

SENATE EDUCATION

EXHIBIT NO. 6

DATE 1-21-05

BILL NO. SB-10

Testimony

Date: January 21, 2005

Re: Senate Bill 10

By: Steve Meloy/ Executive Secretary/ Board of Public Education

Mr. Chairman, Members of the Committee, for the record my name is Steve Meloy and I am the Executive for the Board of Public Education. In all deference to Senator Laible who this Board respects for all of his hard work and with whom we have worked on projects, I rise in opposition to Senate Bill 10 on behalf of the Board.

Our opposition rests on the premise that the bill is simply not necessary, undermines the constitutional responsibility of the board and places the legislature potentially in an unworkable role of micro-managers.

We feel that 20-2-115 as it is currently written is adequate safeguard to the districts regarding unfundable mandates. And that tying our ability to implement rules to the yav or nay of the legislature is violation to the 1992 District Court Decision that affirmed the Boards ability to write rules which are self executing and independent of legislative control.

We have under continuous review 5 chapters of administrative rules which define the standards for our public school system which include; general accreditation standards, content and performance standards, student assessment, teacher licensure, Professional Preparation Programs. Each of these chapters are monitored yearly and revised every five years although periodic amendments occur on a monthly basis. Placing the Board under the requirements of 1-2-113 would have the effect of making the Legislature the Board of Public Education respective to the adjusting of the standards.

Finally, even though we have the ^{Shurlock} ~~Laible~~ decision, that Board has agreed to pass before the Interim Education Legislative Committee all of our rules for comment on any aspect from intent, impact and financial consideration before they are adopted. We do this to assure the Legislature that we want to work hand in hand with the body that is responsible for funding.

Thank you