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**MOFFAT CONSOLIDATED  
SCHOOL DISTRICT NUMBER 2  
SCHOOL BOARD  
REDISTRICTING**

**Doug Bates**

2002

**Center for Community Development and Design**

**University of Colorado  
Colorado Springs**

**Center for Community Development and Design  
University of Colorado at Colorado Springs**

**SAMPLE LIST OF PUBLICATIONS**

<b>Design Guidelines for West Colorado Avenue</b>	<b>1980</b>
<b>West Colorado Avenue Study: Limit to 11th Street Study</b>	<b>1982</b>
<b>Painting Workshop for Vintage Houses</b>	<b>1983</b>
<b>A Comparison of the Soil Conservation Service and Empirical Models of Flood Hydrology: Colorado Springs, Colorado</b>	<b>1984</b>
<b>Building on the Past: Economic Revitalization Strategies for Victor, Colorado</b>	<b>1985</b>
<b>Neighborhood Conservation: An Evaluation of Redevelopment of Shooks Run</b>	<b>1985</b>
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<b>Environmental Hazards: Colorado Springs, Colorado</b>	<b>1985</b>
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<b>Minority Youth Dropouts: Personal, Social and Institutional Reasons for Leaving School</b>	<b>1986</b>
<b>Health Care Cost Containment for Seniors: A Growing Problem</b>	<b>1986</b>
<b>Pikes Peak Area Flash Flood Warning System Needs Assessment: Population and Structures at Risk</b>	<b>1986</b>
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<b>Flood Threats and Risk Inventory in the Pikes Peak Region</b>	<b>1987</b>
<b>Pleasures in Later Life: The Social and Recreational Needs of People Over Eighty</b>	<b>1987</b>
<b>Prescriptions for Poverty: The Views of Care Receivers, Providers and Funders</b>	<b>1988</b>
<b>Alcohol Education Programs for Drunk Drivers: An Evaluation of Programs for Problem Drinkers in Colorado's Fourth Judicial Court</b>	<b>1988</b>

**MOFFAT CONSOLIDATED  
SCHOOL DISTRICT NUMBER 2  
SCHOOL BOARD  
REDISTRICTING**

## **Community Development Monograph Series**

**#102**

The Center for Community Development and Design is a partnership between the University of Colorado at Colorado Springs, the City of Colorado Springs, and other Colorado communities. The Center responds to requests for planning, design, research, and community development coming from community groups, government units, and non-profit organizations that cannot afford or do not have the services the Center provides. CCDD joins together the efforts of its own professional staff with those of faculty, students and community representatives in responding to requests for their services. Projects are approved and administered by its Cooperative Community Board.

CCDD's commitments include the building and strengthening of a community's ability to solve problems. While the Center is striving to provide educationally oriented public service to communities, it also affords students a chance to apply classroom learning through professionally supervised field experiences. Faculty working with the Center are provided with funding and logistical support for numerous types of research opportunities.

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**MOFFAT CONSOLIDATED  
SCHOOL DISTRICT NUMBER 2  
SCHOOL BOARD  
REDISTRICTING**

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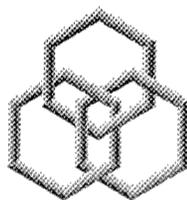
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## EXECUTIVE SUMMARY

The State of Colorado requires that all school districts periodically re-evaluate the population distribution within their school board director districts. This is to insure that inequalities have not arisen due to disproportionate growth within the districts. When the districts are found to be beyond statutory limits, redistricting is required. This study provides general guidelines on redistricting and redraws the director districts for the Moffat Consolidated School District #2 to be nearly equal in residents represented.

Key findings include:

- ◆ District boundaries were redrawn to bring population differences to within  $\pm 5\%$  variance.
- ◆ A computerized database was produced which can assist in future redistricting as well as other similar studies. Copies of these data will be provided to the School District.

The Moffat #2 School Board met to review the suggested boundary changes. These revised director districts were voted upon and approved. This plan of representation should be reviewed again in 2005.

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Finally, CCDD appreciates the local insight and support of:

Lee Mitchell, Board Member;  
Hamilton Brannon, Board Member;  
Grant Freeman, Board Member;  
Marta Shoman, Board Member;  
Adele Bachman, Board Member;  
and the community of Saguache County, and Moffat Consolidated School District #2.

## INTRODUCTION

Previously, the Moffat #2 School Board completed a study compiling data for use in the redistricting of the five director districts within the School District. Based on these data director voting districts were established and put into affect.

Colorado state law requires that existing boundaries be reviewed every four years to insure that disproportionate shifts in population distribution can be identified and district boundaries be redrawn if necessary. In 2001, the Center for Community Development and Design was asked to recalculate the district population and redraw new boundaries based on currently available data. The results are presented here.

## THE GOALS OF REDISTRICTING

The process of redistricting occurs when conditions change in the pre-existing pattern of districts so that the need arises to devise new electoral districts. Political regions, such as school districts, are legally defined areas with specific boundaries. When inequalities in the population size of political districts occur, whether they are congressional districts at the national level or school districts at the local level, the need for redefining the territorial boundaries of the districts results. Over time the population of a region may become malapportioned, or unequally distributed, due to rapid growth in the region or through emigration out of the region. Areas allocated to districts and boundaries drawn from these districts must then be changed to more equally distribute the population, and the changes must usually be approved by bodies of elected representatives.

The problem of redistricting has become a complex and technically difficult one since recent court decisions require precise population equality (Morrill, 1981). However, at local levels of government, precise equality of population is often difficult to achieve because available population data are usually not adequately detailed. Court interpretation of what is equal varies, many times, according to the level of governmental unit being redistricted and by whether a plan is statutory or court-ordered (Morrill, 1981). At the local district level, such as supervisor, school, or commissioner districts, a statutory plan may have from five percent to fifteen percent deviation from the average district population, while court-ordered plans may have from only four percent to ten percent deviation from the average (Morrill, 1981). It has also been determined that simple population is the basis for the measure of equal representation and that it does not matter whether or not that population is civilian or military, citizen or alien, registered to vote or not (Morrill, 1981).

Although the first priority of redistricting is to overcome malapportionment, or inequality of population, the need to form compact and contiguous districts is also important and is required by some state constitutions or city and county charters. So, a major criterion for evaluating redistricting plans has become the compactness of districts, and indeed, compactness and continuity are considered "inherently desirable and a defense against gerrymandering" (Morrill 1981). The courts have upheld the right of the state to impose compactness and continuity requirement in such court cases as *Reynolds vs. Sims* (377US533, 1964) and others (Morrill 1981). However, the distribution of population within districts may be irregular and the strict application of the "compact and contiguous" measures may need to be modified somewhat in order to preserve a sense of community for those within a district. Indeed, when any plan for

redistricting is being considered, there are clear benefits to preserving a sense of continuity, participation, and identity for the residents of the district.

Redistricting, then, can be a complex and time-consuming effort. It is especially difficult to achieve satisfactory results when there are, from the outset, legislative and court mandated constraints on process. Population in each district must be as nearly equal as possible and the districts must also be compact and contiguous. Obtaining these goals can be accomplished, however, with the use of adequate information bases and with the understanding that the integrity of the community involved needs to be preserved.

## **COLORADO REDISTRICTING LEGISLATION**

Legislation for school district reorganization is a function of the state. All states, including Colorado, have enacted legislation concerning school district reorganization. Court rulings have upheld that school district reorganization is a state responsibility which cannot be delegated entirely to local communities. These court decisions indicate that reorganization of school districts must follow procedures established either by law or by an orderly plan.

Although legislative provisions for school district reorganization vary significantly from state to state, they can be generally grouped into three types: mandatory, permissive, and semipermissive. Mandatory legislation requires reorganization of school districts at a specific time. This type of legislation reorganizes local school districts by direct legislative action and does not refer the actions to voters for approval.

Permissive legislation makes reorganization possible but leaves the initiation of the decision leading to reorganization entirely to local communities and people affected. Decisions are made by voters at the local level. Between mandatory and permissive legislation is semipermissive legislation. It requires that certain steps and planning procedures be followed when reorganizing school districts. According to this legislation, proposed plans must be submitted to the voters, and the voters in the affected area have final approval or rejection of the proposed legislation. In the practice of reorganization legislation, the trend has been toward legislation that establishes a plan for reorganization and allows the state board of education, the state superintendent of schools, or a reorganization commission to implement the plan. Often, elements of all the different kinds of legislation are included in the reorganization laws.

Colorado originally enacted a semipermissive form of legislation in 1949. Since then, amendments have been made so that it no longer follows the specific requirements of this type of legislation. Voter approval is no longer required for proposals of reorganization. The school board in each district is responsible for its own reorganization efforts.

