

COLORADO

OVERALL RANK: 35TH¹
TIER 4 (WEAK)

STRONGER WEAKER

OVERALL				35	
1. RESOURCES AND MEMBERSHIP				37	
2. INVOLVEMENT IN POLITICS		18			
3. SCOPE OF BARGAINING			25		
4. STATE POLICIES					48
5. PERCEIVED INFLUENCE				29	

AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 37TH

Colorado’s two state teacher unions have limited financial resources and membership. With 62.4 percent of its teachers unionized, the Centennial State posts the 34th-highest rate of teacher union membership out of 51 jurisdictions. The state unions bring in \$256 annually per teacher in the state (36th). State spending on K-12 education is relatively high, but high spending does not translate into expenditures on teachers. While 25.5 percent of the state expenditures go toward K-12 education (7th), total K-12 per-pupil expenditures from all sources (\$9,155) and the percentage of that total money directed to teacher salaries and benefits (50.9 percent) are lower than in nearly every other state in the country.

AREA 2: INVOLVEMENT IN POLITICS² TIED FOR 18TH

Teacher unions have been quite active donors in Colorado state politics over the past decade.³ Their contributions accounted for 2.1 percent of all the funds received by state-level political candidates, placing them 6th compared to unions in other states. A whopping 25.8 percent of all money donated by the ten highest-giving sectors in the state came from teacher unions, the largest such proportion in the country. In addition, teacher union contributions comprised 0.84 percent of the total donations to state political parties (28th). Despite high levels of giving, however, only 4.2 percent of Colorado’s delegates to the Democratic and Republican national conventions were teacher union members—only Kentucky had fewer.⁴

*AREA 3: SCOPE OF BARGAINING
25TH*

Colorado neither grants nor denies collective bargaining rights to teachers and other public employees. While it does allow unions to collect agency fees from non-members, unions cannot automatically deduct dues from the paychecks of its *own* members without their written consent. The state permits teacher strikes.

*AREA 4: STATE POLICIES
48TH*

Many state policies in Colorado do not align with teacher union interests. The state requires that student achievement be the preponderant criterion in teacher evaluations and mandates that teachers be eligible for dismissal (rather than improvement plans) after multiple unsatisfactory ratings. Districts must also consider teacher performance alongside seniority when making tenure and layoff decisions, and they must include performance as a basis for compensation. Further, the state does not cap the number of charter schools allowed to operate; it exempts charters from many state and district laws and regulations; and charter schools do not typically participate in district collective bargaining agreements.

*AREA 5: PERCEIVED INFLUENCE
29TH*

The reputation of teacher unions in Colorado is strong in some areas, weak in others. Stakeholders rank teacher unions as the second-most influential entities on education policy, behind education advocacy organizations. In addition, they report that teacher unions fought hard during the recent period of budgetary stringency to prevent reductions in pay

and benefits, and that they are generally effective in protecting dollars for education. On the other hand, survey respondents note that policies proposed by the governor and those subsequently enacted in the latest legislative session were only partly in line with union priorities.⁵ They report that state education leaders are only sometimes aligned with teacher union positions and that teacher unions more often than not turn to compromise to see some of their policies enacted. This perception may stem from the union role in the design and implementation of Colorado's teacher-evaluation system (see sidebar).

*OVERALL
35TH*

Despite limited resources, Colorado's teacher unions are active in state politics. And, despite a state policy environment that is not particularly union-favorable, they have garnered moderate influence in the state, as perceived by stakeholders.

A ROCKY START

Eyes across the nation will closely monitor the implementation of Colorado's new teacher-evaluation system, slated to take effect in 2013-14. The "Educator Effectiveness" legislation, passed in Spring 2010 as part of Senate Bill 191, requires that at least half of a teacher's evaluation be based on student academic growth. Opponents, including the vocal Colorado Education Association (CEA), offered staunch resistance when the bill was first proposed, arguing that the new law was vague, underfunded, and ill-conceived. CEA President Beverly Ingle remarked, "CEA has been involved in every education reform measure in this state—CAP4K, longitudinal growth, accountability, and accreditation. We know what works in education in Colorado—and SB 191 doesn't."⁶

Lawmakers went back to the drawing board. They added, among other changes, a provision that permitted seniority to be considered in layoffs and an appeals process for teachers placed on probation. Soon after, the bill was endorsed by Randi Weingarten, president of the American Federation of Teachers: "What's happened here is they [Colorado lawmakers] have totally worked, in terms of the amendments, to ensure that evaluations are done with teachers—not to teachers."⁷ Yet the NEA-affiliated CEA was slower to come around, bemoaning that the bill still "...punish[es] teachers and undermine[s] the profession."

State Senator Michael Johnson, key architect and champion of the bill, appeared to welcome the criticism: "I honestly say to people that those who opposed the bill did more to improve it than anyone."⁸ As Colorado districts gear up to implement the new law, however, it is clear that this duel is far from over.

COLORADO RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 35TH

Area and Rank ^a	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status ^b
AREA 1: RESOURCES & MEMBERSHIP 37	Membership	By rank, what percentage of public-school teachers in the state are union members?	34th
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/or AFT affiliate(s)?	36th
	Spending on education	By rank, what percentage of state expenditures (of state general funds, state restricted funds, state bonds, and federal "pass-through" funds) is directed to K-12 education?	7th
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	43rd
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	46th
AREA 2: INVOLVEMENT IN POLITICS 18	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	6th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	28th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	1st
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	49th
AREA 3: SCOPE OF BARGAINING 25	Legal scope of bargaining	What is the legal status of collective bargaining?	Neither required nor prohibited
		By rank, how broad is the scope of collective bargaining?	38th*
	Automatic revenue streams	What is the unions' legal right to automatically collect agency fees from non-members and/or collect member dues via automatic payroll deductions?	Automatic payroll deductions prohibited
	Right to strike	What is the legal status of teacher strikes?	Permitted
AREA 4: STATE POLICIES 48	Performance pay	Does the state support performance pay for teachers?	State does not support
	Retirement	By rank, what is the employer- versus employee-contribution rate to the teacher pension system?	8th
	Evaluations	What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)?	Eligible for dismissal
		Is classroom effectiveness included in teacher evaluations? If so, how is it weighted?	Required; Preponderant criterion
	Terms of employment	How long before a teacher earns tenure?	Three years
		Is student/teacher performance considered in tenure decisions? If so, how is it weighted?	Required; Preponderant criterion
		Is seniority considered in teacher layoff decisions? If so, how is it weighted?	Optional; May be considered among other factors
		Is teacher performance included in teacher layoff decisions? If so, how is it weighted?	Required; Considered among other factors
	By rank, what percentage of the teaching workforce was dismissed due to poor performance?	38th	
Class size	Is class size restricted for grades 1-3? If so, is the restriction higher or lower than the national average (20)?	No restriction	

Area and Rank	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status
AREA 4: STATE POLICIES 48 (cont.)	Charter school structural limitations	Is there a cap (limit) placed on the number of charter schools that can operate in the state (or other jurisdiction) and/or on the number of students who can attend charter schools?	No state cap
		Does the state allow a variety of charter schools: start-ups, conversions, and virtual schools?	Yes
		How many charter authorizing options exist? How active are those authorizers?	Two or more w/ limited jurisdiction
	Charter school exemptions	Are all charter schools automatically exempt from state laws and state/district regulations (except those that safeguard students and fiscal accountability)? If not, are they eligible for exemptions?	Yes
		Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions?	No; Certification is required but can be waived
		Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions?	Yes

