

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 07-0210.01 Richard Sweetman

SENATE BILL 07-016

SENATE SPONSORSHIP

Tapia,

HOUSE SPONSORSHIP

Butcher,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE MINIMUM AGE FOR COMPULSORY EDUCATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Effective July 1, 2008, lowers the minimum age of compulsory school attendance from 7 to 6 years of age. Specifies that a parent who educates his or her child through a non-public home-based education program is not required to establish the program until the child is 7 years of age.

1 *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 **SECTION 1.** The introductory portion to 22-33-104 (1) (a) and
2 22-33-104 (5) (a), Colorado Revised Statutes, as they will become
3 effective July 1, 2007, are amended to read:

4 **22-33-104. Compulsory school attendance.** (1) (a) Except as
5 otherwise provided in subsection (2) of this section, every child who has
6 attained the age of ~~seven~~ SIX years ON OR BEFORE AUGUST 1 OF EACH
7 YEAR and is under the age of seventeen years, except as provided by this
8 section, shall attend public school for at least the following number of
9 hours during each school year:

10 (5) (a) The general assembly hereby declares that two of the most
11 important factors in ensuring a child's educational development are
12 parental involvement and parental responsibility. The general assembly
13 further declares that it is the obligation of every parent to ensure that
14 every child under such parent's care and supervision receives adequate
15 education and training. Therefore, every parent of a child who has
16 attained the age of ~~seven~~ SIX years ON OR BEFORE AUGUST 1 OF EACH
17 YEAR and is under the age of seventeen years shall ensure that such child
18 attends the public school in which such child is enrolled in compliance
19 with this section.

20 **SECTION 2.** 22-33-104.5 (3) (e), Colorado Revised Statutes, as
21 it will become effective July 1, 2007, is amended to read:

22 **22-33-104.5. Home-based education - legislative declaration -**
23 **definitions - guidelines.** (3) The following guidelines shall apply to a
24 nonpublic home-based educational program:

25 (e) Any parent establishing a nonpublic home-based educational
26 program shall provide written notification of the establishment of said
27 program to a school district within the state fourteen days prior to the

1 establishment of said program and each year thereafter if the program is
2 maintained. The parent in charge and in control of a nonpublic
3 home-based educational program shall certify, in writing, only a
4 statement containing the name, age, place of residence, and number of
5 hours of attendance of each child enrolled in said program.
6 Notwithstanding the provisions of section 22-33-104 (1), a parent who
7 intends to establish a nonpublic home-based educational program is not
8 required to establish nor to:

9 (I) Provide written notification of ~~said~~ THE program to a school
10 district within the state until the parent's child is ~~seven~~ SIX years of age;

11 (II) ~~nor is the parent required to~~ ESTABLISH THE PROGRAM UNTIL
12 THE PARENT'S CHILD IS SEVEN YEARS OF AGE; OR

13 (III) Continue the program or provide the notification after the
14 child is sixteen years of age.

15 **SECTION 3.** 22-33-107 (3) (a), Colorado Revised Statutes, as it
16 will become effective July 1, 2007, is amended to read:

17 **22-33-107. Enforcement of compulsory school attendance.**

18 (3) (a) As used in this subsection (3), a child who is "habitually truant"
19 means a child who has attained the age of ~~seven~~ SIX years ON OR BEFORE
20 AUGUST 1 OF THE CURRENT YEAR and is under the age of seventeen years
21 having four unexcused absences from public school in any one month or
22 ten unexcused absences from public school during any school year.
23 Absences due to suspension or expulsion of a child shall be considered
24 excused absences for purposes of this subsection (3).

25 **SECTION 4. Effective date.** (1) This act shall take effect July
26 1, 2008.

27 (2) However, if a referendum petition is filed against this act or

1 an item, section, or part of this act during the 90-day period after final
2 adjournment of the general assembly that is allowed for submitting a
3 referendum petition pursuant to article V, section 1 (3) of the state
4 constitution, then the act, item, section, or part, shall not take effect unless
5 approved by the people at a biennial regular general election and shall
6 take effect on the date specified in subsection (1) or on the date of the
7 official declaration of the vote thereon by proclamation of the governor,
8 whichever is later.