The Colorado statutes state that school districts, like Moffat #2 which use a director district plan of representation, will have a board of education which consists of one qualified elector from each of the director districts. The statute also states that the districts must be compact and contiguous, and have as nearly the same size population as possible (22-31-109).

In the next section of the statute, the board of education of director district areas is told to determine that when the population of the director districts is not substantially the same, then the board of education must redraw director district boundary lines so that the population of the director districts remain substantially equal (22-31-110). What is considered equal varies in court interpretation and depends many times on what level of government is involved and whether a plan is court-ordered or statutory. Deviations greater than fifteen percent must, in general, be justified by local circumstances.

For this study, tolerance of plus or minus fifteen percent was targeted and achieved. This was found to be an acceptable tolerance when court decisions regarding percentage of deviations in population equality were studied [Kirkpatrick vs. Preisler 394US526 (1969), Heinkel vs. Preisler 395US917 (1969), Swan vs. Adams 385US440 (1967)]. In Gaffney vs. Cummings 412US735 (1973) population variances of up to 7.83% were found to be acceptable. The court found in this decision that minor deviations from mathematical equality are insufficient to make a case of discrimination under the equal protection clause. The court goes on to say that a good faith effort should be taken in constructing districts with as nearly equal population as practical, but that absolute equality was a practical impossibility. Mathematical exactness or precision is hardly a workable requirement.

For statutory legislation such as Colorado's, the maximum deviations found to be permissible are from five to fifteen percent (Morrill, 1981). By permitting only very small deviations, the requirements of Colorado law and the guidelines established by Supreme Court decisions concerning redistricting could be carefully followed.

## METHODOLOGY

The 2001 rural school board redistricting for the Moffat #2 School District has been conducted in a manner different from previous redistrictings. The goal of this project is to provide the School District with a product that clearly establishes five director districts with substantially equivalent population estimates, based on current population within the School District and provides the School Board with user-friendly documents for use in determining the director districts of new residences or residents. The method selected makes the best use of available electronic data, produces a product that can be easily updated, and provides the School Board, administrators, and the public with boundaries that are easy to understand.

The smallest area of U.S. Census geography is the census block. In urbanized areas and other densely populated areas, a block is usually a quadrangle bounded by four streets (i.e., a city block). In sparsely populated areas, a block has a population of approximately 70 people and is bounded by visible features (roads, streams, railroad tracks), and by such invisible boundaries as city or county limits. Census blocks do not cross tract or other census boundaries. In rural areas, a block may encompass many square miles. (Lavin, 1990)

The methodology selected for the 2001 redistricting uses 268 of the 1,502 census blocks in Saguache County derived from the 2000 census. The community itself suggests these boundaries. Consequently, these blocks are logically established based on population density and follow tangible human-made or natural features.

In order to correlate all of the data that were used to conduct the 2001 redistricting a geographic information system (GIS) computer program was employed. This program allows data from multiple sources to be integrated into a final product. Data from the 2000 census were compiled to form the base of information used to conduct the redistricting.

The foundation on which the redistricting is based is derived from the 2000 census in Saguache County. This information provides a reasonably accurate population count to begin from and is divided into the census blocks which were used to form the director districts. With such current information available, no additional data or estimation is required to assess the distribution of population about the County.

The total population for the School District was estimated by totaling the populations of the individual blocks. This equaled 1,098 persons. The total population of the School District was divided by five to determine the optimum population of each director district (220 persons each).

The next step was to establish five new director districts. The School District was divided into districts based on the census blocks and existing boundaries. The GIS program allows census blocks to be added or deleted from a district until the population within each district fell into the desired population range. Two major concerns in the establishment of the director districts were 1) to keep district boundaries along obvious features such as roads and rivers, and 2) to retain compactness.

Finally, once the districts were established, both written and graphic depictions were developed to provide the School Board with products that could be easily used to determine the director district of any particular residence in the School District.

## RESULTS

The task of redistricting the Moffat Consolidated School District #2 is a complex one. Issues such as centralized populations and limited geographic boundary lines add extra dimension to the established redistricting criteria. In order to effectively and accurately compile and analyze the information needed to conduct this study, the use of a geographic information system (GIS) is a necessity.

