

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 13-0387.01 Jane Ritter x4342

HOUSE BILL 13-1219

HOUSE SPONSORSHIP

Hamner, Priola, Murray, Holbert, Peniston, Pettersen, Young

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House Committees
Education

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Education

A BILL FOR AN ACT

101 CONCERNING STATUTORY CHANGES TO K-12 EDUCATION.

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>.)

The bill makes several changes to existing statute concerning K-12 education, including:

- ! Directing the commissioner of education to establish and maintain an educator identifier system and to review the content of educator preparation programs, including the preparation of an annual report on the effectiveness of those programs;

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.*

SENATE
Amended 2nd Reading
March 19, 2013

HOUSE
3rd Reading Unamended
February 26, 2013

HOUSE
Amended 2nd Reading
February 22, 2013

- ! Authorizing the department of education (department) to collect data from school districts related to student-level course completion;
- ! Changing the student assessment statute to reflect the state's new summative assessment system as adopted by the general assembly in 2012;
- ! Removing obsolete reporting requirements for the accelerating students through concurrent enrollment (ASCENT) program;
- ! Changing the name of the literacy instruction authorization to an adult basic education authorization;
- ! Extending continuous spending authority of the state's licensure system by one year to allow for continued refinements of the system; and
- ! Limiting the reporting and notice mandate on the department to rules that create a new mandate or an increase in the level of service for an existing state mandate.

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

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

4 **22-2-112. Commissioner - duties.** (1) Subject to the supervision
 5 of the state board, the commissioner has the following duties:

6 (p) TO ESTABLISH AND MAINTAIN AN EDUCATOR IDENTIFIER
 7 SYSTEM TO ASSIGN UNIQUE IDENTIFIERS TO EDUCATORS EMPLOYED IN A
 8 SCHOOL DISTRICT OR LOCAL EDUCATION AGENCY. EACH EDUCATOR'S
 9 IDENTIFIER MUST BE UNIQUE. THE IDENTIFIER MUST NOT USE ANY
 10 PERSONAL IDENTIFYING INFORMATION, SUCH AS SOCIAL SECURITY
 11 NUMBERS OR CONTACT INFORMATION, EXCEPT FOR ALIGNMENT PURPOSES
 12 IN DATA PROCESSING. ANY PERSONAL IDENTIFYING INFORMATION THAT IS
 13 COLLECTED MUST BE LINKED IN A SECURE DATA LOCATION SO DATA SETS
 14 CAN BE MATCHED BASED ON THE PERSONAL IDENTIFYING INFORMATION
 15 WHEN THE IDENTIFIER IS NOT INCLUDED.

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

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

10 (III) THE REPORT REQUIRED PURSUANT TO THIS PARAGRAPH (q)
11 MUST INCLUDE, BUT NEED NOT BE LIMITED TO, THE CORRELATION
12 BETWEEN DIFFERENT EDUCATOR PREPARATION PROGRAMS IN THE STATE,
13 INCLUDING ALTERNATIVE EDUCATOR PREPARATION PROGRAMS, AND
14 STUDENT ACADEMIC GROWTH, EDUCATOR PLACEMENT, EDUCATOR
15 MOBILITY AND RETENTION, AND EDUCATOR PERFORMANCE EVALUATION
16 RATINGS.

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

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

26 **22-2-303. Definitions.** As used in this part 3, unless the context
27 otherwise requires:

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

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

8 **22-2-116.5. Department of education - student-level course**
9 **completion data.** BEGINNING WITH THE 2014-2015 SCHOOL YEAR, THE
10 DEPARTMENT SHALL ANNUALLY COLLECT STUDENT-LEVEL COURSE
11 COMPLETION DATA, CONSISTENT WITH STATE AND FEDERAL PRIVACY
12 LAWS, FROM EACH LOCAL EDUCATION AGENCY IN THE STATE. THE
13 DEPARTMENT SHALL ESTABLISH A DEFINITION OF COURSE COMPLETION
14 THAT MAY BE CONSISTENTLY UNDERSTOOD AND APPLIED AND THAT MUST
15 BE PERIODICALLY REVISED AS APPROPRIATE. IN DEVELOPING THE
16 DEFINITION, THE DEPARTMENT SHALL WORK WITH INTERESTED PARTIES TO
17 CONSIDER ISSUES, INCLUDING BUT NOT LIMITED TO WHETHER STUDENTS
18 SHOULD BE INCLUDED IN THE DATABASE IF THEY HAVE ENROLLED IN A
19 COURSE AFTER A SPECIFIED DATE OR DROPPED A COURSE BEFORE A
20 SPECIFIED DATE AND WHETHER COURSE COMPLETION MUST BE
21 DETERMINED BASED ON THE RECEIPT OF PARTICULAR GRADES OR OTHER
22 CRITERIA.

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

25 **22-2-308. Data reporting requirements - office of legislative**
26 **legal services.** Notwithstanding the provisions of section 2-3-505,
27 C.R.S., the office of legislative legal services, created in section 2-3-501,

1 C.R.S., shall notify EDAC of any legislation introduced that creates by
2 specific language a new ~~data reporting~~ requirement FOR A LOCAL
3 EDUCATION AGENCY TO REPORT DATA to any state or federal agency.

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

6 **22-7-402. Definitions. As used in this part 4, unless the context**
7 **otherwise requires:**

8 **(8.3) "ENGLISH LANGUAGE ARTS" MEANS A COURSE OF STUDY**
9 **THAT INCLUDES, BUT IS NOT LIMITED TO, READING, WRITING, AND**
10 **COMMUNICATION SKILLS.**

11 **SECTION 6.** In Colorado Revised Statutes, 22-7-409, **amend** (1),
12 (1.1) (a), (1.2) (a) (I), (1.2) (a) (III), (1.2) (b), (1.2) (d) (I) (B), (1.2) (d)
13 (II), (1.9), and (4) as follows:

14 **22-7-409. Assessments - repeal.** (1) Beginning in the spring
15 semester OF 1997, the department shall implement the Colorado student
16 assessment program under which the department shall administer
17 statewide assessments adopted by the board pursuant to section 22-7-406
18 in the first priority areas of reading, writing, mathematics, and science.
19 The department shall administer the English versions of the state
20 assessments and may administer any assessments adopted by the board in
21 languages other than English, as may be appropriate for students with
22 limited English proficiency; except that any student who has participated
23 in the English language proficiency program, created pursuant to section
24 22-24-104, for more than a total of three school years shall be ineligible
25 to take the assessments in a language other than English. The statewide
26 assessments shall be administered ~~according to the following~~
27 ~~implementation schedule~~ AS FOLLOWS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (g) (I) If sufficient moneys are received from the federal
17 government through the federal "No Child Left Behind Act of 2001",
18 Public Law 107-110, to pay for the development and administration of the
19 assessments, beginning in the spring semester 2006 at the latest, and each
20 spring semester thereafter, the department shall administer a statewide
21 assessment ~~first~~ in mathematics to all students enrolled in the third and
22 fourth grades ~~and in science to all students enrolled in the fifth and tenth~~
23 ~~grades~~ in public schools throughout the state.

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

1 administer the assessments described in this paragraph (g).

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

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

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

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

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

1 SOCIAL STUDIES ASSESSMENT SHALL BE ADMINISTERED ONCE IN
2 ELEMENTARY SCHOOL, ONCE IN MIDDLE SCHOOL, AND ONCE IN HIGH
3 SCHOOL.

4 (1.1) (a) Upon request by a school district or institute charter
5 school, the entity responsible for developing a statewide assessment shall
6 return to the school district or institute charter school the student
7 responses to the essay and appropriate paragraphs THAT HAVE BEEN
8 RELEASED from the ~~writing~~ ENGLISH LANGUAGE ARTS portion of the
9 statewide assessment, along with the results of all requested assessments.
10 The school district or institute charter school making the request shall pay
11 the entity for the actual cost of photocopying and mailing the ~~writing~~
12 ENGLISH LANGUAGE ARTS portion of the statewide assessment for the
13 exclusive and confidential use of improving an individual student's
14 writing skills.

15 (1.2) (a) (I) The assessments required by subsection (1) of this
16 section shall be aligned with the ~~model~~ STATE content standards adopted
17 by the state board pursuant to section ~~22-7-406~~ 22-7-1005. The
18 assessments shall be ~~conducted during the period beginning the second~~
19 ~~Monday in March and ending on the third Monday in April of each year~~
20 ADMINISTERED ON A SCHEDULE TO BE DETERMINED BY THE DEPARTMENT
21 ON AN ANNUAL BASIS. The department shall provide to each public school
22 results of all assessments administered, as provided in subparagraph (I.5)
23 of this paragraph (a), and align the disaggregation of those results with
24 the exclusion of scores permitted by subparagraph (I) of paragraph (d) of
25 this subsection (1.2).

26 (III) THE DEPARTMENT SHALL RELEASE TO THE PUBLIC ONLY
27 THOSE ASSESSMENT RESULTS THAT THE DEPARTMENT DEEMS VALID. THE

1 DEPARTMENT MUST NOT RELY ON ASSESSMENT RESULTS THAT THE
2 DEPARTMENT HAS DEEMED INVALID IN PERFORMANCE CALCULATIONS
3 WHEN ASSIGNING DISTRICT OR INSTITUTE ACCREDITATION RATINGS OR
4 SCHOOL PLAN TYPES, AS DESCRIBED IN ARTICLE 11 OF THIS TITLE. At any
5 time that the department releases assessment results to the public, in
6 addition to releasing the results of the English versions of the
7 assessments, the department shall release the results of any assessments
8 administered in languages other than English.

9 (b) Starting with the assessments to be given in the spring of 2002,
10 the assessments shall be designed so that each assessment test shall take
11 no more than four hours to complete; except that this limitation shall not
12 apply to the curriculum-based, achievement college entrance examination
13 OR TO THE COMMON SET OF ASSESSMENTS DEVELOPED BY A CONSORTIUM
14 OF STATES, IF ADOPTED BY THE STATE BOARD PURSUANT TO SECTION
15 22-7-1006.

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

26 (II) Any student with a disability who is not eligible for the
27 ~~CSAP-A~~ ALTERNATE ASSESSMENT or other approved assessment but who

1 has an individualized education program pursuant to section 22-20-108
2 shall be assessed in each ~~CSAP~~ STATE-TESTED CONTENT area at the grade
3 level in which the student is enrolled. If, as part of a student's
4 individualized education program, a student attends part-time a school or
5 program away from the school in which the student is enrolled, the school
6 district in which a student is enrolled, or, in the case of a board of
7 cooperative services, the administrative unit, may designate either the
8 school of residency or the school of attendance as the school to which the
9 scores of the student will be assigned for purposes of measuring the levels
10 of attainment on the performance indicators specified in section
11 22-11-204, determining accreditation categories pursuant to section
12 22-11-208, and measuring public school performance pursuant to section
13 22-11-210.

14 (1.9) The results of the assessments required by subsection (1) of
15 this section shall be included on each student's final report card for that
16 school year and shall be part of the student's permanent academic record.

17 ASSESSMENT DATA MAY BE INCLUDED ON A STUDENT'S FINAL REPORT
18 CARD ONLY IF SCHOOL DISTRICTS HAVE SUFFICIENT TIME TO PROCESS THE
19 ASSESSMENT RESULTS AFTER SAID ASSESSMENT RESULTS ARE RELEASED.

20 The results of the curriculum-based, achievement college entrance exam
21 conducted or paid for pursuant to subsection (1.5) of this section shall be
22 included on each student's transcript; except that, if the student ~~retakes~~
23 ~~ALSO TAKES~~ the curriculum-based, achievement college entrance exam at
24 ~~a later time~~ at the student's expense, the student may request that ~~the later~~
25 ~~results be placed on the student's transcript instead of the results of the~~
26 ~~curriculum-based, achievement college entrance exam administered or~~
27 ~~paid for pursuant to subsection (1.5) of this section~~ ONLY THE STUDENT'S

1 HIGHEST EXAM SCORES BE PLACED ON HIS OR HER TRANSCRIPT.

2 (4) The department shall review and update all assessments
3 administered pursuant to this section, including but not limited to any
4 assessments administered in languages other than English, AND SHALL
5 REVIEW AND UPDATE ASSESSMENT, ADMINISTRATION, AND SECURITY
6 POLICIES as necessary to maintain the integrity of the assessments. The
7 general assembly hereby finds and declares that, for purposes of section
8 17 of article IX of the state constitution, maintaining the integrity of the
9 assessments administered pursuant to this section is an important element
10 of an accountable program to meet state academic standards and therefore
11 may receive funding from the state education fund created in section 17
12 (4) of article IX of the state constitution.

