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## BB, May 3, 2013

**Volume 24, Number 8**

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### School finance bills make their way through the legislature

The past few weeks have been quite hectic at the state capitol with lawmakers working at a frantic pace to ensure consideration of all pending legislation prior to the close of the 2013 session on May 8. Both school finance bills – [SB 260](#) and [SB 213](#) – met with concurrence in the Senate this week with no conference committees needed, and are now on their way to **Gov. Hickenlooper** for his signature.

Though CASB consistently advocated for less earmarking and a larger pay down of the negative factor for SB 260 (the 2013-14 School Finance Act), we do believe the bill represents a decent compromise that will bring some additional funds to our districts.

Some of you may have received reports of a mistake with regard to the calculation of total program under the bill. The complaint stems from the fact that the amount of total program under the bill is less than that requested by the governor in October.

CASB does not believe the reduction is due to a mistake. Instead, as we understand the issue, the reduction was caused by the confluence of two factors. The first is the reduction in the actual rate of inflation from an estimated 2.1 percent, when the governor issued his budget recommendations, to 1.9 percent. Because total program is directly tied to the rate of inflation, the reduction had a negative impact on the calculation.

Despite **Jane Urschel's** urging to fund total program at the higher rate of inflation, no amendments were offered on this point. The second factor impacting the calculation is the result of [SB 108](#), set forth by the Joint Budget Committee, which made the necessary mid-year adjustments to the 2012-13 school funding, and also altered the calculation of total program for 2013-14 and beyond.

This new calculation, coupled with the lower than expected rate of inflation results in the reduced total program amount. While we certainly agree that the reduced total program will hurt our districts, we view the reduction as the legitimate result of a series of policy decisions rather than a mistake.

In other news, SB 213, **Sen. Johnston's** school finance reform bill, also received final approval by the House this week. Of critical importance to CASB was our heavily negotiated backpack funding amendment, which was approved by the House.

That amendment preserves local control by requiring that principals submit their ELL and at-risk budgets to the superintendent to ensure consistency with the school's accreditation plan, as well as the standards, curriculum and programs approved by the board. If the superintendent determines the budget is not consistent, the principal must obtain the approval of the board.

For full SB 213 and SB 260 recaps, read the EdNews Colorado articles:

[School funding bills cross finish line](#)  
[School finance reform passes house](#)

## SB 252 increases renewable fuel standards from 10 to 20 percent

A controversial bill that mandates customer-owned rural cooperatives and rural utilities to substantially increase their share of electricity generated from renewable resources passed in the House this week.

Customer-owned rural co-ops are currently required to produce 10 percent of their power from wind, solar and other renewable fuels. [SB 252](#) now raises that standard to 20 percent by 2020; the original version of the bill called for a 25 percent increase.

The amendment to lower the increase to 20 percent did little to comfort opponents of the bill, especially school districts concerned about the financial impact it will have. **Tom Sifers**, East Grand board president and CASB immediate past-president, testified last week in opposition to the bill.

He noted that purchasing electricity is one of the biggest operating costs for a school district and a 20 percent electricity increase in his district would almost be the equivalent cost of one teacher. He urged legislators not to increase districts' operating expenses and instead keep money in the classrooms for students.

## Bills at a Glance: Summary and status of bills that affect school boards

### **HB 13-1021 IMPROVE SCHOOL ATTENDANCE**

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

The bill states if a school district initiates court proceedings against a habitually truant student, it must submit evidence of the student's attendance record and the efforts made to improve the student's attendance. The bill limits the term of detention for a habitually truant student to no more than 5 days. The bill clarifies that a school district that is required to provide educational services to a juvenile detention facility shall provide the services for a number of hours that is comparable to the compulsory school attendance requirements and shall provide educational services that align with, and are designed to, enable the juveniles to meet the state model content standards. As amended by the Senate Education Committee, the bill also encourages districts to track "chronically absent" students and work with multidisciplinary teams in their communities to provide services to support these students before they become "habitually truant."

**Status:** Approved by Senate Education Committee

**CASB position:** Monitor

### **SB 13-214 BEST PROGRAM OVERSIGHT & FUNDING**

Sen. Schwartz (D); Rep. Fischer (D)

The bill grants the Capital Development Committee oversight over the Building Excellent Schools Today (BEST) program. The bill also requires the BEST board to ensure that, effective June 30, 2013, the balance of the assistance fund is at least equal to the total amount of payments to be made by the state, less the amount of any school district matching moneys and federal moneys to be received for the purpose of making the payments, during the next fiscal year under the terms of any BEST lease-purchase agreements.

**Status:** Approved by House Education

**CASB position:** Support

### **SB 13-279 K12 SCHOOL ENERGY RESOURCE EFFICIENCY**

Sen. Kerr (D); Rep. Gerou (R)

After Jan. 1, 2014, each school district and district charter school shall ensure that each project for a new or substantially renovated building or structure is designed and constructed to the highest energy efficiency standards practicable, including but not limited to the federal energy star label or the highest performance certification attainable as certified by an independent third party.

**Status:** House Education Committee refer amended to House Committee of Whole

**CASB position:** Monitor

### **HB 13-1171 EMERGENCY USE OF EPINEPHRINE INJECTORS IN SCHOOLS**

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

The bill allows the governing authority of public and nonpublic schools to adopt a policy to authorize the school nurse or other designated school personnel to administer an epinephrine auto-injector to any student that the school nurse or designated school personnel in good faith believes is experiencing anaphylaxis, in accordance with a standing protocol from a licensed physician, physician's assistant, or advance practice nurse with prescriptive authority, and regardless of whether the student has a prescription for an epinephrine auto-injector. The bill limits the liability of a public or nonpublic school and a good-faith user of an epinephrine auto-injector in emergency situations in school settings when the school has adopted a policy on the administration of epinephrine auto-injectors in accordance with a standing protocol.

**Status:** Approved by Senate Education and Appropriations Committees

**CASB position:** Monitor

## Killed Bills

### HB 13-1313 LOCAL PUBLIC BODIES & EXECUTIVE SESSION

Sen. Hodge (D); Rep. Peniston (D)

Requires executive session minutes to reflect the amount of time each topic was discussed. Requires districts to record executive sessions convened for the purpose of receiving legal advice and keep a log as to the nature of the conversation.

**House Local Government Committee postponed indefinitely, April 24**

**CASB position:** Oppose

### HB 13-1244 CONTINUATION OF ED SUCCESS TASK FORCE

Reps. Fields (D) and Young (D)

The bill extends the educational success task force, which is currently scheduled to repeal July 1, 2013. In extending the task force, the bill removes the legislative members from the task force and places them in a separate educational success legislative committee that will oversee the work of the task force, which is made up of experts in a variety of educational areas. The legislative committee and the task force will repeal July 1, 2018.

**Senate Legislative Council Committee postponed indefinitely, April 26**

**CASB position:** Monitor

[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.

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