The process employed for this study provides not only a statistically and geographically sound product for 2001, but also an in-depth base of information that will provide a reliable foundation for subsequent studies. The director districts presented as a result of this study will serve to reestablish the Moffat Consolidated School District #2 into five director districts that are substantially equal in population and have boundaries that allow the School Board to easily determine the extents of each director district.

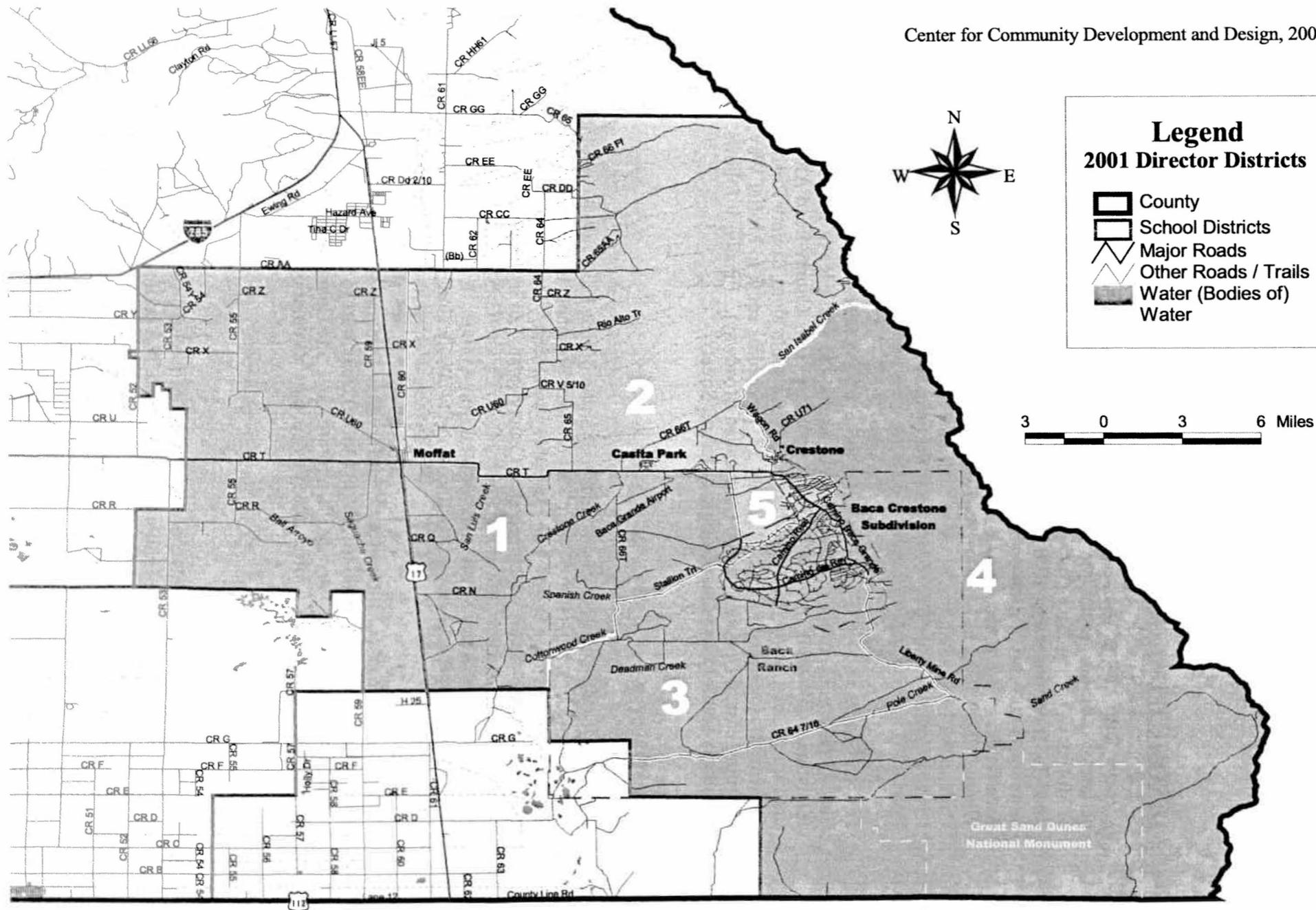
Given the design criteria of this study, the final result is a good compromise between statistical accuracy and geographic ease of use. The director districts are within 5% of the ideal population and their boundaries follow reasonable geographic lines. The districts suggested continue to use census blocks as the base units. This system allows both an accurate population determination and the division of the School District into director districts using boundaries based largely on real terrain features (e.g., roads, rivers). It also provides the School District with a data set that will be easy to update in future redistricting efforts.

