

HOUSE JOURNAL
SIXTY-THIRD GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Sixty-ninth Legislative Day

Monday, March 19, 2001

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 2 Church, Denver.

3
 4 The Speaker called the House to order at 10:00 a.m.

5
 6 The roll was called with the following result:

7
 8 Present--64.

9 Excused--Representative Alexander--1.

10
 11 The Speaker declared a quorum present.

12
 13
 14 On motion of Representative Hodge, the reading of the journal of
 15 March 16, 2001, was declared dispensed with and approved as corrected
 16 by the Chief Clerk.

THIRD READING OF BILL--FINAL PASSAGE

17
 18
 19
 20
 21
 22 The following bill was considered on Third Reading. The title was
 23 publicly read. Reading of the bill at length was dispensed with by
 24 unanimous consent.

25
 26 **HB01-1361** by Representative(s) Lawrence, Larson, Miller; also
 27 Senator(s) Phillips--Concerning the authority of the
 28 department of corrections to enter into lease-purchase
 29 agreements to fund construction of certain correctional
 30 facility expansions.

31
 32 The question being "Shall the bill pass?".

33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative and the bill
 35 was declared **passed**.

36
 37 YES 63 NO 1 EXCUSED 1 ABSENT 0

38	39 Alexander	E	Groff	N	Miller	Y	Spence	Y
40	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
41	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
42	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
43	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
44	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
45	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y

1	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
2	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
3	Coleman	Y	King	Y	Saliman	Y	Webster	Y
4	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
5	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
6	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
7	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
8	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
9	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
10							Mr. Speaker	Y

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

Co-sponsors added: Representatives Cloer, Coleman, Fairbank, Hoppe, Kester, Mitchell, Spradley, Stengel, Tapia, Witwer, Young, Mr. Speaker.

CONSIDERATION OF RESOLUTION

SJR01-016 by Senator(s) Gordon; also Representative(s) Stengel, Grossman--Concerning the recognition of Liberty Day and Liberty Month in Colorado.

(Printed and placed in member's file.)

On motion of Representative Stengel, the resolution was read at length and **adopted** by **viva voce** vote.

Co-sponsors added: Roll call of the House.

On motion of Representative Spradley, **SB01-169, 165, 107, HB01-1364, SB01-151, 132, HCR01-1001** shall be made Special Orders on Monday, March 19, 2001, at 10:37 a.m.

The hour of 10:37 a.m., having arrived, on motion of Representative White, the House resolved itself into Committee of the Whole for consideration of Special Orders and he was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported the titles of the following bills had been read (reading at length had been dispensed with by unanimous consent), the bills considered and action taken thereon as follows:

(Amendments to the committee amendment are to the printed committee report which was printed and placed in the members' bill file.)

SB01-169 by Senator(s) Linkhart; also Representative(s) Stafford--Concerning work force training programs.

- 1 Amendment No. 1, Education Report, dated March 7, 2001, and placed
2 in member's bill file; Report also printed in House Journal, March 8,
3 page 717.
4
- 5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.
7
- 8 **SB01-165** by Senator(s) Windels; also Representative(s) King--
9 Concerning timing issues for charter schools.
10
- 11 Amendment No. 1, Education Report, dated March 12, 2001, and placed
12 in member's bill file; Report also printed in House Journal, March 14,
13 pages 776-778.
14
- 15 Amendment No. 2, by Representative King.
16
- 17 Amend the Education Committee Report, dated March 12, 2001, strike
18 lines 1 through 5 and substitute the following:
19
- 20 "Amend reengrossed bill, page 2, strike lines 2 through 15.
21
22 Renumber succeeding sections accordingly."
23
24 line 6, strike "strike" and substitute "Page 2, strike";
25
26 line 8, strike "SUBSECTION," and substitute "SUBSECTION (1.5)."
27
28 Page 2, line 15, strike "HEREIN." and substitute "IN THIS PARAGRAPH (b).".
29
30 Page 3, strike line 28 and substitute "PARAGRAPH (b) OF THIS SUBSECTION
31 (2). ANY DIFFERENCE".
32
33 Page 4, line 1, strike "THIRD PARTY" and substitute "THIRD-PARTY";
34
35 line 3, strike "EDUCATION AND" and substitute "EDUCATION, AND";
36
37 after line 5, insert the following:
38
39 "Page 3, strike line 18 and substitute "2001".
40
- 41 As amended, ordered revised and placed on the Calendar for Third
42 Reading and Final Passage.
43
- 44 **SB01-107** by Senator(s) May; also Representative(s) Cadman--
45 Concerning regulatory authority over certain roadside
46 advertising, and, in connection therewith, clarifying the
47 authority of local governments to control advertising
48 devices on bus benches and bus shelters.
49
- 50 Amendment No. 1, Business Affairs & Labor Report, dated March 13,
51 2001, and placed in member's bill file; Report also printed in House
52 Journal, March 15, page 795.
53
- 54 As amended, ordered revised and placed on the Calendar for Third
55 Reading and Final Passage.
56

1 **HB01-1364** by Representative(s) Fairbank; also Senator(s) Takis--
 2 Concerning the modification of statutory provisions
 3 affecting the administration of state income tax returns.

4
 5 Ordered engrossed and placed on the Calendar for Third Reading and
 6 Final Passage.

7
 8 **SB01-151** by Senator(s) Hernandez; also Representative(s) Mace,
 9 Chavez, Coleman, Garcia, Sanchez, Tapia, Vigil--
 10 Concerning César Chávez day.

11
 12 Ordered revised and placed on the Calendar for Third Reading and Final
 13 Passage.

14
 15 **SB01-132** by Senator(s) Arnold, Andrews, Cairns, McElhany, Teck;
 16 also Representative(s) Kester--Concerning election ballots.

17
 18 Laid over until March 20, retaining place on Calendar.

19
 20 **HCR01-1001** by Representative(s) Stengel, Fairbank; also Senator(s)
 21 Dennis, Dyer (Arapahoe)--Concerning the submission to
 22 the registered electors of the state of Colorado of an
 23 amendment to section 1 (2) and (6) of article V of the
 24 constitution of the state of Colorado, requiring initiative
 25 petitions for amendments to the constitution to be signed
 26 by registered electors residing in each congressional
 27 district in an amount equal to at least five percent of the
 28 total number of votes cast for all candidates for the office
 29 of secretary of state in such district at the previous general
 30 election.

31
 32 Amendment No. 1, Local Government Report, dated March 7, 2001, and
 33 placed in member's bill file; Report also printed in House Journal,
 34 March 8, pages 719-720.

35
 36 As amended, ordered engrossed and placed on the Calendar for Third
 37 Reading and Final Passage.

38
 39
 40 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

41
 42 Passed Second Reading: **SB01-169 amended, 165 amended,**
 43 **107 amended, HB01-1364, SB01-151, HCR01-1001 amended.**

44
 45 Laid over until date indicated retaining place on Calendar: **SB01-132--**
 46 **March 20, 2001.**

47
 48 The Chairman moved the adoption of the Committee of the Whole
 49 Report. As shown by the following roll call vote, a majority of those
 50 elected to the House voted in the affirmative, and the Report was
 51 **adopted.**

52

YES 64	NO 0	EXCUSED 1	ABSENT 0
Alexander	E Groff	Y Miller	Y Spence
Bacon	Y Grossman	Y Mitchell	Y Spradley
Berry	Y Hefley	Y Nuñez	Y Stafford

56

1	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
2	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
3	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
4	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
5	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
6	Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
7	Coleman	Y	King	Y	Saliman	Y	Webster	Y
8	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
9	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
10	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
11	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
12	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
13	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
14							Mr. Speaker	Y

REPORTS OF COMMITTEE OF REFERENCE

STATE, VETERANS, & MILITARY AFFAIRS

After consideration on the merits, the Committee recommends the following:

HB01-1358 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 3, line 9, strike "~~full-time~~" and substitute "full-time".

SB01-051 be postponed indefinitely.

SB01-131 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, line 17, strike "shelter." and substitute "shelter; EXCEPT THAT PET ANIMALS WITH IDENTIFICATION, INCLUDING BUT NOT LIMITED TO A MICROCHIP, SHALL BE HELD FOR A MINIMUM OF FIVE DAYS.".

Page 3, line 3, after "shelter.", insert "THE ANIMAL SHELTER SHALL BE THE STEWARD OF STRAY ANIMALS FOR THE PURPOSES OF PROVIDING PROPHYLACTIC VETERINARY CARE UNDER THE WRITTEN PROTOCOL AND DIRECTION OF THE SHELTER VETERINARIAN.";

line 4, strike "SUPERVISOR", and substitute "SUPERVISOR, IF A VETERINARIAN IS NOT AVAILABLE,".

Page 4, line 8, strike "MAY" and substitute "SHALL".

1 **INTRODUCTION OF RESOLUTIONS**

2
3 The following resolutions were read by title and laid over one day under
4 the rules:

5
6 **HJR01-1019** by Representative(s) Cloer; also Senator(s) Hillman--
7 Concerning "Parents' Day".
8

9 WHEREAS, The family, serving as the primary source of love,
10 identity, self-esteem, and support, is the very foundation of our
11 communities, state, and country; and
12

13 WHEREAS, Parental influence is one of the most critical factors
14 in healthy, functional families and in the positive upbringing of children;
15 and
16

17 WHEREAS, Parents must invest unlimited time, energy, and
18 devotion when raising their children in order to provide them with the
19 love, support, and guidance required to become responsible, productive,
20 and successful adults; and
21

22 WHEREAS, Parents play a key role in establishing a foundation
23 of values and morality in their children and have the sole responsibility
24 of passing on their religious heritage to their children; and
25

26 WHEREAS, In today's society, there is an increasing number of
27 single parents who must bear the responsibility of raising their children;
28 and
29

30 WHEREAS, All parents need support including mothers, fathers,
31 stepmothers, stepfathers, single parents, and foster parents and all parents'
32 achievements are deserving of recognition; now, therefore,
33

34 *Be It Resolved by the House of Representatives of the Sixty-third*
35 *General Assembly of the State of Colorado, the Senate concurring*
36 *herein:*
37

38 That the General Assembly recognizes the dedication of all parents
39 and their involvement in their children's lives and designates March 21,
40 2001, as "Parents' Day" in Colorado.
41

42
43
44 **HJR01-1020** by Representative(s) Hoppe, Alexander, Bacon, Berry,
45 Decker, Fritz, Hodge, Jameson, Johnson, Kester, Larson,
46 Miller, Mitchell, Plant, Rippy, Smith, Snook, Tapia,
47 Tochtrop, Webster, Williams T.; also Senator(s) Dyer
48 (Durango), Chlouber, Dennis, Hanna, Hillman, Musgrave,
49 Phillips, Takis, Taylor, Teck--Concerning the designation
50 of National Ag Day.
51

52 WHEREAS, The basis of the American economy at its founding
53 and for many years thereafter was rooted in an agrarian society, an
54 important legacy for Americans to remember; and
55

1 WHEREAS, Agriculture continues to be a large force in the
2 American economy as the nation's largest employer with 22 million
3 people working in some phase of agriculture and with one in five jobs
4 dependant on agriculture; and

5
6 WHEREAS, United States farm receipts totaled 208.2 billion
7 dollars in 1999; and

8
9 WHEREAS, Livestock and livestock products amount to 2.8
10 billion dollars of Colorado's gross agriculture receipts; and

11
12 WHEREAS, Meat products are forty-two percent of the State of
13 Colorado's agricultural exports; and

14
15 WHEREAS, Forty-two percent of the land area in the United
16 States is farm land, and 31.9 million acres of the 66 million acres in
17 Colorado are used in agricultural production; and

18
19 WHEREAS, In 1998, one American farmer provided food for 132
20 people in the United States; and

21
22 WHEREAS, Agriculture is a way of life for many Americans, with
23 90 percent of U.S. farms operated by individuals and family corporations;
24 and

25
26 WHEREAS, Agriculture as an industry has actively pursued new
27 methods and technologies which not only increase productivity but also
28 conserve natural resources, such as, by the use of conservation tillage
29 practices on more than 109.2 million acres, soil erosion on U.S. crop land
30 has been reduced by twenty-four percent in the last 18 years; and

31
32 WHEREAS, Agriculture contributes to environmentally-friendly
33 efforts by producing crops that can be used in biodegradable products;
34 and

35
36 WHEREAS, Farmers annually enroll 31.4 million acres in the
37 conservation reserve program to protect the environment and habitat for
38 wildlife; and

39
40 WHEREAS, Agriculture benefits the environment by providing
41 food and habitat for seventy-five percent of the United States' wildlife;
42 and

43 WHEREAS, Agriculture contributes to medical advances by
44 assisting in the development of immunizations, surgical techniques, and
45 pharmaceuticals; and

46
47 WHEREAS, An entire day's harvest in the 1930's yielded what can
48 now be harvested with modern technology in 7 minutes, and as a result
49 of the industry's improved efficiency, Americans spend approximately
50 10.9 percent of their income on food, one of the lowest in the world; and

51
52 WHEREAS, The week of March 18, 2001, is National Agriculture
53 Week; now, therefore,

54
55

1 *Be It Resolved by the House of Representatives of the Sixty-third*
2 *General Assembly of the State of Colorado, the Senate concurring*
3 *herein:*

4
5 That we, the members of the General Assembly, proudly recognize
6 "National Agriculture Day" on March 20, 2001, in celebration of the
7 many men and women who provide Americans and others worldwide
8 with food and fiber.

