

NOTE: The governor signed this measure on 4/4/2013.

An Act

HOUSE BILL 13-1219

BY REPRESENTATIVE(S) Hamner, Priola, Murray, Holbert, Peniston, Pettersen, Young, Court, Duran, Exum, Fields, Fischer, Ginal, Hullinghorst, Labuda, Rosenthal, Salazar, Schafer, Vigil, Williams, Mitsch Bush; also SENATOR(S) Todd, Hudak, Johnston, Heath, Kerr, Newell.

CONCERNING STATUTORY CHANGES TO K-12 EDUCATION.

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

SECTION 1. In Colorado Revised Statutes, 22-2-112, **add** (1) (p) and (1) (q) as follows:

22-2-112. Commissioner - duties. (1) Subject to the supervision of the state board, the commissioner has the following duties:

(p) TO ESTABLISH AND MAINTAIN AN EDUCATOR IDENTIFIER SYSTEM TO ASSIGN UNIQUE IDENTIFIERS TO EDUCATORS EMPLOYED IN A SCHOOL DISTRICT OR LOCAL EDUCATION AGENCY. EACH EDUCATOR'S IDENTIFIER MUST BE UNIQUE. THE IDENTIFIER MUST NOT USE ANY PERSONAL IDENTIFYING INFORMATION, SUCH AS SOCIAL SECURITY NUMBERS OR CONTACT INFORMATION, EXCEPT FOR ALIGNMENT PURPOSES IN DATA PROCESSING. ANY PERSONAL IDENTIFYING INFORMATION THAT IS COLLECTED MUST BE LINKED IN A SECURE DATA LOCATION SO DATA SETS CAN BE

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

MATCHED BASED ON THE PERSONAL IDENTIFYING INFORMATION WHEN THE IDENTIFIER IS NOT INCLUDED.

(q) (I) TO ASSIST THE STATE BOARD IN REVIEWING THE CONTENT OF EDUCATOR PREPARATION PROGRAMS OFFERED BY INSTITUTIONS OF HIGHER EDUCATION WITHIN THE STATE. IN SO DOING, THE COMMISSIONER SHALL DIRECT THE DEPARTMENT TO COLLABORATE WITH THE DEPARTMENT OF HIGHER EDUCATION TO PREPARE AN ANNUAL REPORT ON THE EFFECTIVENESS OF EDUCATOR PREPARATION PROGRAMS.

(II) FOR PURPOSES OF THIS PARAGRAPH (q), THE DEPARTMENT SHALL USE DATA COLLECTED FROM AN EDUCATOR IN HIS OR HER FIRST THREE YEARS OF PLACEMENT AS THE EDUCATOR OF RECORD.

(III) THE REPORT REQUIRED PURSUANT TO THIS PARAGRAPH (q) MUST 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, EDUCATOR MOBILITY AND RETENTION, AND EDUCATOR PERFORMANCE EVALUATION RATINGS.

(IV) THE DEPARTMENT SHALL WORK COLLABORATIVELY WITH EDUCATOR PREPARATION PROGRAMS AND THE DEPARTMENT OF HIGHER EDUCATION AND MAKE THE REPORT PREPARED PURSUANT TO THIS PARAGRAPH (q) AVAILABLE TO THE PUBLIC ON ITS WEB SITE NO LATER THAN THIRTY DAYS AFTER ITS COMPLETION. THE DEPARTMENT SHALL SHARE THE INFORMATION WITH EDUCATOR PREPARATION PROGRAMS TO INFORM CURRICULUM AND PROGRAM IMPROVEMENTS.

SECTION 2. In Colorado Revised Statutes, 22-2-303, **amend** (6) as follows:

22-2-303. Definitions. As used in this part 3, unless the context otherwise requires:

(6) "Public school" means a PUBLIC SCHOOL AS PROVIDED IN SECTION 22-1-101, INCLUDING A charter school authorized by a school district pursuant to part 1 of article 30.5 of this title or an institute charter school authorized by the state charter school institute pursuant to part 5 of article 30.5 of this title.

