



COLORADO LEAGUE *of*
CHARTER SCHOOLS
focus on achievement

A Charter School Leader's Guide to the 2017 Legislative Session



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Acknowledgements/Disclaimers

A Charter School Leader's Guide to the 2017 Legislative Session was written by Manuel Meraz, Policy and Advocacy Intern at the Colorado League of Charter Schools.

This Guide is provided as a resource to Colorado charter schools and is intended to help charter school leaders learn about the education-related bills passed in 2017, and understand how these changes directly impact Colorado charter school operations.

This Guide is in no way intended to provide or act as a replacement for advice from legal counsel. Should you have questions about the legislative bills referenced in this Guide, contact the Colorado League of Charter Schools or your school's legal counsel for proper interpretation and guidance.

Introduction

Dear Colorado Charter School Leader,

The Colorado League of Charter Schools is pleased to present this report entitled *A Charter School Leader's Guide to the 2017 Colorado Legislative Session* for your review and information. This Guide is intended to provide a simple-to-read, one-stop document to help you 1) learn about the education-related bills passed in 2017 and 2) understand how these changes directly impact Colorado charter school operations.

The 2017 Colorado legislative session resulted in some significant policy changes for Colorado's public schools. This year, we saw important changes in areas like school finance, charter school funding and testing. The League engaged heavily on behalf of charter schools to pass HB17-1375, which for the first time creates a legislative lever by which districts are required to equitably share their locally raised mill levy override (MLO) revenue with their charter schools. The bill was a monumental victory for educational equity in the state of Colorado as it now lays a path for equal funding for all students, regardless of the type of public school they attend. The League was also involved to help protect charter school autonomy and ensure charter interests were advanced in the adoption of other legislation.

As always, the League is here to help you make sense of all these state policy changes. Please email us at charter411@coloradoleague.org for general questions and information. You can also contact me at the information provided below for more information on how legislative changes will affect your school, or with any questions that may arise heading into the 2018 Colorado General Assembly.

Thank you for all your hard work serving Colorado's children. None of these positive changes for charter schools would be possible without your continued success providing high-quality, public education options for students. Be sure to encourage your school's parents, teachers, staff and board members to sign up for the Colorado Charter Advocacy Network (Colorado CAN) to receive emails and action alerts when policy changes are being considered that could affect charter schools. Visit www.coloradoleague.org and click "Advocacy/Take Action" to sign up today.

Sincerely,



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a. **HB17-1041: Inform Students And Parents Of Education Leading To Jobs**

PRIMARY SPONSORS:

Philip Covarrubias (R), House District 56

Kevin Priola (R), Senate District 25

OVERVIEW:

Current law requires that a school district, board of cooperative services, or charter school assist parents and students to create an Individual Career and Academic Plan (ICAP). All public schools are asked to provide parents and students information about ICAPs and options for concurrent enrollment. This bill requires that the institutions discuss the benefits of military enlistment when discussing ICAPs. The public school must explain to the student and parent the various opportunities, as well as the skills and educational opportunities available through military enlistment.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, 22-30.5-525, amend (1) as follows:

22-30.5-525. Individual career and academic plans. (1) Each institute charter school shall assist each student and his or her parent or legal guardian to develop and maintain the student's individual career and academic plan, referred to in this section as an "ICAP", no later than the beginning of ninth grade but may assist the student and his or her parent or legal guardian to develop and maintain the student's ICAP in any grade prior to ninth grade. IN ASSISTING A STUDENT AND HIS OR HER PARENT LEGAL GUARDIAN IN CREATING AND MAINTAINING THE ICAP, THE INSTITUTE CHARTER SCHOOL SHALL, AT A MINIMUM, DISCUSS WITH THE STUDENT AND PARENT OR LEGAL GUARDIAN THE VARIOUS CAREER PATHWAYS CREATED PURSUANT TO SECTION 24-46.3-104 AND THE TYPES OF CERTIFICATES AND JOBS TO WHICH EACH PATHWAY LEADS AND DISCUSS THE SKILLS AND EDUCATIONAL OPPORTUNITIES AVAILABLE THROUGH MILITARY ENLISTMENT. IN DISCUSSING MILITARY ENLISTMENT WITH A STUDENT AND HIS OR HER PARENT, EACH INSTITUTE CHARTER SCHOOL IS ENCOURAGED TO PROVIDE TO THE STUDENT INFORMATION CONCERNING THE MILITARY ENLISTMENT TEST. Each student's ICAP shall MUST comply with the requirements specified in section 22-2-136 and the rules promulgated by the state board of education pursuant to said section.

SECTION 2. In Colorado Revised Statutes, 22-32-109, amend (1)(oo)(III) as follows:

22-32-109. Board of education - specific duties. (1) In addition to any other duty required to be performed by law, each board of education shall have and perform the following specific duties: (oo) (III) At a minimum, each public school shall ensure that, in developing and maintaining each student's ICAP, the counselor or teacher explains to the student's parent or legal guardian, by electronic mail or other written form, and to the student: (A) The requirements for and benefits of concurrently enrolling in courses with an institution of higher education pursuant to the "Concurrent Enrollment Programs Act", article 35 of this titleTITLE 22. Based on a request from the student or the student's parent or legal guardian, the counselor or teacher shall assist the student in course planning to enable the student to concurrently enroll in courses with an institution of higher education. (B) THE VARIOUS CAREER PATHWAYS CREATED PURSUANT TO SECTION 24-46.3-104 AND THE TYPES OF CERTIFICATES AND JOBS TO WHICH EACH PATHWAY LEADS; AND (C) THE SKILLS AND EDUCATIONAL OPPORTUNITIES AVAILABLE THROUGH MILITARY ENLISTMENT. IN DISCUSSING MILITARY ENLISTMENT WITH A STUDENT AND HIS OR HER PARENT, EACH PUBLIC SCHOOL IS PAGE 2-HOUSE BILL 17-1041 ENCOURAGED TO PROVIDE TO THE STUDENT INFORMATION CONCERNING THE MILITARY ENLISTMENT TEST.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1041_signed.pdf

EFFECTIVE DATE:

August 9, 2017

b. HB17-1160: Kindergarten Through Third Grade English Learner Reading Assessment Language

PRIME SPONSORS:

**Millie Hamner (D), House District 61 | James Wilson (R), House District 61
Kevin Priola (R), Senate District 25 | Rhonda Fields (D), Senate District 29**

OVERVIEW:

This bill states that for English learning students enrolled in kindergarten through third grade, school districts or charter schools must decide whether the student takes required reading assessments in English or in their native language (where appropriate tests exist). If the student takes the reading assessment in the student's native language, the local education provider may also administer a reading assessment in English to the student at the request of the student's parent. If the local education provider decides that a student who is an English language learner must take the reading assessments in a language other than English, the local education provider shall determine, and communicate to the student's parent in a language the parent understands, if possible, the level of English language proficiency at which the student must take at least one of the reading assessments in English.

KEY STATUTORY SECTIONS:

SECTION 2. In Colorado Revised Statutes, 22-7-1205, add (1)(a.7) as follows:

22-7-1205. Reading competency - assessments - READ plan creation - parental involvement. (1) (a.7) (I) THE LOCAL EDUCATION PROVIDER SHALL DETERMINE WHETHER A STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER, AS DEFINED IN SECTION 22-24-103, AND WHOSE NATIVE LANGUAGE IS SPANISH, TAKES THE READING ASSESSMENTS IN ENGLISH OR IN SPANISH. IF THE STUDENT TAKES THE READING ASSESSMENTS IN SPANISH, THE LOCAL EDUCATION PROVIDER MAY ALSO ADMINISTER A READING ASSESSMENT IN ENGLISH TO THE STUDENT AT THE REQUEST OF THE STUDENT'S PARENT. IF THE STATE BOARD ADOPTS A LIST OF APPROVED READING ASSESSMENTS PURSUANT TO SECTION 22-7-1209 THAT INCLUDES ASSESSMENTS IN LANGUAGES OTHER THAN ENGLISH OR SPANISH, THE LOCAL EDUCATION PROVIDER SHALL DETERMINE WHETHER A STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER AND WHOSE NATIVE LANGUAGE IS NOT SPANISH TAKES THE READING ASSESSMENTS IN ENGLISH OR IN THE STUDENT'S NATIVE LANGUAGE IF THERE IS AN APPROVED READING ASSESSMENT IN THE STUDENT'S NATIVE LANGUAGE. IF THE STUDENT TAKES THE READING ASSESSMENTS IN THE STUDENT'S NATIVE LANGUAGE, THE LOCAL EDUCATION PROVIDER MAY ALSO ADMINISTER A READING ASSESSMENT IN ENGLISH TO THE STUDENT AT THE REQUEST OF THE STUDENT'S PARENT. IF THE LOCAL EDUCATION PROVIDER DECIDES THAT A STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER MUST TAKE THE READING ASSESSMENTS IN A LANGUAGE OTHER THAN ENGLISH, THE LOCAL EDUCATION PROVIDER SHALL DETERMINE, AND COMMUNICATE TO THE STUDENT'S PARENT IN A LANGUAGE THE PARENT UNDERSTANDS, IF POSSIBLE, THE LEVEL OF ENGLISH LANGUAGE PROFICIENCY AT WHICH THE STUDENT MUST TAKE AT LEAST ONE OF THE READING ASSESSMENTS IN ENGLISH, AS PROVIDED IN SUBSECTION (1)(a.7)(II) OF THIS SECTION. IF THE STUDENT HAS A SIGNIFICANT READING DEFICIENCY, THE LOCAL EDUCATION PROVIDER MAY COMMUNICATE THE INFORMATION SPECIFIED IN THIS SUBSECTION (1)(a.7) TO THE STUDENT'S PARENT WITH THE INFORMATION REQUIRED IN SUBSECTION (2) OF THIS SECTION. (II) IN DETERMINING WHETHER A STUDENT MUST TAKE THE READING ASSESSMENTS IN A LANGUAGE OTHER THAN ENGLISH AS REQUIRED IN SUBSECTION (1)(a.7)(I) OF THIS SECTION, EACH LOCAL EDUCATION PROVIDER SHALL REVIEW THE STUDENT'S SCORE ON THE MOST RECENT ANNUAL ASSESSMENT ADMINISTERED PURSUANT TO

THE LOCAL EDUCATION PROVIDER'S ENGLISH LANGUAGE PROFICIENCY PROGRAM, AS REQUIRED IN ARTICLE 24 OF THIS TITLE 22. IF THE STUDENT SCORES WITHIN THE RANGE THAT THE LOCAL EDUCATION PROVIDER DETERMINES DEMONSTRATES PARTIAL PROFICIENCY IN ENGLISH OR HIGHER, THE LOCAL EDUCATION PROVIDER SHALL ENSURE THAT THE STUDENT ANNUALLY TAKES AT LEAST ONE OF THE READING ASSESSMENTS REQUIRED IN THIS SUBSECTION (1) IN ENGLISH.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1160_signed.pdf

EFFECTIVE DATE:

May 15, 2017

c. HB17-1181: Required State Assessment for Ninth-grade Students

PRIME SPONSORS:

Brittany Pettersen (D), House District 28 | Paul Lundeen (R), House District 19

Nancy Todd (D), Senate District 28 | Kevin Priola (R), Senate District 25

OVERVIEW:

Currently, public school students are required to take state assessments in math and English language arts in ninth grade. Students take a pre-college entrance exam in the tenth grade and a curriculum-based achievement college entrance exam in the eleventh grade. This bill removes the current ninth grade state assessments (PARCC) and replaces them with a ninth grade assessment (PSAT) that aligns more with the assessments given at the tenth and eleventh grade levels.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, 22-7-1006.3, amend (1)(a)(I), (2)(a), and (10); repeal (1)(b); and add (2)(a.5) as follows:

22-7-1006.3. State assessments - administration - rules. (1) (a) Beginning in the 2015-16 school year, the department of education, in collaboration with local education providers, shall administer the state assessments in the instructional areas of English language arts, mathematics, science, and social studies, as adopted by the state board pursuant to section 22-7-1006, as follows: (I) The department shall administer a state assessment in English language arts and a state assessment in mathematics to all students enrolled in grades three through ~~nine~~ EIGHT in public schools throughout the state

(a.5) THE DEPARTMENT OF EDUCATION SHALL SELECT AND THE STATE SHALL PAY THE COSTS OF ADMINISTERING AN ASSESSMENT THAT IS ALIGNED WITH THE STATE ACADEMIC STANDARDS FOR STUDENTS ENROLLED IN TENTH GRADE AND WITH THE ASSESSMENT SELECTED PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION. EVERY FIVE YEARS, THE DEPARTMENT SHALL REQUEST COMPETITIVE BIDS AND CONTRACT FOR THE ASSESSMENT REQUIRED IN THIS SUBSECTION (2)(a.5).

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1181_signed.pdf

EFFECTIVE DATE:

May 2, 2017

d. HB17-1184: Modern Technology Education in Public Schools

PRIME SPONSORS:

Crisanta Duran (D), House District 5
Kevin Grantham (R), Senate House 2

OVERVIEW:

This bill requires that, when re-visiting and re-adopting academic content standards on July 1, 2018, the Colorado Department of Education (CDE) incorporate a publicly available resource bank of materials pertaining to computer science programs. This includes model standards, samples of curricula, and materials for professional educator development. The Department may receive contributions to make this possible; however, the department is not required to create the resource bank if there are no sufficient resources to make it happen. Furthermore, a school district or charter school may decide whether or not they want to use the materials in the resource bank.

KEY STATUTORY SECTIONS:

SECTION 3. In Colorado Revised Statutes, add 22-2-127.5 as follows:

22-2-127.5. Computer science programs - resource bank. (1) (a) THE DEPARTMENT SHALL CREATE AND MAINTAIN A PUBLICLY AVAILABLE RESOURCE BANK OF MATERIALS PERTAINING TO COMPUTER SCIENCE COURSES AND PROGRAMS. AT A MINIMUM, THE RESOURCE BANK MUST INCLUDE SAMPLE ACADEMIC CONTENT STANDARDS FOR COMPUTER SCIENCE EDUCATION, SAMPLE PROGRAMS OF INSTRUCTION FOR COMPUTER SCIENCE, SAMPLES OF COMPUTER SCIENCE LEARNING RESOURCES, AND SAMPLE MATERIALS FOR PROFESSIONAL EDUCATOR DEVELOPMENT IN TEACHING COMPUTER SCIENCE. THE DEPARTMENT SHALL ENSURE THAT THE MATERIALS INCLUDED IN THE RESOURCE BANK REPRESENT THE BEST PRACTICES IN TEACHING COMPUTER SCIENCE AND SHALL SEEK INPUT FROM EXPERTS IN THE AREA OF COMPUTER SCIENCE IN CREATING AND COMPILING THE MATERIALS.

(3) THE RESOURCE BANK MAY ALSO IDENTIFY EXISTING RESOURCES AND TOOLS THAT PROVIDE OPPORTUNITIES FOR INDUSTRY EXPERTS IN COMPUTER SCIENCE AND TECHNOLOGY TO BE PAIRED WITH A TEACHER IN THE CLASSROOM TO CO-TEACH COURSES IN COMPUTER SCIENCE. THE RESOURCE BANK MAY ALSO INCLUDE A LISTING OF SCHOOLS AND SCHOOL DISTRICTS THAT ARE INTERESTED IN FINDING INDUSTRY EXPERTS WHO WISH TO VOLUNTEER TO CO-TEACH COMPUTER SCIENCE COURSES, AND A LISTING OF INDUSTRY EXPERTS WHO ARE INTERESTED IN VOLUNTEERING TO CO-TEACH COMPUTER SCIENCE COURSES.

(4) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION. THE DEPARTMENT SHALL NOT CREATE THE RESOURCE BANK PURSUANT TO THIS SECTION UNLESS THE DEPARTMENT RECEIVES SUFFICIENT GIFTS, GRANTS, OR DONATIONS TO IMPLEMENT THIS SECTION.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1184_signed.pdf

EFFECTIVE DATE:

August 9, 2017

e. HB17-1194: Technical Changes for P-Tech Schools

PRIME SPONSORS:

Mike Foote (D), House District 12

John Cooke (R), Senate District 13

OVERVIEW:

A P-Tech school is a public school that includes grades nine through fourteen and is designed to prepare students for careers in science, technology, engineering, and math. A P-Tech school enables a student to simultaneously obtain a high school diploma and an associate degree. This bill requires a P-Tech student to be counted as a high school graduate once the minimum graduation requirements are met, and the Colorado Department of Education must be notified if the student will remain enrolled in grades thirteen and fourteen.

KEY STATUTORY SECTIONS:

SECTION 3. In Colorado Revised Statutes, 22-35.3-103, add (5) as follows:

22-35.3-103. Pathways in technology early college high schools - design - requirements - approval. (5) A P-TECH SCHOOL MAY HAVE DIFFERENT HIGH SCHOOL GRADUATION REQUIREMENTS FROM THOSE OF THE LOCAL EDUCATION PROVIDER OR THE HOST SCHOOL. HOWEVER, FOR PURPOSES OF APPLYING THE PROVISIONS OF ARTICLE 11 OF THIS TITLE 22 CONCERNING SCHOOL ACCOUNTABILITY AND REPORTING GRADUATION RATES, A P-TECH STUDENT WILL BE COUNTED IN THE LOCAL EDUCATION PROVIDER'S OR HOST SCHOOL'S GRADUATION RATE IN THE YEAR IN WHICH THE STUDENT COMPLETES THE LOCAL EDUCATION PROVIDER'S OR HOST SCHOOL'S MINIMUM GRADUATION REQUIREMENTS. NOTHING IN THIS SUBSECTION (5) AFFECTS PROVISIONS RELATING TO THE FUNDING OF P-TECH STUDENTS PURSUANT TO SECTION 22-35.3-104.

SECTION 4. In Colorado Revised Statutes, 22-35.3-104, add (1)(c) as follows:

22-35.3-104. P-tech schools - funding. (1) (c) A P-TECH SCHOOL, OR THE HOST SCHOOL FOR A P-TECH PROGRAM, SHALL NOTIFY THE DEPARTMENT PRIOR TO A P-TECH STUDENT'S TWELFTH-GRADE YEAR IF THE STUDENT WILL CONTINUE TO BE ENROLLED IN THE P-TECH SCHOOL FOR GRADES THIRTEEN OR FOURTEEN.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1194_signed.pdf

EFFECTIVE DATE:

August 9, 2017

f. HB17-1201: Science Technology Engineering Math Diploma Endorsement

PRIME SPONSORS:

James Coleman (D), House District 7

Kevin Priola (R), Senate District 25 | Rachel Zenzinger (D), Senate District 19

OVERVIEW:

This bill grants a local school board, BOCES, a district charter high school, or an institute charter school the power to grant a STEM (Science. Technology. Engineering. Math.) diploma endorsement to a student who demonstrates mastery in the disciplines. To obtain an endorsement in STEM, the graduate must

- a) Meet minimum high school requirements at a high level of proficiency
- b) Achieve specific scores on STEM-related assessments
- c) Complete a final capstone project

Finally, each educational provider must work with STEM-related businesses and with appropriate institutions of higher education to establish the proficiency levels of mastery students, and they must provide information to students enrolled in grades six through twelve and their parents regarding requirements for the endorsement annually.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, add 22-7-1009.3 as follows:

(a) "GRANTING LOCAL EDUCATION PROVIDER" MEANS A LOCAL SCHOOL BOARD, BOCES, DISTRICT CHARTER HIGH SCHOOL, OR INSTITUTE CHARTER HIGH SCHOOL THAT CHOOSES TO GRANT A STEM DIPLOMA ENDORSEMENT TO A STUDENT WHO DEMONSTRATES MASTERY IN THE STEM DISCIPLINES AS DESCRIBED IN THIS SECTION.

(b) "STEM" MEANS THE COMBINATION OF THE DISCIPLINES OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.

(2) A LOCAL EDUCATION PROVIDER MAY GRANT A DIPLOMA ENDORSEMENT IN STEM TO A GRADUATING HIGH SCHOOL STUDENT WHO DEMONSTRATES MASTERY IN THE STEM DISCIPLINES. TO OBTAIN AN ENDORSEMENT IN STEM, A GRADUATING STUDENT MUST:

(a) MEET THE MINIMUM HIGH SCHOOL GRADUATION REQUIREMENTS AT A HIGH LEVEL OF PROFICIENCY AS SPECIFIED BY THE GRANTING LOCAL EDUCATION PROVIDER;

(b) SUCCESSFULLY COMPLETE, WITH A GRADE POINT AVERAGE OF AT LEAST 3.5 ON A 4.0 SCALE OR THE EQUIVALENT FOR A HIGHER SCALE, A COHERENT SEQUENCE OF AT LEAST FOUR COURSES IN THE AREAS OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS AS DETERMINED BY THE GRANTING LOCAL EDUCATION PROVIDER, WHICH COURSES ARE IN ADDITION TO THE MINIMUM GRADUATION REQUIREMENTS IN THESE AREAS;

(c) DEMONSTRATE PROFICIENCY IN MATHEMATICS BY:

(I) ACHIEVING A SCORE OF TWENTY-EIGHT OR HIGHER ON THE MATHEMATICS PORTION OF THE ACT COLLEGE READINESS ASSESSMENT;

(II) ACHIEVING A SCORE OF SIX HUNDRED OR HIGHER ON THE MATHEMATICS PORTION OF THE COLLEGE READINESS ASSESSMENT PROVIDED BY THE COLLEGE BOARD, COMMONLY KNOWN AS THE SAT;

(III) ACHIEVING A SCORE OF FIVE OR HIGHER ON THE MATHEMATICS PORTION OF THE INTERNATIONAL BACCALAUREATE TEST;

(IV) ACHIEVING A SCORE OF FOUR OR HIGHER ON THE ADVANCED PLACEMENT MATHEMATICS ASSESSMENT;

(V) ACHIEVING A SCORE OF ONE HUNDRED OR HIGHER ON THE SUITE OF TESTS THAT ASSESSES READING, WRITING, MATHEMATICS, AND COMPUTER SKILLS PROVIDED BY THE COLLEGE BOARD FOR COLLEGE PLACEMENT PURPOSES, COMMONLY KNOWN AS THE ACCUPLACER; OR

(VI) ACHIEVING A SCORE OF EIGHTY-FIVE OR HIGHER ON THE ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST USED FOR MILITARY ENLISTMENT; AND

(d) SUCCESSFULLY COMPLETE A FINAL CAPSTONE PROJECT, WHICH IS A CULMINATING EXHIBITION OF THE STUDENT'S PROJECT OR EXPERIENCE THAT DEMONSTRATES ACADEMIC AND INTELLECTUAL LEARNING. TO SUCCESSFULLY COMPLETE A FINAL CAPSTONE PROJECT, THE STUDENT MUST ACHIEVE A HIGH PROFICIENCY LEVEL OF MASTERY, AS SET BY THE GRANTING LOCAL EDUCATION PROVIDER, FOR EACH OF THE FOLLOWING COMPETENCIES:

(3) EACH GRANTING LOCAL EDUCATION PROVIDER SHALL WORK WITH STEM-RELATED BUSINESS AND INDUSTRIAL LEADERS IDENTIFIED BY THE LOCAL EDUCATION PROVIDER WITHIN THE SURROUNDING COMMUNITIES AND WITH APPROPRIATE INSTITUTIONS OF HIGHER EDUCATION TO ESTABLISH THE HIGH PROFICIENCY LEVELS OF MASTERY THAT A STUDENT MUST DEMONSTRATE IN EACH OF THE COMPETENCIES DESCRIBED IN SUBSECTION (2)(d) OF THIS SECTION.

(4) EACH GRANTING LOCAL EDUCATION PROVIDER SHALL ANNUALLY PROVIDE TO STUDENTS ENROLLED IN GRADES SIX THROUGH TWELVE AND THEIR PARENTS INFORMATION CONCERNING THE REQUIREMENTS FOR OBTAINING THE STEM DIPLOMA ENDORSEMENT

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1201_signed.pdf

EFFECTIVE DATE:

May 18, 2017

g. HB17-1211: Educators Professional Development Discipline Strategies

PRIME SPONSORS:

James Coleman (D), House District 7

Kevin Priola (R), Senate District 25

OVERVIEW:

This bill creates the Discipline Strategies Pilot Grant Program in the Colorado Department of Education (CDE). In response to the lack of preparation teachers and principals have when dealing with culturally responsive methods of student discipline in early elementary grades, the program will provide funding for professional development. The bill specifies the minimum criteria required when making grant awards. Lastly, CDE is required to implement the pilot program only to the extent it receives sufficient money from gifts, grants and donations.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, add 22-2-143 as follows:

22-2-143. Discipline strategies pilot program - created - reporting - rules - definitions - legislative declaration - repeal. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) RESEARCH DEMONSTRATES THAT YOUNG CHILDREN WHO ARE SUSPENDED OR EXPELLED FROM SCHOOL ARE UP TO TEN TIMES MORE LIKELY TO EXPERIENCE ACADEMIC FAILURE AND GRADE RETENTION AND TO HOLD NEGATIVE ATTITUDES TOWARD SCHOOL THAN THOSE CHILDREN WHO ARE NOT SUSPENDED OR EXPELLED. YOUNG CHILDREN WHO ARE SUSPENDED OR EXPELLED FROM SCHOOL ARE ALSO MORE LIKELY TO DROP OUT OF HIGH SCHOOL AND TO BE INCARCERATED LATER IN LIFE.

(b) LACK OF TRAINING TO DEAL WITH BEHAVIORAL ISSUES IN THE CLASSROOM CONTRIBUTES TO EDUCATION DISSATISFACTION AND BURNOUT, WHICH INCREASES THE NUMBER OF EDUCATORS WHO LEAVE THE PROFESSION. PROVIDING ADDITIONAL TRAINING AND SUPPORT IN DEALING WITH STUDENT DISCIPLINE ISSUES MAY HELP SCHOOL DISTRICTS AND SCHOOLS RETAIN EXPERIENCED EDUCATORS.

(c) TO REDUCE THE INCIDENCE OF EXCLUSIONARY DISCIPLINE AMONG STUDENTS, ESPECIALLY THOSE ENROLLED IN PRESCHOOL THROUGH THIRD GRADE, TEACHERS AND ADMINISTRATORS SHOULD RECEIVE TRAINING AND SUPPORT IN USING CULTURALLY RESPONSIVE METHODS OF DISCIPLINE WITH YOUNG STUDENTS AND IN IMPLEMENTING DEVELOPMENTALLY APPROPRIATE RESPONSES TO THE BEHAVIORAL ISSUES OF YOUNG STUDENTS.

(3) (a) THERE IS CREATED IN THE DEPARTMENT THE DISCIPLINE STRATEGIES PILOT PROGRAM TO PROVIDE MONEY TO SCHOOL DISTRICTS, GROUPS OF SCHOOL DISTRICTS, BOARDS OF COOPERATIVE SERVICES, AND CHARTER SCHOOLS FOR PROFESSIONAL DEVELOPMENT FOR TEACHERS AND PRINCIPALS CONCERNING THE USE OF CULTURALLY RESPONSIVE METHODS OF STUDENT DISCIPLINE IN PRESCHOOL THROUGH THIRD GRADE AND DEVELOPMENTALLY APPROPRIATE RESPONSES TO THE BEHAVIORAL ISSUES OF STUDENTS ENROLLED IN PRESCHOOL THROUGH THIRD GRADE, INCLUDING STUDENTS WITH DISABILITIES. THE INTENT OF THE PILOT PROGRAM IS TO PROVIDE PROFESSIONAL DEVELOPMENT FOR EDUCATORS TO ASSIST THEM IN REDUCING THE USE OF EXCLUSIONARY DISCIPLINE METHODS IN PUBLIC SCHOOLS, ESPECIALLY WITH REGARD TO STUDENTS ENROLLED IN PRESCHOOL THROUGH THIRD GRADE AND STUDENTS WITH DISABILITIES. THE DEPARTMENT IS REQUIRED TO IMPLEMENT THE PILOT PROGRAM ONLY TO THE EXTENT THAT IT RECEIVES SUFFICIENT MONEY THROUGH GIFTS, GRANTS, AND DONATIONS AS PROVIDED IN SUBSECTION (7) OF THIS SECTION.

(4) A SCHOOL DISTRICT, GROUP OF SCHOOL DISTRICTS, BOARD OF COOPERATIVE SERVICES, OR CHARTER SCHOOL MAY APPLY TO THE DEPARTMENT TO RECEIVE A GRANT THROUGH THE PILOT PROGRAM. AN APPLICATION MUST INCLUDE:

(a) THE NUMBER OF TEACHERS AND PRINCIPALS TO WHOM THE APPLICANT WILL PROVIDE PROFESSIONAL DEVELOPMENT IN USING CULTURALLY RESPONSIVE METHODS OF STUDENT DISCIPLINE IN PRESCHOOL THROUGH THIRD GRADE AND DEVELOPMENTALLY APPROPRIATE RESPONSES TO THE BEHAVIORAL ISSUES OF STUDENTS ENROLLED IN PRESCHOOL THROUGH THIRD GRADE AND THE NUMBER AND GRADE LEVELS OF STUDENTS SERVED BY THOSE TEACHERS AND PRINCIPALS;

(b) THE PROFESSIONAL DEVELOPMENT PROGRAMS THAT THE APPLICANT EXPECTS TO PROVIDE WITH THE GRANT MONEY;

(c) THE OTHER RESOURCES AVAILABLE TO THE APPLICANT TO PROVIDE THE PROFESSIONAL DEVELOPMENT;

(d) THE AGGREGATE NUMBER AND TYPE OF DISCIPLINARY INCIDENTS OCCURRING IN PRESCHOOL, KINDERGARTEN, AND GRADES ONE THROUGH THREE IN THE SCHOOLS OPERATED BY THE APPLICANT IN THE PRECEDING THREE SCHOOL YEARS AND THE TYPES OF DISCIPLINARY RESPONSES AND STRATEGIES USED;

(e) THE APPLICANT'S AGREEMENT TO PROVIDE TO THE DEPARTMENT THE INFORMATION NECESSARY FOR THE DEPARTMENT TO CREATE THE REPORT DESCRIBED IN SUBSECTION (6) OF THIS SECTION FOR EACH SCHOOL YEAR IN WHICH THE APPLICANT RECEIVES A GRANT; AND

(f) ANY ADDITIONAL INFORMATION REQUIRED BY RULE OF THE STATE BOARD.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1211_signed.pdf

EFFECTIVE DATE:

May 18, 2017

h. HB17-1271: Standards For Innovation District Waivers

PRIME SPONSORS:

Brittany Pettersen (D), House District 28

Kevin Priola (R), Senate District 25

OVERVIEW:

Under existing law, when a school district submits an innovation plan for a school or multiple schools of the school district, the state board of education (state board) must approve the plan and designate the school district as a district of innovation unless the plan is likely to decrease academic achievement or is not fiscally feasible. Once the plan is approved, the state board must grant any statutory waivers requested in the plan.

The bill changes the standard for approving an innovation plan. The state board must approve an innovation plan if it finds that the plan is likely to enhance educational opportunity and quality within the school district, which is similar to the standard for approving statutory waivers under other circumstances, and the plan is fiscally feasible. Later, if the district of innovation seeks additional statutory waivers under the innovation plan, the state board must grant the waivers if it finds that the waivers are likely to enhance educational opportunity and quality within the school district and are fiscally feasible.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, 22-32.5-107, amend (3)(a) as follows:

22-32.5-107. District of innovation - designation. (3) (a) Within sixty days after receiving a local school board's innovation plan or plan for creating an innovation school zone, the state board shall designate the local school board's school district as a district of innovation ~~unless~~ IF the state board concludes that the submitted plan: (I) Is likely to ENHANCE EDUCATIONAL OPPORTUNITY, STANDARDS, AND QUALITY WITHIN the innovation schools or innovation school zones; or AND (II) Is not fiscally feasible.

SECTION 2. In Colorado Revised Statutes, 22-32.5-108, amend (5)(a) as follows:

22-32.5-108. District of innovation - waiver of statutory and regulatory requirements. (5) (a) If the local school board for a district of innovation revises an innovation plan as provided in section 22-32.5-110, the local school board may request and the state board shall grant, additional waivers or changes to existing waivers as necessary to accommodate the revisions to the innovation plan, AND THE STATE BOARD SHALL GRANT THE ADDITIONAL WAIVERS OR CHANGES TO EXISTING WAIVERS IF IT DETERMINES THAT THE NEW OR CHANGED WAIVERS WOULD ENHANCE EDUCATIONAL OPPORTUNITY, STANDARDS, AND QUALITY WITHIN THE INNOVATION SCHOOLS OR INNOVATION SCHOOL ZONES OF THE DISTRICT OF INNOVATION AND ARE FISCALLY FEASIBLE. In requesting a new waiver or a change to an existing waiver, the local school board shall demonstrate the consent of a majority of the teachers and a majority of the administrators employed at and a majority of the school advisory committee for each public school that is affected by the new or changed waiver.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1271_signed.pdf

EFFECTIVE DATE:

August 9, 2017

i. HB17-1276: Restrict Restraints On Public School Students

PRIME SPONSORS:

Susan Lontine (D), House District 1

Rhonda Fields (D), Senate District 29 | Robert Gardner (R), Senate District 12

OVERVIEW:

This bill prohibits the use of a chemical, mechanical, or prone restraint on a public school student unless the student is openly displaying a deadly weapon or the person applying the restraint is an armed security officer who has received the proper training. Once the bill is effective, each school district and charter school must require any school employee involved in an act of restraint to submit a written report within one day. The school is then required to

- a) Send the written report to the parents or legal guardians within five days
- b) Establish a review process
 - a. To be conducted annually
 - b. Document the results of each review process in writing

KEY STATUTORY SECTIONS:

SECTION 2. In Colorado Revised Statutes, add 26-20-111 as follows:

26-20-111. Use of restraints in public schools - certain restraints prohibited. (1) EXCEPT AS PROVIDED OTHERWISE IN THIS SECTION, AND NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE 20, THE USE OF A CHEMICAL, MECHANICAL, OR PRONE RESTRAINT UPON A STUDENT OF A SCHOOL OF A SCHOOL DISTRICT, CHARTER SCHOOL OF A SCHOOL DISTRICT, OR INSTITUTE CHARTER SCHOOL IS PROHIBITED WHEN THE STUDENT IS ON THE PROPERTY OF ANY AGENCY OR IS PARTICIPATING IN AN OFF-CAMPUS, SCHOOL-SPONSORED ACTIVITY OR EVENT.

(2) THE PROHIBITION DESCRIBED IN SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO THE USE OF MECHANICAL OR PRONE RESTRAINTS ON A STUDENT OF A SCHOOL OF A SCHOOL DISTRICT, CHARTER SCHOOL OF A SCHOOL DISTRICT, OR INSTITUTE CHARTER SCHOOL WHO IS OPENLY DISPLAYING A DEADLY WEAPON, AS DEFINED IN SECTION 18-1-901 (3)(e).

(3) THE PROHIBITION DESCRIBED IN SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO THE USE OF MECHANICAL OR PRONE RESTRAINTS BY AN ARMED SECURITY OFFICER OR A CERTIFIED PEACE OFFICER WORKING IN A SCHOOL OF A SCHOOL DISTRICT, CHARTER SCHOOL OF A SCHOOL DISTRICT, OR INSTITUTE CHARTER SCHOOL WHEN THE OFFICER:

- (a) HAS RECEIVED DOCUMENTED TRAINING IN DEFENSIVE TACTICS UTILIZING HANDCUFFING PROCEDURES;
- (b) HAS RECEIVED DOCUMENTED TRAINING IN RESTRAINT TACTICS UTILIZING PRONE HOLDS; AND
- (c) HAS MADE A REFERRAL TO A LAW ENFORCEMENT AGENCY.

(4) THE PROHIBITION DESCRIBED IN SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO SCHOOLS OPERATED IN STATE-OWNED FACILITIES WITHIN THE DIVISION OF YOUTH CORRECTIONS.

SECTION 4. In Colorado Revised Statutes, add 22-32-147 as follows:

22-32-147. Use of restraints on students - certain restraints prohibited - reports and review process - definitions - rules. (1) As USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES: (a) "CHEMICAL RESTRAINT" HAS THE SAME MEANING AS SET FORTH IN SECTION 26-20-102 (2). (b) "MECHANICAL RESTRAINT" HAS THE SAME MEANING AS SET FORTH IN SECTION 26-20-102 (4). (c) "PRONE POSITION" MEANS A FACE-DOWN POSITION. (d) "PRONE RESTRAINT" MEANS A RESTRAINT IN WHICH THE INDIVIDUAL BEING RESTRAINED IS SECURED IN A PRONE POSITION. (e) "RESTRAINT" HAS THE SAME MEANING AS SET FORTH IN SECTION 26-20-102 (6). (2) PURSUANT TO SECTION 26-20-111, THE USE OF A CHEMICAL, MECHANICAL, OR PRONE RESTRAINT UPON A STUDENT IN A SCHOOL OR CHARTER SCHOOL OF A SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES IS PROHIBITED.

(3) (a) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, EACH SCHOOL DISTRICT SHALL REQUIRE ANY SCHOOL EMPLOYEE OR VOLUNTEER WHO USES ANY TYPE OF RESTRAINT ON A STUDENT OF THE SCHOOL DISTRICT TO SUBMIT A WRITTEN REPORT OF THE INCIDENT TO THE ADMINISTRATION OF THE SCHOOL NOT LATER THAN ONE SCHOOL DAY AFTER THE INCIDENT OCCURRED.

(b) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, EACH SCHOOL DISTRICT SHALL ESTABLISH A REVIEW PROCESS, CONDUCT THE REVIEW PROCESS AT LEAST ANNUALLY, AND DOCUMENT THE RESULTS OF EACH REVIEW PROCESS IN WRITING. EACH ANNUAL REVIEW PROCESS MUST INCLUDE A REVIEW OF EACH INCIDENT IN WHICH RESTRAINT WAS USED ON A STUDENT DURING THE PRECEDING YEAR. THE PURPOSE OF EACH ANNUAL REVIEW PROCESS IS TO ENSURE THAT THE SCHOOL DISTRICT IS PROPERLY ADMINISTERING RESTRAINT, IDENTIFYING ADDITIONAL TRAINING NEEDS, MINIMIZING AND PREVENTING THE USE OF RESTRAINT BY INCREASING THE USE OF POSITIVE BEHAVIOR INTERVENTIONS, AND REDUCING THE INCIDENCE OF INJURY TO STUDENTS AND STAFF. EACH ANNUAL REVIEW PROCESS MUST INCLUDE BUT IS NOT LIMITED TO: (I) ANALYSIS OF INCIDENT REPORTS, INCLUDING CONSIDERATION OF PROCEDURES USED DURING THE RESTRAINT, PREVENTATIVE OR ALTERNATIVE TECHNIQUES ATTEMPTED, DOCUMENTATION, AND FOLLOW-UP; (II) TRAINING NEEDS OF STAFF; (III) STAFF-TO-STUDENT RATIOS; AND (IV) ENVIRONMENTAL CONSIDERATIONS, INCLUDING PHYSICAL SPACE, STUDENT SEATING ARRANGEMENTS, AND NOISE LEVELS.

(c) NOT MORE THAN FIVE CALENDAR DAYS AFTER THE USE OF RESTRAINT ON A STUDENT, THE SCHOOL ADMINISTRATION SHALL MAIL, FAX, OR E-MAIL A WRITTEN REPORT OF THE INCIDENT TO THE PARENT OR LEGAL GUARDIAN OF THE STUDENT. THE WRITTEN REPORT MUST BE PLACED IN THE STUDENT'S CONFIDENTIAL FILE AND INCLUDE: (I) THE ANTECEDENT OF THE STUDENT'S BEHAVIOR, IF KNOWN; (II) A DESCRIPTION OF THE INCIDENT; (III) ANY EFFORTS MADE TO DE-ESCALATE THE SITUATION; (IV) ANY ALTERNATIVES TO THE USE OF RESTRAINTS THAT WERE ATTEMPTED; (V) THE TYPE AND DURATION OF THE RESTRAINT USED; (VI) ANY INJURIES THAT OCCURRED; AND (VII) THE STAFF MEMBERS WHO WERE PRESENT AND STAFF MEMBERS WHO WERE INVOLVED IN ADMINISTERING THE RESTRAINT.

FULL LINK TO BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1276_signed.pdf

EFFECTIVE DATE:

August 9, 2017

j. HB17-1294: Counting ASCENT Program Students In Graduation Rate

PRIME SPONSORS:

Mike Weissman (D), House District 36

Nancy Todd (D), Senate District 28

OVERVIEW:

The ASCENT program permits a student to remain in High school for up to two additional years in order to complete the requirements for an associate degree. Currently, a student enrolled in this program is not considered a graduate until he or she completes the ASCENT program. This bill requires that the ASCENT student be accounted for as a graduate when he or she meets minimum high school requirements of the education provider, rather than after he completes the ASCENT program.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, 22-35-108, amend (5) and (6)(b); and repeal (6)(a) as follows:

(b) On or before June 1, 2010, FOR PURPOSES OF APPLYING THE PROVISIONS OF ARTICLE 11 OF THIS TITLE 22 CONCERNING SCHOOL ACCOUNTABILITY AND REPORTING GRADUATION RATES, A QUALIFIED STUDENT WHO IS AN ASCENT PROGRAM PARTICIPANT SHALL BE COUNTED IN THE ENROLLING SCHOOL DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S GRADUATION RATE IN THE SCHOOL YEAR IN WHICH THE STUDENT COMPLETES THE SCHOOL DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S MINIMUM HIGH SCHOOL GRADUATION REQUIREMENTS.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1294_signed.pdf

EFFECTIVE DATE:

May 10, 2017

k. HB17-1301: No Withholding Student Transcripts For Library Fines

PRIME SPONSORS:

Dafna Michaelson (D), House District 30

Chris Holbert (R), Senate District 30 | Rhonda Fields (D), Senate District 29

OVERVIEW:

This bill prohibits a local education provider (LEP) from withholding student records, grades, transcripts, or diplomas or from refusing to allow a student's participation in graduation ceremonies due to

- a) Failure to pay fines or fees
- b) Failure to return or replace textbooks
- c) Failure to return or return school property

The LEP does possess the ability to make reasonable efforts to obtain compensation for the fees or property.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, 22-32-110, amend (1)(jj) as follows:

22-32-110. Board of education - specific powers. (1) In addition to any other power granted to a board of education of a school district by law, each board of education of a school district shall have the following specific powers, to be exercised in its judgment: (jj) To require the PAYMENT OF ANY FINE OR FEE ASSESSED PURSUANT TO LAW, THE RETURN OR replacement of ~~damaged~~ textbooks or library resources, ~~or the return of loaned textbooks or library resources by withholding~~ OR THE RETURN OR REPLACEMENT OF OTHER SCHOOL PROPERTY. A SCHOOL DISTRICT SHALL NOT WITHHOLD, AND SHALL ENSURE THAT A SCHOOL OF THE SCHOOL DISTRICT DOES NOT WITHHOLD, RECORDS REQUIRED FOR ENROLLMENT IN ANOTHER SCHOOL OR INSTITUTION OF HIGHER EDUCATION OR the diploma, transcript, or grades of any student who fails to PAY ANY ASSESSED FINE OR FEE, TO return or replace textbooks or library resources, OR TO RETURN OR REPLACE ANY SCHOOL PROPERTY at the completion of any semester or school year. The school district shall make a reasonable effort to obtain PAYMENT OF ANY ASSESSED FINE OR FEE, payment for lost or damaged textbooks or library resources, AND PAYMENT FOR LOST OR DAMAGED SCHOOL PROPERTY. If the school district determines that a student is unable to pay, the school district may obtain payment through other methods, including but not limited to payment plans or service within the school in which the student is enrolled. ~~The school district may also refuse to allow any student who completes graduation or continuation requirements to participate in any graduation or continuation ceremony if the student has failed to return or replace any such textbooks or library resources prior to the date of the graduation or continuation ceremony~~ NOTHING IN THIS SUBSECTION (1)(jj) LIMITS THE AUTHORITY OF A SCHOOL DISTRICT TO COLLECT DEBT.

SECTION 2. In Colorado Revised Statutes, 22-30.5-104, add (12) as follows:

22-30.5-104. Charter school - requirements - authority - rules. (12) PURSUANT TO THE PROVISIONS OF SECTION 22-32-110 (1)(jj), A CHARTER SCHOOL SHALL NOT WITHHOLD RECORDS REQUIRED FOR ENROLLMENT IN ANOTHER SCHOOL OR INSTITUTION OF HIGHER EDUCATION OR THE DIPLOMA, TRANSCRIPT, OR GRADES OF ANY STUDENT FOR FAILURE TO PAY A FINE OR FEE OR TO RETURN OR REPLACE SCHOOL PROPERTY.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1301_signed.pdf

EFFECTIVE DATE:

August 9, 2017

I. HB17-1302: Juvenile Sexting Crime

PRIME SPONSORS:

Pete Lee (D), House District 18 | Yeulin Willett (R), House District 54

Rhonda Fields (D), Senate District 29 | Robert Gardner (R), Senate District 12

OVERVIEW:

The bill creates the criminal offense of posting a private image by a juvenile. The offense can be committed in 2 ways. The first way is if a juvenile, through digital or electronic means, knowingly distributes, displays, or publishes to the view of another person a sexually explicit image of a person other than himself or herself who is at least 14 years of age or is less than 4 years younger than the juvenile:

- Without the depicted person's permission; or
- When the recipient did not solicit or request to be supplied with the image and suffered emotional distress; or
- When the juvenile knew or should have known that the depicted person had a reasonable expectation that the image would remain private.

The second way is if the juvenile knowingly distributes, displays, or publishes, to the view of another person who is at least 14 years of age or is less than 4 years younger than the juvenile, a sexually explicit image of himself or herself when the recipient did not solicit or request to be supplied with the image and suffered emotional distress. The offense is a class 2 misdemeanor; except that it is a class 1 misdemeanor if:

- The juvenile committed the offense with the intent to coerce, intimidate, threaten, or otherwise cause emotional distress to the depicted person; or
- The juvenile had previously posted a private image and completed a diversion program or education program for the act pursuant to the provisions of the bill or had a prior adjudication for posting a private image by a juvenile; or
- The juvenile distributed, displayed, or published 3 or more images that depicted 3 or more separate and distinct persons.

The bill creates the criminal offense of possessing a private image by a juvenile that prohibits a juvenile, through digital or electronic means, from knowingly possessing a sexually explicit image of another person who is at least 14 years of age or is less than 4 years younger than the juvenile without the depicted person's permission. It is not an offense if the juvenile:

- Took reasonable steps to either destroy or delete the image within 72 hours after initially viewing the image; or
- Reported the initial viewing of such image to law enforcement or a school resource officer within 72 hours after initially viewing the image.

The offense is a petty offense; except that it is a class 2 misdemeanor if the unsolicited possessor of the image possessed 10 or more separate images that depicted 3 or more separate and distinct persons.

The bill creates a civil infraction of exchange of a private image by a juvenile if a juvenile, through digital or electronic means:

- Knowingly sends a sexually explicit image or images of himself or herself to another person who is at least 14 years of age or is less than 4 years younger than the juvenile, and the image or images depict only the sender and no other person and the sender reasonably believed that the recipient had solicited or otherwise agreed to the transmittal of the image or images; or
- Knowingly possesses a sexually explicit image or images of another person who is at least 14 years of age or is less than 4 years younger than the juvenile, and the image or images depict only the sender and no other person and the juvenile reasonably believed that the depicted person had transmitted the image or images or otherwise agreed to the transmittal of the image or images.

The civil infraction can be punished by participation in a program designed by the school safety resource center or other appropriate program addressing the risks and consequences of exchanging a sexually explicit image of a juvenile or a fine of up to \$50, which may be waived by the court upon a showing of indigency.

If a juvenile's conduct is limited to the elements of the petty offense of possession of a private image by a juvenile or limited to the elements of the civil infraction of exchange of a private image by a juvenile, then the juvenile cannot be charged with sexual exploitation of a child. If a juvenile is charged with posting a private image by a juvenile, he or she cannot be charged with sexual exploitation of a child. The bill allows a juvenile to petition the court to not impose sex offender registration if he or she is charged with sexual exploitation of a child and the juvenile's conduct satisfies posting a private image by a juvenile or possession of a private image by a juvenile. It is an affirmative defense to the two criminal offenses and the civil infraction if a juvenile is coerced, threatened, or intimidated into distributing, displaying, publishing, possessing, or exchanging a sexually explicit image of a person under 18 years of age. The court must order the records of any of the 2 criminal offenses or civil infraction expunged within 42 days of completion of the sentence or program.

The bill requires the school safety resource center to make available a sexting curriculum for school districts to use.

KEY STATUTORY SECTIONS:

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

- (a) Currently when a juvenile engages in sexting behavior, usually the only available offense with which to charge that juvenile is sexual exploitation of a child, which is a class 3 felony;
- (b) It is necessary to provide in statute the ability of all law enforcement, including district attorneys, to charge lower level offenses or civil infractions in addition to providing other diversionary programs that can more appropriately address the conduct involved in cases involving sexting behavior;
- (c) It is imperative that, for any offense charged or civil infraction issued, the court have the discretion to impose appropriate sanctions that are consistent with the objectives of the Colorado children's code; and

(d) In order to track and assess the efficacy of creating these new offenses and their impact on any reduction in the filing of felony charges, the impact on the number of diversion or alternative case resolution programs, the level of education provided to teens on issues related to sexting behavior, and any discernable impact on teen sexting behavior, the judicial department, school safety resource officers, and district attorneys' offices should track the number of cases, including the offenses involved, the number of juveniles who participated in the education programs provided for in this legislation, and who provided those programs.

(2) Therefore, the general assembly is creating the crimes of posting private images by a juvenile and possessing private images by a juvenile and the civil infraction of exchange of a private image by a juvenile.

SECTION 4. In Colorado Revised Statutes, add 18-7-109 as follows: 18-7-109. Posting, possession, or exchange of a private image by a juvenile - definitions - penalties. (1) A JUVENILE COMMITS THE OFFENSE OF POSTING A PRIVATE IMAGE BY A JUVENILE IF HE OR SHE, THROUGH DIGITAL OR ELECTRONIC MEANS:

(a) KNOWINGLY DISTRIBUTES, DISPLAYS, OR PUBLISHES TO THE VIEW OF ANOTHER PERSON A SEXUALLY EXPLICIT IMAGE OF A PERSON OTHER THAN HIMSELF OR HERSELF WHO IS AT LEAST FOURTEEN YEARS OF AGE OR IS LESS THAN FOUR YEARS YOUNGER THAN THE JUVENILE: (I) WITHOUT THE DEPICTED PERSON'S PERMISSION; OR (II) WHEN THE RECIPIENT DID NOT SOLICIT OR REQUEST TO BE SUPPLIED WITH THE IMAGE AND SUFFERED EMOTIONAL DISTRESS; OR (III) WHEN THE JUVENILE KNEW OR SHOULD HAVE KNOWN THAT THE DEPICTED PERSON HAD A REASONABLE EXPECTATION THAT THE IMAGE WOULD REMAIN PRIVATE; OR

(b) KNOWINGLY DISTRIBUTES, DISPLAYS, OR PUBLISHES, TO THE VIEW OF ANOTHER PERSON WHO IS AT LEAST FOURTEEN YEARS OF AGE OR IS LESS THAN FOUR YEARS YOUNGER THAN THE JUVENILE, A SEXUALLY EXPLICIT IMAGE OF HIMSELF OR HERSELF WHEN THE RECIPIENT DID NOT SOLICIT OR REQUEST TO BE SUPPLIED WITH THE IMAGE AND SUFFERED EMOTIONAL DISTRESS.

(2) A JUVENILE COMMITS THE OFFENSE OF POSSESSING A PRIVATE IMAGE BY A JUVENILE IF HE OR SHE, THROUGH DIGITAL OR ELECTRONIC MEANS, KNOWINGLY POSSESSES A SEXUALLY EXPLICIT IMAGE OF ANOTHER PERSON WHO IS AT LEAST FOURTEEN YEARS OF AGE OR IS LESS THAN FOUR YEARS YOUNGER THAN THE JUVENILE WITHOUT THE DEPICTED PERSON'S PERMISSION; EXCEPT THAT IT IS NOT A VIOLATION OF THIS SUBSECTION (2) IF THE JUVENILE:

(a) TOOK REASONABLE STEPS TO EITHER DESTROY OR DELETE THE IMAGE WITHIN SEVENTY-TWO HOURS AFTER INITIALLY VIEWING THE IMAGE; OR

(b) REPORTED THE INITIAL VIEWING OF SUCH IMAGE TO LAW ENFORCEMENT OR A SCHOOL RESOURCE OFFICER WITHIN SEVENTY-TWO HOURS AFTER INITIALLY VIEWING THE IMAGE.

(3) A JUVENILE COMMITS THE CIVIL INFRACTION OF EXCHANGE OF A PRIVATE IMAGE BY A JUVENILE IF HE OR SHE, THROUGH DIGITAL OR ELECTRONIC MEANS:

(a) KNOWINGLY SENDS A SEXUALLY EXPLICIT IMAGE OR IMAGES OF HIMSELF OR HERSELF TO ANOTHER PERSON WHO IS AT LEAST FOURTEEN YEARS OF AGE OR IS LESS THAN FOUR YEARS YOUNGER THAN THE JUVENILE, AND THE IMAGE OR IMAGES DEPICT ONLY THE SENDER AND NO OTHER PERSON AND THE SENDER REASONABLY BELIEVED THAT THE RECIPIENT HAD SOLICITED OR OTHERWISE AGREED TO THE TRANSMITTAL OF THE IMAGE OR IMAGES; OR

(b) KNOWINGLY POSSESSES A SEXUALLY EXPLICIT IMAGE OR IMAGES OF ANOTHER PERSON WHO IS AT LEAST FOURTEEN YEARS OF AGE OR IS LESS THAN FOUR YEARS YOUNGER THAN THE JUVENILE, AND THE IMAGE OR IMAGES DEPICT ONLY THE SENDER AND NO OTHER PERSON AND THE JUVENILE REASONABLY BELIEVED THAT THE DEPICTED PERSON HAD TRANSMITTED THE IMAGE OR IMAGES OR OTHERWISE AGREED TO THE TRANSMITTAL OF THE IMAGE OR IMAGES.

(4) IT IS AN AFFIRMATIVE DEFENSE TO SUBSECTION (1), (2), OR (3) OF THIS SECTION IF A JUVENILE IS COERCED, THREATENED, OR INTIMIDATED INTO DISTRIBUTING, DISPLAYING, PUBLISHING, POSSESSING, OR EXCHANGING A SEXUALLY EXPLICIT IMAGE OF A PERSON UNDER EIGHTEEN YEARS OF AGE.

(5) (a) POSTING A PRIVATE IMAGE BY A JUVENILE IS A CLASS 2 MISDEMEANOR; EXCEPT THAT IT IS A CLASS 1 MISDEMEANOR IF:

(I) THE JUVENILE COMMITTED THE OFFENSE WITH THE INTENT TO COERCE, INTIMIDATE, THREATEN, OR OTHERWISE CAUSE EMOTIONAL DISTRESS TO THE DEPICTED PERSON; OR

(II) THE JUVENILE HAD PREVIOUSLY POSTED A PRIVATE IMAGE AND COMPLETED A DIVERSION PROGRAM OR EDUCATION PROGRAM FOR THE ACT PURSUANT TO THE PROVISIONS OF THIS SECTION OR HAD A PRIOR ADJUDICATION FOR POSTING A PRIVATE IMAGE BY A JUVENILE; OR

(III) THE JUVENILE DISTRIBUTED, DISPLAYED, OR PUBLISHED THREE OR MORE IMAGES THAT DEPICTED THREE OR MORE SEPARATE AND DISTINCT PERSONS.

(b) POSSESSING A PRIVATE IMAGE BY A JUVENILE IS A PETTY OFFENSE; EXCEPT THAT IT IS A CLASS 2 MISDEMEANOR IF THE UNSOLICITED POSSESSOR OF THE IMAGE POSSESSED TEN OR MORE SEPARATE IMAGES THAT DEPICTED THREE OR MORE SEPARATE AND DISTINCT PERSONS.

(c) EXCHANGE OF A PRIVATE IMAGE BY A JUVENILE IS A CIVIL INFRACTION AND IS PUNISHABLE BY PARTICIPATION IN A PROGRAM DESIGNED BY THE SCHOOL SAFETY RESOURCE CENTER OR OTHER APPROPRIATE PROGRAM ADDRESSING THE RISKS AND CONSEQUENCES OF EXCHANGING A SEXUALLY EXPLICIT IMAGE OF A JUVENILE OR A FINE OF UP TO FIFTY DOLLARS, WHICH MAY BE WAIVED BY THE COURT UPON A SHOWING OF INDIGENCY. IF THE JUVENILE FAILS TO APPEAR IN RESPONSE TO A CIVIL INFRACTION CITATION OR FAILS TO COMPLETE THE REQUIRED CLASS OR PAY THE IMPOSED FEE, THE COURT MAY ISSUE AN ORDER TO SHOW CAUSE REQUIRING THE JUVENILE'S APPEARANCE IN COURT AND IMPOSE ADDITIONAL AGE-APPROPRIATE PENALTIES. THE COURT SHALL NOT ISSUE A WARRANT FOR THE ARREST OF THE JUVENILE OR IMPOSE INCARCERATION AS A PENALTY.

(d) IN ADDITION TO ANY OTHER SENTENCE THE COURT MAY IMPOSE FOR A VIOLATION OF SECTION 18-7-109 (1), THE COURT SHALL ORDER THE JUVENILE BE ASSESSED FOR SUITABILITY TO PARTICIPATE IN RESTORATIVE JUSTICE PRACTICES, IF AVAILABLE, AND, UPON A DETERMINATION OF SUITABILITY, THE COURT SHALL INFORM THE VICTIM ABOUT THE POSSIBILITY OF RESTORATIVE JUSTICE PRACTICES AS DEFINED IN SECTION 18-1-901 (3)(o.5). THE COURT SHALL NOT CONSIDER THE VICTIM'S UNWILLINGNESS TO PARTICIPATE IN RESTORATIVE JUSTICE PRACTICES WHEN DETERMINING OTHER SENTENCING OPTIONS.

(e) EACH DISTRICT ATTORNEY IS ENCOURAGED TO DEVELOP A DIVERSION PROGRAM FOR JUVENILES WHO VIOLATE THE PROVISIONS OF THIS SECTION AND OFFER THE PROGRAM TO A JUVENILE WHO IS ALLEGED TO HAVE VIOLATED THIS SECTION FOR THE FIRST TIME. IF THE JURISDICTION DOES NOT HAVE A DIVERSION PROGRAM, THE DISTRICT ATTORNEY IS ENCOURAGED TO PROVIDE ALTERNATIVE PROGRAMMING DESIGNED TO ALLOW THE JUVENILE TO AVOID ANY ADJUDICATION.

(6) THE COURT SHALL ORDER ALL RECORDS IN A JUVENILE DELINQUENCY CASE IN THE CUSTODY OF THE COURT, AND ANY RECORDS RELATED TO THE CASE AND CHARGES IN THE CUSTODY OF ANY OTHER AGENCY, PERSON, COMPANY, OR ORGANIZATION, THAT ARE RELATED TO AN OFFENSE PURSUANT TO THIS SECTION EXPUNGED WITHIN FORTY-TWO DAYS AFTER THE COMPLETION OF THE SENTENCE OR OTHER ALTERNATIVE PROGRAM.

(7) A PERSON WHO IS A VICTIM OF A VIOLATION OF SUBSECTION (1), (2), OR (3) OF THIS SECTION IS ELIGIBLE FOR COMPENSATION AND SERVICES PURSUANT TO PART 1 OF ARTICLE 4.1 OF TITLE 24.

(8) AS USED IN THIS SECTION:

(a) "JUVENILE" MEANS A PERSON UNDER EIGHTEEN YEARS OF AGE.

(b) "SEXUALLY EXPLICIT IMAGE" MEANS ANY ELECTRONIC OR DIGITAL PHOTOGRAPH, VIDEO, OR VIDEO DEPICTION OF THE EXTERNAL GENITALIA OR PERINEUM OR ANUS OR BUTTOCKS OR PUBES OF ANY PERSON OR THE BREAST OF A FEMALE PERSON

LINK TO FULL BILL TEXT:

https://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1302_signed.pdf

EFFECTIVE DATE:

May 19, 2017

m. HB17-1306: Test Lead In Public Schools' Drinking Water

PRIME SPONSORS:

**Tony Exum Sr. (D), House District 17 | Barbara McLachlan (D) House District 59
Don Coram (R), Senate District 6 | Kerry Donovan (D), Senate District 5**

OVERVIEW:

This bill gives the Colorado Department of Public Health and Environment (CDPHE) authorization to establish a grant program to test for lead in drinking water in public schools which receive water from public water systems. CDPHE will give priority to the oldest public schools, and eventually work towards all other public schools. The goal is to finish testing by June 30, 2020. The department has a \$300,000 budget per year for 3 years. The public schools receiving the testing must provide 10% local matching funds and give the test results to its local public health agency, its supplier of water, its school board, and the department.

KEY STATUTORY SECTIONS:

SECTION 2. In Colorado Revised Statutes, 25-1.5-203, add (1)(f) as follows:

(f) Public school lead testing grant program. (I) TO ESTABLISH A GRANT PROGRAM TO PAY FOR TESTING TO DETECT THE PRESENCE AND CONCENTRATION OF LEAD IN DRINKING WATER IN A PUBLIC SCHOOL, AS THAT TERM IS DEFINED IN SECTION 22-1-101 (1), THAT RECEIVES ITS DRINKING WATER FROM A PUBLIC WATER SYSTEM; EXCEPT THAT, FOR PURPOSES OF THIS SECTION, "PUBLIC SCHOOL" INCLUDES: A PUBLIC SCHOOL DISTRICT; A CHARTER SCHOOL, AS THAT TERM IS DEFINED IN SECTION 22-30.5-103(2), INCLUDING AN INSTITUTE CHARTER SCHOOL, AS THAT TERM IS DEFINED IN SECTION 22-30.5-502 (6); AND A BOARD OF COOPERATIVE SERVICES, AS THAT TERM IS DEFINED IN SECTION 22-5-103 (2). THE DEPARTMENT MAY SPECIFY TESTING PROTOCOLS AND GUIDELINES AND MAY PROVIDE TECHNICAL ASSISTANCE, AS NECESSARY AND FEASIBLE, TO APPLICANTS AND GRANT RECIPIENTS REGARDING THE GRANT APPLICATION, SAMPLING GUIDANCE, SAMPLING PLAN REVIEW, AND COMMUNICATION GUIDANCE. THE COMMISSION MAY ADOPT RULES TO IMPLEMENT THE GRANT PROGRAM, WHICH RULES MAY INCLUDE CONSIDERATION OF A PUBLIC SCHOOL'S ABILITY TO PAY FOR TESTING IN ADMINISTERING THE PROGRAM. (II) IN ADMINISTERING THE PROGRAM, THE DEPARTMENT SHALL PRIORITIZE GRANT RECIPIENTS IN THE FOLLOWING ORDER: THE OLDEST PUBLIC ELEMENTARY SCHOOLS; THE OLDEST PUBLIC SCHOOLS THAT ARE NOT ELEMENTARY SCHOOLS; AND ALL OTHER PUBLIC SCHOOLS. FOR PURPOSES OF THIS SUBSECTION (1) (f)

(II), AN "ELEMENTARY SCHOOL" MEANS A PUBLIC SCHOOL THAT INCLUDES ANY OR ALL OF THE FOLLOWING: PRESCHOOL, KINDERGARTEN, AND GRADES ONE THROUGH FIVE. THE DEPARTMENT MAY ALSO DEVELOP AND APPLY SECONDARY CRITERIA AS ESTABLISHED THROUGH RULES PROMULGATED BY THE COMMISSION. A PUBLIC SCHOOL THAT IS SUBJECT TO THE FEDERAL LEAD AND COPPER RULE, 40 CFR PART 141, SUBPART I, OR HAS ALREADY TESTED OR IS IN THE PROCESS OF TESTING ITS DRINKING WATER FOR LEAD IS NOT ELIGIBLE FOR A GRANT PURSUANT TO THIS SUBSECTION (1)(f).

(III) THE DEPARTMENT SHALL APPLY ITS BEST EFFORTS TO COMPLETE ALL TESTING AND ANALYSIS BY JUNE 30, 2020

SECTION 3. In Colorado Revised Statutes, 25-8-608, add (1.7)(d) as follows:

(A) UP TO THREE HUNDRED THOUSAND DOLLARS FOR FISCAL YEAR 2017-18, THREE HUNDRED THOUSAND DOLLARS FOR FISCAL YEAR 2018-19, AND THREE HUNDRED THOUSAND DOLLARS FOR FISCAL YEAR 2019-20 FOR GRANTS FOR LEAD TESTING AS AUTHORIZED BY THE PUBLIC SCHOOL LEAD TESTING GRANT PROGRAM ESTABLISHED IN SECTION 25-1.5-203 (1)(f); AND

(B) ONE HUNDRED FORTY THOUSAND DOLLARS FOR FISCAL YEAR 2017-18, ONE HUNDRED THOUSAND DOLLARS FOR FISCAL YEAR 2018-19, AND ONE HUNDRED THOUSAND DOLLARS FOR FISCAL YEAR 2019-20 TO IMPLEMENT THE PUBLIC SCHOOL LEAD TESTING GRANT PROGRAM ESTABLISHED IN SECTION 25-1.5-203 (1)(f), INCLUDING TECHNICAL SUPPORT FOR SCHOOLS, GRANT ADMINISTRATION, AND REPORTING

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1306_signed.pdf

EFFECTIVE DATE:

May 24, 2017

n. SB17-025: Marijuana Education Materials Resource Bank

PRIME SPONSORS:

Jonathan Singer (D), House District 11

Randy Baumgardner (R), Senate District 8 | Chris Holbert (R), Senate District 30

OVERVIEW:

This bill requires that the Colorado Department of Education (CDE), in tandem with the Colorado Department of Public Health and Environment (CDPHE) and the Marijuana Educational Oversight Committee, create and maintain a resource bank of materials and curricula related to marijuana. By July 1, 2017, a resource bank must be created for public schools to use without charge. Upon request of the school, the departments are to provide technical assistance in creating age appropriate material. The resource bank is to be funded by the marijuana tax cash fund.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, add 22-2-127.7 as follows:

22-2-127.7. Marijuana education materials - resource bank - technical assistance. (1) (a) THE DEPARTMENT, WITH ASSISTANCE FROM THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, SHALL CREATE AND MAINTAIN A RESOURCE BANK OF EVIDENCE-BASED, RESEARCH-BASED, AND PROMISING PROGRAM MATERIALS AND CURRICULA PERTAINING TO MARIJUANA, WHICH MATERIALS AND CURRICULA MAY BE USED IN ELEMENTARY AND SECONDARY SCHOOLS IN THE STATE. IN CREATING THE RESOURCE BANK AND CURRICULA, THE DEPARTMENT, WITH THE MARIJUANA EDUCATIONAL OVERSIGHT COMMITTEE ESTABLISHED PURSUANT TO SECTION 24-20-112 (4), SHALL SOLICIT INPUT FROM PERSONS BOTH INSIDE AND OUTSIDE OF THE MARIJUANA INDUSTRY. SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL SOLICIT REQUESTS FOR INFORMATION AND MAY CONTRACT FOR: (I) THE ORGANIZATION AND ENHANCEMENT OF THE RESOURCE BANK, INCLUDING MATERIALS ON THE PREVENTION OF MARIJUANA USE AND EDUCATION ON MEDICAL AND RETAIL MARIJUANA; (II) THE DEVELOPMENT OF MARIJUANA CURRICULA FOR SCHOOLS AND PROVIDING SUCH CURRICULA TO SCHOOLS; AND (III) TRAINING FOR EDUCATORS AND SCHOOL STAFF CONCERNING MARIJUANA.

(2) ON AND AFTER JULY 1, 2017, THE DEPARTMENT SHALL MAKE MATERIAL IN THE RESOURCE BANK AVAILABLE WITHOUT CHARGE TO SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOARDS OF COOPERATIVE SERVICES. AT THE REQUEST OF A SCHOOL DISTRICT, CHARTER SCHOOL, OR BOARD OF COOPERATIVE SERVICES, THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO THE SCHOOL DISTRICT, CHARTER SCHOOL, OR BOARD OF COOPERATIVE SERVICES IN DESIGNING AGE-APPROPRIATE CURRICULA PERTAINING TO MARIJUANA USE.

(3) AFTER THE RESOURCE BANK AND CURRICULA ARE AVAILABLE, SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOARDS OF COOPERATIVE SERVICES ARE ENCOURAGED TO REPORT TO THE DEPARTMENT ON THE EFFECTIVENESS OF THE RESOURCE BANK AND CURRICULA AND TO RECOMMEND CHANGES TO IMPROVE THE RESOURCE BANK OR CURRICULA. THE DEPARTMENT IS ENCOURAGED TO UPDATE THE RESOURCE BANK AND CURRICULA BASED ON RECOMMENDATIONS FROM SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOARDS OF COOPERATIVE SERVICES

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_025_signed.pdf

EFFECTIVE DATE:

May 18, 2017

o. SB17-033: Delegate Dispensing Over-the-Counter Medications

PRIMARY SPONSORS:

Polly Lawrence (R), House District 39

Irene Aguilar (D), Senate District 32

OVERVIEW:

The bill allows a professional nurse to delegate to another person, after appropriate training, the dispensing authority of an over-the-counter medication to a minor with the signed consent of the minor's parent or guardian.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, add 12-38-132.3 as follows:

12-38-132.3. School nurses - over-the-counter medication. (1) THIS PART 1 DOES NOT PROHIBIT A PERSON WHO HAS BEEN APPROPRIATELY TRAINED FROM DISPENSING AN OVER-THE-COUNTER MEDICATION TO A MINOR AS LONG AS THE PERSON HAS WRITTEN INSTRUCTIONS FROM THE MINOR'S PARENT OR GUARDIAN AND THERE IS A PHYSICIAN'S STANDING MEDICAL ORDER.

(2) THIS SECTION IS NOT INTENDED TO AFFECT THE AUTHORITY OF A PROFESSIONAL NURSE TO DELEGATE NURSING TASKS.

LINK TO FULL BILL TEXT:

https://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_033_signed.pdf

EFFECTIVE DATE

August 9, 2017

p. SB17-068: School Counselors Early Support For Students

PRIME SPONSORS:

Jonathan Singer (D), House District 11

Nancy Todd (D), Senate District 28

OVERVIEW:

Under current law, public middle, junior, or high schools may apply for the school counselor corps grant program, which is administered by the Colorado Department of Education (CDE). Research suggests that the program has been beneficial to the students. This bill expands eligibility, giving elementary schools the option to also apply for the program.

KEY STATUTORY SECTIONS:

SECTION I. Legislative declaration. (1) The general assembly hereby finds and declares that:

- (a) Student behavioral health is important to creating successful and safe schools;
 - (b) Support provided by school nurses, psychologists, social workers, and counselors reduces the incidence of student bullying, substance abuse, and suicide, and helps foster nurturing and safe environments for learning; and
 - (c) The general assembly has previously created two successful grant programs to increase the number of school nurses, psychologists, social workers, and counselors in schools: The behavioral health care professional matching grant program, created in article 96 of title 22; and the school counselor corps grant program, created in article 91 of title 22.
- (2) The general assembly recognizes the benefits that these programs can offer to students throughout the public school system, from kindergarten through high school graduation, and, therefore, declares that it is appropriate to expand the eligibility for these programs to all public schools.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_068_signed.pdf

EFFECTIVE DATE:

August 9, 2017

q. SB17-103: Early Learning Strategies In Education Accountability

PRIME SPONSORS:

Brittany Pettersen (D), House District 28

Michael Merrifield (D), Senate District 11

OVERVIEW:

This bill adds early childhood education strategies and needs assessments to the supports and interventions provided by the Colorado Department of Education (CDE) to low performing schools and school districts. Currently, the CDE provides assistance to schools that are under an improvement plan, priority improvement plan, or turnaround plan. The bill specifies that the technical assistance may include consultation concerning strategies that address the quality and availability of early childhood education opportunities. The bill adds that for districts with a school serving kindergarten through third grades that is accredited under a priority improvement or turnaround plan, the plan must include an early childhood learning needs assessment and specifies the early childhood learning needs to be assessed. The bill expands the list of actions for a public school that serve children in kindergarten through third grade. This includes investing in research-based strategies to address any deficiencies identified in early childhood learning needs assessment and if those deficiencies are correlated with the performance of the school.

KEY STATUTORY SECTIONS:

SECTION 2. In Colorado Revised Statutes, 22-11-210, amend (3)(b) as follows:

22-11-210. Public schools annual review - plans - supports and interventions - rules - repeal. (3) At the request of a district public school's local school board, or at the institute's request for an institute charter school, the department shall provide technical assistance and support to the public school, local school board, or institute in preparing and implementing the public school's improvement, priority improvement, or turnaround plan. The department shall base the amount of technical assistance and support provided to a public school, the local school board, or the institute on the school's degree of need for assistance and the department's available resources. Technical assistance and support may include, but need not be limited to:

(b) Consultative services on best practices for improvement and implementation of intervention strategies, including, where appropriate, RESEARCH-BASED strategies that address THE QUALITY AND AVAILABILITY OF early childhood education OPPORTUNITIES FOR STUDENTS WHO RESIDE WITHIN THE NEIGHBORHOOD FOR THE PUBLIC SCHOOL and student engagement and re-engagement; and

SECTION 5. In Colorado Revised Statutes, 22-11-405, amend (4)(c); and add (4.5) as follows:

22-11-405. School priority improvement plan - contents. (4) A school priority improvement plan must be designed to ensure that the public school improves its performance to the extent that, following completion of the public school's next annual performance review, the public school attains a higher accreditation category. At a minimum, a school priority improvement plan must:

(c) Assess and prioritize the issues and needs at the public school that must be addressed to raise the levels of attainment on the performance indicators by the public school and to improve school readiness, if the public school serves students in preschool or kindergarten. THE NEEDS ASSESSMENT FOR A PUBLIC SCHOOL THAT ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN SUBSECTION (4.5) OF THIS SECTION.

(4.5) AN EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT MUST DETERMINE THE EXTENT TO WHICH:

(a) THERE ARE QUALITY EARLY CHILDHOOD PROGRAMS EXISTING WITHIN THE NEIGHBORHOOD OF THE PUBLIC SCHOOL; EXCEPT THAT A PUBLIC SCHOOL MUST INCLUDE THIS INFORMATION IN THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT ONLY IF THE INFORMATION IS READILY AVAILABLE TO THE PUBLIC SCHOOL;

(b) CHILDREN ARE ENROLLED IN PUBLICLY FUNDED EARLY LEARNING AND DEVELOPMENT PROGRAMS WITHIN THE NEIGHBORHOOD OF THE PUBLIC SCHOOL OR IN PRIVATE EARLY LEARNING AND DEVELOPMENT PROGRAMS THAT PARTICIPATE IN THE SCHOOL READINESS QUALITY IMPROVEMENT PROGRAM CREATED IN SECTION 26-6.5-106 AND ARE LOCATED WITHIN THE NEIGHBORHOOD OF THE PUBLIC SCHOOL; EXCEPT THAT A PUBLIC SCHOOL MUST INCLUDE THIS INFORMATION IN THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT ONLY IF THE INFORMATION IS READILY AVAILABLE TO THE PUBLIC SCHOOL;

(c) THE PUBLIC SCHOOL WORKS WITH AN EARLY CHILDHOOD COUNCIL ESTABLISHED PURSUANT TO PART 1 OF ARTICLE 60.5 OF TITLE 26 OR EARLY CHILDHOOD COMMUNITY AGENCIES EXISTING WITHIN THE NEIGHBORHOOD OF THE PUBLIC SCHOOL;

(d) THE PUBLIC SCHOOL COLLABORATES WITH EARLY CHILDHOOD PROVIDERS AND PROGRAMS REGARDING STUDENTS' TRANSITION FROM PRESCHOOL TO KINDERGARTEN;

(e) TEACHERS EMPLOYED AT OR BY THE PUBLIC SCHOOL TO TEACH KINDERGARTEN OR ONE OF GRADES ONE THROUGH THREE HAVE EARLY CHILDHOOD TEACHING CREDENTIALS;

(f) JOINT PROFESSIONAL DEVELOPMENT OPPORTUNITIES, INCLUDING OPPORTUNITIES FOR EDUCATOR COLLABORATION, ARE AVAILABLE THROUGH THE PUBLIC SCHOOL FOR EARLY CHILDHOOD PROVIDERS, TEACHERS, AND PRINCIPALS;

(g) THE PUBLIC SCHOOL HAS A CURRENT PARENT ENGAGEMENT PLAN AND PROVIDES AMPLE OPPORTUNITIES FOR PARENT AND FAMILY ENGAGEMENT IN PRESCHOOL THROUGH THIRD GRADE; AND

(h) OTHER EARLY CHILDHOOD RESOURCES, SUCH AS HOME VISITATION, EARLY INTERVENTION SERVICES, LIBRARY PROGRAMS FOR YOUNG CHILDREN, AND FAMILY RESOURCE CENTERS, ARE AVAILABLE TO FAMILIES WHO RESIDE IN THE NEIGHBORHOOD OF THE PUBLIC SCHOOL.

SECTION 6. In Colorado Revised Statutes, 22-11-406, amend (3)(c), (3)(d) introductory portion, and (3)(d)(VI); and add (3)(d)(VI.5) as follows:

22-11-406. School turnaround plan - contents. (3) A school turnaround plan must be designed to ensure that the public school improves its performance to the extent that, following completion of the public school's next annual performance review, the public school attains a higher accreditation category. At a minimum, a school turnaround plan must:

(c) Assess and prioritize the issues and needs at the public school that must be addressed to raise the levels of attainment on the performance indicators by the public school and to improve school readiness, if the public school serves students in preschool or kindergarten. THE NEEDS ASSESSMENT FOR A PUBLIC SCHOOL THAT ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN SECTION 22-11-405 (4.5).

(d) Identify specific, research-based strategies that are appropriate in scope, intensity, and type to address the needs and issues identified pursuant to SUBSECTION (3)(c) OF THIS SECTION, which strategies shall, at a minimum, include one or more of the following:

(VI) For a district charter school or an institute charter school, renegotiating and significantly restructuring the charter school's charter contract; and

(VI.5) FOR A PUBLIC SCHOOL THAT SERVES STUDENTS ENROLLED IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE, THAT THE PUBLIC SCHOOL INVEST IN RESEARCH-BASED STRATEGIES FOCUSED ON EARLY LEARNING AND DEVELOPMENT TO ADDRESS ANY DEFICIENCIES IDENTIFIED IN THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT COMPLETED FOR THE PUBLIC SCHOOL PURSUANT TO SUBSECTION (3)(c) OF THIS SECTION IF THE CAUSE OF THE PUBLIC SCHOOL'S LOW PERFORMANCE IS DIRECTLY RELATED TO LACK OF SCHOOL READINESS AND ACCESS TO QUALITY EARLY LEARNING OPPORTUNITIES, AS DEMONSTRATED BY STUDENT ACHIEVEMENT DATA FOR THE EARLY ELEMENTARY GRADES, AND THE PUBLIC SCHOOL HAS NOT SUCCESSFULLY IMPLEMENTED THESE STRATEGIES IN THE PRECEDING SCHOOL YEARS. RESEARCH-BASED EARLY LEARNING AND DEVELOPMENT STRATEGIES INCLUDE INCREASING THE QUALITY AND AVAILABILITY OF EARLY LEARNING AND DEVELOPMENT PROGRAMS FOR STUDENTS WHO RESIDE WITHIN THE NEIGHBORHOOD OF THE PUBLIC SCHOOL AND INCREASING THE RESOURCES AVAILABLE IN KINDERGARTEN THROUGH THIRD GRADE TO IMPROVE SCHOOL READINESS AND EARLY LEARNING. A PUBLIC SCHOOL MAY IMPLEMENT STRATEGIES FOCUSED ON EARLY LEARNING AND DEVELOPMENT AS DESCRIBED IN THIS SUBSECTION (3)(d)(VI.5) ONLY IN COMBINATION WITH AT LEAST ONE OTHER RESEARCH-BASED STRATEGY SPECIFIED IN THIS SUBSECTION (3)(d).

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_103_signed.pdf

EFFECTIVE DATE:

May 18, 2017

r. **SB17-123: Seal Of Biliteracy For High School Diplomas**

PRIME SPONSORS:

**Millie Hammer (D), House District 61 | James Wilson (R), House District 60
Kevin Priola (R), Senate district 25 | Rachel Zenzinger (D), Senate District 19**

OVERVIEW:

This bill authorizes a school district, Board of Cooperative Educational Services (BOCES), district charter high school or institute charter high school to grant a diploma endorsement in biliteracy to a student who demonstrates proficiency in English and at least one other language.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, add 22-7-1009.5 as follows:

(2) A LOCAL EDUCATION PROVIDER MAY GRANT A DIPLOMA ENDORSEMENT IN BILITERACY TO A GRADUATING HIGH SCHOOL STUDENT WHO ATTAINS PROFICIENCY OR HIGHER IN ONE OR MORE WORLD LANGUAGES IN ADDITION TO ATTAINING PROFICIENCY OR HIGHER IN ENGLISH. To OBTAIN AN ENDORSEMENT IN BILITERACY, A GRADUATING STUDENT MUST:

(a) DEMONSTRATE PROFICIENCY OR HIGHER IN ENGLISH BY:

(I) COMPLETING ALL OF THE ENGLISH LANGUAGE ARTS COURSE REQUIREMENTS FOR GRADUATION FROM HIGH SCHOOL WITH AN OVERALL GRADE POINT AVERAGE OF AT LEAST 3.0 IN THE REQUIRED ENGLISH LANGUAGE ARTS COURSES; AND

(II) (A) ACHIEVING A SCORE THAT INDICATES PROFICIENCY OR HIGHER ON THE ENGLISH LANGUAGE ARTS PORTION OF THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM ADMINISTERED TO ELEVENTH-GRADE STUDENTS PURSUANT TO SECTION 22-7-1006.3 (2); OR

(B) PASSING THE ENGLISH LANGUAGE ARTS ADVANCED PLACEMENT TEST WITH A SCORE OF THREE OR HIGHER OR PASSING THE ENGLISH LANGUAGE ARTS PORTION OF AN INTERNATIONAL BACCALAUREATE TEST WITH A SCORE OF FOUR OR HIGHER; AND

(b) DEMONSTRATE PROFICIENCY OR HIGHER IN ONE OR MORE WORLD LANGUAGES BY:

(I) PASSING A WORLD LANGUAGE ADVANCED PLACEMENT TEST WITH A SCORE OF THREE OR HIGHER OR PASSING THE WORLD LANGUAGE PORTION OF AN INTERNATIONAL BACCALAUREATE TEST WITH A SCORE OF FOUR OR HIGHER;

(II) SUCCESSFULLY COMPLETING A FOUR-YEAR HIGH SCHOOL COURSE OF STUDY IN THE WORLD LANGUAGE AND ATTAINING AN OVERALL GRADE POINT AVERAGE OF AT LEAST 3.0 IN THE COURSE OF STUDY; OR

(III) ACHIEVING A PASSING SCORE ON THE WORLD LANGUAGE PORTION OF A NATIONALLY RECOGNIZED TEST THAT IS RELIED UPON BY INSTITUTIONS OF HIGHER EDUCATION.

