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Legislative Update: Jan. 20, 2011



Week One: Few Surprises, Lots of Work Ahead

Both the governor and the legislature hit the ground running in the past week. In fact, shortly after being sworn into office, **Gov. Hickenlooper** released four executive orders, one, [Executive Order B 2010-010](#) is of particular interest to boards of education and school districts. This executive order creates the Governor's Education Leadership Council, modeled after Gov. Ritter's P-20 Council. According to the executive order, the purpose of the Council is to "provide a meaningful forum through which the state's leadership can examine the current status of education policies, analyze the systems' near-term opportunities and challenges, and make recommendations to the governor, General Assembly, and governing boards regarding potential long-term improvements to the state's education systems that facilitate the goals of closing achievement gaps in schools, reducing the high school dropout rate, and dramatically increasing the number of postsecondary degrees and certificates earned by the state's citizens."

The creation of the Council should not come as a huge surprise given that **Lt. Gov. Joe Garcia** was the co-chair of the former P-20 Council, and in fact, Garcia will serve as the chair of Hickenlooper's new Council. The Council will have at least 18 members, including at least one member who is a member of a local board of education. If you are interested in serving on the Council, let us know. You can also go directly to the [Governor's Office of Boards and Commissions](#) and fill out an application.

And speaking of Lt. Gov. Garcia, in a somewhat unusual move, Gov. Hickenlooper named Garcia as the executive director of the Colorado Department of Higher Education. Garcia is superbly suited for this position as he has a deep background in higher education in Colorado, including most recently serving as president of Colorado State University – Pueblo. Garcia held this position for four years and was well respected for the work he did during that time.

Bills, bills and more bills

No, I'm not talking about the bills we all seemingly get daily in the mail, but legislative bills and yes, we are getting a daily barrage. Read below for highlights of some of the more interesting legislative ideas we're lobbying and visit [Colorado Capitol Watch](#) for a complete list of the bills CASB is tracking.

School Finance and Budget – As mentioned in last week's BillBoard, the Joint Budget Committee (JBC) is meeting daily to shore up the state's 2010-11 budget. Specifically for school finance, the JBC is trying to determine how to deal with the \$23 million shortfall resulting from lower than anticipated local property tax collections. On Tuesday, the JBC met and discussed the issue, trying to determine whether to fund the \$23 million from the State Public School Fund or to impose a mid-year rescission on school districts. The committee did not make a decision but will do so Friday or Monday. We'll keep you posted.

School Discipline – School discipline seems to be a hot topic this year and CASB has been involved in conversations regarding legislation on the use of restorative justice techniques, truancy and bullying. To date, [House Bill 1032](#), Concerning Restorative Justice, sponsored by **Rep. Pete Lee**, D-Colorado Springs, and [House Bill 1053](#), Concerning Court Proceedings Initiated to Compel a Minor to Attend School, **Rep. Judy Solano**, D-Brighton, are the two pieces of legislation on these topics officially introduced.

Lee's bill, HB 1032, is mostly centered on the court system but does have a provision that encourages school districts to implement restorative justice practices as part of the district's disciplinary program. We will stay involved in this legislation to ensure that the bill is not amended to mandate the use of restorative justice practices.

Solano's bill, HB 1053 changes the compulsory attendance law by making it discretionary on whether a school district uses the court system to compel a truant student to attend school. Current law, Section 22-33-108 (5), C.R.S., states that a school district "shall" initiate court proceedings to compel a student to attend school. Solano's bill changes the "shall" to "may," leaving the decision to go to court up to the school district. The bill would also eliminate the language in law that allows a court to hold a parent of a truant child in contempt of court.

Similar to our approach on Rep. Lee's bill, as other pieces of legislation are introduced this session, we will fight, fight, fight to keep mandates out. Given delicate budgets and all the moving pieces surrounding the reforms of the past three legislative sessions, districts large and small; rural, suburban and urban simply cannot take on more unfunded and unnecessary mandates.

We want to hear from you!

As you read BillBoard and legislative updates this session and have conversations within your board, we want to know what you are thinking or if you have questions regarding legislation. The more we hear from local boards regarding the impact of legislation on school districts, the better we can represent you at the Capitol. So don't be shy, call (303-832-1000) or e-mail [Julie](#) or [Jane](#). You can also join us any Thursday at noon for a brown bag legislative discussion at the CASB office, 1200 Grant St. After lunch, walk with us to the Capitol, we'll show you the ropes and you can watch the Senate Education Committee in action. It's always good for school board members to have a presence at the Capitol. It reminds our legislators that school board members are paying attention to life under the golden dome.

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