A BILL FOR AN ACT

Concerning educator licensing.

Bill Summary

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

Clarifies the language referring to teacher in residence programs.

Repeals the authority of the state board of education to waive the requirement that a person applying for an initial educator license demonstrate professional competencies.

Corrects references to the authorizations under which a person may complete an induction program that meets the requirements for a professional educator license. Repeals the language that allows a person who completes an induction program under a specified authorization to apply immediately for a professional license.
Authorizes the department of education to issue an initial principal license to a person who successfully completes an alternative principal preparation program and receives a recommendation from the employing school district. Allows the department of education to renew an initial principal license or an initial administrator license for more than one additional 3-year period upon the licensee's demonstration of good cause for failing to meet the requirements for professional licensure.

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

SECTION 1. 22-32-110.3 (2), (4), (5), and (7), Colorado Revised Statutes, are amended to read:

22-32-110.3. Board of education - specific powers - teacher in residence program. (2) A school district or a board of cooperative services created pursuant to article 5 of this title may implement a teacher in residence program as described in this section. Each teacher in residence program shall comply with the performance-based standards for teacher preparation programs adopted by the Colorado commission on higher education pursuant to section 23-1-121, C.R.S., to ensure that persons who complete the residency teacher in residence program meet the performance-based standards for teacher licensure adopted by the state board of education pursuant to section 22-2-109 (3).

(4) (a) A school district may employ a person to teach as a resident teacher in residence even though the person is not licensed pursuant to article 60.5 of this title if the person holds a teacher in residence authorization issued pursuant to section 22-60.5-111 (8). The resident teacher in residence may teach under the supervision of an administrator with an assigned, licensed teacher serving as a mentor and shall enroll in such teacher preparation courses as the school district deems necessary for the resident teacher in residence and for which the school district has contracted with an institution of higher education.
Supervision for a resident teacher IN RESIDENCE shall include an annual minimum of one hundred hours of observation and supervision in the classroom.

(b) (I) Any person employed by a school district as a resident teacher IN RESIDENCE shall hold at least a baccalaureate degree from an accepted institution of higher education, as defined in section 22-60.5-102 (1). Except as otherwise provided in subparagraph (II) of this paragraph (b), a person may be employed as a resident teacher IN RESIDENCE for a total of two years. A person employed by a school district as a resident teacher IN RESIDENCE shall meet the content-area education requirements specified by rule of the state board of education.

(II) A person may be employed as a resident teacher IN RESIDENCE for a total of three years for the purpose of receiving a special education teaching endorsement pursuant to section 22-60.5-106 (2).

(c) On completion of the two-year residency OR THREE-YEAR TEACHER IN RESIDENCE program, whichever is applicable, the resident teacher IN RESIDENCE shall obtain an initial teacher license pursuant to section 22-60.5-201 (1) (b) in order to be employed by the school district as a teacher.

(d) Any person seeking entry into a teacher in residence program shall, prior to acceptance into a teacher in residence program, pass an assessment of subject matter knowledge, appropriate to the person’s teaching assignment, administered by the department of education. Any person who fails to pass the subject matter assessment shall not be eligible for enrollment in a residency TEACHER IN RESIDENCE program until he or she has passed the subject matter assessment.

(e) A resident teacher IN RESIDENCE shall be considered a
probationary teacher for purposes of section 22-63-203; except that, for
a resident teacher in residence, the three continuous years of
employment necessary to become a nonprobationary teacher shall not
begin until the resident teacher in residence begins his or her second
year in the teacher in residence program.

(f) Beginning with the 2003-04 school year, any a teacher holding
an emergency authorization and entering his or her second or subsequent
year of employment as a teacher, regardless of whether the teacher is
employed within the same school district or a different school district,
may continue to teach only if employed as a resident teacher in
residence pursuant to this section.

(5) (a) Within thirty days after employment of a person as a
resident teacher in residence, the school district shall notify the
department of education of the resident teacher's name and address of
the teacher in residence and such other information as may be
necessary to assist the department of education in providing pertinent
information under the requirements of paragraph (b) of this subsection
(5).