9
10

11

12 **HR01-1012** by Representative(s) Coleman, Dean, Jahn, Tapia--
13 Concerning "Single Parents' Day".

14

15

16 WHEREAS, Parents must invest unlimited time, energy, and
17 devotion when raising their children in order to provide them with the
18 love, support, and guidance required to become responsible, productive,
19 and successful adults; and

20

21 WHEREAS, The responsibility of raising children in today's
22 society is particularly difficult when it falls on the shoulders of a single
23 parent; and

24

25 WHEREAS, Every day, single parents bear the tremendous
26 responsibilities of financially supporting and nurturing their children; and

27

28 WHEREAS, The number of single-parent families has more than
29 doubled in the past twenty-five years; and

30

31 WHEREAS, Over twenty million children in this country currently
32 live in single-parent homes; and

33

34 WHEREAS, The greatest need of all children is to be loved,
35 whether they live in a single-parent or two-parent family; and

36

37 WHEREAS, The achievements of single parents are deserving of
38 our recognition; and

39

40 WHEREAS, The United States Congress has established March
41 21 as "Single Parents' Day"; and

42

43 WHEREAS, Colorado became the first state to sign a proclamation
44 officially recognizing March 21 as "Single Parents' Day"; now, therefore,

45

46 *Be It Resolved by the House of Representatives of the Sixty-third*
47 *General Assembly of the State of Colorado:*

48

49 That the General Assembly designate March 21, 2001, as "Single
50 Parents' Day" in Colorado in recognition of the dedication of all single
51 parents.

52

53

54

House in recess. House reconvened.

55

56

1 **REPORT OF COMMITTEE OF REFERENCE**

2
3 **EDUCATION**

4 After consideration on the merits, the Committee recommends the
5 following:

6
7 **SB01-129** be amended as follows, and as so amended, be referred to
8 the Committee on Appropriations with favorable
9 recommendation:

10
11 Amend reengrossed bill, page 2, strike lines 22 through 27 and substitute
12 the following:

13
14 **"SECTION 3.** 22-28-104 (2) (d), Colorado Revised Statutes, is
15 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

16
17 **22-28-104. Establishment of public preschool programs.**
18 (2) (d) (III) FOR THE 2001-02 BUDGET YEAR AND BUDGET YEARS
19 THEREAFTER, THE DEPARTMENT SHALL ALLOW SCHOOL DISTRICTS TO
20 APPLY TO THE DEPARTMENT FOR AUTHORIZATION TO SERVE NO MORE THAN
21 FIVE HUNDRED ELIGIBLE CHILDREN THROUGH A FULL-DAY KINDERGARTEN
22 COMPONENT OF THE DISTRICT'S PRESCHOOL PROGRAM. THE DEPARTMENT,
23 USING ESTABLISHED CRITERIA, SHALL SELECT SCHOOL DISTRICTS TO
24 PARTICIPATE IN SUCH FULL-DAY KINDERGARTEN PROGRAMS UNTIL THE
25 TOTAL NUMBER OF FULL-DAY KINDERGARTEN POSITIONS APPLIED FOR HAS
26 BEEN FILLED OR THE LIMITATION OF FIVE HUNDRED CHILDREN HAS BEEN
27 REACHED, WHICHEVER EVENT OCCURS FIRST. NOTWITHSTANDING ANY
28 OTHER PROVISION OF LAW, NO WAIVERS SHALL BE GRANTED BY THE
29 DEPARTMENT THAT WOULD ALLOW MORE THAN FIVE HUNDRED FULL-DAY
30 KINDERGARTEN CHILDREN."

31
32 Strike pages 3 and 4.

33
34 Page 5, strike lines 1 through 18.

35
36 Renumber succeeding sections accordingly.

37
38 Page 5, line 19, strike "(1) and (5.5)," and substitute "(1), (5.5), and
39 (14),".

40
41 Page 7, line 22, strike "LUNCH;" and substitute "LUNCH PLUS THE NUMBER
42 OF DISTRICT PUPILS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH;"

43
44 line 26, strike "DISTRICT" and substitute "(DISTRICT";

45
46 line 27, strike "ENROLLMENT" and substitute "ENROLLMENT) PLUS THE
47 NUMBER OF DISTRICT PUPILS WHOSE DOMINANT LANGUAGE IS NOT
48 ENGLISH".

49
50 Page 8, after line 16, insert the following:

51
52 "(IV) "DISTRICT PUPILS WHOSE DOMINANT LANGUAGE IS NOT
53 ENGLISH" MEANS THE NUMBER OF PUPILS INCLUDED IN THE DISTRICT PUPIL
54 ENROLLMENT FOR THE PRECEDING BUDGET YEAR WHOSE DOMINANT
55 LANGUAGE IS NOT ENGLISH, AS DEFINED IN SECTION 22-24-103 (4), WHOSE
56 SCORES WERE NOT INCLUDED IN CALCULATING SCHOOL ACADEMIC

1 PERFORMANCE GRADES AS PROVIDED IN SECTION 22-7-409 (1.2)(d)(I)(C),
2 AND WHO WERE NOT ELIGIBLE FOR FREE LUNCH PURSUANT TO THE
3 PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH ACT".";

4
5 after line 27, insert the following:

6
7 "(14) "Statewide average percentage of at-risk pupils" means the
8 total number of at-risk pupils in all districts, as determined in accordance
9 with ~~subsection (1)~~ SUBSECTION (1.5) of this section, divided by the pupil
10 enrollment of all districts, as determined in accordance with subsection
11 (10) of this section; except that pupil enrollment shall not include the
12 number of pupils enrolled in district preschool programs pursuant to
13 article 28 of this title and the number of three- or four-year-old pupils
14 with disabilities receiving educational programs pursuant to article 20 of
15 this title."

16
17 Strike page 9.

18
19 Page 10, strike lines 1 through 4 and substitute the following:

20
21 **"SECTION 5.** 22-54-104 (4) and (5) (f) (II), Colorado Revised
22 Statutes, are amended to read:

23
24 **22-54-104. District total program - repeal.** (4) A district's
25 at-risk funding shall be determined in accordance".

26
27 Page 11, strike lines 2 through 27.

28
29 Strike pages 12 through 19.

30
31 Page 20, strike lines 1 through 25.

32
33 Renumber succeeding sections accordingly.

34
35 Page 24, after line 8, insert the following:

36
37 **"SECTION 11.** Article 54 of title 22, Colorado Revised Statutes,
38 is amended BY THE ADDITION OF A NEW SECTION to read:

39
40 **22-54-124. State aid for charter schools - use of state education**
41 **fund moneys.** (1) AS USED IN THIS SECTION:

42
43 (a) "CAPITAL CONSTRUCTION" MEANS CONSTRUCTION,
44 DEMOLITION, REMODELING, FINANCING, PURCHASING, OR LEASING OF
45 LAND, BUILDINGS, OR FACILITIES USED TO EDUCATE PUPILS ENROLLED IN
46 OR TO BE ENROLLED IN A CHARTER SCHOOL.

47
48 (b) "CERTIFIED STATEWIDE AVERAGE AMOUNT OF PER PUPIL BOND
49 REDEMPTION REVENUES" MEANS THE AGGREGATE AMOUNT OF REVENUES
50 FROM TAX LEVIES IMPOSED FOR THE PURPOSE OF SATISFYING BONDED
51 INDEBTEDNESS OBLIGATIONS THAT ARE ACCRUED BY ALL DISTRICTS
52 DURING A BUDGET YEAR AND THAT ARE CREDITED TO DISTRICT BOND
53 REDEMPTION FUNDS AND DISTRICT SPECIAL BUILDING AND TECHNOLOGY
54 FUNDS PURSUANT TO SECTION 22-45-103 (1) (b) AND (1) (d), DIVIDED BY
55 THE TOTAL FUNDED PUPIL COUNT OF ALL DISTRICTS FOR THAT BUDGET
56 YEAR, AS CERTIFIED BY THE DEPARTMENT OF EDUCATION PURSUANT TO

1 PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION.

2

3 (c) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AS DESCRIBED
4 IN SECTION 22-30.5-104.

5

6 (d) "DISTRICT'S CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT"
7 MEANS THE TOTAL NUMBER OF PUPILS EXPECTED TO BE ENROLLED IN ALL
8 QUALIFIED CHARTER SCHOOLS THAT WILL RECEIVE FUNDING FROM THE
9 DISTRICT PURSUANT TO SECTION 22-30.5-112 FOR THE BUDGET YEAR FOR
10 WHICH STATE EDUCATION FUND MONEYS ARE TO BE APPROPRIATED AND
11 DISTRIBUTED PURSUANT TO SUBSECTION (4) OF THIS SECTION, AS CERTIFIED
12 BY THE DEPARTMENT OF EDUCATION PURSUANT TO SUBPARAGRAPH (I) OF
13 PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION DURING THE BUDGET
14 YEAR THAT IMMEDIATELY PRECEDES SAID BUDGET YEAR.

15

16 (e) "OPERATING REVENUES" MEANS THE TOTAL AMOUNT OF
17 FUNDING THAT A CHARTER SCHOOL RECEIVES FROM A DISTRICT FOR A
18 BUDGET YEAR PURSUANT TO SECTION 22-30.5-112 MINUS THE AMOUNTS
19 REQUIRED BY SECTION 22-30.5-112 (2) (a.7) TO BE ALLOCATED FOR
20 CAPITAL RESERVE PURPOSES OR THE MANAGEMENT OF RISK-RELATED
21 ACTIVITIES.

22

23 (f) "QUALIFIED CHARTER SCHOOL" MEANS:

24

25 (I) A CHARTER SCHOOL THAT WILL RECEIVE FUNDING FROM A
26 DISTRICT PURSUANT TO SECTION 22-30.5-112 FOR THE BUDGET YEAR FOR
27 WHICH STATE EDUCATION FUND MONEYS ARE TO BE APPROPRIATED AND
28 DISTRIBUTED PURSUANT TO SUBSECTION (4) OF THIS SECTION, THAT
29 RECEIVED SUCH FUNDING FROM THE DISTRICT FOR THE BUDGET YEAR TWO
30 YEARS PRIOR TO THE BUDGET YEAR FOR WHICH STATE EDUCATION FUND
31 MONEYS ARE TO BE APPROPRIATED, AND THAT EXPENDED MORE THAN
32 THREE PERCENT OF ITS OPERATING REVENUES FOR SAID PRIOR BUDGET
33 YEAR FOR CAPITAL CONSTRUCTION; OR

34

35 (II) ANY OTHER CHARTER SCHOOL IF:

36

37 (A) THE CHARTER SCHOOL WILL RECEIVE FUNDING FROM A
38 DISTRICT PURSUANT TO SECTION 22-30.5-112 FOR THE BUDGET YEAR FOR
39 WHICH STATE EDUCATION FUND MONEYS ARE TO BE APPROPRIATED AND
40 DISTRIBUTED PURSUANT TO SUBSECTION (4) OF THIS SECTION; AND

41

42 (B) THE PROPOSED BUDGET FOR THE CHARTER SCHOOL SUBMITTED
43 BY THE CHARTER SCHOOL TO THE DISTRICT THAT GRANTED ITS CHARTER
44 FOR THE BUDGET YEAR FOR WHICH STATE EDUCATION FUND MONEYS ARE
45 TO BE APPROPRIATED AND DISTRIBUTED PURSUANT TO SUBSECTION (4) OF
46 THIS SECTION INDICATES THAT THE CHARTER SCHOOL WILL EXPEND MORE
47 THAN THREE PERCENT OF ITS OPERATING REVENUES FOR SAID BUDGET
48 YEAR FOR CAPITAL CONSTRUCTION.

