

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON EDUCATION & CULTURAL RESOURCES

Call to Order: By CHAIRMAN ALVIN ELLIS, JR., on March 20, 1995,
at 3:45 p.m.

ROLL CALL

Members Present:

Rep. Alvin A. Ellis, Jr., Chairman (R)
Rep. Peggy Arnott, Vice Chairman (Majority) (R)
Rep. Vicki Cocchiarella, Vice Chairman (Minority) (D)
Rep. Matt Denny (R)
Rep. H.S. "Sonny" Hanson (R)
Rep. Dan W. Harrington (D)
Rep. Jack R. Herron (R)
Rep. Joan Hurdle (D)
Rep. Bob Keenan (R)
Rep. Sam Kitzenberg (R)
Rep. Gay Ann Masolo (R)
Rep. Norm Mills (R)
Rep. William Rehbein, Jr. (R)
Rep. John "Sam" Rose (R)
Rep. George Heavy Runner (D)
Rep. Debbie Shea (D)
Rep. Richard D. Simpkins (R)
Rep. Diana E. Wyatt (D)

Members Excused: None

Members Absent: None

Staff Present: Andrea Merrill, Legislative Council
Renae Decrevel, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 370
Executive Action: None

{Tape: 1; Side: A; Approx. Counter: 000; Comments: n/a.}

HEARING ON SB 370Opening Statement by Sponsor:

SEN. DARYL TOEWS, SD 48, Lustre, stated that the charter school bill originated with the Montana School Board Association (MSBA) and the educational community. It is the concept of taking one part of the school system and setting it apart to do special things. It sets aside some of the requirements that would normally be found in an educational settings. He walked the committee through the components of the bill. There will be no more than 10 charter schools and they are only valid for three fiscal years. He handed out and explained two sets of amendments to the committee. **EXHIBITS 1 and 2**

Proponents' Testimony:

Debra Fulton, president of MSBA, submitted written testimony. **EXHIBIT 3**

{Tape: 1; Side: A; Approx. Counter: 500; Comments: NA.}

Wayne Buchanan, Board of Public Education (BPE), discussed the process the bill went through and supported the bill and the amendments.

Joan Schmidt, MSBA, offered testimony from Dr. Claudette Morton, Dillon. **EXHIBIT 4** She personally commented that this proposal addresses the concern about responsible safeguards for the education of children and allow the local districts the flexibility they need to design innovative programs that will meet the unique needs of the students.

Janice Doggett, attorney for MSBA, handed out and explained a diagram of the creation of a charter school. **EXHIBIT 5**

Roger Johnson, MSBA, submitted a letter on behalf of Karen Richardson, MSBA. **EXHIBIT 6** He then testified that he felt there were too many restrictions for teachers.

{Tape: 1; Side: B; Approx. Counter: 00; Comments: NA.}

This would give teachers the chance to try something new for the future of the students.

Chere Jiusto, parent, stated that she is a co-founder of the Helena Community School. She reiterated previous testimony and said that this bill allows schools to pursue excellent models for education and retains local control. She opposed the second amendment.

Eric Feaver, Montana Education Association (MEA) and Montana Federation of Teachers (MFT), supported SB 370 and opposed the second amendment. He felt the schools could be innovative and

provide alternative education without the passing of SB 370. He stated that if the committee passed SB 232 then SB 370 will not be needed. The bargaining unit must make a decision early on if they will be involved with the charter schools.

Opponents' Testimony:

Ford Johnson, past teacher, strongly supported the general idea of the bill but felt SB 370 needs to be reviewed and revised. He handed out and discussed "A Tale of Two Charter Schools."

EXHIBIT 7

{Tape: 1; Side: B; Approx. Counter: 640; Comments: NA.}

Informational Testimony: None

Questions From Committee Members and Responses:

REP. DEBBIE SHEA stated that she felt she taught in an innovative school and asked what the difference was between that and a charter school. **Mr. Feaver** answered that there is a large amount of innovation that occurs in the public schools that goes unrecognized and unappreciated.

REP. SHEA inquired if students would be able to be bused to this school and would they lose class size. **Mr. Feaver** said that it would depend on the charter school and how it was set up.

REP. SHEA asked if charter schools were on the order of magnet schools and was he familiar with the magnet schools in Kansas City, Missouri, that were established because of the segregation problems. **Mr. Feaver** stated that it could be in the context of the petition that the board of trustees brings to the Board of Public Education (BPE). He felt there is no parameter to what school districts might want to do and was not familiar with those in Missouri. He added that each charter school is within the confines of the school districts.

REP. SAM ROSE asked **Ms. Fulton** why, as a member of the Helena school board, Helena was excluded from the option. She replied that she did not know and that the sponsor should be asked that.

{Tape: 2; Side: A; Approx. Counter: 00; Comments: NA.}

REP. ROSE asked **Ms. Jiusto** if her program was meeting the normal requirements for schools and asked what SB 370 would do for her school. She replied that their school met all the codes and so becoming part of the school district would not be detrimental to them. She questioned what their relationship with the school board would be.

REP. GEORGE HEAVY RUNNER clarified what the present laws in place require as to this process and according to the legislation the process can be different. **Ms. Doggett** stated that the bill would

require the process for the approval of the charter schools. She added that the issues can be addressed in the process.

REP. HEAVY RUNNER asked **Mr. Buchanan** to comment on the inclusion of the control of the trustees and the involvement of the union. He said that there is the danger of charter schools becoming replicas of the present systems in place.

REP. HEAVY RUNNER questioned if the philosophical intent of charter schools was being defeated. **Mr. Buchanan** agreed.

REP. PEGGY ARNOTT asked the sponsor if he has seen legislation that has been passed in other states and was Montana's legislation fashioned after them. **SEN. TOEWS** said that this was Montana's own version because there is so much diversity on what a charter school is.

REP. JOAN HURDLE asked why the target number 10 was chosen for the number of charter schools and how fast will this number grow. **Ms. Doggett** replied that it depended on the local needs.

REP. HURDLE asked if the whole school had to be chartered or could parts remain standard and would all teachers in the school have to approve of the charter program. **Ms. Doggett** explained that the schools could have diversity in their structure. She added that approval was needed by only those full time teachers who were teaching within the charter.

REP. BILL REHBEIN asked the sponsor how the programs would be funded. **SEN. TOEWS** answered that they would be funded the same way schools are funded now.

REP. REHBEIN inquired if new structures would have to be put up or would the program remain in the present buildings. **SEN. TOEWS** replied that there would be extra costs for the programs that would come from within the district's budget. The schools should be allowed to be as creative as they want to be in or out of the school.

REP. REHBEIN questioned what the effect would be on small schools. **SEN. TOEWS** said that he did not think the bill would work for small schools and that larger schools are needed to make it work.

REP. DICK SIMPKINS asked if charter schools would decrease the classroom enrollment size. **Mr. Feaver** stated that charter schools could model very small class size.

REP. SIMPKINS stated that it was not much of a challenge to decrease class size and that all that was needed was more money and more teachers to decrease the class size. The challenge is how to teach more children with the same number of teachers. He inquired if she envisioned the chart as the process to get a charter school. **Ms. Doggett** said that the chart is a

simplification or overview of what would have to happen in order to get approval of provisions. She clarified that schools and the student's progress would be evaluated by the standards set by the board. Parents would have the choice if they wanted their children to participate in the charter school.

REP. DAN HARRINGTON asked what the procedure would be. **Ms. Doggett** explained that when the ideas come up petitions would be proposed to the trustees and then the teachers vote.

REP. HARRINGTON inquired what would happen if ten teachers wanted the program and six did not and would collective bargaining be waived. **Ms. Doggett** replied that the majority vote protects against an automatic veto by one individual.

{Tape: 2; Side: B; Approx. Counter: 00; Comments: NA.}

REP. REHBEIN questioned if the smaller or rural schools could a teacher experiment with the program with several grades. **Ms. Doggett** replied that it could be a possibility. She added that if home schoolers wanted to adopt the program then under the statute they would become public school pupils.

