

Second Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 06-0518.01 Richard Sweetman

SENATE BILL 06-073

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SENATE SPONSORSHIP

Tapia,

HOUSE SPONSORSHIP

(None),

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Senate Committees  
Education

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE AGE SPECIFICATIONS RELATING TO COMPULSORY  
102 SCHOOL ATTENDANCE.

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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.)*

Lowers the minimum age of compulsory school attendance from 7 to 6 years. Raises the maximum age of compulsory school attendance from 16 to 17 years.

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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.*

1           **SECTION 1.** 22-33-104 (1), (1.5), and (5) (a), Colorado Revised  
2 Statutes, are amended to read:

3           **22-33-104. Compulsory school attendance.** (1) (a) Except as  
4 otherwise provided in subsection (2) of this section, every child who has  
5 attained the age of ~~seven~~ SIX years and is under the age of ~~sixteen~~  
6 SEVENTEEN years, except as provided by this section, shall attend public  
7 school for at least THE FOLLOWING NUMBER OF HOURS DURING EACH  
8 SCHOOL YEAR:

9           (I) One thousand fifty-six hours if a secondary school pupil; ~~or~~

10           (II) Nine hundred sixty-eight hours if an elementary school pupil  
11 ~~during each school year; except that in no case shall~~ IN A GRADE OTHER  
12 THAN KINDERGARTEN;

13           (III) NINE HUNDRED HOURS IF A FULL-DAY KINDERGARTEN PUPIL;

14 OR

15           (IV) FOUR HUNDRED FIFTY HOURS IF A HALF-DAY KINDERGARTEN  
16 PUPIL.

17           (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF  
18 THIS SUBSECTION (1), a school or schools SHALL NOT be in session for  
19 fewer than one hundred sixty days without the specific prior approval of  
20 the commissioner of education.

21           (c) A student who participates in an on-line program pursuant to  
22 the provisions of section 22-33-104.6 shall be deemed to attend school in  
23 accordance with the requirements of this subsection (1).

24           (1.5) ~~Notwithstanding the provisions of subsection (1) of this~~  
25 ~~section and any other provision of this article relating to compulsory~~  
26 ~~school attendance, the compulsory school attendance laws apply to a~~  
27 ~~six-year-old child who has been enrolled in a public school in the first~~

1 ~~grade or in a higher grade level. In such circumstances, the courts may~~  
2 ~~issue orders to compel compliance with the compulsory school attendance~~  
3 ~~requirements of this article. However, this subsection (1.5) shall not~~  
4 ~~apply to a six-year-old child whose parent or legal guardian chooses to~~  
5 ~~withdraw such child.~~

6 (5) (a) The general assembly hereby declares that two of the most  
7 important factors in ensuring a child's educational development are  
8 parental involvement and parental responsibility. The general assembly  
9 further declares that it is the obligation of every parent to ensure that  
10 every child under such parent's care and supervision receives adequate  
11 education and training. Therefore, every parent of a child who has  
12 attained the age of ~~seven~~ SIX years and is under the age of ~~sixteen~~  
13 SEVENTEEN years shall ensure that such child attends the public school in  
14 which such child is enrolled in compliance with this section.

15 **SECTION 2.** 22-33-104.7, Colorado Revised Statutes, is  
16 amended to read:

17 **22-33-104.7. Eligibility for the general educational**  
18 **development tests.** Any child ~~sixteen~~ SEVENTEEN years of age who  
19 submits written evidence of a need to take the GED to be eligible for an  
20 educational or vocational program shall be eligible to sit for the GED  
21 after complying with all statutory and regulatory requirements in regard  
22 to GED testing.

23 **SECTION 3.** 22-33-107 (3) (a), Colorado Revised Statutes, is  
24 amended to read:

25 **22-33-107. Enforcement of compulsory school attendance.**  
26 (3) (a) As used in this subsection (3), a child who is "habitually truant"  
27 means a child who has attained the age of ~~seven~~ SIX years and is under the

1 age of ~~sixteen~~ SEVENTEEN years having four unexcused absences from  
2 public school in any one month or ten unexcused absences from public  
3 school during any school year. Absences due to suspension or expulsion  
4 of a child shall be considered excused absences for purposes of this  
5 subsection (3).

6 **SECTION 4.** 22-2-112 (2), Colorado Revised Statutes, is  
7 amended to read:

8 **22-2-112. Commissioner - duties.** (2) In accordance with  
9 section 22-2-107 (1) (c), the commissioner shall establish requirements  
10 enabling residents of this state who are ~~seventeen~~ EIGHTEEN years of age  
11 or older or who are ~~sixteen~~ SEVENTEEN years of age and satisfy the  
12 requirements of section 22-33-104.7 to earn a high school equivalency  
13 certificate upon satisfaction of said requirements.

14 **SECTION 5.** 22-2-124 (2) (c) (I), Colorado Revised Statutes, is  
15 amended to read:

16 **22-2-124. Family literacy education grant program -**  
17 **rule-making - repeal.** (2) As used in this section, unless the context  
18 otherwise requires:

19 (c) "Eligible adult" means a person who meets the following  
20 criteria:

21 (I) Is at least ~~sixteen~~ SEVENTEEN years of age;

22 **SECTION 6.** 22-52-102 (1), Colorado Revised Statutes, is  
23 amended to read:

24 **22-52-102. Eligible students.** (1) In order to be eligible to  
25 participate in the second chance program, a child shall be a dropout  
26 between ~~sixteen~~ SEVENTEEN and twenty-one years of age who has been  
27 recommended for participation in the program by his OR HER school

1 district of residence with the concurrence of the child, ~~his~~ THE CHILD'S  
2 parent, and the receiving district; but no such child shall be eligible to  
3 participate in the second chance program if he OR SHE has achieved a high  
4 school diploma or its equivalent.

5 **SECTION 7.** 23-1-119 (4), Colorado Revised Statutes, is  
6 amended to read:

7 **23-1-119. Commission directive - transition between K-12**  
8 **education system and postsecondary education system.** (4) For  
9 purposes of this section, "postsecondary" means related to instruction of  
10 students over the age of ~~sixteen~~ SEVENTEEN years who are not enrolled in  
11 a regular program of kindergarten through grade twelve in a public,  
12 independent, or parochial school.

13 **SECTION 8.** 23-20-131, Colorado Revised Statutes, is amended  
14 to read:

15 **23-20-131. Free pupil from each county.** Each county is entitled  
16 to send one pupil under the age of ~~sixteen~~ SEVENTEEN years to said  
17 university, tuition free, said pupil to be selected by competitive  
18 examination before the county superintendent of such county and given  
19 to the highest scholarship.

20 **SECTION 9.** 23-60-103 (3), Colorado Revised Statutes, is  
21 amended to read:

22 **23-60-103. Definitions.** As used in this article, unless the context  
23 otherwise requires:

24 (3) "Postsecondary" means related to instruction of students over  
25 the age of ~~sixteen~~ SEVENTEEN years who are not enrolled in a regular  
26 program of kindergarten through grade twelve in a public, independent,  
27 or parochial school.

1           **SECTION 10. Effective date.** This act shall take effect July 1,  
2   2006.

3           **SECTION 11. Safety clause.** The general assembly hereby finds,  
4   determines, and declares that this act is necessary for the immediate  
5   preservation of the public peace, health, and safety.