CASE’s advocacy efforts continue to intensify as we work on and track more than 70 pieces of education-related legislation. We knew prior to the start of this session that a particularly large number of high stakes bills would be introduced and that has certainly born out over the last several weeks in particular. We also are still waiting on the introduction of a number of bills that will be very important to CASE, including full-day kindergarten, a “debrucing” measure that would lift TABOR spending restrictions, educator evaluation, and of course, the state budget and School Finance Act. We anticipate that the full-day kindergarten bill and the debrucing legislation will be introduced at some point this week.

As always, I strongly encourage you to be engaged in our advocacy efforts and share your thoughts about legislation. A great way to do this is by attending our CASE Legislative Committee meetings; the next meeting is this Friday, March 22 at the CASE office at 1:30pm. All members are welcome and we would love to see you there.

Thank you for your involvement in our association.

- Lisa Escárcega, CASE Executive Director

Revenue forecast points to slowing economy

Last Friday, March 15, the Joint Budget Committee was presented with the quarterly revenue forecast, which is mostly positive but also indicates some degree of economic slowing. The March revenue forecast is typically the most significant of the year because it’s what the Legislature uses to develop the state budget for the following fiscal year.

Both the non-partisan Legislative Council and Governor’s Office of State Planning and Budgeting (OSPB) each present their analysis of revenue and economic trends at these quarterly forecasts. Last week, Legislative Council’s report was notably less optimistic than OSPB’s; it predicts decreased revenues in future years and $249.4 million less in money to spend next year as compared to December’s forecast.

In contrast, OSPB’s presentation indicates that Colorado’s economic growth will remain strong and future funding cuts will not be necessary. They expect that the general fund dollars available in 2020-21 will be around $13.43 billion, whereas the Legislative Council estimates $12.75 billion ($672 million less than OSPB).

At the forefront of budget conversations for lawmakers is the sustainability of funding for a statewide full-day kindergarten initiative, which is among Governor Polis’ top priorities for this session. His budget proposal requests $227 million annually, and OSPB has indicated that they believe these funds will be available in future years. Republicans and a handful of Democrats have expressed concern about the long-term sustainability of money for full-day kindergarten, particularly given nearly the $10 million associated with deferred transportation projects.

We expect that the Long Bill (state budget) will be introduced next week starting in the Senate, with the School Finance Act to follow sometime in the weeks after that. CASE is continuing to be actively involved in budget and school funding conversations, working closely with both legislative leadership and the Governor’s office, especially related to the full-day kindergarten proposal. We are very supportive of a full-day kindergarten bill with full implementation (1.0) in Year One.
Amendments to family leave bill help address school district concerns

As CASE has shared with you in previous communications, we’ve been waiting to see legislation introduced that would create a new Family and Medical Leave Insurance Program in Colorado to provide income replacement for employees on leave from work under certain circumstances. The bill, Senate Bill 188—known as the FAMLI legislation—proposes that eligible individuals could use the program to take leave from work:

- To care for a new child or family member with a serious health condition
- Because the individual is unable to work due to their own serious health condition
- Because the individual or family member is the victim of abusive behavior, or
- Due to certain needs arising from a family member’s active duty service.

As it was introduced, SB 188 called for the employee and employer to pay one-half each the cost of a premium, which is based on a percentage of the employee’s yearly wage. Premiums would be deposited in the insurance fund and benefits are paid to individuals from the fund.

CASE sought feedback on the legislation from CASPA, our human resources administrator’s department, who flagged a number of concerns and issues with the legislation. These included:

- A potentially cost-prohibitive increase for both employees and employers to fund the medical leave program, at a time when districts are already seriously underfunded to begin with.
- Paid leave already exists in school districts and is covered by the federal Family and Medical Leave Act (FMLA). Some provisions of this draft legislation appear to be incompatible with FMLA.
- The definition of “family member” is broadened quite significantly as compared to in the FMLA. In this draft legislation, a “family member” would be an immediate family member, domestic partner, and most notably, any person with whom an individual has a personal bond that is like a family relationship.
- Unclear language throughout the bill pertaining to such areas as to whom an individual must submit their claim (a state representative versus district administrator), whether an individual must first use sick leave prior to taking family leave, and the parameters around intermittent leave.

Last week, SB 188 was considered in committee and a number of amendments were approved that help allay some of CASE’s concerns. Chief among them are lowering the required amount that employees and employers pay into the fund down to 1/8 to ¼ of the total premium amount, depending on the size of the organization. In addition, the Senate committee passed an amendment specifying that the premium cannot be raised more than 0.99% of an employee’s wages.

Some version of this legislation has been unsuccessfully introduced four previous times in recent years, and with Democrats now in control of the House, Senate and Governor’s office, CASE anticipates strong support for at least some key components of the bill. The CASE Legislative Committee will be discussing SB 188 and taking a formal position at our meeting on Friday, March 22.
New legislation aims to improve teacher preparation and turnover

Senate Bill 190 is the latest in a series of bills we've seen in recent years that seeks to help resolve challenges related to teacher preparation and turnover in school districts. The legislation is based on the premise that high-quality and rigorous preparation and training is essential to not only ensuring excellent educators, but also in reducing the rate of teacher turnover. Research shows that new teachers who are unprepared leave the profession at more than twice the rate of those individuals who participated in a comprehensive preparation program that included clinical practice in the classroom under an experienced mentor teacher.

At the core of SB 190 are guidelines related to clinical practice and classroom residency. These provisions include:

• Allowing an institution of higher education to enter into a contract with the Department of Higher Education to provide a teacher preparation program, provided that certain criteria are met. These criteria include:
  o Strong partnerships with school districts and BOCES
  o The program having a full year of classroom residency with co-teaching in collaboration with a mentor teacher
  o Financial support offered to teacher candidates during their year of classroom residency.
• Eligibility requirements for mentor teacher and a stipend of at least $2,000 for every qualifying individual.
• Requirement that teacher candidates receive at least $15,000 during their year of classroom residency.

Like the FAMLI bill, the CASE Legislative Committee will discuss and take a position on SB 190 at our meeting this Friday.

READ Act legislation triggers initial concerns from CASE

New legislation that would make changes to the READ Act, Senate Bill 199, has caused some early concern among school districts and CASE. The bill places new requirements on school districts related to specific components of READ Plans, minimum time requirements for intervention reading services, a limited list of approved core and intervention programs, and a lack of clarity related to how the legislation would impact ELA students. Additionally, the implementation funding received by school districts would be decreased under the provisions of the bill.

CASE shares the belief of the bill sponsors that evidence-based reading instruction is a critical component of a student’s education and that districts have comprehensive intervention systems in place to identify and support any student reading below grade level. However, the concerns outlined above have significant negative implications for school districts and the bill would prove very problematic for the field were these to not be resolved. We’re hopeful that we can continue to work with sponsors of SB 199 to address some of these initial concerns and will discuss the status of this legislation on Friday.

De-brucing bill inches closer to introduction
Legislation that would lift the state spending restrictions spelled out under TABOR is on track to be introduced this week. CASE is very supportive of the concept of this bill, which would refer a measure to voters this year; if approved, the measure would allow the state to keep and spend all revenue collected after June 30, 2018. The measure would not raise taxes and a companion bill would clearly spell out how any “debrucing money” collected by state would be spent (priority areas would include public education, transportation and higher education).

Watch for updates in the coming week on this bill and the campaign to get a measure on the 2019 ballot.