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APR 23 2014

BEFORE THE COLORADO BALLOT TITLE SETTING BOARD

Colorado Secretary of State

S-WARD 2:24 P.M.

Patricia S. Peters, Objector

vs.

Jon Caldera and Mike Kraus, Proponents.

MOTION FOR REHEARING ON INITIATIVE 2013-2014 #124

Patricia S. Peters, through legal counsel, Recht Kornfeld P.C., objects to the Title Board's title and ballot title and submission clause set for Initiative 2013-14 #124 ("School Board Open Meetings").

On April 16, 2014, the Board set the following ballot title and submission clause:

Shall there be a change to the Colorado Revised Statutes requiring any meeting of a board of education, or any meeting between representatives of a school district and representatives of employees, at which a collective bargaining agreement is discussed to be open to the public?

ADVISORY GROUNDS FOR RECONSIDERATION

A. Contrary to the statutory requirements for a ballot title that is not confusing, not misleading, and reflective of the intent of the proponents, C.R.S. §§ 1-40-106, -107, the Board has erred by setting titles that do not reveal that the measure:

1. The title misstates the subject of the proposed measure which is to redefine "local public body" to include certain groupings of school district officials and an employee representative, which subjects those groupings to many more requirements than just holding meetings in a previously noticed public session.
2. The title misstates that this grouping becomes a "local public body" where there are "representatives" of employees rather than "a representative" in attendance.
3. The title misstates that this grouping becomes a "local public body" where there are "representatives of a school district" rather than "school administration personnel" in attendance.

4. The title incorrectly states that the measure applies to "a board of education" when the measure applies to any "members" of a board of education.
5. "Open to the public" is a political catchphrase.
6. The title fails to state that the measure expressly applies to negotiations for employment contracts.
7. The title fails to state that the measure expressly does not apply to negotiations for an individual employee's contract.
8. The title incorrectly states that the measure applies to "any meeting" of this "local public body" as all local public bodies are entitled, by law, to meet in executive session under certain statutorily enumerated circumstances.

RESPECTFULLY SUBMITTED this 23rd day of April, 2014.

RECHT KORNFELD, P.C.



Mark Grueskin

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Objector's Address:

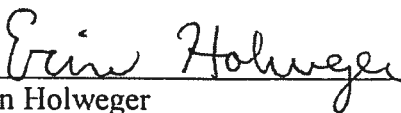
Patricia S. Peters
13293 Elizabeth Street
Thornton, CO 80241

CERTIFICATE OF SERVICE

I hereby affirm that a true and accurate copy of the **MOTION FOR REHEARING ON INITIATIVE 2013-2014 #124** was sent this day, April 23, 2014, via first class U.S. mail, postage pre-paid to the proponents at:

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Erin Holweger

