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## School Board Advocate: Jan. 16, 2015

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*School Board Advocate* is the new name for *BillBoard*, CASB's semimonthly newsletter on our advocacy efforts and the latest developments at the state capitol that impact K–12 education. During the legislative session, we share this newsletter with school board members, superintendents, legislators, the governor's office, various statewide organizations, BOCES executive directors and the Colorado Council of School Board Attorneys.

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## Much Ado about Assessments

The legislative session is off to a truly incredible start! We all knew the assessment issue would take center stage but none of us expected all this action so quickly.

The drama began last Thursday afternoon, when the State Board of Education voted 4-3 to pass a resolution directing Commissioner Robert Hammond to grant school districts waivers of the first part of the two-part PARCC assessments in Language Arts and Math, which are scheduled to begin in March. As explained in more detail in [CASB's legal update on waivers and assessments](#), it is doubtful the State Board has authority to grant waivers for mandated standardized testing

Our first [Day at the Capitol](#) is next Wednesday, January 21st. Join us for a legislative briefing at CASB and attend a joint session of the House and Senate Education Committees. Items for discussion include a report from the Colorado

under either state or federal law.

When the motion was presented last week, both the Commissioner and the Assistant Attorney General Tony Dyl advised the Board that it did not have the authority to direct the Commissioner to waive assessments. The Commissioner and the Deputy Attorney General reiterated that position yesterday afternoon during a hearing of the Senate Education Committee. In light of the statues, on which the Attorney General has relied, we do not expect a different result when she delivers a formal opinion to the State Board on this matter in the coming weeks.

BOCES Association and a report from CDE on Minority Teacher Recruitment and Retention.

We know that many of our members are frustrated by the over-testing of their students, and our legal and advocacy teams are working hard to find pathways for relief. In fact, at the very time the State Board was considering the waiver resolution, we were at the CASB offices working with the Mancos School District on an Innovation Application seeking, in part, a waiver of state assessments. This work is part of CASB's pilot Rural Agility Project, seeking flexibility for individual school boards through the waiver, charter or innovation laws. We are also engaged in discussions on these issues with the Colorado Department of Education.

Despite all the State Board activity, we do not see any plausible resolution to this issue that will allow all school districts an opportunity to lawfully waive out of the state assessments this spring. The solution to assessment overload is only found in the halls of the Colorado and United States Legislatures. We therefore encourage boards to work with their representatives in the legislature to shape the legislative action necessary to provide the relief districts are seeking.

As noted above, CASB is working with those districts seeking to pursue this issue at the State Board. However, we are most focused on the legislative arena where the long-term solution will be fashioned. We will do our best to keep you apprised of the events at State Board and at the Capitol. We hope you will let us know how things are going locally.

One thing is clear: the debate about meaningful policy change is happening and we need your voice at the Capitol, now more than ever!

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## Bills to Watch

We're barely two weeks into the 2015 session and the bill drafters are hard at work. Below are a few bills we've identified that may be of interest:

### **HB15-1058. GENERAL FUND SURPLUS TRANSFERS FOR EDUCATION. Reps. Becker (R) and Sen. Sonnenberg (R).**

The unrestricted balance remaining in the general fund at the end of a state fiscal year is called the general fund surplus. The bill requires the state treasurer to transfer the general fund surplus as follows: 70 percent to the state education fund and 30 percent to the higher education fund.

### **SB 15-003. ED EVALUATIONS FIFTY PERCENT ACADEMIC GROWTH. Sen. Merrifield (D).**

Senate Bill 10-191 concerning educator effectiveness included a requirement that at least 50 percent of a teacher's or principal's performance evaluation be determined by the academic growth of the teacher's students or the students in the principal's school. The bill eliminates that requirement.

### **SB 15-056. FREQUENCY OF STATEWIDE SOCIAL STUDIES TESTING. Rep. Kraft-Tharp (D) and Sen. Kerr (D).**

Under current law, the department of education (department) must administer the statewide assessment in social studies annually to students enrolled in a single selected elementary grade, middle school grade and high school grade. Under the bill, beginning in the 2015-16 school year, the department may choose to administer the social studies assessment annually to a representative sample of public schools so long as it administers the assessment in each public school at least once every three years.

### **SB 15-073. RESTRICT STATEWIDE TESTS TO FEDERAL REQUIREMENTS. Sen. Merrifield (D).**

The bill would require the state to cut testing back to the federal minimum requirements and to ask federal authorities for a waiver that would allow use of the ACT test as the only assessment in high school. While such a request was pending, the ACT test would temporarily be eliminated.

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## Wednesday January 21 is our first Day at the Capitol event for 2015

Each Wednesday throughout the legislative session, we'll start at 9 a.m. with breakfast at CASB and a briefing with our advocacy team, followed by a visit to the Colorado Legislature to see the House and Senate in action and attend education committee meetings.

This is a great opportunity to gain more visibility for local school boards and connect with education leaders to help ensure they are kept informed about the issues that are most important to you and your district.

If you can't attend the "day" your region is assigned, that's OK. We encourage you (and anyone else from your district) to join us **whenever** and **however** many times you can.

**We need our members**—to strengthen the voice of school boards by helping state lawmakers understand our legislative priorities.

To register, visit [Day at the Capitol](#). Stay tuned for more details about how CASB will help you plan your visit. For questions, contact Robin Marlowe at [rmarlowe@casb.org](mailto:rmarlowe@casb.org) or 303-832-1000.

## 2015 Winter Legislative Conference

Our Winter Legislative Conference will take place February 26-27th at the Brown Palace Hotel and Holiday Inn Express. Click [here](#) for a complete list of our speakers and panels. It's going to be a great opportunity to learn more and discuss issues of importance to you and your communities.

For more information or to register, click [here](#).

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