Rank Analysis**

Score vs. Rank Analysis

Sample Scores

	R1	R2	R3	R4	R5	R6	R7	R8	R9		Scoring Members	Total	Average Score
App1		50	48	51	54	50	49	12	54	53	9	421	46.78
App2		50	48	46	50	48	48	47	54	52	9	443	49.22
App3		48	52	46	47	48	52	48	54	53	9	448	49.78
App4		48	55	42	49	51	53	47	54	55	9	454	50.44
App5		51	46	41	0	51	46	43	54	53	8	385	48.13
App6		51	43	0	49	53	46	0	54	54	7	350	50.00
App7		53	47	55	38	55	45	0	54	55	8	402	50.25
App8		55	49	27	41	38	49	0	54	55	8	368	46.00
App9		20	51	38	43	55	50	51	15	53	9	376	41.78
App10		55	50	45	52	46	47	47	54	54	9	450	50.00

Sample Ranks

	R1	R2	R3	R4	R5	R6	R7	R8	R9		Scoring Members	Total	Average Rank
App1	6		6	2	1	6	5	7	1	8	9	42	4.67
App2	7	7	7	4	3	7	6	4	5	10	9	53	5.89
App3	8	2	2	3	6	8	2	2	4	6	9	41	4.56
App4	9	1	1	6	4	5	1	3	3	3	9	35	3.89
App5	4	9	7	7	0	4	9	6	6	7	8	52	6.50
App6	5	10	0	1	5	3	8	0	8	4	7	43	6.14
App7	3	8	8	1	9	1	10	0	9	1	8	42	5.25
App8	1	5	5	9	8	10	4	0	7	2	8	46	5.75
App9	10	3	3	8	7	2	3	1	10	9	9	53	5.89
App10	2	4	4	5	2	9	7	5	2	5	9	41	4.56

Score Average-Based Prioritization

App4	50.44444
App7	50.25
App6	50
App10	50
App3	49.77778
App2	49.22222
App5	48.125
App1	46.77778
App8	46
App9	41.77778

Rank Average-Based Prioritization

App4	3.888889
App3	4.555556
App10	4.555556
App1	4.666667
App7	5.25
App8	5.75
App2	5.888889
App9	5.888889
App6	6.142857
App5	6.5

Why such a big difference? "Happy Scoring" reviewers 8 and 9 generally had little influence on the score-based prioritization, but when forced to rank, significantly impacted the distribution

Under current score-based system, reviewers who create a distribution in their scores have much more say over the result than those who cluster together. The exception is with 'happy scoring' and a single outlier (Reviewer 8 had all 55s except for a single 15). That single low score along with another low score put App9 at the bottom, where when ranked, App 9 was 3rd from the bottom.

App1 is another example, where one very low score put it 3rd from the bottom in average scores, but 4th when all members were equalized with rank average.

App6 also had a big jump. There were two recusals, and they received the benefit of those recusals not being the 'happy scorers', bringing their average up significantly. However rankings neutralized that influence.

**The average rank may better serve as a direct indicator of the individual prioritization of each board member, and the average score can serve as a tiebreaker, since it would account for any very strong negative or positive opinions about any given tied grant**

Ultimately the "yes/no" shortlist option is the preferred mechanism for any board member to advocate a grant not receive funding in this round.