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Charting the Capitol Legislative Updates - April 14, 2015

Lots of Work to Do

While the past couple weeks saw positive movement on a couple League-backed legislative proposals, there was remarkably little in the way of forward progress on the two big education issues of the day - namely, testing and funding. With less than a month to go, legislators certainly have their work cut out for them if they hope to reach agreement on these key topics by their May 6th deadline.

Read on for further details, and feel free to reach out to Dan Schaller at dschaller@coloradoleague.org or Jessica Johnson at jmjohnson@coloradoleague.org should you have questions or concerns related to any of these topics.

Join Governor Hickenlooper at the Charter Schools Rally THIS THURSDAY

There's still time to RSVP for the Colorado Charter Schools Rally scheduled for this Thursday at noon on the West Steps of the State Capitol. Governor John Hickenlooper will be joining us for the first time ever, and we would love to have a large presence to show him just how strong and united Colorado's charter community is!

Join hundreds of students, parents, teachers, and principals in their support of charter schools. Hear from state legislators who support choice and innovation in education. See your fellow charter schools perform on stage, and cheer for the winners of the [Charter School Student Art Contest](#). You won't want to miss it.

[Click here](#) for more information and to RSVP. There's no cost to attend, but if you RSVP we can give your school a shout out from the stage. We look forward to seeing you there!

League Networks Bill Signed into Law

House Bill 15-1184, the League-supported measure that codifies the concept of charter school networks in statute, completed its journey through the legislature last week when Governor John Hickenlooper signed it into law.

See the links below for more complete details on what the bill accomplishes, but at its most basic, the new legislation does the following:

- Defines the concept of a charter school network in statute
 - Charter school networks - or the existence of multiple charter schools overseen by a

single charter operator - have existed in Colorado for a number of years. In fact, as of the 2014-15 school year, approximately 65 of the 214 charter schools that exist in Colorado operate under a network-type arrangement. Despite the prevalence of this type of structure, it has yet to be recognized in statute through simple codification of the concept itself. House Bill 15-1184 changes that.

- Brings policy in line with current practice by making explicit provision for the following in Colorado law:
 - A charter school network may oversee multiple schools under a single charter contract
 - A charter school network may be governed by one governing body
 - A charter school network may make expenditures from any lawful source for central office purposes

Click [here](#) for a more in-depth overview of what the bill does and [here](#) for a final version of the bill itself, and THANK YOU to everyone who worked hard over the past several months to help us map out the proposal and then usher it smoothly across the finish line.

League Authorizer Bill Clears Senate

[Senate Bill 15-216](#), League-backed legislation that seeks to inject more consistency and accountability into charter authorizing practices across the state, survived its first major test last week when it cleared the Senate with a 21-14 vote. It now heads to the Democratic-controlled House where stiffer headwinds are likely.

Thank you to **Keith King**, Administrator of Colorado Early Colleges, **David Singer**, Founder and Head of School at University Prep charter school, and **Liz Wolfson**, Co-Founder and Executive Director of GALS charter school, for contributing compelling testimony in support of this legislation before the Senate Education Committee. Thanks also to the many parents of **Crown Pointe Academy** and **Pueblo School for Arts and Sciences** who were able to come and speak to the benefits this proposal would provide to the children of their districts.

The two main provisions of the bill are as follows, although further details can be accessed by clicking [here](#) for a one-page overview, [here](#) for an FAQ document, and [here](#) for complete bill text:

- If a school district has been on the state's priority improvement or turnaround clock for three or more consecutive years, the Colorado Charter School Institute (CSI) would be allowed to come alongside that district in soliciting and approving proposals for new high-quality schools within that district (in other words, the district would lose its exclusive chartering authority)
- If a school district fails to adopt policies and practices that are favorable to the proliferation of high-quality charters, then that may also be grounds for CSI to gain authority to authorize charter schools there

Capital Construction Money Secured, Additional Dollars Unlikely

As you may recall, part of 2014's Student Success Act was the earmarking of an additional \$6.5 million for the Charter Capital Construction Fund to take effect during the 2015-16 school year. While it was great to get this commitment written into 2014 statute, nothing involving money for future budget years is finalized until the legislators actually deciding on that budget year make up their minds.

