

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 09-0294.01 Julie Pelegrin

SENATE BILL 09-090

SENATE SPONSORSHIP

Hudak, Williams, Heath, Bacon, Foster, Groff, King K., Tapia

HOUSE SPONSORSHIP

Benfield and Merrifield, Carroll T., Solano, Todd, Pace, Scanlan, Levy, Summers, Ferrandino, Miklosi, Schafer S.

Senate Committees

Education
Appropriations

House Committees

Education

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO INCREASE PARENT INVOLVEMENT IN**
102 **PUBLIC EDUCATION.**

Bill Summary

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

Colorado state advisory council for parent involvement in education: Creates the state advisory council for parent involvement in education (council) in the department of education (department). Specifies the council membership. Directs the council to advise public education entities concerning best practices and strategies, aligned with national standards, for increasing parent involvement in public education and promoting family and school partnerships. Creates the parent

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.*

HOUSE
3rd Reading Unam ended
April 24, 2009

HOUSE
Am ended 2nd Reading
April 23, 2009

SENATE
3rd Reading Unam ended
March 30, 2009

SENATE
Am ended 2nd Reading
March 26, 2009

involvement in education grant program (program) to provide moneys to public schools to create and implement programs to increase parent involvement in public education. Directs the state board of education (state board) to adopt rules to implement the program. Specifies eligibility criteria for applicants. Directs the council to review applications and make recommendations to the state board for awarding grants. Requires the state board, subject to available appropriations, to award grants, and creates the parent involvement grant program fund (fund) for payment of grants. Allows appropriation of state education moneys to the fund. Requires recipient schools to report the success of grant-funded programs, and directs the council to submit a summary report to the state board and the education committees of the general assembly. Repeals the council and the grant program following sunset review.

School district accountability committees and school advisory councils: Allows for an increase in the number of persons serving on a school district accountability committee (committee), but requires a specified percentage of parent representation. Directs each school district, to the extent practicable, to ensure that the parents serving on the committee reflect the student groups significantly represented within the population of students enrolled in the school district.

Changes the name of school advisory councils to school accountability committees (accountability committee). Allows for an increase in the number of persons serving on an accountability committee, but requires a specific percentage of parent representation. Directs the principal of each school, to the extent practicable, to ensure that the parents serving on the accountability committee reflect the student groups significantly represented within the population of students enrolled in the school. Specifies that each district and state charter school shall have an accountability committee and that the school's governing board cannot substitute for an accountability committee. Prohibits waiver of the accountability committee requirement for charter schools, and makes failure to institute an accountability committee grounds for revocation of a charter.

Addition of parent members to selected committees. Requires at least one parent to be appointed to each of the following boards: The school leadership academy board, district and institute charter school governing boards, each of the regional service area councils, the state charter school institute board, the board of trustees for the Colorado school for the deaf and the blind, and the advisory committee to the Colorado commission on higher education.

Makes conforming amendments.

1 PROFESSIONALS AT THEIR SCHOOLS COLLABORATE TO BRIDGE THE GAP
2 BETWEEN THE CULTURE AT HOME AND THAT AT THE SCHOOL; AND

3 (e) SECONDARY STUDENTS WHOSE PARENTS ARE INVOLVED WITH
4 THEIR SCHOOLS MAKE BETTER TRANSITIONS INTO POSTSECONDARY
5 EDUCATION, MAINTAIN THE QUALITY OF THEIR ACADEMIC WORK, AND ARE
6 MORE LIKE TO DEVELOP REALISTIC PLANS FOR THEIR FUTURES.

7 (2) THE GENERAL ASSEMBLY THEREFORE FINDS THAT IT IS IN THE
8 BEST INTERESTS OF THE STATE TO CREATE A STATE ADVISORY COUNCIL
9 FOR PARENT INVOLVEMENT IN EDUCATION THAT WILL REVIEW BEST
10 PRACTICES AND RECOMMEND TO POLICY MAKERS AND EDUCATORS
11 STRATEGIES TO INCREASE PARENT INVOLVEMENT IN PUBLIC EDUCATION,
12 THEREBY HELPING TO IMPROVE THE QUALITY OF PUBLIC EDUCATION AND
13 RAISE THE LEVEL OF STUDENTS' ACADEMIC ACHIEVEMENT THROUGHOUT
14 THE STATE.

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16 **22-7-302. Definitions.** AS USED IN THIS PART 3, UNLESS THE
17 CONTEXT OTHERWISE REQUIRES:

18 (1) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED
19 BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS
20 TITLE OR A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER
21 SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE.

22 (2) "CLOSE THE ACHIEVEMENT AND GROWTH GAP" MEANS TO
23 LESSEN THE VARIANCE IN ACADEMIC ACHIEVEMENT AND GROWTH AMONG
24 STUDENT GROUPS, AS REFLECTED IN STATEWIDE ASSESSMENT SCORES OR
25 PERFORMANCE ON POSTSECONDARY AND WORKFORCE READINESS
26 ASSESSMENTS AND IN CALCULATIONS OF STUDENTS' LONGITUDINAL
27 ACADEMIC GROWTH, BY IMPROVING THE ACADEMIC ACHIEVEMENT AND

1 GROWTH OF STUDENTS IN THOSE GROUPS THAT ARE UNDERPERFORMING.

2 (3) "COUNCIL" MEANS THE COLORADO STATE ADVISORY COUNCIL
3 FOR PARENT INVOLVEMENT IN EDUCATION CREATED IN SECTION 22-7-303.

4 (4) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
5 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

6

7 (5) "NATIONAL STANDARDS FOR FAMILY-SCHOOL PARTNERSHIPS"
8 MEANS THE FOLLOWING RESEARCH-BASED STANDARDS FOR
9 FAMILY-SCHOOL PARTNERSHIPS RECOGNIZED NATIONALLY BY PARENT
10 TEACHER ASSOCIATIONS:

11 (a) FAMILIES ARE ACTIVE PARTICIPANTS IN THE LIFE OF THE
12 SCHOOL AND FEEL WELCOMED, VALUED, AND CONNECTED TO EACH OTHER,
13 TO SCHOOL STAFF, AND TO WHAT STUDENTS ARE LEARNING AND DOING IN
14 THE CLASSROOM;

15 (b) FAMILIES AND SCHOOL STAFF ENGAGE IN REGULAR,
16 MEANINGFUL COMMUNICATION ABOUT STUDENT LEARNING;

17 (c) FAMILIES AND SCHOOL STAFF CONTINUOUSLY COLLABORATE
18 TO SUPPORT STUDENTS' LEARNING AND HEALTHY DEVELOPMENT BOTH AT
19 HOME AND AT SCHOOL AND HAVE REGULAR OPPORTUNITIES TO
20 STRENGTHEN THEIR KNOWLEDGE AND SKILLS TO PROVIDE SAID SUPPORT
21 EFFECTIVELY;

22 (d) FAMILIES ARE EMPOWERED TO BE ADVOCATES FOR THEIR OWN
23 AND OTHER CHILDREN TO ENSURE THAT STUDENTS ARE TREATED FAIRLY
24 AND HAVE ACCESS TO LEARNING OPPORTUNITIES THAT WILL SUPPORT
25 THEIR SUCCESS;

26 (e) FAMILIES AND SCHOOL STAFF ARE EQUAL PARTNERS IN
27 DECISIONS THAT AFFECT CHILDREN AND FAMILIES AND TOGETHER INFORM,

1 INFLUENCE, AND CREATE POLICIES, PRACTICES, AND PROGRAMS; AND

2 (f) FAMILIES AND SCHOOL STAFF COLLABORATE WITH COMMUNITY
3 MEMBERS TO CONNECT STUDENTS, FAMILIES, AND STAFF TO EXPANDED
4 LEARNING OPPORTUNITIES, COMMUNITY SERVICES, AND CIVIC
5 PARTICIPATION.

6 (6) "PARENT" MEANS A CHILD'S BIOLOGICAL PARENT, ADOPTIVE
7 PARENT, OR LEGAL GUARDIAN OR ANOTHER ADULT PERSON RECOGNIZED
8 BY THE CHILD'S SCHOOL AS THE CHILD'S PRIMARY CAREGIVER.

9 (7) "PARENT EDUCATION PROGRAM" MEANS A PROGRAM TO TEACH
10 PARENTS STRATEGIES AND SKILLS FOR WORKING WITH THEIR CHILDREN
11 AND THE STAFF OF THE SCHOOLS AND INSTITUTIONS OF HIGHER EDUCATION
12 IN WHICH THEIR CHILDREN ARE ENROLLED.

13 (8) "PARENT INVOLVEMENT GRANT PROGRAM" MEANS THE PARENT
14 INVOLVEMENT IN EDUCATION GRANT PROGRAM CREATED IN SECTION
15 22-7-305.

16 (9) "SCHOOL-BASED PARENT INFORMATION RESOURCE CENTER"
17 MEANS A CENTER THAT PROVIDES TO PARENTS INFORMATION ON
18 EDUCATION OPPORTUNITIES FOR THEIR CHILDREN, TRAINING FOR PARENTS
19 AND FAMILIES ON EDUCATION ISSUES, AND OTHER SUPPORT SERVICES THAT
20 MAY BE AVAILABLE TO PARENTS, SUCH AS MENTAL HEALTH SERVICES,
21 SOCIAL SERVICES, AND HOUSING REFERRALS.

22 (10) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
23 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
24 STATE CONSTITUTION.

25 **22-7-303. Colorado state advisory council for parent**
26 **involvement in education - created - membership.** (1) THERE IS
27 HEREBY CREATED WITHIN THE DEPARTMENT OF EDUCATION THE

1 COLORADO STATE ADVISORY COUNCIL FOR PARENT INVOLVEMENT IN
2 EDUCATION. THE COUNCIL SHALL CONSIST OF MEMBERS APPOINTED AS
3 PROVIDED IN THIS SECTION AND SHALL HAVE THE POWERS AND DUTIES
4 SPECIFIED IN THIS PART 3. THE COUNCIL SHALL EXERCISE ITS POWERS AND
5 PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT, THE
6 COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION AS
7 IF THE SAME WERE TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2**
8 TRANSFER AS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF
9 1968", ARTICLE 1 OF TITLE 24, C.R.S.

10 (2) THE COUNCIL SHALL CONSIST OF THE FOLLOWING MEMBERS:

11 (a) THE FOLLOWING MEMBERS APPOINTED BY THE STATE BOARD:

12 (I) FIVE PERSONS WHO ARE PARENTS OF CHILDREN ENROLLED IN A
13 PUBLICLY FUNDED PRESCHOOL PROGRAM, IN ANY OF GRADES ONE
14 THROUGH TWELVE, OR IN A STATE-SUPPORTED INSTITUTION OF HIGHER
15 EDUCATION;

16 (II) A REPRESENTATIVE FROM EACH OF THE PARENT INFORMATION
17 AND RESOURCE CENTERS IN THE STATE THAT ARE RECOGNIZED BY AND
18 RECEIVING FUNDING FROM THE OFFICE OF INNOVATION AND IMPROVEMENT
19 IN THE FEDERAL DEPARTMENT OF EDUCATION;

20 (III) A REPRESENTATIVE FROM EACH OF THE PARENT TRAINING
21 AND INFORMATION CENTERS IN THE STATE THAT ARE RECOGNIZED BY AND
22 RECEIVING FUNDING FROM THE OFFICE OF SPECIAL EDUCATION AND
23 REHABILITATIVE SERVICES IN THE FEDERAL DEPARTMENT OF EDUCATION;

24 (IV) A REPRESENTATIVE FROM EACH OF TWO NONPROFIT
25 ORGANIZATIONS THAT PARTNER WITH FUNDING PROVIDERS, STATE
26 AGENCIES, AND SERVICE PROVIDERS TO ASSIST ORGANIZATIONS IN
27 PROVIDING SERVICES TO IMPROVE THE HEALTH AND WELL-BEING OF

- 1 FAMILIES AND CHILDREN;
- 2 (V) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF
3 PARENTS AND TEACHERS;
- 4 (VI) A REPRESENTATIVE OF AN ORGANIZATION THAT REPRESENTS
5 PARENTS AND STUDENTS WHO ADVOCATE IN THE AREAS OF EQUALITY AND
6 JUSTICE IN EDUCATION, RACIAL JUSTICE FOR YOUTH, AND IMMIGRANT
7 RIGHTS;
- 8 (VII) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
9 REPRESENTS SCHOOL EXECUTIVES;
- 10 (VIII) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
11 REPRESENTS MEMBERS OF SCHOOL DISTRICT BOARDS OF EDUCATION;
- 12 (IX) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
13 REPRESENTS TEACHERS;
- 14 (X) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
15 REPRESENTS CHARTER SCHOOLS;
- 16 (XI) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
17 REPRESENTS CAREER AND COLLEGE GUIDANCE COUNSELORS;
- 18 (XII) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
19 REPRESENTS CAREER AND TECHNICAL EDUCATION TEACHERS; AND
- 20 (XIII) A PERSON WITH EXPERTISE IN EARLY CHILDHOOD CARE AND
21 EDUCATION; AND
- 22 (b) ONE OR MORE REPRESENTATIVES FROM THE DEPARTMENT OF
23 EDUCATION, APPOINTED BY THE COMMISSIONER OF EDUCATION, WITH
24 EXPERTISE IN THE FOLLOWING AREAS:
- 25 (I) STRATEGIES TO CLOSE THE ACHIEVEMENT AND GROWTH GAP;
- 26 (II) THE PROGRAM FOR THE EDUCATION OF MIGRANT CHILDREN
27 DESCRIBED IN ARTICLE 23 OF THIS TITLE;

1 (III) THE ENGLISH LANGUAGE PROFICIENCY PROGRAM DESCRIBED
2 IN ARTICLE 24 OF THIS TITLE;

3 (IV) FEDERAL TITLE I PROGRAMS;

4 (V) THE EDUCATION OF EXCEPTIONAL CHILDREN, AS DEFINED IN
5 SECTION 22-20-103 (12); AND

6 (VI) THE FAMILY LITERACY EDUCATION GRANT PROGRAM
7 CREATED IN SECTION 22-2-124;

8 (c) TWO PERSONS APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
9 DEPARTMENT OF HIGHER EDUCATION AS FOLLOWS:

10 (I) ONE PERSON WITH EXPERTISE IN IMPLEMENTING AN APPROVED
11 TEACHER PREPARATION PROGRAM, AS DEFINED IN SECTION 23-1-121 (1)
12 (a), C.R.S., AT AN INSTITUTION OF HIGHER EDUCATION IN THIS STATE; AND

13 (II) ONE PERSON WITH EXPERTISE IN THE
14 SECONDARY-TO-HIGHER-EDUCATION TRANSITION PROGRAMS OPERATED
15 WITHIN THE STATE; AND

16 (d) A REPRESENTATIVE OF THE DEPARTMENT OF HUMAN SERVICES
17 APPOINTED BY THE EXECUTIVE DIRECTOR OF SAID DEPARTMENT.

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19 (3) (a) A PERSON MAY NOT BE APPOINTED TO FILL MORE THAN ONE
20 OF THE MEMBER POSITIONS REQUIRED IN SUBSECTION (2) OF THIS SECTION
21 IN A SINGLE TERM. EACH APPOINTING AUTHORITY SHALL MAKE ITS INITIAL
22 APPOINTMENTS ON OR BEFORE OCTOBER 1, 2009. EACH MEMBER OF THE
23 COUNCIL SHALL SERVE AT THE PLEASURE OF THE MEMBER'S APPOINTING
24 AUTHORITY. THE APPROPRIATE APPOINTING AUTHORITY SHALL FILL ANY
25 VACANCIES ARISING DURING A MEMBER'S TERM ON THE COUNCIL.

26 (b) THE STATE BOARD, IN APPOINTING MEMBERS TO THE COUNCIL,
27 SHALL, TO THE EXTENT PRACTICABLE, SELECT PERSONS WHO WILL REFLECT

1 THE GENDER BALANCE AND ETHNIC AND RACIAL DIVERSITY OF THE STATE
2 AND WILL PROVIDE REPRESENTATION FROM THROUGHOUT THE STATE.

3 (4) THE COUNCIL MEMBERS APPOINTED PURSUANT TO PARAGRAPH
4 (a) OF SUBSECTION (2) OF THIS SECTION SHALL SERVE THREE-YEAR TERMS;
5 EXCEPT THAT, OF THE PERSONS INITIALLY APPOINTED, THE STATE BOARD
6 SHALL SELECT FOUR WHO SHALL SERVE INITIAL TERMS OF ONE YEAR AND
7 FOUR WHO SHALL SERVE INITIAL TERMS OF TWO YEARS.

8 (5) THE STATE BOARD SHALL CALL THE FIRST MEETING OF THE
9 COUNCIL TO BE HELD NO LATER THAN NOVEMBER 15, 2009. AT ITS FIRST
10 MEETING, AND ANNUALLY THEREAFTER, THE COUNCIL SHALL SELECT FROM
11 AMONG ITS MEMBERS A PERSON TO SERVE AS CHAIR OF THE COUNCIL. THE
12 COUNCIL SHALL MEET UPON CALL OF THE CHAIR AS OFTEN AS NECESSARY
13 TO ACCOMPLISH ITS DUTIES AS SPECIFIED IN THIS PART 3.