SECTION 3. In Colorado Revised Statutes, **add** 22-2-116.5 as follows:

22-2-116.5. Department of education - student-level course completion data. BEGINNING WITH THE 2014-2015 SCHOOL YEAR, THE DEPARTMENT SHALL ANNUALLY COLLECT STUDENT-LEVEL COURSE COMPLETION DATA, CONSISTENT WITH STATE AND FEDERAL PRIVACY LAWS, FROM EACH LOCAL EDUCATION AGENCY IN THE STATE. THE DEPARTMENT SHALL ESTABLISH A DEFINITION OF COURSE COMPLETION THAT MAY BE CONSISTENTLY UNDERSTOOD AND APPLIED AND THAT MUST BE PERIODICALLY REVISED AS APPROPRIATE. IN DEVELOPING THE DEFINITION, THE DEPARTMENT SHALL WORK WITH INTERESTED PARTIES TO CONSIDER ISSUES, INCLUDING BUT NOT LIMITED TO WHETHER STUDENTS SHOULD BE INCLUDED IN THE DATABASE IF THEY HAVE ENROLLED IN A COURSE AFTER A SPECIFIED DATE OR DROPPED A COURSE BEFORE A SPECIFIED DATE AND WHETHER COURSE COMPLETION MUST BE DETERMINED BASED ON THE RECEIPT OF PARTICULAR GRADES OR OTHER CRITERIA.

SECTION 4. In Colorado Revised Statutes, **amend** 22-2-308 as follows:

22-2-308. Data reporting requirements - office of legislative legal services. Notwithstanding the provisions of section 2-3-505, C.R.S., the office of legislative legal services, created in section 2-3-501, C.R.S., shall notify EDAC of any legislation introduced that creates by specific language a new ~~data reporting~~ requirement FOR A LOCAL EDUCATION AGENCY TO REPORT DATA to any state or federal agency.

SECTION 5. In Colorado Revised Statutes, 22-7-402, **add** (8.3) as follows:

22-7-402. Definitions. As used in this part 4, unless the context otherwise requires:

(8.3) "ENGLISH LANGUAGE ARTS" MEANS A COURSE OF STUDY THAT INCLUDES, BUT IS NOT LIMITED TO, READING, WRITING, AND COMMUNICATION SKILLS.

SECTION 6. In Colorado Revised Statutes, 22-7-409, **amend** (1), (1.1) (a), (1.2) (a) (I), (1.2) (a) (III), (1.2) (b), (1.2) (d) (I) (B), (1.2) (d) (II),

(1.9), and (4) as follows:

22-7-409. Assessments - repeal. (1) Beginning in the spring semester OF 1997, the department shall implement the Colorado student assessment program under which the department shall administer statewide assessments adopted by the board pursuant to section 22-7-406 in the first priority areas of reading, writing, mathematics, and science. The department shall administer the English versions of the state assessments and may administer any assessments adopted by the board in languages other than English, as may be appropriate for students with limited English proficiency; except that any student who has participated in the English language proficiency program, created pursuant to section 22-24-104, for more than a total of three school years shall be ineligible to take the assessments in a language other than English. The statewide assessments shall be administered ~~according to the following implementation schedule~~ AS FOLLOWS:

(a) (I) Beginning in the spring semester 1997, and each spring semester thereafter, the department shall administer a statewide assessment in reading and writing to all students enrolled in fourth grade in public schools throughout the state.

(II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2014.

(b) (I) Beginning in the spring semester 1998, and each spring semester thereafter, the department shall administer a statewide assessment in reading to all students enrolled in the third grade in public schools throughout the state.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2014.

(c) (I) Beginning in the fall semester 1999, the department shall administer a statewide assessment in mathematics to all students enrolled in the fifth grade in public schools throughout the state.

(II) Beginning in the spring semester 2001, and each spring semester thereafter, the department shall administer a statewide assessment in mathematics to all students enrolled in the fifth grade in public schools throughout the state.

(III) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2014.