The resulting five districts are more compact, contiguous, and follow easily recognized boundaries. District 1 represents the less populated area west of the Baca Crestone Subdivision. District 2 represents the northern half of the Baca Crestone Subdivision. District 3 represents the southern half extending southwesterly. District 4 represents the less populated region south and east of the Baca Crestone Subdivision. District 5 represents the less populated area north and west of Crestone.

Maps and detailed written descriptions of the director districts follow.

# Moffat Consolidated School District No. 2

Center for Community Development and Design, 2001



## **LEGAL DESCRIPTIONS**

### **DISTRICT 1**

Director District 1 represents the western part of the school district. It is bound by a perimeter beginning at the intersection of Russel Street (County Road T) and Broadway in Moffat. The boundary proceeds due east along Russel Street which becomes County Road T. It continues east 10.0 miles (1.25 miles before reaching Crestone) where turns south into Baca Ranch on an unnamed dirt road. It follows this road back out of Baca Ranch where it becomes Camino del Rey. The boundary continues east on Wagon Wheel Road to Homestead Road. It then follows Homestead Road southwest to Camino del Rey, south one block to Stallion Trail, then west over Stallion Trail until it reaches County Road 66T. From here, the boundary heads due south along County Road 66T until it reaches Cottonwood Creek, then follows the creek west to the west boundary of Baca Ranch. It follows the west edge of Baca Ranch south to the School District boundary. It proceeds due west following the School District boundary across State Highway 17, onward west and north around the west edge of the school district. It continues following the school district boundary along County Road AA heading east until it reaches County Road 60. It proceeds due south along County Road 60 to 15th (in Moffat), jogs west to State Highway 17, proceeding south to Moffat Way, then returning east to County Road 60 (now called Broadway). Finally, it follows Broadway south to its point of origin at Russel Street.

### **DISTRICT 2**

Director District 2 represents the northern portion of the school district and includes the west half of Crestone. It is bound by a perimeter beginning at the intersection of Russel Street (County Road T) and Broadway in Moffat. The boundary proceeds due east along Russel Street which becomes County Road T to its intersection with County Road 71. It continues north along County Road 71 into Crestone, turns east at Golden Avenue, north at Alder Street, then west on Iron Avenue. It then jogs north on Cottonwood Street a block and continues northwesterly along Wagon Road to its end. It then follows San Isabel Creek northeast to the eastern school district boundary. From here, it follows the school district boundary northwest, then west, south, and west again (along County Road AA) until it reaches County Road 60. It proceeds due south along County Road 60 to 15th (in Moffat), jogs west to State Highway 17, proceeding south to Moffat Way, then returning east to County Road 60 (now called Broadway). Finally, it follows Broadway south to its point of origin at Russel Street.

### **DISTRICT 3**

Director District 3 represents the southern half of the Baca Crestone Subdivision and a portion of the Baca Ranch south of it. It is bound by a perimeter beginning at the intersection of Camino Baca Grande and Camino Real. This boundary proceeds southwest along Camino Real to Wagon Wheel Road, then west south and east until



reaching County Road 64 7/10, then proceeds east on this road (following near Pole Creek) to Liberty Mine Road. From this point, the boundary proceeds northeast along Liberty Mine Road toward the subdivision. This road and the boundary connect to Camino Baca Grande and continue northeast to its point of origin at Camino Real.

#### **DISTRICT 4**

Director District 4 represents the southeast portion of the school district and includes eastern portions of Crestone and the Baca Crestone Subdivision. It is bound by a perimeter beginning at the intersection of County Road T and County Road 71. The boundary proceeds north along County Road 71 into Crestone, turns east at Golden Avenue, north at Alder Street, then west on Iron Avenue. It then jogs north on Cottonwood Street a block and continues northwesterly along Wagon Road to its end. It then follows San Isabel Creek northeast to the eastern school district boundary. From here, it follows the school district boundary southeast to the corner, then due west. It crosses through the Great Sand Dunes National Monument following the school district boundary, then north and west until it reaches County Road 64 7/10. It proceeds east on this road (following near Pole Creek) to Liberty Mine Road. From this point, the boundary proceeds northeast along Liberty Mine Road toward the subdivision. This road and the boundary connect to Camino Baca Grande and continue northeast to its southern (first) intersection with Moonlight Way. The boundary follows Moonlight Way northeast to its east most (second) intersection with Brookview Way, then follows Brookview Way further east and north to Panorama Way. From here, it jogs west one block on Panorama Way and continues north and west on Chaparral Way. It rejoins Moonlight Way and returns west to Camino Baca Grande where it proceeds north to its point of origin at the intersection of County Road T and County Road 71.

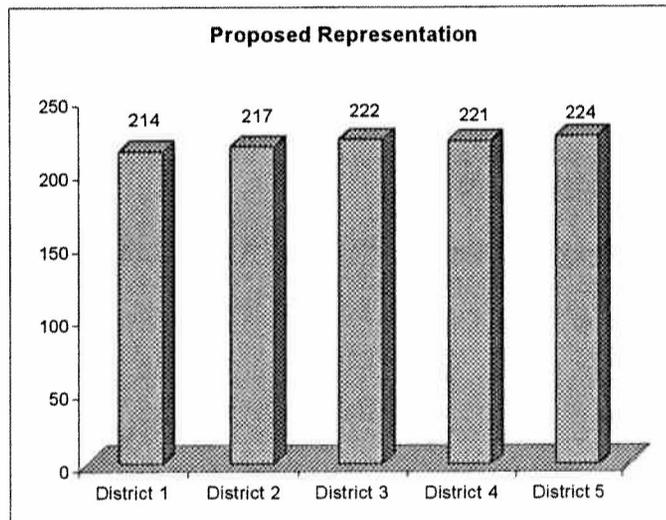
#### **DISTRICT 5**

Director District 5 represents the northern half of the Baca Crestone Subdivision. It is bound by a perimeter beginning at the intersection of Camino Baca Grande and Camino Real. This boundary proceeds southwest along Camino Real to Wagon Wheel Road, then west to Camino del Rey. From here, it heads north along Camino del Rey and continues along an unnamed dirt road heading north through Baca Ranch and connecting to County Road T approximately 1.25 miles west of Crestone. The boundary then follows County Road T east to Camino Baca Grande, then heads southeast to its northern (first) intersection with Moonlight Way. It turns east on Moonlight Way until reaching Chaparral Way, following it south and east to Panorama Way. From here, it jogs east one block on Panorama Way, then follows Brookview Way south then west to its east most (second) intersection with Moonlight Way. It then continues along Moonlight Way returning west to Camino Baca Grande. Finally, it heads one block south to its point of origin at Camino Real.

## STATISTICAL DATA

### DISTRICT POPULATIONS (AND PERCENT DEVIATIONS)

	<i>Proposed Boundaries</i>
District 1	214 (-2.55%)
District 2	217 (-1.18%)
District 3	222 (+1.09%)
District 4	221 (+0.64%)
District 5	224 (+2.00%)
<b>Total</b>	<b>1,098</b>



## REFERENCES

American Association of School Administrator. "Report of the AASA Commission of School District Reorganization." School District Organization. Washington D.C.: American Association of School Administrators.

Bibb, Bibb & Associates. Long Range Enrollment Analysis: The Cheyenne Mountain School in 2004. Colorado Springs, Colorado: Bibb, Bibb & Associates, 1984.

Elserod, H.O. Pros and Cons of School District Reorganization. Compact v. 11, Spring 1977.

Lavin, Michael R. Understanding the Census: A Guide for Marketers, Planners, Grant Writers and Other Data Users, Epoch Books Inc., p178, 1990

Leon, Bill; Barbara Gately and Sally Brown. Redistricting in Colorado: A Model Applied to Montrose County, Center for Community Development and Design, 1985.

Morrill, Richard L. Political Redistricting and Geographic Theory. Pennsylvania: Commercial Printing Inc., State College; 1981.

U.S. Bureau of the Census, Census 2000 Redistricting (Public Law 94-171), Summary File.

