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SENATE BILL 10-036

BY SENATOR(S) Johnston, Bacon, Heath, Hudak, Penry, Romer, Shaffer B., Steadman, Boyd, Carroll M., Foster, Hodge, Keller, Morse, Newell, Schwartz, Spence, Tapia, Tochtrop, White, Whitehead, Williams; also REPRESENTATIVE(S) Merrifield, Apuan, Benefield, Casso, Court, Kerr A., Labuda, Levy, Miklosi, Primavera, Riesberg, Ryden, Scanlan, Schafer S., Summers, Todd, Tyler, Carroll T.

CONCERNING REQUIRING THE DEPARTMENT OF EDUCATION TO PREPARE AN ANNUAL REPORT ANALYZING EDUCATOR PREPARATION PROGRAM EFFECTIVENESS USING DATA OBTAINED THROUGH THE EDUCATOR IDENTIFIER SYSTEM.

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

SECTION 1. Article 68.5 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-68.5-102.5. Use of aggregate data - educator preparation programs - rules - funding. (1) ON OR BEFORE JULY 1, 2011, AND ON OR BEFORE JULY 1 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL PREPARE A REPORT ON THE EFFECTIVENESS OF EDUCATOR PREPARATION PROGRAMS USING THE AGGREGATE DATA COLLECTED PURSUANT TO THIS ARTICLE. FOR PURPOSES OF THIS SECTION, THE DEPARTMENT SHALL USE DATA COLLECTED

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

FROM AN EDUCATOR IN HIS OR HER FIRST THREE YEARS OF PLACEMENT AS THE EDUCATOR OF RECORD. THE REPORT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE CORRELATION BETWEEN DIFFERENT EDUCATOR PREPARATION PROGRAMS IN THE STATE, INCLUDING ALTERNATIVE EDUCATOR PREPARATION PROGRAMS, AND STUDENT ACADEMIC GROWTH, EDUCATOR PLACEMENT, AND EDUCATOR MOBILITY AND RETENTION. THE DEPARTMENT SHALL WORK COLLABORATIVELY WITH EDUCATOR PREPARATION PROGRAMS AND THE DEPARTMENT OF HIGHER EDUCATION AND MAKE THE REPORT AVAILABLE TO THE PUBLIC ON ITS WEB SITE NO LATER THAN THIRTY DAYS AFTER ITS COMPLETION. THE INFORMATION SHALL BE SHARED WITH EDUCATOR PREPARATION PROGRAMS TO INFORM CURRICULUM AND PROGRAM IMPROVEMENTS.

(2) THE STATE BOARD SHALL PROMULGATE RULES IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., FOR THE IMPLEMENTATION OF THIS SECTION. THE RULES SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

(a) A DESCRIPTION OF WHICH EDUCATOR PREPARATION PROGRAMS SHALL BE INCLUDED;

(b) A DETAILED DESCRIPTION OF THE ITEMS THE DEPARTMENT WILL MEASURE, INCLUDING, AT A MINIMUM, STUDENT ACADEMIC GROWTH, PLACEMENT AND RETENTION OF EDUCATORS, AND STUDENT DEMOGRAPHICS; AND

(c) THE METHODS FOR MEASURING AND ANALYZING DATA.

(3) THE STATE BOARD SHALL USE THE REPORT COMPILED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO REVIEW EDUCATOR PREPARATION PROGRAMS.

(4) (a) THE DEPARTMENT IS AUTHORIZED TO SEEK, ACCEPT, AND EXPEND PUBLIC OR PRIVATE GIFTS, GRANTS, OR DONATIONS FOR THE IMPLEMENTATION OF THIS SECTION; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL TRANSMIT ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE STATE PREPARATION AND

READINESS OF EDUCATORS PROGRAM FUND, WHICH FUND IS HEREBY CREATED AND REFERRED TO IN THIS SECTION AS THE "FUND". THE MONEYS IN THE FUND SHALL BE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS SECTION.

(b) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(c) THE GENERAL ASSEMBLY ANTICIPATES THAT THE DEPARTMENT MAY RECEIVE SIGNIFICANT AMOUNTS OF FEDERAL MONEYS THAT MAY BE APPROPRIATELY USED TO IMPLEMENT THIS SECTION AND STRONGLY ENCOURAGES THE DEPARTMENT TO APPLY SAID FEDERAL MONEYS IN IMPLEMENTING THIS SECTION.

(5) THE DEPARTMENT SHALL NOT BE OBLIGATED TO IMPLEMENT THE PROVISIONS OF THIS SECTION UNTIL MONEYS IN A SUFFICIENT AMOUNT, AS DETERMINED BY THE DEPARTMENT, HAVE BEEN RECEIVED AND CREDITED TO THE FUND. GENERAL FUND MONEYS SHALL NOT BE APPROPRIATED FOR THE IMPLEMENTATION OF THIS SECTION.

SECTION 2. 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.

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO