

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

PREAMENDED

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

LLS NO. 10-0242.01 Julie Pelegrin

HOUSE BILL 10-1171

HOUSE SPONSORSHIP

Benfield, Scanlan

SENATE SPONSORSHIP

Steadman,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING EDUCATION-RELATED DATA REPORTING REQUIREMENTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Current law requires the state board of education (state board) to adopt rules specifying the method for calculating the dropout rate for students enrolled in grades 7 through 12. The bill repeals the requirement that the state board also calculate the number of students who obtain a high school diploma after reaching 21 years of age and repeals the specific definition of "dropout".

With regard to the "Colorado Basic Literacy Act", the bill repeals

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.*

the requirements that school districts report information to the department of education. The bill also repeals the requirement that school districts submit their annual budgets to the department of education.

The bill clarifies the circumstances under which the education data advisory committee (EDAC) may identify a data reporting request as mandatory, required to receive a benefit, or voluntary.

The bill directs the EDAC to review the processes and timing for collecting student demographic data and recommend to the state board procedures for efficiently updating the data as necessary.

The bill repeals reporting requirements concerning physically, morally, and mentally defective students; data from the in-home or in-school suspension grant program; and data from the pilot schools for expelled students.

The bill requires institutions of higher education that report data concerning student remediation to report the data on an individual student basis as soon as practicable after the institution begins using the unique student identifiers assigned to students by the department of education.

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

2 **SECTION 1.** 22-2-114.1, Colorado Revised Statutes, is amended
3 to read:

4 **22-2-114.1. Dropout rates - collection of data on grades seven**
5 **through twelve and development of plans.** (1) The general assembly
6 hereby declares that the dropout rate indicates a waste of economic and
7 human potential. Therefore a correct assessment of the number of
8 students who fail to complete high school in the typical length of time ~~and~~
9 ~~the number of students who complete high school later in life~~ is necessary
10 in order to fully recognize and correct the problem.

11 (2) The state board of education shall develop and implement in
12 cooperation with local boards of education a model student accounting
13 method and data collection system on dropouts in grades seven through
14 twelve, with results to be reported to the general assembly by January 1,
15 1988.

16 ~~(2.5) The state board of education shall develop and implement,~~

1 ~~in cooperation with the local boards of education, a model student~~
2 ~~accounting method and data collection system which results in the~~
3 ~~reporting of those persons who complete high school when twenty-one~~
4 ~~years of age or older.~~

5 (2.7) ~~Effective July 1, 1998, the state board of education shall~~
6 ~~integrate the system developed pursuant to subsection (2.5) of this section~~
7 ~~with the statewide financial, student management, and human resource~~
8 ~~electronic data communications and reporting system developed pursuant~~
9 ~~to section 22-44-105 (4).~~

10 (3) (a) ~~For the purposes of school district record keeping and~~
11 ~~counting pursuant to this section, a "dropout" means a person who is the~~
12 ~~subject of notification to a school or school district that such person has~~
13 ~~left or will leave school for any reason, or such person has been absent~~
14 ~~from class for six consecutive weeks or more in any one school year,~~
15 ~~except for reasons of expulsion, excused long-term illness, or death,~~
16 ~~before completion of a high school diploma or its equivalent and who~~
17 ~~does not transfer to another public or private school or enroll in an~~
18 ~~approved home study program or in an on-line program pursuant to article~~
19 ~~30.7 of this title. Students who are in attendance in an educational~~
20 ~~program at the end of such school year shall not be reported as dropouts~~
21 ~~by the school district to the department.~~

22 (b) ~~The state board shall also collect data on the students who~~
23 ~~have dropped out of a regular course of study but who are enrolled and~~
24 ~~pursuing an alternative program of study.~~

25 **SECTION 2. Repeal.** ~~22-7-505, Colorado Revised Statutes, is~~
26 ~~repealed as follows:~~

27 **22-7-505. School district responsibilities and incentives.**

1 ~~(1) Each school district shall annually report to the department of~~
2 ~~education:~~

3 ~~(a) The number and percentage of pupils enrolled in the third~~
4 ~~grade in the school district who read at or above the third grade level;~~

5 ~~(b) The number and percentage of pupils enrolled in the school~~
6 ~~district who have an individual literacy plan or are enrolled in an~~
7 ~~intensive literacy program funded through the read-to-achieve program~~
8 ~~created in part 9 of this article;~~

9 ~~(c) The number and percentage of pupils enrolled in the school~~
10 ~~district who have increased their literacy and reading comprehension~~
11 ~~levels by two or more grades during one year of instruction.~~

12

13 **SECTION 3.** 22-2-304 (2) (c), (2) (e), and (2) (f), Colorado
14 Revised Statutes, are amended, and the said 22-2-304 (2) is further
15 amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

16 **22-2-304. Education data advisory committee - creation -**
17 **duties - repeal.** (2) The EDAC shall:

18 (c) Review each data reporting request made to school districts
19 and public schools ~~that is not required by statute or by rule~~ and notify
20 school districts and public schools ~~as to whether compliance with~~ THAT
21 the request is mandatory BECAUSE IT IS REQUIRED BY STATUTE OR RULE,
22 IS REQUIRED TO ACQUIRE A BENEFIT BECAUSE A STATUTE OR RULE
23 REQUIRES A SCHOOL DISTRICT OR PUBLIC SCHOOL THAT CHOOSES TO SEEK
24 OR RECEIVE A SPECIFIED GOVERNMENTAL BENEFIT TO REPORT THE DATA,
25 or IS voluntary BECAUSE IT IS NOT SPECIFICALLY REQUIRED BY A STATUTE
26 OR RULE;

27 (e) Advise the department on the impact of data practices and

1 technology on school districts and public schools; and

2 (f) Periodically review the rules for implementing the federal
3 "Family Educational Rights and Privacy Act of 1974", 20 U.S.C. sec.
4 1232g, and recommend to the state board an interpretation of said act that
5 will facilitate the exchange and sharing of student information to the
6 greatest extent possible in compliance with the federal regulations for
7 implementing said act; AND

8 (g) REVIEW THE PROCESSES AND TIMING FOR COLLECTING
9 STUDENT DEMOGRAPHIC DATA AND MAKE RECOMMENDATIONS TO THE
10 STATE BOARD FOR EFFICIENTLY UPDATING THE DATA AS NECESSARY.

11 **SECTION 4. Repeal.** 22-32-110 (1) (bb), 22-37-106, and
12 22-38-110, Colorado Revised Statutes, are repealed.

13 **SECTION 5.** 23-1-113.3, Colorado Revised Statutes, is amended
14 BY THE ADDITION OF A NEW SUBSECTION to read:

15 **23-1-113.3. Commission directive - basic skills courses.**
16 (5.5) AS SOON AS PRACTICABLE AFTER A COMMUNITY COLLEGE, ADAMS
17 STATE COLLEGE, MESA STATE COLLEGE, OR ANY OTHER STATE
18 INSTITUTION OF HIGHER EDUCATION THAT PROVIDES BASIC SKILLS
19 COURSES BEGINS USING THE UNIQUE STUDENT IDENTIFIERS AS REQUIRED
20 IN SECTION 23-5-127 (4), THE INSTITUTION AND THE DEPARTMENT SHALL
21 REPORT THE INFORMATION SPECIFIED IN SUBSECTIONS (3) AND (4) OF THIS
22 SECTION ON AN INDIVIDUAL STUDENT BASIS, USING EACH STUDENT'S
23 UNIQUE STUDENT IDENTIFIER.

24 **SECTION 6. Act subject to petition - effective date.** This act
25 shall take effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part shall not take effect
4 unless approved by the people at the general election to be held in
5 November 2010 and shall take effect on the date of the official
6 declaration of the vote thereon by the governor.