Colorado Revised Statutes 2000:  
22-31-107  
22-31-109  
22-31-110

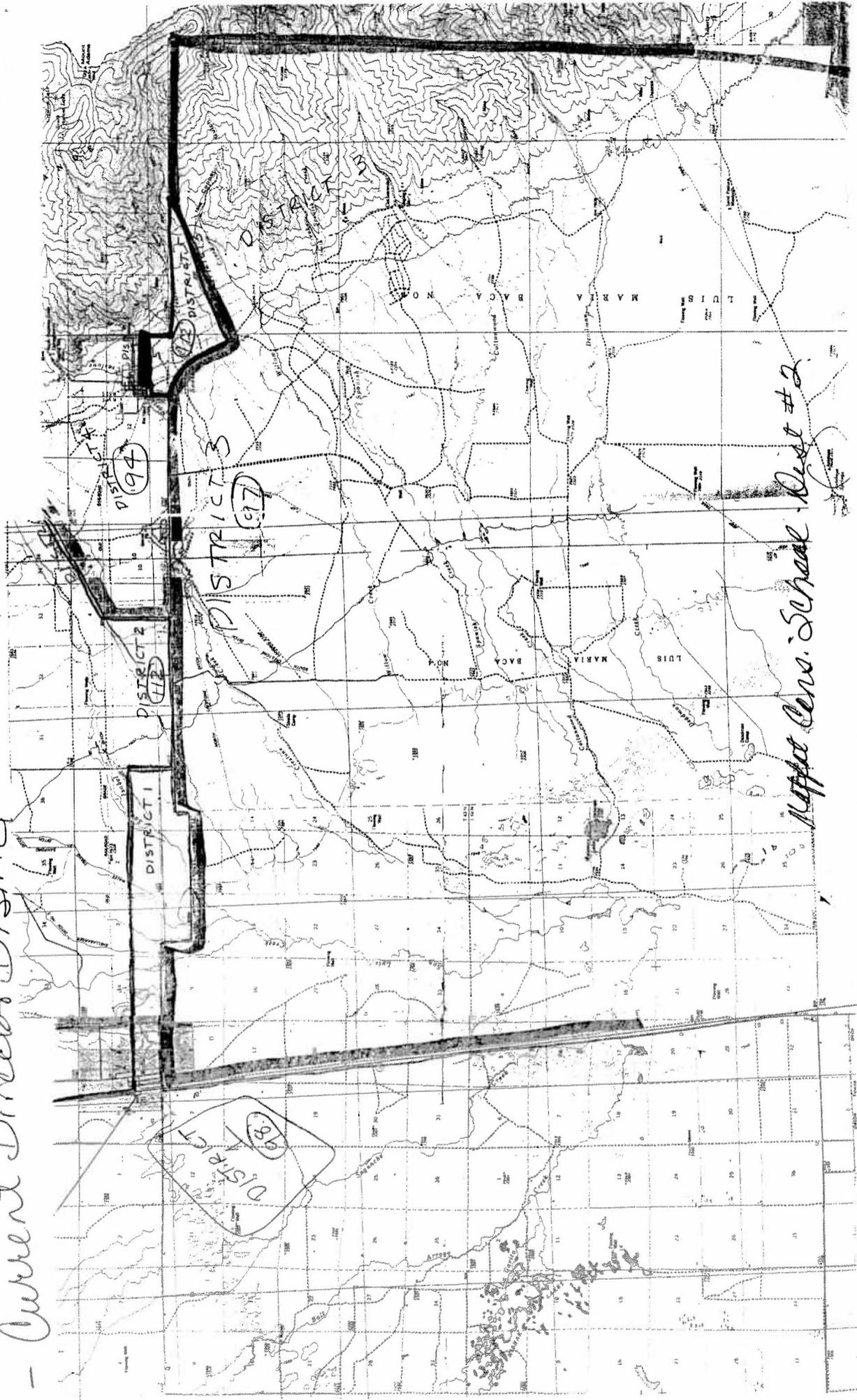
Court Cases Cited:  
Reynolds vs. Sims 377 US 533 (1964)  
Swann vs. Adams/Florida 385 US 440 (1967)  
Gaffney vs. Cummings et.al. 412 US 735 (1973)  
Kilpatrick vs. Preisler 394 US 526 (1969)  
Heinkel vs Preisler 395 US 817(1969)

## **APPENDICES**

Moffat #2, Previous School Board Director Districts

Colorado Revised Statutes Regarding School Director Redistricting

- Current Director District



Map of Cons. School Dist #2

## Colorado Revised Statutes

Relevant to School Board Director Redistricting

Available at <http://www.leg.state.co.us/inetcrs.nsf/revstat>

**22-31-107. Qualification and nomination of candidates for school director.** (1) Any candidate for the office of school director of a school district shall be an eligible elector of the district and shall have been a resident of the district for at least twelve consecutive months prior to the election. If the school district has a director district plan of representation or a combined director district and at-large plan of representation, the candidate shall be a resident of the director district that will be represented, unless the candidate will serve as an at-large director or has been elected at the time of or prior to the adoption of a director district plan of representation or a combined director district and at-large plan of representation by the eligible electors of the district.