Thankfully - and with the help of regular encouragement from the League - 2015 legislators recently decided to honor the commitments made by their 2014 counterparts. Thus the Charter Capital Construction Fund will see another sizable increase next school year. In fact, with an additional \$2 million coming over from marijuana excise tax revenue on top of the \$6.5 million mentioned above, CDE's Capital Construction Assistance Office is now estimating approximately \$250 per eligible FTE (up from \$169/eligible FTE this year) for the 2015-16 school year. This represents another

important step forward in the critical debate over charter facilities funding.

Beyond this, however, additional dollars for specific charter needs are becoming increasingly hard to come by for next school year. There simply may not be enough money to do much more than satisfy the constitutional requirement for enrollment and inflation, currently estimated at an additional 2-2.8% for base per pupil next year. The Joint Budget Committee recently ran the numbers on the annual state budget and determined that only \$25 million would be available for K-12 funding above the \$191 million required to cover inflation and enrollment increases (read [here](#) for further background). If that is indeed the case, there likely won't be much appetite for the sorts of earmarks and carve-outs that could most effectively address specific charter priorities, but we'll be sure to keep you posted as the discussion continues to unfold, and please know that the League will be fighting hard to secure any possible additional funding for charter schools.

Testing Debate Trudges Along

Two more measures that seek to address the state's testing turbulence were introduced and brought before committee for hearing. Unlike many of the other bills on testing that have been introduced thus far, many suspect that certain aspects of these two proposals (House Bill 15-1323 and Senate Bill 15-257) could form the backbone of the ultimate assessment compromise that emerges. Click [here](#) for full text on 1323, [here](#) for full text on 257, and [here](#) for a *Chalkbeat Colorado* story that provides a concise overview of each. Additionally, click [here](#) and [here](#) for updates on how SB257 and HB1323 fared (and were amended) in their respective committee hearings. As the deliberations around these proposals continue, we'll be sure to update you on developments, but in the meantime, please don't hesitate to send feedback to dschaller@coloradoleague.org on any specific questions or concerns you might have.

Governmental Immunity Bill Has First Hearing

[Senate Bill 15-213](#), the bipartisan bill that would limit the governmental immunity afforded to school districts and charter schools for certain incidents of school violence, had its first hearing in the Senate Judiciary Committee yesterday. Several of you have communicated potential issues with the legislation as introduced related to its broad terminology, likely cost increases, and possible unintended consequences. As such, the League joined a number of other stakeholders to testify about our concerns. Coming out of the hearing, the bill was - among other things - amended to remove provisions related to a retroactive start date and the awarding of attorney fees and costs to the plaintiff. While still far from perfect, these amendments do represent an improvement, and we'll continue to engage in conversations moving forward aimed at further bettering the bill.

Bill concerning AEC Performance Measures Introduced

A handful of new legislative proposals continue to pop up, and last Friday one such proposal related to the way in which the performance of alternative education campuses (AECs) is assessed was introduced in the House. House Bill 15-1350 would direct CDE to convene a series of stakeholder meetings aimed at reviewing and revising the current indicators used to evaluate AEC performance in Colorado. Click [here](#) for full bill text. The proposal begins its legislative journey next Monday afternoon when it heads to the House Education Committee.

League Legislative Tracker

Finally, if you're looking for details on other education-related legislation not highlighted in this newsletter, be sure to check out our [Legislative Tracker](#) for information on all current education bills. And if you have questions or would like more background on any of this legislation, please don't hesitate to reach out. We'd be happy to provide further context, and invite you to send responses to dschaller@coloradoleague.org or call 303-989-5356, ext.105.

Sincerely,

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