14 (6) THE COUNCIL MEMBERS SHALL SERVE WITHOUT
15 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES. ==

16 **22-7-304. Council - advisory duties.** (1) THE COUNCIL SHALL
17 INFORM, AT A MINIMUM, THE EARLY CHILDHOOD COUNCILS AND THE
18 EARLY CHILDHOOD CARE AND EDUCATION COUNCILS CREATED PURSUANT
19 TO ARTICLE 6.5 OF TITLE 26, C.R.S., PUBLIC SCHOOLS, SCHOOL DISTRICTS,
20 THE STATE CHARTER SCHOOL INSTITUTE, THE DEPARTMENT, THE STATE
21 BOARD, THE DEPARTMENT OF HIGHER EDUCATION, THE COLORADO
22 COMMISSION ON HIGHER EDUCATION, AND THE GOVERNING BOARDS FOR
23 THE STATE INSTITUTIONS OF HIGHER EDUCATION CONCERNING BEST
24 PRACTICES AND STRATEGIES, ALIGNED WITH THE NATIONAL STANDARDS
25 FOR FAMILY-SCHOOL PARTNERSHIPS, FOR INCREASING PARENT
26 INVOLVEMENT IN PUBLIC EDUCATION AND PROMOTING FAMILY AND
27 SCHOOL PARTNERSHIPS, INCLUDING BUT NOT LIMITED TO BEST PRACTICES

1 AND STRATEGIES IN THE FOLLOWING AREAS:

2 (a) CREATING AND IMPLEMENTING PROGRAMS TO EFFECTIVELY
3 INVOLVE PARENTS IN IMPROVING THEIR CHILDREN'S EDUCATION AND
4 LEVELS OF ACADEMIC ACHIEVEMENT. TO IDENTIFY THESE BEST PRACTICES
5 AND STRATEGIES, THE COUNCIL SHALL REVIEW THE PROGRAMS
6 IMPLEMENTED IN OTHER STATES AND THE RESULTS OF STATE AND
7 NATIONAL RESEARCH CONDUCTED IN THIS AREA.

8 (b) INVOLVING PARENTS IN PROGRAMS TO RAISE ACADEMIC
9 ACHIEVEMENT, INCREASE HIGH SCHOOL GRADUATION RATES, DECREASE
10 STUDENT DROPOUT RATES, AND CLOSE THE ACHIEVEMENT AND GROWTH
11 GAP;

12 (c) INVOLVING PARENTS IN RESPONSE TO INTERVENTION
13 PROGRAMS IN PUBLIC SCHOOLS AND SCHOOL DISTRICTS;

14 (d) INVOLVING PARENTS IN PROGRAMS TO RAISE ACADEMIC
15 ACHIEVEMENT, IMPROVE THE PERSISTENCE RATE, AND IMPROVE THE
16 ON-TIME GRADUATION RATE OF STUDENTS ENROLLED IN INSTITUTIONS OF
17 HIGHER EDUCATION;

18 (e) INCREASING PARENT INVOLVEMENT IN EDUCATION-RELATED
19 COMMITTEES AT THE LOCAL AND STATE LEVELS;

20 (f) DESIGNING AND IMPLEMENTING PARENT EDUCATION PROGRAMS
21 AND CENTERS AND PARENT LEADERSHIP TRAINING PROGRAMS;

22 (g) CREATING AND IMPLEMENTING FAMILY-TO-SCHOOL LIAISON
23 POSITIONS; AND

24 (h) ESTABLISHING AND IMPLEMENTING SCHOOL-BASED PARENT
25 INFORMATION RESOURCE CENTERS.

26 (2) THE COUNCIL SHALL RECOMMEND TO THE STATE BOARD AND
27 TO THE COLORADO COMMISSION ON HIGHER EDUCATION PLANS FOR

1 STATEWIDE PARENT INVOLVEMENT INITIATIVES, WHICH MAY INCLUDE, BUT
2 NEED NOT BE LIMITED TO:

3 (a) REQUIRING EACH SCHOOL DISTRICT AND THE STATE CHARTER
4 SCHOOL INSTITUTE, AS PART OF THE ACCREDITATION PROCESS, TO
5 INCREASE THE LEVEL OF PARENT INVOLVEMENT IN EDUCATION; AND

6 (b) INITIATIVES TO INCREASE ADMISSIONS TO INSTITUTIONS OF
7 HIGHER EDUCATION AND THE DEGREE-COMPLETION RATE AND TO REDUCE
8 THE NEED FOR REMEDIATION.

9 **22-7-305. Parent involvement in education grant program -**
10 **creation - rules - fund - reports.** (1) (a) THERE IS HEREBY CREATED IN
11 THE DEPARTMENT THE PARENT INVOLVEMENT IN EDUCATION GRANT
12 PROGRAM TO PROVIDE MONEYS TO ASSIST PUBLIC SCHOOLS IN CREATING
13 AND IMPLEMENTING PROGRAMS TO SUPPORT GREATER PARENT
14 INVOLVEMENT IN THE SCHOOLS. THE COUNCIL SHALL ASSIST THE
15 DEPARTMENT IN IMPLEMENTING THE PARENT INVOLVEMENT GRANT
16 PROGRAM AS PROVIDED IN THIS SECTION AND SHALL PROVIDE ADVICE TO
17 RECIPIENT SCHOOLS TO ASSIST THEM IN CREATING AND IMPLEMENTING
18 PROGRAMS TO ENSURE THAT THE PROGRAMS REFLECT THE BEST PRACTICES
19 IDENTIFIED BY THE COUNCIL PURSUANT TO SECTION 22-7-304.

20 (b) THE SCHOOL DISTRICT OF A PUBLIC SCHOOL, OR A BOARD OF
21 COOPERATIVE SERVICES OR REGIONAL SERVICE COUNCIL THAT OPERATES
22 A PUBLIC SCHOOL, THAT SEEKS A GRANT THROUGH THE PARENT
23 INVOLVEMENT GRANT PROGRAM SHALL APPLY ON BEHALF OF THE PUBLIC
24 SCHOOL; EXCEPT THAT, IF THE PUBLIC SCHOOL IS A CHARTER SCHOOL, THE
25 PUBLIC SCHOOL MAY APPLY ON ITS OWN BEHALF. TO BE ELIGIBLE TO
26 RECEIVE A GRANT, A PUBLIC SCHOOL SHALL MEET ONE OR MORE OF THE
27 FOLLOWING CRITERIA:

1 (I) A SIGNIFICANT PERCENTAGE, AS DEFINED BY RULE OF THE
2 STATE BOARD, OF THE STUDENTS ENROLLED IN THE PUBLIC SCHOOL FOR
3 THE THREE ACADEMIC YEARS IMMEDIATELY PRECEDING APPLICATION
4 WERE:

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

8 (B) STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH, AS
9 DEFINED IN SECTION 22-24-103 (4);

10 (II) THE DROPOUT RATE FOR THE PUBLIC SCHOOL FOR EACH OF THE
11 THREE ACADEMIC YEARS IMMEDIATELY PRECEDING APPLICATION
12 EXCEEDED THE STATE AVERAGE DROPOUT RATE FOR EACH RESPECTIVE
13 YEAR BY A PERCENTAGE ESTABLISHED BY RULE OF THE STATE BOARD;

14 (III) FOR EACH OF THE THREE ACADEMIC YEARS IMMEDIATELY
15 PRECEDING APPLICATION, THE STATEWIDE ASSESSMENT SCORES OF
16 STUDENTS ENROLLED IN THE PUBLIC SCHOOL DEMONSTRATED THAT:

17 (A) A SIGNIFICANT ACHIEVEMENT OR GROWTH GAP, AS DEFINED BY
18 RULE OF THE STATE BOARD, EXISTED AMONG IDENTIFIED GROUPS OF
19 STUDENTS; OR

20 (B) THE SCHOOL WAS AN ACADEMICALLY UNDERPERFORMING
21 SCHOOL, AS DEFINED BY RULE OF THE STATE BOARD.

22 (c) THE PROGRAMS THAT A RECIPIENT SCHOOL MAY FUND WITH
23 GRANT MONEYS RECEIVED THROUGH THE PARENT INVOLVEMENT GRANT
24 PROGRAM SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, PROGRAMS TO
25 ESTABLISH:

26 (I) FAMILY-TO-SCHOOL LIAISON POSITIONS;

27 (II) PARENT LEADERSHIP TRAINING OPPORTUNITIES;

1 (III) CENTERS TO PROVIDE PARENT EDUCATION PROGRAMS; AND
2 (IV) SCHOOL-BASED PARENT INFORMATION RESOURCE CENTERS.

