

Second Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO

**REREVISED**

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

LLS NO. 06-0105.02 Jerry Barry

**HOUSE BILL 06-1021**

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**HOUSE SPONSORSHIP**

**Benefield,**

**SENATE SPONSORSHIP**

**Tupa,**

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**House Committees**  
Education

**Senate Committees**  
Education

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**A BILL FOR AN ACT**

101 **CONCERNING PHYSICAL EDUCATION TEACHERS EMPLOYED BY SCHOOL**  
102 **DISTRICTS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Prohibits a school district from employing as a physical education teacher a person who does not hold a physical education endorsement on his or her teacher license or who is not highly qualified as determined by the school district.

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

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  
3rd Reading Unamended  
April 3, 2006

SENATE  
Amended 2nd Reading  
March 31, 2006

HOUSE  
3rd Reading Unamended  
January 30, 2006

HOUSE  
Amended 2nd Reading  
January 27, 2006

1           **SECTION 1.** Part 2 of article 63 of title 22, Colorado Revised  
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
3 read:

4           **22-63-201.5. Employment contracts - physical education**  
5 **teachers.** (1) FOR SCHOOL YEARS BEGINNING ON AND AFTER JULY 1,  
6 2010, IN ADDITION TO THE REQUIREMENTS OF SECTION 22-63-201, THE  
7 BOARD OF A SCHOOL DISTRICT SHALL NOT ENTER INTO AN EMPLOYMENT  
8 CONTRACT WITH ANY PERSON TO TEACH ANY PHYSICAL EDUCATION  
9 COURSE OR CLASS, AS DESIGNATED BY THE BOARD, EXCEPT IN A JUNIOR  
10 COLLEGE DISTRICT OR IN AN ADULT EDUCATION PROGRAM, UNLESS SUCH  
11 PERSON EITHER:

12           (a) HAS A LICENSE ENDORSEMENT FOR PHYSICAL EDUCATION  
13 ISSUED PURSUANT TO SECTION 22-60.5-106; OR

14           (b) IS OTHERWISE HIGHLY QUALIFIED UNDER THE FEDERAL "NO  
15 CHILD LEFT BEHIND ACT OF 2001", AS DETERMINED BY THE SCHOOL  
16 DISTRICT.

17           (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF  
18 THIS SECTION, A SCHOOL DISTRICT MAY CONTRACT WITH A TEACHER TO  
19 TEACH A PHYSICAL EDUCATION COURSE OR CLASS IF THE TEACHER:

20           (a) HOLDS AN ALTERNATIVE TEACHER LICENSE PURSUANT TO  
21 SECTION 22-60.5-201 (1) (a); OR

22           (b) HOLDS A TEACHER IN RESIDENCE OR AN EMERGENCY  
23 AUTHORIZATION PURSUANT TO SECTION 22-60.5-111.

24           **SECTION 2.** 22-60.5-111 (4) (b), Colorado Revised Statutes, is  
25 amended to read:

26           **22-60.5-111. Authorization - types - applicants' qualifications.**  
27 (4) **Emergency authorization.** (b) An emergency authorization is valid

1 for one year. If the state board of education determines that the  
2 employing school district continues to require the services of the person  
3 holding the emergency authorization, based on evidence submitted by the  
4 school district demonstrating the continued existence of the hardship  
5 circumstances described in subparagraphs (II) and (III) of paragraph (a)  
6 of this subsection (4), the state board of education may renew the  
7 emergency authorization for one additional year only; EXCEPT THAT THIS  
8 ONE-YEAR LIMITATION SHALL NOT APPLY TO AN APPLICANT EMPLOYED TO  
9 TEACH PHYSICAL EDUCATION BY A SCHOOL DISTRICT WITH A STUDENT  
10 ENROLLMENT OF THREE THOUSAND STUDENTS OR FEWER.

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12 **SECTION 3. Safety clause.** The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety.