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Charting the Capitol Legislative Updates - March 25, 2015

Charter Priorities Begin to Emerge

With less than 50 days remaining in the 2015 session, legislators are finally starting to get down to business on major education issues. The first draft of a 2015-16 school finance proposal - containing key charter priorities (see below) - began circulating last week. Additionally, a bill incorporating the recommendations of the Standards and Assessments Task Force was recently introduced, which many feel is the first real volley in the discussion over where testing is going to land coming out of this session. Finally, a League-backed measure aimed at enhancing authorizer standards and practices also surfaced, promising to contribute to the intensity of the debate down at the Capitol as the legislature looks to conclude its work by its May 6th deadline.

Read on for further details on these and other legislative items of interest, and as always, please don't hesitate 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.

First Draft of School Finance Surfaces, Key Charter Components Included

The League has been working hard over the past several months to ensure that, to the extent there is additional revenue to go around for the 2015-16 school year, some of it is earmarked for important charter needs.

We took an important step forward on this front last week when an early draft of school finance started circulating - and it contained some of the key provisions we've been pushing for.

Specifically, it included:

- 1. An annual escalator tied to the Charter Capital Construction Fund**
 - While the state's Charter Capital Construction Fund fulfills an invaluable function for charters across Colorado, one of its downsides has always been that it does nothing to account for the tremendous growth the charter sector continues to experience. As a result, the per-pupil amount it provides tends to go down as the number of children attending charter schools goes up. Under this proposal, that would all change as an escalator would be built in that would increase the fund annually by an amount equal to the percentage increase in statewide base per pupil funding year over year.
- 2. State mill levy equalization for students attending Charter School Institute (CSI) schools**
 - Of all the funding disparities Colorado charter schools face, the biggest is in the area of local tax revenue. Nowhere is this more acute than with schools authorized by CSI, which have no means of levying local tax dollars. Under this proposal, the state would

develop a fund to back fill this disparity, contributing money to CSI schools equal to the per-pupil amount received by schools in the geographic district in which the CSI school is located. In its first year, it is estimated that this proposal would generate approximately \$12 million.

It's important to note that the proposal that contained these priorities was just an early-stage draft and that they are anything but finalized. Indeed, no sooner had this draft started circulating, the Joint Budget Committee ran the numbers on the annual state budget and determined that only \$25 million would actually be available for K-12 funding above the \$191 million required to cover inflation and enrollment increases. This far from the \$75 million they had originally projected and off which this draft proposal was based.

So obviously, we've got our work cut out for us on accomplishing the above objectives if there truly is only \$25 million to go around, but the conversations are continuing, and to the extent there is an opportunity to carve out a charter priority moving forward, rest assured that we will be fighting hard to secure whatever additional funding we can.

In the meantime, follow [this link](#) to a story from *Chalkbeat Colorado* that outlines the key components of this initial school finance draft.

League-Sponsored Authorizer Bill Introduced

In addition to school finance and testing, one of the other main topics the League has sought to make progress on this session is that of authorizer quality. That's because currently there is a wide range of authorizing practices that exists across the state. We want to see more consistency and accountability attached to the process by which districts oversee their charters and retain their exclusive chartering authority (ECA).

Toward this end, the League has been working with Representative Rhonda Fields (D-Aurora) and Senator Owen Hill (R-Colorado Springs) on a bipartisan measure that would inject the following additional layers of accountability into the authorizing process:

- If a school district has been on the state's priority improvement or turnaround clock for three or more consecutive years, CSI would be allowed to come alongside that district in soliciting and approving proposals for new high-quality schools within that district
 - *Exception:* Districts that have already entered into a mutually agreed upon memorandum of understanding with CSI that grants CSI significant authorizing authority in partnership with the district could avoid relinquishing their ECA
- 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 there
 - Specifically, these factors would be added to the list considered by the State Board when assessing challenges to a district's ECA:
 - Whether or not the district issues and publicizes an annual charter application information packet or new school request for proposals (RFP)
 - Whether or not the district has adopted and utilizes differentiated and streamlined application, renewal, and replication processes for high-quality charter schools
 - Whether or not the district has a demonstrated track record of closing or otherwise meaningfully acting upon chronically underperforming schools

This proposal was introduced as [Senate Bill 15-216](#) a little over a week ago and is scheduled for its first committee hearing sometime this week. We anticipate it generating a lot of lively discussion down at the Capitol and will be sure to keep you updated on its progress via future editions of this newsletter.

Testing Conversation Finally Starts to Gain Steam

At long last, the testing conversation started to gain some legitimate momentum down at the Capitol with the introduction of [Senate Bill 15-215](#), the bill aimed at codifying the recommendations of the Colorado Standards and Assessments Task Force.

No sooner was the measure introduced, however, than one of its prime sponsors realized he didn't have the votes to get it out of committee and went back to the drawing board in search of further assessment adjustments that might help garner the necessary support.

At the same time - and while flanked by both the Republican Senate President and the Democratic Speaker of the House - Governor John Hickenlooper held a press conference at which he affirmed his support of the task force recommendations and strongly signaled that he would not sign off on any measure that drastically differed from them.

And so, while there may be some adjustments to Senate Bill 15-215 as introduced, with the legislature split the way it is, it is still anticipated that the final testing compromise that emerges out of the General Assembly this year will have much in common with the compromises reached by the testing task force. [Click here for the full text of Senate Bill 15-215 as introduced](#) and [here for a document that provides a brief overview of its main provisions](#).

League Networks Bill Advances, Nears Finish Line

House Bill 15-1184, the League-supported measure that would codify the concept of charter school networks in statute, notched yet another unanimous victory last week as it cleared the Senate Education Committee with a 9-0 vote.

It now heads to a full vote of the Senate, where smooth passage is expected, and from there to the Governor's desk, where his signature is also anticipated.

Thank you to **Dom DiFelice**, Superintendent of The New America School network, and **John Etzell**, Head of School at Colorado Early Colleges Douglas County, for taking time out of their schedules to join us at the Capitol last Wednesday and providing compelling testimony in support of this legislation.

Click [here for a one-page overview of what the bill does](#), and [here for the latest version of the bill itself](#).

Bipartisan Governmental Immunity Bill Introduced

Senate Bill 15-213 was introduced with bipartisan support, among its prime sponsors are Senate President Bill Cadman, R-Colorado Springs, and House Speaker Dickey Lee Hullinghorst, D-Boulder. The bill would limit the governmental immunity afforded to charter schools and school districts for cases involving school violence. The bill seeks to provide a way for victims of school violence to receive information and compensation from school officials and was prompted by the parents of Arapahoe High School shooting victim Claire Davis. The League is involved in the discussions regarding this bill and will continue to provide updates.

Join Us for the Charter Schools Rally on April 16

Join hundreds of charter school students, parents, teachers, principals and other supporters at the 2015 Colorado Charter Schools Rally on Thursday, April 16, at noon on the Capitol West Steps. Hear from state legislators who support choice and innovation in education as well as school leaders and students. Also, see your fellow charter schools perform on stage, and cheer for the winners of the Charter School Student Art Contest. [Click here](#) for more information, to RSVP today and to reserve your spot on one of a select number of Capitol tours. Let's come out in force so that legislators know how strong and united the charter community is!

Sign up for the Charter Advocacy Network TODAY

If you and your staff and families have yet to sign up for Colorado CAN (the Colorado Charter Advocacy Network), [please do so today by clicking here](#). Unless the charter community comes out in force on many of the issues outlined above, we have little chance of getting them across the finish line, and Colorado CAN is one of the best ways we can quickly engage you if and when the time comes for immediate and forceful action.

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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