

Thank you, ~~Senator~~ Madam Chair, members of the ~~Education~~ Committee, for allowing me this opportunity to share my thoughts on the School District Exclusive Chartering Authority bill.

My name is Larry Quintana, I serve as a Director on the Adams 14 Board of Education.

I come before you as a citizen who has deep roots in Commerce City

I have worked most of my adult life to ensure our community, specifically our children, have access to the same high-quality opportunities as their more affluent peers across the state.

To some outsiders, our students' are often viewed as a burden on the educational community.

- More than 80 percent of our students qualify for free and reduced lunch.
- More than 50 percent of our students are English Language Learners.
- Nearly 90 percent of our students are children of color.

However within Adams 14, we do not use this data about our student as an excuse for our student, or our community, nor view our students through a deficit model of thinking.

Our children and families are bilingual and bicultural which are sought-after skills in today's global job market, so I take very seriously those matters that affect the education of ALL our children, those being educated by Adams 14 and the Charter School(s) within our district boundaries.

I am not now or have I ever been opposed to Charter Schools. If the truth be known prior to being elected the Board of Education I served as a co-chair on one of the committees trying to pass a bond to build the charter school in our district.

I am committed to the concept of choice in our educational system.

However with choice there also comes responsibility.

There is a need to level the playing field when it comes to the education of our children.

I am addressing the practice that we have experienced in Adams 14, and I have heard in other districts that deal with is elimination of students in the charter school following October count. Children that we must continue to educate without the financial resources to educate those children. This is unfair to our district and very unfair to the students effected by this practice.

This bill if it is to go forward should include the stipulation that the fund follow the student. I believe in our district this could be 20 to 25 percent of the student population of the charter.

Another practice that we are beginning to encounter is the elimination of students with special need and/or those who are lagging behind as the time for testing approaches. I would suggest that if this is the case and if this can be documented that the receiving district should not have to include those test scores or that the scores be reflected to the charter school the student attended before ending up in the public school system.

Please do not let this bill pass and allow the CSI to trump local control without absolute parallel accountability by:

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Keeping those students for the duration of the school year or returning any funding to the district perhaps even prorated to the time the student leaves the CSI school.

As Dr. Jeff Duncan-Andrade so perfectly stated:

- **“The purpose of public education is not to escape poverty; the purpose of public education is to end poverty.”**

Thank you.

Position on Removal of Exclusive Chartering Authority

My name is Pat Sánchez and I am proud to represent the 7,500 students and 13 schools that make up Adams 14 school district in the historic Commerce City Community.

In the past 2.5 years, we have moved all of our schools out of the turnaround (RED) category, we have moved many schools to the upper end of priority improvement (ORANGE), we have four schools that are now in improvement (YELLOW), two of which are in the upper band close to turning green, and one school that is at the performance level (GREEN). And now, our metrics change from TCAP to PAARC assessments, and we welcome our new growth data.

Here is a great idea – let's make sure that each of the districts and local school boards that are entering the end of the clock lose their authority to charter within their own boundaries, and give this local control to CSI and the League of Charter Schools.

This way, we can control what and how they can do business, because really, we know what's best for them, especially the districts that are high poverty and high minority.

We can also give them the illusion of some authority by using an MOU, but really, we are still in control and can end the MOU at will if they don't do what we want, but at least this may get them to be neutral on opposing us, because we really do know what's best for local districts.

1. *The exemption for districts that enter into an MOU does not apply to Adams 14 because the provision requires that the MOU begin prior to the 3rd year on the clock (see p6, lines 5-8). Your MOU went into effect half-way through your 5th year. So despite proponents claiming they have no intention of having this bill apply to Adams 14, the bill as introduced would in fact result in you losing your exclusive chartering authority.*

Why suddenly is CSI positioned to hold districts accountable via the use of an MOU, and contingent upon an MOU as the strings attached with all authority flowing to CSI and away from local board control?

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- a. *When I pointed this out to Kayla, she admitted that was an oversight, and promised to draft an amendment that essentially grandfathers-in Adams 14, allowing your current MOU with CSI to stand, and allowing you to keep your exclusive chartering authority as long as the MOU remains in place. I've requested a copy of that amendment, and she agreed to send it to me as soon as it's done. I'll forward to you immediately upon receipt.*

CSI has identified 6 persons to serve on the State Review panel. They also get to decide who is allowed to charter and who is not, which seems like an alarming conflict of interest, and erosion of local control.

CSI and League of Charter Schools trumping CDE in turnaround chartering?

What happens when a CSI school is deemed ineffective – how do the same rules apply to CSI? Will they lose exclusive chartering authority within the affected districts?

Literally, what does the data say regarding how charters are held to ALL of the same accountability measures, just like districts are? And who holds CSI accountable for failing schools in state law? Three years is their standard...but this is not in law.

Why is it that the framers of this proposal have carved their own districts out of this, since it is so outstanding – specifically Aurora Public Schools? Again, seems like a double-standard, providing equity for only some.

If chartering is one of suggested levers a local board can consider to help with impacting the clock and as a turnaround measure, this proposal would eliminate the choice and control that the local board has, unless they play ball with CSI in the form of an MOU, leaving a forced choice option for school boards to be limited to; closure, re-organization or innovation.

All of the choice is left to CSI, and isn't it ironic that the majority of the impacted districts are of poverty and of color??

What is the accountability that follows the authority if this passes, and how does it flow to CSI? It seems like a teenage proposal to have all of the authority of an adult, with the accountability of a child.