49

50 (2) FOR THE 2001-02 BUDGET YEAR AND BUDGET YEARS
51 THEREAFTER, A DISTRICT SHALL BE ELIGIBLE TO RECEIVE STATE
52 EDUCATION FUND MONEYS FOR CHARTER SCHOOL CAPITAL CONSTRUCTION
53 PURSUANT TO THIS SECTION IF AT LEAST ONE QUALIFIED CHARTER SCHOOL
54 WILL BE RECEIVING FUNDING FROM THE DISTRICT PURSUANT TO SECTION
55 22-30.5-112 DURING THE BUDGET YEAR FOR WHICH STATE EDUCATION
56 FUND MONEYS ARE TO BE DISTRIBUTED.

1 (3) (a) THE AMOUNT OF STATE EDUCATION FUND MONEYS TO BE
2 DISTRIBUTED TO AN ELIGIBLE DISTRICT FOR THE 2001-02 BUDGET YEAR
3 AND BUDGET YEARS THEREAFTER SHALL BE CALCULATED BY MULTIPLYING
4 THE DISTRICT'S CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT BY AN
5 AMOUNT EQUAL TO THE GREATER OF:

6
7 (I) FIFTY-FIVE PERCENT OF THE CERTIFIED STATEWIDE AVERAGE
8 AMOUNT OF PER PUPIL BOND REDEMPTION REVENUES FOR THE BUDGET
9 YEAR TWO YEARS PRIOR TO THE BUDGET YEAR FOR WHICH STATE
10 EDUCATION FUND MONEYS ARE TO BE DISTRIBUTED; OR

11
12 (II) FIFTY-FIVE PERCENT OF THE AVERAGE CERTIFIED STATEWIDE
13 AVERAGE AMOUNT OF PER PUPIL BOND REDEMPTION REVENUES FOR THE
14 BUDGET YEARS TWO YEARS PRIOR, THREE YEARS PRIOR, AND FOUR YEARS
15 PRIOR TO THE BUDGET YEAR FOR WHICH STATE EDUCATION FUND MONEYS
16 ARE TO BE DISTRIBUTED.

17
18 (b) NO LATER THAN FEBRUARY 1 OF ANY BUDGET YEAR, THE
19 DEPARTMENT OF EDUCATION SHALL CERTIFY TO THE EDUCATION
20 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES AND
21 THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY:

22
23 (I) THE TOTAL NUMBER OF PUPILS EXPECTED TO BE ENROLLED IN
24 ALL QUALIFIED CHARTER SCHOOLS IN THE STATE DURING THE NEXT
25 BUDGET YEAR, AS DERIVED FROM REPORTS PROVIDED TO THE DEPARTMENT
26 BY DISTRICTS PURSUANT TO SECTION 22-30.5-112 (1); AND

27
28 (II) THE STATEWIDE AVERAGE AMOUNT OF PER PUPIL BOND
29 REDEMPTION REVENUES FOR EACH OF THE THREE PRECEDING BUDGET
30 YEARS.

31
32 (4) FOR THE 2001-02 BUDGET YEAR AND EACH BUDGET YEAR
33 THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
34 FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE
35 IX OF THE STATE CONSTITUTION, TO THE DEPARTMENT OF EDUCATION FOR
36 DISTRIBUTION TO ELIGIBLE SCHOOL DISTRICTS IN ACCORDANCE WITH THE
37 FORMULA SET FORTH IN PARAGRAPH (a) OF SUBSECTION (3) OF THIS
38 SECTION, AN AMOUNT EQUAL TO THE TOTAL AMOUNT OF MONEYS TO BE
39 DISTRIBUTED TO ALL DISTRICTS AS DETERMINED PURSUANT TO SAID
40 FORMULA. FROM THE MONEYS APPROPRIATED FOR A GIVEN BUDGET YEAR,
41 THE DEPARTMENT SHALL MAKE LUMP SUM PAYMENTS OF ALL MONEYS TO
42 BE DISTRIBUTED TO EACH ELIGIBLE SCHOOL DISTRICT DURING THE BUDGET
43 YEAR AS SOON AS POSSIBLE.

44
45 (5) A DISTRICT THAT RECEIVES STATE EDUCATION FUND MONEYS
46 PURSUANT TO THIS SECTION SHALL DISTRIBUTE ALL MONEYS RECEIVED TO
47 QUALIFIED CHARTER SCHOOLS AS REQUIRED BY SECTION 22-30.5-112.5
48 AND MAY NOT RETAIN ANY OF SUCH MONEYS TO DEFRAY ADMINISTRATIVE
49 EXPENSES OR FOR ANY OTHER PURPOSE.

50
51 (6) PURSUANT TO SECTION 17 (3) OF ARTICLE IX OF THE STATE
52 CONSTITUTION, ANY MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY
53 OUT OF THE STATE EDUCATION FUND, RECEIVED BY ANY ELIGIBLE DISTRICT
54 PURSUANT TO THIS SECTION, AND DISTRIBUTED TO A QUALIFIED CHARTER
55 SCHOOL BY ANY DISTRICT PURSUANT TO THIS SECTION AND SECTION
56 22-30.5-112.5 SHALL BE EXEMPT FROM:

1 (a) THE LIMITATION ON STATE FISCAL YEAR SPENDING SET FORTH
2 IN SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION AND
3 SECTION 24-77-103, C.R.S.; AND

4
5 (b) THE LIMITATION ON LOCAL GOVERNMENT FISCAL YEAR
6 SPENDING SET FORTH IN SECTION 20 (7) (b) OF ARTICLE X OF THE STATE
7 CONSTITUTION.

8
9 **SECTION 12.** Part 1 of article 30.5 of title 22, Colorado Revised
10 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
11 read:

12
13 **22-30.5-112.5. Charter schools - additional aid from district.**

14 (1) (a) FOR THE 2001-02 BUDGET YEAR AND BUDGET YEARS THEREAFTER,
15 A QUALIFIED CHARTER SCHOOL, AS DEFINED IN SECTION 22-54-123 (1) (f),
16 SHALL RECEIVE STATE EDUCATION FUND MONEYS FROM THE SCHOOL
17 DISTRICT THAT GRANTED ITS CHARTER IN AN AMOUNT EQUAL TO THE
18 PERCENTAGE OF THE DISTRICT'S CERTIFIED CHARTER SCHOOL PUPIL
19 ENROLLMENT THAT IS ATTRIBUTABLE TO PUPILS EXPECTED TO BE
20 ENROLLED IN THE QUALIFIED CHARTER SCHOOL MULTIPLIED BY AN
21 AMOUNT EQUAL TO THE GREATER OF:

22
23 (I) FIFTY-FIVE PERCENT OF THE CERTIFIED STATEWIDE AVERAGE
24 AMOUNT OF PER PUPIL BOND REDEMPTION REVENUES, AS DEFINED IN
25 SECTION 22-54-124 (1) (b), FOR THE BUDGET YEAR TWO YEARS PRIOR TO
26 THE BUDGET YEAR FOR WHICH STATE EDUCATION FUND MONEYS ARE TO BE
27 RECEIVED; OR

28
29 (II) FIFTY-FIVE PERCENT OF THE AVERAGE CERTIFIED STATEWIDE
30 AVERAGE AMOUNT OF PER PUPIL BOND REDEMPTION REVENUES, AS
31 DEFINED IN SECTION 22-54-124 (1) (b), FOR THE BUDGET YEARS TWO
32 YEARS PRIOR, THREE YEARS PRIOR, AND FOUR YEARS PRIOR TO THE
33 BUDGET YEAR FOR WHICH STATE EDUCATION FUND MONEYS ARE TO BE
34 RECEIVED.

35
36 (b) FUNDING RECEIVED PURSUANT TO PARAGRAPH (a) OF THIS
37 SUBSECTION (1) SHALL BE IN ADDITION TO ANY FUNDING PROVIDED
38 PURSUANT TO SECTION 22-30.5-112.

39
40 (c) A DISTRICT SHALL PROVIDE FUNDING TO EACH QUALIFIED
41 CHARTER SCHOOL, AS DEFINED IN SECTION 22-54-124 (1) (f), BY MAKING
42 A SINGLE LUMP SUM PAYMENT TO THE QUALIFIED CHARTER SCHOOL AS
43 SOON AS POSSIBLE AFTER THE DISTRICT RECEIVES A LUMP SUM PAYMENT
44 OF STATE EDUCATION FUND MONEYS PURSUANT TO SECTION 22-54-124 (4).

45
46 (2) A CHARTER SCHOOL SHALL USE MONEYS IT RECEIVES
47 PURSUANT TO SUBSECTION (1) OF THIS SECTION SOLELY FOR CAPITAL
48 CONSTRUCTION, AS DEFINED IN SECTION 22-54-124 (1) (a).

49
50 **SECTION 13.** 22-30.5-112 (1), Colorado Revised Statutes, is
51 amended to read:

52
53 **22-30.5-112. Charter schools - financing - guidelines.** (1) For
54 purposes of the "Public School Finance Act of 1994", article 54 of this
55 title, pupils enrolled in a charter school shall be included in the pupil
56 enrollment of the school district that granted its charter. The school

1 district that granted its charter shall report to the department of education
2 the number of pupils included in the school district's pupil enrollment that
3 are actually enrolled in each charter school. THE SCHOOL DISTRICT SHALL
4 ALSO IDENTIFY EACH CHARTER SCHOOL THAT IS A QUALIFIED CHARTER
5 SCHOOL AS DEFINED IN SECTION 22-54-124 (1) (f) AND PROVIDE AN
6 ESTIMATE OF THE NUMBER OF PUPILS EXPECTED TO BE ENROLLED IN EACH
7 QUALIFIED CHARTER SCHOOL DURING THE BUDGET YEAR FOLLOWING THE
8 BUDGET YEAR IN WHICH THE DISTRICT MAKES A REPORT.

9
10 **SECTION 14.** 22-1-122 (1), Colorado Revised Statutes, is
11 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12
13 **22-1-122. Transportation token program - legislative**
14 **declaration - eligibility - fund.** (1) (c) THE GENERAL ASSEMBLY HEREBY
15 FINDS THAT:

16
17 (I) SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION,
18 CREATING THE STATE EDUCATION FUND, WAS ADOPTED BY THE PEOPLE AT
19 THE 2000 STATEWIDE ELECTION;

20
21 (II) SECTION 17(4)(b) OF ARTICLE IX OF THE STATE CONSTITUTION
22 SPECIFIES THE PURPOSES FOR WHICH MONEYS IN THE STATE EDUCATION
23 FUND MAY BE USED, INCLUDING BUT NOT LIMITED TO FOR ACCOUNTABLE
24 EDUCATION REFORM;

25
26 (III) AS STATED IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE
27 TRANSPORTATION TOKEN PROGRAM IS CREATED TO IMPROVE
28 OPPORTUNITIES FOR STUDENTS TO GAIN THE KNOWLEDGE AND SKILLS
29 NECESSARY FOR A SUCCESSFUL EXPERIENCE IN POSTSECONDARY
30 EDUCATION OR IN THE WORK FORCE AND SPECIFICALLY TO FACILITATE
31 STUDENTS' EFFORTS TO LEAVE POORLY PERFORMING SCHOOLS AND ENROLL
32 IN PUBLIC SCHOOLS THAT ARE PERFORMING SATISFACTORILY;

33
34 (IV) AS SUCH, THE TRANSPORTATION TOKEN PROGRAM IS AN
35 IMPORTANT ELEMENT OF ACCOUNTABLE EDUCATION REFORM AND MAY
36 THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
37 CREATED IN SECTION 17 (4) (b) OF ARTICLE IX OF THE STATE
38 CONSTITUTION.

39
40 **SECTION 15.** Article 51 of title 22, Colorado Revised Statutes,
41 is amended BY THE ADDITION OF A NEW SECTION to read:

42
43 **22-51-112. Charter schools - reimbursement.** (1) FOR THE
44 2001-02 BUDGET YEAR AND BUDGET YEARS THEREAFTER, ANY CHARTER
45 SCHOOL APPROVED AND OPERATING PURSUANT TO ARTICLE 30.5 OF THIS
46 TITLE THAT PROVIDES PUPIL TRANSPORTATION AND DOES NOT RECEIVE
47 PUPIL TRANSPORTATION SERVICES THROUGH A SCHOOL DISTRICT SHALL BE
48 ENTITLED TO RECEIVE REIMBURSEMENT FOR PUPIL TRANSPORTATION
49 PURSUANT TO THE PROVISIONS OF THIS ARTICLE. A CHARTER SCHOOL'S
50 REIMBURSEMENT ENTITLEMENT SHALL BE CALCULATED IN THE SAME
51 MANNER AS THE REIMBURSEMENT ENTITLEMENT FOR A SCHOOL DISTRICT
52 IS CALCULATED UNDER THE PROVISIONS OF SECTION 22-51-104.