(b) The department of education shall provide information to each
resident teacher in residence concerning the requirements for teacher
licensure as specified in section 22-60.5-201 and by rule of the state
board of education.

(7) Notwithstanding any other provision of this section to the
contrary, a school district may hire a person to teach as a resident teacher
in residence for any portion of the two-year residency program if the
person completes all remaining requirements for an approved program of
preparation within two years after being hired as a resident teacher in
RESIDENCE.

SECTION 2. 22-63-201 (2) (b), Colorado Revised Statutes, is amended to read:

22-63-201. Employment - license required - exception.

(2) (b) A school district may hire a person who holds an alternative teacher license to teach as an alternative teacher pursuant to an alternative teacher contract as described in section 22-60.5-207. A school district may hire a person who holds a teacher in residence authorization to teach as a resident teacher IN RESIDENCE pursuant to a teacher in residence program implemented by the school district or a board of cooperative services pursuant to section 22-32-110.3.

SECTION 3. 22-63-402, Colorado Revised Statutes, is amended to read:

22-63-402. Services - disbursements. No order or warrant for the disbursement of school district moneys shall NOT be drawn in favor of any person for services as a teacher, except for services performed for a junior college district or in an adult education program, unless such person either holds a valid teacher's license or authorization from the department of education, or is employed as a resident teacher pursuant to section 22-32-110.3. Such person's license or authorization shall be duly registered in the administrative office of the school district wherein the services are to be rendered. A teacher shall either hold a valid license or authorization or be employed as a resident teacher during all periods of employment by a school district. Any person who performs services as a teacher without either possessing a valid teacher's license or authorization or being employed as a resident teacher shall forfeit all claim to compensation out
of school district moneys for the time during which services are
performed without such a license or authorization or residency.

SECTION 4. Repeal. 22-60.5-114 (3), Colorado Revised
Statutes, is repealed as follows:

22-60.5-114. State board of education - waivers. (3) Upon
application by a school district or board of cooperative services, the state
board may grant a waiver of the requirement that a person applying for an
initial license demonstrate professional competencies. Such a waiver may
be granted only by a two-thirds majority vote of the board members
following a demonstration that:

(a) The license applicant is employed by the school district or
board of cooperative services under an authorization issued pursuant to
section 22-60.5-111;

(b) Enforcement of the requirement would cause extreme hardship
to the school district or board of cooperative services or to the license
applicant; and

(c) The skill level of the license applicant is comparable to the
skill level of an applicant who has successfully demonstrated professional
competencies. The school district or board of cooperative services shall
provide documentary evidence of the skill level of the license applicant.

SECTION 5. 22-2-109 (7) (a), Colorado Revised Statutes, is
amended to read:

22-2-109. State board of education - additional duties - teacher
standards - principal standards. (7) (a) Beginning with the 2006-07
school year and annually thereafter, the state board shall direct the
department to survey the superintendents of the school districts of the
state who employ principals who hold a principal authorization or an
initial principal license or who obtain a professional principal license without first holding an initial principal license and who are in their first three years of employment as a principal. The department shall base the survey questions on the performance-based principal licensure standards adopted by the state board pursuant to subsection (6) of this section. The department shall design the survey to solicit information by which to measure the quality and effectiveness of the principal preparation programs that are approved by the Colorado commission on higher education pursuant to section 23-1-121.3, C.R.S., and other alternative forms of principal preparation and to solicit information from superintendents concerning the principal licensure standards.

SECTION 6. 22-32-110.4 (5), Colorado Revised Statutes, is amended to read:

22-32-110.4. Board of education - specific powers - alternative principal preparation program. (5) A school district may employ a person who holds a principal authorization for three years. After such period, the school district may employ the person as a principal only if the person receives an initial or professional principal license pursuant to section 22-60.5-301. The school district may choose to provide an induction program, as described in section 22-60.5-304, for the person while he or she is employed under a principal authorization. The induction program, if provided, shall be in addition to the individualized alternative principal program to be completed by the person while he or she is employed under a principal authorization.

SECTION 7. Repeal. 22-60.5-111 (4) (c) (II), (5) (e) (II), and (14) (e) (II), Colorado Revised Statutes, are repealed as follows:

22-60.5-111. Authorization - types - applicants' qualifications.
(4) Emergency authorization. (c)(II) If a person who is employed under an emergency authorization successfully completes an induction program and completes the requirements prescribed in section 22-60.5-201 (1)(b)(I), 22-60.5-210 (1)(a)(I), 22-60.5-301 (1)(a)(I), or 22-60.5-306 (1)(a)(I), whichever is applicable, for an initial educator license while employed under the emergency authorization, the department of education may issue a professional educator license to the person upon application:

(5) Temporary educator eligibility authorization. (e)(II) If a person who is employed under a temporary educator eligibility authorization successfully completes an induction program and completes the requirements prescribed in section 22-60.5-201 (1)(b)(I), 22-60.5-210 (1)(a)(I), or 22-60.5-306 (1)(a)(I), whichever is applicable, for an initial educator license while employed under the temporary educator eligibility authorization, the department of education may issue a professional educator license to the person upon application:

(14) Principal authorization. (e)(II) If a person who is employed under a principal authorization successfully completes an induction program and completes the individualized alternative principal program while employed under the principal authorization, the department of education may issue a professional principal license to the person upon application:

SECTION 8. The introductory portion to 22-60.5-201 (1)(c)(I) and 22-60.5-201 (1)(c)(I)(B) and (1)(c)(II.7), Colorado Revised Statutes, are amended to read:

22-60.5-201. Types of teacher licenses issued - term. (1) The department of education is designated as the sole agency authorized to
issue the following teacher licenses to persons of good moral character:

  (c) **Professional teacher license.** (I) Except as otherwise provided in subparagraphs (II) AND (II.5) and (II.7) of this paragraph (c), the department of education may, in its discretion, issue a professional teacher license to any applicant who:

  (B) Has completed an approved induction program and has been recommended for licensure by the school districts that provided such induction program; except that the applicant need not complete an approved induction program as an initial teacher licensee if the applicant previously completed an induction program while teaching under an adjunct-instructor authorization; an emergency authorization, A TEMPORARY EDUCATOR ELIGIBILITY AUTHORIZATION, or an interim authorization or if the school district in which the applicant is employed has obtained a waiver of the induction program requirement pursuant to section 22-60.5-114 (2). If the applicant is employed by a school district that has obtained a waiver of the induction program requirement, the applicant shall demonstrate completion of any requirements specified in the school district's plan for support, assistance, and training of initially licensed educators; and

  (II.7) The department of education may issue a professional teacher license to an applicant who meets the requirements specified in section 22-60.5-111 (4) (c) (II) or (5) (c) (II).

**SECTION 9.** The introductory portion to 22-60.5-210 (1) (b) (I) and 22-60.5-210 (1) (b) (I.5), Colorado Revised Statutes, are amended to read:

**22-60.5-210. Types of special services licenses issued - term.**

(1) The department of education is designated as the sole agency
authorized to issue the following types of special services licenses to persons of good moral character:

(b) **Professional special services license.** (I) Except as otherwise provided in subparagraph (I.5) of this paragraph (b), the department of education may, in its discretion, issue a professional special services license to any applicant who:

(I.5) The department of education may issue a professional special services license to an applicant who meets the requirements specified in section 22-60.5-111 (4) (e) (II) or (5) (e) (II).

**SECTION 10.** 22-60.5-301 (1) (a) (I), (1) (a) (II), (1) (b) (I), and (1) (b) (I.5), Colorado Revised Statutes, are amended, and the said 22-60.5-301 (1) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

**22-60.5-301. Types of principal licenses issued - term.** (1) The department of education is designated as the sole agency authorized to issue the following principal licenses to persons of good moral character:

(a) **Initial principal license.** (I) **EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (I.5) OF THIS PARAGRAPH (a),** the department of education, in its discretion, may issue an initial principal license to any applicant who:

(A) Holds an earned baccalaureate degree from an accepted institution of higher education;

(B) Has completed an approved program of preparation for principals;

(C) Has completed three or more years of successful experience working with students as a licensed or certificated professional in a public or nonpublic elementary or secondary school in this state or another state;
(D) Has demonstrated professional competencies in subject areas as specified by rule and regulation of the state board of education pursuant to section 22-60.5-303.