Local school districts would enjoy this also, but we are responsible for providing inclusive support and services for all students and schools, and it seems that accountability for districts of poverty and color get less choices and less authentic support every day, every year...with no relief in sight.

2. In that same sub-section (p6, lines 16-21), it states that districts lose their exclusive chartering authority if an MOU "ceases to be effective." In speaking with the drafter, she agreed that this language suggests that either party could default on the agreement and nullify the MOU, causing the district to lose exclusive authority. If CSI is one of the 2 parties to the MOU (and therefore able to single-handedly nullify it by bailing), and if CSI's ultimate goal is to see exclusive chartering authority revoked in as many districts as possible, what incentive do they have to uphold these agreements? What assurance do we have that, the minute this bill passes, CSI won't stop honoring your MOU and cause you to *automatically* lose your exclusive chartering authority?
 - a. *I think this is a BIG problem with this bill, and one they don't know how to fix. I've mentioned it to all of the folks I listed above. Johnston has acknowledged that this needs to be changed, but he doesn't know what to change it to.*
3. The following sub-section (p6, lines 22-26) is a carve-out specifically for Aurora Public Schools. The House sponsor represents Aurora and received a lot of pushback from APS when she sent them a draft. Rather than tanking the bill or taking her name off of it, she created an exemption specifically for them, which got them to go neutral. I find it ironic when legislators want to run bills forcing action on other districts, but not theirs. If this bill is intended to help kids receive better educational options, she apparently doesn't want to give her own constituents' children that benefit.
4. The introduced bill makes it virtually impossible to regain exclusive chartering authority, once you've lost it. On p8, line 5 it changes "any combination of" to "compliance with." This has the effect of requiring compliance with every one of the NINE following sub-points, rather than "any combination" of the six that are in current law.
 - a. *This is the second of the two amendments I know Kayla is getting drafted. Their intent is apparently to keep the "any combination" language and allow for a choice (while still adding 3 new subsections). I believe she'll send me a copy of this amendment also. I'll forward it to you as well.*

5. The final subsection under the requirements for regaining exclusive chartering authority seems out-of-place and disconnected from the others. Lines 21-26 on p9 require "closing or taking other meaningful action" on schools that are on PI or turnaround. What does this requirement have to do with being a good charter authorizer? I believe there is already a provision similar to this in the Accountability Act, so I'm not sure how much effect it really has, but it just seems like an odd provision to include when considering whether or not a district should be granted exclusive chartering authority.

In addition to these points, I also heard your concerns/suggestions relating to the following:

1. *If a CSI school enrolls students and receives funding for those students, they must be required to either:*

How about \$ follows the kids? This aligns with the increased budget dip-sticking that recently passed in funding districts.

How will CSI lose its chartering authority under same rules if they are not successful?

Please don't let this pass and allow CSI to trump local control without absolute parallel accountability. I was a high school principal for years and this reminds me of teenagers who want all of the freedom of being an adult, with the responsibility of a child.

- a. *Keep those students for the duration of the school year (I'm not sure how to state this in law without infringing on a student's right to transfer to another school by choice); or*
 - b. *Return any funding to the district (prorated to the time the student leaves the CSI school) if the students leaves the CSI school after Oct 1 and enrolls in a district school.*
2. *CSI schools that open in a low-performing district should be held to the same (or greater) accountability standards as district schools. They should be required to be rated with "improvement" or higher, and if they drop to PI or turnaround, should be closed (within...3 yrs?).*

I'd also like to see some provision for an automatic re-instatement of exclusive chartering authority once a certain performance level has been reached. I'm not sure how this would look—CSI schools in existence at that time would remain, but no others could open? I'm debating whether it's better to keep the bill in it's current form (as bad as possible) and just focus on killing it in the House, or trying to really slice and dice it

into something that might be reasonable policy. What do you think? Is there any way to salvage this bill?

Politics, as far as I know at the moment:

Senator Hill is not the most popular among his caucus. At least two of the other Republicans on Senate Ed have expressed a willingness to oppose him (Holbert and Marble). Elisabeth spoke to Holbert, so I can't speak directly to his views, but when I talked to Marble this morning, she seemed concerned about the affront to local control and lack of parent involvement allowed in this bill. She stated that she has been willing to vote against Hill's bills in other instances. She did not commit to opposing this one, but also did not ardently defend it.

Among the Senate Democrats, only Sen. Johnston seems inclined to support this, though he recognizes the many problems with the bill as introduced. He specifically asked me to reach out to you and solicit feedback on how he might "fix" it. I told him that I wasn't sure it was possible to fix this bill, but I promised to ask & get back to him. Kerr, Todd, and Merrifield all oppose. If it does pass Sen. Ed (which seems highly likely), it will almost certainly pass the full Senate. Our best shot at actually killing it will be in the House. That said, it needs to go to a committee where Rhonda Fields (a member of the majority, and the House sponsor) does not have a vote. I've discussed this with the Speaker's Chief of Staff and he is willing to be helpful in the committee assignment. There are a LOT of big things moving right now, so a bill that has not even been through the first committee in the other chamber is not at the top of his priority list. We agreed to keep in touch and I promised to let him know how we feel when it's closer to introduction in the House. He said he has heard from several other stakeholders who share our concerns.

Sorry this is so long. I'm happy to talk further by phone if you have time & want to discuss. If we don't talk before, I'll see you at my office (1120 Lincoln, Ste. 804) at noon on Thursday.

Thanks again for your guidance. I'll keep you posted as I learn more.