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

15 **22-7-1009. Diploma endorsements - adoption - revisions.**

16 (1) On or before July 1, 2011, or as soon thereafter as fiscally practicable,
17 the state board shall adopt criteria that a local school board, BOCES, or
18 institute charter high school may apply if the local school board, BOCES,
19 or institute charter high school chooses to endorse high school diplomas
20 to indicate that students have achieved postsecondary and workforce
21 readiness. The criteria shall include, but need not be limited to, the
22 required minimum level of postsecondary and workforce readiness that
23 a student must achieve to receive a readiness endorsement on his or her
24 diploma from the local school board, BOCES, or institute charter high
25 school. ~~based on whether the student intends to pursue a career and~~
26 ~~technical education certificate; enrollment in an open, modified open, or~~
27 ~~moderately selective institution of higher education; or enrollment in a~~

1 ~~selective institution of higher education.~~ In identifying the required
2 minimum level of postsecondary and workforce readiness, the state board
3 shall ensure that the minimum level of postsecondary and workforce
4 readiness reflects the expectations for postsecondary and workforce
5 readiness that are applied nationally and internationally.

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

8 **22-30.5-104. Charter school - requirements - authority.**

9 (11) (a) If a charter school chooses to apply, alone or with a consortium
10 of charter schools, for a grant through a nonformulaic, competitive grant
11 program created by a federal or state statute or program, the charter
12 school or consortium of charter schools ~~pursuant to the provisions of~~
13 ~~section 22-30.5-503 (3.5),~~ IS THE LOCAL EDUCATION AGENCY ONLY FOR
14 THE PURPOSES OF APPLYING AND DETERMINING ELIGIBILITY FOR THE
15 GRANT AND may request, PURSUANT TO SECTION 22-30.5-503 (3.5), that
16 the state charter school institute act as a ~~local education agency and~~ fiscal
17 ~~agent~~ MANAGER for the charter school or consortium of charter schools
18 for purposes of grant management. ~~and liability.~~ The charter school or
19 consortium of charter schools shall pay the fee, if any, imposed by the
20 state charter school institute board as provided in section 22-30.5-503
21 (3.5).

22 **SECTION 9.** In Colorado Revised Statutes, 22-30.5-503, **amend**
23 (3.5) (a) introductory portion, (3.5) (b), and (3.5) (c) as follows:

24 **22-30.5-503. State charter school institute - establishment -**
25 **rules.** (3.5) (a) The state charter school institute may act as the ~~local~~
26 ~~education agency and~~ fiscal ~~agent~~ MANAGER for purposes of grant
27 management ~~and liability~~ for a district charter school, an institute charter

1 school, or a consortium of charter schools that chooses to apply for a
2 grant through a nonformulaic, competitive grant program created by a
3 federal or state statute or program; except that the provisions of this
4 subsection (3.5) shall not apply to an application for:

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

9 (c) The institute board, by rule, may establish a fee that a district
10 charter school, an institute charter school, or a consortium of charter
11 schools shall pay if it requests that the institute act as the ~~local education~~
12 ~~agency and~~ fiscal agent MANAGER for purposes of grant management ~~and~~
13 ~~liability~~ for the charter school or consortium of charter schools pursuant
14 to this subsection (3.5). The amount of the fee ~~shall~~ MUST not exceed the
15 direct costs incurred by the institute in implementing the provisions of
16 this subsection (3.5). Any amount received by the institute from fees paid
17 pursuant to this subsection (3.5) is continuously appropriated to the
18 institute for the costs incurred in implementing this subsection (3.5). The
19 institute board shall adopt rules as necessary to implement the provisions
20 of this subsection (3.5).