(d) (I) Beginning in the spring semester 1999, and each spring semester thereafter, the department shall administer a statewide assessment in reading and writing to all students enrolled in the seventh grade in public schools throughout the state.

(II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2014.

(d.5) (I) Beginning in the spring semester 2000, and each spring semester thereafter, the department shall administer a statewide assessment in mathematics ~~and science~~ to all students enrolled in the eighth grade in public schools throughout the state.

(II) THIS PARAGRAPH (d.5) IS REPEALED, EFFECTIVE JULY 1, 2014.

(e) (I) Beginning in the spring semester 2001, and each spring semester thereafter, the department shall administer a statewide assessment in reading to all students enrolled in the fifth, sixth, eighth, and ninth grades in public schools throughout the state and in reading, writing, and mathematics to all students enrolled in the tenth grade in public schools throughout the state.

(II) THIS PARAGRAPH (e) IS REPEALED, EFFECTIVE JULY 1, 2014.

(f) (I) Beginning in the spring semester 2002, and each spring semester thereafter, the department shall administer a statewide assessment in writing to all students enrolled in the third, fifth, sixth, eighth, and ninth grades in public schools throughout the state and in mathematics to all students enrolled in the sixth, seventh, and ninth grades in public schools throughout the state.

(II) THIS PARAGRAPH (f) IS REPEALED, EFFECTIVE JULY 1, 2014.

(g) (I) If sufficient moneys are received from the federal government through the federal "No Child Left Behind Act of 2001", Public Law 107-110, to pay for the development and administration of the assessments, beginning in the spring semester 2006 at the latest, and each spring semester thereafter, the department shall administer a statewide assessment ~~first~~ in mathematics to all students enrolled in the third and fourth grades ~~and in~~

~~science to all students enrolled in the fifth and tenth grades in public schools throughout the state.~~

(II) The assessments described in this paragraph (g) shall only be developed or administered to the extent that federal moneys are received to pay for such development and administration. It is the intent of the general assembly that no state moneys shall be used to develop or administer the assessments described in this paragraph (g).

(III) THIS PARAGRAPH (g) IS REPEALED, EFFECTIVE JULY 1, 2014.

(h) BEGINNING IN THE 2014- 2015 SCHOOL YEAR, AND EACH SCHOOL YEAR THEREAFTER, THE DEPARTMENT SHALL ADMINISTER A STATEWIDE ASSESSMENT IN ENGLISH LANGUAGE ARTS TO ALL STUDENTS ENROLLED IN GRADES THREE THROUGH ELEVEN IN PUBLIC SCHOOLS THROUGHOUT THE STATE.

(i) BEGINNING IN THE 2014-2015 SCHOOL YEAR, AND EACH SCHOOL YEAR THEREAFTER, THE DEPARTMENT SHALL ADMINISTER A STATEWIDE ASSESSMENT IN MATHEMATICS TO ALL STUDENTS ENROLLED IN GRADES THREE THROUGH EIGHT IN PUBLIC SCHOOLS THROUGHOUT THE STATE. BEGINNING IN THE 2014-2015 SCHOOL YEAR, AND EACH SCHOOL YEAR THEREAFTER, THE DEPARTMENT SHALL ALSO ADMINISTER THREE STATEWIDE ASSESSMENT IN MATHEMATICS TO STUDENTS ENROLLED IN A PUBLIC HIGH SCHOOL IN THE STATE.

(j) BEGINNING IN THE 2013-2014 SCHOOL YEAR, AND EACH SCHOOL YEAR THEREAFTER, THE DEPARTMENT SHALL ADMINISTER A STATEWIDE ASSESSMENT IN SCIENCE TO STUDENTS ENROLLED IN PUBLIC ELEMENTARY, MIDDLE, AND HIGH SCHOOLS THROUGHOUT THE STATE. IN SPECIFIC GRADES TO BE DETERMINED BY THE DEPARTMENT, THE SCIENCE ASSESSMENT SHALL BE ADMINISTERED ONCE IN ELEMENTARY SCHOOL, ONCE IN MIDDLE SCHOOL, AND ONCE IN HIGH SCHOOL.

