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September 14, 2026

Boulder Valley School District
Board of Education
Board President Nicole Rajpal
Board Vice President Alex Medler
Board Treasurer, Director Jason Unger,
Director Lalenia Quinlan Aweida
Director Deann Bucher
Director Ana Temu Otting
Director Jorge Chávez
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RE: Resilient Schools Proposal—Urgent Request for Compliance with the Colorado Open Meetings Law and Vote Against September 22 Adoption

Dear Board President Rajpal, Board Vice President Medler, Director Unger, Director Quinlan Aweida, Director Bucher, Director Temu Otting, and Director Chávez:

I represent Katharine Rosenthal, Amanda Calender, and Theresa Schultz, who are parents of Boulder Valley School District students and representatives of a broader coalition of parents and community members concerned about the process by which the District’s “Resilient Schools” proposal was developed.

I write to alert the Board and District's executive leadership to my clients' concerns regarding compliance with the Colorado Open Meetings Law ("COML") at § 24-6-401, et seq., C.R.S., including (1) the adequacy of public notice provided for discussions of school-closure related issues; (2) the unexplained abandonment of LRAC's previously established declining-enrollment framework; and (3) the lack of transparency surrounding the development of the so-called "Resilient Schools" proposal.

The circumstances described below raise serious concerns regarding compliance with the transparency and public-notice requirements of the Colorado Open Meetings Law and the public trust reposed by Boulder Valley School District voters in their elected officials.

REQUEST FOR URGENT ACTION

My clients request that the Board vote "NO" on the "Resilient Schools" proposal described to the Board at an August 25, 2026 meeting and scheduled for a vote on September 22, 2026.

My clients further request that the Board direct the Long Range Advisory Committee ("LRAC") to conduct future meetings with clear, specific notice sufficient to allow ordinary members of the public to understand, observe, and participate in discussions concerning potential school closures.

SUMMARY OF BOARD AND DISTRICT CONDUCT LEADING TO NEED FOR URGENT ACTION

The September 22, 2025 LRAC agenda presented that Committee as continuing its established work. The LRAC's work, according to Board Policy BDFF, includes:

The Board of Education shall appoint a Long Range Advisory Committee (LRAC), which shall develop recommendations to ensure sound long-term facility decisions consistent with the needs of the School District and in support of the School District's strategic initiatives.

LRAC is intended to provide a high level of accountability, engagement, and communication with the Boulder Valley community to ensure stakeholders are engaged and their values and priorities are reflected in the Board's decisions.



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The LRAC, in its September 22, 2025 agenda, identified matters including attendance boundaries, an October 21 Board update, middle-level metrics, and future enrollment discussions. The minutes likewise reflect discussion of metrics and contain the statement that the metrics function as an **“early warning system so that the community is not surprised.”** Nothing in the notice tells the public that the LRAC would consider **changing the fundamental approach from school-specific metrics (including an Enrollment Advisory Phase and Community Engagement Phase) and school-specific community engagement to a regional/systemwide process capable of selecting schools for closure outside those triggers.**

BVSD Board President Nicole Rajpal has publicly attributed the Board’s change in direction to the LRAC, stating that the LRAC’s work caused or enabled BVSD to “pivot” from the red-and-yellow school-specific approach to a more holistic, systemwide approach. If, as the Board President represented, the LRAC considered, developed, or recommended that material change in policy at its September 22, 2025 meeting, the meeting notice did not provide full notice of that public business. The agenda instead presented LRAC as continuing its existing work concerning metrics, attendance boundaries, and a forthcoming Board update. Nothing informed an ordinary community member that LRAC would consider abandoning, replacing, or materially modifying the very school-specific early-warning process that LRAC simultaneously represented was intended to ensure “that the community is not surprised.”

The October 21, 2025 BVSD Board meeting became the undisclosed pivot from LRAC’s school-specific early-warning process to a regional closure process. There, without full notice, the Board moved beyond a generic declining-enrollment/LRAC update and engaged in policy formation concerning the scope, pace, and structure of BVSD’s response—titled in Board materials, “How Fast Do We Move?” and “How Wide Do We Go?”

Following this meeting, Superintendent Anderson and his staff carried out a series of Community Engagement Sessions in March and April, 2026. The Board and District continue to tout these sessions as “listening first, then deciding.” Simultaneously, and secret from the public (including parents of students at

schools now proposed for closure), Superintendent Anderson began to plan school closures.

During the Community Engagement Sessions, the public was not told that Birch, Douglass, Flatirons, and Mesa elementary schools might be slated for closure. In fact, on March 9, 2026, just prior to these meetings, the LRAC met its last regularly scheduled meeting of the 2025-26 school year and noticed no possible closures in its agenda. The draft minutes from that meeting identified that “Two schools—Heatherwood and Flatirons—currently meet the community engagement criteria.”

Any member of the community reviewing these publicly available minutes saw the LRAC carrying out its work using the **school specific** publicly described matrix on the LRAC’s web page. See <https://www.bvdsd.org/current-topics/long-range-advisory-committee> and <https://www.bvdsd.org/current-topics/long-range-advisory-committee/long-range-advisory-committee-metrics-and-recommendations>.

Nonetheless, the single proposal presented to the public at a Board meeting on August 25, 2026, included a plan for closure of four elementary schools, Birch, Douglass, Flatirons, and Mesa, among other plans for consolidation. This proposal is set for a Board vote on September 22, 2026. Students and parents spoke to the Board in two minute increments for well over five hours on September 8, 2026, alerting the Board to their surprise and dismay at, what many said, was a failure of transparency. The Board and District, they said repeatedly, had failed to “show its work.” Parents, including my clients, pleaded with the Board to vote “NO” on the proposal, and to redo its work in an open, transparent process.

Since the proposal was publicly announced on August 25, 2026, parents and community members from multiple affected school communities have come together to create BetterPlanBVSD.com. As of today, petitions associated with that effort have gathered more than 4,700 signatures from community members, businesses, and organizations across Boulder Valley. The speed and scale of that response underscore the concerns expressed at public meetings: many families felt blindsided by a proposal of such consequence and questioned how recommendations affecting their schools had been developed before they were ever publicly presented.

1. Applicable law

First, there is the bedrock principle, enshrined in Colorado law, that:



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The holding of public office or employment is a public trust, created by the confidence which the electorate reposes in the integrity of public officers, members of the general assembly, local government officials, and employees. A public officer, member of the general assembly, local government official, or employee shall carry out his [sic] duties for the benefit of the people of the state.

§ 24-18-103(1), C.R.S.

Additionally, the Colorado Open Meetings Law (“COML”), applicable to the BVSD School Board and its advisory bodies, including the Long Range Advisory Committee, provides:

It is declared to be a matter of statewide concern and the policy of this state that the formation of public policy is public business and may not be conducted in secret.

§ 24-6-401, C.R.S.

The COML’s transparency requirements apply to the LRAC because a “local public body includes:

any board, committee, commission, authority, or other *advisory*, policy-making, rule-making, or formally constituted body of any political subdivision of the state and any public or private entity to which a political subdivision, or an official thereof, has delegated a governmental decision-making function but does not include persons on the administrative staff of the local public body.

§ 24-6-402(1)(a)(I), C.R.S. (emphasis added).

The LRAC plainly falls within this definition. The Board created the LRAC, charged it with developing recommendations concerning long-range facility

planning, and described it as a vehicle for community engagement, accountability, and communication with the Boulder Valley community.

The COML requires that meetings of local public bodies be conducted openly and after full and timely notice to the public. Specifically:

Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public.

§ 24-6-402(2)(c)(I), C.R.S.

This notice requirement exists so that an ordinary member of the public can understand the matters to be discussed and decide whether to attend, observe, and participate. When a public body discusses matters of significant public concern without clearly identifying those matters on its agenda, the purpose of the COML is undermined.

The COML further provides:

No ... formal action of a ...local public body shall be valid unless taken or made at a meeting that meets the requirements of subsection (2) of this section.

§ 24-6-402(8), C.R.S.

The Colorado Supreme Court has “interpreted the COML broadly to further the legislative intent that citizens be given a greater opportunity to become fully informed on issues of public importance so that meaningful participation in the decision-making process may be achieved.” *O’Connell v. Woodland Park School District RE-2 Board of Education*, 25 CO 55, ¶ 32, citing *Cole v. State*, 673 P.2d 345, 347 (Colo. 1983); and see also *Bagby v. Sch. Dist. No. 1*, 528 P.2d 1299, 1302 (Colo. 1974) (holding that because the COML is “designed [p]recisely to prevent the abuse of ‘secret or “star chamber” sessions of public bodies,’” the COML “should be interpreted most favorably for the beneficiary, the public”).



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2. Circumstances Giving Rise to the Concerns of Rosenthal, Calender, and Schultz about lack of Transparent Process

The concerns raised in this correspondence are not primarily about the merits of any particular school closure, consolidation, or reconfiguration proposal. Rather, they concern the process by which the “Resilient Schools” proposal was developed and presented to the public.

My clients recognize that enrollment trends present difficult challenges for the District and that reasonable people may disagree about how best to respond. The relief sought in this letter therefore focuses on transparency, public participation, and compliance with the COML, not on any particular policy outcome.

Specifically, my clients are concerned that:

1. **September 22, 2025 LRAC meeting.** At its September 22, 2025 meeting, LRAC either (a) discussed, decided, or recommended a shift from its established school-specific early-warning and community-engagement framework to a District-wide or regional approach, without full notice that such a fundamental change in approach would be considered; or (b) did not discuss, decide, or recommend any such change. If LRAC did make or recommend the change, its agenda did not disclose that LRAC would consider abandoning or materially modifying its established framework, or that schools could thereafter be considered for consolidation, reconfiguration, or closure without first proceeding through that framework.
2. **Abandonment of the established LRAC process.** At some point, the Board abandoned or materially departed from the LRAC-centered, school-specific early-warning and community-engagement framework without publicly announcing or explaining that the process had changed, when it changed, who made that decision, or what process would replace it.
3. **October 21, 2025 Board meeting.** If the change occurred at the Board's October 21, 2025 meeting, the Board discussed and decided to pivot from the LRAC-centered, school-specific framework to a District-wide or regional approach without full notice that such a change in policy or process would be considered. The notice also did not disclose that the Board would

consider directing District staff to undertake District-wide school consolidation, reconfiguration, or closure planning outside the established LRAC framework. Afterward, the District continued to maintain the public appearance that the LRAC framework remained operative, including through LRAC's regular meetings in January and March 2026.

4. **Alternative—change occurred outside a public meeting.** Alternatively, if the Board did **not** make the decision to change course at its October 21 meeting, the public record does not identify any other noticed public meeting at which that decision was made. This is particularly significant because Superintendent Anderson told the Board on October 21, “Your direction has been very clear; I understand,” and on August 31, 2026, he stated in a Let’s Chat video broadcast that he understood that at the October, 2025 meeting the Board believed it “made most sense to move forward with with [sic] a with a regional approach.” If the Board had already provided the “direction” to abandon or materially modify the LRAC-centered framework, but did not do so during a properly noticed public meeting, the decision or policy direction was instead developed or communicated outside the public process required by COML.
5. **March 9, 2026 LRAC meeting.** At its March 9, 2026 meeting, LRAC discussed matters directly bearing on potential school closures without notice that particular schools or potential closures would be discussed. The draft minutes state that “[t]wo schools—Heatherwood and Flatirons—currently meet the community engagement criteria.” At the same time, LRAC's continued application of those criteria reinforced the public appearance that the established school-specific early-warning and community-engagement framework remained operative, even though the District had apparently already shifted to a different regional or District-wide process.
6. **Board involvement in development of the Resilient Schools proposal.** Finally, the public record supports a reasonable inference that the Board itself participated, outside its publicly noticed meetings, in developing, directing, narrowing, or deciding material elements of the “Resilient Schools” proposal before District staff publicly presented the proposal on August 25, 2026. Further factual development is necessary to determine the nature and extent of that involvement.

3. The September 22, 2025 and March 9, 2026 LRAC Meetings Discussed School-Closure Issues (abandoning its process and specific schools identified for engagement) Without Public Notice



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The LRAC held its September 22, 2025 meeting without noticing (see agenda, **Exhibit A**) discussion, decision, or recommendation to the Board to abandon the LRAC-centered school-specific/warning system/public engagement matrix. Regardless, the LRAC discussed and decided to recommend such abandonment.

The LRAC held its March 9, 2026 quarterly meeting pursuant to the agenda attached as **Exhibit B**. Nowhere in the published agenda is there any indication that school closures, school reconfiguration, school-specific closure criteria, or potential closure candidates would be discussed.

Despite the absence of any notice that school closures or reconfiguration would be discussed, the draft minutes attached as **Exhibit C** reflect extensive discussion concerning potential school closures and the community's reaction to them.

Committee members reported that members of the public were asking which schools would close, that communities believed closure decisions may already have been made, that school staff and families were anxious about possible closures, and that specific schools, including Flatirons and Heatherwood, were being discussed in connection with potential closure scenarios.

The minutes further reflect discussion regarding school-specific closure criteria. Under Item IV, committee members noted that only two schools—Heatherwood and Flatirons—then met the community-engagement criteria established under the LRAC framework.

The minutes also reflect that “No members of the public were present, and there was no public comment.” This was true of all four LRAC meetings during the 2025-26 school year.

The March 9 LRAC meeting agenda and minutes are significant for two reasons. First, the agenda and minutes together show discussion of school-closure-related issues, including discussion of specific schools, without notice to the public.

Second, together they show that as of March 2026, the publicly visible LRAC process remained focused on a framework under which only two schools had

reached the community-engagement stage. Yet less than six months later, the proposal presented to the Board by the District recommended closure of four elementary schools and multiple additional reconfigurations. At every turn, including Board meetings and public engagement sessions, the District and Board touted their reliance on the LRAC.

No agendas and minutes of the Board or the LRAC provide any clarity on disengagement from the framework reflected in the March LRAC minutes and transition to the recommendations ultimately presented on August 25. The Board President, however, clarified in a publicly broadcast YouTube “Let’s Chat” program on August 31, 2026 that, back at the October 21, 2025 meeting, the Board pivoted.

The concern (based on publicly available information) is not that LRAC secretly voted to close schools at the March meeting. The concern is that matters directly related to potential school closures, public concern regarding closures, and school-specific closure criteria were *discussed* without clearly notifying the public that such topics would be addressed.

4. The District Abandoned the LRAC Early-Warning and Community-Engagement Framework Without Clearly Explaining the Change

The public confusion surrounding the August 25 proposal was the predictable consequence of abandoning the LRAC framework that had been created to provide advance notice and engage struggling schools prior to closure or consolidation.

On June 13, 2023 the LRAC presented to the Board a two-tier framework intended to provide school communities with advance notice that enrollment trends might eventually require intervention. *See Exhibit D.* Under that framework, schools entered the “advisory phase” when they had fewer than two classes per grade and enrollment below 60% capacity.

Schools entered the “community engagement phase” when they had 1.5 classes per grade or fewer, enrollment below 50% of capacity, and the school was projected to remain at that level for at least five years.

The purpose of the two-tiered framework was to provide transparency, predictability, and meaningful opportunities for community participation before major decisions affecting neighborhood schools were made.



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The March 2026 LRAC meeting minutes reflected that only two schools—Heatherwood and Flatirons—then met the community-engagement criteria. Yet the proposal presented to the Board on August 25 recommended closure of four elementary schools and multiple additional reconfigurations. This included schools that had not previously been publicly identified through the LRAC framework.

