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CROWLEY COUNTY RE-1-J SCHOOL BOARD REDISTRICTING

Doug Bates

2002

Center for Community Development and Design

**University of Colorado
Colorado Springs**

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**CROWLEY COUNTY RE-1-J
SCHOOL BOARD
REDISTRICTING**

Community Development Monograph Series

#106

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**CROWLEY COUNTY RE-1-J
SCHOOL BOARD
REDISTRICTING**

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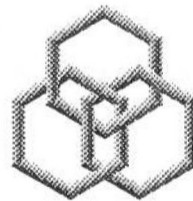
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Additional support for this research was provided by:

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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 Crowley County RE-1-J School District to be nearly equal in residents represented.

Key findings include:

- ◆ Director district representation plans were drafted which brought population differences to within $\pm 5\%$, $\pm 15\%$, and $\pm 25\%$ variances.
- ◆ 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 Crowley County RE-1-J School Board met to review the suggested boundary changes. Considering these options, the board adopted a plan of representation having a $\pm 25\%$ deviation due to local circumstances. The revised director districts were voted upon and approved. This plan of representation should be reviewed again in 2005.

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ACKNOWLEDGEMENTS

This research was supported by funds provided by the Crowley County RE-1-J School District. Opinions and conclusions expressed herein are those of the authors and do not necessarily represent the official position of the School District.

We would like to thank Pat Bentley, Superintendent of the Crowley County RE-1-J School District for his guidance and assistance in developing this study.

Finally, CCDD appreciates the local insight and support of:

Kenny Anderson, Board President;
Joseph Chamberlain, Board Vice President;
Eddie Waugh, Board Treasurer;
Michael F. Apker, Board Secretary;
Penny Pfeiff, Board Member;
Bill Green, Board Member;
Kay Markus, Board Member;
and the communities of Crowley County, and the RE-1-J School District.

INTRODUCTION

In 1998, the Crowley County RE-1-J School Board completed a study compiling data for use in the redistricting of the seven director districts within the School District. Based on these data director voting districts were established and are currently in 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 Crowley County RE-1-J 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 initially targeted. 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). However, with justification of the local circumstances, the requirements of Colorado law and the guidelines established by Supreme Court decisions concerning redistricting can be followed.

METHODOLOGY

The 2001 rural school board redistricting for the RE-1-J 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 seven 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 373 of the 425 census blocks in Crowley 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 Crowley 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 3,328 persons. The total population of the School District was divided by seven to determine the optimum population of each director district (475 persons each).

The next step was to establish seven 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 Crowley County RE-1-J School District is a complex one. Issues such as centralized populations and limited geographic boundary lines add extra dimension to the established redistricting criteria. In addition, data must be collected from both Crowley County. 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 Crowley County RE-1-J School District into seven 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 compromise of statistical accuracy, geographic ease of use, and local circumstances. The director districts are within 25% 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 seven districts are more tightly contained about the population. District A represents the southeastern portion of the district. District B represents the far west edge. District C represents the area about Crowley. District D, the largest district, represents the northern two-thirds of the School District. District E represents the east half of Ordway. District F represents the area west of Ordway. And District G represents the center of Ordway.

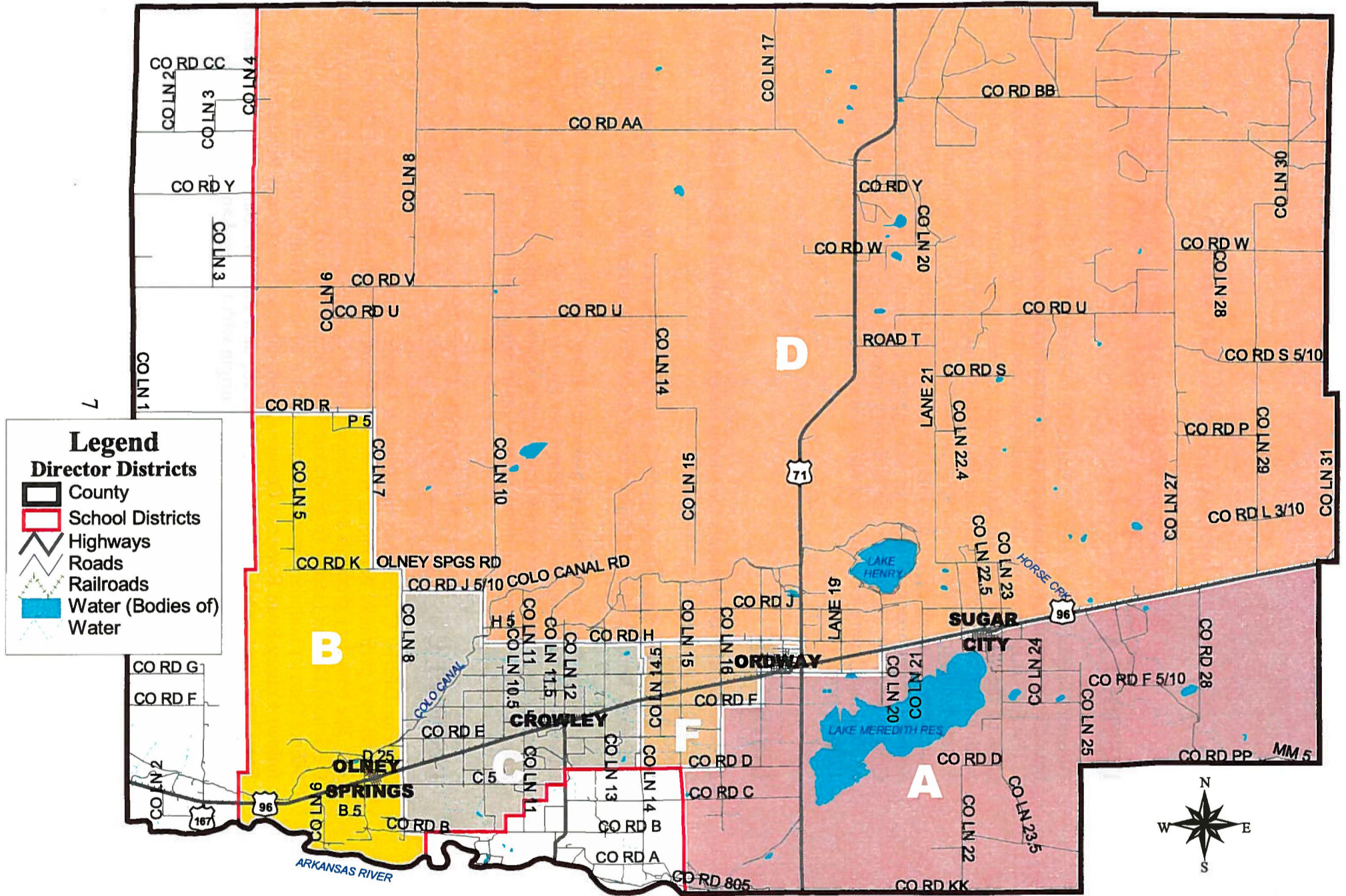
District A continues to represent the less populated, northern half of the district located north of Kyle Railroad and I-70. District B represents the more concentrated population located in the very center of Burlington. District C covers the area just north of town extending past Kyle Railroad. District D includes the western edge of town and the strip running west between I-70 and Kyle Railroad. District E contains the south portion of town falling east of Mike Lounge Drive and north of I-70. District F represents most of the people living on the east end of town north of Highway 24 and south of Webster Avenue. And District G, represents the less populated areas located south of I-70.

Maps and detailed written descriptions of the director districts follow.

Crowley County School District

2001 Director District Plan

Center for Community Development and Design, 2001



LEGAL DESCRIPTIONS

DISTRICT A

Director District A represents the southeastern corner of the School District. It is bound by a perimeter beginning at the intersection of County Lane 17 and County Road G (1st Street) in Ordway. The boundary proceeds due east from County Road G crossing the Missouri Pacific Railroad and proceeding to County Lane 20 and turns north until it meets State Highway 96. It then follows State Highway 96 east to the eastern boundary of the School District (and the County). This boundary follows southwesterly along the county line, then continues north along County Lane 15 and the School District boundary (with the Manzanola 3J School District) until it reaches County Road D. From here, the boundary proceeds east on County Road D, then north along County Lane 16, east on County Road F, and north again on County Lane 17 to its point of origin.

DISTRICT B

Director District B represents the southwestern corner of the School District. It is bound by a perimeter beginning at the intersection of County Lane 8 and Olney Springs Road (County Road K) north of Olney Springs. The boundary proceeds south along County Lane 8 to County Road B, then continues east to the School District boundary (with the Manzanola 3J School District). It then follows the School District boundary south to the Arkansas River and continues along it heading west, then north along the School District's western boundary until it reaches County Road R. From here, it follows east along County Road R to County Lane 7, then south to Olney Springs Road. Finally, it follows Olney Springs Road east to its point of origin with County Lane 8.

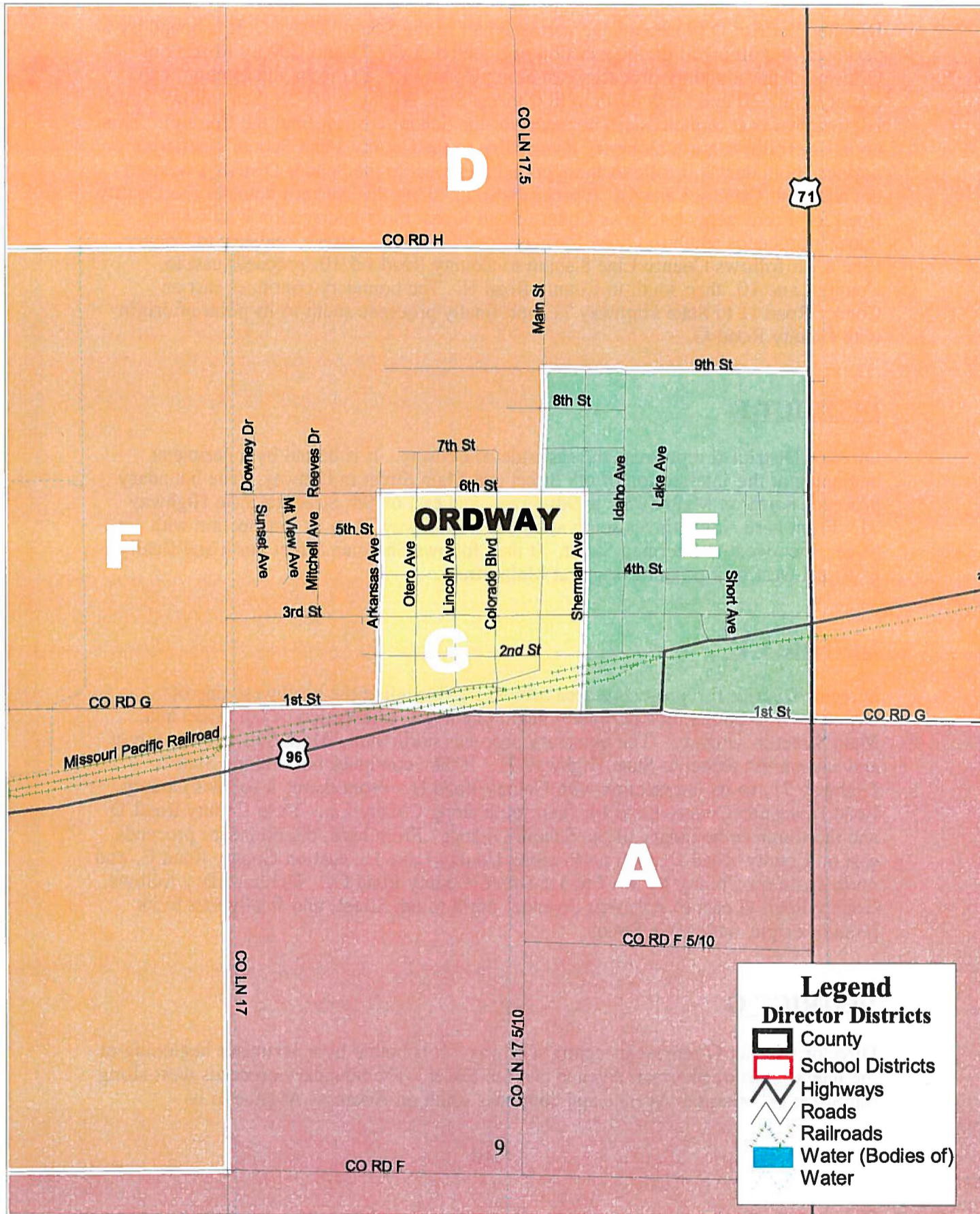
DISTRICT C

Director District C represents the Town of Crowley and the surrounding area. It is bound by a perimeter beginning at the intersection of County Road H and County Lane 14. The boundary proceeds south along County Lane 14 to the southern boundary of the School District (across from Manzanola 3J School District). It then follows the School District boundary west and south until it connects with County Road B. It follows County Road B west to County Lane 8, then north to County Road J 5/10. From here, it proceeds east to County Lane 10, then south to County Road H. Finally, it follows County Road H east to its point of origin with County Lane 14.

Crowley County School District

2001 Director District Plan

Center for Community Development and Design, 2001



DISTRICT D

Director District D represents the northern half of the School District. It is bound by a perimeter beginning at the intersection of State Highway 71 and County Road G in Ordway. The boundary proceeds east along County Road G to its intersection with County Lane 20 and turns north until it meets State Highway 96. It then follows State Highway 96 east to the eastern boundary of the School District (and the County). This boundary follows north along the county line to the County's and School District's northern boundary. It follows these boundaries west to the School District's western boundary (at County Lane 4). It proceeds south along this western boundary to County Road R. From here, it follows County Road R east to its intersection with County Lane 7, proceeds south to Olney Springs Road (County Road K), and east to County Line 8. It follows County Line 8 south to County Road J 5/10, proceeds east to County Lane 10, then south to County Road H. The boundary continues east on County Road H to State Highway 71, and finally proceeds south to its point of origin with County Road G.

DISTRICT E

Director District E represents the east side of Ordway. It is bound by a perimeter beginning at the intersection of 6th Street and Main Street in Ordway. The boundary proceeds north on Main Street to 9th Street, and east on 9th Street to State Highway 71. From here, it continues south along State Highway 71 to its intersection with 1st Street, then west to Sherman Street. It then follows Sherman Street north and finally 6th Street west to its point of origin at Main Street.

DISTRICT F

Director District F represents an area around and including the northwest side of Ordway. It is bound by a perimeter beginning at the intersection of 6th Street and Main Street in Ordway. The boundary proceeds north along Main Street to 9th Street, and east on 9th Street to State Highway 71. It then continues north along State Highway 71, to its intersection with County Road H. From there, it follows County Road H west to County Lane 14, then south along County Lane 14 to County Road D and the southern boundary of the School District. From here, the boundary proceeds east on County Road D, then north along County Lane 16, east on County Road F, and north again on County Lane 17 to 1st Street (County Road G). The boundary follows County Road G east to Arkansas Avenue, north to 6th Street, and finally east to its point of origin with Main Street.

DISTRICT G

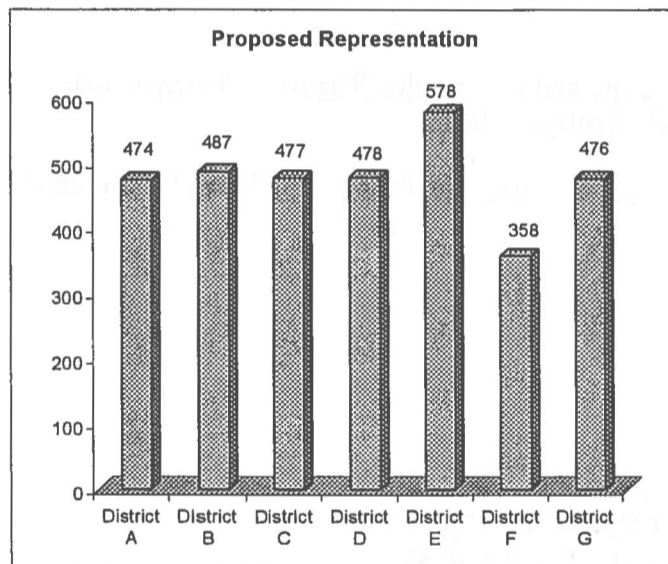
Director District G represents central Ordway. It is bound by a perimeter beginning at the intersection of Sherman Avenue and 6th Street. The boundary proceeds west along 6th Street to Arkansas Avenue and continues south on Arkansas Avenue to its

intersection with 1st Street (County Road G). It continues from this point due east crossing the Missouri Pacific Railroad to State Highway 96 (also 1st Street at this point), then proceeds east to Sherman Avenue. From there, it follows Sherman Avenue north to its point of origin with 6th Street.