(k) BEGINNING IN THE 2013-2014 SCHOOL YEAR, AND EACH SCHOOL YEAR THEREAFTER, THE DEPARTMENT SHALL ADMINISTER A STATEWIDE ASSESSMENT IN SOCIAL STUDIES TO STUDENTS ENROLLED IN PUBLIC ELEMENTARY, MIDDLE, AND HIGH SCHOOLS THROUGHOUT THE STATE. IN SPECIFIC GRADES TO BE DETERMINED BY THE DEPARTMENT, THE SOCIAL STUDIES ASSESSMENT SHALL BE ADMINISTERED ONCE IN ELEMENTARY

SCHOOL, ONCE IN MIDDLE SCHOOL, AND ONCE IN HIGH SCHOOL.

(1.1) (a) Upon request by a school district or institute charter school, the entity responsible for developing a statewide assessment shall return to the school district or institute charter school the student responses to the essay and appropriate paragraphs THAT HAVE BEEN RELEASED from the ~~writing~~ ENGLISH LANGUAGE ARTS portion of the statewide assessment, along with the results of all requested assessments. The school district or institute charter school making the request shall pay the entity for the actual cost of photocopying and mailing the ~~writing~~ ENGLISH LANGUAGE ARTS portion of the statewide assessment for the exclusive and confidential use of improving an individual student's writing skills.

(1.2) (a) (I) The assessments required by subsection (1) of this section shall be aligned with the ~~model~~ STATE content standards adopted by the state board pursuant to section ~~22-7-406~~ 22-7-1005. The assessments shall be ~~conducted during the period beginning the second Monday in March and ending on the third Monday in April of each year~~ ADMINISTERED ON A SCHEDULE TO BE DETERMINED BY THE DEPARTMENT ON AN ANNUAL BASIS. The department shall provide to each public school results of all assessments administered, as provided in subparagraph (I.5) of this paragraph (a), and align the disaggregation of those results with the exclusion of scores permitted by subparagraph (I) of paragraph (d) of this subsection (1.2).

(III) THE DEPARTMENT SHALL RELEASE TO THE PUBLIC ONLY THOSE ASSESSMENT RESULTS THAT THE DEPARTMENT DEEMS VALID. THE DEPARTMENT MUST NOT RELY ON ASSESSMENT RESULTS THAT THE DEPARTMENT HAS DEEMED INVALID IN PERFORMANCE CALCULATIONS WHEN ASSIGNING DISTRICT OR INSTITUTE ACCREDITATION RATINGS OR SCHOOL PLAN TYPES, AS DESCRIBED IN ARTICLE 11 OF THIS TITLE. At any time that the department releases assessment results to the public, in addition to releasing the results of the English versions of the assessments, the department shall release the results of any assessments administered in languages other than English.

(b) Starting with the assessments to be given in the spring of 2002, the assessments shall be designed so that each assessment test shall take no more than four hours to complete; except that this limitation shall not apply to the curriculum-based, achievement college entrance examination OR TO

THE COMMON SET OF ASSESSMENTS DEVELOPED BY A CONSORTIUM OF STATES, IF ADOPTED BY THE STATE BOARD PURSUANT TO SECTION 22-7-1006.

(d) (I) (B) Any student who is eligible for the state's alternate assessment for students with SIGNIFICANT COGNITIVE disabilities ~~also known as the "CSAP-A"~~, or other assessment approved by rule by the board according to the annual review of the student's individualized education program pursuant to section 22-20-108 shall not be required to take the assessments administered pursuant to subsection (1) of this section, but shall instead take the ~~CSAP-A~~ ALTERNATE ASSESSMENT or the other approved assessment. The results of any ~~CSAP-A~~ ALTERNATE ASSESSMENT or other approved assessment shall be reported to the department and aggregated separately for each school.