3 (2) THE STATE BOARD SHALL PROMULGATE RULES PURSUANT TO
4 THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
5 C.R.S., AS NECESSARY FOR IMPLEMENTATION OF THE PARENT
6 INVOLVEMENT GRANT PROGRAM, INCLUDING BUT NOT LIMITED TO:

7 (a) RULES AS SPECIFIED IN PARAGRAPH (b) OF SUBSECTION (1) OF
8 THIS SECTION AND SUBSECTION (5) OF THIS SECTION;

9 (b) RULES ESTABLISHING THE TIME FRAMES FOR SUBMISSION AND
10 REVIEW OF APPLICATIONS AND SELECTION OF RECIPIENT SCHOOLS;

11 (c) RULES SPECIFYING THE INFORMATION TO BE INCLUDED IN
12 GRANT APPLICATIONS; AND

13 (d) RULES IDENTIFYING ANY CRITERIA FOR SELECTION OF
14 RECIPIENT SCHOOLS IN ADDITION TO THE CRITERIA SPECIFIED IN
15 PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION.

16 (3) THE COUNCIL SHALL REVIEW THE GRANT APPLICATIONS
17 RECEIVED PURSUANT TO THIS SECTION AND SHALL RECOMMEND RECIPIENT
18 SCHOOLS AND THE GRANT AMOUNTS TO THE STATE BOARD. SUBJECT TO
19 AVAILABLE APPROPRIATIONS, THE STATE BOARD SHALL ANNUALLY AWARD
20 GRANTS THROUGH THE PARENT INVOLVEMENT GRANT PROGRAM, WHICH
21 GRANTS SHALL BE PAID FROM THE PARENT INVOLVEMENT GRANT
22 PROGRAM FUND CREATED IN SUBSECTION (4) OF THIS SECTION.

23 (4) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
24 PARENT INVOLVEMENT GRANT PROGRAM FUND, REFERRED TO IN THIS
25 SUBSECTION (4) AS THE "FUND", THAT SHALL CONSIST OF SUCH MONEYS AS
26 MAY BE CREDITED TO THE FUND PURSUANT TO PARAGRAPH (b) OF THIS
27 SUBSECTION (4). THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL

1 APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND
2 INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE PARENT
3 INVOLVEMENT GRANT PROGRAM. ANY MONEYS IN THE FUND NOT
4 EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE
5 STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME
6 DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND
7 SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND
8 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
9 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
10 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND; EXCEPT THAT
11 ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND
12 AS OF JUNE 30, 2019, SHALL BE TRANSFERRED TO THE GENERAL FUND.

13 (b) THE COUNCIL SHALL SEEK AND MAY ACCEPT GIFTS, GRANTS,
14 AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
15 THE PARENT INVOLVEMENT GRANT PROGRAM; EXCEPT THAT THE COUNCIL
16 SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION IF IT IS SUBJECT TO
17 CONDITIONS THAT ARE INCONSISTENT WITH THIS PART 3 OR ANY OTHER
18 LAW OF THE STATE. THE COUNCIL SHALL TRANSMIT ALL PRIVATE AND
19 PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO
20 THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND.

21 (c) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
22 CONTRARY, THE STATE BOARD AND THE DEPARTMENT SHALL NOT
23 IMPLEMENT THE PARENT INVOLVEMENT GRANT PROGRAM UNTIL SUCH
24 TIME AS THERE IS AT LEAST TWENTY THOUSAND DOLLARS CREDITED ___
25 ___ TO THE FUND.

26 (d) IN ANY FISCAL YEAR IN WHICH THERE IS AT LEAST TWENTY
27 THOUSAND DOLLARS CREDITED ___ ___ TO THE FUND, THE DEPARTMENT MAY

1 USE UP TO ONE PERCENT OF THE MONEYS CREDITED TO THE FUND
2 TO OFFSET THE COSTS INCURRED IN IMPLEMENTING THE PARENT
3 INVOLVEMENT GRANT PROGRAM, AND THE DEPARTMENT MAY USE UP TO
4 AN ADDITIONAL ONE PERCENT OF THE MONEYS CREDITED TO THE FUND
5 TO OFFSET THE COSTS OF PROVIDING MEETING SPACE, EQUIPMENT, AND
6 STAFF SERVICES TO THE COUNCIL PURSUANT TO SECTION 22-7-303 (6).

7 (5) (a) BEGINNING IN THE BUDGET YEAR FOLLOWING THE FIRST
8 BUDGET YEAR IN WHICH THE STATE BOARD AWARDS GRANTS PURSUANT TO
9 THIS SECTION, EACH RECIPIENT SCHOOL SHALL ANNUALLY SUBMIT TO THE
10 COUNCIL AND THE DEPARTMENT, IN ACCORDANCE WITH TIMELINES
11 SPECIFIED BY RULE OF THE STATE BOARD, A REPORT SUMMARIZING THE
12 AMOUNT OF MONEYS RECEIVED IN THE PRECEDING FISCAL YEAR FROM THE
13 PARENT INVOLVEMENT GRANT PROGRAM, THE MANNER IN WHICH THE
14 MONEYS WERE USED, AND THE RESULTS ACHIEVED THROUGH THE USE OF
15 THE MONEYS. THE REPORT SHALL INCLUDE SUCH ADDITIONAL
16 INFORMATION AS MAY BE REQUIRED BY RULE OF THE STATE BOARD.

17 (b) ON OR BEFORE MARCH 15 OF THE FIRST YEAR IN WHICH THE
18 COUNCIL RECEIVES REPORTS PURSUANT TO PARAGRAPH (a) OF THIS
19 SUBSECTION (5), AND ON OR BEFORE MARCH 15 EACH YEAR THEREAFTER,
20 THE COUNCIL SHALL SUMMARIZE THE REPORTS RECEIVED PURSUANT TO
21 PARAGRAPH (a) OF THIS SUBSECTION (5) AND SUBMIT THE SUMMARY, WITH
22 ANY ADDITIONAL PERTINENT INFORMATION, TO THE STATE BOARD AND
23 THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND
24 THE SENATE, OR ANY SUCCESSOR COMMITTEES.

25 **22-7-306. Repeal of part.** (1) THIS PART 3 IS REPEALED,
26 EFFECTIVE JULY 1, 2019.

27 (2) PRIOR TO SAID REPEAL, THE COUNCIL SHALL BE REVIEWED AS

1 PROVIDED IN SECTION 2-3-1203, C.R.S.

2 **SECTION 2.** 22-7-104 (1), (1.5), and (4), Colorado Revised
3 Statutes, are amended, and the said 22-7-104 is further amended BY THE
4 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

5 **22-7-104. School district accountability committees.** (1) The
6 board of education of each school district in the state shall adopt a plan
7 for a local accountability program designed to measure the adequacy and
8 efficiency of educational programs offered by the district. ~~Except as~~
9 ~~provided in subsection (4) of this section, the board shall appoint or create~~
10 ~~a process for the election of a~~ THE school district accountability
11 committee ~~that~~ APPOINTED OR ELECTED AS PROVIDED IN SUBSECTION (1.3)
12 OF THIS SECTION shall make recommendations to the board relative to the
13 program of accountability, but it shall be the responsibility of the board
14 to implement the provisions of this section. The areas of study by the
15 district accountability committee and other appropriate accountability
16 committees shall be cooperatively determined at least annually by the
17 committee and the board of education. ~~The school district accountability~~
18 ~~committee shall consist of at least three parents of students enrolled in a~~
19 ~~public school in the school district who are not employees or related to~~
20 ~~employees of the district, one teacher, one school administrator, and one~~
21 ~~person from the community who is involved in business.~~

22 (1.3) (a) EACH SCHOOL DISTRICT BOARD OF EDUCATION SHALL
23 APPOINT, OR CREATE A PROCESS FOR ELECTION OF, A SCHOOL DISTRICT
24 ACCOUNTABILITY COMMITTEE. EACH SCHOOL DISTRICT ACCOUNTABILITY
25 COMMITTEE SHALL CONSIST OF AT LEAST THE FOLLOWING PERSONS:

26 (I) AT LEAST ONE PERSON WHO IS A TEACHER EMPLOYED BY THE
27 SCHOOL DISTRICT;

1 (II) AT LEAST ONE PERSON WHO IS AN ADMINISTRATOR EMPLOYED
2 BY THE SCHOOL DISTRICT;

3 (III) AT LEAST ONE PERSON WHO IS INVOLVED IN BUSINESS IN THE
4 COMMUNITY WITHIN THE SCHOOL DISTRICT BOUNDARIES; AND

5 (IV) AT LEAST THREE PERSONS WHO ARE PARENTS OF STUDENTS
6 ENROLLED IN PUBLIC SCHOOLS OF THE SCHOOL DISTRICT.

7 (b) A PERSON MAY NOT BE APPOINTED OR ELECTED TO FILL MORE
8 THAN ONE OF THE MEMBER POSITIONS REQUIRED IN PARAGRAPH (a) OF
9 THIS SUBSECTION (1.3) IN A SINGLE TERM.