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

23 **22-30.5-507. Institute charter school - requirements -**
24 **authority - rules.** (12) AN INSTITUTE CHARTER SCHOOL MAY CHOOSE TO
25 APPLY, ALONE OR WITH A CONSORTIUM OF CHARTER SCHOOLS, FOR A
26 GRANT THROUGH A NONFORMULAIC, COMPETITIVE GRANT PROGRAM
27 CREATED BY A FEDERAL OR STATE STATUTE OR PROGRAM. IF AN INSTITUTE

1 CHARTER SCHOOL APPLIES, ALONE OR WITH A CONSORTIUM OF CHARTER
2 SCHOOLS, FOR A GRANT, THE INSTITUTE CHARTER SCHOOL OR CONSORTIUM
3 OF CHARTER SCHOOLS IS THE LOCAL EDUCATION AGENCY ONLY FOR THE
4 PURPOSES OF APPLYING AND DETERMINING ELIGIBILITY FOR THE GRANT
5 AND MAY REQUEST THAT THE STATE CHARTER SCHOOL INSTITUTE ACT AS
6 A FISCAL MANAGER FOR THE INSTITUTE CHARTER SCHOOL PURSUANT TO
7 SECTION 22-30.5-503 (3.5) FOR PURPOSES OF GRANT MANAGEMENT.

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

10 **22-35-107. Concurrent enrollment advisory board - created -**
11 **membership - duties - reports - repeal.** (6) The board shall have the
12 following duties:

13 (c) Making recommendations as necessary to the general
14 assembly, the state board, and the commission concerning the
15 improvement or updating of state policies relating to concurrent
16 enrollment programs, including but not limited to recommendations of
17 policies that will allow every local education provider in the state to have
18 adequate resources to enter into at least one cooperative agreement and
19 RECOMMENDATIONS OF A FUNDING ALLOCATION MODEL, TO BE APPROVED
20 BY THE STATE BOARD ON OR BEFORE JULY 1, 2013, IN THE EVENT THAT
21 THE NUMBER OF QUALIFIED STUDENTS IDENTIFIED BY LOCAL EDUCATION
22 PROVIDERS EXCEEDS AVAILABLE APPROPRIATIONS PURSUANT TO SECTION
23 22-35-108 (2);

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

27 **SECTION 12.** In Colorado Revised Statutes, 22-35-108, **amend**

1 (2) (a) introductory portion and (2) (c) (II); **repeal** (2) (c) (I) and (2) (c)
2 (III); and **add** (2) (c) (IV) as follows:

3 **22-35-108. Accelerating students through concurrent**
4 **enrollment program - objectives - selection criteria - rules.**

5 (2) (a) Subject to available appropriations, and the determinations of the
6 state board pursuant to subparagraph (H) of paragraph (c) of this
7 subsection (2) the department may designate as an ASCENT program
8 participant any qualified student who:

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

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

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

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

1 APPLICABLE BUDGET YEAR.

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

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

6 **22-60.5-111. Authorization - types - applicants' qualifications**
7 **- rules.** (13) **Adult basic education authorization.** The department of
8 education may issue ~~a literacy instruction~~ AN ADULT BASIC EDUCATION
9 authorization to an applicant who provides documented evidence of
10 ~~literacy~~ ADULT BASIC EDUCATION training and experience. A school
11 district may employ a person who holds ~~a literacy instruction~~ AN ADULT
12 BASIC EDUCATION authorization to work as ~~a literacy~~ AN ADULT BASIC
13 EDUCATION instructor in ~~a literacy~~ AN ADULT EDUCATION program
14 operated by the school district before, during, or after regular school
15 hours. ~~A literacy instruction~~ AN ADULT BASIC EDUCATION authorization
16 is valid for five years from the date of issuance. The department of
17 education may renew the ~~literacy instruction~~ ADULT BASIC EDUCATION
18 authorization for successive five-year periods upon receipt of documented
19 evidence that the person holding the authorization has completed
20 additional ~~literacy~~ ADULT BASIC EDUCATION training or practice and any
21 other renewal requirements specified by rule of the state board of
22 education.

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

25 **22-60.5-112. Fees - fund - repeal.** (1) (b) (I) Notwithstanding
26 any provision of paragraph (a) of this subsection (1) to the contrary, for
27 the 2011-12, 2012-13, ~~and~~ 2013-14, AND 2014-15 fiscal years, the

1 moneys in the cash fund are continuously appropriated to the department
2 to offset the direct and indirect costs incurred by the state board of
3 education and the department in administering this article. In each of said
4 fiscal years, the general appropriations bill shall, for informational
5 purposes, reflect the estimated amount of expenditures, including any
6 funding for personnel, from the cash fund.

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

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

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

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

22 **22-87-104. Adoption and enforcement of policy of internet**
23 **safety for minors - public schools.** (1) No later than December 31,
24 ~~2012~~ 2013, the governing body of each district shall adopt and implement
25 a policy of internet safety for minors. ~~that includes a technology~~
26 ~~protection measure for each technology device provided by the district~~
27 ~~that allows for access to the internet by a minor from any location.~~

1 **SECTION 17.** In Colorado Revised Statutes, 22-87-103, **repeal**
2 **(7).**

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

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

6 **23-1-121. Commission directive - approval of educator**
7 **preparation programs - review.** (3) The commission shall also adopt
8 policies to ensure that each educator preparation program offered by an
9 institution of higher education includes implementation of procedures to
10 monitor and improve the effectiveness of the program, as well as the
11 effectiveness of its graduates pursuant to section 22-9-105.5, C.R.S.,
12 including at a minimum the following:

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

19 (6) The department shall annually prepare a report concerning the
20 enrollment in, graduation rates from, and effectiveness of the review of
21 educator preparation programs authorized by the commission. In addition
22 the report shall include data on the outcomes of graduates of educator
23 preparation programs pursuant to section ~~22-68.5-102~~ 22-2-112 (1) (q),
24 C.R.S. The report shall also state the percentage of educator candidates
25 graduating from each program during the preceding twelve months that
26 applied for and received an initial license pursuant to section
27 22-60.5-201, C.R.S., and the percentage of the graduates who passed the

1 assessments administered pursuant to section 22-60.5-203, C.R.S. For
2 purposes of completing the report required pursuant to this subsection (6),
3 ~~as well as the report required pursuant to section 22-68.5-102.5, C.R.S.,~~
4 the department of higher education and the department of education shall
5 share any relevant data that complies with state and federal regulations
6 with the other agency. The department shall provide notice to the
7 education committees of the senate and the house of representatives, or
8 any successor committees, that the report is available to the members of
9 the committees upon request.

10 (8) On or before December 30, 2013, the commission shall review
11 the provisions of this section and any associated commission policies and
12 make recommendations for a new system to review, evaluate, and assist
13 educator preparation programs regarding the requirements of Senate Bill
14 08-212, enacted in 2008, Senate Bill 10-191, enacted in 2010, House Bill
15 09-1065, enacted in 2009, ~~and~~ Senate Bill 10-036, enacted in 2010,
16 SENATE BILL 11-245, ENACTED IN 2011, AND ANY LAWS PERTAINING TO
17 EDUCATOR PREPARATION PROGRAMS ENACTED IN 2013.

18 **SECTION 20.** In Colorado Revised Statutes, 24-4-103, **amend**
19 (2.7) (c) (I) introductory portion; and **add** (2.7) (g) as follows:

20 **24-4-103. Rule-making - procedure - definitions - repeal.**

21 (2.7) (c) (I) EXCEPT AS PROVIDED IN PARAGRAPH (g) OF THIS SUBSECTION
22 (2.7), beginning January 1, 2014, for each proposed rule that includes a
23 state mandate, an agency shall provide to the director a description of:

24 (g) BEGINNING JANUARY 1, 2014, FOR EACH PROPOSED RULE OF
25 THE STATE BOARD OF EDUCATION THAT IMPOSES A NEW STATE MANDATE
26 OR AN INCREASE IN THE LEVEL OF SERVICE FOR AN EXISTING STATE
27 MANDATE BEYOND THAT REQUIRED BY STATUTE, THE DEPARTMENT OF

1 EDUCATION SHALL COMPLY WITH THE PROVISIONS OF PARAGRAPH (c) OF
2 THIS SUBSECTION (2.7).

3 **SECTION 21. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2014 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.