

# EDUCATION

## Department of Education

**SB 07-020** (Enacted)  
*Commissioner of Education  
Qualifications*

**SB 07-255** (Enacted)  
*Allocation of IDEA Child Find  
Activities*

## School Accountability

**HB 07-1048** (Enacted)  
*Longitudinal Analysis of  
Assessments*

**HB 07-1345** (Enacted)  
*School Accountability*

**HB 07-1348** (Enacted)  
*Extend Initial Accreditation  
Contracts*

## Schools of Choice

**HB 07-1066** (Enacted)  
*On-line Education Courses  
Reimbursement*

**HB 07-1178** (Enacted)  
*Charter School Purchase Facilities*

**SB 07-061** (Lost)  
*State Charter School Institutes*

**SB 07-215** (Enacted)  
*On-line Learning Education*

## School Districts and Students

**HB 07-1244** (Enacted)  
*Education Gifted Students*

**SB 07-016** (Enacted)  
*Minimum Compulsory School Age*

**SB 07-148** (Enacted)  
*Fast College Fast Jobs Program*

## Graduation Requirements

**HB 07-1118** (Enacted)  
*High School Graduation  
Requirements*

**SB 07-073** (Postponed Indefinitely)  
*English Competency Graduation  
Requirements*

**SB 07-131** (Postponed Indefinitely)  
*Math and Science Graduation  
Requirements*

## Health, Nutrition, and Human Sexuality

**HB 07-1292** (Enacted)  
*Content Standards Human  
Sexuality*

**HB 07-1300** (Lost)  
*Notification Human Sexuality  
Instruction*

**SB 07-059** (Enacted)  
*Start Smart Nutrition Program*

**SB 07-209** (Enacted)  
*Council for Excellence in Health  
Education*

**SB 07-232** (Enacted)  
*Health Program Loan Repayment  
Program*

## Data Collection and Analysis

**HB 07-1048** (Enacted)  
*Longitudinal Analysis of  
Assessments*

**HB 07-1270** (Enacted)  
*Education Data Systems Review  
and Study*

**HB 07-1320** (Enacted)  
*State Education Data Technology  
System*

**SB 07-140** (Enacted)  
*Teacher Identifier System and  
Commission*

## School Safety

**HB 07-1059** (Enacted)  
*School Security Grant Program*

**HB 07-1293** (Postponed Indefinitely)  
*Limit Health Hazards Near School  
Sites*

**SB 07-197** (Enacted)  
*Safe-2-tell Hotline Schools*

**SB 07-227** (Enacted)  
*Immunity Under Safe School Plan*

## EDUCATION (Cont.)

<b>School Finance</b>		
<b>HB 07-1232</b> (Enacted) <i>Military Dependent Supplemental Pupil Aid</i>	<b>SB 07-026</b> (Enacted) <i>Revenues for Full-day Kindergarten</i>	<b>SB 07-199</b> (Enacted) <i>School Finance</i>
<b>Community Education Programs</b>		
<b>HB 07-1077</b> (Enacted) <i>Tutoring Services Provider Standards</i>	<b>HB 07-1243</b> (Enacted) <i>Science and Math After School Grant Program</i>	<b>HB 07-1248</b> (Enacted) <i>Drug and Alcohol After School Programs</i>
<b>HB 07-1271</b> (Enacted) <i>Family Literacy Education Program</i>	<b>SB 07-192</b> (Enacted) <i>Sunset Read-to-Achieve Board</i>	
<b>Teachers and Other Personnel</b>		
<b>HB 07-1055</b> (Postponed Indefinitely) <i>Fairness in Educator Salary Reductions</i>	<b>HB 07-1091</b> (Enacted) <i>Extend Alternative Teacher Contracts</i>	<b>HB 07-1122</b> (Vetoed) <i>Licensed Physical Education Teachers in Schools</i>
<b>SB 07-019</b> (Enacted) <i>Review Teacher Preparation Program</i>		

### Department of Education

The responsibilities of the Colorado Department of Education (CDE) and the qualifications of the Commissioner of Education were discussed during the 2007 legislative session. **Senate Bill 07-020** requires that the person appointed to the office of Commissioner of Education by the State Board of Education (SBE), at a minimum, have demonstrated personal and professional leadership success, preferably in the administration of public education, and possess an earned advanced degree, preferably in education or educational administration from a regionally or nationally accredited college or university. The bill also requires the SBE to perform an annual review and evaluation of the commissioner's job performance and requires a report be submitted to the public and to the House and Senate Education Committees.