10 (c) IF A SCHOOL DISTRICT BOARD OF EDUCATION CHOOSES TO
11 INCREASE THE NUMBER OF PERSONS ON THE SCHOOL DISTRICT
12 ACCOUNTABILITY COMMITTEE, IT SHALL ENSURE THAT THE NUMBER OF
13 PARENTS APPOINTED OR ELECTED TO THE COMMITTEE ___ PURSUANT TO
14 SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF THIS SUBSECTION (1.3)
15 EXCEEDS THE NUMBER OF REPRESENTATIVES FROM THE GROUP WITH THE
16 NEXT HIGHEST REPRESENTATION.

17 (d) IF A SCHOOL DISTRICT BOARD OF EDUCATION APPOINTS THE
18 MEMBERS OF A SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE, THE
19 SCHOOL DISTRICT BOARD OF EDUCATION, TO THE EXTENT PRACTICABLE,
20 SHALL ENSURE THAT THE PARENTS WHO ARE APPOINTED REFLECT THE
21 STUDENT POPULATIONS THAT ARE SIGNIFICANTLY REPRESENTED WITHIN
22 THE SCHOOL DISTRICT. SAID STUDENT POPULATIONS MAY INCLUDE, BUT
23 NEED NOT BE LIMITED TO:

24 (I) STUDENTS WHO ARE MEMBERS OF NON-CAUCASIAN RACES;

25 (II) STUDENTS WHO ARE ELIGIBLE FOR FREE OR REDUCED-COST
26 LUNCH THROUGH THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42
27 U.S.C. SEC. 1751 ET SEQ.;

1 (III) STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH, AS
2 DEFINED IN SECTION 22-24-103 (4);

3 (IV) STUDENTS WHO ARE MIGRANT CHILDREN, AS DEFINED IN
4 SECTION 22-23-103 (2);

5 (V) STUDENTS WHO ARE IDENTIFIED AS CHILDREN WITH
6 DISABILITIES PURSUANT TO SECTION 22-20-108; AND

7 (VI) STUDENTS WHO ARE IDENTIFIED AS GIFTED AS DEFINED IN
8 SECTION 22-20-103 (13).

9 (1.5) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
10 THIS SUBSECTION (1.5), A PARENT SHALL NOT BE ELIGIBLE TO SERVE ON A
11 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE IF HE OR SHE IS EMPLOYED
12 BY, OR IS A RELATIVE OF A PERSON WHO IS EMPLOYED BY, THE SCHOOL
13 DISTRICT, INCLUDING BEING EMPLOYED AT A PUBLIC SCHOOL OF THE
14 SCHOOL DISTRICT.

15 (b) IF A SCHOOL DISTRICT MAKES A GOOD FAITH EFFORT BUT IS
16 UNABLE TO IDENTIFY A SUFFICIENT NUMBER OF PARENTS WHO ARE
17 WILLING TO SERVE ON A SCHOOL ACCOUNTABILITY COMMITTEE AND WHO
18 ARE NOT EXCLUDED FROM SERVING AS PROVIDED IN PARAGRAPH (a) OF
19 THIS SUBSECTION (1.5), ONE OR MORE PARENTS WHO ARE EMPLOYED BY,
20 OR ARE RELATED TO A PERSON WHO IS EMPLOYED BY, THE SCHOOL
21 DISTRICT, INCLUDING BEING EMPLOYED AT A PUBLIC SCHOOL OF THE
22 SCHOOL DISTRICT, MAY SERVE ON THE SCHOOL ACCOUNTABILITY
23 COMMITTEE.

24 (c) As used in this ~~section~~ SUBSECTION (1.5), unless the context
25 otherwise requires, "related" or "relative" means a person's spouse, son,
26 daughter, sister, ~~or~~ brother, MOTHER, OR FATHER.

27 (4) Any school district that demonstrates that, prior to January 1,

1 2000, the school district had in place a committee or council that
2 performed at least the duties specified for a school district accountability
3 committee in this section and section 22-7-105 is not required to appoint
4 or elect a school district accountability committee pursuant to subsection
5 (1) of this section. THE MEMBERS OF EACH SCHOOL DISTRICT
6 ACCOUNTABILITY COMMITTEE SHALL SELECT FROM AMONG THE PARENT
7 REPRESENTATIVES SERVING ON THE COMMITTEE A MEMBER TO SERVE AS
8 CHAIR OR CO-CHAIR OF THE COMMITTEE. THE SCHOOL DISTRICT BOARD OF
9 EDUCATION SHALL ESTABLISH THE LENGTH OF TERM FOR WHICH THE
10 COMMITTEE CHAIR OR CO-CHAIR SHALL SERVE.

11 **SECTION 3.** 22-7-106, Colorado Revised Statutes, is amended
12 to read:

13 **22-7-106. School accountability committees - creation -**
14 **qualifications - elections.** (1) (a) Except as provided in subsection (4)
15 of this section, There shall be a school advisory council ACCOUNTABILITY
16 COMMITTEE at each public school in each school district, INCLUDING BUT
17 NOT LIMITED TO EACH DISTRICT CHARTER SCHOOL, and at each institute
18 charter school created pursuant to part 5 of article 30.5 of this title. A
19 school advisory council ACCOUNTABILITY COMMITTEE shall consist of AT
20 LEAST seven members designated, appointed, or elected as follows:

21 (I) The principal of the school or the principal's designee;

22 (II) AT LEAST one teacher who provides instruction at the school;
23 elected by a vote of all licensed professionals who provide instruction at
24 the school or have an office in the school; ___

25 (III) AT LEAST three parents or legal guardians of students
26 enrolled in the school; who are elected by a vote of the parents and legal
27 guardians of students enrolled in the school;

1 (IV) AT LEAST one adult member ~~designated by~~ OF an
2 organization of parents, teachers, and students recognized by the school;
3 and

4 (V) ~~A~~ AT LEAST ONE person from the community, ~~who is involved~~
5 ~~in business and~~ who is appointed by the principal.

6 (a.3) THE SCHOOL DISTRICT BOARD OF EDUCATION OR THE STATE
7 CHARTER SCHOOL INSTITUTE SHALL DETERMINE THE ACTUAL NUMBER OF
8 PERSONS ON THE SCHOOL ACCOUNTABILITY COMMITTEE AND THE METHOD
9 FOR SELECTING THE MEMBERS OF THE SCHOOL ACCOUNTABILITY
10 COMMITTEE. IF THE BOARD OF EDUCATION OR THE INSTITUTE CHOOSES TO
11 INCREASE THE NUMBER OF PERSONS ON THE SCHOOL ACCOUNTABILITY
12 COMMITTEE, IT SHALL ENSURE THAT THE NUMBER OF PARENTS, AS
13 DESCRIBED IN SUBPARAGRAPH _____ (III) OF PARAGRAPH (a) OF THIS
14 SUBSECTION (1), ON THE COMMITTEE EXCEEDS THE NUMBER OF
15 REPRESENTATIVES FROM THE GROUP WITH THE NEXT HIGHEST
16 REPRESENTATION.

17 (a.5) A PERSON MAY NOT BE SELECTED TO FILL MORE THAN ONE OF
18 THE MEMBER POSITIONS REQUIRED IN PARAGRAPH (a) OF THIS SUBSECTION
19 (1) IN A SINGLE TERM.

20 (a.7) IF THE SCHOOL DISTRICT BOARD OF EDUCATION OR THE
21 INSTITUTE DETERMINES THAT THE MEMBERS OF A SCHOOL
22 ACCOUNTABILITY COMMITTEE SHOULD BE APPOINTED, THE APPOINTING
23 AUTHORITY SHALL, TO THE EXTENT PRACTICABLE, APPOINT PERSONS WHO
24 REFLECT THE STUDENT POPULATIONS THAT ARE SIGNIFICANTLY
25 REPRESENTED WITHIN THE SCHOOL. IF THE SCHOOL DISTRICT BOARD OF
26 EDUCATION OR THE INSTITUTE DETERMINES THAT PERSONS SHALL BE
27 ELECTED TO SERVE ON THE SCHOOL ACCOUNTABILITY COMMITTEE, THE

1 SCHOOL PRINCIPAL SHALL ENCOURAGE PERSONS WHO REFLECT THE
2 STUDENT POPULATIONS THAT ARE SIGNIFICANTLY REPRESENTED WITHIN
3 THE SCHOOL TO SEEK ELECTION TO THE COMMITTEE. SAID STUDENT
4 POPULATIONS MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

- 5 (I) STUDENTS WHO ARE MEMBERS OF NON-CAUCASIAN RACES;
- 6 (II) STUDENTS WHO ARE ELIGIBLE FOR FREE OR REDUCED-COST
7 LUNCH THROUGH THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42
8 U.S.C. SEC. 1751 ET SEQ.;
- 9 (III) STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH, AS
10 DEFINED IN SECTION 22-24-103 (4);
- 11 (IV) STUDENTS WHO ARE MIGRANT CHILDREN, AS DEFINED IN
12 SECTION 22-23-103 (2);
- 13 (V) STUDENTS WHO ARE IDENTIFIED AS CHILDREN WITH
14 DISABILITIES PURSUANT TO SECTION 22-20-108; AND
- 15 (VI) STUDENTS WHO ARE IDENTIFIED AS GIFTED AS DEFINED IN
16 SECTION 22-20-103 (13).