53
54 (2) TO RECEIVE REIMBURSEMENT PURSUANT TO THIS ARTICLE, A
55 CHARTER SCHOOL SHALL COMPLY WITH THE CERTIFICATION
56 REQUIREMENTS SPECIFIED FOR SCHOOL DISTRICTS IN SECTION 22-51-105

1 AND SHALL COMPLY WITH THE RULES OF THE STATE BOARD OF EDUCATION
 2 PROMULGATED PURSUANT TO SECTION 22-51-108. THE COMMISSIONER OF
 3 EDUCATION, IN MAKING THE CERTIFICATIONS SPECIFIED IN SECTION
 4 22-51-106, SHALL INCLUDE THE AMOUNT OF REIMBURSEMENT
 5 ENTITLEMENT FOR EACH CHARTER SCHOOL THAT FILES THE
 6 CERTIFICATIONS REQUIRED IN SECTION 22-51-105 AND COMPLIES WITH THE
 7 RULES OF THE STATE BOARD OF EDUCATION.

8
 9 (3) IN THE EVENT THE AMOUNT OF MONEY APPROPRIATED BY THE
 10 GENERAL ASSEMBLY TO THE PUBLIC SCHOOL TRANSPORTATION FUND IS
 11 LESS THAN THE AMOUNT OF THE TOTAL REIMBURSEMENT ENTITLEMENTS
 12 OF ALL OF THE SCHOOL DISTRICTS AND CHARTER SCHOOLS AUTHORIZED BY
 13 SECTION 22-51-106, AND THE AMOUNT TO BE DISTRIBUTED IS REDUCED
 14 PROPORTIONALLY AS PROVIDED IN SECTION 22-51-106 (2), THE
 15 DEPARTMENT OF EDUCATION SHALL INCLUDE ANY REIMBURSEMENT
 16 ENTITLEMENTS DUE TO CHARTER SCHOOLS IN CALCULATING THE
 17 PROPORTIONAL AMOUNTS OF REIMBURSEMENT ENTITLEMENTS TO BE PAID.

18
 19 (4) ANY REIMBURSEMENT ENTITLEMENT RECEIVED BY A CHARTER
 20 SCHOOL PURSUANT TO THIS SECTION SHALL BE IN ADDITION TO ANY
 21 AMOUNT OF FUNDING RECEIVED BY THE CHARTER SCHOOL PURSUANT TO
 22 ITS CHARTER AS PROVIDED IN SECTION 22-30.5-112.

23
 24 **SECTION 16.** 22-54-105 (3), Colorado Revised Statutes, is
 25 amended to read:

26
 27 **22-54-105. Instructional supplies and materials - capital**
 28 **reserve and insurance reserve.** (3) (a) For the 1997-98 budget year ~~and~~
 29 ~~budget years thereafter~~ AND CONTINUING THROUGH THE 2000-01 BUDGET
 30 YEAR, every district that receives at-risk funding pursuant to the
 31 provisions of section 22-54-104 shall expend in total at least seventy-five
 32 percent of the district's at-risk funding on direct instruction or staff
 33 development, or both, for the educational program of at-risk pupils in the
 34 district.

35
 36 (b) FOR THE 2001-02 BUDGET YEAR AND BUDGET YEARS
 37 THEREAFTER, EVERY DISTRICT THAT RECEIVES AT-RISK FUNDING
 38 PURSUANT TO THE PROVISIONS OF SECTION 22-54-104 SHALL EXPEND IN
 39 TOTAL AT LEAST NINETY PERCENT OF THE DISTRICT'S AT-RISK FUNDING ON
 40 DIRECT INSTRUCTION OR STAFF DEVELOPMENT, OR BOTH, FOR THE
 41 EDUCATIONAL PROGRAM OF AT-RISK PUPILS IN THE DISTRICT.

42
 43 (c) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF
 44 THIS SUBSECTION (3), FOR THE 2001-02 BUDGET YEAR AND BUDGET YEARS
 45 THEREAFTER, ANY DISTRICT THAT RECEIVES AT-RISK FUNDING PURSUANT
 46 TO SECTION 22-54-104 AND QUALIFIES FOR A HIGHER AT-RISK FACTOR AS
 47 PROVIDED IN SECTION 22-54-104 (5) (f) (II) SHALL EXPEND AN AMOUNT
 48 CALCULATED PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) ON
 49 IMPLEMENTATION OF THE DISTRICT'S ENGLISH LANGUAGE PROFICIENCY
 50 PROGRAM AS PROVIDED IN ARTICLE 24 OF THIS TITLE. THE DISTRICT SHALL
 51 EXPEND AT LEAST NINETY PERCENT OF THE REMAINING AMOUNT OF
 52 AT-RISK FUNDING RECEIVED ON DIRECT INSTRUCTION OR STAFF
 53 DEVELOPMENT, OR BOTH, FOR THE EDUCATIONAL PROGRAM OF AT-RISK
 54 PUPILS IN THE DISTRICT.

55
 56 (II) THE AMOUNT OF AT-RISK FUNDING EXPENDED PURSUANT TO

1 SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL BE EQUAL TO THE
2 DIFFERENCE BETWEEN THE AMOUNT OF AT-RISK FUNDING GENERATED BY
3 AN INCREASE IN THE AT-RISK FACTOR OF 0.36 OF A PERCENTAGE POINT
4 VERSUS AN INCREASE OF 0.34 OF A PERCENTAGE POINT FOR EACH
5 PERCENTAGE POINT THAT THE DISTRICT PERCENTAGE OF AT-RISK PUPILS
6 EXCEEDS THE STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS.
7

8 (d) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF
9 THIS SUBSECTION (3) AND IN ADDITION TO ANY AMOUNTS REQUIRED TO BE
10 EXPENDED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (3), FOR THE
11 2001-02 BUDGET YEAR AND BUDGET YEARS THEREAFTER, EVERY DISTRICT
12 THAT RECEIVES AT-RISK FUNDING PURSUANT TO THE PROVISIONS OF
13 SECTION 22-54-104 SHALL EXPEND ALL OF THE AT-RISK FUNDING
14 RECEIVED BY THE DISTRICT FOR DISTRICT PUPILS WHOSE DOMINANT
15 LANGUAGE IS NOT ENGLISH ON IMPLEMENTATION OF THE DISTRICT'S
16 ENGLISH LANGUAGE PROFICIENCY PROGRAM AS PROVIDED IN ARTICLE 24
17 OF THIS TITLE. THE DISTRICT SHALL EXPEND AT LEAST NINETY PERCENT OF
18 THE REMAINING AMOUNT OF AT-RISK FUNDING RECEIVED ON DIRECT
19 INSTRUCTION OR STAFF DEVELOPMENT, OR BOTH, FOR THE EDUCATIONAL
20 PROGRAM OF AT-RISK PUPILS IN THE DISTRICT.
21

22 (e) ON OR BEFORE OCTOBER 1, 2001, AND ON OR BEFORE OCTOBER
23 1 EACH YEAR THEREAFTER, EACH DISTRICT THAT HAS A PUPIL ENROLLMENT
24 THAT EXCEEDS SIX THOUSAND PUPILS AND RECEIVES AT-RISK FUNDING
25 PURSUANT TO SECTION 22-54-104 SHALL SUBMIT TO THE DEPARTMENT OF
26 EDUCATION A REPORT SPECIFYING HOW THE DISTRICT USED THE AT-RISK
27 FUNDING RECEIVED DURING THE PRECEDING FISCAL YEAR. ON OR BEFORE
28 JANUARY 15, 2002, AND ON OR BEFORE JANUARY 15 EACH YEAR
29 THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL SUBMIT TO THE
30 EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF
31 REPRESENTATIVES AND TO THE JOINT BUDGET COMMITTEE A SUMMARY OF
32 THE DISTRICT REPORTS RECEIVED PURSUANT TO THIS PARAGRAPH (e)
33 DURING THE PRECEDING OCTOBER.
34

35 **SECTION 17.** 22-5-114 (1), Colorado Revised Statutes, is
36 amended to read:
37

38 **22-5-114. Eligibility for funds.** (1) (a) Any board of cooperative
39 services organized under the provisions of this article shall be entitled to
40 such state moneys as may be available upon receiving approval by the
41 state board; except that the state board shall approve not more than
42 ~~seventeen~~ TWENTY-TWO such boards of cooperative services.
43

44 **SECTION 18.** 24-75-1104 (2), Colorado Revised Statutes, is
45 amended to read:
46

47 **24-75-1104. Use of settlement moneys - programs.** (2) The
48 general assembly shall appropriate the amounts specified in subsection
49 (1) of this section from moneys credited to the tobacco litigation
50 settlement cash fund created in section 24-22-115. Any amount of
51 unencumbered settlement moneys remaining in the fund of any program
52 specified in subsection (1) of this section ~~except the children's basic~~
53 ~~health plan trust created in section 26-19-105, C.R.S.;~~ at the end of any
54 fiscal year shall be transferred to the tobacco litigation settlement trust
55 fund created in section 24-22-115.5; EXCEPT THAT UNENCUMBERED
56 SETTLEMENT MONEYS SHALL NOT BE TRANSFERRED FROM THE FOLLOWING

1 FUNDS:

2

3 (a) THE CHILDREN'S BASIC HEALTH PLAN TRUST CREATED IN
4 SECTION 26-19-105, C.R.S.;

5

6 (b) THE READ-TO-ACHIEVE CASH FUND CREATED PURSUANT TO
7 SECTION 22-7-506, C.R.S.

8

9 **SECTION 19.** Part 6 of article 7 of title 22, Colorado Revised
10 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
11 read:

12

13 **22-7-609.5. School improvement grant program - repeal.**

14 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
15 REQUIRES:

16

17 (a) "ADEQUATE PROGRESS" MEANS IMPROVEMENT OF 0.5 OF A
18 POINT OR GREATER FROM THE STANDARD DEVIATION OVER THE
19 IMMEDIATELY PRECEDING YEAR'S OVERALL STANDARDIZED, WEIGHTED
20 TOTAL SCORE CALCULATED PURSUANT TO SECTION 22-7-604 (5).

21

22 (b) "ELIGIBLE SCHOOL" MEANS A PUBLIC SCHOOL THAT HAS
23 RECEIVED AN ACADEMIC PERFORMANCE GRADE OF "F" ON THE SCHOOL
24 REPORT CARD PREPARED PURSUANT TO THIS PART 6 FOR THE SCHOOL YEAR
25 2000-01.

26

27 (c) "GRANT PROGRAM" MEANS THE SCHOOL IMPROVEMENT GRANT
28 PROGRAM CREATED IN THIS SECTION.

29

30 (d) "LOCAL BOARD OF EDUCATION" SHALL HAVE THE SAME
31 MEANING AS SET FORTH IN SECTION 22-7-609 (1).

32

33 (2) THERE IS HEREBY CREATED IN THE DEPARTMENT OF EDUCATION
34 THE SCHOOL IMPROVEMENT GRANT PROGRAM TO PROVIDE MONEYS TO ANY
35 ELIGIBLE SCHOOL IN THE STATE TO IMPLEMENT A SCHOOL IMPROVEMENT
36 PLAN SUBMITTED PURSUANT TO SECTION 22-7-609 (3).

37

38 (3) (a) FOR THE 2001-02 AND 2002-03 SCHOOL YEARS, THE STATE
39 BOARD SHALL AWARD TWO-YEAR SCHOOL IMPROVEMENT GRANTS IN THE
40 AMOUNT OF AT LEAST ONE HUNDRED FIFTY THOUSAND DOLLARS BUT NOT
41 MORE THAN TWO HUNDRED SEVENTY-FIVE THOUSAND DOLLARS FOR EACH
42 ELIGIBLE SCHOOL IN THE STATE; EXCEPT THAT NO SCHOOL THAT RECEIVES
43 A SCHOOL IMPROVEMENT GRANT PURSUANT TO THIS SECTION SHALL BE
44 ELIGIBLE TO RECEIVE MONEYS FROM MORE THAN ONE SCHOOL
45 IMPROVEMENT GRANT AND IN NO EVENT SHALL ANY SCHOOL
46 IMPROVEMENT GRANT BE AWARDED FOR ANY SCHOOL YEAR COMMENCING
47 AFTER THE 2002-03 SCHOOL YEAR.

48

49 (b) UPON RECEIPT OF A SCHOOL IMPROVEMENT PLAN FOR AN
50 ELIGIBLE SCHOOL SUBMITTED PURSUANT TO SECTION 22-7-609 (3), THE
51 STATE BOARD SHALL AWARD THE ELIGIBLE SCHOOL A SCHOOL
52 IMPROVEMENT GRANT IN THE FOLLOWING AMOUNT:

53

54 (I) FOR AN ELIGIBLE ELEMENTARY SCHOOL, SEVENTY-FIVE
55 THOUSAND DOLLARS PER YEAR;

56

1 (II) FOR AN ELIGIBLE MIDDLE OR JUNIOR HIGH SCHOOL, ONE
2 HUNDRED THOUSAND DOLLARS PER YEAR; AND

3
4 (III) FOR AN ELIGIBLE HIGH SCHOOL, ONE HUNDRED TWENTY-FIVE
5 THOUSAND DOLLARS PER YEAR.