(II) Any student with a disability who is not eligible for the ~~CSAP-A~~ ALTERNATE ASSESSMENT or other approved assessment but who has an individualized education program pursuant to section 22-20-108 shall be assessed in each ~~CSAP~~ STATE-TESTED CONTENT area at the grade level in which the student is enrolled. If, as part of a student's individualized education program, a student attends part-time a school or program away from the school in which the student is enrolled, the school district in which a student is enrolled, or, in the case of a board of cooperative services, the administrative unit, may designate either the school of residency or the school of attendance as the school to which the scores of the student will be assigned for purposes of measuring the levels of attainment on the performance indicators specified in section 22-11-204, determining accreditation categories pursuant to section 22-11-208, and measuring public school performance pursuant to section 22-11-210.

(1.9) The results of the assessments required by subsection (1) of this section shall be included on each student's final report card for that school year and shall be part of the student's permanent academic record. ASSESSMENT DATA MAY BE INCLUDED ON A STUDENT'S FINAL REPORT CARD ONLY IF SCHOOL DISTRICTS HAVE SUFFICIENT TIME TO PROCESS THE ASSESSMENT RESULTS AFTER SAID ASSESSMENT RESULTS ARE RELEASED. The results of the curriculum-based, achievement college entrance exam conducted or paid for pursuant to subsection (1.5) of this section shall be included on each student's transcript; except that, if the student ~~retakes~~ ALSO TAKES the curriculum-based, achievement college entrance exam ~~at a later~~

~~time at the student's expense, the student may request that the later results be placed on the student's transcript instead of the results of the curriculum-based, achievement college entrance exam administered or paid for pursuant to subsection (1.5) of this section~~ ONLY THE STUDENT'S HIGHEST EXAM SCORES BE PLACED ON HIS OR HER TRANSCRIPT.

(4) The department shall review and update all assessments administered pursuant to this section, including but not limited to any assessments administered in languages other than English, AND SHALL REVIEW AND UPDATE ASSESSMENT, ADMINISTRATION, AND SECURITY POLICIES as necessary to maintain the integrity of the assessments. The general assembly hereby finds and declares that, for purposes of section 17 of article IX of the state constitution, maintaining the integrity of the assessments administered pursuant to this section is an important element of an accountable program to meet state academic standards and therefore may receive funding from the state education fund created in section 17 (4) of article IX of the state constitution.

SECTION 7. In Colorado Revised Statutes, 22-7-1009, **amend** (1) as follows:

22-7-1009. Diploma endorsements - adoption - revisions. (1) On or before July 1, 2011, or as soon thereafter as fiscally practicable, the state board shall adopt criteria that a local school board, BOCES, or institute charter high school may apply if the local school board, BOCES, or institute charter high school chooses to endorse high school diplomas to indicate that students have achieved postsecondary and workforce readiness. The criteria shall include, but need not be limited to, the required minimum level of postsecondary and workforce readiness that a student must achieve to receive a readiness endorsement on his or her diploma from the local school board, BOCES, or institute charter high school. ~~based on whether the student intends to pursue a career and technical education certificate; enrollment in an open, modified open, or moderately selective institution of higher education; or enrollment in a selective institution of higher education.~~ In identifying the required minimum level of postsecondary and workforce readiness, the state board shall ensure that the minimum level of postsecondary and workforce readiness reflects the expectations for postsecondary and workforce readiness that are applied nationally and internationally.

SECTION 8. In Colorado Revised Statutes, 22-30.5-104, **amend** (11) (a) as follows:

22-30.5-104. Charter school - requirements - authority. (11) (a) If a charter school chooses to apply, alone or with a consortium of charter schools, for a grant through a nonformulaic, competitive grant program created by a federal or state statute or program, the charter school or consortium of charter schools ~~pursuant to the provisions of section 22-30.5-503 (3.5)~~, IS THE LOCAL EDUCATION AGENCY ONLY FOR THE PURPOSES OF APPLYING AND DETERMINING ELIGIBILITY FOR THE GRANT AND may request, PURSUANT TO SECTION 22-30.5-503 (3.5), that the state charter school institute act as a ~~local education agency and~~ fiscal agent MANAGER for the charter school or consortium of charter schools for purposes of grant management. ~~and liability~~. The charter school or consortium of charter schools shall pay the fee, if any, imposed by the state charter school institute board as provided in section 22-30.5-503 (3.5).