17 ~~(b) No more than three members of a school advisory council~~
18 ~~shall be employed by or relatives of an employee of the school district.~~
19 ~~If an election would result in more than three school district employees~~
20 ~~or persons related to school district employees serving on the council,~~
21 ~~only the number of candidates who receive the highest number of votes~~
22 ~~that will result in three school district employees or persons related to~~
23 ~~school district employees serving on the council shall become members~~
24 ~~of the council and other employees or persons related to employees shall~~
25 ~~be disqualified.~~

26 (b.5) ~~In the case of an institute charter school, no more than three~~
27 ~~members of a school advisory council shall be employed by or relatives~~

1 of an employee of the institute charter school. If an election would result
2 in more than three school employees or persons related to school
3 employees serving on the council, only the number of candidates who
4 receive the highest number of votes that will result in three school
5 employees or persons related to school employees serving on the council
6 shall become members of the council and other employees or persons
7 related to employees shall be disqualified.

8 (c) Any appointment or designation required by paragraph (a) of
9 this subsection (1) shall be made by September 1, 2001, and by
10 September 1 of every odd-numbered year thereafter. Any election
11 required by paragraph (a) of this subsection (1) shall be conducted on or
12 before October 31, 2001, October 31, 2003, and on or before October 31
13 of every year thereafter.

14 (2) Members of the council shall serve terms of two years; except
15 that, of the members first elected, the member elected pursuant to
16 subparagraph (H) of paragraph (a) of subsection (1) of this section and the
17 two members with the highest number of votes cast in the election
18 conducted pursuant to subparagraph (H) of paragraph (a) of subsection
19 (1) of this section shall serve terms of three years.

20 (3) Any vacancies that may arise on the council A SCHOOL
21 ACCOUNTABILITY COMMITTEE by reason of a member's resignation or
22 disqualification or for any other reason shall be filled by majority action
23 of the remaining members of the council COMMITTEE. Except for the
24 principal, no member of the council shall serve more than two
25 consecutive, full terms, plus any balance remaining on an unexpired term
26 if the initial appointment was to fill a vacancy. == ==

27 (3.5) THE MEMBERS OF EACH SCHOOL ACCOUNTABILITY

1 COMMITTEE SHALL ANNUALLY SELECT FROM AMONG THE PARENT
2 REPRESENTATIVES ELECTED TO THE COMMITTEE A MEMBER TO SERVE AS
3 CHAIR OR CO-CHAIR OF THE COMMITTEE.

4 (4) The school advisory council required by this section shall not
5 be required in any school or school district that demonstrates that prior to
6 January 1, 2000, the school or school district had in place a committee or
7 council that performed at least the duties specified for school advisory
8 councils in this section and section 22-7-107. NOTWITHSTANDING ANY
9 PROVISION OF THIS SECTION TO THE CONTRARY:

10 (a) IF, AFTER MAKING GOOD-FAITH EFFORTS, A PRINCIPAL OR AN
11 ORGANIZATION OF PARENTS, TEACHERS, AND STUDENTS IS UNABLE TO FIND
12 A SUFFICIENT NUMBER OF PERSONS WHO ARE WILLING TO SERVE ON THE
13 SCHOOL ACCOUNTABILITY COMMITTEE, THE PRINCIPAL, WITH ADVICE
14 FROM THE ORGANIZATION OF PARENTS, TEACHERS, AND STUDENTS, MAY
15 ESTABLISH AN ALTERNATIVE MEMBERSHIP PLAN FOR THE SCHOOL
16 ACCOUNTABILITY COMMITTEE, WHICH PLAN SHALL REFLECT THE
17 MEMBERSHIP SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS
18 SECTION AS MUCH AS PRACTICABLE;

19 (b) THE MEMBERS OF THE GOVERNING BOARD OF A DISTRICT
20 CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL MAY SERVE AS
21 MEMBERS OF THE SCHOOL ACCOUNTABILITY COMMITTEE;

22 (c) IN A SCHOOL DISTRICT WITH FIVE HUNDRED OR FEWER
23 ENROLLED STUDENTS, ONE MEMBER OF THE SCHOOL DISTRICT BOARD OF
24 EDUCATION MAY ALSO SERVE ON A SCHOOL ACCOUNTABILITY COMMITTEE
25 AND THE DISTRICT ACCOUNTABILITY COMMITTEE MAY SERVE AS A SCHOOL
26 ACCOUNTABILITY COMMITTEE.

27 (5) ~~As used in this section, unless the context otherwise requires,~~

1 ~~"related" or "relative" means a person's spouse, son, daughter, sister, or~~
2 ~~brother.~~

3 **SECTION 4.** The introductory portion to 22-5.5-105 (2) (a) and
4 22-5.5-105 (2) (a) (IV), Colorado Revised Statutes, are amended to read:

5 **22-5.5-105. Regional service areas - establishment - plan -**
6 **governance.** (2) (a) Each plan for a regional service area shall be
7 administered by a locally appointed regional service council, representing
8 the following entities within the regional service area and composed of
9 a minimum of five members; EXCEPT THAT A REGIONAL SERVICE COUNCIL
10 INITIALLY FORMED OR REORGANIZED ON OR AFTER THE EFFECTIVE DATE
11 OF SENATE BILL 09-090, ENACTED IN 2009, SHALL BE COMPOSED OF A
12 MINIMUM OF SIX MEMBERS as follows:

13 (IV) The regional service council, within ninety days after its
14 initial formation and each time the regional service council reorganizes
15 thereafter, shall appoint one council member representing business and
16 industry, ~~and~~ one council member representing each existing early
17 childhood council from within the regional service area, AND, FOR A
18 REGIONAL SERVICE COUNCIL INITIALLY FORMED OR REORGANIZED ON OR
19 AFTER THE EFFECTIVE DATE OF SENATE BILL 09-090, ENACTED IN 2009,
20 ONE COUNCIL MEMBER WHO IS A PARENT OF A STUDENT ENROLLED IN A
21 PUBLIC PRESCHOOL, ELEMENTARY, SECONDARY, OR POSTSECONDARY
22 INSTITUTION LOCATED WITHIN THE REGIONAL SERVICE AREA.

23 **SECTION 5.** 22-13-103 (1) (k), Colorado Revised Statutes, is
24 amended to read:

25 **22-13-103. School leadership academy board - created - duties**
26 **- reports - repeal.** (1) There is hereby created in the department the
27 school leadership academy board, which shall consist of fourteen

1 members appointed by the commissioner as follows:

2 (k) Four members who shall be appointed at the discretion of the
3 commissioner. FOR APPOINTMENTS MADE AFTER SEPTEMBER 1, 2008, AT
4 LEAST ONE OF THE MEMBERS APPOINTED PURSUANT TO THIS PARAGRAPH
5 (k) SHALL BE A PARENT OF A STUDENT ENROLLED IN A PUBLIC SCHOOL OF
6 THE STATE.

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9 **SECTION 6.** 22-30.5-505 (2) (a), Colorado Revised Statutes, is
10 amended to read:

11 **22-30.5-505. State charter school institute - institute board -**
12 **appointment - powers and duties - rules.** (2) (a) The institute board
13 shall consist of nine members, no more than five of whom are members
14 of the same political party. Seven of the members shall be appointed by
15 the governor, with the consent of the senate, and two of the members
16 shall be appointed by the commissioner. In making the appointments, the
17 governor and the commissioner shall ensure the institute board reflects
18 the geographic diversity of the state. IN MAKING APPOINTMENTS ON AND
19 AFTER THE EFFECTIVE DATE OF SENATE BILL 09-090, ENACTED IN 2009,
20 THE GOVERNOR AND THE COMMISSIONER SHALL ENSURE THAT AT LEAST
21 ONE MEMBER OF THE INSTITUTE BOARD IS A PARENT OF A STUDENT WHO
22 IS, OR WHO HAS BEEN, ENROLLED IN AN INSTITUTE CHARTER SCHOOL.
23 Members appointed to the institute board shall have experience in at least
24 one of the following areas:

25 (I) Experience as a charter school board member or founder of a
26 charter school;

27 (II) Experience as a public school administrator with experience

- 1 working with charter schools;
- 2 (III) Financial management expertise;
- 3 (IV) Detailed knowledge of charter school law;
- 4 (V) Other board or public service experience;
- 5 (VI) Experience as a public school teacher;
- 6 (VII) On-line education and on-line curriculum development
- 7 expertise;
- 8 (VIII) School district special education expertise; and
- 9 (IX) Curriculum and assessment expertise.

10 SECTION 7. 22-30.5-505 (2) (d), Colorado Revised Statutes, is
11 amended to read:

12 **22-30.5-505. State charter school institute - institute board -**
13 **appointment - powers and duties - rules.** (2) (d) For any board
14 member appointed on or after May 22, 2008, during his or her term of
15 office, a member of the institute board shall not be a member of the
16 general assembly; an officer, employee, or board member of a school
17 district; or charter school in the state; a member of the state board; or an
18 employee of the institute board or the department of education.

19 SECTION 8. 22-80-103 (1) (a), Colorado Revised Statutes, is
20 amended to read:

21 **22-80-103. Board of trustees - appointments - powers - duties**
22 **- fund created.** (1) (a) There is hereby created by a **type 1** transfer in the
23 department of education a board of trustees for the Colorado school for
24 the deaf and the blind. The board of trustees shall consist of seven
25 members who are residents of Colorado, appointed by the governor with
26 the consent of the senate. Of these seven members, at least one appointee
27 shall be a blind person and at least one appointee shall be a deaf person.

1 BEGINNING WITH THE FIRST APPOINTMENT MADE ON OR AFTER THE
2 EFFECTIVE DATE OF SENATE BILL 09-090, ENACTED IN 2009, THE
3 GOVERNOR SHALL ENSURE THAT, OF THE SEVEN MEMBERS OF THE BOARD
4 OF TRUSTEES, AT LEAST ONE APPOINTEE IS THE PARENT OF A CHILD WHO
5 IS DEAF OR BLIND OR BOTH.

6 **SECTION 9.** 23-1-103 (1) (b) and (1) (c), Colorado Revised
7 Statutes, are amended to read:

8 **23-1-103. Advisory committee to the Colorado commission on**
9 **higher education.** (1) There is hereby established an advisory
10 committee to the commission for the purpose of suggesting solutions for
11 the problems and needs of higher education and maintaining liaison with
12 the general assembly and the governing boards for state-supported
13 institutions of higher education. The advisory committee shall consist of
14 not less than thirteen members, to be designated as follows:

15 (b) One member shall be selected and designated by the
16 commission to represent the faculty in the state and one member shall be
17 selected and designated by the commission to represent the students in the
18 state. ON AND AFTER THE EFFECTIVE DATE OF SENATE BILL 09-090,
19 ENACTED IN 2009, THE COMMISSION SHALL SELECT AND DESIGNATE ONE
20 MEMBER WHO, AT THE TIME OF DESIGNATION, IS A PARENT OF A STUDENT
21 WHO IS ENROLLED IN A STATE-SUPPORTED INSTITUTION OF HIGHER
22 EDUCATION IN COLORADO TO REPRESENT THE PARENTS OF STUDENTS.

23 (c) Not more than ~~five~~ FOUR additional members representing
24 educational or other groups may be selected and designated by the
25 commission to serve on the advisory committee.

26 **SECTION 10.** 22-7-107 (1) and the introductory portion to
27 22-7-107 (2), Colorado Revised Statutes, are amended to read:

1 **22-7-107. School accountability committee recommendations**
2 **- meetings.** (1) In addition to any other duties and powers provided for
3 by law, the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE of each
4 public school shall make recommendations to the principal of the school
5 regarding the prioritization of expenditures of school moneys. The
6 principal shall consider such recommendations made by the school
7 ~~advisory council~~ ACCOUNTABILITY COMMITTEE regarding the expenditure
8 of any state, federal, local, or private grants and any other discretionary
9 ~~funds~~ MONEYS.

10 (2) Each school ~~advisory council~~ ACCOUNTABILITY COMMITTEE
11 shall meet at least quarterly to discuss:

12 **SECTION 11.** 22-7-205 (1), Colorado Revised Statutes, is
13 amended to read:

14 **22-7-205. Local goals and objectives and plans to improve**
15 **educational achievement and graduation rates.** (1) No later than June
16 15, 1989, and then no later than September 1, 1990, and September 1 of
17 each year thereafter, the school ~~advisory council~~ ACCOUNTABILITY
18 COMMITTEE for each school building in the state shall adopt high, but
19 achievable, goals and objectives for the improvement of education in its
20 building and shall adopt a plan to improve educational achievement in the
21 school, to implement methods of maximizing graduation rates from the
22 secondary schools of the district, and to increase the ratings for the
23 school's accreditation category established pursuant to section 22-11-202.
24 Each building's goals and objectives and plan shall be reviewed by the
25 district accountability committee before its submission to the board of
26 education of the district. Procedures for the implementation of the plan
27 shall be included in the budget submitted to the board of education

1 pursuant to section 22-44-108.

2 **SECTION 12.** 22-7-207, Colorado Revised Statutes, is amended
3 to read:

4 **22-7-207. School accountability committees -**
5 **recommendations - prioritization of school expenditures.** In addition
6 to any other duties and powers provided for by law, the school ~~advisory~~
7 ~~council~~ ACCOUNTABILITY COMMITTEE for each school building in the state
8 shall make recommendations to the chief executive officer of the school
9 relative to the prioritization of expenditures of school district moneys by
10 such school. In addition, a copy of such recommendations shall be sent
11 to the accountability committee of the school district and to the board of
12 education of such school district. The chief executive officer shall
13 consider such recommendations made by the school ~~advisory council~~
14 ACCOUNTABILITY COMMITTEE in formulating budget requests to be
15 presented to the board of education.

16 **SECTION 13.** 22-11-303 (1), Colorado Revised Statutes, is
17 amended to read:

18 **22-11-303. Colorado school awards program - distribution of**
19 **award.** (1) Any award presented by the state board pursuant to this part
20 3 shall be spent or distributed for use within the public school as the
21 principal of the public school, after consultation with the school ~~advisory~~
22 ~~council~~ ACCOUNTABILITY COMMITTEE for the public school, deems
23 appropriate.

24 **SECTION 14.** 22-30.5-104 (6) (a) and (6) (b), Colorado Revised
25 Statutes, are amended to read:

26 **22-30.5-104. Charter school - requirements - authority.**
27 (6) (a) Pursuant to contract, a charter school may operate free from

1 specified school district policies and free from state rules, as provided in
2 paragraph (b) of this subsection (6). Pursuant to contract, a local board
3 of education may waive locally imposed school district requirements,
4 without seeking approval of the state board; except that a charter school
5 shall not, by contract or otherwise, operate free of the requirements
6 contained in the "Public School Finance Act of 1994", article 54 of this
7 title, THE REQUIREMENTS SPECIFIED IN PART 1 OF ARTICLE 7 OF THIS TITLE
8 CONCERNING SCHOOL ACCOUNTABILITY COMMITTEES, or the requirements
9 contained in the "Children's Internet Protection Act", article 87 of this
10 title.

11 (b) The state board shall promulgate rules identifying state statutes
12 and state rules that are automatically waived for all charter schools. A
13 school district, on behalf of a charter school, may apply to the state board
14 for a waiver of a state statute or state rule that is not automatically waived
15 for charter schools by rule. Notwithstanding any provision of this
16 subsection (6) to the contrary, the state board may not waive ANY
17 STATUTE OR STATE RULE RELATING TO SCHOOL ACCOUNTABILITY
18 COMMITTEES AS DESCRIBED IN SECTION 22-7-106, any statute or rule
19 relating to the assessments required to be administered pursuant to section
20 22-7-409, any statute or rule necessary to prepare the school
21 accountability reports pursuant to part 6 of article 7 of this title, any
22 statute or rule necessary to implement the provisions of the "Public
23 School Finance Act of 1994", article 54 of this title, or any statute or rule
24 relating to the "Children's Internet Protection Act", article 87 of this title.

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26 **SECTION 15.** 22-30.5-304 (1) (d) (I), Colorado Revised Statutes,
27 is amended to read:

1 **22-30.5-304. Review committee - membership -**
2 **recommendations.** (1) Whenever an independent charter school is to be
3 organized pursuant to this part 3, on or before the date specified by rule
4 adopted by the state board in accordance with section 22-30.5-303 (2) (b),
5 the commissioner shall cause a review committee to be formed. The
6 review committee shall consist of:

7 (d) (I) Two parents of students enrolled in the school who are
8 members of the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE
9 and are elected by a vote of the members of the school ~~advisory council~~
10 ACCOUNTABILITY COMMITTEE.

11 **SECTION 16.** 22-30.5-507 (7), Colorado Revised Statutes, is
12 amended to read:

13 **22-30.5-507. Institute charter school - requirements -**
14 **authority.** (7) Pursuant to the charter contract, an institute charter
15 school may operate free from specified statutes and state board rules. The
16 state board may waive state statutory requirements or rules promulgated
17 by the state board; except that the state board may not waive ANY
18 STATUTE OR RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES
19 AS DESCRIBED IN SECTION 22-7-106, any state statute or rule relating to the
20 assessments required to be administered pursuant to section 22-7-409, any
21 state statute or rule necessary to prepare the school accountability reports
22 pursuant to part 6 of article 7 of this title, or any statute or rule necessary
23 to implement the provisions of the "Public School Finance Act of 1994",
24 article 54 of this title, or any state statute or rule relating to the "Children's
25 Internet Protection Act", article 87 of this title. Any waiver of state
26 statute or state board rule made pursuant to this subsection (7) shall be for
27 the term of the contract for which the waiver is made. A request for a

1 waiver may be submitted to the institute as a part of the application for an
2 institute charter school.

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4 **SECTION 17.** 22-32.5-104 (3) (f) and (4) (c), Colorado Revised
5 Statutes, are amended to read:

6 **22-32.5-104. Innovation plans - submission - contents.**

7 (3) Each innovation plan, whether submitted by a public school or
8 created by a local school board through collaboration between the local
9 school board and a public school, shall include the following information:

10 (f) Evidence that a majority of the administrators employed at the
11 public school, a majority of the teachers employed at the public school,
12 and a majority of the school ~~advisory council~~ ACCOUNTABILITY
13 COMMITTEE for the public school consent to designation as an innovation
14 school;

15 (4) Each plan for creating an innovation school zone, whether
16 submitted by a group of public schools or created by a local school board
17 through collaboration with a group of public schools, shall include the
18 information specified in subsection (3) of this section for each public
19 school that would be included in the innovation school zone. A plan for
20 creating an innovation school zone shall also include the following
21 additional information:

22 (c) Evidence that a majority of the administrators and a majority
23 of the teachers employed at each public school that would be included in
24 the innovation school zone and a majority of the school ~~advisory council~~
25 ACCOUNTABILITY COMMITTEE for each public school that would be
26 included in the innovation school zone consent to creating the innovation
27 school zone; and

1 **SECTION 18.** 22-32.5-110 (1), Colorado Revised Statutes, is
2 amended to read:

3 **22-32.5-110. District of innovation - review of innovation**
4 **schools and innovation school zones.** (1) Three years after the local
5 school board of a district of innovation approves an innovation plan or a
6 plan for creating an innovation school zone, and every three years
7 thereafter, the local school board shall review the level of performance of
8 the innovation school and each public school included in the innovation
9 school zone and determine whether the innovation school or innovation
10 school zone is achieving or making adequate progress toward achieving
11 the academic performance results identified in the school's or zone's
12 innovation plan. The local school board, in collaboration with the
13 innovation school or the innovation school zone, may revise the
14 innovation plan, including but not limited to revising the identification of
15 the provisions of the collective bargaining agreement that need to be
16 waived to implement the innovations, as necessary to improve or continue
17 to improve academic performance at the innovation school or innovation
18 school zone. Any revisions to the innovation plan shall require the
19 consent of a majority of the teachers and a majority of the administrators
20 employed at and a majority of the school ~~advisory council~~
21 ACCOUNTABILITY COMMITTEE for each affected public school.

22 **SECTION 19.** 22-2-103 (1) (g) and (1) (h), Colorado Revised
23 Statutes, are amended, and the said 22-2-103 (1) is further amended BY
24 THE ADDITION OF A NEW PARAGRAPH, to read:

25 **22-2-103. Department of education.** (1) The department of
26 education shall include the following:

27 (g) The facility schools unit ~~and~~ CREATED IN SECTION 22-2-403;

1 (h) The facility schools board CREATED IN SECTION 22-2-404; AND

2 (i) THE COLORADO STATE ADVISORY COUNCIL FOR PARENT
3 INVOLVEMENT IN EDUCATION CREATED IN SECTION 22-7-303.

4 **SECTION 20.** 24-1-115, Colorado Revised Statutes, is amended
5 BY THE ADDITION OF A NEW SUBSECTION to read:

6 **24-1-115. Department of education - creation.** (14) THE
7 DEPARTMENT OF EDUCATION SHALL INCLUDE THE COLORADO STATE
8 ADVISORY COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION CREATED
9 IN SECTION 22-7-303, C.R.S., AND ITS POWERS, DUTIES, AND FUNCTIONS,
10 AS IF THE COUNCIL WERE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE
11 DEPARTMENT OF EDUCATION.

12 **SECTION 21.** 2-3-1203 (3), Colorado Revised Statutes, is
13 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

14 **2-3-1203. Sunset review of advisory committees.** (3) The
15 following dates are the dates for which the statutory authorization for the
16 designated advisory committees is scheduled for repeal:

17 (ff) JULY 1, 2019: THE COLORADO STATE ADVISORY COUNCIL FOR
18 PARENT INVOLVEMENT IN EDUCATION CREATED IN SECTION 22-7-303,
19 C.R.S.

20 **SECTION 22.** 22-30.5-104 (6) (a) and (6) (b), Colorado Revised
21 Statutes, are amended to read:

22 **22-30.5-104. Charter school - requirements - authority.**

23 (6) (a) Pursuant to contract, a charter school may operate free from
24 specified school district policies and free from state rules, as provided in
25 paragraph (b) of this subsection (6). Pursuant to contract, a local board
26 of education may waive locally imposed school district requirements,
27 without seeking approval of the state board; except that a charter school

1 shall not, by contract or otherwise, operate free of the requirements
2 contained in the "Public School Finance Act of 1994", article 54 of this
3 title, THE REQUIREMENTS SPECIFIED IN PART 4 OF ARTICLE 11 OF THIS TITLE
4 CONCERNING SCHOOL ACCOUNTABILITY COMMITTEES, or the requirements
5 contained in the "Children's Internet Protection Act", article 87 of this
6 title.

7 (b) The state board shall promulgate rules identifying state statutes
8 and state rules that are automatically waived for all charter schools. A
9 school district, on behalf of a charter school, may apply to the state board
10 for a waiver of a state statute or state rule that is not automatically waived
11 for charter schools by rule. Notwithstanding any provision of this
12 subsection (6) to the contrary, the state board may not waive ANY
13 STATUTE OR RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES
14 AS DESCRIBED IN SECTION 22-11-401, any statute or rule relating to the
15 assessments required to be administered pursuant to section 22-7-409, any
16 statute or rule necessary to prepare the school accountability reports
17 pursuant to part 6 of article 7 of this title, any statute or rule necessary to
18 implement the provisions of the "Public School Finance Act of 1994",
19 article 54 of this title, or any statute or rule relating to the "Children's
20 Internet Protection Act", article 87 of this title.

21 **SECTION 23.** 22-30.5-507 (7), Colorado Revised Statutes, is
22 amended to read:

23 **22-30.5-507. Institute charter school - requirements -**
24 **authority.** (7) Pursuant to the charter contract, an institute charter
25 school may operate free from specified statutes and state board rules. The
26 state board may waive state statutory requirements or rules promulgated
27 by the state board; except that the state board may not waive ANY

1 STATUTE OR RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES
2 AS DESCRIBED IN SECTION 22-11-401, any state statute or rule relating to
3 the assessments required to be administered pursuant to section 22-7-409,
4 any state statute or rule necessary to prepare the school accountability
5 reports pursuant to part 6 of article 7 of this title, or any statute or rule
6 necessary to implement the provisions of the "Public School Finance Act
7 of 1994", article 54 of this title, or any state statute or rule relating to the
8 "Children's Internet Protection Act", article 87 of this title. Any waiver
9 of state statute or state board rule made pursuant to this subsection (7)
10 shall be for the term of the contract for which the waiver is made. A
11 request for a waiver may be submitted to the institute as a part of the
12 application for an institute charter school.

13 **SECTION 24. Act subject to petition - effective date.** (1) This
14 act shall take effect at 12:01 a.m. on the day following the expiration of
15 the ninety-day period after final adjournment of the general assembly that
16 is allowed for submitting a referendum petition pursuant to article V,
17 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
18 sine die is on May 6, 2009); except that, if a referendum petition is filed
19 against this act or an item, section, or part of this act within such period,
20 then the act, item, section, or part, if approved by the people, shall take
21 effect on the date of the official declaration of the vote thereon by
22 proclamation of the governor.

23 (2) Notwithstanding the provisions of subsection (1) of this
24 section:

25 (a) Sections 2, 3, 10, 11, 12, 13, 14, and 16 of this act shall not
26 take effect if Senate Bill 09-163 is enacted and becomes law; and

- 1 (b) Sections 22 and 23 of this act shall take effect only if Senate
- 2 Bill 09-163 is enacted and becomes law.