6
7 (c) (I) THE DEPARTMENT SHALL CREDIT TO THE SCHOOL DISTRICT
8 IN WHICH THE ELIGIBLE SCHOOL IS LOCATED THE MONEYS FOR THE FIRST
9 YEAR OF THE GRANT UPON RECEIPT OF THE SCHOOL IMPROVEMENT PLAN.
10 THE DEPARTMENT SHALL CREDIT TO SAID SCHOOL DISTRICT THE MONEYS
11 FOR THE SECOND YEAR OF THE GRANT NO LATER THAN JULY 1 FOLLOWING
12 COMPLETION OF THE FIRST YEAR OF OPERATION UNDER THE SCHOOL
13 IMPROVEMENT PLAN.

14
15 (II) IN ADDITION TO THE AMOUNTS SPECIFIED PURSUANT TO
16 PARAGRAPH (b) OF THIS SUBSECTION (3), THE DEPARTMENT SHALL CREDIT
17 AN ADDITIONAL TWENTY-FIVE THOUSAND DOLLARS TO THE SCHOOL
18 DISTRICT OF ANY ELIGIBLE SCHOOL THAT HAS MADE ADEQUATE PROGRESS.

19
20 (4) (a) MONEYS RECEIVED BY AN ELIGIBLE SCHOOL PURSUANT TO
21 THE GRANT PROGRAM SHALL BE IN ADDITION TO THE MONEYS BUDGETED
22 TO THE SCHOOL BY THE SCHOOL DISTRICT IN WHICH THE SCHOOL IS
23 LOCATED AND SHALL NOT REDUCE THE AMOUNT OF SAID BUDGETED
24 MONEYS THAT THE SCHOOL WOULD HAVE RECEIVED IF IT HAD NOT
25 RECEIVED A GRANT PURSUANT TO THIS SECTION.

26
27 (b) GRANTS AWARDED PURSUANT TO THIS SECTION SHALL BE FROM
28 MONEYS IN THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF
29 ARTICLE IX OF THE STATE CONSTITUTION THAT ARE APPROPRIATED BY THE
30 GENERAL ASSEMBLY FOR THE PURPOSES OF THIS SECTION. IN ACCORDANCE
31 WITH SECTION 17 (3) OF ARTICLE IX OF THE STATE CONSTITUTION,
32 EXPENDITURES OF SUCH MONEYS BY A SCHOOL DISTRICT OR SCHOOL SHALL
33 BE EXEMPT FROM THE LIMITATION ON FISCAL YEAR SPENDING SET FORTH
34 IN SECTION 20 (7) (b) OF ARTICLE X OF THE STATE CONSTITUTION.

35
36 (5) ON OR BEFORE JANUARY 1, 2002, AND ON OR BEFORE JANUARY
37 1, 2003, THE DEPARTMENT SHALL SUBMIT A REPORT ON THE SCHOOL
38 IMPROVEMENT GRANT PROGRAM TO THE GOVERNOR, THE EDUCATION
39 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, AND
40 THE LOCAL BOARD OF EDUCATION FOR EACH SCHOOL DISTRICT THAT HAS
41 RECEIVED A SCHOOL IMPROVEMENT GRANT PURSUANT TO THIS SECTION.
42 THE REPORT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

43
44 (a) A LIST OF THE SCHOOL DISTRICTS THAT HAVE RECEIVED
45 GRANTS PURSUANT TO THE GRANT PROGRAM AND THE ELIGIBLE SCHOOLS
46 IN EACH SCHOOL DISTRICT FOR WHICH THE GRANTS WERE RECEIVED;

47
48 (b) THE ACADEMIC PERFORMANCE GRADE RECEIVED FOR THE
49 IMMEDIATELY PRECEDING SCHOOL YEAR BY EACH ELIGIBLE SCHOOL FOR
50 WHICH GRANT MONEYS HAVE BEEN PROVIDED; AND

51
52 (c) SUCH ADDITIONAL INFORMATION CONCERNING THE
53 IMPLEMENTATION AND EFFECTIVENESS OF THE GRANT PROGRAM AS MAY
54 BE DEEMED BENEFICIAL BY THE STATE BOARD.

55
56 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2003.

1 **SECTION 20.** 22-7-609 (2), (3) (a), (3) (b), and (5), Colorado
2 Revised Statutes, are amended to read:

3
4 **22-7-609. School improvement plans.** (2) On or before June 15,
5 2001, and on or before each June 15 thereafter, the state board shall
6 notify a local board of education what school, if any, in its district will
7 receive an academic performance grade of "F", pursuant to section
8 22-7-604 (5), on the school report card being prepared for that academic
9 year; EXCEPT THAT, BEGINNING IN 2003, FOR ANY SCHOOL THAT RECEIVED
10 AN ACADEMIC PERFORMANCE GRADE OF "F" ON THE SCHOOL REPORT CARD
11 PREPARED FOR THE IMMEDIATELY PRECEDING ACADEMIC YEAR, THE STATE
12 BOARD SHALL NOTIFY THE LOCAL BOARD OF EDUCATION FOR THAT SCHOOL
13 NO LATER THAN MAY 1, 2003, AND EACH MAY 1 THEREAFTER IF THAT
14 SCHOOL WILL RECEIVE AN ACADEMIC PERFORMANCE GRADE OF "F" ON THE
15 SCHOOL REPORT CARD PREPARED FOR THAT ACADEMIC YEAR. The state
16 board shall notify the local board of education that it must submit a
17 school improvement plan pursuant to this section. ~~or the state board shall~~
18 ~~recommend an independent charter school pursuant to part 3 of article~~
19 ~~30.5 of this title. The local board of education shall have the option of~~
20 ~~developing and implementing a school improvement plan pursuant to this~~
21 ~~section or having the state board recommend an independent charter~~
22 ~~school.~~

23
24 (3) (a) ~~If the local board of education chooses to develop and~~
25 ~~implement a school improvement plan,~~ Within ninety days after receiving
26 the notification from the state board in subsection (2) of this section, the
27 local board of education shall submit to the state board a school
28 improvement plan. The plan must be adopted by the local board of
29 education after a public hearing on the proposed plan.

30
31 (b) The state board shall adopt rules specifying the information
32 required to be contained in a school improvement plan. ~~Such information~~
33 ~~shall include but is not limited to:~~ WHERE TO THE EXTENT POSSIBLE, SAID
34 RULES SHALL COORDINATE THE INFORMATION REQUIRED TO BE CONTAINED
35 IN A SCHOOL IMPROVEMENT PLAN WITH THE REQUIREMENTS OF FEDERAL
36 PROGRAMS RELATED TO STUDENT ACHIEVEMENT.

37
38 ~~(I) A determination of the causes for the public school's low~~
39 ~~academic performance;~~

40
41 ~~(II) Curriculum, managerial, or other practices that hinder student~~
42 ~~achievement at the public school;~~

43
44 ~~(III) Proposed changes in staffing, curriculum, or district policies~~
45 ~~to improve student achievement at the public school; and~~

46
47 ~~(IV) Proposed changes in resource allocations, including grants~~
48 ~~and federal title I moneys to target resources on improving student~~
49 ~~achievement at the public school.~~

50
51 (5) (a) If, upon completion of the first SECOND school year of
52 operation under a school improvement plan pursuant to this section, a
53 public school receives an overall academic performance grade of "F"
54 pursuant to section 22-7-604 (5), the state board shall ~~proceed with the~~
55 ~~recommendation for the conversion~~ RECOMMEND THAT THE PUBLIC
56 SCHOOL BE CONVERTED to an independent charter school pursuant to part

1 3 of article 30.5 of this title; except that the state board shall not proceed
2 ~~with the~~ MAKE SUCH recommendation if the public school had an
3 improvement of 0.5 of a point or greater from the standard deviation over
4 the immediately preceding year's overall standardized, weighted total
5 score pursuant to ~~22-7-604 (6)~~ SECTION 22-7-604 (5), and the school
6 district shall be allowed to continue to operate that school under the
7 school improvement plan for another year.

8
9 (b) If, upon completion of the ~~second~~ THIRD school year of
10 operation under a school improvement plan pursuant to this section, a
11 public school receives an overall academic performance grade of "F"
12 pursuant to section 22-7-604 (5), the state board shall ~~proceed with the~~
13 ~~recommendation for the conversion~~ RECOMMEND THAT THE PUBLIC
14 SCHOOL BE CONVERTED to an independent charter school pursuant to part
15 3 of article 30.5 of this title.

16
17 **SECTION 21.** 22-7-409 (1.2) (a) (I), Colorado Revised Statutes,
18 is amended to read:

19
20 **22-7-409. Assessments - repeal.** (1.2) (a) (I) The assessments
21 required by subsection (1) of this section shall be aligned with the model
22 content standards adopted by the state board pursuant to section
23 22-7-406. The assessments shall be conducted during the period
24 beginning the second Monday in March and ending on the third Monday
25 in April of each year. No later than June 1 of each year, the department
26 shall provide to each public school results of all assessments
27 administered; EXCEPT THAT, BEGINNING IN 2003, FOR PURPOSES OF
28 NOTIFYING LOCAL BOARDS OF EDUCATION PURSUANT TO SECTION 22-7-609
29 (2), THE DEPARTMENT SHALL PROVIDE THE RESULTS OF THE ASSESSMENTS
30 OF STUDENTS ENROLLED IN SCHOOLS THAT RECEIVED AN ACADEMIC
31 PERFORMANCE GRADE OF "F" ON THE SCHOOL REPORT CARD PREPARED
32 FOR THE IMMEDIATELY PRECEDING ACADEMIC YEAR NO LATER THAN MAY
33 1, 2003, AND MAY 1 OF EACH YEAR THEREAFTER. For reporting purposes
34 only, results shall include diagnostic reporting for each student's
35 performance on each assessment, including but not limited to
36 content-based sub-test scores for several components of each of the
37 standards assessed pursuant to this section.

38
39 **SECTION 22.** 22-30.5-303 (2) (a) and the introductory portion
40 to 22-30.5-303 (2) (b), Colorado Revised Statutes, are amended to read:

41
42 **22-30.5-303. Independent charter schools - request for**
43 **proposals - response contents.** (2) (a) If an independent charter school
44 is to be organized, the state board, on or before ~~August 30~~ MAY 10 of the
45 year ~~preceding the opening of such a~~ IN WHICH THE INDEPENDENT
46 CHARTER school IS TO OPEN, shall cause to be issued a request for
47 proposals. The request for proposals shall solicit proposals from
48 interested parties, including but not limited to individuals, persons,
49 nonprofit or for-profit companies, existing public schools or school
50 districts, and institutions of higher education, for the operation of an
51 independent charter school within a building that currently houses a
52 public school of a school district. Responses to the request for proposals
53 shall be due no later than ~~December 31 of the year preceding the opening~~
54 ~~of such a school~~ THE DATE SPECIFIED BY THE STATE BOARD PURSUANT TO
55 RULES ADOPTED BY THE STATE BOARD IN ACCORDANCE WITH PARAGRAPH
56 (b) OF THIS SUBSECTION (2). The state board shall issue the request for

1 proposals without regard to the provisions of the "Procurement Code",
2 articles 101 to 112 of title 24, C.R.S.

3
4 (b) The state board shall adopt rules specifying A SCHEDULE FOR
5 RECEIPT OF THE RESPONSES TO THE REQUEST FOR PROPOSALS PURSUANT TO
6 PARAGRAPH (a) OF THIS SUBSECTION (2), THE FORMATION OF A REVIEW
7 COMMITTEE AND RECEIPT OF THE RECOMMENDATIONS OF SAID COMMITTEE
8 PURSUANT TO SECTION 22-30.5-304, AND THE SELECTION OF AN APPLICANT
9 AND NOTIFICATION TO THE LOCAL BOARD OF EDUCATION PURSUANT TO
10 SECTION 22-30.5-305. SAID SCHEDULE SHALL ENSURE THE COMPLETION OF
11 NEGOTIATIONS ON THE INDEPENDENT CHARTER NO LATER THAN AUGUST 15
12 OF THE YEAR IN WHICH THE INDEPENDENT CHARTER SCHOOL IS TO OPEN.
13 THE RULES SHALL ALSO SPECIFY the information that an independent
14 charter proposal shall include in order to be eligible for consideration.
15 Such information shall include, but need not be limited to, the following:

16
17 **SECTION 23.** The introductory portion to 22-30.5-304 (1) and
18 22-30.5-304 (1) (c) (II), (1) (d) (II), and (2), Colorado Revised Statutes, are
19 amended to read:

20
21 **22-30.5-304. Review committee - membership -**
22 **recommendations.** (1) Whenever an independent charter school is to be
23 organized pursuant to this part 3, on or before ~~January 15 of the year in~~
24 ~~which the independent charter school is to open~~ THE DATE SPECIFIED BY
25 RULE ADOPTED BY THE STATE BOARD IN ACCORDANCE WITH SECTION
26 22-30.5-303 (2) (b), the commissioner shall cause a review committee to
27 be formed. The review committee shall consist of:

28
29 (c) (II) The election required by this paragraph (c) shall be
30 conducted during ~~October of the year prior to the opening of the~~
31 ~~independent charter school~~ THE MONTH SPECIFIED BY RULE ADOPTED BY
32 THE STATE BOARD IN ACCORDANCE WITH SECTION 22-30.5-303 (2) (b).

33
34 (d) (II) The election required by this paragraph (d) shall be
35 conducted during ~~October of the year prior to the opening of the~~
36 ~~independent charter school~~; THE MONTH SPECIFIED BY RULE ADOPTED BY
37 THE STATE BOARD IN ACCORDANCE WITH SECTION 22-30.5-303 (2) (b).

38
39 (2) The committee shall meet by call of the chair of the review
40 committee as needed to review the proposals received in response to the
41 request for proposals issued pursuant to section 22-30.5-303. The
42 committee shall evaluate the proposals and on or before ~~March 1 of the~~
43 ~~year in which the independent charter school is to open~~ THE DATE
44 SPECIFIED BY RULE ADOPTED BY THE STATE BOARD IN ACCORDANCE WITH
45 SECTION 22-30.5-303 (2) (b), shall forward to the state board all proposals
46 and its recommendations on each proposal. The committee may make
47 recommendations on applicants without regard to the provisions of the
48 "Procurement Code", articles 101 to 112 of title 24, C.R.S.

49
50 **SECTION 24.** 22-30.5-305 (1) and (2), Colorado Revised Statutes,
51 are amended to read:

52
53 **22-30.5-305. Independent charter schools - selection.** (1) On or
54 before ~~March 30 of the year in which the independent charter school is to~~
55 ~~open~~ THE DATE SPECIFIED BY RULE ADOPTED BY THE STATE BOARD IN
56 ACCORDANCE WITH SECTION 22-30.5-303 (2) (b), the state board shall select

1 an applicant to recommend to the local board of education. The state
2 board may select the applicant without regard to the provisions of the
3 "Procurement Code", articles 101 to 112 of title 24, C.R.S.

4
5 (2) On or before ~~April 15 of the year in which the independent~~
6 ~~charter school is to open~~ THE DATE SPECIFIED BY RULE ADOPTED BY THE
7 STATE BOARD IN ACCORDANCE WITH SECTION 22-30.5-303 (2) (b), the
8 commissioner shall forward to the local board of education a copy of the
9 selected applicant's response to the request for proposals.

10
11 **SECTION 25.** 22-30.5-306 (3) (a), Colorado Revised Statutes, is
12 amended to read:

13
14 **22-30.5-306. Independent charter schools - charter - term.**
15 (3) (a) On or before ~~May 30~~ AUGUST 15 of the year in which the
16 independent charter school is to open, all negotiations between the selected
17 applicant and the local board of education shall be concluded and the local
18 board of education shall accept the application following a public hearing
19 held upon public notice.

20
21 **SECTION 26.** 22-30.5-112 (2), Colorado Revised Statutes, is
22 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

23
24 **22-30.5-112. Charter schools - financing - guidelines.**
25 (2) (a.4) (I) WITHIN NINETY DAYS AFTER THE END OF EACH FISCAL YEAR,
26 EACH SCHOOL DISTRICT SHALL PROVIDE TO EACH CHARTER SCHOOL WITHIN
27 ITS DISTRICT AN ITEMIZED ACCOUNTING OF ALL ITS CENTRAL
28 ADMINISTRATIVE OVERHEAD COSTS. THE ACTUAL CENTRAL
29 ADMINISTRATIVE OVERHEAD COSTS SHALL BE THE AMOUNT CHARGED TO
30 THE CHARTER SCHOOL. ANY DIFFERENCE, WITHIN THE LIMITATIONS OF
31 SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (2) AND
32 PARAGRAPH (a.3) OF THIS SUBSECTION (2), BETWEEN THE AMOUNT INITIALLY
33 CHARGED TO THE CHARTER SCHOOL AND THE ACTUAL COST SHALL BE
34 RECONCILED AND PAID TO THE OWED PARTY.

35
36 (II) WITHIN NINETY DAYS AFTER THE END OF EACH FISCAL YEAR,
37 EACH SCHOOL DISTRICT SHALL PROVIDE TO EACH CHARTER SCHOOL WITHIN
38 ITS DISTRICT AN ITEMIZED ACCOUNTING OF ALL THE ACTUAL COSTS OF
39 DISTRICT SERVICES THE CHARTER SCHOOL CHOSE AT ITS DISCRETION TO
40 PURCHASE FROM THE DISTRICT CALCULATED IN ACCORDANCE WITH
41 PARAGRAPH (b) OF THIS SUBSECTION (2). ANY DIFFERENCE BETWEEN THE
42 AMOUNT INITIALLY CHARGED TO THE CHARTER SCHOOL AND THE ACTUAL
43 COST SHALL BE RECONCILED AND PAID TO THE OWED PARTY.

44
45 (III) IF EITHER PARTY DISPUTES AN ITEMIZED ACCOUNTING PROVIDED
46 PURSUANT TO SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (a.4), ANY
47 CHARGES INCLUDED IN AN ACCOUNTING, OR CHARGES TO EITHER PARTY,
48 THAT PARTY IS ENTITLED TO REQUEST A THIRD-PARTY REVIEW AT THE
49 REQUESTING PARTY'S EXPENSE. THE REVIEW SHALL BE CONDUCTED BY THE
50 DEPARTMENT OF EDUCATION, AND THE DEPARTMENT'S DETERMINATION
51 SHALL BE FINAL.

52
53 **SECTION 27.** 22-7-603 (1), Colorado Revised Statutes, is
54 amended to read:

55
56 **22-7-603. State data reporting system.** (1) The department shall

1 develop and implement a comprehensive data collection and reporting
2 system for collecting and reporting performance indicators from each
3 public school. On or before September 1, 2000, the department shall
4 contract out for the development of the state data reporting system. The
5 department shall award the contract based upon a competitive bid; except
6 that the provisions of the "Procurement Code", articles 101 to 112 of title
7 24, C.R.S., shall not apply to this contract. The state data reporting system
8 shall be designed to collect, through electronic transfer where possible, all
9 student and public school performance data required to ascertain the degree
10 to which public schools and school districts are meeting state performance
11 standards and shall be capable of producing data for decision-making and
12 for the comprehensive annual report cards on public school and district
13 performance pursuant to sections 22-7-604 and 22-7-605. The state data
14 reporting system shall be designed to protect the privacy of ~~individual~~
15 ~~students. and individually identifying data.~~ In addition, the state data
16 reporting system shall be designed to include all the information and data
17 elements needed for measuring student and school performance, including
18 fiscal, student, program, personnel, facility, community, evaluation, and
19 other relevant data and shall allow for the analysis of the relationship
20 between school district and public school expenditures and effectiveness.
21 ON AND AFTER JUNE 1, 2002, THE STATE DATA REPORTING SYSTEM SHALL
22 ALSO HAVE THE CAPABILITIES DESCRIBED IN SECTION 22-7-603.5 (3). Data
23 elements collected and provided by the department, school districts, and
24 individual public schools shall be compatible. The state data reporting
25 system shall be managed and administered by the department. Each school
26 district that has a unique information management system shall assure that
27 compatibility exists between its unique system and the data elements of the
28 state data reporting system so that all data required to be input into the
29 state data reporting system is made available through electronic transfer
30 and in the appropriate input format.

31
32 **SECTION 28.** Part 6 of article 7 of title 22, Colorado Revised
33 Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

34
35 **22-7-603.5 Legislative declaration - measurement of value added**
36 **to academic progress.** (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS
37 AND DECLARES THAT:

38
39 (I) THE EDUCATION OF THE YOUTH OF THE STATE IS ONE OF THE
40 PRIMARY PURPOSES OF GOVERNMENT;

41
42 (II) EACH CHILD, NO MATTER WHERE THE CHILD STARTS, SHOULD
43 IMPROVE THE EQUIVALENT OF AT LEAST ONE ACADEMIC GRADE DURING A
44 SCHOOL YEAR;

45
46 (III) EACH SCHOOL YEAR, THE GOAL OF EACH SCHOOL AND EVERY
47 TEACHER SHOULD BE TO ADD VALUE TO EVERY STUDENT'S ACADEMIC
48 PROGRESS SO THAT EVERY STUDENT IS AT GRADE LEVEL;

49
50 (IV) THERE IS CURRENTLY NO MECHANISM IN PLACE TO TRACK A
51 STUDENT'S ACADEMIC PROGRESS FROM YEAR-TO-YEAR OR OVER TIME; AND

52
53 (V) THERE IS CURRENTLY NO MECHANISM IN PLACE TO DETERMINE
54 THE INCREASED ACHIEVEMENT OF A STUDENT'S ACADEMIC PROGRESS FROM
55 SPENDING A YEAR IN A SCHOOL.
56

1 (b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

2

3 (I) IN ADOPTING SECTION 17 OF ARTICLE IX OF THE STATE
4 CONSTITUTION, THE VOTERS INDICATED THAT SPECIFIED AREAS ARE
5 PRIORITIES FOR STATE EDUCATION FUNDING;

6

7 (II) AMONG THE AREAS THAT ARE TO BE GIVEN A PRIORITY FOR
8 STATE EDUCATION FUNDING ARE ACCOUNTABLE EDUCATION REFORM,
9 ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS, AND
10 ACCOUNTABILITY REPORTS; AND

11

12 (III) A PROGRAM THAT TRACKS INDIVIDUAL STUDENT'S ACADEMIC
13 PROGRESS FROM YEAR-TO-YEAR OR OVER TIME MEETS MANY OF THE
14 PRIORITIES ADOPTED BY THE VOTERS.

15

16 (c) IN ENACTING THIS SECTION, IT IS THE INTENT OF THE GENERAL
17 ASSEMBLY TO:

18

19 (I) ESTABLISH THE CAPABILITY OF MEASURING A STUDENT'S
20 ACADEMIC PROGRESS FROM YEAR-TO-YEAR AND OVER TIME; AND

21

22 (II) ESTABLISH THE CAPABILITY TO PERFORM A LONGITUDINAL
23 ANALYSIS OF A STUDENT'S ACADEMIC PROGRESS EACH YEAR.

24

25 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
26 REQUIRES, "LONGITUDINAL ANALYSIS" MEANS THE MEASUREMENT OF A
27 STUDENT'S ACADEMIC PROGRESS FROM ONE SCHOOL YEAR TO THE NEXT, AS
28 SHOWN BY THE STUDENT'S SCORES ON THE ASSESSMENTS ADMINISTERED
29 PURSUANT TO SECTION 22-7-409.

30

31 (3) NO LATER THAN MARCH 1, 2002, THE DEPARTMENT SHALL
32 MODIFY THE STATE DATA REPORTING SYSTEM DEVELOPED AND
33 IMPLEMENTED PURSUANT TO SECTION 22-7-603 AS NECESSARY TO ENSURE
34 THAT THE SYSTEM:

35

36 (a) IS CAPABLE OF STORING ALL SCORES FROM THE ASSESSMENTS
37 ADMINISTERED PURSUANT TO SECTION 22-7-409 IN THE 2001-02 SCHOOL
38 YEAR AND EACH SUCCEEDING SCHOOL YEAR;

39

40 (b) CAN BE USED TO PERFORM A VARIETY OF LONGITUDINAL
41 ANALYSES OF INDIVIDUAL STUDENT ASSESSMENT RESULTS, CLASSROOM
42 ASSESSMENT RESULTS, AND ENTIRE SCHOOL ASSESSMENT RESULTS WITH
43 RESPECT TO SAID ASSESSMENTS; AND

44

45 (c) IS CAPABLE OF LONGITUDINALLY TRACKING THE ASSESSMENT
46 RESULTS OF STUDENTS WHO TRANSFER FROM ONE SCHOOL DISTRICT TO
47 ANOTHER AND WHOSE ANNUAL ASSESSMENTS ARE ADMINISTERED BY
48 DIFFERENT DISTRICTS.

49

50 **SECTION 29.** Part 6 of article 7 of title 22, Colorado Revised
51 Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

52

53 **22-7-607.5. Teacher pay incentive program - repeal.** (1) AS
54 USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

55

56 (a) "ELIGIBLE SCHOOL" MEANS A PUBLIC SCHOOL THAT RECEIVES AN

1 ACADEMIC PERFORMANCE GRADE OF "D" OR "F", PURSUANT TO SECTION
2 22-7-604, FOR THE 2000-01 SCHOOL YEAR.

3
4 (b) "PROGRAM" MEANS THE TEACHER PAY INCENTIVE PROGRAM
5 ESTABLISHED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

6
7 (c) "TEACHER" MEANS A PERSON WHO IS LICENSED PURSUANT TO
8 ARTICLE 60.5 OF THIS TITLE, OR AUTHORIZED BY A LETTER OF
9 AUTHORIZATION ISSUED PURSUANT TO SECTION 22-60.5-111, TO TEACH AND
10 IS PRIMARILY ENGAGED IN TEACHING DURING THE MAJORITY OF A SCHOOL
11 DAY.

12
13 (2) THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT THE
14 TEACHER PAY INCENTIVE PROGRAM TO PROVIDE MONEYS TO SCHOOL
15 DISTRICTS WITH POORLY PERFORMING SCHOOLS TO RECRUIT AND MAINTAIN
16 QUALITY TEACHERS. IN THE FIRST SCHOOL YEAR FOLLOWING THE YEAR
17 THAT A PUBLIC SCHOOL BECOMES AN ELIGIBLE SCHOOL, AND FOR THREE
18 SUBSEQUENT SCHOOL YEARS, AN ELIGIBLE SCHOOL SHALL RECEIVE A GRANT
19 FROM THE PROGRAM IN THE AMOUNT OF THIRTY THOUSAND DOLLARS PER
20 SCHOOL YEAR. IF, IN ANY SCHOOL YEAR DURING THE PERIOD IN WHICH THE
21 ELIGIBLE SCHOOL RECEIVES GRANTS, THE ELIGIBLE SCHOOL RECEIVES A
22 SCHOOL IMPROVEMENT GRADE OF "A", THE ELIGIBLE SCHOOL SHALL
23 RECEIVE AN ADDITIONAL AWARD OF TWENTY THOUSAND DOLLARS. IF, IN
24 ANY SCHOOL YEAR DURING THE PERIOD IN WHICH THE ELIGIBLE SCHOOL
25 RECEIVES GRANTS, THE ELIGIBLE SCHOOL RECEIVES A SCHOOL
26 IMPROVEMENT GRADE OF "B", THE ELIGIBLE SCHOOL SHALL RECEIVE AN
27 ADDITIONAL AWARD OF TEN THOUSAND DOLLARS.

28
29 (3) (a) MONEYS RECEIVED FROM AN AWARD UNDER THIS SECTION
30 SHALL BE PAID ONLY AS BONUSES TO TEACHERS OR FOR THE PAYMENT OF
31 THE COSTS OF OTHER BENEFITS ASSOCIATED WITH A BONUS PAID TO A
32 TEACHER. THE DISTRICT SCHOOL BOARD OF ANY SCHOOL DISTRICT WITH AN
33 ELIGIBLE SCHOOL SHALL DETERMINE IN ACCORDANCE WITH THIS SECTION
34 THE POLICIES AND PROCEDURES BY WHICH TEACHERS SHALL RECEIVE A
35 BONUS AND THE AMOUNT OF THE BONUS; EXCEPT THAT THE MINIMUM
36 AMOUNT OF A YEARLY BONUS TO A TEACHER SHALL BE ONE THOUSAND
37 DOLLARS. THE BONUSES MAY ONLY BE USED TO:

38
39 (I) REWARD OUTSTANDING TEACHER PERFORMANCE;

40
41 (II) OFFER A RECRUITMENT BONUS TO ENCOURAGE A TEACHER WHO
42 HOLDS A MASTER CERTIFICATE PURSUANT TO SECTION 22-60.5-202 TO
43 TEACH AT THE ELIGIBLE SCHOOL OR A RETENTION BONUS TO SUCH A
44 TEACHER WHO HAS TAUGHT AT THE SCHOOL FOR AT LEAST ONE SCHOOL
45 YEAR;

46
47 (III) OFFER A RECRUITMENT BONUS TO ENCOURAGE A TEACHER IN
48 A HARD-TO-RECRUIT SUBJECT OR A RETENTION BONUS TO SUCH A TEACHER
49 WHO HAS TAUGHT AT THE SCHOOL FOR AT LEAST ONE SCHOOL YEAR; OR

50
51 (IV) DEFRAY HOUSING AND LIVING EXPENSES IF AN ELIGIBLE
52 SCHOOL RESIDES IN A COMMUNITY WITH A LACK OF ADEQUATE AFFORDABLE
53 HOUSING.

54
55 (b) (I) TO GIVE A BONUS UNDER SUBPARAGRAPH (I) OF PARAGRAPH
56 (a) OF THIS SUBSECTION (3), THE DISTRICT SCHOOL BOARD OR DISTRICT

1 SUPERINTENDENT MUST SPECIFICALLY IDENTIFY A DATA-DRIVEN
2 EVALUATION AND PERFORMANCE TOOL BASED UPON THE RESULTS OF
3 STUDENT PERFORMANCE ON THE ASSESSMENTS ADMINISTERED PURSUANT TO
4 SECTION 22-7-409 THAT WAS USED TO DETERMINE WHICH TEACHERS
5 SHOULD RECEIVE THE BONUS.

6
7 (II) TO GIVE A RECRUITMENT BONUS UNDER SUBPARAGRAPH (II) OR
8 (III) OF PARAGRAPH (a) OF THIS SUBSECTION (3), THE DISTRICT SCHOOL
9 BOARD OR DISTRICT SUPERINTENDENT MUST IDENTIFY AN OPEN TEACHING
10 POSITION THAT IS FILLED BY A NEW TEACHER.

11
12 (III) THE STATE BOARD SHALL DETERMINE BY RULE WHAT SUBJECTS
13 CONSTITUTE HARD-TO-RECRUIT SUBJECTS FOR PURPOSES OF SUBPARAGRAPH
14 (III) OF PARAGRAPH (a) OF THIS SUBSECTION (3).

15
16 (c) ANY MONEYS RECEIVED BY A TEACHER AS A BONUS PURSUANT
17 TO THIS SECTION SHALL BE IN ADDITION TO ANY OTHER SALARY DUE SUCH
18 TEACHER PURSUANT TO THE SALARY SCHEDULE OR POLICY ADOPTED
19 PURSUANT TO SECTION 22-63-401.

20
21 (4) DURING FEBRUARY 2005, THE DEPARTMENT SHALL REPORT TO
22 THE GOVERNOR AND TO THE EDUCATION COMMITTEES OF THE SENATE AND
23 THE HOUSE OF REPRESENTATIVES ON THE PROGRAM. SUCH REPORT SHALL
24 INCLUDE BUT NEED NOT BE LIMITED TO:

25
26 (a) WHETHER THE PROGRAM HAD AN IMPACT ON TEACHER
27 RECRUITMENT, RETENTION, AND QUALITY;

28
29 (b) HOW THE CHANGES IN THE OVERALL STANDARDIZED, WEIGHTED
30 SCORES FOR PUBLIC SCHOOLS RECEIVING AWARDS COMPARED TO PUBLIC
31 SCHOOLS THAT DID NOT RECEIVE THE AWARDS;

32
33 (c) WHETHER THERE WAS ANY DIFFERENCE IN THE OVERALL
34 STANDARDIZED, WEIGHTED SCORES FOR ELIGIBLE SCHOOLS THAT USED
35 MONEYS MOSTLY FOR RECRUITMENT AND RETENTION RATHER THAN
36 BONUSES; AND

37
38 (d) WHETHER THE DEPARTMENT RECOMMENDS THAT THE PROGRAM
39 SHOULD BE CONTINUED.

40
41 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2005.

42
43 **SECTION 30.** 22-54-105 (1) (b), Colorado Revised Statutes, is
44 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

45
46 **22-54-105. Instructional supplies and materials - capital reserve**
47 **and insurance reserve - repeal.** (1) (b) (III) (A) IN ADDITION TO THE
48 AMOUNTS SPECIFIED IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH
49 (b), THE AMOUNT BUDGETED IN THE 2001-02 BUDGET YEAR SHALL BE
50 INCREASED BY THE AMOUNT DETERMINED BY MULTIPLYING TWENTY
51 DOLLARS BY THE DISTRICT'S FUNDED PUPIL COUNT AS OF OCTOBER 1, 2001,
52 AND THE AMOUNT BUDGETED IN THE 2002-03 BUDGET YEAR SHALL BE
53 INCREASED BY THE AMOUNT DETERMINED BY MULTIPLYING TWENTY-ONE
54 DOLLARS BY THE DISTRICT'S FUNDED PUPIL COUNT AS OF OCTOBER 1, 2002.
55 THE ADDITIONAL AMOUNT BUDGETED PURSUANT TO THIS SUBPARAGRAPH
56 (III) SHALL ONLY BE USED TO PURCHASE NEW TEXTBOOKS.

1 (B) EACH DISTRICT SHALL ADOPT AT A PUBLIC MEETING A PLAN ON
2 THE USE OF THE ADDITIONAL MONEYS RECEIVED PURSUANT TO THIS
3 SUBPARAGRAPH (III) INCLUDING WHICH SCHOOLS SHALL RECEIVE WHAT
4 ADDITIONAL TEXTBOOKS. THE PLAN SHALL REQUIRE THAT THE MONEYS BE
5 USED FIRST TO PROVIDE UP-TO-DATE TEXTBOOKS IN THE SUBJECTS OF
6 MATHEMATICS, READING, WRITING, AND SCIENCE. IF THE DISTRICT MAKES
7 A SPECIFIC FINDING THAT ALL OF ITS TEXTBOOKS IN THOSE SUBJECTS ARE
8 UP-TO-DATE, THE PLAN MAY SPECIFY THAT THE MONEYS SHALL BE USED TO
9 PURCHASE TEXTBOOKS IN OTHER SUBJECTS BUT SHALL SPECIFICALLY STATE
10 THE TEXTBOOKS AND THE SCHOOLS TO WHICH SUCH TEXTBOOKS SHALL BE
11 PROVIDED; EXCEPT THAT THE PLAN SHALL REQUIRE THAT THE DISTRICT PASS
12 ON TO ANY CHARTER SCHOOL THE AMOUNT BUDGETED PURSUANT TO
13 SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III), FOR EACH STUDENT
14 ENROLLED IN THE CHARTER SCHOOL ACCORDING TO THE FUNDED PUPIL
15 COUNT.

16
17 (C) FOR THE 2001-02 AND 2002-03 BUDGET YEARS, DISTRICTS
18 SHALL RECEIVE ADDITIONAL AMOUNTS OF MONEYS DETERMINED BY THE
19 FORMULA SPECIFIED IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH
20 (III). SUCH ADDITIONAL MONEYS SHALL ONLY BE USED PURSUANT TO THE
21 PROVISIONS OF THIS SUBPARAGRAPH (III).

22
23 (D) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1,
24 2002.

25
26 **SECTION 31. Legislative declaration.** The general assembly
27 hereby finds and declares that the expansion of kindergarten educational
28 programs to a full-day basis authorized by this act is intended to be a pilot
29 program limited in duration and limited to specific and identifiable
30 populations of students attending school in certain schools with low
31 academic performance. It is the intent of the general assembly that such
32 pilot program be utilized to study the impact of full-day kindergarten
33 educational programs on improving student achievement.

34
35 **SECTION 32.** 22-32-110 (1), Colorado Revised Statutes, is
36 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

37
38 **22-32-110. Board of education - specific powers - repeal.** (1) In
39 addition to any other power granted to a board of education of a school
40 district by law, each board of education of a school district shall have the
41 following specific powers, to be exercised in its judgment:

42
43 (II) (A) TO AUTHORIZE SUCH SCHOOL DISTRICT TO OFFER
44 KINDERGARTEN EDUCATIONAL PROGRAMS ON A FULL-DAY BASIS PURSUANT
45 TO SECTION 22-32-119 (2).

46
47 (B) THIS PARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1, 2006.

