

Colorado Council on High School and College Relations

HB1039 IN-STATE TUITION FOR HONORABLY DISCHARGED MILITARY VETERANS

Sponsors Rep. McNulty & Sen. Kopp

Grants in-state tuition status to honorably discharged members of the armed forces. Creates presumption of in-state status for dependents of honorably discharged veterans. Directs governing boards of public institutions of higher education to adopt policies for in-state status for veterans and makes discretionary the inclusion of their dependents. Beginning in 2011-12, allows such students to be eligible for College Opportunity Fund stipends.

Position Monitor

Current Status Delivered to Governor

Fiscal Impact Yes

Impact Amount

Statutory Ref. Amends 23-7-103 and creates New Section 23-7-108.5

HB1046 CAP4K ASSESSMENTS PILOT PROGRAM

Sponsors Rep. Scanlan & Sen. Penry

Makes minor changes to SB 08-212 ("CAP4K") to permit vendors to participate in the pilot program that assess students at other times during the school year than spring. Requires local education providers to ensure that participating vendors provide assessment results directly to CDE. Requires participating vendors to supply additional information about the administration of their assessments to CDE.

Position Monitor

Current Status Signed by Governor

Fiscal Impact

Impact Amount

Statutory Ref. Amends 22-7-1007

HB1057 PARENTAL INVOLVEMENT IN K-12 EDUCATION

Sponsors Rep. A. Kerr & Sen. Bacon

Allows employees of employers of 50 or more employees in Colorado to take unpaid leave from work to attend parent-teacher conferences or other academic activities relation to the educational advancement of their child. Limits the unpaid leave to 6 hours per month and 18 hours in any academic year. Permits employers to further restrict unpaid leave to increments of no more than 3 hours per day and to require written verification from the school. Requires employees to give at least one week advance notice of intent to take unpaid leave except in emergency situations. Directs employees to make reasonable efforts to schedule parental involvement outside of regular work hours. Allows employees to elect to use any paid leave time for this purpose. Specifies that employers with policy of providing comparable leave is in compliance and not required to provide any additional leave. Makes a legislative declaration about the importance of parental involvement in their child's education. Heavily amended to reduce annual cap on hours; increase advance notice requirement; align definition of "employer" with that in federal Family & Medical Leave Act; strike requirement that leave be unpaid; exempt workers needed for health or safety; further define situations for which leave may be taken to academic activities, IEP or RTI meetings, dropout prevention or attendance, discipline, suspension or expulsion meetings; limit part-time workers to pro-rated amounts of leave; and add parents of home-schooled students that participate in activities or classes at a public school. Also amended to repeal act in 5 years. Amended to further exempt employees in situations where the absence of the employee would result in a halt of service or production.

Position Monitor

Current Status Delivered to Governor

Fiscal Impact None

Impact Amount

Statutory Ref. New Article 13.3 in Title 8

HB1063 IN-STATE TUITION WHEN PARENTS MOVE FOR JOB

Sponsors Rep. Summers & Sen. Penry

Grants in-state tuition status to students that moved to Colorado during their senior year of high school because their parents moved here for a job. Requires such students to be legal residents of the United States and to have graduated from a Colorado public high school.

Position Monitor

Current Status Signed by Governor

Fiscal Impact

Impact Amount

Statutory Ref. New Section 23-7-111; Amends 23-18-102

HB1065 **EDUCATOR IDENTIFIER PILOT PROGRAM**

Sponsors Rep. Benefield & Sen. Spence

Extends the repeal date for the Quality Teachers Commission by three years so it expires on July 1, 2012. Requires annual reports of commission activities. Creates the educator identifier system for teachers and principals as a statewide program. Requires identifiers to be assigned to teachers and principals and specifies purposes for which program may be used. Requires personally identifying information about teachers to be maintained separately in secure data location. Amended to strike prohibition on using data for employee evaluation but specify data may not be used to negatively sanction employees. Amended to clarify permissible uses of data in system and specify that districts may use data in system that they supplied for any purpose. Specifies that CDE need not implement system until sufficient funds are received through gifts, grants and donations. Amended to create a cash fund to receive gifts, grants and donations for operation of system and continuously appropriate moneys in the fund. Prohibits general fund appropriations to support system. Repeals new article 68.5 on July 1, 2012.

Position Monitor

Current Status Delivered to Governor

Fiscal Impact None

Impact Amount

Statutory Ref. Amends 22-68-104; New Article 68.5 in Title 22

HB1088 **CERTIFY NONPROFITS AS LOCAL PUBLIC PROCUREMENT UNIT**

Sponsors Rep. Balmer & Sen. Newell

Allows the executive director of the department of personnel to certify a public benefit nonprofit entity as a local public procurement unit. Conditions such certification on the public benefit nonprofit entity using any procured supplies, services, or construction in the furtherance of its stated nonprofit purpose. Defines "public benefit nonprofit entity" as an organization that receives funds from federal, state, or local governmental sources and is exempt from federal taxation under section 501 (c) (3) of the federal internal revenue code. Directs the department of personnel to deliver a report to the State Military Affairs committees in both houses on the number certified nonprofits using the public procurement process and include the amount total spending by certified entities.

Position Monitor

Current Status Signed by Governor

Fiscal Impact None

Impact Amount

Statutory Ref. 24-110-207.5; 24-110-101

HB1099 COLORADO YOUTH ADVISORY COUNCIL

Sponsors Reps. Roberts and A. Kerr
Clarifies that the Colorado youth advisory council (council) is created in the legislative branch. Requires the legislative members of the council to annually designate a nonprofit or private organization designated organization) as the custodian of moneys donated to the designated organization on behalf of the council and authorizes the designated organization to expend any moneys necessary to further the council's operation and duties. Authorizes the designated organization and the council to contract with outside entities concerning the implementation of the council's operation and duties. Provides that moneys in the youth advisory council cash fund are continuously appropriated rather than subject to annual appropriation.

Position Monitor

Current Status Signed by Governor

Fiscal Impact

Impact Amount

Statutory Ref. 2-2-1301

HB1125 LIMIT INCENTIVES FOR STUDENTS TO ATTEND

Sponsors Rep. Merrifield & Sen. Hudak
As amended: Prohibits school districts, BOCES, public schools and the state charter school institute from offering or providing an item of value as an incentive or reward for enrolling in or attending an educational program. Makes exceptions for items of value available continuously or at regular intervals throughout the school year while the child remains enrolled in the program, and also for items awarded at the end of the school year for recognition of performance or upon matriculation. Amended to also make an exception for payment for services provided by a student or their parent (while specifying that "services rendered" does not include attendance or enrollment). Defines "item of value" as having \$20 or greater value.

Position Monitor

Current Status Signed by Governor

Fiscal Impact

Impact Amount

Statutory Ref. New Section 22-1-127

HB1214 **EDUCATION DATA REPORTING REQUIREMENTS**

Sponsors Rep. Benefield & Sen. Bacon

Clarifies role of Education Data Advisory Board ("EDAC") in reviewing reporting requirements imposed on school districts by state and federal agencies. Directs EDAC, to the extent practicable, to inform the enacting state or federal agency of estimated cost to school districts and public schools to comply with reporting requirements and whether such requirements are duplicated in existing statute or regulation. By Sept. 15, 2009, directs EDAC to submit to the General Assembly and publish on the internet a written report listing data reporting requirements that are not cost-effective, duplicative, obsolete, inefficient or not used and therefore should be repealed. Changes the calendar for implementing changes to data reporting from a rolling 90-day period to a single, annual date for implementing changes. Directs the State Board of Education to update the state's interpretation of federal data privacy restrictions and to align such interpretation with that of neighboring states. Suspends data reporting requirements for a state program in any year in which the General Assembly does not appropriate moneys for the program. Amended to define "state program" as those that provide funding to districts or schools. Amended to clarify timelines for reporting in the event federal requirements are not aligned with state law.

Position Monitor

Current Status Signed by Governor

Fiscal Impact None

Impact Amount

Statutory Ref. Amends 22-2-304 and 306; New Section 22-2-307

HB1243 DROPOUT PREVENTION / INCREASE GRADUATION RATES

Sponsors Rep. Middleton & Sen. Bacon

Creates the Office of Dropout Prevention and Student Re-engagement in CDE. Directs the office to collaborate with local education providers (school districts, BOCES, facility schools and institute charter schools) to reduce dropout rates and increase graduation and completion rates. Directs the office to identify high priority and priority LEPs to receive technical assistance and support from the office. Requires the office to compile a report on effective dropout prevention and student engagement and re-engagement policies based on research and data. Requires the office to annual analyze attendance data and assess incidence, causes and effects of dropout, engagement and re-engagement and recommend strategies to local education providers and state policymakers. Requires high priority and priority local education providers to conduct a practices assessment and adopt a graduation and completion plan. Directs CDE to provide technical assistance and provide a template for the practices assessment. Requires high priority and priority local education providers to submit their practices assessment and plans to CDE for publication and posting on CDE website. Directs the office to review plans as part of accreditation review process. Requires local education providers to have a policy for notifying parents if a student drops out, and requires notice to include information about alternatives available to the student. Creates a student re-engagement grant program and directs the State Board of Education to adopt rules for applications and awards. Creates a cash fund for the grant program and allows CDE to retain up to 3% for administrative expenses. Requires CDE to evaluate services provided by grant program participants and report results to General Assembly. Repeals mandatory expulsion of habitually disruptive student and permits districts to suspend such students. Repeals requirement that suspension or expulsion count as an unexcused absence under a district's attendance policy. Amended to authorize receipt of gifts, grants and donations to fund office of dropout prevention and make implementation of act contingent upon receipt of sufficient funding, and to encourage CDE to use any federal funds that may be used for this purpose.