STATISTICAL DATA

DISTRICT POPULATIONS (AND PERCENT DEVIATIONS)

	<i>Proposed Boundaries</i>
District A	474 (-0.30%)
District B	487 (+2.43%)
District C	477 (+0.33%)
District D	478 (+0.54%)
District E	578 (+21.57%)
District F	358 (-24.70%)
District G	476 (+0.12%)
RE-1-J	3,328



REFERENCES

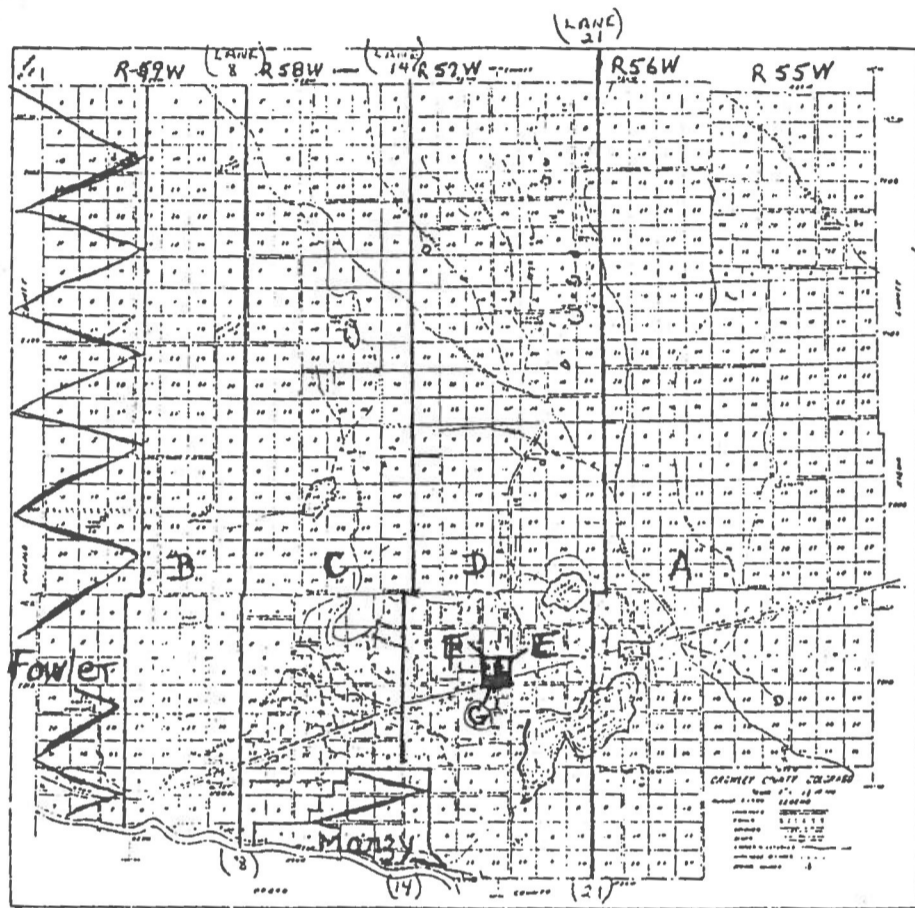
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22-31-107
22-31-109
22-31-110
- Court Cases Cited:
Reynolds vs. Sims 377 US 533 (1964)
Swann vs. Adams/Florida 385 US 440 (1967)
Gaffney vs. Cummings et.al. 412 US 735 (1973)
Kilpatrick vs. Preisler 394 US 526 (1969)
Heinkel vs Preisler 395 US 817(1969)

