

CDE MEETING AGENDA



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: Thursday, September 19, 2024, 1:00pm – 3:30pm

Location: Virtual – Microsoft Teams

Capital Construction Assistance Board Members:

| | | |
|---------------------|---------------|--------------|
| Wendy Wyman – Chair | Jody Hovde | Lara Vincent |
| Alan Ford | Matt Samelson | George Welsh |
| Kevin Haas | Wade Turner | Mark Wilsey |

- I. Call to Order
- II. Roll Call
- III. Approve Agenda
- IV. Approve Previous Meeting Minutes: August 15, 2024
- V. Board Report
- VI. Staff Report
- VII. Discussion Items:
 - A. Introductions
 - B. CCAB Responsibilities
 - C. Review of Priorities from August Retreat
 - D. Scoring Criteria and Staff Comments
- VIII. Action Items:
 - A. Officer Elections
- IX. Future Meetings:
 - Wednesday, October 16, 2024 – CASBO Vail, CO
 - November 21, 2024 – Microsoft Teams
 - December 19, 2024 – Microsoft Teams (CASB Colorado Springs, December 5-7)
 - May 13-15, 2024 (9AM – 5PM) – Microsoft Teams
- X. Public Comment
- XI. Adjournment

CDE MEETING MINUTES



COLORADO
Department of Education

VISION

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

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Public School Capital Construction Assistance Board (CCAB) Meeting Minutes

Date & Time: Thursday, August 15, 2024- 9:00am-4:30pm

Location: Mapleton Public Schools
7350 N. Broadway, Denver, CO 80221

Capital Construction Assistance Board Members:

| | | |
|--------------------------|-------------------|----------------|
| Jane Crisler – Chair | Vaishali McCarthy | Lara Vincent |
| Wendy Wyman – Vice Chair | Matt Samelson | Michael Wailes |
| Kevin Haas | Wade Turner | George Welsh |

- I. **Call to Order:** Meeting called to order by Jane Crisler at 9:03am
- II. **Roll Call:**
Members Present: Kevin Haas, Vaishali McCarthy, Wade Turner, Michael Wailes, George Welsh, Wendy Wyman, Jane Crisler
Absent: Matt Samelson, Lara Vincent
Guests: Cindy DeGroen, State Demographers Office
- III. **Approve Agenda:**
Motion moved: Michael Wailes- *Approve agenda with changes suggested.*
Second by: George Welsh
All for: Kevin Haas, Vaishali McCarthy, Wade Turner, , Michael Wailes, George Welsh, Wendy Wyman, Jane Crisler
Absent: Matt Samelson, Lara Vincent
All opposed: None
Motion passed
- IV. **Approve Minutes: July 18, 2024**
Motion moved: Vaishali McCarthy - *Approve Minutes as revised.*
Second by: Wendy Wyman
All for: Kevin Haas, Vaishali McCarthy, Wade Turner, , Michael Wailes, George Welsh, Wendy Wyman, Jane Crisler
Absent: Matt Samelson, Lara Vincent
All opposed: None
Motion passed
- V. **Board Report:**
Wendy Wyman: Thanked the staff for organizing the benefactor presentations at the July meeting. She found them interesting and helpful.

VI. **Staff Report:**

- Upcoming Ribbon cutting ceremony Friday, August 16th at Chavez Huerta Preparatory Academy, Pueblo, CO.
- Upcoming Groundbreaking ceremony on Friday, August 16th for Cañon City High School, Cañon City, CO.

VII. **Discussion Items:**

- A. Presentations/discussions with State Demographer representative:
- Cindy DeGroen from the State Demographers office presented to the CCAB on Colorado population numbers and trends. The board discussed and asked questions.
- B. BEST and Facility Insight Updates:
- Andy reviewed BEST talking points, numbers and trends.
 - Dustin presented on current facility insights updates.
- C. Lesson Learned from FY25 Grant Cycle:
- Staff reviewed survey responses from the last grant cycle.
 - The CCAB offered suggestions on and discussed process improvement.
 - Meg gave an overview of staff observations from the grant cycle.

Action Items:

- A. Approve FY25-26 Timeline:

Motion moved: George Welsh – *I move to approve proposed timeline as presented.*

Second by: Kevin Haas

All for: Kevin Haas, Vaishali McCarthy, Wade Turner, Michael Wailes, George Welsh, Wendy Wyman, Jane Crisler

Absent: Matt Samelson, Lara Vincent

All opposed: None

Motion passed

VIII. **Future Meetings:**

- September 19, 2024 – Microsoft Teams
- October 17, 2024 – CASBO Vail, October 16th
- November 21, 2024 – Microsoft Teams

IX. **Public Comment:**

None

X. **Adjourn:** Meeting Adjourned by Jane Crisler at 4:24pm



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: September 19, 2024

SUBJECT: Staff and Board Introductions

ITEM TYPE: Discussion Item

BACKGROUND:

Three new CCAB members have been appointed:

- Alan Ford (Principal, Ford Architects, Denver)
- Jody Hovde (School Board Member, Montrose County RE-1J)
- Mark Wilsey (Former Bond Officer, Executive Director/COO, Harrison School District 2)

The full CCAB roster can be found here:

<https://www.cde.state.co.us/capitalconstruction/ccab>

STAFF RECOMMENDATION:

Please be prepared to introduce yourself and share a little bit about what interests you working with the Building Excellent Schools Today grant program.

STAFF RECOMMENDED MOTION:

N/A

DOCUMENTATION:

N/A



COLORADO
Department of Education

Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: September 19, 2024

SUBJECT: CCAB Responsibilities

ITEM TYPE: Discussion Item

BACKGROUND:

Staff and board will review and discuss CCAB responsibilities.

STAFF RECOMMENDATION:

N/A

STAFF RECOMMENDED MOTION:

N/A

DOCUMENTATION:

CCAB Responsibilities document attached.

CCAB Responsibilities

CCAB Responsibilities

- CCAB (and the State Board of Education) are Type 1 agencies. They are the "last word" on matters assigned to it by statute, meaning they are not subject to the direction and control of the head of the department (for CDE, the Commissioner).
- The Division of Capital Construction (and the CDE) are Type 2 agencies, and so the Divisions is not independent of the department or the Commissioner.

- The State Board of Education is in charge of the Department.
- The Department is in charge of the **Division**.
- The **CCAB** is in charge of what statute says, [C.R.S. 24-1-105](#):
- ... When any department, institution, or other agency, or part thereof, is transferred to a principal department under a **type 1** transfer, that department, institution, or other agency, or part thereof, shall be administered under the direction and supervision of that principal department, but it shall exercise its prescribed statutory powers, duties, and functions, including rule-making, regulation, licensing, and registration, the promulgation of rules, rates, regulations, and standards, and the rendering of findings, orders, and adjudications, independently of the head of the principal department. Under a **type 1** transfer, any powers, duties, and functions not specifically vested by statute in the agency being transferred, including, but not limited to, all budgeting, purchasing, planning, and related management functions of any transferred department, institution, or other agency, or part thereof, shall be performed under the direction and supervision of the head of the principal department.



CRS [22-43.7](#)-106 – 110

- The function of the board is to protect the health and safety of students, teachers, and other persons using public school facilities and maximize student achievement by ensuring that the condition and capacity of public school facilities are sufficient to provide a safe and uncrowded environment that is conducive to students' learning.
- In performing its function, the board shall ensure the most equitable, efficient, and effective use of state revenues dedicated to provide financial assistance for capital construction projects pursuant to the provisions of this article by assessing public school capital construction needs throughout the state and providing expert recommendations based on objective criteria to the state board regarding the appropriate prioritization and allocation of such financial assistance.

CCAB Responsibilities

1. To establish public school facility construction guidelines.
Developed by staff. Reviewed/approved by CCAB. Mostly utilizes best practices by reference.
2. To conduct or contract for a financial assistance priority assessment.
Facility Insight Program.
3. To review financial assistance applications and submit a prioritized list of projects (with an amount and type of financial assistance) to the state board. Request preliminary review of any or all applications from the division or any department, agency, or institution of state government with expertise or experience in construction management.
All staff and CCAB work leading up to May Meeting. Many evaluation criteria are defined in statute.
4. To establish guidelines for assisting applicants in preparing applications.
Staff regular work to support applicants in preparing applications (trainings, website, in-person visits).
5. To assist applicants in implementing projects through (but not limited to) the preparation of requests for bids or proposals, contract negotiations, contract implementation, and project and construction management.
Staff regular work to support completion of projects.
6. To assist applicants in implementing energy-efficient public school facility design and construction practices.
Developed by staff. Rule directs applicants to follow the Office of the State Architect's High-Performance Certification Program.

7. To authorize the State Treasurer to enter into lease-purchase agreements and to enter into sublease-purchase agreements on behalf of the state.

Legal and administrative steps to engage in lease-purchase financing.

8. To promulgate such rules as are necessary but not limited to:
 1. Conflict of interest rules for board members.
 2. Rules establishing evaluation criteria for matching moneys requirement waivers.
 3. Rules establishing the means by which awarded projects are publicly identified.

Rules are reviewed and revised on a regular basis.

9. The board shall establish an annual financial assistance timeline.

Developed by staff. Reviewed/approved by CCAB.

10. To review and award emergency financial assistance to an applicant at any time.

Separate application process from annual BEST grants.

11. Taking into consideration Facility Insight Assessment data, prioritize applications based on the following criteria (consider the condition of the entire public school facility for which the project is proposed and determine whether it would be more fiscally prudent to replace the entire facility than to provide financial assistance for the renovation project).:

1. Projects that address safety hazards or health concerns, concerns related to facility security, and projects designed to incorporate technology in the educational environment.
2. Overcrowding in public school facilities, including but not limited to projects that will allow students to move from temporary instructional facilities into permanent facilities.
3. Projects that will provide career and technical education capital construction in facilities.
4. Projects that assist public schools to replace prohibited American Indian Mascots as required by section 22-1-133.
5. All other projects.

Priorities outlined in statute. Staff develop Facility Insight Assessment Data for board use.



Board discussion about other responsibilities or norms.

- Fact Sheet
 - Helping determine the best facts to share
 - Understanding the impact of BEST
 - Understanding the needs of schools in Colorado
- Advocacy
 - Attending ribbon cuttings and ground breakings
 - Responding to constituents
 - Responding to legislators and State Board members
- Consistency
 - Attend meetings, prepare ahead of time, stay engaged. Speak up.



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: September 19, 2024

SUBJECT: Review of Priorities from August Retreat

ITEM TYPE: Discussion Item

BACKGROUND:

At the August board retreat, staff and board reviewed several topics from the previous grant round's applicant survey. Staff have reviewed notes and prioritized next steps. The highest prioritized topics are outlined below with our target timelines to address and bring back to the board for review and further discussion.

| Topic | Timeline / Completed | Responsible Team |
|--|-----------------------------|-------------------------|
| Grant Round Modifications <ul style="list-style-type: none">• Summary Book Improvements• May Meeting Adjustments• In Person vs. Virtual | March 2025 | Staff and Board |
| Scoring Criteria & Staff Comments | December 2024 | Staff and Board |
| Program Policies/Guidelines <ul style="list-style-type: none">• Master Planning• COP Match Returns | Ongoing | Staff and Board |

STAFF RECOMMENDATION:

N/A

STAFF RECOMMENDED MOTION:

N/A

DOCUMENTATION:

N/A



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: September 19, 2024

SUBJECT: Scoring Criteria and Staff Comments

ITEM TYPE: Discussion Item

BACKGROUND:

At the August board retreat, staff and board reviewed several topics from the previous grant round and identified priorities to address for the next grant cycle. The largest topic that rose to the top involves revisiting how the board scores projects and how staff provides comments on the projects.

GOALS:

- 1) Lessen the amount of information the board has to digest and score for each project, while still giving them the ability to evaluate the critical components of the grant request and have ultimate decision-making authority
- 2) Allows an opportunity for staff to provide input on projects, particularly around the areas that involve backup documentation that the board does not review and is able to be more objectively scored
- 3) Eliminates duplicative, less helpful staff comments for the board's review.

UPDATE:

Staff started by looking at the Grant Application, Scoring Rubric and Staff Comments side by side, as well as considering the feedback from our discussion at the retreat. Columns A-C in the attached spreadsheet outline these components.

From there, staff identified potential scoring gaps and began to break out the current scoring criteria between CCAB and Staff fields, in columns D-E, to present as a possible pathway. In this strategy, CCAB would be responsible for scoring the majority of questions, including major deficiencies, scope, and financial components that are more subjective.

Staff would contribute their feedback through scoring the backup documentation components that are more objective and based on data submitted by the applicants and reviewed by staff that is not shared with CCAB.

Staff scores would offer additional insight for CCAB members during their review. Staff and CCAB scores would be combined for a total score, then the same ranking process as we do now.

Next Steps:

- *September Meeting:* Gather feedback and initial thoughts on direction
- *October Meeting:* Staff will continue to develop the idea and define more details (ie. Staff scoring scales) for further review and feedback
- *November/December Meeting:* Staff will recommend final version of scoring rubric and CCAB will vote.

STAFF RECOMMENDATION:

Review attached spreadsheet to understand the high-level concept staff is recommending (columns D and E) and be prepared to discuss the following questions at our meeting.

- 1) Are you comfortable with staff scoring the criteria identified? Any concerns?
- 2) As we develop the scoring scale for staff criteria, we are aiming to keep the staff input around 30% of the total score. Does that feel like a comfortable percentage? Too high? Too low?

STAFF RECOMMENDED MOTION:

N/A

DOCUMENTATION:

ScoringCriteriaProposal.xlsx shared via email



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: September 19, 2024

SUBJECT: CCAB Officer Elections

ITEM TYPE: Action Item

BACKGROUND:

The Capital Construction Assistance Board Standard Operating Procedures call for an election to be held every even-year September, regardless of term length.

Nominations will be made from the floor. Each nomination will require a second. A nominee must be present to give consent to the candidacy or have provided written consent.

If there is only a single nominee for an office, the election may be oral. If there is more than one nominee the election will be by ballot, with one nominee per ballot.

Nominees will be elected by a simple majority. If the vote is not a simple majority, the current chairperson will serve until a new chairperson can be elected.

Officers will assume their duties immediately following their election.

STAFF RECOMMENDATION:

Nominate and vote on a chair and vice chair.

STAFF RECOMMENDED MOTION:

N/A

DOCUMENTATION:

Article III of the Capital Construction Assistance Board Standard Operating Procedures.

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD STANDARD OPERATING PROCEDURES

Article III. **Composition of the BEST Board.**

- A. **Composition.** As specified in § 22-43.7-106, Colorado Revised Statutes (C.R.S.), The BEST Board shall consist of nine appointed members, none of whom shall hold any state elective office. Five voting members of the BEST Board shall constitute a quorum.
- B. **Term.** BEST Board members shall serve for terms of two years and may serve up to three consecutive terms; except that the initial terms of one of the members appointed by the State Board, one of the members appointed by the Governor, and the members appointed by the President of the Senate and the minority leaders of The House of Representatives and the Senate shall be one year.
- C. **Requirements.**
1. The State Board shall appoint three members from different areas of the State and from urban, suburban, and rural school districts. The members appointed by the State Board shall all have demonstrated experience regarding public school facility issues and shall include:
 - a. One member who is a school district board member at the time of appointment.
 - b. One member who is a public school superintendent or administrator at the time of appointment or has recent experience as a public school superintendent or administrator.
 - c. One member who is a school facilities planner or manager at the time of appointment or has recent experience as a school facilities planner or manager.
 2. The Governor shall appoint three members. The members appointed by the Governor shall include:
 - a. One member who is an architect whose professional practice includes the design and rehabilitation of public school facilities at the time of appointment or who has recent experience rehabilitating existing public school facilities and designing new public school facilities.
 - b. One member who is an engineer whose professional practice at the time of appointment includes public school facilities engineering or who has recent experience in public school facilities engineering.

- c. One member who is a construction manager who at the time of appointment manages public school facilities construction projects or who has recent experience managing such projects.
- 3. The General Assembly shall appoint three members, one of whom shall be appointed by the Speaker of the House of Representatives, one of whom shall be appointed by the President of the Senate, and one of whom shall be appointed jointly by the Minority leaders of the House of Representatives and the Senate. The members appointed by the General Assembly shall include:
 - a. One member who is a school facilities planner or manager at the time of appointment or has recent experience as a school facilities planner or manager.
 - b. One member who has expertise in technology, including but not limited to technology for individual student learning and classroom instruction.
 - c. One member who has public school finance expertise and knowledge regarding public school trustlands.
- D. **Vacancy.** A vacancy that may occur by reason of death, resignation, or removal by the appointing authority, shall be filled as provided in § 22-43.7-106(1) (b) C.R.S. Any vacancy occurring on the BEST Board shall be filled by the appropriate appointing authority. Any member selected to fill a vacancy shall serve out the remainder of the vacating BEST Board member's term and is subject to being reappointed by the appropriate appointing authority and is subject to the qualifications set forth above in Article III.C.3.
- E. **Term Limitation.** BEST Board members are subject to term limitation, under § 22-43.7-106(1) (b) C.R.S.
- F. **Removal.** BEST Board members may be removed from office at any time by the appointing authority for any cause that renders the member incapable of discharging or unfit to discharge the member's duties: § 22-43.7-106,(1)(b) C.R.S.
- G. **Officers.**
 - 1. Elected Officers. The BEST Board will elect a chairperson and vice chairperson from its membership who will hold office for their terms and until their successors are elected, or if they vacate the Board by reason of death, resignation, or are removed by the appointing authority.
 - 2. Election of Officers.
 - a. Date. The elections will occur in September of even numbered years or in the case of a vacancy.
 - b. Nominations. Nominations will be made from the floor. Each nomination will require a second. A nominee must be present to give consent to the candidacy or have provided written consent. No member may make more than one nomination nor second more than one nomination for each office unless the chairperson reopens the nomination process. No member may both nominate and second any individual candidate.

- c. Election Procedure. Elections will be by ballot, except where there is only a single nominee for an office, when the election may be oral.
 - 1. The election will be by ballot, with one nominee per ballot. Nominees will be elected by a simple majority.
 - 2. If the vote is not a simple majority, the current chairperson will serve until a new chairperson can be elected. If the current chairperson is not available to serve, the current vice chairperson will serve as chairperson. If both the current chair and vice chairpersons are not available to serve, the BEST Board will elect a chairperson pro tem from its members. The same procedure will be followed for the election of the vice chairperson.
 - d. Assumption of Duties. Officers will assume their duties immediately following their election.
3. Reelection. Officers may be reelected as often as they are selected by their peers and in accordance with Article III.G.2.
4. Vacancies.
- a. Chairperson. If the Chairperson's office becomes vacant, the vice chairperson will immediately fill that position. An election will be held at the next regular meeting to select a new vice chairperson.
 - b. Vice Chairperson. If the vice chairperson's office becomes vacant, that position will be filled by election at the next regular meeting.
 - c. Any vacancy of an Officer that simultaneously creates a vacancy on the BEST Board will be filled by majority vote of the remaining members.
5. Duties of Officers.
- a. Chairperson. The chairperson is the presiding officer and official spokesperson of the BEST Board and will perform the following duties in order to expedite business:
 - 1) Call the meeting to order.
 - 2) Announce the agenda sequence, including any omissions and additions to the printed agenda.
 - 3) Recognize BEST Board members, staff, and visitors who are entitled to the floor.
 - 4) Protect the body from extraneous and side dialogue and debate in order to maintain meeting decorum.
 - 5) Respond to member inquiries regarding parliamentary procedure, factual information, or other business.
 - 6) Decide questions of order consistent with Robert's Rules of Order, (subject to appeal).
 - 7) When necessary, authenticate via signature, all BEST Board acts, orders, and proceedings.
 - 8) Provide and support BEST Board opportunities for its growth and professional development.
 - 9) Declare meeting adjourned.
 - 10) Perform other duties as requested by the BEST Board.

- b. Vice Chairperson. The vice chairperson will perform the following duties:
 - 1) Act as presiding officer in the chairperson’s absence.
 - 2) Perform duties as designated by the chairperson, by law, or as requested by the Capital Construction Division.
- c. Chairperson Pro Tem. In the chairperson’s or vice chairperson’s absence, the Capital Construction Director will call the meeting to order, and the BEST Board will immediately elect one of its members as chairperson pro tem to preside for that session. This temporary chairperson’s office is terminated by the entrance of the chairperson or vice chairperson, or by the session’s adjournment.

H. BEST Board Members

- 1. Duties of Individual BEST Board Members.
 - a. Attend meetings of the BEST Board, enter into discussion, and vote on items coming before the BEST Board for decision.
 - b. Recognize that he or she, as an individual BEST Board member, has no authority to bind, to speak or to act for the BEST Board, except as authorized by the BEST Board. No individual BEST Board members shall speak or make public comments on behalf of the BEST Board unless specifically authorized to do so by a majority of the voting members of the BEST Board. However, this shall not prevent BEST Board members from making statements or observations in their individual capacities as BEST Board members so long as they clearly indicate that they are not speaking for the BEST Board.
 - c. Keep fellow BEST Board members, and the Division of Capital Construction Assistance, apprised of issues before going public with them. Advise, as appropriate, the Director of Capital Construction Assistance of any contact with a representative of the media.

I. Sub-Committees. BEST Board Appointments of BEST Board Member representatives to serve on Sub-Committees or speak at public events.

- 1. All appointments to serve on any sub-committee or speak at a public event will be made with the advice and consent of the BEST Board. The appointments will be for terms of not more than two years, with provision for reappointment.
- 2. Every sub-committee or appointee to speak at public events will either act as or designate a BEST Board member liaison to report back to the BEST Board.