SECTION 9. In Colorado Revised Statutes, 22-30.5-503, **amend** (3.5) (a) introductory portion, (3.5) (b), and (3.5) (c) as follows:

22-30.5-503. State charter school institute - establishment - rules. (3.5) (a) The state charter school institute may act as the ~~local education agency and~~ fiscal agent MANAGER for purposes of grant management ~~and liability~~ for a district charter school, an institute charter school, or a consortium of charter schools that chooses to apply for a grant through a nonformulaic, competitive grant program created by a federal or state statute or program; except that the provisions of this subsection (3.5) shall not apply to an application for:

(b) In acting as a ~~local education agency and~~ fiscal agent MANAGER for purposes of grant management ~~and liability~~ pursuant to this subsection (3.5), the institute shall treat district charter schools and institute charter schools equally.

(c) The institute board, by rule, may establish a fee that a district charter school, an institute charter school, or a consortium of charter schools shall pay if it requests that the institute act as the ~~local education agency and~~ fiscal agent MANAGER for purposes of grant management ~~and liability~~ for the charter school or consortium of charter schools pursuant to this subsection (3.5). The amount of the fee ~~shall~~ MUST not exceed the direct

costs incurred by the institute in implementing the provisions of this subsection (3.5). Any amount received by the institute from fees paid pursuant to this subsection (3.5) is continuously appropriated to the institute for the costs incurred in implementing this subsection (3.5). The institute board shall adopt rules as necessary to implement the provisions of this subsection (3.5).

SECTION 10. In Colorado Revised Statutes, 22-30.5-507, **add** (12) as follows:

22-30.5-507. Institute charter school - requirements - authority - rules. (12) AN INSTITUTE CHARTER SCHOOL MAY CHOOSE TO APPLY, ALONE OR WITH A CONSORTIUM OF CHARTER SCHOOLS, FOR A GRANT THROUGH A NONFORMULAIC, COMPETITIVE GRANT PROGRAM CREATED BY A FEDERAL OR STATE STATUTE OR PROGRAM. IF AN INSTITUTE CHARTER SCHOOL APPLIES, ALONE OR WITH A CONSORTIUM OF CHARTER SCHOOLS, FOR A GRANT, THE INSTITUTE CHARTER SCHOOL OR CONSORTIUM OF CHARTER SCHOOLS IS THE LOCAL EDUCATION AGENCY ONLY FOR THE PURPOSES OF APPLYING AND DETERMINING ELIGIBILITY FOR THE GRANT AND MAY REQUEST THAT THE STATE CHARTER SCHOOL INSTITUTE ACT AS A FISCAL MANAGER FOR THE INSTITUTE CHARTER SCHOOL PURSUANT TO SECTION 22-30.5-503 (3.5) FOR PURPOSES OF GRANT MANAGEMENT.

SECTION 11. In Colorado Revised Statutes, 22-35-107, **amend** (6) (c); and **add** (6) (e) as follows:

22-35-107. Concurrent enrollment advisory board - created - membership - duties - reports - repeal. (6) The board shall have the following duties:

(c) Making recommendations as necessary to the general assembly, the state board, and the commission concerning the improvement or updating of state policies relating to concurrent enrollment programs, including but not limited to recommendations of policies that will allow every local education provider in the state to have adequate resources to enter into at least one cooperative agreement and RECOMMENDATIONS OF A FUNDING ALLOCATION MODEL, TO BE APPROVED BY THE STATE BOARD ON OR BEFORE JULY 1, 2013, IN THE EVENT THAT THE NUMBER OF QUALIFIED STUDENTS IDENTIFIED BY LOCAL EDUCATION PROVIDERS EXCEEDS AVAILABLE APPROPRIATIONS PURSUANT TO SECTION 22-35-108 (2);

(e) SUBMITTING TO THE STATE BOARD FOR ITS APPROVAL OR DISAPPROVAL RECOMMENDATIONS MADE PURSUANT TO PARAGRAPHS (c) AND (d) OF THIS SUBSECTION (6).