Position Monitor

Current Status Concurred with second house amendments

Fiscal Impact Yes

Impact Amount \$157,772 cash funds & 2.0 FTE

Statutory Ref. New Article 14 in Title 22

HB1267 HIGHER ED PERVASIVELY SECTARIAN INSTITUTIONS

Sponsors Rep. Todd & Sen. Bacon

Eliminates statutory restriction on use of public funds for education at a "pervasively sectarian institution" and replaces it with a prohibition against funding for students pursuing a "professional degree in theology." Defines "professional degree in theology" as a degree program that is devotional in nature or designed to induce religious faith and is offered to prepare for a career in the clergy. Makes a legislative declaration citing 10th Circuit Court of Appeals ruling in Colorado Christian University's challenge to restricted use of College Opportunity Fund and US Supreme Court ruling in Locke v. Davey. Amended to clarify that prohibition against funding for students seeking degree in theology shall not prevent such student from receiving financial assistance from a federal program, including but not limited to Title IV of the Higher Education Act of 1965. Amended to require institutions to certify that students are not seeking degrees in theology.

Position Monitor

Current Status Concurred with second house amendments

Fiscal Impact Yes

Impact Amount \$94,860 GF

Statutory Ref. Amends 23-3.3-101 and 104; 23-3.5-102 and 103.5; etc.

HB1272 LIMITED GAMING - AMENDMENT 50 - COMMUNITY COLLEGE FUNDING

Sponsors Reps. Massey and Pommer & Sen. Tapia
Implements Amendment 50 as approved by Colorado voters at 2008 general election. Defines the games of roulette and craps and includes these games within definition of "limited gaming." Increases maximum single bet for all games to \$100. Directs the Limited Gaming Commission to identify new increases in gaming tax revenues attributable to new games and increased limits and specifies allocation of such new revenues to community colleges and gaming towns and counties. Specifies method of calculating the apportionment of previous gaming tax revenues and new revenues. Specifies method of distributing new revenues to community colleges based upon full-time equivalent student enrollment. Authorizes community colleges to issue revenue bonds in anticipation of receiving gaming tax revenues.

Position Monitor

Current Status Signed by Governor

Fiscal Impact Yes

Impact Amount

Statutory Ref. Amends Article 47.1 in Title 12

HB1280 YOUTH CHALLENGE CORPS PROGRAM

Sponsors Rep. Looper & Sens. Tapia and Williams
Creates the "Colorado Youth Challenge Corps Program Act". Authorizes the Department of Military and Veterans Affairs (department) to operate a residential youth challenge corps program through the use of contract personnel and National Guard facilities and equipment. Defines an eligible youth as a person who is at least 15 years of age but less than 20 years of age and who has been suspended or expelled from school, is habitually truant, or is habitually disruptive in school. Specifies that the program shall comply with criteria and conditions in a cooperative agreement between National Guard bureau and the state. Directs the adjutant general in the department to apply for any available federal moneys to implement and operate the program. Authorizes acceptance of gifts, grants, or donations to implement the program. Establishes the youth challenge corps program fund. Identifies the anticipated receipt of federal moneys by the department to implement the program. Amended to specify a 5.5 month residential phase of the program, followed by a 12 month non-residential phase.

Position Monitor

Current Status Concurred with second house amendments

Fiscal Impact

Impact Amount

Statutory Ref. New Part 17 in Article 3 of Title 28

HB1285 GOVERNMENT DATA SHARING

Sponsors Rep. Benefield & Sen. K. King

Creates the Government Data Advisory Board to replace the data protocol development council and specifies the membership and duties of the board. Charges board with making recommendations to OIT regarding rules for requesting data, responding to data requests and fees for providing data. Requires annual reports from board to OIT and from OIT to the General Assembly. Authorizes the CIO in OIT to adopt rules. Creates the education data subcommittee of the advisory board and specifies membership and duties. Charges the subcommittee with recommending the creation of statewide comprehensive P-20 education data system. Repeals advisory board and subcommittee on July 1, 2019 and requires sunset review prior to repeal. Amended to require education data subcommittee to ensure its recommendations comply with "America COMPETES Act" and will qualify for federal stimulus funding under the terms of the ARRA.

Position Monitor

Current Status Signed by Governor

Fiscal Impact Yes

Impact Amount \$150,000

Statutory Ref. Amends 24-37.5-702, 703 and 704; New Section 24-37.5-703.5

HB1290 INCREASE MAXIMUM TUITION ASSISTANCE FOR NATIONAL GUARD

Sponsors Reps. Nikkel and Apuan & Sen. Harvey

Increases the maximum amount of funding that CCHE may allocated to tuition assistance for members of the National Guard from \$650,000 to \$800,000 per year.

Position Monitor

Current Status Delivered to Governor

Fiscal Impact

Impact Amount

Statutory Ref.

HB1295 AUTHORIZE METRO STATE MASTER'S DEGREE PROGRAMS

Sponsors Reps. Todd and Massey & Sen. Heath

Permits Metropolitan State College to offer master's degree programs that address the needs of its urban service area.