The public record of agendas and meeting minutes does not clearly explain when, why, or through what process the District abandoned the LRAC approach and shifted to a regional consolidation strategy. Board President Rajpal's statement on August 31, 2026 that the decision was made at the Board's October 21, 2025 meeting provides some indication that the abandonment occurred well before the LRAC met in March 2026. The October 21, 2025 meeting itself, however, does not reveal the decision that President Rajpal identifies with great clarity. It does cause the listener to draw an inference that the decision to abandon the LRAC approach was made prior to that meeting, in private, and was being confirmed at that meeting, though without public notice.

The District's community-engagement materials confirm that a substantial engagement process occurred during the spring of 2026. The Board's June 9, 2026 update describes teacher roundtables, surveys, regional community meetings, meetings with municipalities, and engagement with advisory groups as part of the District's response to declining enrollment. The District therefore clearly gathered information from stakeholders.

Nevertheless, the community engagement was broad and did not mention closure of specific schools. It was not the same as the LRAC process. The LRAC framework was specifically designed to provide school communities advance notice regarding schools potentially subject to closure or consolidation. It was an early warning system designed to provide opportunity for public feedback and to increase the public trust of its elected officials.

Reporting by Amy Bounds of the Boulder Daily Camera in **Exhibit E** reflects the confusion that followed the August 25 announcement. Parents questioned why the District had abandoned the declining-enrollment framework developed by LRAC after years of work and community input. Communities that had never gone

through the expected early-warning process suddenly appeared on a closure list, and many families described being “blindsided” by the proposal. Those concerns are understandable. A framework intended to provide advance notice and meaningful community participation was replaced by a proposal affecting thousands of students and families less than one month before a scheduled vote.

This concern is not merely procedural but also fundamental to the public’s trust in the District and Board. The abandonment of the LRAC framework helps explain why many families felt they had little opportunity to understand, evaluate, and respond to the proposal before it was presented to the public. It also raises a fundamental question: if LRAC was no longer publicly undertaking the work it had been created to perform, then where, when, and through what process was the proposal ultimately developed?

5. The Role the Board Played in Shaping the “Resilient Schools” Proposal

Based on the public record of agendas, meeting minutes, and meeting recordings currently available, it is unclear whether the Board participated in creating the proposal before it was presented on August 25, 2026. It is likewise not possible to determine whether Board members communicated approval or direction to District staff regarding specific recommendations before that date. Certain public statements by Board members and District officials, however, suggest that discussions concerning the proposal may have occurred prior to its public presentation.

During the August 25 work session, Board President Nicole Rajpal stated, “There is no Plan B.” She also framed the proposal as a shared decision, remarking, “We could have done more. We chose not to because we listened.” Those statements created the impression that the proposal reflected an already-developed policy direction rather than one option among several still under consideration. Similarly, Board Vice President Alex Medler raised a question concerning transportation, prefacing it with, “For later consideration, as we talk about transition planning.” In context, the discussion appeared focused on how implementation would occur after the September 22 vote rather than whether the proposal itself should be adopted.

On September 4, Randy Barber, the District’s Chief Communications Officer, likewise discussed the proposal as though approval was anticipated. Speaking with reporter Shay Castle, he stated: “If approved by the board, and that’s expected to happen on September 22nd, these changes would take effect starting the 2027-



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2028 school year.” He further described the proposal as “a more conservative approach, particularly in Boulder,” while attributing that characterization to Board President Rajpal, and noted that “[t]he plan wasn’t really oriented around cost savings.”

Collectively, these statements raise legitimate questions regarding what role the Board members played in shaping the proposal before its public presentation.

Those questions are especially significant because the public record of agendas, meeting minutes, and meeting recordings demonstrates that the LRAC framework is being utilized for enormously consequential decisions. As discussed above, the publicly visible LRAC framework appears to have been replaced by a regional process involving community engagement, consultant support, and internal District analysis. It is anticipated that, in the event of a legal challenge in state district court under the COML, testimony will reveal when specific recommendations emerged from that process and what role particular Board members played in their development.

If the proposal presented on August 25 already reflected recommendations that had been developed, refined, or vetted through discussions involving Board members, the public has a legitimate interest in understanding when, where, and through what process those discussions occurred.

6. Why Transparency Matters

The concerns raised in this correspondence are not merely technical objections to meeting agendas or procedural formalities. Colorado’s Open Meetings Law reflects a legislative judgment that public policy is improved when it is developed openly, with meaningful opportunities for the public to observe the decision-making process before significant decisions are effectively settled.

That principle is particularly important here. The “Resilient Schools” proposal would close neighborhood schools, relocate students, move specialized programs, alter attendance patterns, and reshape communities that families have relied upon

for years. These are not ordinary administrative decisions. They are decisions with lasting consequences for students, families, neighborhoods, and public assets.

The questions raised by families since the proposal's release illustrate precisely why transparency matters. Parents have raised questions regarding the effect of the proposal on students with disabilities and students receiving specialized services. Families associated with Douglass Elementary's ICAN program, Flatirons Elementary's ILC RISE program, Mesa's ILC RISE program, and other specialized educational communities have questioned whether sufficient analysis has been conducted regarding continuity of services, educational outcomes, staffing, transportation, sensory supports, and the ability of receiving schools to meet students' needs. Whether those concerns ultimately alter the policy outcome is not the point. The point is that decisions affecting vulnerable students should be developed through a process the public can observe and understand before they are effectively settled.

Families have also described organizing their lives around neighborhood schools. Some purchased homes based in part on the location of a particular school. Others selected schools because of specialized services, unique educational communities, rural and semi-rural settings, or small-school environments. Still others developed support networks centered on schools that serve as neighborhood gathering places and as long-standing anchors for the areas around them. Again, the issue is not whether those interests must prevail. It is that they deserve consideration through a transparent process before decisions with lasting consequences are made.

Community members have likewise sought greater clarity regarding the assumptions underlying the proposal itself. The District has provided some additional information through its "Resilient Schools Proposal Frequently Asked Questions" concerning enrollment trends, school capacity, and the rationale for its recommendations. Questions remain, however, regarding projected renovation costs, anticipated savings, transportation impacts, the assumptions underlying specific enrollment forecasts, and the metrics by which the success of the proposal will ultimately be measured. Public deliberation exists precisely so that such assumptions may be examined, tested, challenged, and understood before major public decisions are finalized. Concerns of this nature are not obstacles to good governance; they are an essential component of it.

The experiences shared by parents in Appendix 1 illustrate the human consequences of these decisions. The Board may ultimately conclude that some



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school consolidations are necessary in response to declining enrollment. Reasonable people can disagree regarding the appropriate policy response. What they should not have to disagree about is whether the process by which those decisions are developed is visible to the public. Transparency does not guarantee agreement. It does, however, foster public trust, improve decision-making, and ensure that those most affected have an opportunity to understand and respond before major decisions are made.

My clients do not ask the Board to adopt any particular long-term enrollment strategy. They do ask the Board to reject the current proposal, restore public confidence in the integrity of the process, and undertake any future consideration of school closures or reconfiguration through procedures that are open, transparent, and consistent with Colorado law.

7. The Process Leading to the August 25 Proposal Was Not Sufficiently Transparent

The March 9, 2026 LRAC agenda did not inform the public that closure-related issues, community concerns regarding specific schools, or identification of schools meeting community-engagement criteria would be discussed. As a result, *no members of the public attended the meeting*, and the public was deprived of the opportunity to observe or comment on matters directly related to potential school closures. That said, the public was likewise kept in the dark that the discussion of schools meeting engagement phase criteria was effectively a sham, while the District undertook the real decision-making in secret.

The (un-publicized) abandonment of the LRAC early-warning framework compounded that problem. Communities were led to expect that schools potentially subject to closure would proceed through a transparent, staged process designed to provide advance notice and opportunity for engagement. Instead, the public was presented on August 25 with a substantially developed proposal affecting thousands of students and families.

Finally, statements by Board members and District officials raise questions concerning the extent to which the proposal may have been developed before its

public presentation. The public record of agendas, meeting minutes and meeting recordings leaves significant questions unanswered concerning where, when, and through what process key aspects of the proposal were formulated.

Taken together, these circumstances are inconsistent with the principles of transparency and public participation embodied in the Colorado Open Meetings Law.

The circumstances outlined above raise serious concerns regarding public notice, transparency, and the public's ability to observe the development of recommendations affecting thousands of students and families. At minimum, those concerns warrant a pause and a return to a more transparent process before irreversible actions are taken.

8. Requested Relief

For the reasons described above, my clients respectfully request that the Board reject the current proposal and undertake any future consideration of school closures, consolidations, or reconfigurations through procedures that are open, transparent, and fully consistent with Colorado law. Transparency and public participation are not obstacles to good governance; they are essential components of it.

1. VOTE NO

The Board, in order to provide the notice, opportunity for the public to observe and provide feedback on the formulation of public policy, and in order to provide the transparency required under the COML, must vote "NO" on the so-called Resilient School Proposal on September 22, 2026.

2. Course-Correct the Procedurally Defective Actions

The Board should direct District Committees, including the LRAC to conduct fully and timely noticed public meetings addressing any future consideration of school closures, consolidations, reconfigurations, or related recommendations. Agendas should clearly identify the schools and issues under consideration so that members of the public may meaningfully observe and participate in the process.

3. Implement Governance Training

Require annual Open Meetings Law and governance training for Board



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members, LRAC members, members of other advisory bodies, and District personnel responsible for preparing meeting notices and agendas.

The purpose of the Colorado Open Meetings Law is to ensure that public business is conducted publicly, and that the public is afforded a meaningful opportunity to observe and participate before important governmental decisions are made.

Please be advised that, in the event that the Board and District continue to fail to follow the Colorado Open Meetings Law, my clients may seek relief from the Boulder County District Court. Such relief may include a determination that actions taken in violation of the COML are invalid pursuant to § 24-6-402(8), C.R.S.

If Rosenthal, Calender, and Schultz prevail in bringing a challenge in the district court, my clients will seek that the District and Board pay their reasonable attorney fees and costs, consistent with the mandatory fee and cost shifting provision of the COML at § 24-6-402(9)(b), C.R.S.

My clients further request a response to this correspondence within five business days.

Thank you for your prompt consideration.

Sincerely,

s/ Eric Maxfield

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Appendix 1

My clients spoke with many others impacted by the plan. With permission, the following statements share those community members' concerns.

Flatirons

Ty Haney

I grew up on 12th Street and attended Flatirons Elementary with all of my siblings. In 2025 I moved my family back to Boulder — including our now 6- and 4-year-old — and bought a house on 12th Street, a block above my mom, specifically because we love this neighborhood and walking to Flatirons.

Kevin Baum

We considered living in the mountains at first but realized our most important criteria was walkability. Our kids went to preschool in this neighborhood. When it came to choosing the elementary school we were drawn to Flatirons because it was small with good academic achievements, and we could still walk to it.

Katherine Ratledge

In choosing our home we prioritized the school in our neighborhood. We moved here with school age children. Thus, our children's lives are centered around the Flatirons community.

Peter Sherman

We chose our home in part because of the proximity to Flatirons Elementary. If Flatirons were not in our neighborhood, we would have instead chosen a private school path for our four children.

Kyle Tompane

We moved to Boulder from San Diego, CA last year and toured 8 schools in the area. Our home would designate us to Foothills Elementary, but we open enrolled to Flatirons Elementary because we were so impressed with the school, the principal Jessica Seevers, and the rankings/performance of the school.



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We also loved that it was a small school and that our kids could easily find their place there. As CU Alumni, we also loved their direct partnership with CU and thought that gave the school a major competitive advantage over other schools.

Lindsey Pearson

Our oldest is neurodivergent and their OT had recommended we try to find a smaller neighborhood school to lessen the amount of daily change they'd experience (knowing all the kids, cafeteria wouldn't be overstimulating etc). We also needed something walkable/bikeable to CU Boulder (for work). Flatirons was the only school that fit all of this and we bought our home to go to Flatirons. We would not have bought a home in a neighborhood without a nearby neighborhood school.

Beth Ertaş

As an ILC family at Flatirons Elementary School, we want to share our concerns about the potential closing of the school. We have been at Flatirons for the past two years. While it's not our neighborhood school, we have been slowly trying to build a stable community for our son Kayra, who is autistic. Socializing and making friends is extremely difficult for him, as are transitions between environments, teachers, and support systems.

It feels that we have turned a corner with the community at Flatirons. Kayra's support system is very well established, we have the incredible support of Principal Seevers, and Kayra has connected so well with his classmates. He loves and cares for his friends, and losing connection to his class will be very disruptive, especially for his social skills. Please consider this as you make a decision about the future of this incredible community.

Lisa Kunkel

As a single mom, I moved to Boulder to be closer to my parents. I moved to my current address largely because of the walkability to Flatirons Elementary. It was difficult to afford the property tax and insurance, but a walkable neighborhood school with small class and grade size made it worth it. Once I made that decision, my parents moved from their house near Sunshine Canyon, to be just a half block from the school and one block from me. My dad jokes it was the worst financial decision they've made, but my mom insisted on it in order to be a part of her grandchildren's daily life and a support to me.

My mom is in great shape for being almost 82 years old. She frequently walks to pick up my children or drop them off. Though my daughter and I might be able to do a 20-minute walk to University Hills, that is too much to ask of my mom. I also don't want to ask her to drive to Whittier or University Hills and sit in traffic for school pick-ups and drop-offs.

Our street has several families with young children who walk and bike to Flatirons Elementary. They are all doing everything they can to keep it open. Preserving neighborhood schools is a quality-of-life issue for the whole community!

Allison Smythe

I live in the neighborhood — on 10th Street. My son went to Flatirons in 4th and 5th grade after we moved to Boulder. He is a junior now at Fairview, so I started working at Flatirons as a Paraeducator. I love walking to work, interacting with my neighbors' kids, and serving my community.

(Names withheld for privacy reasons)

We have two girls we adopted from child welfare. Our youngest has significant challenges with sensory processing, executive functioning, etc. She started Kindergarten at Horizons K-8 where our older boys had gone, but we soon moved her to a private school because they couldn't provide the supports she needed. This year, we decided to move her to Flatirons (our neighborhood school) because of the incredible support they provided to her older sister who was already there.

Flatirons is unique because it is a small neighborhood school where they have created an incredible community focused on inclusion, support, and kindness, all key to social emotional and academic learning. Flatirons has created a web of



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natural supports for our daughter and she is thriving. This only works at a small school where there is shared knowledge about each child and support for each child is shared across all the adults in the building.

I am a child clinical psychologist with a lot of experience in schools, and we are so grateful to have found Flatirons. The small school environment creates a sense of safety, connection, and belonging for all children, but is particularly important for kids who have special needs.

Tati Tinsley

I am a 4th generation Coloradan. My great grandparents moved to Boulder in the 1890's. My siblings and I all attended Flatirons Elementary from kindergarten through fifth grade, and my daughter is in kindergarten now. It remains in our hearts as a welcoming place that made us feel safe and gave us a sense of belonging to a community.

I grew up in the mountain communities of Sugarloaf and Magnolia, and I now live in my childhood home on Sugarloaf—the home my grandparents built. For our mountain communities, Flatirons represents more than just a building or a place where children attend classes. It is the heart of the neighborhood that helps connect us to the communities of Boulder. For generations, Flatirons has helped children who live in the mountains feel like they are a part of Boulder.

Closing Flatirons would mean significant logistical changes for mountain families like mine, including longer bus rides, more time spent commuting, and uncertainty around aftercare programs. Just as importantly, it would prevent children from forming as many relationships with their mountain dwelling peers, as the areas north and south of Canyon are due to be split apart.

Flatirons is part of my family's history, and it is part of the story of our community. I want my daughter to have the opportunity to experience the same

sense of connection and belonging that I did. I strongly urge the district to preserve this important piece of our community.

Douglass

Savannah Ross (Marshall Fire Impacted Family)

I am a mother to 2 Douglass students, BVSD alum, and Marshall Fire survivor. We moved from South Boulder in 2021 as our family was growing, and we wanted more outdoor space that was more affordable. We were within walking distance to an elementary school at the time. We specifically chose east Boulder to have that space, 30+ fruit trees, more land for gardening and outdoor activities for our 2 young boys, and more peace and quiet. We also chose our house specifically for our children to attend Douglass Elementary, without concern for walkability as that is not possible for most neighborhoods in Unincorporated Boulder County. Eight months after our move, our house burned down in the Marshall Fire, and we lost everything in an instant, with no warning or preparation. While it was just “stuff”, it also took away our sense of security, and what we had grown to call home. We chose the uphill battle of rebuilding, because we still love the area, the outdoor space, access to trails like Davidson Mesa, and we wanted to be part of the Douglass community.

It has taken years to recover from this event, emotionally, physically and financially, and we feel we have just regained the sense of normalcy and security that we knew before the fire. Now, we have learned that our school is slated to be closed with the Resilient Schools proposal set forth by the BVSD superintendent. Not only will it be closed, but the building will be utilized by a school that serves choice enrollment with no preference to our neighborhood students. It will also divide up our Douglass community into 3+ different schools, with no concern for the students and parents who currently attend this school, their relationships to each other and to the teachers and staff, many of which endured the Marshall Fire event as well. Yet again, our feelings of security and home would be lost suddenly, without warning, and through no fault of our own. Our community would be severed by a decision that is miscalculated and dismissive of children and families who call Douglass home. This proposal gives preferential treatment to a choice enrollment focus school. With no clear plan laid out for where Douglass families



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end up, we risk moving our kids to another school which is more underutilized than Douglass, only to repeat this cycle year after year as a result of a plan that is incomplete and does not justify the impact it will have on Douglass students, including many Marshall Fire families.

Kate Bright Wicar

As East County parents living in Erie, we rely on Douglass Elementary to support our two sons who have IEPs. Closing Douglass leaves families like ours with few traditional neighborhood options, as nearby alternatives like Meadowlark are over capacity or operate with models that have failed to adequately serve our children's special education needs. Charter and focus schools simply do not provide the necessary support for students with learning differences. With over 20% of its students on IEPs, Douglass is a vital space that successfully serves all learners, not just high achievers. By displacing these vulnerable students, BVSD makes us feel unwelcomed and undervalued, leaving our family and likely many others with little choice but to transfer to SVVSD or other out-of-district options.

Brittany Harvie

I'm a BVSD graduate (Monarch, class of 2006) and parent of two Douglass Elementary students. My husband and I chose this district and school on purpose. When my family moved back to Colorado from Florida in 2023, we spent a full year house-hunting to find the right neighborhood public school, ultimately choosing our home in Lark Meadows, in unincorporated Boulder County, specifically because it's zoned for Douglass. The property sits on 2.5 acres and has one of the only original barns left in the area. We were drawn to the working flower farm on the land, which we hope to restore. We seriously considered homes that fed into St. Vrain Valley schools as well, but chose Douglass because of the principal, the teachers, and the community. The Resilient Schools proposal doesn't solve the underlying problem the district is faced with, it postpones it. If this passes, the district would be accepting an incomplete plan that will bring future instability to our kid's education. We didn't choose this district lightly, and it will

be a difficult decision to leave BVSD, but we refuse to subject our kids to the risk of a repeat closure process down the road.

Rhonda McManus

Before my son Griffin entered ICAN, he was regularly unable to access school safely. I received frequent calls about him leaving the classroom and school building, becoming dysregulated, and sometimes hitting or biting. When he moved into ICAN at Douglass, the change was immediate. The elopement stopped, the physical behaviors stopped, and he was able to stay at school and participate in his education. He still requires significant special education support, but ICAN is what has made meaningful access to school possible for him. Decisions that could eliminate or substantially change this program are not simply decisions about a building or enrollment numbers. They directly affect how students with disabilities receive services and access their education, and families like mine need a transparent process that considers those impacts before decisions are made.

Matilda Wheaton

We moved to the Indian Peaks neighborhood in 2022 just months after my father died looking for a community we could put roots in and raise our son, and hoped for a second child. It was during the Marshall fire and there was a shortage of houses available because of that. Despite losing offer after offer we continued to look in Lafayette knowing that the small communities, open space, and great schools were the right place for us. Because of these things we were willing to buy a home knowing we would be overpaying but getting what we wanted. With the school system ripped apart and housing prices sky high (and interest rates too) we worry our children won't have friends as neighbors and you will push out future families thus propagating the need to close more schools and hurt our neighborhood and community.

Mesa

Meredith Gartner

Mesa is a small school with a big sense of community. Children walk to friends' houses for play dates and parents hike together before and after school drop off. We run into other Mesa families at the park, the store, on dog walks, and at



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restaurants. When a Mesa family needs extra support, the school community rallies behind them, collecting clothes or organizing meal trains. Neighborhood schools are more than classrooms to be filled; they are part of the lifeblood of our communities and they deserve to be prioritized.

Kristin Halterman

We uprooted our lives moving to Boulder from Chicago with the intent that our children would attend their neighborhood school. Originally, we thought we would send our children to Bear Creek because it's one of the highest ranked schools in the state. But ultimately, we toured Mesa and fell in love with an environment where neurotypical and neurodiverse children interact in classrooms, 5th graders interact with kindergarteners with kindness and generosity, and the commitment of the school is to tolerance, inclusion, and welcoming. If Mesa closes, we will have uprooted our entire lives to land at a school we didn't choose in a neighborhood without options. We are both working parents and require a school that's close to our home, provides after-school care, and allows our children to play with neighbors who attend the same school they do.

Madeline Velazquez

We bought a house in this specific neighborhood because we fell in love with Mesa Elementary due to how welcoming and wonderful the community is here. We are distraught at the idea that, beginning next year, we won't see our community, and our kiddos won't see their friends.

Melissa Zenz

I have three kiddos, Pre-K, Second, and Fourth, all of whom attend Mesa. This is our third year of open enrolling in Mesa from out of district.

My oldest did two years (K and First) at our neighborhood school. He is a well-behaved kiddo and because of that, was severely overlooked. The school was overcrowded with 30 kindergarteners and 31 first graders in his classes. His

teachers were overwhelmed and only had the capacity to “put out fires”. They even cancelled Spring parent teacher conferences for families whose kids were “well-behaved.” When I did have an opportunity to meet with his teacher in the fall, I noticed his test scores were below average. When I asked his teachers, they just said “he is well behaved.” Additionally, there were bullies at a young age and the school did little to mitigate.

Knowing my second child was entering elementary years, we had a choice to make. We planned to do tours of Bear Creek and Mesa as they were the closest drive and both high achieving schools academically. We had a lean going in for Bear Creek because of its high rankings. When we toured Mesa, we decided not to go to the Bear Creek tour. We knew we had found our home. Having a school that is high achieving academically but also focuses on the social emotional aspect of development was so important to us.

We have been absolutely thrilled with our decision. Beyond just our kids' school experience, we found a true community. In fact, we even pulled the trigger in August and bought a small home in the area to be by our friends and close to the school.

I cannot express how “seen” my children have been at this school. At my oldest child’s first parent teacher conference, the teacher flagged that he may need to be observed. We went through the testing process and learned he had a language delay contributing to his below average test scores, but he never received enough attention at his other school to get the help he needed. He now comes home from school proud and confident in his abilities. His test scores reflect his progress since moving to Mesa.

My second child is thriving and has made a close knit group of friends, and my pre-k kiddo marches onto campus for his second year like he owns the place. Mesa has been a school where the community embraced us from the start, and our kids feel at home.



Long Range Advisory Committee

AGENDA

Monday, September 22, 2025

5:30 - 7:00 PM

This meeting will be held in-person at the BVSD Education Center with no virtual option.

Se ofrece traducción de los materiales de la reunión a español por pedido. Por favor comunicarse con bvsd.operations@bvsd.org.

The Long Range Advisory Committee (LRAC) shall develop recommendations to ensure sound long-term facility decisions consistent with the needs of the school district and in support of the school district's strategic initiatives.

The LRAC is intended to provide a high level of accountability, engagement, and communication with the Boulder Valley community to ensure stakeholders are engaged and their values and priorities are reflected in the Board's decisions.

- I. **Welcome** - Yvette (5 Minutes)
- II. **Public Comment** (Limited to 20 minutes; Individual comments limited to 3 minutes.)
- III. **Committee Governance** (10 minutes)
 - A. Upcoming Important Dates - Yvette
 1. Next LRAC Meeting - Nov. 17, 2025
 2. Next Update to the Board - Oct. 21, 2025
 3. Upcoming BOE Meetings on Enrollment
 - a) Attendance Boundary Action - Sept. 23, 2025
 - B. Approve [March 10, 2025 Minutes](#) - Yvette
 - C. Committee Communication – Committee members share questions or comments from the community
- IV. **Information/Discussion**
 - A. Connection/Grounding - Robbyn (15 minutes)
 - B. [Policy JC Attendance Boundary Review Update](#) - Rob (10 minutes)
 - C. Board Update - October 21 Worksession - Rob (15 minutes)
 - D. Middle Level Metrics - Robbyn (30 minutes)
 - E. Future Board Enrollment Discussions (5 minutes)
 - a. Oct. 21 - LRAC/Declining Enrollment Worksession
 - b. Dec. 9 - Annual Enrollment Update (October count)
 - c. Feb. 10 - Annual Trend Report
- V. **Agenda Setting** - Yvette
 - A.
- VI. **Additional Public Comment** (if necessary)

VII. Adjournment - Yvette



Long Range Advisory Committee

AGENDA

Monday, March 9, 2026

5:30 - 7:00 PM

This meeting will be held in-person at the BVSD Education Center with no virtual option.

Se ofrece traducción de los materiales de la reunión a español por pedido. Por favor comunicarse con bvsd.operations@bvsd.org.

The Long Range Advisory Committee (LRAC) shall develop recommendations to ensure sound long-term facility decisions consistent with the needs of the school district and in support of the school district's strategic initiatives.

The LRAC is intended to provide a high level of accountability, engagement, and communication with the Boulder Valley community to ensure stakeholders are engaged and their values and priorities are reflected in the Board's decisions.

- I. **Welcome** - Yvette (5 Minutes)
Convey Board's appreciation - their work helped us get to where we are today.
- II. **Public Comment** (Limited to 20 minutes; Individual comments limited to 3 minutes.)
- III. **Committee Governance** (10 minutes)
 - A. Upcoming Important Dates - Yvette
 1. Next LRAC Meeting
 2. Upcoming BOE Meetings on Enrollment
 - a) Community Engagement update - Apr. 14
 - b) Community Engagement summary - June
 - B. Approve [Jan. 9, 2026 Minutes](#) - Yvette
 - C. Committee Communication – Committee members share questions or comments from the community
- IV. **Information/Discussion**
 - A. Annual Trend Report - Glen
 - B. Community Engagement - Randy
 1. Feedback received to date
 - a) Teacher roundtables
 - b) Municipalities - Louisville & Superior
 - c) District Advisory Committees
 2. Upcoming engagement meetings/sessions
 - a) Teacher roundtables (cont.)
 - b) Municipalities - Broomfield City Manager & City of Boulder (March 26)
 - c) District Advisory meetings (cont.)
 3. Regional Community Meetings



a) Day in the Life & Student Experience Simulation - Robbyn

V. **Agenda Setting** - Yvette

VI. **Additional Public Comment** (if necessary)

VII. **Adjournment** - Yvette



Long Range Advisory Committee

DRAFT

MINUTES

Monday, March 9, 2026

5:30 - 7:00 PM

Se ofrece traducción de los materiales de la reunión a español por pedido. Por favor comunicarse con bvsd.operations@bvsd.org.

Committee Members in Attendance: Jeff Anderson, Laura Baukol, Brooke Daerr, Trish De Fries, Tina Marquis, Dan Ryan, Mamta Saxman, Della Smith, Caleb Starbuck, Jim Topping, Nick Vanderpol, Ezra Veno, Kitty Sargent, Beth Niznik

Staff Members in Attendance: Rob Price, Robbyn Fernandez, Sierra Espinoza, Glen Segrue, Susan Cousins, Randy Barber

Board Members in Attendance: Jorge Chavez

I. Welcome

Chairperson Jeff Anderson opened the meeting and welcomed the committee.

II. Public Comment

No members of the public were present, and there was no public comment.

III. Committee Governance

A. Upcoming Important Dates

1. Next LRAC Meeting -TBD
2. Upcoming BOE meetings on enrollment
 - a) Community Engagement update - Apr. 14
 - b) Community Engagement summary - June 9

B. The [Jan, 12, 2026 minutes](#) were approved.

C. Committee Communication

1. Committee members shared what they are hearing in the community and their personal perspectives, including:
 - a) People have heard we are closing schools on social media. We need to reiterate that no decisions have been made.
 - b) Feedback from teachers indicates the round tables are going well. Some have expressed feelings of acceptance and appreciation that teachers are being heard. Schools are starting to recognize the impacts of declining enrollment and what is missing for students.
 - c) Parents of elementary school students are questioning what schools will be closing and some are starting to accept that it will happen.

- d) In regards to the Superior Town Council meeting, there was a perception that the district already knows what schools are closing and is keeping it from the community. There is some frustration and questions about who is actually making this decision and who decides what to bring to the Board.
- e) From Flatirons - the community is aware of the issue and that some things are going to change. At conferences, teachers reported parents were asking about what's going to happen to the school. Teachers are feeling anxious about their jobs. There are a lot of questions around where staff will go and if they will have to interview. If they knew the plan, they could help with supporting it to their parents.
- f) One committee member reported spending time at Heatherwood and shared how well things are going there. There is a bit of angst and wonder if the school is going to close now after everything that has been done there.
- g) There is a perception that better marketing will address the issue. The problem is lack of children, not marketing.

IV. Information/Discussion

- A. Sr. Planner Glen Segrue presented the Annual Trend Report, which was presented to the Board on Feb. 10. Highlights of committee comments included:
 - 1. Having data from the impacts of the Marshall Fire would be very useful for whoever is going out to the community engagements in those regions. Just like COVID and the housing crash of 2009, the Marshall Fire was an unexpected crisis that affects enrollment projections and trends. It looks like most students who left at that time have returned.
 - 2. Two schools—Heatherwood and Flatirons—currently meet the community engagement criteria.
- B. Chief Communications Officer, Randy Barber, provided an update on the community engagement process to date.
- C. Assistant Superintendent Robbyn Fernandez provided an overview of the format being developed for the upcoming regional community meetings. The committee offered the following feedback:
 - 1. It feels like there is a need to provide the opportunity for participants to give input outside of what is allowed in the simulation exercise, for example, whether families prefer a middle school or K-8 in Superior; the trade-offs provided are too narrow.
 - 2. Have an exit poll or survey so that people can offer other suggestions or ideas that did not come up in the scenarios;
 - 3. Include neurodiverse students and students with special needs in the simulation;
 - 4. Keep like stakeholders with each other, i.e. parents with parents and community members with community members;
 - 5. Have a facilitator and a note taker so that all the feedback is documented;

6. Use LRAC as a test group;
7. Consider also testing the exercise with an uninformed group;
8. Play a video of the simulation in action so participants can see how it will go

V. Agenda Setting

A. TBD

VI. Adjournment

The meeting adjourned at 7:06 pm.

Long Range Advisory Committee Metrics and Recommendations

The following metrics and recommendations were presented to the Board of Education on June 13, 2023.

Setting the Stage

Similar to numerous school districts across the country, BVSD is experiencing enrollment decline caused by a variety of factors including escalating housing costs, delayed childbirth and overall declining birth rates among others. Declining enrollment impacts BVSD's finances and our ability to provide high-quality educational experiences for students in all schools.

As enrollment in a school declines it becomes harder and more expensive on a per pupil basis to create a thriving student and educator experience at that school. Specifically at the elementary level, enrollment that falls below two classes per grade at a school starts to create funding inefficiencies in the staffing and operation of the school because fixed costs (e.g. utilities; support and administrative staff; art, music, and physical education teachers) are higher per student. In addition, fewer resources can make it more difficult for a school to implement strategic plan initiatives (such as MTSS, Data Driven Instruction, collaboration around instructional practices and assessments, coordinating interventions and enrichment) because it is challenging for the school to establish time, personnel, and resources for this work. The efficient use of resources districtwide will maintain the provision of quality educational programming for all BVSD students.

As enrollment shrinks, BVSD buildings continue to age, with major capital maintenance expenses predicted over the next 10 years and beyond.

BVSD has a responsibility to both provide a high-quality and equitable educational experience to all students and manage district resources and capital assets in a fiscally responsible manner. It should be noted that charter schools are managed by independent boards and are not subject to the proposals described in this document.

At this time, the discussion of how to respond to enrollment decline is focused at the elementary level because the impacts are being seen and felt more dramatically at that level. In the coming years, BVSD will also need to consider how enrollment decline is impacting the student experience at the middle and high school levels.

Guiding principles included in this document provide guardrails for these conversations.

Metrics

To assist the Board of Education with future decision-making in light of the challenges posed by declining enrollment, the Long Range Advisory Committee proposes the following:

ANNUAL TREND REPORT

Beginning in February 2024, staff will provide an annual enrollment trend report to the Board of Education regarding school utilization which also includes number of classes per grade level and five-year enrollment projections by school.

ENROLLMENT ADVISORY PHASE

If an elementary school has two or fewer classes per grade level on average and enrollment is 60% of capacity or below, the Board and community should be aware:

- Resource allocation will adhere to the established staffing funding formula to the greatest extent possible
- Multi-grade classrooms may be necessary to meet the funding formula
- Library, counseling, and specials may be limited

COMMUNITY ENGAGEMENT PHASE

If an elementary school has 1.5 or fewer classes per grade level on average and is at 50% of capacity or below, with a projected trend to continue for at least 5 years:

The Board will engage staff to lead a community-based process to develop possible solutions to be considered by the Board to provide a thriving, well-resourced educational environment for students and staff. The community may vary depending on the school, circumstances, and proposed actions. It will need to be clarified when an engagement process is initiated, and potentially adjusted, in light of possible responsive actions. People who may be affected by a significant change at a school would be considered part of the community and could include families of the school(s), neighbors or a neighborhood, and families that might have an interest or need for new or different programming. Decision-making should be in the context of looking at geographic areas or multiple schools at the same time if appropriate. Timeline will be established by the Board.

The outcome of this process may result in one or more of the following recommendations that could include but are not limited to:

- Continuing to operate at the established staffing funding formula
- Focus or specializing programming
- Reallocate grade levels with neighboring school
- Closure/Consolidation

Particular options will be evaluated by staff as possible responsive actions when schools are in the Community Engagement Process. Implemented changes may need to be re-evaluated if enrollment does not stabilize or increase.

This process and proposed solutions will be evaluated by the following guiding principles proposed by the LRAC:

Guiding Principles

- Equity and access should be at the heart of every recommendation or decision in the enrollment context. Consideration should be given regarding impacts to historically underserved populations. In BVSD, equity includes but is not limited to: removing institutional barriers, embracing and respecting diversity, enhancing inclusion, intentional support for students, staff, family and community, culturally responsive teaching, learning, and leading.
- Data should play a significant role in the decision-making process.
- Due to their unique geographic circumstances, mountain schools require differentiated decisions.
- Decisions should aim to maximize efficient use of resources for all students.
- It should be understood that change is hard, and communities will need to be supported through any transition.
- Municipalities should be included in conversations about closing or consolidating schools.
- The facility condition and the cost to modernize an existing school to meet educational specifications should be taken into consideration.
- District-wide responses and optimization of resources should also be explored when appropriate.

Recommended Board Actions

- Evaluate Open Enrollment Policy JECC & JECC-R
- Study current attendance boundaries (Policy JC) to identify possible changes that could rebalance numbers of resident students within an attendance area
- Conduct community surveys to identify desired or unmet needs, priorities, and preferences of the community

Important Considerations

As the District and the community move toward considering specific actions to take in response to enrollment changes there are a number of factors and ancillary outcomes that need to be considered.

TRANSPORTATION

Actions such as consolidating schools or placing a new program at a school will create different student transportation needs. Students may need to travel farther, which may make them eligible for school bus transportation or require a car trip rather than traveling by foot or bike. Additional vehicles on the road may create more emissions and congestion. Additionally, student commute time may increase. The ongoing bus driver shortage may be a limiting factor.

FUTURE CAPITAL CONSTRUCTION/MAINTENANCE COSTS

School buildings will continue to age and will require major, high cost major maintenance at regular intervals. These costs should be a consideration when evaluating continuing to operate a building. Additionally, the costs associated with renovating a building for additional enrollment or a change of program should also be considered.

ENVIRONMENTAL SUSTAINABILITY

BVSD has made an organizational commitment to sustainability. Proposed actions should be evaluated in terms of impact to sustainability. Factors such as the cost and consumption of resources to operate and maintain underutilized buildings should be considered. Conversely, some proposed actions may adversely affect sustainability such as increasing vehicular miles traveled.

Exhibit E

NEWS > EDUCATION

Boulder Valley parents organize against school closure, reconfiguration plans

Groups question overall process, including short timeline for final decision



Parents drop off their kids at Douglass Elementary School near Boulder on Aug. 26. (Joel Solis/Staff Photographer)



By **AMY BOUNDS** |

abounds@prairiemountainmedia.com | Boulder Daily
Camera

PUBLISHED: September 6, 2026 at 5:19 AM MDT | UPDATED:
September 6, 2026 at 1:56 PM MDT

Getting your **Trinity Audio** player ready...

Parents at the Boulder Valley schools marked for closure are organizing petition drives, planning rallies and creating websites to share data as they question the district's plans.

They're concerned about how the district made individual school decisions and are questioning the overall process, including the short timeline for a final decision. The school board first heard the full proposal on Aug. 25 and is expected to take a final vote in two weeks.

In response to declining enrollment, the proposal would close four schools, restructure grade levels at two K-8 schools and relocate two focus schools in the fall of 2027. The school board will hear from the community and discuss the draft plan at its Tuesday and Sept. 22 meetings, with a final vote scheduled Sept. 22. The Tuesday meeting, which starts at 5 p.m., has been moved to Louisville's Monarch High School, 329 Campus Drive, to provide greater seating and parking capacity.

Altogether, including relocations and schools where students would be reassigned, 16 of the district's 56 schools would be impacted by the proposal. The closures are expected to reduce the district's excess elementary school capacity from 37% to 32%, as well as to save up to \$4 million a year the district has promised to invest in smaller class sizes and adding school support staff members.

On the expense side, one-time school transition support is budgeted at \$5 million, while it's expected to cost between \$7.5 million and \$10 million to make needed building modifications. The district plans to use money from 2022's \$350 million capital construction bond issue to cover the building modification costs.

Schools on the closure list are Boulder's Douglass Elementary, Mesa Elementary and Flatirons Elementary and Broomfield's Birch Elementary. Monarch PK-8 in Louisville would become a middle school only, while Eldorado PK-8 in Superior would become an elementary school only. High Peaks and Community Montessori, two south Boulder focus, or magnet, schools, would be relocated. Combined, those schools enroll roughly 2,500 students.



Parents are saying the timeline for a decision is too short and are asking why the district abandoned a declining enrollment process created by the [Long Range Advisory Committee](#) formed in 2022.

Parents say without that early warning system, they were blindsided.

“It was a confusing abandonment of a data set they worked to build after so much work and thought,” Douglass parent Erin Pommer said. “It sows a lot of mistrust and really raises concerns.”

The Long Range Advisory Committee [designed a community engagement process](#) that was triggered when a school’s enrollment declined below 50% capacity, the school had 1½ classes or fewer per grade level, and the school was projected to continue at that level for at least five years. Schools with fewer than two classes per grade and enrollment below 60% of capacity were considered in an advisory phase, which was meant to serve as an early warning for the school community.

Two of the schools on the closure list weren’t included on that early warning list because they were over 60% of capacity, Douglass at 67% capacity and Birch at 62%.

Heatherwood Elementary was the first and only school to reach a small enough size that it was required to go through the community engagement process. Following an initial community meeting in 2024, a school advisory group met nine times before recommending an environmental STEM focus to attract more students. The school [launched the new program](#) in the fall of 2025.

While Flatirons also met the criteria in 2025, the Boulder Valley school board agreed later that fall that they wanted to [move faster and look regionally](#) at declining enrollment solutions. The board directed Superintendent Rob Anderson to create a process and gather community feedback in the spring, then spend the summer developing the proposal that was [presented to the board](#) on Aug. 25.

Another common theme from parents groups is that the school district isn't providing enough opportunities or time for them to voice concerns and get questions answered. Several parents also said they were disappointed with a [“Let's Talk”](#) livestream on Monday with Superintendent Rob Anderson and board President Nicole Rajpal, saying the questions they were encouraged to submit through a district form weren't addressed.



Messages about teachers and the school written in chalk are seen in front of Douglass Elementary School near Boulder on Aug. 26. (Joel Solis/Staff Photographer)

At Douglass Elementary, parents said they were blindsided by the school's inclusion on the closure list given other schools in the area are at a lower capacity, adding the plan “evicts” a neighborhood school to replace it with a magnet school. Parents created both a [website](#) and petition urging a “no” vote

by the school board.

Along with not wanting to lose their neighborhood school, parents said, they're concerned that two of the three schools that Douglass will be reassigned to — Heatherwood and Eisenhower — will still be under-enrolled after the consolidation, as will other Boulder schools. More closures could still be coming, they said.

District leaders have said the ideal is a school with three rounds, or classes, per grade, which requires around 450 students. The minimum target is two classes per grade, which requires about 300 students.

In Boulder, according to the district, there are 16 elementary schools and, by 2030, a projected 3,522 resident students and 4,241 total enrolled students. Ten schools are needed to sustain three classes per grade. The proposal reduces the number of Boulder schools to 13.

“As we sat with this data, what is glaringly clear to me is this plan does not meaningfully move the needle enough,” said Pommer, who lives in Lafayette and open enrolled into Douglass. “We don’t know what schools are safe. What if you choose wrong and the same thing happens again in a few years. We don’t want to do this over and over.”

Rhonda McManus, whose son attends Douglass’ ICAN, or Intensive Center for Affective Needs, program, said she’s concerned the district didn’t complete impact studies for any of the intensive programs that would be relocated under the plan. The program’s families and educators need to be included before decisions are made, she said.

McManus, who is the co-chair of the Colorado Interagency Coordinating Council for Early Intervention, said many students open enroll into Douglass for the 10-student ICAN program or because the school is known for supporting students with special needs. The school’s principal has spent years building an inclusive school culture, she said. About 20% of the school’s students receive special education services.

“Douglass is well known for that being their specialty,” she said. “It seems like we have missed a huge part of the conversation with our most disadvantaged students.”

The school has spaces designed to help dysregulated students recover and “integrate back into the classroom with teachers who know them.” Those spaces include a sensory room and a classroom with a large “cozy corner.” The school also created a program to help students phase out of ICAN, she said.

“Most of us left our neighborhood schools because they weren’t the right matches for our kids,” McManus said. “My kid’s entire energy changed at Douglass. He doesn’t want to escape school. He just needed a support person. It is a community that supports neurospicy kids. It’s an open, bright space with wide hallways. It’s a very different feel than most schools. Those things make a difference. Other schools don’t have the funding and support built in like we do.”

While Douglass parents are upset about the prospect of moving to schools that will continue to be under enrolled, Mesa Elementary parents are concerned their combined school at Bear Creek Elementary will end up too full and class sizes will balloon. They’ve created a detailed data sheet showing potential classroom numbers.

The merged school also would house the RISE and AIM programs, which are for students with autism. RISE now occupies three classrooms at Mesa, parents said, and they want to know if the building has space for both programs plus the 18 classrooms needed for the school to expand to three classes per grade.

Mesa parent Abby Stoll said she and other parents expected the district to reconfigure Mesa into a PK-2 school and Break Creek into a 3-5 school and were shocked to instead hear the plan to close the school and consolidate students at Bear Creek. She said parents are worried the district is underestimating how many students Bear Creek will need to accommodate.

Concerns include logistics, such as managing lunch and pick-up and drop-off traffic, and merging two school cultures. While Bear Creek is known for academic rigor, she said, Mesa prioritizes social emotional development.

“We’re all very concerned about preserving the student experience,” she said. “The Mesa community, we are very passionate about the culture we’ve built there. It’s a very special place. It’s very welcoming. We love Mesa. It’s been a great thing for our son and our family. We just can’t say enough about it.”

She added parents are concerned the district’s projected savings, which amount to about 1% of its operating budget, aren’t worth the disruption to students created by a closure — especially since some district schools will remain under enrolled.

“It feels like they are impacting a lot of families in a very big way for a very small percentage of savings,” she said.

Potential overcrowding is a concern shared by the [Birch Barks Back](#) parent group, which is asking people to sign a petition against closing Birch Elementary or any of the district’s five other Broomfield schools. Boulder Valley has three elementary schools, a PK-8, a middle school and a high school in Broomfield. Instead of closure, parents want the district to re-examine its enrollment projections and adjust school boundaries instead.

Parent Caitlin Unis said the district is “low balling” the school’s projections, including using a small number of kindergartners than the school has ever recorded. She said housing also is more affordable in Broomfield and there’s quicker turnover of older residents moving to make way for new families. Plus, out-of-district open enrollment is high because schools are close to the boundary with the Adams 12 School District.

The result, she said, will be overcrowding if the district closes Birch.

Parents at Boulder's Flatirons Elementary started a [petition](#) and are organizing a rally before Tuesday's school board meeting for supporters who want to keep all the schools open. First-grade parent Ty Haney described Flatirons as "the most idyllic spot where kids could go to (an elementary) school."

Haney, who attended Flatirons as a child, said the school is central to the Chautauqua neighborhood. She recently moved her family close to Flatirons "mainly because of the amazing neighborhood and walkable, high performing school."

She wants to see the district try other ways to increase enrollment instead of closures, including placing desired programs in low enrollment schools. Closing schools, she added, could make the city even less family friendly and accelerate families leaving.

"We want an alternative study and to be active participants," she said. "We are enterprising and entrepreneurial. We know how to come up with solutions."

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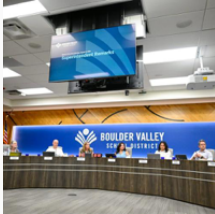
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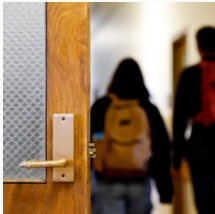
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Wednesday, September 9



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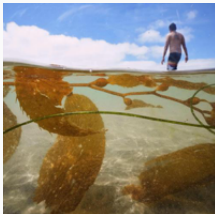
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