

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

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January 21, 2010

Date

Committee on Education.

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

SB10-008 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, line 5, after "(1)" insert "(a)".
- 2 Page 2, strike line 7 and substitute "PRIVATE OR PRIVATE NONPROFIT  
3 COLORADO-BASED EDUCATION POLICY OR RESEARCH ORGANIZATION TO  
4 CONDUCT A STUDY TO EVALUATE THE".
- 5 Page 2, line 8, strike "FEASABILITY," and substitute "FEASIBILITY, LOCAL  
6 EDUCATION PROVIDER".
- 7 Page 3, line 3, after the period insert "THE DEPARTMENT SHALL AWARD  
8 THE CONTRACT BASED ON A COMPETITIVE BID; EXCEPT THAT THE  
9 PROVISIONS OF THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF  
10 TITLE 24, C.R.S., SHALL NOT APPLY TO THIS CONTRACT. THE DEPARTMENT  
11 SHALL AWARD THE CONTRACT NO LATER THAN SIXTY DAYS AFTER THE  
12 DATE THAT THE DEPARTMENT RECEIVES MONEYS TO CONDUCT THE STUDY  
13 PURSUANT TO SUBSECTION (2) OF THIS SECTION, AS INCLUDED IN THE  
14 NOTICE REQUIRED PURSUANT TO SUBSECTION (4) OF THIS SECTION."
- 15 Page 3, after line 6 insert:  
16 "(b) FOR THE PURPOSES OF THIS SECTION, "LOCAL EDUCATION  
17 PROVIDER IMPACT" MEANS THE IMPACT ON A LOCAL EDUCATION PROVIDER  
18 AS DEFINED IN SECTION 22-35-103, AND SHALL INCLUDE, BUT NEED NOT BE  
19 LIMITED TO, THE FISCAL IMPACT OF A NEW STUDENT COUNT METHOD, THE

1 PROJECTED CHANGE IN A LOCAL EDUCATION PROVIDER'S FUNDED PUPIL  
2 COUNTS, THE ADMINISTRATIVE IMPACT OF A NEW STUDENT COUNT  
3 METHOD, NECESSARY STAFFING CHANGES THAT WOULD RESULT FROM A  
4 CHANGE IN THE STUDENT COUNT METHOD, AND NECESSARY INFORMATION  
5 TECHNOLOGY CHANGES THAT WOULD BE NECESSARY TO GATHER AND  
6 TRANSMIT DATA REQUIRED FOR THE NEW STUDENT COUNT METHOD."

7 Page 3, line 8, after "FEASIBILITY," insert "LOCAL EDUCATION PROVIDER".

8 Page 4, line 2, after "STUDY." add "UPON CONCLUSION OF THE STUDY, THE  
9 DEPARTMENT SHALL SUBMIT ITS FINDINGS TO THE EDUCATION DATA  
10 ADVISORY COMMITTEE CREATED IN SECTION 22-2-304 FOR REVIEW AND  
11 SHALL INCLUDE ANY COMMENTS OR RECOMMENDATIONS FROM THE  
12 ADVISORY COMMITTEE IN THE REPORT SUBMITTED TO THE GENERAL  
13 ASSEMBLY PURSUANT TO SUBSECTION (5) OF THIS SECTION."

14 Page 3, strike lines 10 through 21 and substitute "ENROLLMENT PURSUANT  
15 TO THIS SECTION ONLY IF THE DEPARTMENT RECEIVES GIFTS, GRANTS, OR".

16 Page 4, after line 10 insert:

17 "(5) AN ADVISORY COMMITTEE SHALL BE APPOINTED PURSUANT TO  
18 SUBSECTION (6) OF THIS SECTION. THE ENTITY CONDUCTING THE STUDY  
19 SHALL CONSULT WITH THE ADVISORY COMMITTEE. THE AREAS OF STUDY  
20 SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING:

21 (a) RESEARCH REGARDING THE INCENTIVES OF COUNT DATES ON  
22 SCHOOL ATTENDANCE AND ENROLLMENT;

23 (b) THE ADVANTAGES AND DISADVANTAGES OF DIFFERENT  
24 STUDENT ENROLLMENT COUNT METHODS;

25 (c) POLICIES IN OTHER STATES REGARDING STUDENT ENROLLMENT  
26 COUNTS AND THE EFFECTS OF THOSE POLICIES;

27 (d) A COST ANALYSIS OF DEVELOPING A DATA SYSTEM TO  
28 IMPLEMENT AN ALTERNATIVE COUNT DATE SYSTEM TO THE SYSTEM  
29 SPECIFIED IN THIS ARTICLE;

30 (e) THE EFFECTS THAT ALTERNATIVE COUNT DATE MECHANISMS  
31 WOULD HAVE ON THE AMOUNT OF FUNDING THAT LOCAL EDUCATION  
32 PROVIDERS RECEIVE INDIVIDUALLY AND STATEWIDE;

1 (f) VARIOUS METHODS AND TIMELINESS FOR IMPLEMENTING AN  
2 ALTERNATIVE COUNT DATE MECHANISM; AND

3 (g) INPUT FROM THE ADVISORY COMMITTEE.

4 (6) (a) THE ADVISORY COMMITTEE SHALL BE COMPRISED OF  
5 FIFTEEN MEMBERS AS SPECIFIED IN THIS SUBSECTION (6).

6 (b) THE PRESIDENT OF THE SENATE SHALL APPOINT THE  
7 FOLLOWING SIX ADVISORY COMMITTEE MEMBERS:

8 (I) ONE MEMBER OF THE SENATE;

9 (II) ONE REPRESENTATIVE OF THE OFFICE OF THE GOVERNOR;

10 (III) ONE REPRESENTATIVE OF THE DEPARTMENT OF EDUCATION;

11 (IV) ONE REPRESENTATIVE OF A NATIONAL EDUCATION RESEARCH  
12 OR POLICY ORGANIZATION; AND

13 (V) TWO REPRESENTATIVES OF A COLORADO-BASED EDUCATION  
14 RESEARCH, POLICY, OR ADVOCACY ORGANIZATION.

15 (c) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL  
16 APPOINT THE FOLLOWING SEVEN ADVISORY COMMITTEE MEMBERS:

17 (I) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES;

18 (II) ONE MEMBER OF THE STATE BOARD;

19 (III) ONE REPRESENTATIVE OF A COLORADO-BASED EDUCATION  
20 RESEARCH, POLICY, OR ADVOCACY ORGANIZATION;

21 (IV) TWO REPRESENTATIVES OF AN ORGANIZATION REPRESENTING  
22 DISTRICT ADMINISTRATORS, WITH ONE FROM AN URBAN DISTRICT AND ONE  
23 FROM A RURAL DISTRICT; AND

24 (V) TWO REPRESENTATIVES OF AN ORGANIZATION REPRESENTING  
25 LOCAL BOARDS OF EDUCATION, WITH ONE FROM AN URBAN DISTRICT AND  
26 ONE FROM A RURAL DISTRICT.

1 (d) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES  
2 SHALL APPOINT ONE MEMBER OF THE HOUSE OF REPRESENTATIVES TO THE  
3 ADVISORY COMMITTEE.

4 (e) THE MINORITY LEADER OF THE SENATE SHALL APPOINT ONE  
5 MEMBER OF THE SENATE TO THE ADVISORY COMMITTEE.

6 (7) THE PRIVATE OR PRIVATE NONPROFIT ORGANIZATION WITH  
7 WHICH THE DEPARTMENT OF EDUCATION CONTRACTS TO CONDUCT THE  
8 STUDY SHALL PROVIDE THE NECESSARY STAFF SUPPORT AND  
9 ADMINISTRATIVE SERVICES TO THE ADVISORY COMMITTEE APPOINTED  
10 PURSUANT TO THIS SECTION. THE ADVISORY COMMITTEE MEMBERS MAY  
11 BE REIMBURSED FOR THEIR ACTUAL EXPENSES INCURRED IN CONNECTION  
12 WITH SERVING ON THE ADVISORY COMMITTEE BUT SHALL NOT RECEIVE  
13 ANY ADDITIONAL PAYMENT OR COMPENSATION IN CONNECTION WITH SUCH  
14 SERVICE."

15 Renumber succeeding subsections accordingly.

16 Page 4, line 12, before "MEMBERS" insert "OFFICE OF THE GOVERNOR, THE  
17 STATE BOARD, AND THE".

18 Page 4, line 15, strike "TWO YEARS AFTER".

19 Page 4, strike lines 16 and 17 and substitute "JANUARY 15, 2011".

20 Page 4, line 26, strike "(7)" and substitute "(10)".

21 Page 5, line 1, strike "(7)." and substitute "(10)."

22 Page 5, line 6, strike "(7)." and substitute "(10)."

23 Page 5, line 10, strike "SECTION." and substitute "SECTION; EXCEPT THAT  
24 THE GENERAL ASSEMBLY MAY APPROPRIATE UP TO THREE PERCENT OF THE  
25 MONEYS IN THE FUND TO THE DEPARTMENT OF EDUCATION FOR THE  
26 ADMINISTRATIVE AND INDIRECT COSTS INCURRED BY THE DEPARTMENT IN  
27 CONNECTION WITH THE STUDY REQUIRED PURSUANT TO THIS SECTION."

28 Page 5, line 13, strike "THREE YEARS" and substitute "ONE YEAR".

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