Departmental responsibilities related to the Child Find program of the federal "Individuals with Disabilities Education Improvement Act of 2004" (IDEA) are addressed in **Senate Bill 07-255**. The bill allocates specific responsibilities between the CDE and the Colorado Department of Human Services.

### School Accountability

The General Assembly considered a number of bills related to school accountability in the 2007 legislative session. Among the bills considered was **House Bill 07-1048**, which directs the Governor to appoint, and the CDE to convene, a new technical advisory panel to assist the CDE and the SBE in developing a new longitudinal growth model to measure the academic growth of students. The model will calculate each student's and each school's annual academic growth in reading, writing, and mathematics.

**House Bill 07-1345** addresses the School Accountability Reports (SARs). The bill states that SARs should be primarily a source of information about public schools for parents, and that the information contained in the reports should be easily understood. The bill requires that SARs be available on the CDE website, with a limited number of printed copies available at schools. State law prescribes the format for

SARs. HB 07-1345 removes most of the required elements and replaces them with new types of information that shall or may be included in the reports. For example, the bill adds a requirement that SARs contain information on the frequency of student participation in courses that are not tested through the Colorado Student Assessment Program (CSAP), including art; drama or theater; music; physical education; career and technical education; opportunities for civic or community engagement; advanced placement, international baccalaureate, honors courses, or Montessori curriculums; extracurricular activities; and athletics.

School district and State Charter School Institute accreditation was addressed in **House Bill 07-1348**. Current accreditation contracts are for six years and initially took effect on July 1, 2008. HB 07-1348 extends the deadline for contract renewal by one year, to July 1, 2009, to allow the SBE and districts to more effectively plan for legislative changes to accreditation.

## **Schools of Choice**

**On-line schools.** The General Assembly's discussion of education issues during the 2007 legislative session included issues surrounding on-line education programs. **Senate Bill 07-215** addresses issues related to the establishment and oversight of on-line education programs. The bill allows a school district, group of districts, boards of cooperative educational services (BOCES), or the State Charter School Institute to authorize on-line education programs and specifies which students may be counted in a district's on-line pupil enrollment. The bill creates the Division of On-line Learning in the CDE and sets forth the division's duties. It also creates an 11-member On-line Learning Advisory Board, appointed by the Governor, that will monitor the division and will advise, report, and make recommendations to the SBE.

Guidelines and reporting requirements for single- and multi-district on-line programs are established in the bill. The bill makes the authorizer of an on-line program responsible for the performance of the on-line program, and establishes specific quality standards for on-line programs.

Finally, the bill requires, with a few exceptions, certification of multi-district programs and requires programs that use learning centers to enter into a memorandum of understanding with the district in which the learning center is located. The bill requires the SBE to promulgate rules specifying criteria to be used by the Division of On-Line Learning in certifying multi-district programs and establishes a time line for reviews of multi-district programs by the division.

**House Bill 07-1066** makes the Mountain Board of Cooperative Educational Services (BOCES) responsible under certain criteria for contracting with and managing a supplemental on-line course provider. The bill also requires the Mountain BOCES to report data regarding the provision of supplemental on-line education programs to the House and Senate Education Committees, the Joint Budget Committee, and the CDE. In addition, the bill creates the Supplemental On-Line Education Grant Program to assist districts, charter schools, and BOCES in providing supplemental on-line courses to students.

**Charter schools.** **House Bill 07- 1178** allows charter schools operating in a school district building to purchase the building and grounds on which it is located at the district's discretion and according to terms established by mutual agreement of the parties. In addition, the bill gives the district first right of refusal on the building if the charter school vacates the building and grounds.

