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## School Board Advocate: April 13, 2018

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### On Account of . . .



[HB 18-1355](#) may change the face of school accountability. This bill has just begun its journey through the legislative process with less than a month left in the 2018 session. During this session, which has been pretty quiet on education issues, this is the first major policy bill. So, why are we seeing this now?

[SB 09-163](#), or the Educational Accountability Act of 2009, created a complicated system for evaluating and rating schools and districts based on the academic performance of students, primarily using data derived from scores on standardized state tests. Even with debate among educators in regard to the strengths and weaknesses of the bill, there has been no major change since its passing.

In the spring of 2017, the accountability clock ran out for five districts and 12 schools and the State Board ordered a variety of reforms. This process taught Department of Education leaders some lessons about the system and even though they've made changes administratively, other updates require legislative approval which leads us to [HB 18-1355](#).

[HB 18-1355](#) addresses a key element of the law: the provision that focuses on districts and schools that have remained in the two lowest-performing categories – priority improvement and turnaround – for five consecutive years. After the fifth year, the State Board of Education can direct a school board to take specific corrective action, such as school closure, conversion to a charter, working with external management, conversion to innovation status or district reorganization. A possible consequence for districts is loss of state accreditation.

While the bill is complicated and highly technical, its key elements are:

- Districts and schools will have to be rated in the next highest category – improvement – for two years before they come off the clock. Currently, a low-rated district or school comes off the clock if it improves for one year. If the rating declines the next year, the five-year clock restarts.
- The requirement that a parent and community meeting be held if a school or district's low rating persists for three years. The bill generally provides for more and earlier interventions and assistance by the Department of Education.
- After the clock runs out, structured state oversight will continue until a school or district moves out of the two lowest categories for two consecutive years. The current law does not specify what should happen after the clock runs out.
- Specific requirements for how student achievement and growth are calculated will be removed from state law and left to the State Board to set by rule.
- A current state grant program for training of turnaround school leaders will be expanded to allow for other uses.

The bill passed the House Education Committee on a unanimous vote, but some panel members expressed concerns about the lateness of its introduction.

"This has a huge impact on districts and schools and we need to get it right," said **Rep. Alec Garnett, D-Denver**. He asked whether the bill gives too much discretion to the State Board and is concerned the proposal does not address bigger issues with accountability. Some educators have argued that the system's reliance on data from test scores ignores other factors that contribute to school and student performance.

Garnett voted "yes" but said he needs to study the bill further. Republican **Rep. Paul Lundeen, R-Monument** and **Janet Buckner, D-Aurora** said they still have questions.

One witness, Aurora Superintendent **Rico Munn**, specifically asked "for time to consider amendments to the bill," something that did not happen. Munn, who has had differences with the State Board about application of the accountability law to his district, said he's concerned the changes would put some districts in "perpetual probation."

Prime sponsor **Rep. Brittany Pettersen, D-Lakewood**, said the bill's delay was due to the extensive vetting process she did with interest groups and the bill is not intended to deal with broader accountability reform.

Another accountability bill pending at the Capitol is [HB 18-1197](#), sponsored by **Rep. Dave Young, D-Greeley**. This bill will allow districts to create pilot "student centered" accountability systems and it has not been scheduled for its first hearing.

## Keepin' Track

This session has seen nearly 100 education-related bills so far. Some of the bills have been heard in both the House and Senate and sent on to the Governor. [Click HERE to view these bills](#). There are several bills still working their way through the process. To follow a bill's progress, the [CASB Bill Tracker](#) is a great tool and accessible at [www.casb.org](http://www.casb.org). A few bills of note that CASB members should be aware of are:

### [HB18-1070](#)

#### "Additional Public School Capital Construction Funding"

**Bill sponsors Rep. Dave Young (D), Rep. Cole Wist (R), Sen. Rachel Zenzinger (D) and Sen. Ray Scott (R)**

The Building Excellent Schools Today (BEST) program is a huge success as it provides funding to construct safe, adequate and



efficient schools in many areas of the state that do not have the resources to build on their own. HB18-1070 would ensure that funds Colorado voters approved to finance the program are actually directed to the BEST program. The bill passed the House and is being heard by the Senate.

#### [HB18-1232](#)

##### **“New School Funding Distribution Formula”**

**Bill sponsors Rep. Dave Young (D), Sen. Rachel Zenzinger (D), Sen. Don Coram (R)**

The vast majority of Colorado superintendents – 174 out of 178 – are supporting a new formula to better fund Colorado K-12 students. The

superintendents’ plan takes into account the cost to educate the whole child, regardless of where that student lives within the state. HB18-1232 represents several years of study and research by Colorado superintendents as to how best fund public education. The current School Finance Act was first adopted in 1994. The bill is currently being discussed by the House Education Committee.

#### [HB18-1269](#)

##### **“Parent Notice for Student Safety and Protection”**

**Bill sponsors Rep. Brittany Pettersen (D), Rep. Paul Lundeen (R), Sen. Rhonda Fields (D), Sen. Owen Hill (R)**

The bill requires school districts to notify parents when a school district employee is charged with a specific crime. It also requires school districts and law enforcement agencies to collaborate on notifications. The bill was heard in committee and then laid over to allow for additional time to work on amendments to the bill.

#### [HB18-1352](#)

##### **“Oil and Gas Facilities Distance from School Property”**

**Bill sponsors Rep. Mike Foote (D), Rep. Matt Gray (D), Sen. Matt Jones (D), Sen. Irene Aguilar (D)**

Currently, the distance an oil and gas operation must be “set back” from a school building is calculated from where the main school building is located. This bill requires the setback to begin at the school’s property line. Many schools use the space behind school buildings for playgrounds and athletic fields, which has the potential to expose students to higher levels of fumes from oil and gas operations. The CASB Delegate Assembly passed [Legislative Resolution #6](#) in support of such legislation. The bill is currently scheduled for committee hearings at the end of April.

#### [SB18-158](#)

##### **“School Access to Interoperable Communication Technology”**

**Bill sponsors Rep. Crisanta Duran (D), Rep. Marc Catlin (R), Sen. Don Coram (R), Sen. Leroy Garcia (D)**

The bill makes it easier for school districts to purchase radio communications in order to allow school personnel and first responders to communicate in the event of an emergency.

#### [SB18-200](#)

##### **“Modifications to PERA Public Employees’ Retirement Association to Eliminate Unfunded Liability”**

**Bill Sponsors Rep. KC Becker (D), Rep. Dan Pabon (D), Sen. Jack Tate (R), Sen. Kevin Priola (R)**

The bill was passed by the Senate and is scheduled to be heard by the House Finance Committee on April 16, 2018. As approved by the Senate, the bill includes an option to allow employees to select a Defined Benefit retirement plan, similar to a 401(k) plan. The Senate removed additional employer contributions above what they currently contribute. Expect several significant amendments as the House works towards a bill that would be acceptable to both Democrats and Republicans.

## Wrap Around Colorado



By the time you read this, the Colorado General Assembly will have less than 30 days remaining in the 2018 session. When they wrap up their work on May 9, more than 700 bills and resolutions will have been voted on. We recommend that every school board member read all 700 pieces of legislation! Actually, there is an easier way to stay informed. Plan on joining your CASB staff for one of eleven legislative wrap-up meetings around the state in late May and early June. Stay tuned for details in the next edition of the *School Board Advocate*.

Thanks to our partners at Colorado Capitol Editorial services for additional reporting for this edition of the *School Board Advocate*.

## CASB Advocacy Tools



[CASB Bill Tracker](#) – Track the latest education news from the Capitol.

**CASB Advocacy Text Alerts** – To subscribe, send a text to 52886 and type in “CASB”.

**CASB Legislative Conference Calls** - Use the web link to join the meeting. The next meeting will be Friday, April 27, 2018, at 8:00 am. Meetings are held the 4th Friday of each month during the legislative session.

**CASB Days at the Capitol** – Join CASB and fellow board members for our Days at the Capitol! We have **one last day – April 18**. If you haven't taken advantage of this opportunity and a chance to experience the legislative process firsthand, register today!

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*CASB publishes the School Board Advocate once a month when the Colorado General Assembly is not in session, except for July and December. During session, it is published twice a month. If you have suggestions or feedback about the School Board Advocate, please contact Matt Cook, director of public policy and advocacy. Matt can be reached at 303-832-1000.*

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**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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