Position Monitor

Current Status Signed by Governor

Fiscal Impact None

Impact Amount

Statutory Ref. Amends 23-54-101

HB1313 EXPAND HIGHER EDUCATION CIVIC ENGAGEMENT

Sponsors Rep. Merrifield & Sen. Bacon

Allows governing board of institution of higher education to establish an optional student fee to fund student-directed programs to enrich student life and learning opportunities. Directs governing board to adopt policies to permit student body members to place a proposed fee on the ballot for a regular student election. Requires such fee to be approved by a majority vote of those voting at a regularly scheduled student election. Repeals prohibition against student fees for organization "whose primary purpose is to engage in political activity or issue advocacy" that is not approved by the individual student paying the fee. Adds "student-directed issue advocacy" to the statute listing permissible uses of student fee revenues. Amended to clarify that each optional fee may be subject to a separate vote.

Position Monitor

Current Status Delivered to Governor

Fiscal Impact None

Impact Amount

Statutory Ref. Amends 23-1-123

Sponsors

Reps. Merrifield and Massey & Sen. Williams

Repeals existing programs for concurrent enrollment (high school fast track, PSEO, and "fast college fast jobs") and replaces them with a consolidated program that allows school districts and local education providers to partner with institutions of higher education to offer college courses to qualified high school students. Requires notice to parents of students in middle and high school of opportunity for concurrent enrollment. Requires students wishing to participate to apply to school district board of education and receive approval from the superintendent of the district or their designee. Amended to specify alternative process for students in charters or BOCES high schools. Requires school district to pay tuition for such students and requires the student or their parents to reimburse the district for tuition costs for any courses not completed (unless withdrawal is approved by high school principal) or for which they received a failing grade. Requires participating students to take assessment of English and math skills to determine if basic skills courses are needed, and if needed, limits participation to students in 12th grade. Requires participating students to develop academic plan of study and have it approved by high school principal, counselor or teacher advisor. Requires cooperative agreement between school district and institution of higher education and specifies mandatory contents of such agreement, including rate of tuition. Requires copy of cooperative agreements to be filed with Dept. of Higher Education. Caps maximum tuition rate in cooperative agreement. Creates an advisory board in CDE and specifies membership and duties. Creates the ASCENT (accelerating students through concurrent enrollment) program in CDE to allow certain students to continue concurrent enrollment after completing 12th grade. Amended to require advisory board to recommend waiver process to permit certain students to participate in ASCENT program for 2 years. Establishes criteria for CDE to select students to receive ASCENT grants. Requires CDE to include consideration of ASCENT students in preparing school accountability reports regardless of whether the participating student has completed high school graduation requirements. Specifies that qualified students participating in concurrent enrollment shall be counted in a school district's funded pupil count unless they are participating in ASCENT, in which case they shall be counted separately and funded at a lower rate (\$6,135 for FY 2009-10, and increasing at rate of per pupil base increase in years thereafter), and counted as a part-time student if they are enrolled in at less than 12 credit hours at the higher ed institution. Directs the State Board of Education to adopt rules for the programs. Requires participating school districts and higher ed institutions to submit, upon request, data to CDE or Dept of Higher Education regarding participating students. Requires CDE and Dept of Higher Ed to submit annual report to legislature. Amended to clarify that institutions of higher education are encouraged, but not required, to participate in concurrent enrollment programs. Amended to include area vocational schools. Amended to require school districts to submit to CDE estimates of the number of students that will participate in ASCENT program and receive approval for their participation based on cap set by State Board of Education.

Position

Monitor

Current Status

Concurred with second house amendments

Fiscal Impact

Yes

Impact Amount

\$30,031 GF

Statutory Ref.

Repeals and Reenacts Article 35 of Title 22; Repeals Articles 34 and 35.5 of Title 22

HJR1025 INTERIM STUDY OF SCHOOL SAFETY

Sponsors Rep. S. Schafer & Sen. Bacon
Establishes a committee to evaluate the transition from child care treatment facilities and foster care into the public school system. Requires the committee to evaluate affected entities and create greater efficiency in meeting the needs of all students as students who have been out of the traditional public school system begin to integrate back into traditional public school settings students.

Position Monitor

Current Status Adopted

Fiscal Impact None

Impact Amount

Statutory Ref. non-statutory

SB032 EDUCATION INNOVATION INSTITUTE AT UNC

Sponsors Sen. Groff & Reps. Marostica and Todd
Creates the Education Innovation Institute at the University of Northern Colorado. Sets forth the purposes of the Institute and allows appropriations to UNC for administration of the Institute, as well as the acceptance of gifts, grants and donations. Makes a legislative declaration. Amended to specify that purposes "include but are not limited to" those listed, and to expand purposes to consideration of facility use issues. Amended to require annual report to Education Committees of General Assembly.

Position Monitor

Current Status Signed by Governor

Fiscal Impact None

Impact Amount

Statutory Ref. Amends 23-40-401; New Section 23-40-106

SB086 CSU GLOBAL CAMPUS CREATION

Sponsors Sen. Tapia & Rep. Marostica
Creates an online university to be known as Colorado State University - Global Campus. Places CSU - Global Campus under the control of the board of governors of CSU. Specifies that it shall have moderately selective admission standards and offer baccalaureate and master-level graduate programs for nontraditional students. Amended to prevent COF stipends for students at institutions established after July 1, 2007.