(2) Any person who desires to be a candidate for the office of school director shall file a written notice of intention with the secretary of the board of education of the school district in which the person resides prior to sixty-six days before the election date, together with a nomination petition according to the provisions of section 1-4-803 and part 9 of article 4 of title 1, C.R.S.

(3) and (4) (Deleted by amendment, L. 92, p. 819, § 31, effective January 1, 1993.)

(5) (a) Any person who has been convicted of commission of a sexual offense against a child shall not be eligible for the office of school director of a school district. If a person becomes ineligible pursuant to the terms of this subsection (5) while serving as a school director, a vacancy shall be deemed to exist that shall be filled as provided in section 22-31-129.

(b) For purposes of this subsection (5), "sexual offense against a child" means any of the offenses described in sections 18-3-405, 18-3-405.3, 18-3-305, 18-6-301, 18-6-302, 18-6-402 to 18-6-404, and 18-7-402 to 18-7-406, C.R.S., and any of the offenses described in sections 18-3-402 to 18-3-404 and 18-7-302, C.R.S., where the victim is less than eighteen years of age. "Sexual offense against a child" also means attempt, solicitation, or conspiracy to commit any of the offenses specified in this paragraph (b).

(c) For purposes of this subsection (5), "convicted" includes having pleaded guilty or nolo contendere or having received a deferred judgment and sentence; except that a person shall not be deemed to have been convicted if the person has successfully completed a deferred sentence.

**22-31-109. Specifications for director districts.** In school districts having a director district plan of representation or a combined director district and at-large plan of representation, at least one member of the board of education of the school district shall be elected from each of the director districts. Director districts shall be contiguous, compact, and as nearly equal in population as possible. The director districts shall be not less than five nor more than seven in number.

**22-31-110. Changes in director districts.** (1) (a) Except as otherwise provided in paragraph (b) of this subsection (1), not later than December 31, 1972, and not later than December 31 of every fourth year thereafter, the board of education of each school district having a director district plan of representation or a combined director district and at-large plan of representation shall determine the population in each of the director districts and, if each director district does not contain substantially the same number of persons as each of the other director districts, it shall be the duty of the board, by resolution, to revise the director district boundaries and redesignate the director districts to comply with the specifications prescribed in section 22-31-109 without changing the number of director districts.

(b) The provisions of this section shall not apply to any school district coterminous with a city and county. The director districts for any such school district shall be established as provided in section 22-31-131.

(2) The revision of director district boundaries and redesignation of the director districts shall become effective immediately upon adoption of the resolution by the board of education, but the revision and redesignation shall not operate to terminate the office of any school director holding office at the time of

adoption of the resolution. The revision and redesignation shall be, thereafter, effective for filling of vacancies and the election of any school directors at any subsequent regular biennial school election. In the event that, as a result of a revision and redesignation, two or more members of the board of education reside in the same new director district, and the office of any one of the members thereafter becomes vacant, the vacancy shall be filled by the appointment of an eligible elector residing in a director district which does not then have a representative on the board of education.

(3) If the board of education has not revised the director district boundaries and redesignated the director districts as required by subsection (1) of this section, any eligible elector of the district may file, not later than January 15 next following the December 31 by which such revision and redesignation was to be accomplished, an action in the district court of the judicial district in which the principal administrative headquarters of the school district are located to require the board of education to revise the director district boundaries and redesignate the director districts no later than February 28 next following.

(4) Director district boundaries shall not be subject to alteration more often than twice every four years.

**LIST OF PUBLICATIONS CONT.**

<b>Economic and Community Development Assistance Directory for Small Communities in Colorado</b>	<b>1988</b>
<b>Great Plains Reservoirs Multiple Use Development Feasibility</b>	<b>1989</b>
<b>Water Treatment Needs &amp; Options for Crowley County</b>	<b>1989</b>
<b>North End Neighborhood Policy Plan</b>	<b>1989</b>
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<b>Teller County Growth Attitudes Project</b>	<b>1996</b>
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