**Senate Bill 07-061**, which was deemed lost when the Senate chose not to consider the House amendments to the bill, addressed a number of issues related charter schools. It made a number of changes to the state law concerning exclusive chartering authority including:

1. requiring the SBE to respond to requests from local boards of education to retain or restore exclusive chartering authority within 60 days;

2. requiring the SBE to grant exclusive chartering authority to districts if the local board was able to show a recent pattern of providing fair and equitable treatment to its charter schools; and
3. stipulating other circumstances under which the SBE must grant exclusive chartering authority.

The bill also removed the prohibition against granting exclusive chartering authority to districts that adopted a moratorium on charter schools prior to July 1, 2004, that were repealed on or before October 1, 2004. The bill created a process by which an institute charter school within the geographic boundaries of a district that had recovered exclusive chartering authority could apply to the SBE to convert to a district charter school. Under the bill, a charter school, charter school applicant, or organization that represents charter schools would have been allowed to file a request for revocation of exclusive chartering authority with the SBE.

SB 07-061 stated that the mission of the State Charter School Institute is to foster public school choices that are focused on closing the achievement gap for at-risk students and stipulated that institute charter schools must include within their names the phrase "state charter school." The bill made amendments to provisions addressing the institute charter school application process, including stipulations relating to public meetings at which the State Charter School Institute Board would have considered applications and to the requirement that public testimony be taken.

## School Districts and Students

**Senate Bill 07-016** lowers the age of mandatory school attendance from seven to six years of age. The bill allows parents of children who enter preschool or kindergarten at age five or six to keep their children from advancing to first grade in the following year by notifying the school. SB 07-016 requires parents who homeschool their child to submit written notification of the homeschool program when the child is six years old, though the homeschool program does not need to begin until the child is seven years old.

Educational programs for gifted students were addressed in **House Bill 07-1244**. Under current law, school district, BOCES, and the State Charter School Institute (administrative units) are required to serve every child with a disability but *may* provide voluntary programs for gifted students. HB 07-1244 requires administrative units to adopt and implement program plans to identify and serve gifted students. The plan must meet any criteria established by rule of the SBE. The bill states that the plan must be consistent with the advanced learning plans of gifted students and must be implemented to the extent that funds are provided for the implementation.

The "Fast College Fast Jobs" pilot program was established by **Senate Bill 07-148**. The pilot program created in the bill allows eligible school districts to contract with higher education institutions to create programs through which students enrolled in targeted high schools could simultaneously complete the requirements for a high school diploma and an associates degree or a career and technical education certificate in five years, beginning in the ninth grade.

## Graduation Requirements

The General Assembly also addressed high school graduation requirements, debating statewide guidelines, English language competency requirements, and math and science requirements.

**Statewide guidelines.** **House Bill 07-1118** creates a 12-member Graduation Guidelines Development Council within the CDE to develop and recommend to the State Board of Education a comprehensive set of guidelines for high school graduation to be used by each school district board of education in developing high school graduation requirements. The bill requires the state board to adopt the guidelines by July 1, 2008. Further, the bill requires the state board to utilize standards-based education as the framework for developing

the guidelines. The bill prohibits the state board from identifying specific courses that a student must take or proficiency levels that the student must achieve.

**English competency.** **Senate Bill 07-073**, which was postponed indefinitely, would have required each school district board of education and the Charter School Institute to adopt a policy requiring each high school student to demonstrate competency in the English language as a requirement for graduation. The bill specified that English competency would be defined using a measurement other than on Colorado Student Assessment Program assessments.

**Math and science.** **Senate Bill 07-131**, which was also postponed indefinitely, would have required high school students to achieve passing grades in the equivalent of at least four years of mathematics and three years of science courses as a condition of high school graduation.

## **Health, Nutrition, and Human Sexuality**

The General Assembly considered a number of bills related to human sexuality, nutrition, and health education.

**Human sexuality education.** Two bills addressed human sexuality and human reproduction education. **House Bill 07-1292** requires school districts and charter schools to use science-based content standards for the human sexuality instruction that:

- encourage parental involvement and family communication;
- emphasize the effectiveness of abstinence;
- help students develop responsible and healthy decision-making skills;
- teach students how to avoid receiving or making unwanted verbal, physical, and sexual advances;
- help students avoid making assumptions about a person's sexual intentions based on that person's appearance;
- provide a discussion of how alcohol and drug use impairs decision-making;
- are age-appropriate, culturally sensitive, and medically accurate; and
- provide information on the potential health benefits and side effects of using contraceptives.

The bill encourages school districts and charters schools to involve teachers, school nurses, parents, and community members in developing the standards. Continuing, **House Bill 07-1300**, which did not pass, would have eliminated from current law the requirement that school officials receive prior parent or guardian written approval for a child to participate in any program discussing or teaching sexuality or human reproduction. Rather, the bill would have required schools to provide to parents and guardians written information on the parent or guardian's right to excuse their student, without penalty, from any instruction on human sexuality.

**Nutrition.** In regard to nutrition education, **Senate Bill 07-059** creates the Smart Start Nutrition Program within the Colorado Department of Education (CDE). The purpose of the program is to eliminate the cost of breakfast for students receiving a reduced-priced breakfast under the federal National Lunch School Lunch Act. The bill requires CDE to develop procedures for equitably disbursing program funds to school districts and the General Assembly must make an annual appropriation to the Smart Start Nutrition Program Fund of at least \$700,000, but no more than \$1.5 million.

**Health care education.** **Senate Bill 07-209** creates the 15-member Southern Colorado Council for Excellence in Health Careers Education. The purpose of the council is to facilitate collaboration between health education providers and health care providers in Alamosa, Conejos, Costilla, Mineral, Rio Grande, and Saguache Counties. The council will include members of the state legislature and representatives from

Adams State College, Trinidad State Junior College, the San Luis Valley Area Health Education Center, local school districts, and regional health care providers. The bill directs the council to address:

- developing new health education programs;
- increasing health care education program enrollment;
- creating internships and real world experience for students;
- sharing facilities and resources;
- funding;
- post-graduation work opportunities;
- community education programs; and
- legislative recommendations.

The bill directs the council to meet quarterly or as frequently as necessary and permits the committee to form task forces. The council must submit an annual report to the House and Senate Education Committees on the council's activities and progress on meeting expressed objectives. Continuing, **Senate Bill 07-232** moves the State Health Care Provider Loan Repayment Program from the University of Colorado Sciences Center to CollegeInvest in the Department of Higher Education. The State Health Care Provider Repayment Program provides educational loan repayments to health professionals who agree to work for two years in medically underserved communities. The act creates a 10-member Health Care Community Board to review applications and recommend participants.

## **Data Collection and Analysis**

The General Assembly addressed the means and type of education data the state collects.

***New measurement models.*** **House Bill 07-1048** amends current state law to require CDE to revise the existing longitudinal growth model and to incorporate the model into student assessments. The bill requires the governor to create a technical advisory panel that includes state and national experts on the measurement of longitudinal growth. The advisory panel must recommend to CDE an experienced contractor to revise the existing longitudinal growth model.

***Systems and infrastructure.*** **House Bill 07-1270** authorizes CDE to contract with a third party to conduct a comprehensive review and study of the state's educational data collections and infrastructure. A final report is to be made public and issued to the State Board of Education, the House and Senate Education Committees, the Governor, and school districts by December 1, 2007. **House Bill 07-1320** creates the Education Data Advisory Committee to make recommendations on implementing a single statewide education data collection and management system. The bill also requires the CDE to create a data dictionary to define the education data elements collected by the state and the methods and protocols by which school districts and public schools submit the education data. **Senate Bill 07-140** creates a 13-member Quality Teachers Commission in CDE. The bill charges the commission to:

- exam the teacher gap in state and determine how the gap directly affects student achievement;
- gather information on best practices for retaining teachers; and
- assess the feasibility of establishing an integratable teacher and principal identifier system.

## **School Safety**

The General Assembly considered bills on school infrastructure security, school safety programs, legal immunity for individuals acting in good faith pursuant to a safe school plan, and acquisition of land for school sites this session.

***School infrastructure security funding.*** **House Bill 07-1059** authorizes grants from the Capital Construction Expenditures Reserve and the School Construction and Renovations Fund for school security-related construction projects. Other projects that may be eligible for funds under current law include those that address safety hazards or health concerns within school facilities, relieving excessive operating costs created by insufficient maintenance or construction spending, or relieving building construction conditions that detract from an effective learning environment. The School Construction and Renovation Fund currently provides matching grant money to school districts for instructional facilities, such as classrooms, libraries, physical plants, and associated administrative areas.

***School safety programs.*** **Senate Bill 07-197** establishes the Safe-2-Tell Program which is a telephone hotline program that provides students, teachers, school employees, and community members a means by which to anonymously relay dangerous, violent, or criminal activity information to appropriate law enforcement anonymously.

***Legal protection.*** **Senate Bill 07-227** amends current state law to clarify that a school district board of education, teacher, or other person acting in good faith pursuant to a safe school plan is immune from criminal prosecution and civil liability. The bill allows a person claiming immunity to file a motion for hearing prior to trial, and further allows a person acting in good faith pursuant to a safe school plan and who is disciplined by the school district for the actions to sue the school district in district court.

***Health and wellness safety.*** **House Bill 07-1293**, which was postponed indefinitely, would have prohibited each school district from acquiring land for a school site if the land contained a current or former hazardous or solid waste disposal site or if the land contained a pipeline carrying hazardous substances or wastes other than natural gas. The bill would have also required a school district to consult with the Department of Public Health and Environment before acquiring land for a school site to identify any facility located near the site that may emit hazardous air pollutants or handle hazardous substances or wastes. Finally, the bill would have prohibited the Oil and Gas Commission from issuing oil and gas drilling permits within 500 yards of a school and the state department of transportation (CDOT) from starting a project to construct or widen a highway within 500 yards of a school site if the project would result in an average daily traffic level greater than 50,000 vehicles.

## **School Finance**

**Senate Bill 07-199**, the annual legislation addressing public school finance, is projected to provide approximately \$5.1 billion to school districts for FY 2007-08. State funding will account for about 64 percent of those moneys, with local sources providing the remaining 36 percent. The bill increases the base per pupil funding amount by 4.6 percent (\$223.74) for a base of \$5,087.61, meeting the inflation-plus-one-percent requirement of Amendment 23.

For FY 2007-08, the bill adds 2,000 preschool slots to the Colorado Preschool and Kindergarten Program. Another 3,500 slots are added in FY 2008-09, bringing the total number of slots to 19,860. In addition, the bill increases the maximum class size for preschool classes from 15 to 16 students and increases the maximum class size for full-day kindergarten from 15 to 20 students.

SB07-199 contains provisions freezing mill levies for districts at the current year's level or 27 mills, whichever is lesser, reducing the need for state expenditures for school finance. Under current law, a school district's mill levy under the School Finance Act is based on the levy imposed in the prior year, unless the levy would generate more property tax revenue than allowed under the act, in which case the district's levy is reduced. The bill freezes school finance mill levies, allowing a greater portion of school finance act funding to be paid from local property taxes in districts where voters have approved a ballot question allowing the district to retain revenue in excess of its constitutional limit.

The School Finance Act guarantees a minimum per pupil funding amount, which is increased under SB 07-199 over a two-year period. In FY 2007-08, the minimum per pupil funding level is 94.3 percent of the state average per pupil funding amount, which is expected to increase funding in 11 of Colorado's 178 school districts. Beginning in FY 2008-09, the minimum will be set at 95 percent of the statewide average, affecting 14 school districts.

The bill also increases the appropriation to the National Credential Fee Assistance Program. The program covers a portion of the fees charged to teachers who apply for the national credential. It provides a match equal to the amount received by a teacher through a federal assistance program. For FY 2007-08, the Long Bill appropriates \$100,000 from the State Education Fund to the program. SB 07-199 appropriates an additional \$25,000.

Several other bills addressed funding for K-12 education. **Senate Bill 07-026** authorizes school districts to seek voter approval to impose an additional mill levy to fund an additional half day of kindergarten. In addition, the bill allows districts to ask voters to approve an additional mill levy of a stated amount and duration to fund capital construction needs associated with full-day kindergarten. The bill precludes a school district that imposes the additional mill levy from participating in the full-day kindergarten component of the Colorado Preschool and Kindergarten Program.

