



Colorado Department of Education
William J. Moloney, Commissioner



"Democracy is the worst possible form of government except, of course, all others that men have attempted."

May 14, 2002

- Winston Churchill - (1874 - 1965)
Speeches in Parliament

I. BEYOND THE MIDNIGHT HOUR: A LEGISLATIVE RETROSPECTIVE

Having been invited onto the floor of the Senate on the last night of the Session to help "wordsmith" an endangered piece of legislation, I had once again an opportunity to observe the pageant of democracy up close and personal.

As always on such occasions, I was reminded of Churchill's renowned epigram and much less famous commentary that I have heard or read in the several decades I have been involved with politics in one place or another. Observing our citizen legislators, one saw mixed in them elements of passion, fatigue, humor, determination, resignation, camaraderie, partisanship, civility, and nostalgia. One was also mindful that scenes very similar to this were occurring all across the many time zones of our Republic and that together they made up the essential fabric of the Great American Democracy.

When the sun rose on the last day there was no School Finance Bill, much important legislation remained in doubt, talk of a Special Session abounded, and political recrimination was not lacking. Yet when the final gavel fell in the midnight hour, nearly all needed things had come to pass. All could lament some things either left out or left in, but gloomy prophesy of election year deadlock had been confounded and consensus was that the people's work had been done, and pretty well at that.

A few education highlights:

School Finance

As Ray Kilmer of CASE reported in impressive detail to the Pikes Peak Superintendents on Friday, the education community can be fairly well pleased at the numbers here. Given the constricted state of the economy – some neighboring states suffered absolute funding reduction – Colorado – with an important bow to Amendment 23 – came out pretty well.

Teacher Incentive Grants

This well intended initiative from last year proved to be one of the most difficult and divisive financial disbursements CDE has ever been required to make. Recognizing this, the General Assembly early on decided to dramatically scale back the program and use the monies elsewhere. The surviving element – targeted only at Unsatisfactory Schools – has also been given much greater flexibility in application.

Longitudinal Progress

This pilot program – many details yet to be worked out – is further recognition of our state's gradual shift from CSAP as snapshots of school accountability, to CSAP as an instrument for diagnostically tracking student progress on a year-to-year basis. Made possible by the expansion of CSAP to annual testing in key subjects, this initiative is a useful harbinger of the future evolution of school reform in Colorado. The bill is also a further sign of the growing influence of Representative Keith King as an energetic and thoughtful advocate of our reform program.

Also moving us in a similar direction will be the Commission that Governor Owens has appointed to examine CSAP with a particular eye toward its diagnostic capabilities.

Alternative Schools

On the very day the first SARs came out (September 13, 2001), Senator Norma Anderson told me she would run legislation in the next session to regularize the status of Alternative Schools. True to her word, and with incomparable legislative savvy, she steered SB-94 through to unanimous adoption on the penultimate day of the Session. Credit for an important assist must also go to Roscoe Davidson and Karen Stroup whose quiet, behind the scenes efforts helped shepherd this bill toward its final and desirable shape. The bill retains the vital concepts of "specialized mission" and "specialized population" while usefully providing for clear criteria, district input and rulemaking authority for the State Board of Education.

II. UPDATE ON SARs

At the beginning of the Session, there were several proposed bills with the potential to significantly change the SARs. As the weeks rolled by, however, most fell by the wayside unable to gain final assent in both Houses. Some enjoyed a brief last hurrah through incorporation into the School Finance Act but with the noted exception of SB-94, all significant initiatives had disappeared by the time the clock ran out.

Meanwhile, chugging along like the "Little Engine That Could" the SAR Work Group diplomatically guided by Chairman Davidson continued to quietly advocate several of the thirty-four recommendations it had advanced in March.

Though the efforts of the Work Group had met initial skepticism in some quarters, gradually the quality of their work product gained the needed converts.

Very helpful were ongoing conversations with the Governor's staff, and key legislators from which emerged a useful consensus on what could be changed and what could not. A key encounter was the visit of Karen Stoup

and me to the Joint Legislative Audit Committee (March 19, 2002) where we made specific proposals for future legislative alteration. The key elements discussed that day were:

Delay of the SARs

Given the massive increase in the number of tests given, the addition of important new elements (e.g. The Improvement Grade), the need to involve districts, and minimize error, the existing deadline of September 15th was simply not within the realm of possibility.

Notification of Unsatisfactory Schools

Given the extension of the CSAP testing window into April and other logistical requirements, the May 1st notification date would undermine at the outset the reform efforts of affected districts like Denver.

Reconciling 3rd Grade and other CSAP Schedules

As Senator Anderson – a member of the Audit Committee – noted SB-186 should have recognized the different purpose and origin (the Literacy Act of 1996) of the 3rd grade CSAP. She indicated that this would be in a 2003 “cleanup.”

A final but very important alteration that should be noted involves the methodology of the calculations for the SARs. This was the subject that had riveted the attention of the large group SAR meeting on March 1st (Chiefline, March 18, 2002).

Pursuant to the recommendation of the Work Group, that meeting authorized the convening of a Technical Advisory Committee (TAC) to wrestle with these complex methodological issues. The TAC drew upon further external experts such as Professor Robert Linn of U.C. Boulder, and Dr. Glenn Ligon from Texas who has advised the Governor on the technical aspects of SB-186.

Within the last three weeks, the unanimous recommendations of the TAC (e.g. harmonizing ratings and Improvement Grades) have been reviewed and approved by all parties. The psychometric substance of these issues will remain maddeningly complex for any layperson but the credibility of the process and the participants gives us a solid platform upon which to stand.

Other states have wrestled with these same issues, but none have surpassed Colorado’s unity of purpose and process. We are indebted to all who have helped us to reach this result.

Sincerely yours,

William J. Moloney
Commissioner of Education

cc: Governor Owens, State Board of Education, General Assembly, CDE Cabinet, CDE Staff, BOCES, CASB, CASE, CEA, and CFT