

This is in response to the Republic Editorial of April 19 relating to Colorado City.

Many people were shocked, as it became clear how dysfunctional was the Colorado City school district, that no branch of government had any power to do anything about it. I prepared a proposed bill for consideration by the legislature. Many technical parts of the bill were prepared by the Attorney General's office. They did an excellent job. The educational judgments contained in the proposed bill were the responsibility of the Department of Education.

The proposed bill was submitted in the House of Representatives. A number of education groups sought to water down the bill. One of the groups is under strict orders from its constituency to oppose any reduction in local powers, no matter how meritorious the need. The lobbyist for the Attorney General, now acting in a political capacity, quarterbacked this group, which held a number of meetings to prepare a watered down version of the bill, without seeking any input from the Department of Education on education policy issues involved.

The original bill called for appointment of a receiver to operate a school district so that students' education would not suffer in the case of "systemic and egregious mismanagement of the school district's finances, financial records or other duties." The watered down version limited this to "financial" issues. The next extreme case that we have will be unpredictable. If it is non-financial, there will again be no remedy for a year, while students' education suffers, awaiting new legislation. We will be like the French, who, on the eve of WW II, were so well prepared to fight WW I. We needed to deal with the fundamental problem of no remedy in the law for extreme dysfunction.

I meet frequently with education groups, and listen hard to what they have to say, often taking their advice. But I wouldn't be doing my job properly if I weren't willing to disagree once in a while. I believe that independence of judgment, though not a universal, is a desirable quality in public officials.

Both bills were prepared, and the issue was fully joined, when the House voted. A majority voted for the original bill. A minority, favoring the later, watered down version of the bill, voted 'no.' At that stage, the majority prevailed. Hopefully, similar independence of judgment will be shown as the bill proceeds through the process.