

# K-12 EDUCATION

Research Notes are prepared by Legislative Council Staff's nonpartisan research and committee staff. Research notes provide a summary of the bill, background information on the bill, and information on committee hearings and amendments adopted on the bill as it moves through the legislative process. Legislative Council Staff prepares final research notes for bills passed by the General Assembly as well as select bills that were considered but not adopted, and may be accessed through the links below. Research notes are provided for informational purposes only and should not be relied upon as an official record of action by the General Assembly.

## School Finance, Financial Policies, and Procedures

**HB 15-1321** (*Enacted*)

Flexibility & Funding for Rural School Districts

**SB 15-108** (*Enacted*)

Direct Appropriations for CDE Programs

**SB 15-111** (*Enacted*)

Educator Licensure Cash Fund Continuous Appropriations

**SB 16-267** (*Enacted*)

School Finance

## Wellness, Safety, and Activities

**SB 15-051** (*Enacted*)

Ineligible Students Appeal Process Injunctions

## Academic Acceleration, School Completion, and Instruction

**HB 15-1270** (*Enacted*)

Pathways in Technology Early College High Schools

**SB 15-290** (*Enacted*)

Colorado Student Leaders Institute

## Charter Schools

**HB 15-1184** (*Enacted*)

Charter School Networks Authority

**SB 15-281** (*Enacted*)

Institute Charter School Plan Meetings

## Accreditation

**HB 15-1350** (*Enacted*)

Review Performance Rules Alternative Education Campuses

## Assessments

**HB 15-1323** (*Enacted*)

Changes to Assessments in Public Schools

**SB 15-056** (*Enacted*)

Frequency of Statewide Social Studies Testing



# Legislative Council Staff

## Research Note

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**Bill Number:** HB15-1350

**Short Title:** *Review Performance Rules Alternative Educ Campuses*

**Prime Sponsors:** Representative Pettersen  
Senator Hill

**Research Analyst:** Lisa Gezelter (x3264)

### Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on June 5, 2015.

### Summary

The bill requires the Colorado Department of Education, with stakeholder input, to review state law and State Board of Education (SBE) rules relating to the performance indicators for Alternative Education Campuses (AECs). AECs are currently defined in state law as schools where at least 95 percent of the student body meets high-risk criteria.

In its review, the department must consider:

- qualitative and quantitative measures of a school's performance in serving high-risk students;
- development of measure-specific cut points;
- consideration of the current system and changes to weights to address the unique socio-emotional needs of the students enrolled in AECs;
- identification of possible methods and costs associated with using a comparison group to analyze data comparing at-risk students across schools; and
- the 95 percent threshold for designation of an AEC.

The department will present its review to the Commissioner of Education, stakeholders, and education committees of the General Assembly by December 1, 2015. The bill requires the department to solicit the input of representatives from a variety of AECs as well as statewide

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organizations, the Charter School Institute, students, and parents.

## **Background**

During the 2015-16 school year, many AECs will enter into their fifth consecutive year of either turnaround or priority improvement status. This legislation was created in an effort to discern whether or not schools serving high numbers of at-risk students should be held to the same accountability standards as conventional public schools.

## **House Action**

**House Education Committee (April 22, 2015).** At the hearing, representatives of AECs and the Charter School Institute spoke in support of the bill.

The committee adopted amendments L.004 and L.001, which made certain technical changes and added a representative of the Charter School Institute, students, and parents to the list of stakeholders.

**House Second Reading (April 23, 2015).** The House Committee of the Whole adopted the Education Committee report and passed the bill with no further amendments.

**House Third Reading (April 27, 2015).** The House passed the bill with no further amendments.

**House Consideration of Senate Amendments (May 4, 2015).** The House concurred with Senate amendments and repassed the bill.

## **Senate Action**

**Senate Education Committee (April 29, 2015).** At the hearing, representatives of AECs spoke in support of the bill.

The committee adopted amendment L.006, which directed the department to consider the 95 percent threshold for qualifying as an AEC and added a requirement that the department's recommendations be submitted to the education committees of the General Assembly and to the SBE.

**Senate Second Reading (April 30, 2015).** The Senate Committee of the Whole adopted the Education Committee report and passed the bill with no further amendments.

**Senate Third Reading (May 1, 2015).** The Senate passed the bill with no further amendments.

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# Legislative Council Staff

## Research Note

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**Bill Number:** HB15-1323

**Short Title:** *Changes To Assessments In Public Schools*

**Prime Sponsors:** Representatives Buckner and Wilson  
Senators Holbert and Kerr

**Research Analyst:** Lisa Gezelter (x3264)

### Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on May 20, 2015.