SECTION 12. In Colorado Revised Statutes, 22-35-108, **amend** (2) (a) introductory portion and (2) (c) (II); **repeal** (2) (c) (I) and (2) (c) (III); and **add** (2) (c) (IV) as follows:

22-35-108. Accelerating students through concurrent enrollment program - objectives - selection criteria - rules. (2) (a) Subject to available appropriations, ~~and the determinations of the state board pursuant to subparagraph (III) of paragraph (c) of this subsection (2)~~ the department may designate as an ASCENT program participant any qualified student who:

~~(2) (c) (I) On or before September 1, 2009, and on or before September 1 each year thereafter, each local education provider shall submit to the department and the state board an estimate of the number of students in the local education provider who will seek to be designated by the department as ASCENT program participants for the following school year.~~

(II) The department, as part of its annual budget request to the general assembly, shall report the total number of ~~students who have been identified by local education providers as~~ potential ASCENT program participants for the following school year.

~~(III) On or before June 1, 2010, and on or before June 1 each year thereafter, the state board of education shall determine and report to the department how many qualified students the department may designate as ASCENT program participants from each local education provider for the following school year.~~

(IV) THE DEPARTMENT SHALL NOT DESIGNATE A GREATER NUMBER OF ASCENT PROGRAM PARTICIPANTS FOR A SCHOOL YEAR THAN THE NUMBER OF PARTICIPANTS THAT THE GENERAL ASSEMBLY APPROVES FOR FUNDING IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE APPLICABLE BUDGET YEAR.

SECTION 13. In Colorado Revised Statutes, **repeal** 22-54-104 (6) (b).

SECTION 14. In Colorado Revised Statutes, 22-60.5-111, **amend** (13) as follows:

22-60.5-111. Authorization - types - applicants' qualifications - rules. (13) **Adult basic education authorization.** The department of education may issue ~~a literacy instruction~~ AN ADULT BASIC EDUCATION authorization to an applicant who provides documented evidence of ~~literacy~~ ADULT BASIC EDUCATION training and experience. A school district may employ a person who holds ~~a literacy instruction~~ AN ADULT BASIC EDUCATION authorization to work as ~~a literacy~~ AN ADULT BASIC EDUCATION instructor in ~~a literacy~~ AN ADULT EDUCATION program operated by the school district before, during, or after regular school hours. ~~A literacy instruction~~ AN ADULT BASIC EDUCATION authorization is valid for five years from the date of issuance. The department of education may renew the ~~literacy instruction~~ ADULT BASIC EDUCATION authorization for successive five-year periods upon receipt of documented evidence that the person holding the authorization has completed additional ~~literacy~~ ADULT BASIC EDUCATION training or practice and any other renewal requirements specified by rule of the state board of education.

SECTION 15. In Colorado Revised Statutes, 22-60.5-112, **amend** (1) (b) as follows:

22-60.5-112. Fees - fund - repeal. (1) (b) (I) Notwithstanding any provision of paragraph (a) of this subsection (1) to the contrary, for the 2011-12, 2012-13, ~~and~~ 2013-14, AND 2014-15 fiscal years, the moneys in the cash fund are continuously appropriated to the department to offset the direct and indirect costs incurred by the state board of education and the department in administering this article. In each of said fiscal years, the general appropriations bill shall, for informational purposes, reflect the estimated amount of expenditures, including any funding for personnel, from the cash fund.

(II) During each of the 2012, 2013, ~~and~~ 2014, AND 2015 regular legislative sessions, the department shall report to the education committees of the house of representatives and the senate, or any successor committees, and the joint budget committee of the general assembly concerning expenditures from the cash fund and the department's progress in meeting the goal of reducing to six weeks or less the processing time for issuing or renewing an educator license.

(III) For state fiscal years 2011-12, 2012-13, ~~and~~ 2013-14, AND 2014-15, any persons hired to assist the department in reducing the processing time for issuing or renewing an educator license shall be independent contractors with the department, and the contracts for services shall not extend beyond June 30, ~~2014~~ 2015.