APPENDICES

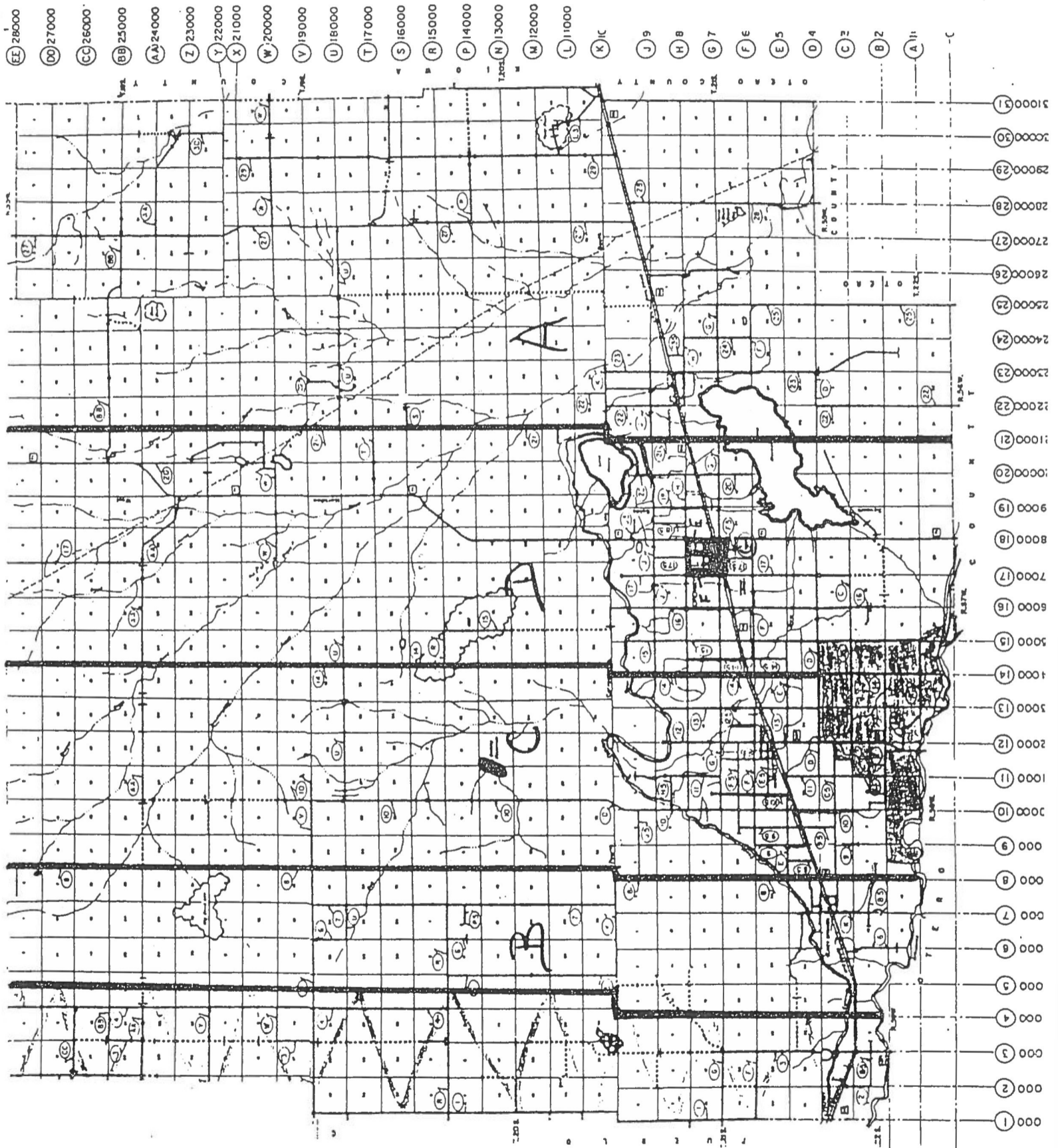
Crowley County RE-1-J, Previous School Board Director Districts

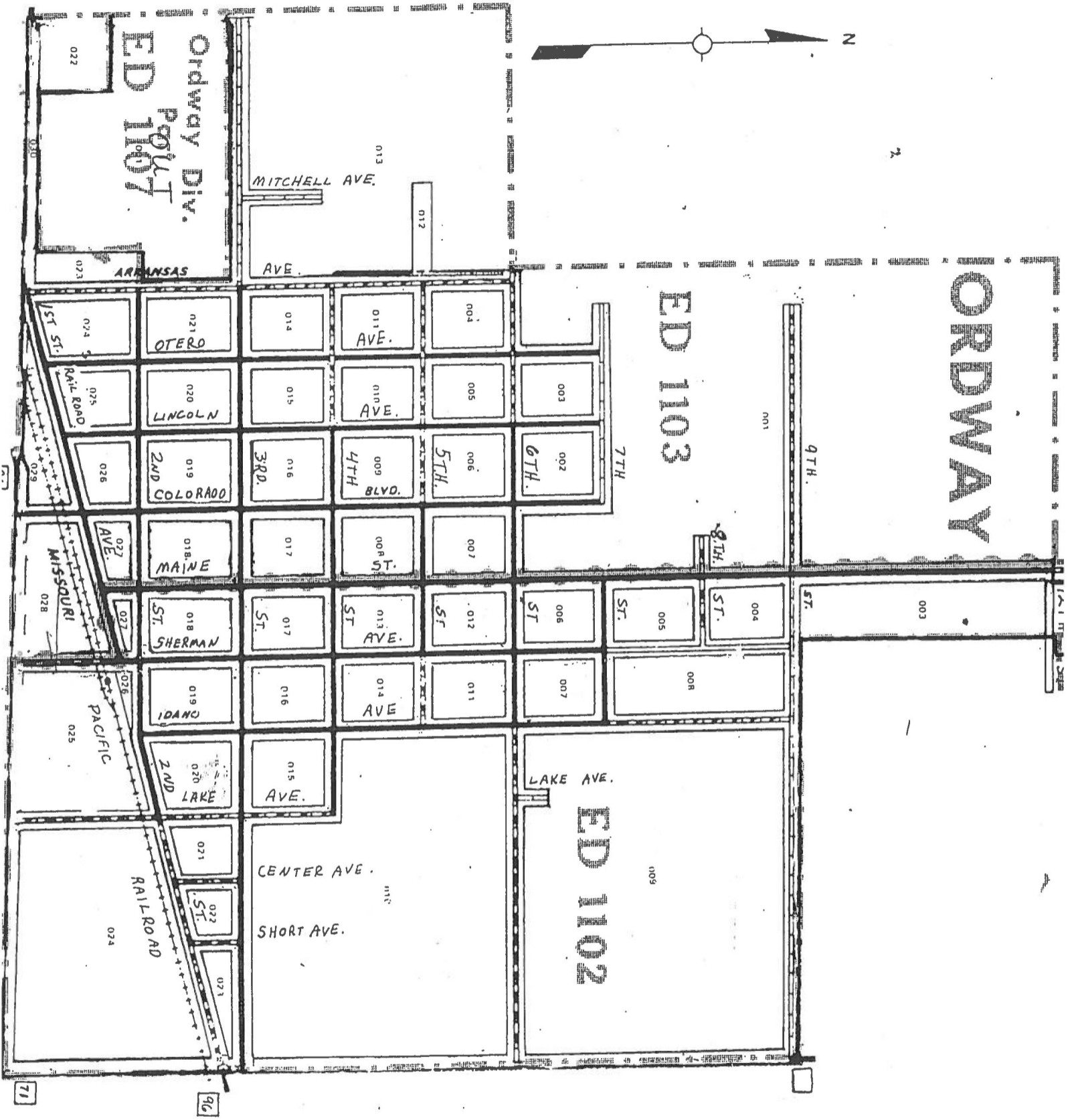
Crowley County RE-1-J, Previous School Board Director Districts – near Crowley County

Colorado Revised Statutes Regarding School Director Redistricting



CROWLEY COUNTY SCHOOL DISTRICT RE. 1-J
Director Districts
Adopted February 19, 1985





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.

Economic and Community Development Assistance Directory for Small Communities in Colorado	1988
Great Plains Reservoirs Multiple Use Development Feasibility	1989
Water Treatment Needs & Options for Crowley County	1989
North End Neighborhood Policy Plan	1989
Neighborhood Planning in Colorado Springs: A Guide for Residents	1989
Forest Fringe Development Impacts on Large Mammals in El Paso and Teller Counties	1989
Adolescent Pregnancies: Reducing Numbers, Serving Needs: The Views of Teens and Young Adults	1990
Child Care Patterns & Preferences: A Survey of El Paso County Parents & Providers	1990
Survey of Business Needs in Southeast Colorado	1990
Perspectives On School/Community Relationships & Needs In the Mitchell High School Neighborhood of Colorado Springs	1991
Colorado Communities Youth Activities Program: An Evaluation	1991
North Nevada Revitalization Project: The Views of Business and Property Owners	1991
Youth of Fountain: An Assessment of Needs	1991
Enrollment Projections 1993-1997: Harrison School District #2	1992
Library Institute Evaluation	1993
Larkspur Park Design	1993
Colorado Communities Youth Activities Program; Year 4	1993
UCCS Child Care Demand Survey	1994
Teller County Parks and Recreational Advisory Board Organizational Planning Guide	1994
Teller County Growth Attitudes Project	1996
Woodland Park School District Re-2 School Board Redistricting	2000

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