

To: Honorable Members of the Committee on Legal Services
Office of Legislative Legal Services
Colorado General Assembly

From: State Board of Education
Colorado Department of Education

Date: November 18, 2013

Re: Rule Review Hearing before the Legal Committee on November 25 at 10:00 a.m. in SCR 354.

Position Statement Regarding 1 CCR 301-1, LLS #130101/SOS #2012-01001 – Rules of the State Board of Education concerning educational accountability

The Colorado Department of Education (“the Department”), on behalf of the Colorado State Board of Education (“the State Board”), wishes to express its thanks to the Office of Legislative Legal Services for highlighting its concerns about the State Board’s rules and to the members of the Committee on Legal Services for providing an opportunity to address these concerns.

Position of Office of Legislative Legal Services:

The Office of Legislative Legal Services has pointed out that statute permits the State Board to automatically renew the Charter School Institute’s or a school district’s accreditation contract only if the Institute or district is “Accredited” or “Accredited with Distinction.” This conflicts with section 3.02 of 1 CCR 301-1, which also permits the State Board to automatically renew the Charter School Institute’s or a school district’s accreditation contract if the Institute or district is “Accredited with Improvement Plan.”

Position of the Department:

The Department agrees with the analysis of section 3.02 of 1 CCR 301-1. The Department is currently seeking a change to legislation to allow the State Board to automatically renew the Charter School Institute’s or a school district’s accreditation contract if the Institute or district is “Accredited with Improvement Plan.” In the event this legislative change cannot be made, the Department will work with the State Board to amend section 3.02 of the rules and to update current practices accordingly.

The State Board and Department extend their thanks to the Legal Services Committee for the opportunity to provide this Memorandum.
