

**Initiative #124  
School Board Open Meetings**

1 **Proposition ? proposes amending the Colorado statutes to:**

- 2       ♦ require that local school boards or their representatives negotiate  
3       collective bargaining agreements in open meetings.

4 **Summary and Analysis**

5       **Colorado open meetings law.** Any meeting at which a state or local  
6 governmental body discusses public business or takes formal action must be open to  
7 the public, with certain exceptions. For example, if a governmental body is meeting to  
8 discuss issues such as personnel matters, security details, real estate transactions, or  
9 negotiations with employer or employee organizations, a closed meeting known as an  
10 executive session may be called. A vote of two-thirds of the members present is  
11 required to enter executive session, and the topics to be discussed must be disclosed.  
12 A public vote is required to take final action on matters discussed in executive session.

13       **Collective bargaining and executive sessions.** Collective bargaining is the  
14 process of negotiating terms of employment between an employer and a group of  
15 employees or employee representatives to determine employee pay, benefits, and  
16 working conditions, in addition to a variety of other terms and conditions. Many local  
17 governments have collective bargaining agreements with public employees such as  
18 firefighters, police officers, and public school personnel. The governing body of a local  
19 government may go into executive session to negotiate the collective bargaining  
20 agreement.

21       Under current law, while a local school board may go into executive session  
22 when discussing collective bargaining agreements, any final collective bargaining  
23 agreement must be posted on the Internet and made available to the public.  
24 Approximately one-quarter of Colorado's school districts have entered into collective  
25 bargaining agreements.

26       **Changes proposed by Proposition ?.** Under this measure, school boards, or  
27 their representatives, are required to discuss collective bargaining agreements in  
28 meetings that are open to the public.

*For information on those issue committees that support or oppose the measures on the ballot at the **November 4, 2014**, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:*

<http://www.sos.state.co.us/pubs/elections/Initiatives/InitiativesHome.html>

1 **Argument For**

2 1) Open meetings and transparency are basic principles of good government.  
3 This measure upholds the public's right to be informed and provides additional public  
4 oversight of government spending. Current law requires that school districts post  
5 completed bargaining agreements online; however, negotiations to arrive at these  
6 agreements are largely held in executive session. Holding collective bargaining  
7 negotiations in a public forum allows for greater understanding by the public and  
8 school employees of these proceedings.

9 **Argument Against**

10 1) Voters elect school board members to determine what is best for the  
11 school district, and this measure removes the board's freedom and flexibility to choose  
12 how to negotiate with employees. Currently, school boards are allowed to discuss  
13 collective bargaining agreements in public, and some choose to do so. Negotiations  
14 over labor contracts can be difficult and complicated, so school boards may want to  
15 enter executive session so that it is easier to reach a final agreement.

16 **Estimate of Fiscal Impact**

17 *(Please Note: A summary of the fiscal impact will be included in this space in the*  
18 *second draft of the analysis, and an official fiscal note will be prepared and placed on*  
19 *the website when the final blue book is sent to voters.)*