(IV) This paragraph (b) is repealed, effective July 1, ~~2014~~ 2015.

SECTION 16. In Colorado Revised Statutes, 22-87-104, **amend** (1) as follows:

22-87-104. Adoption and enforcement of policy of internet safety for minors - public schools. (1) No later than December 31, ~~2012~~ 2013, the governing body of each district shall adopt and implement a policy of internet safety for minors. ~~that includes a technology protection measure for each technology device provided by the district that allows for access to the internet by a minor from any location.~~

SECTION 17. In Colorado Revised Statutes, 22-87-103, **repeal** (7).

SECTION 18. In Colorado Revised Statutes, **repeal** 22-87-105.

SECTION 19. In Colorado Revised Statutes, 23-1-121, **amend** (3) (b), (6), and (8) as follows:

23-1-121. Commission directive - approval of educator preparation programs - review. (3) The commission shall also adopt policies to ensure that each educator preparation program offered by an institution of higher education includes implementation of procedures to monitor and improve the effectiveness of the program, as well as the effectiveness of its graduates pursuant to section 22-9-105.5, C.R.S., including at a minimum the following:

(b) Implementation of a procedure for collecting and reviewing evaluative data concerning the educator preparation program, which shall include periodic surveys of graduates and employers and educator identifier system data, pursuant to section ~~22-68.5-102.5~~ 22-2-112 (1)(q), C.R.S., for modifying the program as necessary in response to the data collected;

(6) The department shall annually prepare a report concerning the

enrollment in, graduation rates from, and effectiveness of the review of educator preparation programs authorized by the commission. In addition the report shall include data on the outcomes of graduates of educator preparation programs pursuant to section ~~22-68.5-102~~ 22-2-112 (1) (q), C.R.S. The report shall also state the percentage of educator candidates graduating from each program during the preceding twelve months that applied for and received an initial license pursuant to section 22-60.5-201, C.R.S., and the percentage of the graduates who passed the assessments administered pursuant to section 22-60.5-203, C.R.S. For purposes of completing the report required pursuant to this subsection (6), ~~as well as the report required pursuant to section 22-68.5-102.5, C.R.S.,~~ the department of higher education and the department of education shall share any relevant data that complies with state and federal regulations with the other agency. The department shall provide notice to the education committees of the senate and the house of representatives, or any successor committees, that the report is available to the members of the committees upon request.

(8) On or before December 30, 2013, the commission shall review the provisions of this section and any associated commission policies and make recommendations for a new system to review, evaluate, and assist educator preparation programs regarding the requirements of Senate Bill 08-212, enacted in 2008, Senate Bill 10-191, enacted in 2010, House Bill 09-1065, enacted in 2009, ~~and~~ Senate Bill 10-036, enacted in 2010, SENATE BILL 11-245, ENACTED IN 2011, AND ANY LAWS PERTAINING TO EDUCATOR PREPARATION PROGRAMS ENACTED IN 2013.

SECTION 20. In Colorado Revised Statutes, 24-4-103, **amend** (2.7) (c) (I) introductory portion; and **add** (2.7) (g) as follows:

24-4-103. Rule-making - procedure - definitions - repeal.
(2.7) (c) (I) EXCEPT AS PROVIDED IN PARAGRAPH (g) OF THIS SUBSECTION (2.7), beginning January 1, 2014, for each proposed rule that includes a state mandate, an agency shall provide to the director a description of:

(g) BEGINNING JANUARY 1, 2014, FOR EACH PROPOSED RULE OF THE STATE BOARD OF EDUCATION THAT IMPOSES A NEW STATE MANDATE OR AN INCREASE IN THE LEVEL OF SERVICE FOR AN EXISTING STATE MANDATE BEYOND THAT REQUIRED BY STATUTE, THE DEPARTMENT OF EDUCATION SHALL COMPLY WITH THE PROVISIONS OF PARAGRAPH (c) OF THIS SUBSECTION (2.7).

SECTION 21. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

John P. Morse
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO