

ED 259/1963

c.1

COLORADO STATE PUBLICATIONS LIBRARY



3 1799 00107 2644

SIXTH ANNUAL REPORT

ON

SCHOOL DISTRICT ORGANIZATION



Government Publications Library
University of Colorado, Boulder

JAN 18 2000

Colorado State Dept.

COLORADO STATE DEPARTMENT
OF EDUCATION



January
1963

Byron W. Hansford, Commissioner

C O L O R A D O

S T A T E B O A R D O F E D U C A T I O N

Alva B. Adams, Chairman - - - - - Pueblo
(Third Congressional District)

Anna C. Petteys, Vice Chairman - - - - - Brush
(Member-at-Large)

Clarence D. Bliss - - - - - Bellvue
(Second Congressional District)

Hugh E. Chastain - - - - - Durango
(Fourth Congressional District)

Bernice S. Frieder - - - - - Denver
(First Congressional District)

S I X T H A N N U A L R E P O R T

O N

S C H O O L D I S T R I C T O R G A N I Z A T I O N

123-25-10, C.R.S. '53. Duties of Commissioner and Special Assistant

It shall be the duty of the Commissioner and his Special Assistant to publish an annual report on progress of organization plans in the several counties on or before January 1, 1958, and each January 1 thereafter.

Prepared by

Stanley A. Leftwich
Special Assistant to the Commissioner
Director, Division of School District Organization

L. M. Hardin, Consultant

Elbie Gann, Assistant Commissioner
Office of Administrative Services
Colorado State Department of Education
Denver 2, Colorado

January, 1963



LETTER OF TRANSMITTAL

To Members of the Legislature:

The School District Organization Act of 1957, Chapter 237, Session Laws, 1957, invests several duties within the office of the State Commissioner of Education. Among these duties, Section 10 (3) specifically enjoins the commissioner and his special assistant "To publish an annual report of progress of organization plans in the several counties on or before January 1, 1958, and each January 1 thereafter."

In fulfillment of this duty as Commissioner of Education, I herewith submit the sixth annual report on progress in School District Reorganization as of January 1, 1963.

Respectfully submitted,

A handwritten signature in cursive script that reads "Byron W. Hansford". The signature is written in dark ink and is positioned above the printed name and title.

Byron W. Hansford,
Commissioner of Education

SIXTH ANNUAL REPORT

In the calendar year of 1962, Colorado's school district reorganization progress has moved ahead at about the same rate as previous years. The year began with 316 school districts in existence and ended with 263, a reduction of 53 in the total number of districts, a decrease of 16.8%.

Alamosa, Crowley, Costilla, Gunnison, Montrose, and Ouray Counties made significant progress in their reorganization efforts during the year.

Reorganizations were accomplished in part of Weld County.

Also, dissolutions and annexations were effected during the year in Alamosa (2), Conejos (3), Crowley (3), and Las Animas (2) Counties.

Arapahoe County had a successful plan election December 11, 1962, but the new district does not become effective until 1963.

Logan County was the only county losing a reorganization election this year.

CHRONOLOGICAL PROGRESS REPORT ON ELECTIONS AND DISSOLUTIONS AND ANNEXATIONS, January 1, 1962 to December 31, 1962 UNDER PROVISIONS OF "THE SCHOOL DISTRICT ORGANIZATION ACT OF 1957"

COUNTY	Name and Number of Dist.	Date of Elec. or Annex.	Re-organization	Diss. and Annex.	Election Results	
					For	Against
Alamosa and Conejos	15J	2/ 1/62		X		
	4	2/ 1/62		X		
Crowley	2	4/28/62		X		
Logan	Re-1J	4/30/62	X		561	1352
Costilla	R-1	6/25/62	X		268	115
Crowley	Re-1-J	6/25/62	X		586	126
Montrose	Re-1J	6/29/62	X		652	437
Las Animas	13	7/ 3/62		X		
Las Animas	21	7/ 3/62		X		
Crowley	7	7/23/62		X		
Conejos	8	7/26/62		X		
Conejos	18	8/30/62		X		
Conejos	32	8/30/62		X		
Weld	Re-2	10/ 2/62	X		190	79
Weld	Re-9	10/ 2/62	X		429	217

Total Reorganization Elections - 6; Elections Successful - 5;
Total Dissolutions and Annexations - 10.

SUMMARY, MAY 1, 1957 to DECEMBER 31, 1962

Total Elections held	139	
Total Elections Carried	105	(75.55%)
Total Elections Failed	34	(24.45%)
Total Reducation in Number of Districts	666	(71.70%)

A county-by-county look at the present number of school districts compared with the number of school districts in May of 1957 is presented in the following table. The table also indicates where the county is completely reorganized (R) under conditions satisfactory to the conditions of the Act, or partially reorganized (PR). The counties are listed in accordance with their present number of districts from the counties with the highest number to those with the lowest number, and are listed alphabetically within the group having the same number of districts.

COLORADO COUNTIES RANKED BY NUMBER
OF SCHOOL DISTRICTS
(December 31, 1962)

COUNTY	No.		COUNTY	No.	
	Dists. 12/31/62	Dists. 5/1/57		Dists. 12/31/62	Dists. 5/1/57
PR Las Animas	18	46	R Grand	2	12
PR Weld	18	78	R Huerfano	2	26
El Paso	17	22	R Kiowa	2	10
PR Garfield	16	25	R Montrose	2	20
PR Logan	15	25	R Ouray	2	2
PR Montezuma	15	15	R Park	2	14
Morgan	14	14	R Phillips	2	13
Sedgwick	14	13	PR Pueblo	2	2
PR Arapahoe	10	16	R Rio Blanco	2	8
PR Adams	7	19	R Teller	2	8
R Kit Carson	6	15	R Yuma	2	27
PR Otero	6	15	R Archuleta	1	1
R Baca	5	27	R Clear Creek	1	7
PR Elbert	5	8	R Crowley	1	9
PR Lincoln	5	20	R Custer	1	2
PR Washington	5	29	R Delta	1	1
PR Conejos	4	17	R Denver	1	1
R Prowers	4	35	R Dolores	1	9
R Cheyenne	3	7	R Douglas	1	17
PR Fremont	3	22	R Eagle	1	15
R La Plata	3	15	R Gilpin	1	7
R Larimer	3	31	R Gunnison	1	22
PR Mesa	3	3	R Hinsdale	1	2
R Rio Grande	3	3	R Jackson	1	7
R Routt	3	29	R Jefferson	1	1
R Saguache	3	5	R Lake	1	6
PR San Miguel	3	7	R Mineral	1	1
R Alamosa	2	12	R Moffat	1	23
R Bent	2	17	R Pitkin	1	2
R Boulder	2	29	R San Juan	1	1
R Chaffee	2	14	R Summit	1	8
R Costilla	2	12			
			TOTALS	263	929

R - Reorganized (44); PR - Partially Reorganized (16); Needing reorganization but no successful elections under 123-25 (3).

In the Fifth Annual Report (1961), it was pointed out that only five counties having more than three districts in May of 1957 had not reduced their total number of school districts. Since then, two of these five counties -- Crowley and Costilla -- have completed their reorganizations, so that only three counties -- Montezuma, Morgan, and Sedgwick -- remain as such counties showing no reduction. Sedgwick County has submitted a reorganization plan to the Commissioner at the time of this writing. Sedgwick has also held two elections on reorganization plans, both of which lost by small margins.

Montezuma County has also lost two plan elections and was restrained by the District Court from holding a third election. More will be said about this county's litigation in a later section of this report.

Morgan County has not presented a reorganization plan as yet, although it has cooperated with neighboring counties in the development of districts joint with Morgan County. The present committee is proceeding carefully, leaning toward a three-district plan at the moment.

CHANGES IN NUMBER OF DISTRICTS BY CLASSIFICATION

Since "The School District Organization Act of 1957" was passed, sweeping changes have occurred in the distribution of Colorado School districts among the three legal classifications.

The original measure of classification of school districts was school population (children ages 6-21 resident within a school district). "First class" school districts had a school population of 1,000 or more; "second class" school districts had a school population of more than 350 but less than 1,000; and "third class" districts had a school population of less than 350. The following table indicates strikingly how the

small third class school district dominated Colorado's educational system.

NUMBER OF COLORADO SCHOOL DISTRICTS BY CLASS, 1935 and 1955

YEAR	Third Class	Second Class	First Class
1935	1,930	89	36
1955	891	79	45

"The School District Organization Act of 1957" provided that any new school district formed under its provisions should be a district of the "first class", regardless of the district's school population. In 1962, for the first time in Colorado's history, the number of "first class" school districts exceeded the number of "third class" districts. As a matter of fact, the number of "first class" districts exceeds the total of the other classes.

NUMBER OF COLORADO SCHOOL DISTRICTS BY CLASS
December 31, 1961 and December 31, 1962

YEAR	Third Class	Second Class	First Class
1961	144	28	134
1962	97	22	137

Note that County and Union high school districts are not included in this method of tabulation, as their "school population" has already been accounted for in their component elementary districts.

NON-OPERATING SCHOOL DISTRICTS

The non-operating school district remains a perennial, although gradually declining problem in Colorado's school district structure. At the close of the school year in 1956, there were 247 such non-operating school districts. On December 31, 1962, there are 35. One reason for the persistency of the non-operating district is that each year some of the smaller elementary school districts of the state change their status from operating a school within their own boundaries to that of transporting their children and payment of tuition to neighboring districts more soundly established. The basic problem, therefore, is the small elementary school district, which gives rise to the non-operating district, rather than the non-operating district. Removal of the county-wide 12 mill levy from the state school finance program has tended to restore a tax island advantage to the non-operating district.

It is significant, also, that the non-operating district tends to be associated with county and union high school district structure.

The following table clearly shows this relationship:

COUNTIES HAVING COUNTY OR UNION HIGH SCHOOL DISTRICTS AND ASSOCIATED NON-OPERATING DISTRICTS

COUNTY	Number of Non-Operating Districts, 12/31/62
Arapahoe	1
Garfield	8
Las Animas	4
Logan	3
Montezuma	3
Sedgwick	<u>8</u>
Total Non-Operating Districts in counties having County or Union High School Districts	
	27

There are only two other counties in the state -- Weld and Morgan -- having non-operating districts. Neither of them has county or union high school districts. They account for the other eight non-operating districts.

COUNTY	Number of Non-Operating Districts, Dec. 31, 1962
Morgan	6
Weld	<u>2</u>
Total Non-Operating Districts in counties not having county or union high school districts	8

COUNTY HIGH SCHOOL DISTRICTS, UNION HIGH SCHOOL DISTRICTS,
and ELEMENTARY DISTRICTS

School District reorganization in Colorado has markedly reduced the number of county high school districts and union high school districts with the attendant elementary school districts. When the results of the Arapahoe County election of December 12, 1962 become effective February 11, 1963, Garfield County will be the only county left with union high school districts, and this county still has two -- the Rifle Union High School District and the Silt Union High School District. We have already noted that Garfield County alone accounts for almost 25% of the state's non-operating districts.

The basic weakness of the county or union high school district is its continuation of the compartmentalization of educational programs. The following table shows at a glance how such organizations fragment the educational resources of the counties still clinging to them. The results of the Arapahoe County election of December 12 are disregarded in this table.

COUNTY	Name of High School District	Elementary Districts in County	Non-Operating Districts in County	Total of all Districts in County
Arapahoe	Sheridan Union H.S.	3	1	10
Garfield	Rifle Union H.S.			
	Silt Union H.S.	3	8	16
Las Animas	Las Animas County H.S.	7	4	18
Logan	Logan County H.S.	8	3	15
Montezuma	Montezuma County H.S.	9	3	15
Sedgwick	<u>Sedgwick County H.S.</u>	<u>4</u>	<u>8</u>	<u>14</u>
TOTALS	7	34	27	88

Thus, it can be seen that these six counties actually account for approximately one-third of all of the school districts of the state.

Actually, elimination of these county and union high school districts would go far toward developing a unified educational program in these areas. It is significant that the county school planning committees of these counties have unanimously agreed that they should be eliminated. The voters of these counties have apparently been swayed by other factors in rejecting the plans submitted to date by the committees.

ENROLLMENT OF SCHOOL DISTRICTS

School board members of reorganized school districts who served on boards of smaller districts prior to reorganization generally report a feeling that the reorganized school district has more tools and more resources to carry on a satisfactory program of education.

A study of enrollments shows that the unreorganized counties generally tend to have numerous very small districts. It should be kept in mind that the average school district of the state in December, 1962, enrolls approximately 1,600 children.

The totals of the 1962 enrollment table should be contrasted to the 1955-56 picture when 792 school districts of the state had small populations of less than 250 as compared with 124 similar districts in 1962. Of these enrollments, the eight counties of the state having more than 10 districts in December of 1962 should be examined separately.

DISTRICT ENROLLMENT BY INTERVALS

COUNTY	No. Dists.	Non-Op.	1-25	26-50	51-100	101-250	251-500	501-750	751-1000	1001-1500	1501-2000	2001-2500	2501-5000	Over 5000
Las Animas	18	4	1	2	4	3	3	-	-	-	-	1	-	-
Weld	18	2	3	1	2	1	-	-	3	5	-	-	-	1
El Paso	17	-	1	2	2	4	1	-	1	-	1	3	1	1
Garfield	16	8	1	-	1	3	1	1	-	-	1	-	-	-
Logan	15	3	-	2	1	6	1	-	-	1	-	1	-	-
Montezuma	15	3	2	2	4	-	2	1	-	-	1	-	-	-
Morgan	14	6	-	-	2	3	-	1	-	1	-	-	1	-
Sedgwick	14	8	2	-	-	2	2	-	-	-	-	-	-	-
TOTALS	127	34	10	9	16	22	10	3	4	7	3	5	2	2

These eight counties account for 127 of the 263 school districts of the state. These eight counties account for 91 of the 124 districts of the state enrolling less than 250 children.

These eight counties account for 34 of the 35 non-operating districts of the state.

These eight counties account for six of the seven special high school districts of the state.

These eight counties account for 34 of the 40 separate elementary districts of the state.

Seven of these eight county planning committees are developing plans for submission to their voters prior to the July 1, 1963 end of their terms of office. To date, nothing has been heard of any plans to change the present situation in El Paso County.

AREAS FOR CONSIDERATION BY
THE COLORADO GENERAL ASSEMBLY

The State Department of Education and more particularly the Division of School District Organization is besieged by inquiries that point up certain areas in which legislation is urgently needed.

The Colorado General Assembly is urgently requested to give favorable consideration to these areas of needed legislation.

Appropriation for Expenses of County Committees

The county committees in the several counties that still have need of more planning to complete the reorganization of the school districts will require an adequate appropriation for 1963-64. Since the moneys appropriated for 1962-63 were for use to June 30, 1963, the new committees to be formed July 1, 1963 will have need for funds for election expenses, mileage of committee members, postage, secretarial help, publications, maps, and legal aid where necessary.

The amount included in the budget request for implementing the School District Organization Act of 1957 is an estimate of the amount needed for the continuation of the work for the 1963-64 fiscal year under the present statute. Should additional functions be added to the work of the County School Planning Committees or should other counties be required to form said committees, the appropriation should be increased.

Adjustments of Boundaries of Established School Districts

Since "The School District Organization Act of 1957" supersedes all other laws regarding the organization of school districts, there is presently no provision for the changing of district boundaries other

than complete reorganization under provisions of the above 1957 Act or by dissolution of entire districts under certain limiting conditions and annexation of the area to an adjacent district that meets certain conditions.

There is a definite need for some provision to make possible the adjustment of district boundaries.

The Colorado General Assembly should give consideration to such needs in the formulation of laws permitting such adjustments of district boundaries with carefully considered safeguards.

Uniform Effective Date for Denver Detachment and Annexation for School Purposes

The problem of detachment and annexation as is now developing in the Denver Metropolitan Area under procedures established under Article XX of the Colorado Constitution needs consideration. We do not intend here to question the need for Article XX. However, we do feel that there is a need to recognize the problems created by annexation for the Denver School District and its neighboring school districts. These areas are now the only areas of the state where careful planning involving the educational welfare of children does not precede school district boundary changes.

It would be helpful to establish an effective date for these annexations at the end of a school year. Thus, all boards of education involved would be in a better position to plan for the education of the children without upsetting the total program in the middle of the school year.

Indian Reservation Problem

A serious problem for reorganization in Montezuma County is posed by the findings of the District Court in Civil Action No. 3418, (School District No. 29 vs. School Planning Committee of Montezuma County) in its holding that the County School Planning Committee does not have jurisdiction over the territory embraced by the Ute Mountain Indian Reservation. The court's findings are largely based upon the opinion of the Colorado Supreme Court in the case of "Whyte vs. District Court", 140 Colo. p. 335, and uses this language:

"The State of Colorado has no jurisdiction within such a reservation, unless the state shall, by affirmative legislative action; obligate and bind the state to assumption thereof. Colorado has not taken the steps mentioned in the statute which are essential prerequisites to jurisdiction in this case."

It is the recommendation of this report that the Colorado General Assembly take "affirmative legislative action" and clearly extend jurisdiction over the territory of Indian Reservations generally throughout the State of Colorado to County School Planning Committees, and also to clarify the powers of local boards of education to enter into contracts with the appropriate agencies and officials and perform any other acts necessary to enable Colorado School districts to provide education for children from Indian Reservations in the public schools of the State.

Abolition of County and Union High School Districts

While the County and Union High School districts have in the past filled a definite need there is little justification presently for this type of organization. So far as is known, there is no recognized research or body of professional opinion that defends separate school

districts for high school purposes only, except in densely populated areas for regional vocational programs.

The relationship of the County and Union High School districts to the continuation of separate elementary districts and the persistence of the great majority of the non-operating districts is clearly emphasized on pages 6 and 7 of this report. Twenty-seven of the thirty-five non-operating school districts presently existing are within the areas of the seven county and union high school districts.

We would strongly urge legislation that would abolish the county and union high school districts.

Repeal of Inoperative Statutes

Since the enactment of "The School District Organization Act of 1957" made inoperative several statutes that were previously used as methods of organizing new school districts, changing boundaries of school districts, and combining existing school districts those statutes were in effect repealed by implication. There is always a state of confusion when statutes that are no longer operative remain on the books.

These several statutes should be specifically repealed and the provisions of the 1957 Act broadened to permit the necessary changes in school district boundaries.