Position Monitor

Current Status Signed by Governor

Fiscal Impact

Impact Amount

Statutory Ref. New Section 23-30-124; Amends 23-18-202

SB088 DOMESTIC PARTNER GROUP HEALTH BENEFITS STATE EMPLOYEES

Sponsors Sen. Veiga & Rep. Ferrandino

Makes a legislative declaration about the prevalence of domestic partner health care benefits and the need for the state to remain competitive for recruiting and retaining skilled employees. Defines "domestic partner" as an unmarried person of the same gender as the employee who is ineligible to marry the employee with whom they have had an exclusive relationship for at least one year. Directs the state personnel director to adopt rules for state employees to elect domestic partner coverage. Beginning in fiscal year 2010-11, allows state employees to elect such coverage for their domestic partners and their dependents.

Position Monitor

Current Status Delivered to Governor

Fiscal Impact Yes

Impact Amount \$116,000 in FY 2010-11

Statutory Ref. Amends 24-50-603

SB089 STATE CHARTER SCHOOL INSTITUTE

Sponsors Sen. K. King & Rep. Middleton

Permits the state charter school institute board to exempt the institute from the requirements of the State Procurement Code. Reduces the amount of PPR that CDE may retain from 2% to 1% of PPR. Directs each institute charter school and the institute board to recommend to the Education Committees of the General Assembly the appropriate amount of funding for the institute in each budget year. Creates a capital construction assistance fund and allocates 1% of PPR of institute charter schools into this fund. Directs the institute board to adopt rules for grant applications from institute charters. Allows the institute to make grants or interest-free loans to its charter schools from this fund and specifies process for applying for capital assistance, and allows the institute to withhold funds from PPR needed to repay such loans. Clarifies ability of institute charter schools to request that the state treasurer or the institute withhold a portion of their funding for the purpose of making bond payments. Amended to delete provisions on creation of school of statewide concern as an alternative education campus. Amended to delete provisions changing funding mechanism to no longer count students in accounting districts.

Position Monitor

Current Status Passed House unamended

Fiscal Impact

Impact Amount

Statutory Ref. Omnibus bill, Part 5 of Article 30.5 in Title 22

SB090 PARENTAL INVOLVEMENT IN EDUCATION

Sponsors Sen. Hudak & Reps. Benefield and Merrifield

Creates the state advisory council for parental involvement in education and specifies the membership and duties of the council. Creates a parental involvement grant program to make grants to public schools and makes the program eligible for appropriations from the State Education Fund. Directs the council to receive grant applications and make recommendations to the State Board of Education, which is charged with awarding grants. Changes the name of school advisory councils to school accountability committees. Increases the membership of school and district accountability committees while requiring a certain percentage of the members to be parents. Directs, to the extent practicable, that parents serving on these committees reflect the population of the school and district. Requires district and state institute charter schools to have an accountability committee, which must be a distinct body from the governing board of the school, and requires these committees to have a certain percentage of parents that reflect the population of the school. Adds a parent to CCHE advisory committee and several boards in CDE, including the school for the deaf and blind, and the regional service cooperatives. Amended to prevent implementation of grant program until at least \$20,000 is received. Amended to delete addition of parent to CSI board and governing boards of charter schools. Amended to permit alternative membership plan for school accountability committees if after good-faith efforts the school is unable to find sufficient number of persons willing to serve. Amended to delete potential charter revocation as consequence for noncompliance with school accountability requirement. Amended to clarify prohibition on school employees serving on accountability committees as parent representatives to permit such role if no other eligible parent is willing. Amended to require one of the parent representatives on accountability committee to serve as chair or co-chair.

Position Monitor

Current Status Delivered to Governor

Fiscal Impact

Impact Amount

Statutory Ref. Recreates and Reenacts Part 3 of Article 7 in Title 22

SB123 HEALTHY CHOICES DROPOUT PREVENTION

Sponsors Sen. Williams & Rep. Todd

Creates the Healthy Choices Dropout Prevention Pilot Program. Allows districts to apply for grants for "at-risk" schools within their district. Defines "at-risk" school as one serving students in 6th, 7th and 8th grades that meets specified free & reduced lunch eligibility and attendance and graduation rates, and excludes institute charter schools from definition. Specifies procedures for grant applications and awards and purposes for which grant funds may be used. Repeals program effective July 1, 2019. Makes program eligible to use funds from gifts, grants and donations, or any other appropriated funds (deleting expansion of permissible uses of Comprehensive Health Education Grant Funds).

Position Monitor

Current Status Delivered to Governor

Fiscal Impact

Impact Amount

Statutory Ref. New Article 82.3 in Title 22

SB160 ALTERNATIVE TEACHER PROGRAMS AND LICENSURE

Sponsors Sen. Hudak & Rep. Todd
Renames the teacher in residence program to be the "2-year alternative teacher program" and relocates statutory provisions. Renames the current alternative teacher program as the "one-year alternative teacher program." Requires both programs to meet Colorado performance-based standards for teachers. Requires both programs to receive a 5-year evaluation. Requires the State Board of Education to establish common content requirements for approved preparation programs.

