2017 Legislative Review
&
A Look Ahead
CO Legislature

- Senate Republican control 18-17
  - President Grantham and Majority Leader Holbert

- House Democratic controlled at 37-28
  - Speaker Duran and Majority Leader K Becker

- Joint Budget Committee (JBC) remains split 3-3, but new members
  - Rs - Sen Lambert, Sen Lundberg, Rep Rankin
  - Ds - Rep Hamner, Rep Young, Sen Moreno

- State Board of Education now Democratic Majority (first time in 50 yrs)
  - Dr Schroeder (D), chair, Joyce Rankin (R) vice chair

- Members Running for other offices creates interesting dynamics in 2018
For education, the 2017 legislative session was mostly about three things – money, charter school funding and – briefly – testing.

We managed to increase K-12 funding and hold the line on the negative factor, reached a hard-fought compromise on district sharing of override revenues with charters and stripped the last PARCC tests from high school.
Governor’s November Proposed Budget - NF increase by about $48 million.

Gallagher concerns raised that proposed amount between $75M and $150M NF increase. But the State Board of Equalization made a technical adjustment to its formula that values commercial property tax. That, along with the HPF change in SB267, gave lawmakers extra revenue to send to schools and the SEF.

The total negative factor remains at $828 million.

Average per-pupil funding, including adjustments for cost of living, district size and other factors, will be $7,662. That’s up from $7,420 this year - on average an additional $242 per student next year.
BS

- Republicans argued term ‘negative factor’ was pejorative and demeaning.

- The Senate proposed ‘budget adjustment factor’

- It’s been replaced with “budget stabilization factor,” the original term that was used before it was later changed to negative factor.
SB267 - Rural Sustainability

• SB267 deals with issues as disparate as the Hospital Provider fee, Medicaid copays, transportation bonds and the business personal property tax.

• One provision of that bill increases state taxes on marijuana, with the additional revenue split between education funding and the state general fund. Next year a total of $30 million will be allocated to rural districts on per-student basis.

• Prompted by JBC cuts to Rural Hospitals
Charter Mill Levy Sharing

- SB 17-061, proposed a flat per-student sharing of override revenues.

- SB61 passed the Senate with bipartisan support but was bottled up by House Democratic leadership. The more nuanced compromise proposed in HB17-1375 surfaced.
• If they choose, districts could develop “equitable” plans for using override revenues for traditional, charter and innovation schools by July 1, 2018. Those plans would have to be fully implemented by 2019-20 school year.

• If a district chooses not to create a plan, 95 percent of override revenues would be shared per-pupil with charters and innovation schools.

• Beginning July 1, charters will have to post on their websites lists of and information about the waivers they have received from various state education laws. Charters also will have to post more information about their finances.
Assessments

• HB17-1181 replaces ninth grade language arts and math tests with a version of the PSAT

• HB17-1160. This measure generally will allow districts the choice of giving early literacy assessments to ELL students in English or Spanish. In some cases students will have to take both English and Spanish tests.
Buildings -
  - Lawmakers approved a state grant program to help districts test water systems for lead (HB17-1306) and changed the Building Excellent Schools Today program to give a somewhat higher priority to grants for technology needs (HB17-1082). Both of these bills are complicated so should be reviewed carefully.

Counseling -
  - Grants from the Colorado Counselor Program now can be used for elementary school counselors (SB17-068), and counselors are supposed to include military opportunities when discussing individual career and academic plans with students (HB17-1041).
• High school students -
  • Two diploma endorsements, one for STEM competency (HB17-1201) and one for bi-literacy (SB 17-123). Both of these are optional, but read the requirements before you go ahead.
  • HB17-1301 bans districts from withholding transcripts from students who haven’t paid fines or fees or returned school property. The bill says districts still can try to collect what’s owed to them.