(I.5) The department of education, in its discretion, may issue an initial principal license to an applicant who successfully completes an alternative principal preparation program pursuant to section 22-32-110.4 and is recommended for licensure by the applicant's employing school district.

(II) An initial principal license shall be valid in any school district that provides an approved induction program for principals or has obtained a waiver of the approved induction program requirement pursuant to section 22-60.5-114(2). Any initial principal license issued pursuant to this paragraph (a) shall be valid for a period of three years after the date of issuance and is renewable only once for an additional period of three years; except that, if an initial principal licensee is unable to complete an induction program the requirements for obtaining a professional principal license for reasons other than incompetence, the state board of education may renew the licensee's initial principal license for one or more additional three-year periods upon the initial licensee's showing of good cause for inability to complete an approved induction program the requirements for a professional principal license.

(b) Professional principal license. (I) Except as otherwise provided in subparagraph (I.5) of this paragraph (b), the department of education may, in its discretion, issue a professional principal license to any applicant who:

(A) Holds an earned master's degree from an accepted institution
of higher education;

(B) Holds a valid initial principal license; and

(C) Has completed an approved induction program for principals and has been recommended for licensure by the school districts that provided such THE induction program; except that the applicant need not complete an approved induction program as an initial principal licensee if the applicant previously completed an induction program while employed under an emergency authorization, AN INTERIM AUTHORIZATION, or a principal authorization or if the school district in which the applicant is employed has obtained a waiver of the induction program requirement pursuant to section 22-60.5-114 (2). If the applicant is employed by a school district that has obtained a waiver of the induction program requirement, the applicant shall demonstrate completion of any requirements specified in the school district's plan for support, assistance, and training of initially licensed educators.

(I.5) The department of education may issue a professional principal license to an applicant who meets the requirements specified in section 22-60.5-111 (4) (c) (II) or (14) (c) (II).

SECTION 11. 22-60.5-306 (1) (a) (II), the introductory portion to 22-60.5-306 (1) (b) (I), and 22-60.5-306 (1) (b) (I) (C) and (1) (b) (I.5), Colorado Revised Statutes, are amended to read:

22-60.5-306. Types of administrator licenses issued - term.

(1) The department of education is designated as the sole agency authorized to issue the following types of administrator licenses to persons of good moral character:

(a) Initial administrator license. (II) An initial administrator license shall be valid in any A school districts DISTRICT that provide
PROVIDES an approved induction program for administrators or have obtained a waiver of the approved induction program requirement pursuant to section 22-60.5-114 (2). Any initial administrator license issued pursuant to this paragraph (a) shall be valid for a period of three years after the date of issuance and is renewable only once for an additional period of three years; except that, if an initial administrator licensee is unable to complete an induction program for reasons other than incompetence, the state board of education may renew the licensee's initial administrator license for one or more additional three-year periods upon the initial licensee's showing of good cause for inability to complete an approved induction program.

(b) Professional administrator license. (I) Except as otherwise provided in subparagraph (I.5) of this paragraph (b), the department of education may, in its discretion, issue a professional administrator license to any applicant who:

(C) Has completed an approved induction program for administrators and has been recommended for licensure by the school districts that provided such induction program; except that the applicant need not complete an approved induction program as an initial administrator licensee if the applicant previously completed an induction program while employed under an emergency authorization, or a temporary educator eligibility authorization, OR AN INTERIM AUTHORIZATION or if the school district in which the applicant is employed has obtained a waiver of the induction program requirement pursuant to section 22-60.5-114 (2). If the applicant is employed by a
school district that has obtained a waiver of the induction program
requirement, the applicant shall demonstrate completion of any
requirements specified in the school district's plan for support, assistance,
and training of initially licensed educators.

(I.5) The department of education may issue a professional
administrator license to an applicant who meets the requirements
specified in section 22-60.5-111 (4) (e) (II) or (5) (e) (II):

SECTION 12. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, and safety.