Position Monitor

Current Status Delivered to Governor

Fiscal Impact Yes

Impact Amount \$5,500 CF

Statutory Ref. Amends 22-60.5-102, 111, 201 and 203; Repeals & Reenacts 22-60.5-205; conforming amendm

SB163 EDUCATION ACCOUNTABILITY SYSTEM

Sponsors Sens. Hudak and K. King & Reps. Middleton and Massey
Repeals and reenacts Article 11 of Title 22, CRS, with amendments, for the purpose of aligning accountability and accreditation measures and procedures. Changes "school accountability reports" to school performance report" and requires CDE to publish them for schools, districts, the State Charter School Institute and the state as a whole. Creates the "EDGE," the Educational Data and Growth Exchange, as a web-based portal to school performance and accountability data. Changes accreditation indicators and labels for accredited school districts. Uses the Colorado Growth Model for measuring student longitudinal academic growth. Requires every school to annually adopt a performance plan, improvement plan, priority improvement plan or turnaround plan based on the school's academic performance. Requires restructuring of schools that fail to improve after 5 consecutive years on a turnaround plan. Specifies duties of CDE, commissioner, state board of education, school districts, the state charter school institute and individual schools with regard to accountability. Requires school boards to appoint or provide for election of district accountability committees and specifies membership and duties with regard to accountability and assigning accreditation status to schools. Amended to harmonize with provisions of SB 09-090 and SB 09-256. Amended to specify and preserve certain data elements on School Performance Reports, including critical incidents, staffing levels (specifying # of school counselors, librarians, other professionals, and paraprofessionals), and availability of various elective courses and programs.

Position Monitor

Current Status Concurred with second house amendments

Fiscal Impact

Impact Amount

Statutory Ref. Omnibus bill Article 11 in Title 22

SB185 SUPPLEMENTAL APPROPRIATION DEPT OF EDUCATION

Sponsors Sen. Keller & Rep. Pommer
Makes supplemental appropriations to CDE for the purpose of balancing the budget for FY 2008-09. Does not include requested funding for increased student enrollment count and lower than anticipated local property tax revenue. Rescinds numerous appropriations made during 2008 legislative session, particularly "new" spending from State Education Fund. Amended to restore funding for military dependent supplemental funding using \$1.8 million from the general fund.

Position Monitor

Current Status Signed by Governor

Fiscal Impact Yes

Impact Amount

Statutory Ref. non-statutory

SB188 SUPPLEMENTAL APPROPRIATION DEPT OF HIGHER EDUCATION

Sponsors Sen. Keller & Rep. Pommer
Makes supplemental appropriations to the Dept. of Higher Education.

Position Monitor

Current Status Signed by Governor

Fiscal Impact Yes

Impact Amount

Statutory Ref.

SB213 ALTERNATIVE TEACHER COMPENSATION GRANT FUNDING

Sponsors Sen. Tapia & Rep. Pommer
Makes discretionary the appropriation for the alternative teacher compensation plan grant program and rescinds the \$1 million SEF appropriated for this program in FY 2008-09

Position Monitor

Current Status Signed by Governor

Fiscal Impact Yes

Impact Amount (\$1 million) SEF

Statutory Ref. Amends 22-69-105

SB214 FUNDING FOR QUALITY TEACHER PROGRAM

Sponsors Sen. Tapia & Rep. Pommer
Makes discretionary the appropriations for portions of the teacher recruitment and retention program, including the biennial survey of teaching conditions and the teacher stipends. Repeals appropriations from the State Education Fund made for the program for FY 2008-09.

Position Monitor

Current Status Signed by Governor

Fiscal Impact Yes

Impact Amount (\$1.15 million) SEF

Statutory Ref. Amends 22-2-503 and 504

SB215 **MODIFY APPROPRIATIONS FOR SCHOOL FINANCE**

Sponsors Sen. Keller & Rep. Pommer

For FY 2008-09, reduces statewide base per pupil funding to \$5,250.41 to eliminate the extra \$19.72 added to the base above the constitutional requirement. Allows CDE to retain an "off-the-top" portion of the total program appropriation to fund the operation of the school finance unit. Reduces charter school capital construction from \$10 million to \$5.135 million, and specifies that \$135,000 shall be distributed to the charter school for the deaf and blind. Delays for one year the study of declining enrollment issues and rescinds the \$200,000 appropriated for this purpose (report now due March 15, 2010).

Position Monitor

Current Status Signed by Governor

Fiscal Impact Yes

Impact Amount

Statutory Ref. Recreates and Reenacts 22-54-114 (2.3)

SB226 **SCHOOL POLICIES FOR MANAGING FOOD ALLERGIES**

Sponsors Sen. Sandoval & Rep. Gagliardi

Requires the State Board of Education, in consultation with CDPHE, to promulgate rules for management of food allergies and anaphylaxis among school children and specifies mandatory provisions for such rules. Requires school districts and the state charter school institute to adopt policies consistent with state board rules. Requires CDPHE to develop a standard form for schools to use in gathering information from parents and physicians regarding students with food allergies. Amended to delete requirement that each school ensure epipens are available to persons in the schools for emergency use. Amended to require notice of policy and form to be provided to parents on annual basis. Conforming amendments make requirements applicable to charter schools. Amended to list "food allergies" in statute authorizing students to self-administer medications for asthma and allergies.

Position Monitor

Current Status Conference Committee Report Adopted by House and Senate

Fiscal Impact Yes

Impact Amount

Statutory Ref. New Sections 22-2-135 and 22-32-139

SB228 INCREASE GENERAL ASSEMBLY'S FLEXIBILITY IN USING REVENUES

Sponsors Sen. Morse & Reps. Marostica and Court

Under current law, General Fund appropriations are limited to the lesser of a 6 percent increase from the previous year's appropriation level and 5 percent of Colorado personal income. SB 09-228 sets the limit equal to 5 percent of Colorado personal income. Transfers from the General Fund to transportation, capital construction, and the General Fund statutory reserve are required by the bill as follows: 2% of general fund appropriations to transportation, 0.5% to capital construction and 0.5% to the reserve beginning in FY12-13 and continuing for 5 years, however the capital construction transfer increases to 1% in the third, fourth and fifth years of the transfers. The five-year block of transfers is subject to a trigger on personal income growth. If personal income increases by less than 5 percent in 2012, the entire five-year block of transfers is postponed until the first fiscal year in which personal income increases by at least 5 percent during the calendar year in which the fiscal year originated. If personal income growth were to fall below 5 percent during the five-year period, the transfers would continue to occur without pause. Each individual transfer is subject to a trigger based on the size of future TABOR refunds. If a TABOR refund equal to between 1 percent and 3 percent of General Fund revenue is expected to occur, transfers will be reduced by 50 percent. If the TABOR refund is equal to more than 3 percent of General Fund revenue, the transfer will not occur. Once the five-year period of transfers is complete, the General Fund statutory reserve will equal 6.5 percent of General Fund appropriations. Eliminates other statutory references and obsolete provisions related to the appropriation limit and makes conforming amendments. Eliminates the automatic transfer to the controlled maintenance trust fund that is a percentage of excess general fund revenue. Eliminates the automatic transfer of general fund surplus to the HUTF and capital construction fund. Eliminates the automatic diversion of sales and use tax revenues to the sales and use tax holding fund and instead gives General Assembly the discretion to make such transfers. Eliminates the limit on the amount the General Assembly may appropriate from the HUTF for specified state agencies.

Position Active Support

Current Status Delivered to Governor

Fiscal Impact

Impact Amount

Statutory Ref. Amends 24-75-201.1; New Section 24-75-219; conforming amendments

SB237 MANDATORY EXPULSION FROM A PUBLIC SCHOOL

Sponsors Sen. Lundberg & Rep. Acree

Repeals requirement for mandatory expulsion of a student that brings a facsimile of a firearm onto school property and instead makes act of carrying, using, actively displaying or threatening with a facsimile firearm grounds for mandatory suspension or expulsion.

Position Monitor

Current Status Signed by Governor

Fiscal Impact None

Impact Amount

Statutory Ref. Amends 22-33-105 and 106

Sponsors

Sens. Romer and Bacon & Reps. Pommer and Scanlan

- Increases the per pupil funding base to \$5,507.68 to reflect the Amendment 23 "inflation + 1%" increase of 4.9%. Holds full-day kindergarten factor steady at 0.58.
- Creates funding for "centers of excellence awards" and provides \$0.25 million funding for centers of excellence and \$1.75 million for closing the achievement gap. Defines centers of excellence as schools with an at-risk population (free lunch eligibility) of more than 75% that achieve certain academic growth benchmarks and demonstrate the highest rates of student academic growth as determined by CDE. Amended to use academic growth model (rather than CSAP scores) to determine eligibility for centers of excellence awards. Uses excess cash funds from Read to Achieve to fund these programs.
- Eliminates the requirement for districts to allocate per pupil amounts to reserve accounts for instructional supplies and materials and capital reserve or risk management funds and requires remaining fund balances to be used for those original purposes. Amended to make conforming amendments due to elimination of capital reserve requirement.
- Increases the 20% cap on mill levy overrides to 25% provided that any amount above the current 20% cap be used to improve student achievement. Permits overrides to be used for capital construction projects.
- Requires CDE to seek a supplemental appropriation for full funding of any institute charter school located in a district that has insufficient state aid from which to withhold the institute school's funding.
- Clarifies provision in charter school act regarding purchase services to allow negotiation for purchase of educational services.
- Requires all students enrolling in 6th grade to register with College in Colorado, and further requires an Individual Career & Academic Plan for each student no later than the beginning of their 9th grade year. Requires State Board of Education to adopt rule for Individual Career & Academic Plans and specifies minimum requirements for rules.
- Amended to delete all changes to at-risk funding for districts and charters.
- Amended to the Commissioner of Education to study the feasibility of operating a residential contract school with a focus on math & science to serve at-risk students, and specifies intent of General Assembly to appropriate \$3 million SEF for the operation of such school, and encourages the Commissioner to use "Race to the Top" grant funds or other federal stimulus moneys for this purpose if received.
- Amended to delete provision preventing state backfill of lower property tax mill levy in a district that "re-Bruces" (but see SB 291).
- Amended to permit districts to designate property as constituting their 3% TABOR emergency reserve so long a district has filed with State Treasurer a letter of intent stating the district will enter into lease-agreements for such lands to ensure liquidity in emergency reserve.
- Amended to require State Board to use at least 50% of any increase in expelled student services categorical to fund programs designed to reduce the number of truancy cases filed in court and authorizes the State Board to use up to 2% of total categorical funding for this program to partner with community organizations that prevent truancy.
- Amended to require educator employment contracts to contain a provision stating that the contract offer must be accepted within 30 days.
- Clarifies ability to use transportation overrides for capital outlay.
- Amended to "claw back" any unexpended funds in full-day kindergarten reserves on June 30, 2009 and permit reserving of such funds in FY 2009-10.
- Amended to require charter school capital construction assistance to be paid in 12 monthly installments. Encourages the governor to use federal stimulus moneys for charter school capital assistance.
- Amended to permit state treasurer to invest in COPs issued by school districts provided they have a rating of single A or better.
- Amended to require each school district and charter school to create a "fiscal emergency restricted reserve" and place in this reserve an amount equal to a negative factor reduction to total program of \$110 million (or 1.93% of PPR). Specifies that moneys shall be released from this restricted reserve on Jan. 29, 2010 unless the General Assembly has acted to reduce total program appropriation and cause a rescission.

Position

Monitor

Current Status

Conference Committee Report Adopted by House and Senate

Fiscal Impact Yes
Impact Amount
Statutory Ref. Omnibus bill - Articles 54 and 30.5 of Title 22

SB268 **COURT APPOINTMENTS INVOLVING CHILDREN**

Sponsors Sen. Tapia & Rep. Pommer
Budget Package Bill from JBC. Clarifies that the state shall bear the cost of appointment of a child's legal representative or a child or family investigator in certain cases. Clarifies that, in dissolution of marriage and legal separation proceedings, prior to the entry of a decree or dissolution or legal separation, the court shall consider the combined income and assets of both parties before determining if a party is indigent. Requires the court to make specific findings that appointment of a guardian ad litem in certain delinquency cases is necessary to serve the child's best interests. Requires extraordinary and exceptional circumstances exists for the appointment of a guardian ad litem in truancy cases. Clarifies when appointment of guardian ad litem terminates in delinquency cases.

Position Monitor
Current Status Signed by Governor
Fiscal Impact Yes
Impact Amount (\$97,000) GF
Statutory Ref. Amends 14-10-116 and 116.5; 19-1-111

SB282 **MERGER OF DPSRS WITH PERA**

Sponsors Sens. Sandoval and Spence & Rep. A. Kerr
Merges and transfers assets of Denver Public Schools Retirement System to PERA. Establishes the DPS members as a separate division within PERA. Makes extensive conforming amendments. Creates portability between DPS division and other divisions of PERA. Amended to require PERA board to submit recommendations to General Assembly by Nov. 1, 2009 regarding possible methods to decrease amortization period and respond to decrease in value of assets for all divisions.

Position Monitor
Current Status Passed House unamended
Fiscal Impact
Impact Amount
Statutory Ref. Omnibus bill, Article 51 of Title 24; New Section 24-51-412

SB285 **CAREER & TECHNICAL EDUCATION CONCURRENT ENROLLMENT PROGRAMS**

Sponsors Sen. Heath & Reps. Summers and Solano
Companion bill to HB 1319. Authorizes career & technical education programs to also participate in concurrent enrollment program if such programs are approved by the State Board for Community Colleges and Occupational Education. Adds 2 representatives of CTE providers to the concurrent enrollment advisory board created by HB 09-1319 and increases board to 13 members. Prohibits concurrent enrollment in a CTE course unless such course is included in an approved degree or certificate program. Specifies funding of CTE categorical providers in concurrent enrollment situations.

Position Monitor
Current Status Concurred with second house amendments
Fiscal Impact
Impact Amount
Statutory Ref. Amends HB 09-1319

SB291 SCHOOL FINANCE FOR DISTRICTS THAT REINSTATE TABOR

Sponsors Sen. Bacon & Rep. Middleton
Specifies that a school district that had "de-Bruced" and had its mill levy frozen by SB 07-199 may not receive state equalization backfill if they "re-Bruce" after March 16, 2009 for the amount of property tax revenue foregone due to a lowering of the mill levy after "re-Brucing."

Position Monitor

Current Status Passed House unamended

Fiscal Impact None

Impact Amount

Statutory Ref. Amends 22-54-106