• Paperwork -
  • Updates to the Colorado Open Records Act to require all government agencies provide some records in digital formats where possible (SB17-040). There’s a long list of definitions and exceptions.
  • The school finance act contained a provision allowing teachers to sign the written oath to uphold the constitution. Oaths currently have to sworn in person.
The Department of Higher Education was directed to work with CDE to study teacher recruitment, preparation and retention and come up with a strategic plan to address teacher shortages. The agencies have until Dec. 1 to develop that plan and weren’t given extra funding to do the study. (HB17-1003)

- HB1176 - Lawmakers eased the current restrictions on use of PERA retirees and gave rural districts the ability to hire retirees as teachers, bus drivers and food service workers for longer periods of time without endangering the retirees’ benefits.
Discipline

- Reforms in school discipline practices were a priority for some advocacy groups this session.

- The key measure in the effort was a bill that would have significantly limited the use of expulsions and out-of-school suspensions for students in preschool through second grade (HB17-1210). It passed the House but died in a Senate committee.

- A companion measure intended to provide professional development for educators in appropriate discipline techniques (HB17-1211) did pass. It creates a state grant program for districts that are interested in doing such training - but it will have to be funded by gifts, grants and donations.

- Lawmakers passed a bill to ban use of chemical, mechanical and prone restraints on students (HB17-1276), but the Senate killed a measure that would have banned paddling (HB17-1038).
School Finance Interim Committee

- RFP Selection
- Rep Garnett (D), Chair
  - Rep Buckner (D), Rep Hamner (D), Rep Leonard (R),
    Rep Lundeen (R)
- Sen Hill (R), Vice Chair
  - Sen Sonnenberg (R), Sen Gardner (R), Sen Zenzinger (D),
    Sen Merrifield (D)
Education Leadership Council

• The ELC will develop a vision, strategic plan and recommendations for consideration by the Governor and General Assembly. It will utilize existing work from the Colorado Department of Education and Colorado Department of Higher Education; will benchmark Colorado’s performance against other states and countries; will create a structure to gather feedback from a broad array of stakeholders, including parents, teachers, students, special needs populations, community leaders and education interest groups; and develop potential legislative and budgetary recommendations for consideration by the Governor and General Assembly.

• The ELC will be housed under the Office of the Lieutenant Governor.
PERA

• Recent changes to the assumptions that are used in calculating how long it will take for PERA to reach the 100% funded goal.

• PERA Board of Trustees lowered the expected rate of return to 7.25%, down from the 8.0% that was in the 2010 SB 1 assumptions.

• PERA adopted new mortality tables showing people are living longer. These factors plus other demographic changes in our state have resulted in the timeline for the school division to be 100% funded to be extended to 75 years. Additional actions should be explored that could reduce the number of years it will take PERA to be 100% funded.

• Like in 2010, PERA will initiate a large scale listening tour prior to deliberations by the PERA Board. The tour is expected to start in the next 30 days and we will have information out to CASE members prior to the beginning of the tour.
Looking Ahead to 2018

- School Discipline
- Teacher Shortages
- Threat Assessments
- Education Savings Accounts (vouchers)
- PERA
- Guns in School and Training
- Accountability, low performing districts
- Concurrent Enrollment
2018 Election Year

Governor’s Race -

- Republicans - George Bracuchler, Steve Barlock, Lew Gaiter, Greg Lopez, Victor Mitchell, Doug Robinson
  - Potentially Cynthia Coffman and Walker Stapleton
- Democrats - US Rep Jared Polis, Cary Kennedy, Mike Johnston, Noel Ginsburg
  - Potentially Lt Gov Donna Lynne
- 13 other candidates have registered
CASE Legislative Committee Process

- Legislative Committee (representatives from each CASE department) engages in meetings on introduced bills, amendments being worked on, etc. The CASE website also provides timely updates on bill tracking.

- Legislative Committee ‘official members’ are nominated from each CASE Department.

- Attendance at meetings is open to ALL members.

- Guiding Documents for Key Items (Assessments, Data Privacy)
Thank You!