Beginning in FY 2007-08, **House Bill 07-1232** provides a mechanism by which the CDE may provide supplemental funding to school districts that have a large increase in pupil counts due to military deployments. To be eligible for the supplemental funding, the district must have a military dependent pupil enrollment of 25 or more students or 1 percent of total district enrollment, and must submit an estimate of military dependent supplemental enrollment by January 15 and an actual count by February 16. Eligible students are those who are the dependents of full-time active duty military or military reserves who have been called to active duty. In addition, eligible students must have joined the district after the October 1 pupil count and before February 1 of the same school year and must not have been included in another district's October 1 count.

## **Community Education Programs**

The General Assembly considered several bills to support community education and after-school programs. The bills cover tutoring services, before- and after-school programs, and family literacy programs.

***Tutoring services.*** **House Bill 07-1077** requires CDE to provide a list of approved supplemental education service providers for school districts. The providers must ensure that their tutors meet federal requirements for paraprofessionals, comply with fingerprinting and criminal history record check requirements as well as any additional CDE requirements.

***Before- and after-school programs.*** **House Bill 07-1243** establishes the Science, Technology, Engineering, and Mathematics (STEM) After School Education Pilot Grant Program and Fund in the Office of Economic Development and International Trade (OEDIT). The bill allows STEM education program providers to apply for a grant from OEDIT to defray the administrative and personnel costs associated with coordinating the programs and specifies criteria for grant recipients. Further, **House Bill 07-1248** creates the Colorado Student Before-and-After School Project within the Tony Grampsas Youth Services Program to provide grants to entities that provide high-quality before-and-after school programs. The programs is to be administered by the Prevention Services Division in the Department of Public Health and Environment. The grants will be awarded to programs that primarily serve students in the 6th through 8th grades or who are from 12 to 14 years of age. The bill requires the before-and-after school programs' administrators to design programs with a focus on helping children develop their interests and skills in the areas of sports and fitness, character and leadership, or arts and culture. The bill also encourages the programs to include an

alcohol or drug abuse prevention and education component. Programs primarily designed to increase academic achievement or that provide religious instruction are not eligible for the funding.

***Literacy programs.*** **House Bill 07-1271** authorizes the use of General Fund moneys for the Family Literacy Education Grant Program which state law had prohibited. **Senate Bill 07-192** repeals and re-establishes the Read-to-Achieve Grant Program and Board. Under the program an eligible applicant may apply for a grant to fund intensive reading programs for kindergarten through third grade students whose reading readiness or literacy and reading comprehension skills are below the level established by the State Board of Education.

## **Teachers and Other Personnel**

Licensure and administrative requirements related to the alternative teacher program, requirements for physical education teachers, teacher preparation programs, and reductions in salaries were considered this session.

***Licensure for alternative teacher program.*** **House Bill 07-1091** specifies an alternative teacher program as a one-year program and allows a school district or independent school that employs an alternative teacher to extend the one-year alternative teacher training program for an additional year under certain circumstances.

***Licensure for physical education teachers.*** **House Bill 07-1122**, vetoed by the Governor, would have prohibited a school district from employing a person to teach a physical education course or class unless the person:

- held an alternative teacher license, an initial teacher license, or a professional teacher license and has a license endorsement for physical education; or has earned at least 24 semester hours of postsecondary credit in physical education and has passed an assessment in physical education; or was enrolled in the necessary courses and is scheduled to take the physical education assessment; or
- held a teacher-in-residence, emergency, or interim authorization issued specifically for teaching physical education.

The requirement would not have applied to school districts with fewer than 1,500 students.

***Reviewing teacher preparation programs.*** **Senate Bill 07-019** requires the Colorado Commission on Higher Education to review each teacher preparation program no more than once every five years.

***Salary reductions.*** **House Bill 07-1055**, which was postponed indefinitely, would have required a school district that implements a reduction in teacher salaries also to implement a reduction in the salaries of all licensed personnel and unlicensed administrators.