48
49 **SECTION 33.** 22-32-109 (1) (n) (I) and (1) (n) (II) (A), Colorado
50 Revised Statutes, are amended to read:

51
52 **22-32-109. Board of education - specific duties - repeal.** (1) In
53 addition to any other duty required to be performed by law, each board of
54 education shall have and perform the following specific duties:

55
56 (n) (I) To determine, prior to the end of a school year, the length of

1 time which the schools of the district shall be in session during the next
2 following school year, but in no event shall said schools be scheduled to
3 have ~~less~~ FEWER than one thousand eighty hours of planned teacher-pupil
4 instruction and teacher-pupil contact during the school year for secondary
5 school pupils in high school, middle school, or junior high school or less
6 than nine hundred ninety hours of such instruction and contact for
7 elementary school pupils or ~~less~~ FEWER than four hundred fifty hours of
8 such instruction for a half-day kindergarten program OR FEWER THAN NINE
9 HUNDRED HOURS OF SUCH INSTRUCTION FOR A FULL-DAY KINDERGARTEN
10 PROGRAM. In no case shall a school be in session for fewer than one
11 hundred sixty days without the specific prior approval of the commissioner
12 of education. In extraordinary circumstances, if it appears to the
13 satisfaction of the commissioner that compliance with the provisions of this
14 subparagraph (I) would require the scheduling of hours of instruction and
15 contact at a time when pupil attendance will be low and the benefits to
16 pupils of holding such hours of instruction will be minimal in relation to
17 the cost thereof, the commissioner may waive the provisions of this
18 subparagraph (I) upon application therefor by the board of education of the
19 district.

20

21 (II) (A) The actual hours of teacher-pupil instruction and
22 teacher-pupil contact specified in subparagraph (I) of this paragraph (n)
23 may be reduced to no ~~less~~ FEWER than one thousand fifty-six hours for
24 secondary school pupils, no ~~less~~ FEWER than nine hundred sixty-eight
25 hours for elementary school pupils, ~~or~~ no ~~less~~ FEWER than four hundred
26 thirty-five hours for HALF-DAY kindergarten pupils, OR NO FEWER THAN
27 EIGHT HUNDRED SEVENTY HOURS FOR FULL-DAY KINDERGARTEN PUPILS, for
28 parent-teacher conferences, staff in-service programs, and closing deemed
29 by the board to be necessary for the health, safety, or welfare of students.

30

31 **SECTION 34.** 22-32-119, Colorado Revised Statutes, is amended
32 to read:

33

34 **22-32-119. Kindergartens - repeal.** (1) A board of education may
35 establish and maintain kindergartens in connection with the schools of its
36 district for the instruction of children one year prior to the year in which
37 such children would be eligible for admission to the first grade. ~~and ON~~
38 ~~AND AFTER THE EFFECTIVE DATE OF THIS ACT, BUT PRIOR TO JULY 1, 2006,~~
39 ~~SUCH KINDERGARTEN EDUCATIONAL PROGRAMS MAY BE HALF-DAY OR~~
40 ~~FULL-DAY EDUCATIONAL PROGRAMS.~~ Said board may prescribe courses of
41 training, study, and discipline and rules and regulations governing such
42 kindergarten programs. Said kindergartens shall be a part of the public
43 school system, and the cost of establishing and maintaining them may be
44 paid from the general school fund.

45

46 (2) (a) (I) ON AND AFTER THE EFFECTIVE DATE OF THIS ACT, BUT
47 PRIOR TO JULY 1, 2006, A BOARD OF EDUCATION MAY ESTABLISH AND
48 MAINTAIN FULL-DAY KINDERGARTEN EDUCATIONAL PROGRAMS, IN
49 ADDITION TO ANY OTHER FULL-DAY KINDERGARTEN EDUCATIONAL
50 PROGRAMS EXISTING ON OR BEFORE THE EFFECTIVE DATE OF THIS ACT, TO
51 SERVE THOSE STUDENTS DESCRIBED IN SUBPARAGRAPH (II) OF THIS
52 PARAGRAPH (a).

53

54 (II) THE FULL-DAY EDUCATIONAL PROGRAMS DESCRIBED IN
55 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) SHALL SERVE THOSE STUDENTS
56 WHO:

1 (A) ATTEND A SCHOOL THAT RECEIVED AN ACADEMIC PERFORMANCE
2 RATING OF "UNSATISFACTORY" PURSUANT TO SECTION 22-7-604 (5) FOR THE
3 PREVIOUS SCHOOL YEAR; AND
4

5 (B) ARE ELIGIBLE TO RECEIVE FREE OR REDUCED-COST LUNCH
6 PURSUANT TO THE PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH
7 ACT", 42 U.S.C. SEC. 1751 ET SEQ.
8

9 (b) ON AND AFTER JULY 1, 2005, THE DEPARTMENT OF EDUCATION
10 SHALL CONTRACT FOR A REVIEW AND ANALYSIS OF THE EFFECTIVENESS OF
11 THE FULL-DAY KINDERGARTEN EDUCATIONAL PROGRAMS AUTHORIZED BY
12 THIS SUBSECTION (2) IN RAISING STUDENT ACHIEVEMENT. THE DEPARTMENT
13 SHALL PRESENT THE RESULTS OF SUCH REVIEW AND ANALYSIS TO THE
14 GENERAL ASSEMBLY ON OR BEFORE DECEMBER 1, 2005.
15

16 (c) A LOCAL BOARD OF EDUCATION, IN IMPLEMENTING A FULL-DAY
17 KINDERGARTEN EDUCATIONAL PROGRAM AUTHORIZED BY THIS SUBSECTION
18 (2), MAY CONTRACT WITH ANY OTHER PUBLIC OR PRIVATE ENTITY,
19 INCLUDING BUT NOT LIMITED TO A CHILD CARE CENTER, AS DEFINED IN
20 SECTION 26-6-102 (1.5), C.R.S., OR A HEAD START AGENCY, AS DEFINED IN
21 SECTION 22-28-103 (6), TO PROVIDE SAID EDUCATIONAL PROGRAM. SUCH
22 ENTITY PROVIDING SAID EDUCATIONAL PROGRAM SHALL COMPLY WITH ALL
23 APPLICABLE STATE AND FEDERAL LAW WITH RESPECT TO PROVIDING SUCH
24 AN EDUCATIONAL PROGRAM. A LOCAL BOARD OF EDUCATION, BY MUTUAL
25 AGREEMENT WITH THE PROVIDER, MAY PLACE A TEACHER WITH SUCH
26 PROVIDER IN ORDER TO IMPLEMENT SAID EDUCATIONAL PROGRAM.
27

28 (d) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2006.
29

30 **SECTION 35.** 22-54-103 (10) (b) and (10) (f), Colorado Revised
31 Statutes, are amended to read:
32

33 **22-54-103. Definitions.** As used in this article, unless the context
34 otherwise requires:
35

36 (10) (b) (I) A pupil enrolled in a HALF-DAY kindergarten ~~and~~
37 EDUCATIONAL PROGRAM SHALL BE COUNTED AS A HALF-DAY PUPIL AND A
38 PUPIL ENROLLED IN A FULL-DAY KINDERGARTEN PROGRAM SHALL BE
39 COUNTED AS A FULL-DAY PUPIL.
40

41 (II) A pupil with a disability receiving an educational program
42 under the "Exceptional Children's Educational Act", article 20 of this title,
43 who would be in kindergarten but for such disability, shall be counted as
44 a half-day pupil. A pupil with a disability receiving a full-day educational
45 program under said act, who would be in a grade beyond kindergarten but
46 for such disability, shall be counted as a full-day pupil.
47

48 (f) In certifying the district's pupil enrollment to the state board
49 pursuant to the provisions of section 22-54-112, the district shall specify
50 the number of pupils enrolled in HALF-DAY KINDERGARTEN, THE NUMBER
51 OF PUPILS ENROLLED IN FULL-DAY kindergarten, the number of pupils
52 enrolled in first grade through twelfth grade, the number of expelled pupils
53 receiving educational services pursuant to section 22-33-203, the number
54 of pupils enrolled in the district's preschool program, the number of pupils
55 receiving educational programs under the "Exceptional Children's
56 Educational Act", and the number of at-risk pupils.

1 **SECTION 36.** Part 1 of article 54 of title 22, Colorado Revised
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

3
4 **22-54-123. Full-day kindergarten - funding - legislative**
5 **declaration.** IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT ANY
6 ADDITIONAL MONEYS NECESSARY TO IMPLEMENT ANY FULL-DAY
7 KINDERGARTEN EDUCATIONAL PROGRAMS AUTHORIZED BY SENATE BILL
8 01-129, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD
9 GENERAL ASSEMBLY, SHALL BE DRAWN FROM MONEYS IN THE STATE
10 EDUCATION FUND, CREATED IN SECTION 17 OF ARTICLE IX OF THE STATE
11 CONSTITUTION."

12
13 Renumber succeeding sections accordingly.

14
15 Page 24, strike lines 10 through 21, and substitute the following:

16
17 **"bill.** (1) In addition to any other appropriation, there is hereby
18 appropriated, to the department of education, for the fiscal year beginning
19 July 1, 2001, the sum of _____ (\$_____), or so much thereof as may
20 be necessary, for the implementation of section 22-1-122, Colorado
21 Revised Statutes. Said sum shall be from the state education fund created
22 in section 17 (4) of article IX of the state constitution.

23
24 (2) In addition to any other appropriation, there is hereby
25 appropriated, out of any moneys in the state education fund, created
26 pursuant to section 17 of article IX of the state constitution, not otherwise
27 appropriated, to the department of education, for the fiscal year beginning
28 July 1, 2001, the sum of thirteen million two hundred sixty thousand
29 dollars (\$13,260,000), or so much thereof as may be necessary, for the
30 implementation of section 22-7-607.5, Colorado Revised Statutes.

31
32 (3) In addition to any other appropriation, there is hereby
33 appropriated, out of any moneys in the state education fund, created
34 pursuant to section 17 of article IX of the state constitution, not otherwise
35 appropriated, to the department of education, for the fiscal year beginning
36 July 1, 2001, the sum of fourteen million eight hundred sixty-six thousand
37 nine hundred dollars (\$14,866,900), or so much thereof as may be
38 necessary, for the implementation of section 22-54-105 (1) (b) (III),
39 Colorado Revised Statutes."

40
41 Renumber succeeding subsection accordingly.

42 _____
43
44
45 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

46
47 The Speaker has signed: **SJR01--11, 014.**

48 _____
49
50
51 **DELIVERY OF BILLS TO GOVERNOR**

52
53 The Chief Clerk of the House of Representatives reports the following bills
54 have been delivered to the Office of the Governor: **HB01-1004 and 1211**
55 at 3:15 p.m. on March 19, 2001.
56 _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed on Third Reading and returns herewith:
HB01-1323.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

- HB01-1124, amended as printed in Senate Journal, March 16, pages 556-556;
- HB01-1064, amended as printed in Senate Journal, March 16, page 558.

MESSAGE FROM THE REVISOR

We herewith transmit without comment, as amended, HB01-1124 and 1064.

MESSAGES FROM THE GOVERNOR

I certify I received the following on the 19th day of March, 2001, at 2:55 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Judith Rodrigue,
Chief Clerk of the House

March 19, 2001

To the Honorable
House of Representatives
Sixty-third General Assembly
First Regular Session
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following act:

HB01-1015 Concerning The Submission Of Information To A Local Liquor Licensing Authority By An Applicant Seeking The Transfer Of A Liquor License.

Approved March 19, 2001 at 12:35 p.m.

Sincerely,
(signed)
Bill Owens
Governor

1 March 19, 2001

2

3 To the Honorable

4 House of Representatives

5 Sixty-third General Assembly

6 First Regular Session

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and filed with
12 the Secretary of State the following act:

13

14 **HB01-1084** Concerning Disclosure Requirements For Multi-line
15 Telephone System Operators Relating to 9-1-1 Emergency
16 Service Calls.

17

18 Approved March 19, 2001 at 134 p.m.

19

20 Sincerely,

21 (signed)

22 Bill Owens

23 Governor

24

25

26

27

28 March 19, 2001

29

30 To the Honorable

31 House of Representatives

32 Sixty-third General Assembly

33 First Regular Session

34 Denver, CO 80203

35

36 Ladies and Gentlemen:

37

38 I have the honor to inform you that I have approved and filed with
39 the Secretary of State the following act:

40

41 **HB01-1196** Concerning The Writing Portion Of The Colorado Student
42 Assessment Program Statewide Assessments.

43

44 Approved March 19, 2001 at 1:40 p.m.

45

46 Sincerely,

47 (signed)

48 Bill Owens

49 Governor

50

51

52

53

54

55

56

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

LAY OVER OF CALENDAR ITEMS

On motion of Representative Spradley, the following items on the Calendar were laid over until March 20, retaining place on Calendar:

- Consideration of General Orders--**SB01-027, 088, 178, 135, 066, 145, 158, 034, 040, 140, 114, 144.**
- Consideration of Resolutions--**HR01-1010, SJR01-012, HJR01-1018.**
- Consideration of Senate Amendments--**HB01-1011, 1030.**

On motion of Representative Young, the House adjourned until 9:00 a.m., March 20, 2001.

Approved:

DOUG DEAN,
Speaker

Attest:
JUDITH RODRIGUE,
Chief Clerk