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BB, March 8, 2013

Volume 24, Number 4

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Long-awaited school finance funding formulas released

After several weeks of anxiously waiting, school districts and education leaders can finally see how Sen. Mike Johnston's proposed school finance bill would impact their districts and per pupil funding.

The financial "runs" calculated and prepared by the Legislative Council and CDE staff were released today as part of the senator's plan to overhaul the state's school finance formula – a two-year effort involving 150 public meetings and input from 2,500-plus stakeholders.

The bill is expected to be introduced formally later today or Monday, which will be the official kick-off to a likely contentious battle to ask voters to approve a tax increase and inject more money into public schools.

On Thursday afternoon, Jane Urschel and Sen. Johnston sat down with journalist Cynthia Hessin for a "Colorado State of Mind" segment to help "sort things out" with the school finance bill. The show will air at 7:30 p.m. tonight on Rocky Mountain PBS (Channel 6). The [full episode](#) will later be available online.

Over the next couple of weeks, CASB will be questioning three key issues in the bill. The first issue is funding - how much is enough and how does the bill address the restoration of the negative factor? The next issue is local control and the

constitutionality of money “following the student.” Jane noted this system contradicts the state’s constitution of giving local school boards control over their district’s funding and budgets. Sen. Johnston argued the funds raised through the approval of an income tax increase would be *state-controlled* funds and not *locally controlled* funds and therefore, the bill doesn’t encroach on local control.

However, Jane said, CASB believes there *are* local control issues in the bill and questions how a follow-the-student system would be monitored and the impact it would have on local school district resources. “Sen. Johnston doesn’t agree with us that local control issues exist, but we are convinced they do and will be pursuing those issues further,” she said.

The third question CASB is asking, Jane said, is how to make a very complex issue understandable for voters and craft a title and ballot language message that will influence voters. Sen. Johnston noted at the Feb. 26 community forum there will be “4-6 versions” of the ballot language submitted for the March 22 deadline.

“The public isn’t going to read the actual bill unless they specifically ask to see it. They will vote on the ballot question, so that message will have to be carefully developed,” Jane said. “What will resonate more with voters? Serving the underserved or having a focus on self-interests, such as helping their own children, grandchildren or school district?”

Jane speculates the bill will not be heard in the Senate Education Committee until March 21 to allow the legislators plenty of time to review the bill. Once in committee, the bill will likely have numerous amendments and may go to more than one committee. In the meantime, CASB and its Legislative Resolutions Committee will also begin its work on digesting the bill to determine CASB’s position and make recommendations for amendments.

Earlier this week, Colorado Public Radio [aired a story](#) on the proposed school finance bill and what kind of feedback and questions it’s generating. Education reporter Jenny Brundin interviewed Jane for her report and also included highlights from recent community forums.

The school finance bill will undoubtedly dominate discussions and generate much debate in both the state capitol and the community, and will remain front and center in future Billboards for the duration of the legislative session.

Lobato hearing focuses on what makes a constitutionally adequate education

It was a big week for education funding. In addition to the release of the school finance data, the Colorado Supreme Court heard oral arguments on Thursday morning in the Lobato v. State case. For a recap of the court hearing, read the Ed News Colorado article, “[Lawyers make last Lobato case pitches.](#)”

Following the hearing, the Lobato attorneys and plaintiffs – including Children’s Voices, Great Education Colorado, CEA, CASE, CASB and Colorado Rural Caucus – held a joint press conference and were confident they had made a compelling argument that Colorado needs to take action to correct the massive shortfall in public school funding. The [joint media advisory](#) includes a recap of the press conference, as well as videos and photos.

SB 15 clears another hurdle

CASB’s electronic attendance bill is quickly making its way through the state legislature and cleared another hurdle this week with a 12-0 vote of the House Education Committee. The bill, which allows board members to attend meetings and vote electronically, has already had the unanimous support of the Senate.

As in Senate Ed, the bill generated interesting conversations around accountability and confidentiality. Ultimately, the committee approved the amendment brought by Senate Ed Committee members allowing board members to attend executive sessions electronically (if allowed under local policy) and requiring an affidavit from each board member affirming their commitment to maintain the confidentiality of executive sessions. The bill now heads to the House floor for final approval.

Bills at a glance: summary and status of bills affecting school boards

HB 13-1023 ACADEMIC ACCELERATION SCHOOL DISTRICT POLICY

Rep. C. Murray (R)

The bill comes from the educational success task force and, as amended, requires each school district and institute charter school to review their acceleration procedures and suggests specific provisions for inclusion in those procedures.

Status: Passed Senate third reading

CASB position: Monitor

HB 13-1081 COMPREHENSIVE HUMAN SEXUALITY K-12 EDUCATION

Sen. Todd (D); Rep. Duran (D)

The bill moves and adds language to the content standards for the instruction of comprehensive human sexuality education. As amended, the bill states that districts will not be required to amend human sexuality content standards developed by CDE and adopted by the State Board prior to July 1, 2013. The bill also creates the comprehensive human sexuality education grant program in the department of public health and environment. An oversight entity will assess available funding opportunities with appropriate state departments to apply for federal and state grant moneys to fund the program.

Status: Approved by Senate Education Committee

CASB position: Monitor

HB 13-1220 CONFIDENTIALITY K-12 EDUCATOR PERFORMANCE DATA

Rep. Salazar (D)

The bill clarifies that any information collected pursuant to an educator evaluation shall be confidential and otherwise available to a nonprobationary teacher upon appeal. If information is provided to CDE, the identity of the individual educator must remain confidential.

Status: Introduced in Senate (assigned to Education Committee)**CASB position:** Support**SB 13-002 ELIGIBILITY OF BOCES FOR FEDERAL GRANTS**

Sen. Hudak (D); Rep. Hamner (D)

The bill allows boards of cooperative services (BOCES) to act as local education agencies for purposes of state and federal law and allows them to apply for all federal and state grant moneys for which they are eligible but only with the approval of two or more participating members.

Status: Approved by House and Senate**CASB position:** Support**SB 13-023 INCREASE DAMAGES CAPS UNDER CGIA**

Sen. Cadman (R)

Currently, the Colorado Governmental Immunity Act sets a maximum amount that may be recovered by a person suing a public entity or public employee. The bill increases the cap for any injury to one person in any single occurrence from \$150,000 to \$478,000, and increases the cap for an injury to two or more persons in any single occurrence from \$600,000 to \$990,000. The bill further provides that the increased damages amounts are: (i) exclusive of interest awarded; and (ii) adjusted for inflation every 4 years.

Status: Passed Senate second reading with amendments**CASB position:** Monitor**Killed bills**

CASB's advocacy efforts are often behind the scenes. But every year, the advocacy team works hard to sideline legislation that may disadvantage our members. As a reminder, we list the following bills that have recently been killed.

Total education-related bills killed to date: 27

SB 13-164 REPEAL RESIDENCY REQUIREMENTS FOR SCHOOL BOARDS

Sen. Brophy (R)

Current law requires candidates for school board membership to have been a registered elector of the district for 12 consecutive months prior to election. The bill repeals the requirement that the candidate be a registered elector of the district.

Status: Postponed indefinitely**CASB position:** Oppose**HB 13-1172 K-12 PUBLIC SCHOOL ACCOUNTABILITY**

Sen. Renfroe (R); Rep. Priola (R)

The bill authorizes the parents of students enrolled in a public school that has operated under a priority improvement or turnaround plan for at least two consecutive years to submit a petition to the state board requesting the state board to direct the local school board or the institute to select an action to reform the public school immediately. The petition must be signed by at least 60 percent of the families of students enrolled in the public school if the school has been on a turnaround or priority improvement plan for two years and by more than 50 percent of the families of the students enrolled in the public school if the public school has been on a turnaround or priority improvement plan for more than two years. The bill also changes the accreditation categories for school districts and the institute from "accredited with distinction," "accredited," "accredited with improvement plan," "accredited with priority improvement plan," and "accredited with turnaround plan" to "A," "B," "C," "D" and "F."

Status: House Committee on Education postponed indefinitely (March 6)**CASB position:** Oppose[House Education Committee Members & Schedule](#)[Senate Education Committee Members & Schedule](#)

CASB makes it easy for you to keep track of education bills through our master bills list via [Colorado Capitol Watch](#). Visit the list to learn more about education-related legislation, including the date each bill was introduced and CASB's position.

Address Colorado Association of School Boards
2253 S. Oneida St., Ste. 300
Denver, CO 80224

Phone
303-832-1000 or 800-530-8430

Fax
303-832-1086

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