(3) (a) FOR EACH WORLD LANGUAGE FOR WHICH AN ADVANCED PLACEMENT TEST IS NOT AVAILABLE, THE DEPARTMENT OF EDUCATION MAY IDENTIFY ONE OR MORE SUMMATIVE TESTS IN THE WORLD LANGUAGE THAT ARE COMPARABLE IN RIGOR TO AN ADVANCED PLACEMENT TEST. THE DEPARTMENT MAY INCLUDE IN THE LIST A SUMMATIVE TEST CREATED OR IDENTIFIED BY A LOCAL EDUCATION PROVIDER

FULL LINK TO BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_123_signed.pdf

EFFECTIVE DATE:

August 9, 2017

s. **SB17-272: Measures of Postsecondary and Workforce Readiness**

PRIME SPONSORS:

Paul Lundeen (R), House District 19 | Brittany Pettersen (D), House District 28

Kevin Priola (R), Senate District 25

OVERVIEW:

Currently, the Colorado Department of Education (CDE) determines the level of attainment of each public school, each school district, the Colorado Charter School Institute, and the state as a whole based on the following criteria

- a) Student academic growth
- b) Student achievement on statewide assessments
- c) Progress made in closing growth and achievement gaps
- d) Postsecondary and workforce readiness (PWR)
 - a. The CDE determines PWR by measuring
 - i. high school graduation dropout rates
 - ii. percentage of graduates who achieve a PWR-endorsed diploma
 - iii. student scores on statewide high school assessments
 - iv. the percentage of students who enroll in higher education within one year of graduation

The bill adds as an additional measure for determining attainment of the postsecondary and workforce indicator the percentage of students enrolled in high school who demonstrate college and career readiness, based on the demonstration options available to the students enrolled in each public high school, at a level that indicates that the student is prepared to enroll in postsecondary general education core courses in reading, writing, and math without needing remediation.

The bill defines the demonstration options as those adopted by the state board of education in adopting the high school graduation guidelines. The state board must set achievement standards for each

demonstration option that indicate the minimum achievement level required for high school graduation and a higher achievement level that indicates that the student is prepared to enroll in postsecondary general education core courses in reading, writing, and math without needing remediation.

The bill requires each school district and the institute to report to the department of education the graduation requirements that the school district, each charter high school of the school district, and each institute charter high school adopts, including the options available to high school students for demonstrating college and career readiness.

KEY STATUTORY SECTIONS:

SECTION 2. In Colorado Revised Statutes, 22-11-103, amend the introductory portion; and add (6.5), (9.5), (10.5), and (13.5) as follows:

22-11-103. Definitions. As used in this ARTICLE 11, unless the context otherwise requires: (6.5) "CAREER AND TECHNICAL EDUCATION COURSE" MEANS A POSTSECONDARY COURSE THAT, UPON SUCCESSFUL COMPLETION, RESULTS IN POSTSECONDARY COURSE CREDIT TOWARD A CAREER AND TECHNICAL EDUCATION CREDENTIAL OR ASSOCIATES DEGREE IN APPLIED SCIENCE. (9.5) "CONCURRENT ENROLLMENT" MEANS THAT A STUDENT, WHILE ENROLLED IN HIGH SCHOOL, ENROLLS IN POSTSECONDARY COURSES AS PROVIDED IN ARTICLE 35 OF THIS TITLE 22. (10.5) "DEMONSTRATION OPTIONS" MEANS THE METHODS BY WHICH A HIGH SCHOOL STUDENT MAY DEMONSTRATE COLLEGE AND CAREER READINESS AS RECOMMENDED IN THE HIGH SCHOOL GRADUATION GUIDELINES ADOPTED BY THE STATE BOARD PURSUANT TO SECTION 22-2-106 (1)(a.5) AND AS SPECIFICALLY SELECTED BY THE LOCAL SCHOOL BOARD OF THE SCHOOL DISTRICT IN WHICH A STUDENT IS ENROLLED OR BY THE DISTRICT CHARTER HIGH SCHOOL OR INSTITUTE CHARTER HIGH SCHOOL IN WHICH A STUDENT IS ENROLLED. (13.5) "GENERAL EDUCATION CORE COURSES" MEANS THE POSTSECONDARY GENERAL EDUCATION CORE COURSES IN READING, WRITING, AND MATHEMATICS IDENTIFIED PURSUANT TO SECTION 23-1-125 (3).

SECTION 3. In Colorado Revised Statutes, amend 22-11-104 as follows:

22-11-104. Rules - college and career readiness achievement standards. (2) (a) FOR EACH OF THE DEMONSTRATION OPTIONS BY WHICH A HIGH SCHOOL STUDENT MAY DEMONSTRATE COLLEGE AND CAREER READINESS, AS RECOMMENDED BY THE STATE BOARD IN THE HIGH SCHOOL GRADUATION GUIDELINES ADOPTED PURSUANT TO SECTION 22-2-106 (1)(a.5), THE STATE BOARD SHALL ADOPT ACHIEVEMENT STANDARDS THAT INDICATE THAT A STUDENT HAS DEMONSTRATED A LEVEL OF COLLEGE AND CAREER READINESS SUFFICIENT FOR HIGH SCHOOL GRADUATION AND HIGHER ACHIEVEMENT STANDARDS THAT INDICATE THAT A STUDENT IS PREPARED, WITHOUT NEEDING REMEDIATION, TO ENROLL IN GENERAL EDUCATION CORE COURSES. AT A MINIMUM, THE HIGHER ACHIEVEMENT (I) SPECIFIED, HIGHER SCORES ON THE ASSESSMENTS INCLUDED IN THE DEMONSTRATION OPTIONS, WHICH SCORES INDICATE A STUDENT IS PREPARED TO ENROLL IN GENERAL EDUCATION CORE COURSES WITHOUT NEED FOR REMEDIATION; AND (II) RECEIPT OF COLLEGE COURSE CREDITS FOR CONCURRENT ENROLLMENT IN CAREER AND TECHNICAL EDUCATION COURSES OR GENERAL EDUCATION CORE COURSES OR HIGHER-LEVEL COURSES. (b) SUBSECTION (2)(a) OF THIS SECTION DOES NOT AFFECT THE AUTHORITY OF THE COLORADO COMMISSION ON HIGHER EDUCATION AND GOVERNING BOARDS OF THE INSTITUTIONS OF HIGHER EDUCATION TO ESTABLISH AND IMPLEMENT THE ACADEMIC ADMISSION STANDARDS FOR STUDENTS FOR ALL STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION AND THE POLICIES AND PROCEDURES FOR DETERMINING A STUDENT'S NEED FOR BASIC SKILLS COURSES AS PROVIDED IN SECTION 23-1-113.

SECTION 4. In Colorado Revised Statutes, 22-11-204, amend (4)(a)(III), (4)(b)(III), (4)(c)(III), (5)(a)(I)(F), (5)(b)(I)(F), and (5)(c)(I)(F); and add (4)(a)(V), (4)(b)(V), and (4)(c)(V) as follows:

22-11-204. Performance indicators - measures. (4) The department shall determine the level of attainment of each public high school, each school district, the institute, and the state as a whole on the postsecondary and workforce readiness indicator by using, at a minimum, the following measures:

(a) For each public high school, the department shall calculate:

(III) The graduation and dropout rates, as defined by rule of the state board; and

(V) BEGINNING IN THE 2020-21 SCHOOL YEAR, THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC HIGH SCHOOL WHO DEMONSTRATE COLLEGE AND CAREER READINESS, BASED ON THE DEMONSTRATION OPTIONS AVAILABLE TO THE STUDENTS ENROLLED IN THE PUBLIC HIGH SCHOOL, AT THE HIGHER ACHIEVEMENT LEVEL ADOPTED BY THE STATE BOARD THAT INDICATES A STUDENT IS PREPARED, WITHOUT NEEDING REMEDIATION, TO ENROLL IN GENERAL EDUCATION CORE COURSES.

FULL LINK TO BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_272_signed.pdf

EFFECTIVE DATE:

August 9, 2017

II. Bills Affecting Charter School Finance

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a. HB17-1082: Building Excellent Schools Today Act (BEST) Technology Grant Funding

PRIME SPONSORS:

Dan Pabon (D), House District 4

Jack Tate (R), Senate District 27

OVERVIEW:

Section 1 of the bill amends the definition of 'capital construction' used for purposes of the 'Building Excellent Schools Today Act' (BEST) to include 'technology,' as defined in section 3.

Section 3 defines the term 'technology' for purposes of BEST to include hardware, devices, or equipment necessary for individual student learning and classroom instruction, including access to electronic instructional materials, or necessary for professional use by a classroom teacher. Section 2 incorporates the new definition of 'technology' into the existing requirement that the BEST board's public school facility capital construction guidelines address technology. Section 3 also clarifies that the public school capital construction assistance board (BEST board) may provide financial assistance to public schools in the form of technology grants and requires the BEST board to annually notify potential applicants for financial assistance that it will accept applications for technology grants.

Section 4 requires the project lists in the BEST board's annual report to include sublists of technology projects for which financial assistance has been awarded or applied for and denied.

KEY STATUTORY SECTIONS:

SECTION 4. In Colorado Revised Statutes, 22-43.7-109, amend (4)(f), (4)(g), and (5)(a)(I); and add (4)(g.5) and (13) as follows:

22-43.7-109. Financial assistance for public school capital construction - application requirements - evaluation criteria - local match requirements - technology grants - rules - definition. (4) Applications for financial assistance submitted to the board shall be in a form prescribed by the board and shall include: (f) A statement regarding the means by which the applicant intends to provide matching MONEY required for the projects, including but not limited to means such as voter-approved multiple-fiscal year debt or other financial obligations, UTILITY COST SAVINGS ASSOCIATED WITH ANY UTILITY COSTS-SAVINGS CONTRACT, AS DEFINED IN SECTION 24-30-2001 (6), gifts, grants, donations, a loan obtained pursuant to section 22-43.7-110.5, or any other means of financing permitted by law, or the intent of the applicant to seek a waiver of the matching MONEY requirement pursuant to subsection (10) of this section. If an applicant that is a school district or a board of cooperative services with a participating school district intends to raise matching MONEY by obtaining voter approval to enter into a sublease-purchase agreement that constitutes an indebtedness of the district as authorized by section 22-32-127, it shall indicate whether it has received the required voter approval or, if the election has not already been held, the anticipated date of the election. (g) A description of any efforts by the applicant to coordinate capital construction projects with local governmental entities or community-based or other organizations that provide facilities or services that benefit the community in order to more efficiently or effectively provide such facilities or services, including but not limited to a description of any financial commitment received from any such entity or organization that will allow better leveraging of any financial assistance awarded; and (g.5) IF DEEMED RELEVANT BY THE APPLICANT, A STATEMENT OF THE APPLICANT'S ANNUALIZED UTILITY COSTS, INCLUDING ELECTRICITY, NATURAL GAS, PROPANE, WATER, SEWER, WASTE REMOVAL, TELECOMMUNICATIONS, INTERNET, OR OTHER MONTHLY BILLED UTILITY SERVICES, AND THE

AMOUNT OF ANY REDUCTION IN SUCH COSTS EXPECTED TO RESULT IF THE APPLICANT RECEIVES FINANCIAL ASSISTANCE; AND (5) The board, taking into consideration the financial assistance priority assessment conducted pursuant to section 22-43.7-108, shall prioritize applications that describe public school facility capital construction projects deemed eligible for financial assistance based on the following criteria, in descending order of importance: (a) (I) (A) Projects that will address safety hazards or health concerns at existing public school facilities, including concerns relating to public school facility security, and projects that are designed to incorporate technology into the educational environment. (B) As USED IN THIS SUBSECTION (5)(a)(I), "TECHNOLOGY" MEANS HARDWARE, DEVICES, OR EQUIPMENT NECESSARY FOR INDIVIDUAL STUDENT LEARNING AND CLASSROOM INSTRUCTION, INCLUDING ACCESS TO ELECTRONIC INSTRUCTIONAL MATERIALS, OR NECESSARY FOR PROFESSIONAL USE BY A CLASSROOM TEACHER. (13) FOR FISCAL YEAR 2018-19 AND FOR EACH SUCCEEDING FISCAL YEAR, THE BOARD, WITH THE SUPPORT OF THE DIVISION AND SUBJECT TO THE APPROVAL OF THE STATE BOARD REGARDING FINANCIAL ASSISTANCE AWARDS AS SPECIFIED IN THIS SECTION, MAY PROVIDE FINANCIAL ASSISTANCE IN THE FORM OF TECHNOLOGY GRANTS. IN CONJUNCTION WITH ITS ESTABLISHMENT OF AN ANNUAL FINANCIAL ASSISTANCE TIMELINE AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION, THE BOARD SHALL ANNUALLY NOTIFY ALL POTENTIAL APPLICANTS, BY SUCH MEANS AS THE BOARD DEEMS APPROPRIATE, THAT IT WILL ACCEPT AND CONSIDER APPLICATIONS FOR FINANCIAL ASSISTANCE IN THE FORM OF TECHNOLOGY GRANTS. TO BE ELIGIBLE FOR A TECHNOLOGY GRANT, AN APPLICANT FOR FINANCIAL ASSISTANCE MUST APPLY SPECIFICALLY FOR SUCH A GRANT IN ACCORDANCE WITH THE FINANCIAL ASSISTANCE TIMELINE ESTABLISHED BY THE BOARD PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION AND MUST SUBMIT AN APPLICATION IN THE FORM PRESCRIBED BY THE BOARD PURSUANT TO SUBSECTION (4) OF THIS SECTION. THE BOARD MAY AWARD A TECHNOLOGY GRANT TO FUND TECHNOLOGY, INCLUDING BUT NOT LIMITED TO COMMUNICATIONS AND INTERNET CONNECTIVITY TECHNOLOGY, TECHNOLOGY FOR INDIVIDUAL STUDENT LEARNING AND CLASSROOM INSTRUCTION, AND TECHNOLOGY AS DEFINED IN SUBSECTION (5)(a)(I)(B) OF THIS SECTION.

FULL LINK TO BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1082_signed.pdf

EFFECTIVE DATE:

June 6, 2017

b. HB17-1340: Legislative Interim Committee On School Finance

PRIME SPONSORS:

**Alec Garnett (D), House District 2 | Paul Lundeen (R), House District 19
Dominick Moreno (D), Senate District 21 | Owen Hill (R), Senate District 10**

OVERVIEW:

The bill creates a legislative interim committee to study school finance issues and make legislative recommendations concerning how to most accurately meet the educational needs of students through the funding of education in Colorado. The interim committee will meet during the 2017 and 2018 legislative interims. The bill specifies issues that the interim committee must study. The interim committee is required to contract with a private entity to assist in the study. The chair and vice-chair of the interim committee may appoint subcommittees to provide technical assistance to the interim committee. The subcommittees may include members of the interim committee and other persons with expertise in school finance.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, add part 19 to article 2 of title 2 as follows:

PART 19 SCHOOL FINANCE STUDY 2-2-1901. Legislative interim committee on school finance -creation. (1) NOTWITHSTANDING THE PROVISIONS OF SECTION 2-3-303.3, THERE IS HEREBY CREATED THE LEGISLATIVE INTERIM COMMITTEE ON SCHOOL FINANCE, REFERRED TO IN THIS PART 19 AS THE "INTERIM COMMITTEE", TO STUDY THE ISSUES DESCRIBED IN SECTION 2-2-1902 AND CREATE A NEW SCHOOL FINANCE FUNDING FORMULA. THE INTERIM COMMITTEE WILL MEET DURING THE 2017 AND 2018 LEGISLATIVE INTERIMS. THE INTERIM COMMITTEE CONSISTS OF:

(a) FIVE MEMBERS OF THE SENATE, THREE OF WHOM THE PRESIDENT OF THE SENATE SHALL APPOINT AND TWO OF WHOM THE MINORITY LEADER OF THE SENATE SHALL APPOINT; AND

(b) FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES, THREE OF WHOM THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT AND TWO OF WHOM THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT.

(2) (a) THE APPOINTING AUTHORITIES SHALL APPOINT THE MEMBERS OF THE INTERIM COMMITTEE AS SOON AS POSSIBLE AFTER THE EFFECTIVE DATE OF THIS PART 19 BUT NO LATER THAN JULY 1, 2017. THE APPOINTING AUTHORITIES SHALL, TO THE EXTENT PRACTICABLE, ENSURE THAT THE MEMBERS OF THE INTERIM COMMITTEE REPRESENT SCHOOL DISTRICTS IN ALL AREAS OF THE STATE, INCLUDING URBAN, SUBURBAN, AND RURAL SCHOOL DISTRICTS, SCHOOL DISTRICTS OF VARYING WEALTH IN PROPERTY TAX AND OTHER LOCAL REVENUES, AND SCHOOL DISTRICTS WITH VARYING STUDENT DEMOGRAPHICS. IF A VACANCY ARISES ON THE INTERIM COMMITTEE, THE APPROPRIATE APPOINTING AUTHORITY SHALL APPOINT AN APPROPRIATE PERSON TO FILL THE VACANCY AS SOON AS POSSIBLE.

(b) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT THE CHAIR OF THE INTERIM COMMITTEE FOR THE FIRST INTERIM AND THE VICE-CHAIR OF THE INTERIM COMMITTEE FOR THE SECOND INTERIM. THE PRESIDENT OF THE SENATE SHALL APPOINT THE VICE-CHAIR OF THE INTERIM COMMITTEE FOR THE FIRST INTERIM AND THE CHAIR OF THE INTERIM COMMITTEE FOR THE SECOND INTERIM.

(3) THE CHAIR OF THE INTERIM COMMITTEE SHALL SCHEDULE THE FIRST MEETING OF THE INTERIM COMMITTEE TO BE HELD NO LATER THAN AUGUST 1, 2017. THE INTERIM COMMITTEE MAY MEET UP TO FIVE TIMES DURING EACH INTERIM.

(4) THE CHAIR AND VICE-CHAIR OF THE INTERIM COMMITTEE MAY APPOINT SUBCOMMITTEES AS NECESSARY TO PROVIDE TECHNICAL ASSISTANCE TO THE INTERIM COMMITTEE. A SUBCOMMITTEE MAY INCLUDE MEMBERS OF THE INTERIM COMMITTEE AND PERSONS WITH TECHNICAL EXPERTISE IN SCHOOL FINANCE. MEMBERS OF A SUBCOMMITTEE SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

(5) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL PROVIDE STAFF ASSISTANCE TO THE INTERIM COMMITTEE.

(6) THE INTERIM COMMITTEE MAY INTRODUCE UP TO A TOTAL OF FIVE BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTIONS IN EACH OF THE 2018 AND 2019 LEGISLATIVE SESSIONS. BILLS THAT THE INTERIM COMMITTEE INTRODUCES ARE EXEMPT FROM THE FIVE-BILL LIMITATION SPECIFIED IN RULE 24 (b) (1)(A) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. JOINT RESOLUTIONS AND CONCURRENT RESOLUTIONS THAT THE INTERIM COMMITTEE INTRODUCES ARE EXEMPT FROM THE LIMITATIONS SET OUT IN RULE 26 (g) OF THE RULES OF THE HOUSE OF REPRESENTATIVES AND RULE 30 (f) OF THE RULES OF THE SENATE. THE INTERIM COMMITTEE IS EXEMPT FROM THE REQUIREMENT SPECIFIED IN RULE 24 (b)(1)(D) AND RULE 24A (d)(8) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES AND IN SECTION 2-3-303 (1)(f), TO REPORT BILLS OR OTHER MEASURES TO THE LEGISLATIVE COUNCIL.

(7) ALL EXPENDITURES THAT THE INTERIM COMMITTEE INCURS, INCLUDING THE COST OF CONTRACTING WITH A PRIVATE ENTITY AS PROVIDED IN SECTION 2-2-1902 (3), ARE SUBJECT TO APPROVAL BY THE CHAIR OF THE INTERIM COMMITTEE AND, IF APPROVED, SHALL BE PAID BY VOUCHERS AND WARRANTS DRAWN AS PROVIDED BY LAW FROM APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY FOR THE PURPOSES OF THIS PART 19.

2-2-1902. School finance study - issues - hiring consultant. (1) THE INTERIM COMMITTEE SHALL, AT A MINIMUM, STUDY THE FOLLOWING ISSUES:

(a) THE COSTS AND BENEFITS OF THE REQUIREMENTS IMPOSED ON SCHOOL DISTRICTS AND PUBLIC SCHOOLS BY STATE AND FEDERAL LAWS;

(b) TAKING INTO ACCOUNT ALL EXISTING FEDERAL, STATE, AND LOCAL RESOURCES USED TO FUND ELEMENTARY AND SECONDARY EDUCATION, THE TOTAL AMOUNT AVAILABLE TO FUND PUBLIC EDUCATION IN EACH SCHOOL DISTRICT, IN AGGREGATE AND PER PUPIL;

(c) THE RELATIVE VALUE OF AND RETURN ON RESOURCE INVESTMENT ACROSS THE TIME FRAME OF A STUDENT'S EDUCATION CAREER;

(d) AN APPROPRIATE, ACCURATE METHOD FOR IDENTIFYING STUDENTS WHO, BECAUSE OF THEIR LIFE CIRCUMSTANCES, ARE IN GREATER NEED OF SERVICES AND SUPPORTS TO GIVE THEM OPPORTUNITIES EQUAL TO THOSE OF THEIR PEERS TO ACHIEVE THEIR ACADEMIC POTENTIAL;

(e) FUNDING EACH PUBLIC SCHOOL STUDENT THROUGH A PER-PUPIL BASIS THAT CONSISTS OF A BASE AMOUNT PLUS ADDITIONAL FUNDING ALLOCATIONS ASSOCIATED WITH PARTICULAR ATTRIBUTES OF EACH STUDENT, TO BE USED TO PROVIDE EDUCATIONAL PROGRAMS TO ADDRESS STUDENTS' PARTICULAR ATTRIBUTES, AND BASED ON THE PARTICULAR ATTRIBUTES OF EACH SCHOOL DISTRICT AS FOLLOWS:

(I) ALLOCATIONS BASED ON GRADE LEVEL AS FOLLOWS:

(A) PRESCHOOL; (B) KINDERGARTEN; (C) GRADES ONE THROUGH FIVE; (D) GRADES SIX THROUGH EIGHT; AND (E) GRADES NINE THROUGH TWELVE;

(II) ALLOCATIONS BASED ON A STUDENT'S ELIGIBILITY FOR FREE OR REDUCED-PRICE MEALS UNDER FEDERAL LAW, TAKING INTO ACCOUNT THE VARYING ELIGIBILITY LEVELS SPECIFIED IN FEDERAL LAW. IN CONSIDERING THIS ALLOCATION, THE INTERIM COMMITTEE MUST CONSIDER THE EXTENT TO WHICH A SCHOOL DISTRICT OR CHARTER SCHOOL USES THE ADDITIONAL STATE ALLOCATION AND FEDERAL MONEY, INCLUDING MONEY RECEIVED PURSUANT TO TITLE I OF THE FEDERAL "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C. SEC. 63 01 ET SEQ., AS AMENDED, TO PROVIDE SERVICES FOR AT-RISK PUPILS AS DEFINED IN SECTION 22-54-103, AS DEMONSTRATED BY THE SCHOOL'S LEVEL OF PERFORMANCE ON STATE ASSESSMENTS AND THE SCHOOL PERFORMANCE PLAN.

(III) ALLOCATIONS BASED ON A STUDENT'S IDENTIFICATION AS AN ENGLISH LANGUAGE LEARNER, AS DEFINED IN SECTION 22-24-103, TAKING INTO ACCOUNT A STUDENT'S EXIT FROM AN ENGLISH LANGUAGE PROFICIENCY PROGRAM;

(IV) ALLOCATIONS BASED ON A STUDENT'S IDENTIFICATION AS HAVING A SIGNIFICANT READING DEFICIENCY AND REQUIRING READING INTERVENTIONS PURSUANT TO SECTION 22-7-1205;

(V) ALLOCATIONS BASED ON A STUDENT'S STATUS AS BEING A CHILD WITH A DISABILITY AS DEFINED IN SECTION 22-20-103. THE INTERIM COMMITTEE MAY CONSIDER DIFFERENT ALLOCATION AMOUNTS WITHIN THIS CATEGORY BASED ON A STUDENT'S SPECIFIC DISABILITY.

(VI) ALLOCATIONS BASED ON A STUDENT'S PARTICIPATION IN CAREER AND TECHNICAL EDUCATION PROGRAMS OR CONCURRENT ENROLLMENT PURSUANT TO ARTICLE 35 OF TITLE 22; AND

(VII) ALLOCATIONS BASED ON SCHOOL DISTRICT ATTRIBUTES AS FOLLOWS:

(A) THE NUMBER OF STUDENTS ENROLLED IN THE SCHOOL DISTRICT; (B) WHETHER THE SCHOOL DISTRICT IS RURAL AS DEFINED BY RULE OF THE STATE BOARD OF EDUCATION; (C) WHETHER THE SCHOOL DISTRICT IS INCREASING OR DECREASING IN ENROLLMENT; AND (D) THE COST OF LIVING AND PERSONNEL COSTS WITHIN THE SCHOOL DISTRICT; (f) ELIMINATING DIRECT FUNDING FOR CATEGORICAL PROGRAMS AND INSTEAD DISTRIBUTING CATEGORICAL PROGRAM FUNDING ON A PER-PUPIL BASIS THROUGHOUT THE STATE USING ALLOCATIONS ADDED TO THE STATEWIDE PER PUPIL BASE FUNDING AMOUNT FOR EACH STUDENT WHO IS ELIGIBLE FOR FUNDING THROUGH THE CATEGORICAL PROGRAM, WHICH ALLOCATIONS WOULD BE USED TO PROVIDE EDUCATIONAL PROGRAMS RELATED TO THE CATEGORICAL PROGRAM, INCLUDING HIGH-QUALITY EDUCATOR PROFESSIONAL DEVELOPMENT, TO ELIGIBLE STUDENTS; (g) STRATEGIES FOR FUNDING TRANSPORTATION FOR STUDENTS ENROLLED IN ALL PUBLIC SCHOOLS IN A MANNER THAT WOULD BE INCLUDED WITHIN THE SCHOOL FINANCE FUNDING FORMULA, INCLUDING CONSIDERATION OF TOTAL MILEAGE TRAVELED ON A PER-PUPIL BASIS; (h) ALTERNATIVE METHODS FOR COUNTING ENROLLED STUDENTS FOR PURPOSES OF PER PUPIL FUNDING; (I) SCHOOL DISTRICT ORGANIZATION, INCLUDING CONSIDERING SCHOOL DISTRICT SIZE BASED ON PUPIL ENROLLMENT AND THE GEOGRAPHIC LOCATION OF SCHOOL DISTRICTS; (j) THE LEVEL OF FUNDING FOR EDUCATION THAT IS AVAILABLE FROM THE LOCAL RESOURCES AVAILABLE TO EACH LOCAL

EDUCATION PROVIDER AND THE AMOUNT OF LOCAL RESOURCES THAT EACH DISTRICT CHARTER SCHOOL AND EACH INSTITUTE CHARTER SCHOOL RECEIVES, INCLUDING CONSIDERATION OF:

(I) THE AMOUNT OF PROPERTY TAX REVENUE EACH SCHOOL DISTRICT ANNUALLY COLLECTS FROM THE TOTAL PROGRAM MILL LEVY AND ADDITIONAL AUTHORIZED MILL LEVIES FOR OPERATING PURPOSES, DISAGGREGATED BY RESIDENTIAL PROPERTY TAX REVENUES, BUSINESS PROPERTY TAX REVENUES, AND REVENUES FROM TAXES ON MINERAL RESOURCE EXTRACTION;

(II) STRATEGIES FOR EQUALIZING MILL LEVIES IN SCHOOL DISTRICTS AND PUBLIC SCHOOLS ACROSS THE STATE;

(III) THE METHODS AND TIMING FOR CALCULATING ASSESSED PROPERTY VALUATION RELATED TO MINERAL EXTRACTION; AND

(IV) OTHER SOURCES OF FUNDING FOR PUBLIC EDUCATION AVAILABLE TO EACH INSTITUTE CHARTER SCHOOL AND EACH SCHOOL DISTRICT, OR AVAILABLE TO SCHOOLS OF A SCHOOL DISTRICT, INCLUDING DISTRICT CHARTER SCHOOLS, INDIVIDUALLY OR BY CAMPUS, AND THE AMOUNT RECEIVED FROM EACH SOURCE; AND (k) THE CAPITAL CONSTRUCTION NEEDS OF EACH SCHOOL DISTRICT, DISTRICT CHARTER SCHOOL, AND INSTITUTE CHARTER SCHOOL, INCLUDING SCHOOL DISTRICTS' CAPACITY TO ISSUE BONDS AND THE RELATIONSHIP OF BONDING CAPACITY TO THE ABILITY TO OBTAIN AUTHORIZATION FOR OTHER MILL LEVIES, AND WHETHER THERE ARE AREAS OF STUDENT ENROLLMENT GROWTH OR DECLINE WITHIN THE STATE PUBLIC EDUCATION SYSTEM. (2) BASED ON THE STUDY OF ISSUES DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE INTERIM COMMITTEE SHALL MAKE LEGISLATIVE RECOMMENDATIONS TO THE GENERAL ASSEMBLY ADDRESSING HOW TO MOST ACCURATELY MEET THE EDUCATIONAL NEEDS OF INDIVIDUAL STUDENTS THROUGH THE FUNDING OF EDUCATION IN COLORADO. (3) SUBJECT TO AVAILABLE APPROPRIATIONS, THE INTERIM COMMITTEE SHALL ISSUE A REQUEST FOR PROPOSALS FOR A PRIVATE ENTITY TO ASSIST IN GATHERING INFORMATION AND ANALYZING THE ISSUES SPECIFIED IN SUBSECTION (1) OF THIS SECTION. THE INTERIM COMMITTEE SHALL ENTER INTO A CONTRACT WITH THE PRIVATE ENTITY BY SEPTEMBER 1, 2017. THE INTERIM COMMITTEE SHALL NOT CONTRACT WITH A PRIVATE ENTITY THAT HAS EVER PREVIOUSLY CONTRACTED WITH THE STATE OF COLORADO, OR AN AGENCY OR POLITICAL SUBDIVISION THEREOF, FOR A STUDY OR ANALYSIS OF SCHOOL FINANCE IN COLORADO.

FULL LINK TO BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1340_signed.pdf

EFFECTIVE DATE:

June 2, 2017

c. **HB17-1375: Distributing Mill Levy Override Revenue To Schools**

PRIME SPONSORS:

Brittany Pettersen (D), House District 28 | Lang Sias (R), House District 27
Angela Williams A. (D), Senate District 33 | Owen Hill (R), Senate District 10

OVERVIEW:

This bill requires that all participating districts either implement a plan for distributing mill levy override (MLO) revenue to each charter and innovation school in the district or distribute to these schools 95% of the district's MLO per pupil revenue. If the district chooses to adopt a plan for MLO sharing, the plan must be adopted by July 1, 2018, and must ensure that MLO revenue is used to equitably support the education of all district students, regardless of the type of school the student attends. Participating schools that choose not to adopt a plan are required to distribute at least 95% of MLO per pupil revenue to charter schools and innovation schools, and at the district's discretion, online students. The bill also clarifies several exemptions for districts in special circumstances.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, add 22-32-108.5 as follows:

22-32-108.5. Board of education - distribution of additional mill levy revenue - definitions - legislative declaration. (1) (a) THE GENERAL ASSEMBLY RECOGNIZES THAT SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION GRANTS TO EACH SCHOOL DISTRICT BOARD OF EDUCATION CONTROL OF INSTRUCTION IN THE SCHOOLS OF THE SCHOOL DISTRICT. THE POWER OF LOCAL CONTROL OF INSTRUCTION APPLIES TO ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT AND THEREFORE IMPOSES ON THE SCHOOL DISTRICT BOARD OF EDUCATION THE RESPONSIBILITY TO ENSURE THE EQUITABLE TREATMENT OF ALL OF THE STUDENTS ENROLLED IN ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT.

(b) THE GENERAL ASSEMBLY FURTHER FINDS THAT SECTION 2 OF ARTICLE IX OF THE STATE CONSTITUTION REQUIRES THE GENERAL ASSEMBLY TO PROVIDE FOR THE MAINTENANCE OF A THOROUGH AND UNIFORM SYSTEM OF FREE PUBLIC SCHOOLS THROUGHOUT THE STATE. REQUIRING EACH SCHOOL DISTRICT BOARD OF EDUCATION TO EQUITABLY USE AND DISTRIBUTE ITS RESOURCES TO MEET THE NEEDS OF ALL STUDENTS ENROLLED IN ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT SUPPORTS GREATER UNIFORMITY IN PROVIDING PUBLIC EDUCATION SERVICES WITHIN EACH SCHOOL DISTRICT AND THROUGHOUT THE STATE.

(c) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT EACH SCHOOL DISTRICT BOARD OF EDUCATION HAS THE DUTY TO ENSURE THAT THE SCHOOL DISTRICT USES AND ALLOCATES ITS RESOURCES IN A MANNER THAT RESULTS IN THE EQUITABLE TREATMENT OF ALL STUDENTS ENROLLED IN THE SCHOOL DISTRICT, ACCORDING TO THEIR INDIVIDUAL NEEDS, REGARDLESS OF THE TYPE OF SCHOOL OF THE SCHOOL DISTRICT IN WHICH EACH STUDENT IS ENROLLED.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADDITIONAL MILL LEVY REVENUE" MEANS THE AMOUNT OF PROPERTY TAX REVENUE THAT A SCHOOL DISTRICT COLLECTS FROM MILLS THAT ARE AUTHORIZED BY VOTERS BEFORE, ON, OR AFTER THE EFFECTIVE DATE OF THIS SECTION AND THAT A SCHOOL DISTRICT LEVIES IN ADDITION TO THE SCHOOL DISTRICT'S TOTAL PROGRAM MILL LEVY ESTABLISHED IN SECTION 22-54-106 (2), NOT INCLUDING MILLS THAT A SCHOOL DISTRICT MAY LEVY FOR PURPOSES OF INCURRING OR REPAYING BONDED INDEBTEDNESS OR FOR PAYING AMOUNTS DUE PURSUANT TO INSTALLMENT SALES AGREEMENTS OR LEASE PURCHASE AGREEMENTS ENTERED INTO AS OF THE EFFECTIVE DATE OF THIS SECTION FOR WHICH ADDITIONAL MILL LEVY REVENUE WAS CONTRACTUALLY COMMITTED AS OF THE EFFECTIVE DATE OF THIS SECTION.

(3) FOR THE 2019-20 BUDGET YEAR AND FOR EACH BUDGET YEAR THEREAFTER, THE LOCAL SCHOOL BOARD OF EACH PARTICIPATING SCHOOL DISTRICT SHALL EITHER IMPLEMENT A PLAN FOR USING AND DISTRIBUTING THE ADDITIONAL MILL LEVY REVENUE THAT THE PARTICIPATING SCHOOL DISTRICT COLLECTS FOR EACH BUDGET YEAR, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION, OR DISTRIBUTE TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL OF THE PARTICIPATING SCHOOL DISTRICT AN AMOUNT EQUAL TO AT LEAST NINETY-FIVE PERCENT OF THE PARTICIPATING SCHOOL DISTRICT'S PER PUPIL MILL LEVY SHARE FOR THE APPLICABLE BUDGET YEAR MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN THE CHARTER SCHOOL OR THE INNOVATION SCHOOL FOR THE APPLICABLE BUDGET YEAR, AS DESCRIBED IN SUBSECTION (5) OF THIS SECTION.

(4) (a) A LOCAL SCHOOL BOARD THAT CHOOSES TO ADOPT A PLAN MUST ADOPT THE PLAN BY JULY 1, 2018. SUBJECT TO STATUTORY LIMITS OR REQUIREMENTS THAT APPLY TO SPECIFIC MILL LEVY AUTHORIZATIONS AND ANY PURPOSES SPECIFICALLY APPROVED BY VOTERS IN APPROVING ADDITIONAL MILL LEVY REVENUE, THE PLAN MUST ENSURE THAT THE ADDITIONAL MILL LEVY REVENUE IS DISTRIBUTED TO, OR OTHERWISE USED FOR PROGRAMS THAT BENEFIT, THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT BASED ON MEETING THE NEEDS OF AND EQUITABLY SUPPORTING THE EDUCATION OF ALL OF THE STUDENTS ENROLLED IN ALL OF THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT, REGARDLESS OF THE TYPE OF SCHOOL IN WHICH EACH STUDENT IS ENROLLED. FOR EACH PROGRAM INCLUDED IN THE PLAN, A CHARTER SCHOOL OR INNOVATION SCHOOL MAY CHOOSE TO RECEIVE THE PER PUPIL PROGRAM SHARE IN LIEU OF PARTICIPATING IN THE PROGRAM, IN WHICH CASE THE PARTICIPATING SCHOOL DISTRICT SHALL DISTRIBUTE TO THE CHARTER SCHOOL OR INNOVATION SCHOOL THE PER PUPIL PROGRAM SHARE. THE CHARTER SCHOOL OR INNOVATION SCHOOL SHALL USE THE PER PUPIL PROGRAM SHARE TO PROVIDE A PROGRAM OR SERVICES, AS SELECTED BY THE CHARTER SCHOOL OR INNOVATION SCHOOL, TO BENEFIT THE STUDENTS FOR WHOM IT RECEIVED THE PER PUPIL PROGRAM SHARE. THE LOCAL SCHOOL BOARD SHALL ENSURE THAT THE DETERMINATION OF THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A SCHOOL OF THE PARTICIPATING SCHOOL DISTRICT RECEIVES AS A DISTRIBUTION OR THROUGH PARTICIPATION IN A PROGRAM IS NOT BASED ON AND DOES NOT TAKE INTO ACCOUNT THE SCHOOL'S TYPE. THE LOCAL SCHOOL BOARD SHALL ENSURE THAT EQUITABLE DISTRIBUTION OF THE ADDITIONAL MILL LEVY REVENUE IS FULLY IMPLEMENTED IN THE 2019-20 BUDGET YEAR AND IN EACH BUDGET YEAR THEREAFTER.

(b) THROUGH THE PLAN, A LOCAL BOARD OF EDUCATION MAY USE THE ADDITIONAL MILL LEVY REVENUE TO PROVIDE ADDITIONAL PER PUPIL FUNDING TO STUDENTS ENROLLED IN ALTERNATIVE EDUCATION CAMPUSES, STUDENTS WHO QUALIFY FOR FREE OR REDUCED-PRICE MEALS UNDER THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., STUDENTS IDENTIFIED AS ENGLISH LANGUAGE LEARNERS PURSUANT TO SECTION 22-24-105, AND

STUDENTS WHO HAVE INDIVIDUALIZED EDUCATION PROGRAMS UNDER PART 1 OF ARTICLE 20 OF THIS TITLE 22, SO LONG AS THE AMOUNT DISTRIBUTED FOR THE BENEFIT OF EACH STUDENT IS THE SAME REGARDLESS OF THE TYPE OF SCHOOL IN WHICH THE STUDENT IS ENROLLED.

(c) EACH PLAN MUST REQUIRE THE LOCAL SCHOOL BOARD TO EQUITABLY DISTRIBUTE ALL OF THE PARTICIPATING SCHOOL DISTRICT'S ADDITIONAL MILL LEVY REVENUE THAT IS NOT DISTRIBUTED FOR SPECIFIC PROGRAMS OR STUDENT POPULATIONS, AS PROVIDED IN SUBSECTIONS (4)(a) AND (4)(b) OF THIS SECTION, TO THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT IN DIRECT PROPORTION TO THE NUMBER OF STUDENTS ENROLLED IN EACH SCHOOL. THE DISTRIBUTION MUST INCLUDE ALL OF THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT WITHOUT REGARD TO TYPE OF SCHOOL.

(d) EACH PLAN MUST:

(I) IDENTIFY THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT THE PARTICIPATING SCHOOL DISTRICT SPENDS ON ADMINISTRATIVE SERVICES OR OTHER DISTRICT-LEVEL USES AS SPECIFICALLY AUTHORIZED IN THIS SUBSECTION (4);

(II) DESCRIBE EACH OF THE ADMINISTRATIVE SERVICES OR OTHER DISTRICT-LEVEL USES; AND

(III) SPECIFY HOW THE ADMINISTRATIVE SERVICES OR OTHER DISTRICT-LEVEL USES BENEFIT ALL OF THE STUDENTS ENROLLED IN THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT.

(e) EACH LOCAL SCHOOL BOARD THAT ADOPTS A PLAN SHALL PERIODICALLY REVIEW THE PLAN AND UPDATE IT AS NECESSARY TO ENSURE THAT THE ADDITIONAL MILL LEVY REVENUE THAT THE PARTICIPATING SCHOOL DISTRICT COLLECTS IS EQUITABLY DISTRIBUTED AS PROVIDED IN SUBSECTIONS (4)(a) TO (4)(c) OF THIS SECTION TO THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT TO BENEFIT ALL OF THE STUDENTS ENROLLED IN ALL OF THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT.

(f) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (4) TO THE CONTRARY, A LOCAL SCHOOL BOARD MAY, BUT IS NOT REQUIRED TO, DISTRIBUTE A PORTION OF THE ADDITIONAL MILL LEVY REVENUE TO A MULTI-DISTRICT ONLINE SCHOOL OF THE PARTICIPATING SCHOOL DISTRICT.

(5) (a) BEGINNING IN THE 2019-20 BUDGET YEAR AND IN EACH BUDGET YEAR THEREAFTER, THE LOCAL SCHOOL BOARD OF A PARTICIPATING SCHOOL DISTRICT THAT CHOOSES NOT TO ADOPT A PLAN SHALL DISTRIBUTE TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL OF THE PARTICIPATING SCHOOL DISTRICT AN AMOUNT EQUAL TO AT LEAST NINETY-FIVE PERCENT OF THE PARTICIPATING SCHOOL DISTRICT'S PER PUPIL MILL LEVY SHARE FOR THE APPLICABLE BUDGET YEAR MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN THE CHARTER SCHOOL OR THE INNOVATION SCHOOL FOR THE APPLICABLE BUDGET YEAR. IN COUNTING THE NUMBER OF PUPILS ENROLLED IN A CHARTER SCHOOL OR PUPIL AND MAY, AT THE SCHOOL DISTRICT'S DISCRETION, COUNT A PUPIL WHO IS INCLUDED IN THE SCHOOL DISTRICT'S ONLINE PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103.

(b) IF A LOCAL SCHOOL BOARD HAS IN PLACE OR ADOPTS A WRITTEN POLICY THAT DIRECTS THE PARTICIPATING SCHOOL DISTRICT TO DISTRIBUTE ANY PORTION OF ITS ADDITIONAL MILL LEVY REVENUE TO SPECIFICALLY BENEFIT STUDENTS ENROLLED IN ALTERNATIVE EDUCATION CAMPUSES, STUDENTS WHO QUALIFY FOR FREE OR REDUCED-PRICE MEALS UNDER THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., STUDENTS WHO ARE IDENTIFIED AS ENGLISH LANGUAGE LEARNERS UNDER SECTION 22-24-105, OR STUDENTS WHO HAVE INDIVIDUALIZED EDUCATION PROGRAMS UNDER PART 1 OF ARTICLE 20 OF THIS TITLE 22, THE PARTICIPATING SCHOOL DISTRICT MAY CONTINUE DISTRIBUTING THE REVENUE FOR THESE PURPOSES, SO LONG AS:

(I) THE AMOUNT DISTRIBUTED FOR EACH STUDENT IS THE SAME REGARDLESS OF THE TYPE OF SCHOOL IN WHICH THE STUDENT IS ENROLLED; AND

(II) THE PARTICIPATING SCHOOL DISTRICT DISTRIBUTES ANY AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT REMAINS AFTER DISTRIBUTION FOR THESE PURPOSES IN ACCORDANCE WITH SUBSECTION (5)(a) OF THIS SECTION.

(6) IF A LOCAL SCHOOL BOARD DISTRIBUTES A PORTION OF THE TOTAL ADDITIONAL MILL LEVY REVENUE THAT IT COLLECTS FOR THE 2016-17 BUDGET YEAR TO THE CHARTER SCHOOLS OR INNOVATION SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT BY PERCENTAGE, BY DISTRIBUTION OF A PER PUPIL AMOUNT, OR BY A COMBINATION OF PERCENTAGE AND PER PUPIL AMOUNT, THE LOCAL SCHOOL BOARD SHALL ENSURE THAT THE PERCENTAGE OF THE TOTAL ADDITIONAL MILL LEVY REVENUE AND THE PER PUPIL AMOUNT THAT IS DISTRIBUTED TO THE CHARTER SCHOOLS AND INNOVATION SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT IS NOT REDUCED FOR THE 2017-18 AND 2018-19 BUDGET YEARS. AN AUTHORIZING SCHOOL DISTRICT OR THE CHARTER SCHOOL MAY RENEGOTIATE CONTRACT PROVISIONS CONCERNING SERVICES OR FEES FOR SERVICES AS A MATERIAL REVISION TO THE CHARTER CONTRACT, SUBJECT TO THE PROVISIONS OF SECTION 22-30.5-105 (4), WHICH RENEGOTIATION SHALL NOT INCLUDE NEGOTIATIONS REGARDING REAUTHORIZATION OF THE INNOVATION SCHOOL, THE SCHOOL DISTRICT SHALL COUNT A PUPIL ENROLLED IN KINDERGARTEN OR IN A PRESCHOOL PROGRAM AS AT LEAST A HALF-DAY

(7) THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A CHARTER SCHOOL RECEIVES PURSUANT TO THIS SECTION IS IN ADDITION TO THE AMOUNT OF MONEY THAT THE CHARTER SCHOOL RECEIVES FROM THE SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22. THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT AN INNOVATION SCHOOL RECEIVES PURSUANT TO THIS SECTION IS IN ADDITION TO ANY AMOUNT OF MONEY THAT THE INNOVATION SCHOOL RECEIVES THROUGH THE SCHOOL'S INNOVATION PLAN AS PROVIDED IN ARTICLE 32.5 OF THIS TITLE 22.

(8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, IF A SCHOOL DISTRICT AUTHORIZES A CHARTER SCHOOL THAT IS PHYSICALLY LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF ANOTHER SCHOOL DISTRICT, THE CHARTERING SCHOOL DISTRICT IS NOT REQUIRED TO INCLUDE IN THE PLAN DESCRIBED IN SUBSECTION (4) OF THIS SECTION OR IN THE DISTRIBUTION DESCRIBED IN SUBSECTION (5) OF THIS SECTION ANY AMOUNT OF ADDITIONAL MILL LEVY REVENUE FOR STUDENTS WHO ARE ENROLLED IN THE CHARTER SCHOOL BUT DO NOT RESIDE WITHIN THE BOUNDARIES OF THE SCHOOL DISTRICT.

(9) BEGINNING JULY 1, 2018, EACH PARTICIPATING SCHOOL DISTRICT SHALL:

(a) IF THE LOCAL SCHOOL BOARD CHOOSES TO ADOPT A PLAN, POST A COPY OF THE PLAN ON THE PARTICIPATING SCHOOL DISTRICT'S WEBSITE AS PROVIDED IN SECTION 22-44-304 AND ANNUALLY UPDATE THE PLAN AS NECESSARY; OR

(b) IF THE LOCAL SCHOOL BOARD CHOOSES NOT TO ADOPT A PLAN, FOR THE 2018-19 BUDGET YEAR, POST A STATEMENT OF INTENT TO DISTRIBUTE THE ADDITIONAL MILL LEVY REVENUE AS PROVIDED IN SUBSECTION (5) OF THIS SECTION AND, FOR THE 2019-20 BUDGET YEAR AND ANNUALLY FOR EACH BUDGET YEAR THEREAFTER, POST THE TOTAL AMOUNT OF ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE PARTICIPATING SCHOOL DISTRICT FOR EACH PROPERTY TAX YEAR, THE AMOUNT DISTRIBUTED TO SUPPORT SPECIFIC STUDENT POPULATIONS AS DESCRIBED IN SUBSECTION (5)(b) OF THIS SECTION, AND THE TOTAL AMOUNT DISTRIBUTED TO SUPPORT SAID STUDENT POPULATIONS AND ON A PER-PUPIL BASIS TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL, AS A PERCENTAGE AND AS A DOLLAR AMOUNT.

(10) A CHARTER SCHOOL THAT RECEIVES ANY AMOUNT OF ADDITIONAL MILL LEVY REVENUE PURSUANT TO THIS SECTION SHALL ENSURE THAT THE CHARTER SCHOOL ADMISSIONS POLICY IS IN COMPLIANCE WITH SECTION 22-30.5-104 (3).

SECTION 2. In Colorado Revised Statutes, 22-30.5-105, amend (5) as follows:

22-30.5-105. Charter schools - contract contents - regulations. (5) ~~Any~~ A term included in a charter contract that would require a charter school to waive or otherwise forgo receipt of any amount of ADDITIONAL MILL LEVY REVENUE DUE TO THE CHARTER SCHOOL AS PROVIDED IN SECTION 22-32-108.5 OR ANY AMOUNT OF operational or capital construction ~~unds~~ MONEY provided to the charter school pursuant to the provisions of this ARTICLE 30.5 or pursuant to any other provision of law is hereby declared null and void as against public policy and is unenforceable. In no event shall this subsection (5) be construed to prohibit ~~any~~ A charter school from contracting with its chartering local board of education for the purchase of services, including but not limited to the purchase of educational services.

SECTION 5. In Colorado Revised Statutes, add 22-44-305 as follows:

22-44-305. Waivers of state statute - reporting. (1) (a) COMMENCING JULY 1, 2017, AND ON A CONTINUING BASIS THEREAFTER, EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL POST, IN A LOCATION AND FORMAT THAT CAN BE EASILY ACCESSED AND DOWNLOADED, FOR FREE PUBLIC ACCESS ON ITS WEBSITE MAINTAINED PURSUANT TO THIS PART 3 A LIST OF THE STATUTES FOR WHICH THE SCHOOL DISTRICT OR CHARTER SCHOOL HAS RECEIVED A WAIVER FROM THE STATE BOARD OF EDUCATION AND, FOR EACH WAIVER THAT IS NOT AN AUTOMATIC WAIVER, A COPY OF THE PLAN THAT EXPLAINS THE MANNER IN WHICH THE SCHOOL DISTRICT OR CHARTER SCHOOL WILL MEET THE INTENT OF THE WAIVED STATUTE. (b) COMMENCING JULY 1, 2018, EACH CHARTER SCHOOL SHALL POST, IN A LOCATION AND FORMAT THAT CAN BE EASILY ACCESSED AND DOWNLOADED, FOR FREE PUBLIC ACCESS ON ITS WEBSITE THE STANDARDIZED DESCRIPTION AND RATIONALE CREATED PURSUANT TO SUBSECTION (2) OF THIS SECTION FOR EACH OF THE AUTOMATIC WAIVERS THAT IT INVOKES. EACH CHARTER SCHOOL SHALL POST WITH THE LIST OF AUTOMATIC WAIVERS THE NAME OF AND CONTACT INFORMATION FOR A PERSON EMPLOYED BY THE CHARTER SCHOOL AND AVAILABLE DURING REGULAR SCHOOL HOURS WHO CAN PROVIDE ADDITIONAL INFORMATION CONCERNING THE CHARTER SCHOOL'S AUTOMATIC WAIVERS.

SECTION 7. In Colorado Revised Statutes, 22-30.5-104, amend (6)(b), (6)(c)(IV), and (6)(c)(V); and add (6)(c)(VI) as follows:

22-303-104. Charter school - requirements - authority - rules. (6) (b) The state board shall promulgate rules that list the automatic waivers for all charter schools. In promulgating the list of automatic waivers, the state board shall consider the overall impact and complexity of the requirements specified in the statute and the potential consequences that waiving the statute may have on the practices of a charter school. IN ACCORDANCE WITH ITS RULE-MAKING AUTHORITY, THE STATE BOARD MAY REVIEW THE LIST OF AUTOMATIC WAIVERS AT ITS DISCRETION. Notwithstanding any provision of this SUBSECTION (6)(b) to the contrary, the state board shall not include the following statutes on the list of automatic waivers: (I) Section 22-9-106, concerning the performance evaluation system for licensed personnel; (I.5) SECTION 22-32-109 (1)(b), CONCERNING PROCEDURES FOR COMPETITIVE BIDDING IN THE PURCHASE OF GOODS AND SERVICES, EXCEPT PROFESSIONAL SERVICES; (II) Section 22-32-109 (1)(n), concerning the annual school calendar and teacher-pupil contact hours; ~~and~~ (II.5) SECTION 22-32-110 (1)(y), CONCERNING THE POWER TO ACCEPT AND EXPEND GIFTS, DONATIONS, OR GRANTS; AND (III) Part 2 of article 63 of this TITLE 22, concerning the employment of licensed personnel. (c) A school district, on behalf of a charter school, may apply to the state board for a waiver of a state statute or state rule that is not an automatic waiver. Notwithstanding any provision of this subsection (6)

to the contrary, the state board may not waive any statute or rule relating to: (IV) The “Public School Finance Act of 1994”, article 54 of this TITLE 22; (V) The “Children’s Internet Protection Act”, article 87 of this tit* TITLE 22; OR (VI) THE REQUIREMENT TO POST ON THE INTERNET THE STATUTES FOR WHICH WAIVERS ARE GRANTED AS PROVIDED IN SECTION 22-44-305.

SECTION 9. In Colorado Revised Statutes, add 22-30.5-513.1 as follows: 22-30.5-513.1. Mill levy equalization - fund created - legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT SCHOOL DISTRICTS RECEIVE SIGNIFICANT OPERATING REVENUE FROM MILL LEVIES THAT ARE IN ADDITION TO THE SCHOOL DISTRICTS’ TOTAL PROGRAM MILL LEVY. THIS ADDITIONAL REVENUE HELPS SCHOOL DISTRICTS OFFSET THE EFFECTS OF THE BUDGET ADJUSTMENT IMPOSED BY SECTION 22-54-104 (5)(g). THE GENERAL ASSEMBLY FURTHER FINDS THAT INSTITUTE CHARTER SCHOOLS DO NOT HAVE ACCESS TO ADDITIONAL REVENUE FROM A LOCAL PROPERTY TAX MILL LEVY. THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS APPROPRIATE TO CONSIDER ADDITIONAL STATE EQUALIZATION FUNDING FOR INSTITUTE CHARTER SCHOOLS. (2) (a) THE MILL LEVY EQUALIZATION FUND, REFERRED TO IN THIS SECTION AS THE “FUND”, IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF ANY AMOUNT THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND. (b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE INSTITUTE SHALL ANNUALLY DISTRIBUTE THE MONEY APPROPRIATED OR TRANSFERRED TO THE FUND TO THE INSTITUTE CHARTER SCHOOLS ON AN EQUAL PER-PUPIL BASIS; EXCEPT THAT, IN ANY BUDGET YEAR, AN INSTITUTE CHARTER SCHOOL SHALL NOT RECEIVE A PER PUPIL AMOUNT THAT IS GREATER THAN THE TOTAL AMOUNT OF ADDITIONAL MILL LEVY REVENUE, AS DEFINED IN SECTION 22-32-108.5, THAT THE ACCOUNTING DISTRICT FOR THE INSTITUTE CHARTER SCHOOL IS AUTHORIZED TO COLLECT, DIVIDED BY THE FUNDED PUPIL COUNT, AS DEFINED IN SECTION 22-54-103, OF THE ACCOUNTING DISTRICT FOR THE APPLICABLE BUDGET YEAR. THE MONEY DISTRIBUTED PURSUANT TO THIS SECTION IS IN ADDITION TO MONEY DISTRIBUTED TO INSTITUTE CHARTER SCHOOLS PURSUANT TO SECTION 22-30.5-513.

FULL LINK TO BILL TEXT:

https://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1375_signed.pdf

EFFECTIVE DATE:

June 6, 2017

d. SB17-267: Sustainability of Rural Colorado

PRIME SPONSORS:

Jon Becker (R), House District 65 | KC Becker (D), House District 13

Lucia Guzman (D), Senate District 34 | Jerry Sonnenberg (R), Senate District 1

OVERVIEW:

This bill makes several long-term changes to areas of state policy that affect rural communities such as

- a) Colorado Healthcare Affordability and Sustainability Enterprise
- b) Lease-purchase agreements
- c) Medicaid Copayments
- d) Marijuana Taxes
- e) Business Personal property tax income tax credit
- f) Senate Bill 17-262 transfers
- g) TABOR refund mechanisms
- h) Budget Requests
- i) Enhanced Pediatric Health Home

Marijuana taxes are the only ones that will affect school finance. For the 2017-2018 fiscal year, marijuana tax revenue transferred from the general fund to the State Public School Fund (SPSF) is appropriated to the department of Education (CDE) for disbursement to schools in rural and small rural school districts in shares proportionate to these schools' pupil counts. After the 2017-2018 fiscal year, marijuana tax revenue will be appropriated to meet the state's share of total program funding.

KEY STATUTORY SECTIONS:

SECTION 4. In Colorado Revised Statutes, add 22-54-139 as follows:

22-54-139. Additional funding for schools - use of retail marijuana sales tax revenue transferred to state public school fund - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "LARGE RURAL DISTRICT" MEANS A DISTRICT IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ONE THOUSAND PUPILS OR MORE BUT FEWER THAN SIX THOUSAND FIVE HUNDRED PUPILS.

(b) "PER PUPIL DISTRIBUTION AMOUNT" MEANS:

(I) FOR A LARGE RURAL DISTRICT, AN AMOUNT EQUAL TO THIRTY MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION AND THEN DIVIDED BY THE SUM OF THE TOTAL FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ALL LARGE RURAL DISTRICTS; AND

(II) FOR A SMALL RURAL DISTRICT, AN AMOUNT EQUAL TO THIRTY MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN SUBSECTION (2)(b) OF THIS SECTION AND THEN DIVIDED BY THE SUM OF THE TOTAL FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ALL SMALL RURAL DISTRICTS;

(c) "SMALL RURAL DISTRICT" MEANS A DISTRICT IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF FEWER THAN ONE THOUSAND PUPILS.

(2) FOR THE 2017-18 BUDGET YEAR, ALL OF THE GROSS RETAIL MARIJUANA SALES TAX PROCEEDS TRANSFERRED FROM THE GENERAL FUND TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114 (1) AS REQUIRED BY SECTION 39-28.8-203 (1)(b)(I.3)(B) IS APPROPRIATED FROM THE STATE PUBLIC SCHOOL FUND TO THE DEPARTMENT FOR MONTHLY DISTRIBUTION TO EACH LARGE RURAL DISTRICT AND EACH SMALL RURAL DISTRICT FOR THE PURPOSE OF IMPROVING STUDENT LEARNING AND THE EDUCATIONAL ENVIRONMENT, INCLUDING BUT NOT LIMITED TO LOAN FORGIVENESS FOR EDUCATORS AND STAFF, TECHNOLOGY, AND TRANSPORTATION, AS FOLLOWS:

(a) FIFTY-FIVE PERCENT OF THE MONEY IS ALLOCATED TO LARGE RURAL DISTRICTS AND DISTRIBUTED TO EACH LARGE RURAL DISTRICT IN AN AMOUNT EQUAL TO THE PER PUPIL DISTRIBUTION AMOUNT MULTIPLIED BY THE LARGE RURAL DISTRICT'S FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR FOR PROPORTIONAL APPORTIONMENT TO EVERY SCHOOL IN THE DISTRICT BASED ON THE NUMBER OF STUDENTS ENROLLED IN EACH SCHOOL FOR THE PRIOR BUDGET YEAR; AND

(b) FORTY-FIVE PERCENT OF THE MONEY IS ALLOCATED TO SMALL RURAL SCHOOL DISTRICTS AND DISTRIBUTED TO EACH SMALL RURAL DISTRICT IN AN AMOUNT EQUAL TO THE PER PUPIL DISTRIBUTION AMOUNT MULTIPLIED BY THE SMALL RURAL DISTRICT'S FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR FOR PROPORTIONAL APPORTIONMENT TO EVERY SCHOOL IN THE DISTRICT BASED ON THE NUMBER OF STUDENTS ENROLLED IN EACH SCHOOL FOR THE PRIOR BUDGET YEAR.

(3) FOR THE 2018-19 BUDGET YEAR AND FOR EACH BUDGET YEAR THEREAFTER, ALL OF THE GROSS RETAIL MARIJUANA SALES TAX PROCEEDS TRANSFERRED FROM THE GENERAL FUND TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114 (1) AS REQUIRED BY SECTION 39-28.8-203 (1)(b)(I.5)(B) IS APPROPRIATED FROM THE STATE PUBLIC SCHOOL FUND TO THE DEPARTMENT TO MEET THE STATE'S SHARE OF THE TOTAL PROGRAM OF ALL DISTRICTS AND FUNDING FOR INSTITUTE CHARTER SCHOOLS.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_267_signed.pdf

EFFECTIVE DATE:

May 25, 2017

e. SB17-296: Financing Public Schools

PRIME SPONSORS:

Brittany Pettersen (D), House District 28

Owen Hill (R), Senate District 10

OVERVIEW:

This bill changes the “Public School Finance Act of 1994” by modifying the funding for K-12 public schools in FY 2017-18. The bill increases base per pupil funding to \$6,546.20, to reflect a 2.8 percent inflation rate. The bill also makes the following changes in the calculation of total program:

- for FY 2017-18, holds the negative factor at the FY 2016-17 level of \$828.3 million
- Specifies that for FY 2018-19, the negative factor cannot exceed the FY 2017-18 level

The bill also renames the negative factor to the budget stabilization factor, creates a computer science grant program, and amends the law to permit teachers to instead sign a written pledge to uphold the constitution.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, 22-54-104, amend (5)(g)(l) introductory portion; and add (5)(a)(XXIV) and (5)(g)(l)(H) as follows:

22-54-104. District total program - definitions. (5) For purposes of the formulas used in this section: (a) (XXIV) FOR THE 2017-18 BUDGET YEAR, THE STATEWIDE BASE PER PUPIL FUNDING IS \$6,546.20, WHICH IS AN AMOUNT EQUAL TO \$6,367.90, SUPPLEMENTED BY \$178.30 TO ACCOUNT FOR INFLATION.

SECTION 5. In Colorado Revised Statutes, add article 97 to title 22 as follows:

ARTICLE 97 Teacher Grants for Computer Science Education 22-97-101. Definitions. AS USED IN THIS ARTICLE 97, UNLESS THE CONTEXT OTHERWISE REQUIRES: (1) “COMPUTER SCIENCE EDUCATION” MEANS THE STUDY OF COMPUTERS, ALGORITHMIC PROCESSES, AND COMPUTER PROGRAMMING AND CODING, INCLUDING THEIR PRINCIPLES, THEIR HARDWARE AND SOFTWARE DESIGNS, THEIR APPLICATIONS, AND THEIR IMPACT ON SOCIETY. (2) “DEPARTMENT” MEANS THE DEPARTMENT OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-115. (3) “ELIGIBLE TEACHER” MEANS A PERSON WHO IS EMPLOYED AS A TEACHER IN A PUBLIC SCHOOL IN THE STATE. (4) “GRANT PROGRAM” MEANS THE GRANT PROGRAM ESTABLISHED PURSUANT TO SECTION 22-97-102. (5) “PUBLIC SCHOOL” HAS THE SAME MEANING AS PROVIDED IN SECTION 22-1-101 AND INCLUDES, BUT IS NOT LIMITED TO, A DISTRICT CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, AND AN ONLINE SCHOOL, AS DEFINED IN SECTION 22-30.7-102 (9.5). (6) “SCHOOL DISTRICT” MEANS A SCHOOL DISTRICT AUTHORIZED BY SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION AND ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE 22. “SCHOOL DISTRICT” ALSO INCLUDES A BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE 22, IF IT IS OPERATING A PUBLIC SCHOOL; A DISTRICT CHARTER SCHOOL; AN INSTITUTE CHARTER SCHOOL; AND AN ONLINE SCHOOL, AS DEFINED IN SECTION 22-30.7-102 (9.5). (7) “STATE BOARD” MEANS THE STATE BOARD OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

22-97-102. Computer science education grants for teachers - creation. (1) THERE IS CREATED IN THE DEPARTMENT A GRANT PROGRAM FOR ELIGIBLE TEACHERS WHO WISH TO PURSUE ADDITIONAL POSTSECONDARY EDUCATION IN ORDER TO PROVIDE COMPUTER SCIENCE EDUCATION TO STUDENTS TN PUBLIC SCHOOLS. A SCHOOL DISTRICT OR A SCHOOL DISTRICT ON BEHALF OF AN ELIGIBLE TEACHER OR TEACHERS MAY APPLY FOR A GRANT. (2) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM IN ACCORDANCE WITH STATE BOARD RULES. THE DEPARTMENT SHALL ACCEPT AND REVIEW GRANT APPLICATIONS RECEIVED FROM SCHOOL DISTRICTS OR SCHOOL DISTRICTS ON BEHALF OF AN ELIGIBLE TEACHER OR TEACHERS AND SHALL MAKE RECOMMENDATIONS TO THE STATE BOARD FOR THE AWARD OF GRANTS. IN MAKING ITS RECOMMENDATIONS, THE DEPARTMENT MAY CONSIDER THE PRIORITIES CONTAINED IN SUBSECTION (4) OF THIS SECTION. (3) PURSUANT TO ARTICLE 4 OF TITLE 24, THE STATE BOARD SHALL PROMULGATE RULES NECESSARY FOR THE IMPLEMENTATION OF THE GRANT PROGRAM, INCLUDING RULES RELATING TO: (a) THE APPLICATION PROCESS, INCLUDING APPLICATION REQUIREMENTS AND DEADLINES; (b) CRITERIA FOR THE AWARD OF GRANTS, INCLUDING THE PRIORITIES FOR AWARDED GRANTS CONTAINED IN SUBSECTION (4) OF THIS SECTION; (c) THE AMOUNT AND DURATION OF THE GRANTS; AND (d) THE APPROVED USES OF THE GRANT, INCLUDING TUITION, FEES, TRAINING PROGRAM COSTS, AND BOOKS AND MATERIALS. (4) IN AWARDED GRANTS, THE STATE BOARD MAY: (a) GIVE PRIORITY TO GRANT APPLICATIONS THAT BENEFIT A TEACHER OR TEACHERS IN A SCHOOL DISTRICT THAT SERVES: (I) A HIGH-POVERTY STUDENT POPULATION; (II) A HIGH NUMBER OF MINORITY STUDENTS; OR (III) STUDENTS IN RURAL AREAS; (b) GIVE PRIORITY TO GRANT APPLICATIONS THAT BENEFIT A TEACHER OR TEACHERS WHO INTEND TO CONTINUE TEACHING IN PUBLIC SCHOOLS IN COLORADO AFTER COMPLETING POSTSECONDARY EDUCATION OBTAINED THROUGH THE GRANT PROGRAM; AND (c) GIVE PRIORITY TO GRANT APPLICATIONS FOR POSTSECONDARY COURSE WORK OR TRAINING THAT ENABLES A TEACHER TO TEACH COMPUTER SCIENCE, INCLUDING CONCURRENT ENROLLMENT COURSES IN COMPUTER SCIENCE, AND THAT APPLIES TOWARD THE COMPLETION OF A DEGREE IN COMPUTER SCIENCE, THE COMPLETION OF AN INDUSTRY-RECOGNIZED CERTIFICATE IN COMPUTER SCIENCE, OR THE COMPLETION OF A HIGH-QUALITY TRAINING PROGRAM, OR THAT RESULTS IN THE MASTERY OF A TEACHING CONTENT AREA IN COMPUTER SCIENCE. (5) THE STATE BOARD MAY AWARD GRANTS TO SCHOOL DISTRICTS FOR HIGH-QUALITY TRAINING PROGRAMS OFFERED TO TEACHERS IN THE DISTRICT THAT ENABLE THE TEACHERS TO TEACH COMPUTER SCIENCE COURSES. (6) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD SHALL ANNUALLY AWARD GRANTS. (7) THE GENERAL ASSEMBLY DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, COMPUTER SCIENCE EDUCATION GRANTS FOR TEACHERS ARE AN IMPORTANT ELEMENT IN EXPANDING TECHNOLOGY EDUCATION AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

22-97-103. Reporting. (1) No LATER THAN JANUARY 1, 2018, AND NO LATER THAN EACH JANUARY 1 THEREAFTER IF THE STATE BOARD HAS AWARDED A GRANT DURING THE PREVIOUS CALENDAR YEAR, THE DEPARTMENT SHALL REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. (2) AT A MINIMUM, THE REPORT MUST INCLUDE: (a) THE NUMBER OF GRANTS AWARDED DURING THE PREVIOUS CALENDAR YEAR; (b) THE AMOUNT OF THE GRANTS; (c) THE NUMBER OF TEACHERS IN EACH SCHOOL DISTRICT WHO BENEFITTED FROM THE GRANT; AND (d) THE USES OF THE GRANT, INCLUDING THE POSTSECONDARY COURSES, DEGREES, TRAINING PROGRAMS, OR INDUSTRY-RECOGNIZED CERTIFICATES COMPLETED AND THE EDUCATION PROVIDER PROVIDING THE EDUCATION. (3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT REQUIRED IN THIS SECTION CONTINUES INDEFINITELY.

SECTION 6. In Colorado Revised Statutes, amend 22-61-103 as follows:

22-61-103. Teacher's oath, affirmation, or pledge. (1) A person now holding a license to teach in the public schools in the state of Colorado or who shall hereafter be issued a license to teach in such public schools within the state of Colorado, except any A person employed to teach in a temporary capacity who is a citizen of a nation other than the United States, shall take OR SIGN the following oath, or affirmation, OR WRITTEN PLEDGE: "I solemnly (swear) (affirm) (PLEDGE) that I will uphold the constitution of the United States and the constitution of the state of Colorado, and I will faithfully perform the duties of the position upon which I am about to enter." (2) A person authorized to administer oaths in the state of Colorado SHALL ADMINISTER THE OATH OR AFFIRMATION, OR THE TEACHER MUST SIGN THE PLEDGE.

SECTION 8. In Colorado Revised Statutes, amend 22-61-105 as follows:

22-61-105. Penalty. A person who, being in charge of A public school, state university, college, junior college, community college, or technical college within the state of Colorado, allows or permits A teacher to enter upon the discharge of his OR HER duties or give instruction therein, unless such teacher shall have taken the oath or affirmation OR SIGNED THE PLEDGE AS provided in sections 22-61-103 and 22-61-104, is guilty of a misdemeanor and, upon conviction thereof, MUST be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_296_signed.pdf

EFFECTIVE DATE:

May 8, 2017

III. Bills Affecting Charter School Employment

- a. [HB17-1003: Strategic Plan to Address Teacher Shortages](#) 60
- b. [HB17-1176: PERA Public Employees' Retirement Association Retirees Employed By Rural School Districts](#) 62
- c. [HB17-1332: Teachers Nonpublic Child Care & Preschool Facility](#) 63

a. **HB17-1003: Strategic Plan to Address Teacher Shortages**

PRIME SPONSORS:

Barbara McLachlan (D), House District 59

Don Coram (R), Senate District 6

OVERVIEW

The bill requires the department of higher education in partnership with the department of education to examine recruitment, preparation, and retention of teachers and to prepare a strategic plan to address teacher shortages in school districts and public schools within the state. The departments must collaborate with institutions of higher education, school districts, and other education interest groups in preparing the plan. The department of higher education must submit the plan to the Colorado commission on higher education, the state board of education, and the education committees of the general assembly by December 1, 2017.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, add 23-1-120.9 as follows:

(2) THE DEPARTMENT OF HIGHER EDUCATION IN PARTNERSHIP WITH THE DEPARTMENT OF EDUCATION SHALL CREATE A STRATEGIC ACTION PLAN TO ADDRESS TEACHER SHORTAGES IN SCHOOL DISTRICTS AND PUBLIC SCHOOLS WITHIN THE STATE. THE DEPARTMENTS SHALL PREPARE THE PLAN IN COLLABORATION WITH, AT A MINIMUM, INSTITUTIONS OF HIGHER EDUCATION, A STATEWIDE ORGANIZATION REPRESENTING SCHOOL DISTRICTS, A STATEWIDE ORGANIZATION REPRESENTING BOARDS OF COOPERATIVE SERVICES, ALTERNATIVE TEACHER PREPARATION PROGRAMS, A STATEWIDE ORGANIZATION REPRESENTING TEACHERS, A STATEWIDE ORGANIZATION REPRESENTING CHARTER SCHOOLS, A STATEWIDE ORGANIZATION REPRESENTING ADMINISTRATORS, EARLY CHILDHOOD EDUCATION AND DEVELOPMENT ORGANIZATIONS, AND EDUCATION ADVOCACY GROUPS, AS WELL AS OTHER INTERESTED PERSONS OR ORGANIZATIONS. TO THE EXTENT PRACTICABLE, THE DEPARTMENTS MUST SEEK CONSENSUS AMONG THE COLLABORATORS ON THE RECOMMENDED STRATEGIES AND MUST INDICATE IN THE PLAN WHETHER THE RECOMMENDED STRATEGIES ARE SUPPORTED BY CONSENSUS. IN PREPARING THE PLAN, THE DEPARTMENT OF HIGHER EDUCATION SHALL, AT A MINIMUM:

(a) EXAMINE STUDENT ENROLLMENT IN AND COMPLETION OF TRADITIONAL AND ALTERNATIVE TEACHER PREPARATION PROGRAMS AND RECOMMEND STRATEGIES TO INCREASE ENROLLMENTS AND THE PERCENTAGE OF STUDENTS COMPLETING OR GRADUATING FROM ALL TEACHER PREPARATION PROGRAMS; (b) IDENTIFY FINANCIAL RESOURCES AVAILABLE TO ASSIST STUDENTS WHO ENROLL IN TRADITIONAL AND ALTERNATIVE TEACHER PREPARATION PROGRAMS AND RECOMMEND STRATEGIES TO INCREASE THE AMOUNT OF RESOURCES AND STUDENT AWARENESS OF RESOURCES; (c) IDENTIFY THE SPECIFIC SUBJECT AREAS, GRADE LEVELS, AND GEOGRAPHIC AREAS OF THE STATE IN WHICH TEACHER SHORTAGES EXIST OR ARE LIKELY TO EXIST WITHIN FIVE YEARS AND STRATEGIES FOR ADDRESSING THE SHORTAGES IN THESE SPECIFIC AREAS; (d) IDENTIFY SCHOOL DISTRICT OR SCHOOL PRACTICES THAT CREATE OBSTACLES FOR RECRUITMENT AND RETENTION AND RECOMMEND STRATEGIES FOR REMOVING THESE OBSTACLES AND IMPROVING RECRUITMENT AND RETENTION OF TEACHERS, WHICH MAY INCLUDE STRATEGIES FOR IMPROVING INDUCTION PROGRAMS; (e) EXAMINE RELEVANT AND CREDIBLE RESEARCH THAT IDENTIFIES THE COMMON REASONS TEACHERS LEAVE THE TEACHING PROFESSION AND OTHERWISE IDENTIFY ANY OTHER REASONS PREVALENT AMONG COLORADO TEACHERS AND RECOMMEND STRATEGIES TO ADDRESS THESE REASONS; (f) CONDUCT

COLORADO-SPECIFIC RESEARCH CONCERNING THE EFFECT ON STUDENT OUTCOMES OF REQUIRING A TEACHER TO BE LICENSED AND PROVIDE THE RESEARCH FINDINGS IN THE PLAN WITH STRATEGIES THAT TAKE THE RESEARCH FINDINGS INTO ACCOUNT; (g) IDENTIFY OBSTACLES TO LICENSURE AND MOBILITY WITHIN THE STATE AND RECOMMEND STRATEGIES TO REDUCE THESE OBSTACLES, INCLUDING INCREASING TEACHERS' ABILITY TO TRANSFER AMONG SCHOOL DISTRICTS, IDENTIFYING CRITERIA FOR AN EXPEDITED LICENSING PROCESS FOR LICENSED TEACHERS WHO MOVE TO COLORADO, AND SUPPORTING PROFESSIONAL PREPARATION; (h) ENSURE THAT THE PLAN TAKES INTO ACCOUNT DIFFERENCES AMONG THE SCHOOL DISTRICTS THROUGHOUT THE STATE WHEN IDENTIFYING STRATEGIES TO ADDRESS THE TEACHER SHORTAGE IN ALL AREAS OF THE STATE; AND (I) EXAMINE AND IDENTIFY THE ANTICIPATED COSTS ASSOCIATED WITH IMPLEMENTING THE STRATEGIES IDENTIFIED IN THE PLAN AND ENSURE THAT THE PLAN INCLUDES STRATEGIES THAT DO NOT REQUIRE ADDITIONAL RESOURCES. (3) ON OR BEFORE DECEMBER 1, 2017, THE DEPARTMENT OF HIGHER EDUCATION SHALL SUBMIT THE STRATEGIC ACTION PLAN TO ADDRESS TEACHER SHORTAGES IN THE STATE TO THE COMMISSION, THE STATE BOARD OF EDUCATION, AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. THE DEPARTMENT OF HIGHER EDUCATION SHALL ALSO POST THE COMPLETED PLAN ON THE DEPARTMENT WEBSITE FOR PUBLIC ACCESS.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1003_signed.pdf

EFFECTIVE DATE:

August 9, 2017

b. HB17-1176: PERA Public Employees' Retirement Association Retirees Employed By Rural School Districts

PRIME SPONSORS:

Jon Becker (R), House District 65 | Barbara McLachlan (D), House District 59

Jerry Sonnenberg (R), Senate District 1

OVERVIEW

In response to the shortage of teachers in rural schools, this bill permits retirees who meet certain conditions to be hired by a rural school district and receive a salary without any reduction in the benefits the retiree receives from the Colorado Public Employees' Retirement Association (PERA).

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, 24-51-1101, amend (1) introductory portion, (1.8)(a), (1.8)(b), and (1.8)(c); and add (1.9) as follows:

(1.9) (a) (I) SUBJECT TO THE PROVISIONS OF SUBSECTION (1.9)(h) OF THIS SECTION, A SERVICE RETIREE WHO IS A TEACHER, A SCHOOL BUS DRIVER, OR A SCHOOL FOOD SERVICES COOK AND IS HIRED PURSUANT TO SUBSECTION (1.9)(b) OF THIS SECTION BY AN EMPLOYER IN THE SCHOOL DIVISION OF THE ASSOCIATION THAT SATISFIES THE CRITERIA SPECIFIED IN SUBSECTION (1.9)(a)(II) OF THIS SECTION MAY RECEIVE SALARY WITHOUT REDUCTION IN BENEFITS FOR ANY LENGTH OF EMPLOYMENT IN A CALENDAR YEAR IF THE SERVICE RETIREE HAS NOT WORKED FOR ANY EMPLOYER, AS DEFINED IN SECTION 24-51-101(20), DURING THE MONTH OF THE EFFECTIVE DATE OF RETIREMENT. A SERVICE RETIREE DESCRIBED IN THIS SUBSECTION (1.9)(a) WHO WORKS FOR ANY EMPLOYER, AS DEFINED IN SECTION 24-51-101 (20), DURING THE MONTH OF THE EFFECTIVE DATE OF RETIREMENT SHALL BE SUBJECT TO A REDUCTION IN BENEFITS AS PROVIDED IN SECTION 24-51-1102 (2).

(II) THE PROVISIONS OF THIS SUBSECTION (1.9) APPLY ONLY IF:

(A) THE EMPLOYER IN THE SCHOOL DIVISION OF THE ASSOCIATION THAT HIRES THE SERVICE RETIREE IS A RURAL SCHOOL DISTRICT AS DETERMINED BY THE DEPARTMENT OF EDUCATION BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA AND THE SCHOOL DISTRICT ENROLLS SIX THOUSAND FIVE HUNDRED STUDENTS OR FEWER IN KINDERGARTEN THROUGH TWELFTH GRADE;

(B) THE SCHOOL DISTRICT HIRES THE SERVICE RETIREE FOR THE PURPOSE OF PROVIDING CLASSROOM INSTRUCTION OR SCHOOL BUS TRANSPORTATION TO STUDENTS ENROLLED BY THE DISTRICT OR FOR THE PURPOSE OF BEING A SCHOOL FOOD SERVICES COOK; AND

(C) THE SCHOOL DISTRICT DETERMINES THAT THERE IS A CRITICAL SHORTAGE OF QUALIFIED TEACHERS, SCHOOL BUS DRIVERS, OR SCHOOL FOOD SERVICES COOKS, AS APPLICABLE, AND THAT THE SERVICE RETIREE HAS SPECIFIC EXPERIENCE, SKILLS, OR QUALIFICATIONS THAT WOULD BENEFIT THE DISTRICT.

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1176_signed.pdf

EFFECTIVE DATE:

June 6, 2017

c. **HB17-1332: Teachers Nonpublic Child Care & Preschool Facility**

PRIME SPONSORS:

Jeff Bridges (D), House District 3 | James Wilson (R), House District 60
James Smallwood (R), Senate District 4 | Stephen Fenberg (D), Senate District 18

OVERVIEW:

The bill provides that the state board of education may issue an alternative teacher license to an applicant who agrees to participate fully in a one- or 2-year alternative teacher program provided by a designated agency, which may include working in a nonpublic child care facility or other preschool facility.

KEY STATUTORY SECTIONS:

SECTION 1. In Colorado Revised Statutes, 22-60.5-201, amend (1)(a)(I)(D) as follows:

(a) Alternative teacher license. (I) The department may, at its discretion, issue an alternative teacher license to any applicant who:

(D) Agrees to participate fully in a one-year or two-year alternative teacher program provided by a designated agency, WHICH MAY INCLUDE WORKING AS AN ALTERNATIVE TEACHER IN A LICENSED NONPUBLIC CHILD CARE FACILITY OR OTHER PRESCHOOL FACILITY. THE STATE BOARD OF EDUCATION IS AUTHORIZED TO PROMULGATE RULES AS NECESSARY TO IMPLEMENT THIS SUBSECTION (1)(a)(I)(D).

LINK TO FULL BILL TEXT:

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017a_1332_signed.pdf

EFFECTIVE DATE:

August 9, 2017