REP. HEAVY RUNNER clarified some information from the seventh exhibit. He asked **Bob Anderson, MSBA**, if the charter school was autonomous education. He replied that in its purest form it would be and language shouldn't be changed to include other public involvement.

REP. DIANA WYATT asked what rationale prompted the number of charters schools allowed. **Ms. Doggett** stated that it was the number that many other states started with.

REP. WYATT said that since it was going to be driven from the local community with a petition why should the legislature limit that number. If the momentum and the creativity comes out of the community and goes through the procedure why would they be limited. **Ms. Doggett** explained that part of the reason for the limitation is because the potential fear of change and that number can be changed at a later time.

REP. NORM MILLS inquired if charter schools were established is it being left open for further suits for lack of equal education. **Mr. Feaver** said he did not think so at this point in time.

REP. ROSE asked the sponsor why Helena was excluded from the programs. **SEN. TOEWS** replied that they felt the approach was too aggressive.

CHAIRMAN ELLIS asked why there was a limit on the number of charter schools allowed. **SEN. TOEWS** responded that if there was a little experimentation with ten schools then there might be some variances. The Board of Public Education does not have

their criteria together as to what they are going to expect from charter schools.

CHAIRMAN ELLIS inquired what was giving confidence that the straight jacket was being taken off of the system if the negotiating representative and the board is given the veto power over the ideas. **SEN. TOEWS** replied that major changes in policy are difficult for the legislature to make. They like small deviations like the present proposal.

Closing by Sponsor:

SEN. TOEWS stated that he wouldn't feel bad if the committee did not accept the second amendment. He feel educators must pursue different options. The economy is such that there is a need to get serious about where the state is going and to see a major reduction in revenue the old system must be reconsidered.

{Tape: 2; Side: B; Approx. Counter: 630; Comments: Meeting adjourned.}

HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE

March 20, 1995

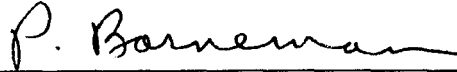
Page 7 of 7

ADJOURNMENT

Adjournment: 5:40 p.m.



ALVIN ELLIS, JR., Chairman



for ANDREA SMALL, Recording Secretary

AE/as

HOUSE OF REPRESENTATIVES

Education

ROLL CALL

DATE 5-22-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Alvin Ellis, Jr., Chairman	X		
Rep. Peggy Arnott, Vice Chairman, Majority	X		
Rep. Vicki Cocchiarella, Vice Chair, Minority	X		
Rep. Matt Denny	X		
Rep. Sonny Hanson	X		
Rep. Dan Harrington	X		
Rep. George Heavy Runner	X		
Rep. Jack Herron	X		
Rep. Joan Hurdle	X		
Rep. Bob Keenan	X		
Rep. Sam Kitzenberg	X		
Rep. Gay Ann Masolo	X		
Rep. Norm Mills	X		
Rep. Bill Rehbein	X		
Rep. Sam Rose	X		
Rep. Debbie Shea	X		
Rep. Dick Simpkins	X		
Rep. Diana Wyatt	X		

EXHIBIT _____
DATE 3/20/95
SB 370

Amendments to Senate Bill No. 370
3rd Reading Copy

Requested by Senator Toews
For the Committee on Education

Prepared by Andrea Merrill
March 17, 1995

1. Page 3, line 13.

Strike: "REGARDING"

Insert: "covering"

2. Page 3, line 15.

Following: "EDUCATION."

Insert: "After a charter has been approved by the board of public education, the trustees of the school district and the recognized exclusive representative may not enter into a collective bargaining agreement covering certified employees of a charter school that conflicts with a provision of the charter."

EXHIBIT 2
DATE 3/20/95
SB 370

Amendments to Senate Bill No. 370
3rd Reading Copy

Requested by Senator Toews
For the House Committee on Education

1. Page 1, line 16.

Following: "pupils"

Insert: ", except for the Helena school districts"

Mr. Chairman, committee members, my name is Debra Fulton, and I am the President of the Montana School Boards Association, representing over 1500 school board members across Montana. I've taken some leave time today because it is my pleasure to join Senator Toews in supporting SB370. We believe that this charter school bill represents the best of the school reform movement, and gives students, parents, and educators an exciting opportunity to have an unprecedented influence on the future of public education in this state.

Despite the efforts of many dedicated professionals from within and outside the educational arena, the search for educational excellence is far from over. Many argue that the traditional structure of the public education system is outdated, and that systemic organizational restructuring must occur. This bill doesn't suggest that, it doesn't suggest that the education system in Montana is fundamentally flawed and must be discarded. What it does suggest, however, is that a cautious and measured look at alternatives to regulation and the status quo may be in order.

There will not be an army of proponents for this bill today, but you know as well as I do of the legions of people in this state who would like more choice in their public schools. School boards represent those people, and that's why we're the party rising to support this new, but hardly revolutionary idea. This bill offers an option, and we are suggesting a pilot program of up to 10 schools because we believe that the traditional structure does meet

the needs of many students and communities, but for those that it does not, we feel an obligation to come forward and push the envelope a little bit.

This bill preserves the constitutional authority of the Board of Public Education and local school boards, it preserves the rights of public school employees, and it offers parents and students public school choices they do not now have. We think that's the best of all worlds.

Opponents to this bill will tell you that it's not necessary. Why pass legislation when schools can establish charter schools now through the use of the alternative accreditation standards. To some degree they are correct, schools can seek alternatives to specific accreditation standards, but they cannot ask for the waiver of state statutes and the working condition provisions of collective bargaining agreements. Essentially, the power of local boards now, is to build alternative programs within a very narrow range of options, and to make sure that all of their ideas fit into a "box" as it were. Not many alternative programs have developed due to the difficulty of making programs fit into that box. I would suggest to you that creativity is stifled when ideas are subject to a litany of inflexible requirements and that creativity is fostered when it is known that, while basic standards must be maintained, reasonable and necessary substitutions to those standards can be made if they make sense. This bill allows districts to approve program packages of their own design with the

responsibility to designate the desired end result, to delegate available resources to achieve those results, and to accept the accountability for student success.

You know, school boards and other local governments have been saying that rules and regulations often get in the way of doing their business. Here's your opportunity to make us put up or shut up. We want flexibility, and we agree to be held accountable for results in order to get it.

Critics of charter schools have asked why we want to get the legislature involved in the business of schooling in this state. We submit that you are already involved - down to telling us how many days, hours and minutes we will attend school, and which days we cannot. Just a few weeks ago at my own board meeting, a principal came to the board to talk about trying to find a way to get more computer training for the teachers in his school. They had developed a proposal, regarding early dismissal, only to be told state statute did not permit them to use that option - their proposal was good for kids, but it didn't fit into the "box". So you see, we're not asking you to get involved in legislating school business, you already are, we're asking that you try a little less involvement and see how things work out.

You will see a short amendment to the bill clarifying that future collective bargaining agreements not impede an established charter school. Collective bargaining provisions such as lunch periods,

duty free periods, work load, and work day, provisions, for example, are valid employee concerns, and are properly addressed in negotiated agreements. Their inflexibility, may, however, prevent innovative programs from being established. I would ask your support of this amendment. I would also ask that you resist any effort to further amend this bill. The bill was amended in the Senate to clarify issues and respond to union concerns, and I would submit that further efforts to amend this bill will come to you in an effort to confuse the issues and derail passage of this bill.

Having said that, I'd close by sharing with you an example of an innovative educational program in this state that cannot be a part of the public school system. You may already be familiar with the Canyon Ferry Limnological Institute here in Helena. This program was begun by two Helena teachers as a summer science camp a number of years ago, This Institute has grown into an internationally respected center for science education, and it's students are the frequent recipients of national science awards and scholarships, including two of the prestigious Westinghouse Science Awards. The program went year round this year, by adopting a Saturday schedule. The program would like to be a credit bearing part of our public school system, but they can't. We could probably address any accreditation problems with the Board of Public Education, but we have no option to address statutory requirements and collective bargaining provisions. The program operates on Saturday, school is forbidden on Saturdays. The students and teachers work long hours on those days, and there are no duty free lunch periods or

questions about number of teaching assignments, to name just a few of the obstacles. Does it make sense to require programs such as these to struggle to make themselves fit into the "box" to be a part of public schools, or does it make more sense to let them design the box? I suggest to you the latter course, and request you support of charter schools as defined in SB 370. Support charter schools for public school excellence, public school choice, and public school students. Thank You.

P. O. Box 1384
Dillon, MT 59725
March 20, 1995

EXHIBIT 4
DATE 3/20/95
SB 370

TO: The Montana House Education Committee

FROM: Claudette Morton, *CM* Ed.D.

RE: Testimony on SB370 Charter Schools Act

As the author of the recently published article on "State Accreditation Standards and Charter Schools: A Natural Bridge or an Unattainable Gulf?" in the Burton K. Wheeler Center and U.S. West Foundation document, PUBLIC EDUCATION POLICY ISSUES IN MONTANA, I would like to comment on the above legislation. I would like this letter to be entered on the proponents' side of testimony.

In my research for the article, it became apparent that the Montana Public School Accreditation Standards allowed for a significant amount of flexibility to the standards with the alternative standard provision. However, there was no remedy for a school which wanted to be truly innovative in regard to restrictions coming from Montana statutes on time requirements. The proposed legislation addresses that issue.

SB370 also strikes an appropriate balance between the local trustees' role and the state Board of Public Education.

However, in all the research and examination I did of other states' legislation and the concerns about charter schools, collective bargaining issues were also waived as a part of the charter school provisions. This was done to allow teachers to develop innovative programs which might not fit the structure of the collective bargaining agreement which might be in place. I believe Senator Toews' amendment makes certain that collective bargaining will not stand in the way of innovation. I would therefore support both the legislation and this proposed amendment.

Thank you for your consideration.

CREATION OF A CHARTER

BOARD OF PUBLIC EDUCATION

✓ Can approve or disapprove



SEEK WAIVER FROM UNION IF NEEDED



VOTE OF TEACHERS



TRUSTEES

✓ Determine if it is a good idea



PETITION

✓ Key elements under which the
charter school will operate

✓ Description of interest and support -
community, parents and school employees

✓ Rationale for waiver of policies, accreditation
standards and certain state statutes

EXHIBIT 6
DATE 3/20/95
SB 370

March 18, 1995

Testimony on Senate Bill 370

I encourage you to think positively of the idea of Charter Schools. It is an opportunity for change-oriented educators to set up a public school of choice for students and parents seeking alternatives. It offers teachers the professional opportunity to own the learning program in which they teach.

For legislators and taxpayers it provides an exciting strategy for change that does not include additional taxes. For school board trustees it allows flexibility to provide for the students in their district.

My real concern today is with the need for the charter school to seek approval from the recognized exclusive representative for collective bargaining. If these professional teachers are united in their proposal to provide quality education for the students there seems to be no need for approval by the exclusive representative. These teachers have chosen the opportunity to work in a professional partnership. Please allow them this privilege.

Thank you for allowing this written testimony. I have a new student arriving today and that first day is extremely important in setting the tone for the days following.

Sincerely yours,



Karen Richardson
First Grade Teacher
Evergreen School, Kallispell
Immediate Past President of MSBA

The following material is taken from an article by Mary Anne Raywid in the March issue of Phi Delta Kappan. The full article can be found in that issue.

Please note the quote from Mr. Ted Kolderie which is found on the second page. "New Mexico, Wisconsin, Georgia, Hawaii, Missouri and Kansas on the other hand have dead laws; their provisions are so compromised as to bear little promise of making much difference."

A Tale of Two Charter Schools

Ms. Raywid shares the stories of two charter schools in Colorado, which show something of what may soon be occurring elsewhere as this new institutional form spreads.

By Mary Anne Raywid

JEFFERSON County, a suburban area that sprawls along the western edge of Denver, is the largest school district in Colorado, with 85,000 students enrolled. "Jeffco," as it is known, has long prided itself on being a reform-minded and innovative district, and it is currently host to three charter schools, one of the nation's newest enthusiasms. Colorado has a total of 14 charter schools in operation this year, and four more are already scheduled to open next year.

The stories of two of them are worth sharing, since they show something of what may soon be occurring elsewhere as this new institutional form spreads. But before examining the experiences of these two schools, I need to provide a bit of the history of Jeffco schools and something of the background of charter schools in Colorado.

In 1990 two developments took place that were to influence events in Jefferson County substantially. The first was the appointment of a new superintendent, Lew Finch, who had come from a large suburban district in Minnesota (Anoka-Hennepin), bringing with him a reputation as a staunch opponent of school choice. Eventually he emerged as an equally strong opponent of charter schools in Colorado. He insisted that charter schools were "private schools in disguise."

The second development, which clashed with the first, was the growing push for charter schools in Colorado. A charter school bill was first introduced in the state legislature in 1992. As was the case in other states, that bill sought to encourage educational innovation and make schools responsive to students and families by releasing schools from regulation. The first bill, introduced by Rep. John Irwin, generated sufficient opposition to appear to some key figures to be unpassable. It called for the establishment of a single statewide district for innovative public schools. Any school in Colorado could choose to leave its local district and become a part of the new statewide innovative district instead. The new district would then stand as the school's source of supervision and support.

PHI DELTA KAPPAN
MARCH 1995

The proposal roused such strong opposition from educational organizations that it soon died. Its successor in the next legislative session was the sort of charter school bill that is now more familiar.

In Colorado and elsewhere the intent of charter school laws is to make individual schools autonomous entities, free from the laws and regulations that constrain public schools. Charter schools are expected to be accountable primarily to their immediate constituents (parents, teachers, and students). They are accountable to the state mainly with regard to outcomes. The initial charter school law in Colorado passed in 1993; it authorized the establishment of up to 50 charter schools.

The arguments in favor of charter schools presented in Colorado and elsewhere were that a combination of state laws and regulations, coupled with district requirements and constraints, made the schools too homogeneous and interfered with sound education. Innovative pilot schools were thus needed. Moreover, schools need to be controlled by and responsible to those closest to them, and other means of pursuing such decentralization have not met with much success. In addition, the charter arrangement would expand the choices of parents, students, and teachers and would facilitate the professional growth of teachers. Finally, this

schools.” In response, an editorial in the *Rocky Mountain News* identified the superintendent’s view as a “most alarming misreading of the charter law and spirit” and characterized the district’s attitude as “bordering on the obstructionist”; a more outspoken legislator accused the superintendent of displaying “a flagrant disregard for the law.”¹⁷ Several months later, the Senate Education Committee rather pointedly endorsed a bill amending the existing law to require districts to make empty schools available for charter use and specifying that charter schools could determine their enrollment procedures for themselves.¹⁸

Nevertheless, even though the state legislature was exerting firm leadership in the policy-making arena, at the eventual appeals sessions on charter schools more than one district took the opportunity to recapitulate all the main arguments offered against the idea. Individual proposals were unnecessary, they maintained, since local needs were reportedly already being met and since the districts themselves were innovative. Moreover, they argued, charter schools violated the concept of neighborhood schools and threatened equity. Charter schools represented efforts to take away “our tax dollars” in order to form schools that would enjoy private status.

Six of the eight charter proposals submitted in Jefferson County were turned down because the programs they outlined were alleged to be insufficiently innovative, because they duplicated existing programs (and hence failed to expand choice), and/or because the proposers failed to demonstrate a demand for the sort of program they were proposing. Other reasons for rejection included insufficient detail (with some proposals containing no budget). All the proposers who were denied approval in Jefferson County appealed the turndowns, but the state recommended reconsideration for only one. Ultimately, three charter schools were approved, and they opened in Jeffco in the fall of 1994.

phy and between school and home orientation. And whether or not one is drawn to the particular orientation of either of these schools, they and other charter schools are piloting the self-governance that many reformers have been seeking.

The Effects of Charter Schools

The accomplishments mentioned above represent impressive strides in just six months. But there are more. The effects of Colorado’s charter schools are likely to spread beyond the walls of those now in operation. Colorado’s charter schools are taking advantage of the option to request waivers from state laws and regulations. Jefferson Academy and CICS requested — and obtained — the right to operate free of local union contracts and free of board policies on curriculum, textbooks, staff selection, evaluation, and pay scales. They have also been exempted from administrator certification requirements.¹⁹ They and other Colorado charter schools may soon be in a position to help answer the question of whether external constraints have stultified school improvement.

Other recent developments reflect the more immediate effects of the charter schools. Recall Jeffco’s long reluctance to increase the number of alternative schools — despite waiting lists (and even after board-appointed evaluators had recommended such a move). Following seven years of inaction, in the spring of 1994 — when the first round of charter school proposals was being reviewed — the school board actively sought proposals for new alternative schools to function as options within the district system. In fact, it invited both CICS and Jefferson Academy to become alternative schools within the district rather than charter schools. By the end of the 1993-94 school year, Jeffco had added three new alternative schools, more than doubling the number of such schools. It would appear that the district has become considerably more willing to heed the preferences of its constituents.

Of even more fundamental and lasting significance, perhaps, the powers of school boards in Colorado have clearly been altered. Although the state board of education upheld the decisions of most districts to deny approval to charter school proposals, the state did remand some pro-

posals to districts for reconsideration. And in one case the state directly overruled the decision of a district board; thus a charter school will eventually open in Denver that was in effect authorized to do so by the state rather than by the district.²⁰ In the language of charter school advocates, this means that they have “broken the exclusive” in Colorado. That is, in a state with a long tradition of strong local control, the charter school movement has successfully challenged the exclusive right of local districts to authorize the schools within their geographic jurisdiction — and has, in some measure, reduced the virtually absolute power of district officials over

Yet another sort of development that has followed in the wake of Colorado’s new charter schools is a new set of professional alliances and working coalitions. There are informal relationships, such as the one that has grown up between Jefferson Academy’s Mike Munier and CICS’s Mary Ellen Sweeney, who confer frequently to exchange information and advice. Then there are groups like the network that links all four of Colorado’s Hirsch-inspired Cultural Literacy charter schools.²¹ Irrespective of the extent to which such groups are doing so now, they have the potential to provide mutual external support. Another sort of organization that has emerged is the Colorado League of Charter Schools, which is an informational organization and intended to function as a lobbying group. Thus charter schools are spawning the new connections that school restructurers have emphasized as central to change.

It would appear that Colorado’s charter schools are generating effects beyond their own walls. It is just such impacts that sponsors of charter school legislation have had in mind, of course. They do not simply wish to create a small number of atypically successful schools; they wish to substantially influence the educational mainstream. And that appears to be happening in Colorado, where the number and diversity of district-sponsored schools are suddenly expanding and public interests are being addressed.

It is too soon to tell whether charter schools are “redefining the future of public education,” as has been suggested, or whether they will actually be used as “the tool for reinventing public education,” which Colorado’s Gov. Romer has said

they can be.²² But even the skeptical may acknowledge that, in a relatively short time, the ripples are spreading — and the effects they bring are precisely those sought by reformers elsewhere in a variety of ways and with varying success.

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

Education

COMMITTEE

DATE 3-10-95

BILL NO. SB 370

SPONSOR(S) Sen. Daryl Torres

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	Support	Oppose
Debra Fulton	MSBA	X	
ERDIE JEAN	Floures-Car Hon School	X	
WAYNE BUCHANAN	BPE	X	
Jack Capps	OPI		
Janice Dazott	MSBA	X	
Joan Schmitt	MSBA	X	
ROGER JOHNSON	MSBA	X	
Eri Olvera	MEA	X	
Terry Minow	MFT	X	
Rod Johnson	self		X

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HR:1993

wp:vissbcom.man

CS-14