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ACIS ASSOCIATION of COLORADO INDEPENDENT SCHOOLS

approach

From the Classroom to the Courtroom

Hot topics and governance trends for trustees and heads

ACIS Leadership Conference · Vail, Colorado

A conversation facilitated by

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October 16, 2026

with

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Heads + Teams own today. Boards own *tomorrow*.

Every trend this morning tests that line. Strategic oversight is the board's job. Operational oversight is the head's. It can feel like a fuzzy line at times. Keep it in mind as trends and cases unfold.

What is already on your desk this fall?

Show of hands for each one that has come up at your school since August. Then, with a neighbor: which one is the biggest, and why?

1. AI issue, phone misuse issue, or a deepfake, involving a student or an employee
2. A family dispute that pulled the school in
3. Failure/refusal to pay tuition
4. Enrollment or financial aid pressure
5. An employee boundary issue
6. A parent group chat gone rogue or a petition
7. A rogue/overstepping trustee
8. A construction project, or a complaint about one, including an OSHA complaint
9. A head's unexpected absence or departure
10. A self-driving car in the pickup line or other self-driving car issue

Turn & Talk: two minutes. Which one, and why? One sentence each.

PART 1

What this year has in store.

The trends, the data, and the challenges already here.

The kitchen sink: a few trending things:

Topic	Takeaway
Phones, pictures, and AI	Tech policies that outline acceptable phone use and discuss AI use and misuse, including deepfakes.
Student accommodations	Consistent approach, individual decisions, a paper trail. No problematic promises.
Succession planning	Make two plans for expected and unexpected head of school absences.
Mandatory reporting	Still breaking down: delays, discouragement, nobody sure who reports.
Chaperones and boundaries	Texting, trips, coaches, parent-employees. Athletics first. Training, not a memo.
Enrollment contract enforcement	Have the contract reviewed by an attorney. Understand what enforcement looks like.
HoS support/eval	Join us this afternoon!
IRS proposed rule, Sept. 3	Comments due Nov. 3. More than 18,000 private schools affected. Ask Angie.
Self-driving cars at pickup	Who is the authorized adult when there is no adult? Decide before one pulls up.
Business model *everything*	Board discussions about fundraising, scenario planning, business model education

FROM THE FIELD · FIVE MINUTES

What Ross is seeing.

What are school leaders discussing on or off the river?

What has changed for school leaders since last October?

What are heads asking for that they were not asking for a year ago?

FROM THE COURTROOM · FIVE MINUTES

What Angie & Steve are seeing.

What changed in Colorado since last October?

What is landing on your desk most this fall?

What should every school have on its list before winter break?

Fewer applications, more aid, and a Denver exception.

45%

of schools reported fewer applications for 2026–27 than the year before. A year earlier it was 30%.

40%

saw financial aid demand rise in 2025–26. Another 45% held steady.

The business model has no slack. More than three quarters of day school revenue is tuition. More than two thirds of expenses are people. A 3% enrollment miss is a budget problem, not a rounding error.

Denver is the exception. Most big metros are losing children. Denver's ages 5 to 13 still grow through 2030, and private enrollment is projected up 4.5%.

Takeaway: the number of children in your drive time is the biggest factor in enrollment. Build more than one budget scenario, and decide now how much aid can flex.

Sources: NAIS Snapshot Surveys, April 6–13, 2026 and January 5–14, 2026; NAIS Trendbook 2024–2025; NAIS Demographic Center, Denver metro, 2025–2030 projections.

AI: the gap is guidance, not adoption.

54%
of students and 53% of teachers now use AI for school.

18%
of teachers get formal guidance on using it.

22%
of high schools have had an AI deepfake bullying incident.

23%
of those schools updated their policies afterward.

What is the board's role when it comes to AI? What questions, if any, should boards be asking?

Take two minutes to discuss with your colleague.

Sources: RAND, September 2025; Gallup, May 2026; Fisher Phillips, "New Federal AI Deepfake Law Takes Effect." Public-school and general-population samples; no independent-school figure exists.

Families push back harder, and bring lawyers.

Declining trust

+ hostile activism

= more conflict in schools

27.5% of school districts report high levels of conflict; another 38% report moderate conflict.

What it looks like this fall

- Refusing to pay, and redlining the enrollment contract
- Threatening suit, or filing
- Pulling the school into custody and family disputes
- Demands for records, references, and student information
- Group chats and petitions aimed at trustees
- Alumni raising past conduct, tied to today's events

Takeaway: know who is on your legal bench. Review contracts and handbooks now, not in May. Budget for the goodbye fund.

Sources: Edelman Trust Institute, 2025 Edelman Trust Barometer: Trust and the Crisis of Grievance; AASA, "New Report Details Cost of Conflict for Districts."

Two kinds of succession. Most boards plan for one.

Emergency

Who acts if the head is out tomorrow, for a week, a month, a semester?

A written, board-approved plan. Named interim authority, in advance. Credentials, accounts, key contacts, and the insurance binder documented and shared.

Reviewed every year, like a fire drill.

27% of nonprofits have one in writing.

Planned, and unplanned

Not about any particular head. It is about not being surprised.

Head support and evaluation that runs every year. Compensation and contract reviewed on a calendar, not a deadline. A governance committee that knows the market.

10.4% of schools changed heads in 2025.

1 in 5 new heads is gone within three years. Unexpected exits usually start with feedback nobody wrote down.

Takeaway: most schools discover they do not have an emergency plan at the exact moment they need it. Ask for yours this month.

Sources: BoardSource, Leading with Intent (2021); NAIS, “The State of Head Turnover,” Independent Ideas, March 2026.

THIS AFTERNOON · 1:45

Love the Head, Leave the Operations.

Supporting and evaluating the head of school, with Alan Smiley.

56%
of heads say the board gives periodic feedback. 85% of chairs say it does.

44%
of heads considered leaving in the past year because of stress or burnout.

1 in 5
new heads is gone within three years.

Every trend this morning landed on the head. This afternoon: what the board owes the one person it employs, and how to evaluate the job without doing it.

Sources: NAIS, 2023–2024 State of Independent School Governance, Part II; NAIS, “The State of Head Turnover,” March 2026.

Thank you.

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