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Calendar



Facebook



Twitter



Staff



Partners



Publications



Videos



Awards

[Return to Headlines](#)

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School Board Advocate is 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.

In this issue:

- The curtain closes on the great assessment debate
- School finance: not what we wanted, but hope for the future
- SB 213: important changes to school district immunity laws
- State board update
- Thank you to our members

The curtain closes on the great assessment debate

To quote Shakespeare, "all the world's a stage," and on May 6, 2015 the curtain closed on a grand performance under the gold dome, starring legislators, lobbyists and a powerful parent group, widely referred to as the "Moms."

The plot was centered on assessments and the story included many of the usual twists and turns with education stakeholders, advocacy groups (or "reformers") and the Moms facing off on critical issues, including the proper amount of testing and a student's right to opt-out of state assessments. Tensions were high throughout the session and negotiations were often contentious.

Guided by the resolutions adopted at CASB's Delegate Assembly last fall, CASB supported efforts to scale back state assessments to federal minimum requirements and allow districts the flexibility to use local assessments for state accountability. Early in the session, CASB proposed language authorizing local assessments and accountability pilots. Throughout the session, CASB worked with CASE, the Rural Alliance and Douglas County School District to have this option included in the final bill. The pilot language in the final bill, HB 1323, falls short of what we asked for, but we are encouraged by the broad-based support for the pilot concept.



Reformers pushed hard on the importance of 9th grade testing (in addition to 10th grade). The Moms raised important technology and data privacy concerns and joined CASB and education stakeholders who pushed to scale back testing to federal minimums.

As the play sped toward its inevitable end, the assessment debate remained unsettled, and the threat of a veto by the Governor loomed large. Lobbyists worked late into the night during the last days of the session to finalize a compromise proposal set forth at the 11th hour, which seemed to surprise many and satisfy few. The resulting legislation, HB 1323, will be sent to the Governor for his signature. In the end, however, some of the flexibility set forth in the bill will require permission from the federal government through an amendment of

our current waiver application. [Click here for more details on HB 1323.](#)

The reviews are mixed

As expected, CASB members have differing views on the final bill. Many believe HB 1323 does not go far enough to scale back state testing and hold districts harmless from consequences related to new state tests and student opt outs. Others feel it goes too far. [Click here](#) for details on changes to the state testing requirements.

Many are glad for the provisions allowing flexibility around testing for ELL students, school readiness and READ. Some welcome the flexibility provided by the alternative assessment pilot created in the bill, while others believe the language is too narrow and prescriptive.

There are also questions about the new 10th grade test, extensive parental notice requirements and a requirement that all high school assessment scores be included on student transcripts.

For their part, the legislators congratulated themselves on the bipartisan compromise. "Something magic happened here," stated Sen. Cadman. Sen. Johnston cheerfully tweeted, "What many thought was impossible: We got 85 votes on [a] common sense bill to reduce testing [and] preserve accountability."

Where is CASB?

CASB's advocacy team will be working in the "off season" to collaborate with legislators so we can come back next session ready to advance shared goals and "fix" legislation that is not in the best interest of students. We applaud all of you who spoke up during the session to advance your community's concerns and know that many of your representatives fought hard for your interests.

Tell us what you think

As your board discusses and digests the outcomes of the 2015 session, start thinking about how you would like CASB to advance these and other issues next year. **Let us know what you like, what you don't, and what makes sense for your district.** Tell us how we can best support your local advocacy efforts and strengthen your district's voice at the capitol. Your feedback is essential as we create resources to help your district understand and implement the new laws and shape our future advocacy efforts.

CASB's 2015 Fall Delegate Assembly Conference will be held on Friday and Saturday, October 16-17 at the Denver Marriott West. We urge every school board in the state to participate in what we expect to be a vibrant discussion and debate on the critical issues facing our schools. Your participation ensures that CASB understands and considers the interests of all boards of education across the state before adopting its policy platform.

We will be sending out more detailed information on the Fall Delegate Assembly Conference in the coming weeks.

School finance: not what we wanted, but hope for the future

School Finance Act

Most, if not all, of our members agree that this year's School Finance Act (SB 267) fell far short of expectations. The legislature crafted a one-time \$25 million buy down of the negative factor: small change considering that more than \$3 billion have been cut since 2009. [Click here](#) for a district-by-district comparison of funding under the Act.

Schools do have the hope of additional revenues coming through a supplemental appropriation in 2016. The School Finance Act clarifies the General Assembly's intention that any money saved by the state as a result of higher local property tax revenue should be distributed to school districts. The amount of the additional funding will depend on growth in local assessed values, and we are told that growth will generate at least \$70 million.

Small rural funding

There is some good news for small rural districts (defined as districts with fewer than 1,000 students enrolled in K-12). These districts will receive an additional \$10 million to be distributed on a per pupil basis as part of a small rural relief package, passed through HB 1321.

TABOR relief

An effort was made to bring temporary relief from the TABOR cap by granting hospital provider fees "enterprise" status through HB 1389. It was introduced late in the session but died in the Senate. We expect this debate to continue as part of a larger tax reform discussion next session. [Click here for more information.](#)

Thank you for your leadership

CASB applauds the following legislators for their leadership around assessments and other important education issues. While we might not always agree with your position, we applaud your commitment to our students and schools: Sen. Chris Holbert, Sen. Mike Merrifield, Sen. Mark Scheffel, Sen. Jerry Sonnenburg, Sen. Nancy Todd, Rep. Jon Becker, Rep. John Buckner, Rep. Millie Hamner, Rep. Polly Lawrence, Rep. Jim Wilson.

SB 213: important changes to school district immunity laws

With the passage of SB 213, officially referred to as the Claire Davis School Safety Act, school districts can be sued for negligence if the district fails to exercise reasonable care to prevent reasonably foreseeable acts of school violence on school grounds or at a school sponsored activity. The bill was a result of the 2013 shooting at Arapahoe High School. Leadership in both Houses sponsored the bill and it had widespread support from both parties.

The Act applies to incidents of school violence that include specific crimes: murder, first-degree assault and felony sexual violence. It is designed to ensure that injured parties have access to school district records related to the incident, and prohibits courts from entering declaratory judgments as to a school district's negligence in cases filed on or before July 1, 2017. Compensatory damages are also prohibited until that time.

A companion bill, SB 214, establishes the School Safety and Youth in Crisis Committee to study and report on issues related to school safety and the prevention of threats. One of the express purposes of the committee is to study and evaluate the implementation of SB 213, including recommendations around the appropriate standard of negligence or duty of care for school districts. CASB will monitor the committee's work and keep members informed of any legal developments.

HB 1348: urban renewal reform passes

This bipartisan bill, HB 1348, which was sponsored by House Speaker Dickey Lee Hullinghorst, Rep. Polly Lawrence, Sen. Rollie Heath and Sen. David Balmer will increase the number of people sitting on urban renewal authority boards to include county commissioners and a representative from school districts and special districts with property included in the urban renewal authority. In other words, HB 1348 gives school board members a "seat at the table" and is something CASB has been working on for years. Last year the Governor vetoed a similar bill, and we must wait to see whether this one will be signed.

State board update

The State Board of Education convened this Wednesday and Thursday, May 13 and 14. Highlights of the agenda included a legislative update focused on assessments and data privacy, an update on the state's NCLB waiver and a formal vote (after months of delay) denying school district requests to waive out of the first part of the PARCC assessment. [Click here](#) to read more in Chalkbeat.

Thursday morning, the board had a chance to hear from the Rural Innovation Alliance, a group of 14 rural school districts working on a *Student Centered Accountability Project* designed to strengthen accountability and make it more meaningful for local communities. State board members were highly supportive of the project and, while no formal action was taken, the board did

express its willingness to work with the group and remove any potential barriers. Click [here](#) to view information on the project as presented to the state board.

On Thursday afternoon the board took up the graduation guidelines debate. CDE staff presented a new menu of proposed competency cut scores to replace those adopted by the state board in 2013. Many districts, particularly rural districts, have raised concerns about the cut scores included in the current [graduation guidelines](#).

The revised menu was generated by a working group convened by CDE, which included representatives from urban, suburban and rural districts as well as higher education. Though most would agree that the current menu is better than the one previously adopted, many of our rural members still have concerns. For a better understanding of the concerns of rural districts, see the [attached letter](#).

The motion to approve the proposed menu failed and the issue was tabled by Chairman Marcia Neal. This means that, for the time being, the menu adopted in 2013 is still in effect, though we fully expect the state board to reconsider this issue in the coming months. Districts are required to adopt graduation requirements that meet or exceed the state board's guidelines (including the menu) prior to the 2017-18 school year. Click [here](#) to review the proposed [menu](#). Click [here](#) to read more in the Denver Post.



Thank you to our members!

CASB owes a debt of gratitude to school board members, superintendents and other district leaders who carved time out of their busy schedules to spend time at the capitol, meet with legislators and testify before the House and Senate Education Committees on a variety of issues. A special nod goes to CASB Board President Jim O'Brien who organized a "strike force" group of dedicated members who spent many hours at the capitol with CASB's advocacy team.

We would also like to acknowledge our Legislative Resolutions Committee for invaluable input and feedback on proposed legislation. Thank you for tackling the tough issues with us.

Special thanks to Wendy Mellott, board president of the Del Norte School Board, for crafting a negative factor resolution with the help of Michael Lobato, president of the Center School Board, and sharing it through the president's listserv. Additional thanks to districts that customized the resolution to reflect the unique concerns of their communities. CASB delivered those [resolutions](#) to their legislators during the final weeks of the school finance debate.

Farewell to Commissioner Hammond

As was announced several weeks ago, Robert Hammond is retiring from his post as Commissioner of Education at the end of June. CASB wishes to thank Commissioner Hammond, a caring and passionate leader, for all of his dedicated service to the state and to public education. We wish him the very best.

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