AREA 5: PERCEIVED INFLUENCE^c 29	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	Second- or third-most influential
	Influence over campaigns	On a scale from always to never, how often do Democratic candidates need teacher-union support to get elected?	Sometimes/Often
		On a scale from always to never, how often do Republican candidates need teacher-union support to get elected?	Never/Rarely
	Influence over spending	To what extent, from strongly agree to strongly disagree, do you agree that even in times of cutbacks, teacher unions are effective in protecting dollars for education?	Agree
		Given recent budgetary constraints, would you say that teacher unions generally make concessions to prevent reductions in pay and benefits or fight hard to prevent those reductions?	Fight
	Influence over policy	To what extent, from strongly agree to strongly disagree, do you agree that teacher unions ward off proposals in your state with which they disagree?	Neutral
		On a scale from always to never, how often do existing state education policies reflect teacher-union priorities?	Sometimes
		To what extent, from totally in line to not at all in line, were state education policies proposed by the governor during your state's latest legislative session in line with teacher-union priorities?	Mostly not in line/Somewhat in line
		To what extent, from totally in line to not at all in line, were legislative outcomes of your state's latest legislative session in line with teacher-union priorities?	Mostly not in line/Somewhat in line
	Influence over key stakeholders	On a scale from always to never, how often have the priorities of state education leaders aligned with teacher-union positions in the past three years?	Rarely/Sometimes
		Would you say that teacher unions typically compromise with policymakers to ensure that their preferred policies are enacted, or typically need not make concessions?	Generally compromise

* Tied with another state

^a Area ranks are calculated using a weighted average of sub-indicators. For a more detailed description, see Appendix A.

^b Where possible, we report a state's rank as compared to other states on a given metric. For example, out of 51 states, Colorado has the 34th-highest percentage of teachers who are union members. Otherwise, we report a status: In Colorado, collective bargaining is neither required nor prohibited, and union agency fees are prohibited. For a more detailed description of our metrics and methodology, see Appendix A. To request the raw data for your state, send an email to uniondata@edexcellence.net.

^c For all survey questions, stakeholders were asked specifically about teacher unions, candidates, policies, and leaders in their state. In addition, we asked about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

ENDNOTES

¹ A state's overall rank is calculated as follows: First, we score it on multiple sub-indicators (sub-indicator data and scores for Colorado are shown in the table, *Colorado Rankings by Area and Indicator*). Second, we take a weighted average of the sub-indicators in each of five areas. In each area, we use that average to place the states in rank order: For example, in Area 1: Resources and Membership, Colorado is ranked 37th of 51 based on the weighted average of its sub-indicators. To generate the state's overall rank, we average the five area ranks together, then re-order the states. For a more detailed description of data sources and methodology, see Appendix A.

² Readers should note that these figures include only direct donations from unions and union-connected PACs, but not their spending on electioneering/advertising, mobilizing the union's own membership, lobbying, or advocacy. A recent *Wall Street Journal* report found that donations and lobbying activities account for a small share of union political spending compared with their expenditures on member mobilization and advocacy. Even the AFT agreed, making the argument that since its mission is organizing and activism, it will naturally spend significant amounts on these activities. Thus, the percentages we report here are extremely conservative representations of what unions actually spend on politics. For more information, see Appendix A, Area 2; Tom McGinty and Brody Mullins, "Political Spending by Unions Far Exceeds Direct Donations," *Wall Street Journal*, July 10, 2012; and Jeff Hauser, "Wall Street Journal Compares Union Political Spending to Corporate Donations," AFL-CIO, July 10, 2012.

³ Colorado is noteworthy because of the activity level of its local unions, both in terms of the large number of unions that gave to state candidates and the high dollar amounts given by those local unions, especially in comparison with contributions from the state affiliates.

⁴ At the time of publication, the 2000 conventions were the most recent for which such detailed data were available in forms that met rigorous standards. However, 2008 data provided by the Democratic National Convention were highly correlated with the reliable figures from 2000.

⁵ We asked stakeholders about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

⁶ "CEA Teachers Hold Rally At State Capitol To Tell Lawmakers 'We Know What Works,'" *PR Newswire*, April 23, 2010, <http://www.prnewswire.com/news-releases/cea-teachers-hold-rally-at-state-capitol-to-tell-lawmakers-we-know-what-works-91928204.html>.

⁷ Jeremy Meyer, "AFT's Randi Weingarten Weighs In," *Denver Post*, May 6, 2010, <http://blogs.denverpost.com/coloradoclassroom/2010/05/06/afts-randi-weingarten-weighs-in/318/>.

⁸ Yesenia Robles, "Colorado's Education-Reform Leader Spreads Ideas Nationwide," *Denver Post*, January 16, 2011, http://www.denverpost.com/news/ci_17109350#ixzz1tw1vj0Bx.