### Summary

The bill makes changes to the statewide system of standardized assessments in English language arts, mathematics, science, and social studies. It eliminates statewide tests in social studies and all subject-matter testing in grades 10 through 12, and directs the Colorado Department of Education (CDE) to seek waivers from federal law regarding several elements of the statewide assessment system. The bill requires students in grades 10 and 11 to take national college-readiness exams. The bill also prohibits school districts from using assessment results to calculate teachers' effectiveness ratings for the 2014-15 school year and prohibits CDE from issuing schools' and districts' accreditation status and ratings for the 2015-16 school year.

Additionally, the bill requires CDE to make any test available to local education providers (LEPs) in a paper and pencil format upon request, and requires all LEPs to adopt written policies about determining how and when to make such requests. The bill also requires LEPs to adopt a policy on the question of parents who wish to opt their children out of assessments, and prohibits any negative consequence to the parent or student. LEPs must also distribute an assessment calendar to parents.

The bill streamlines and provides some flexibility in the administration of Reading to Ensure Academic Development (READ) Act assessments and school readiness assessments. It also repeals all provisions of state law regarding postsecondary and workforce readiness plans and assessments. It repeals and recreates statutory provisions regarding testing English language learners, children with disabilities, and home-schooled children. It also repeals and recreates statutory provisions regarding

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using and disseminating assessment results, allowing nonpublic schools to administer statewide assessments, and funding for statewide assessments.

The bill also creates a two-phase pilot program for LEPs who wish to illustrate comparability between locally created assessments and the statewide tests with the eventual goal of using the locally created assessments as an alternative.

## **Background**

Colorado's statewide assessment system was first established in 1997 under the name Colorado Student Assessment Program (CSAP). CSAP operated under the provisions of House Bill 93-1313, which initiated standards-based education and assessment in Colorado. CSAP exams were developed collaboratively by Colorado teachers and CTB-McGraw Hill.

The federal No Child Left Behind (NCLB) Act of 2001 required states to develop standardized tests linked to academic content standards and test students annually in reading and math from grade 3 through grade 8 and once in high school. The law also required three science tests throughout a student's school career, and required states to meet 100 percent proficiency on standardized assessments by 2014.

In 2008, the General Assembly passed Senate Bill 08-212, or Colorado's Achievement Plan for Kids (CAP4K), which required changes to Colorado's academic content standards, and new assessments aligned with the new standards. In 2011, the U.S. Department of Education began issuing waivers to states from the proficiency requirements of NCLB, so long as the states in question adopted standards and assessments to ensure that students graduate from high school ready for college or careers. Colorado's standards, which underwent a review by the State Board of Education in 2010, met those requirements. Colorado's waiver was approved on February 9, 2012.

From 2012 until 2014, students took the Transitional Colorado Assessment Program (TCAP) assessments, which were developed collaboratively by CDE, Colorado teachers, and CTB-McGraw Hill. TCAP provided a transition between CSAP and the new Colorado Measures of Academic Success (CMAS) assessments. The CMAS program, currently in use, utilizes English language arts and mathematics assessments developed by the Partnership for Assessment of Readiness for College and Careers (PARCC) consortium. The CMAS science and social studies assessments were developed specifically for Colorado. All four CMAS assessments were rolled out in 2015.

## **Relevant Research**

<https://www.colorado.gov/pacific/sites/default/files/14-13%20Statewide%20Student%20Assessment%20IB.pdf>

## **House Action**

**House Education Committee (April 6, 2015).** At the hearing, parents and representatives of education interest groups spoke about the bill. Parents discussed the amount of time students spend on assessments and the resulting stress. Representatives of education advocacy groups

spoke about amending the bill, in particular to keep ninth grade assessments as part of the statewide system. Representative Buckner laid the bill over.

**House Education Committee (April 13, 2015).** The committee adopted the following amendments:

- Amendment L.003, which requires LEPs to administer the writing portion of the college entrance exam to any student who requests it;
- Amendment L.006, which makes testing in ninth grade mandatory statewide;
- Amendment L.023, which relates to testing English language learners;
- Amendment L.024, which gives schools and districts a one-year timeout from the turnaround clock for the 2015-16 school year;
- Amendment L.025, which adds provisions requiring LEPs to distribute an assessment calendar, provide written information to parents describing state and local assessments, and the purposes of the state and local assessments;
- Amendment L.027, which creates a two-phase pilot program for districts willing to create and administer local tests, and prove those tests' comparability with the statewide assessments;
- Amendment L.029, which eliminates statewide requirements for testing in social studies and instead gives the choice of whether to administer social studies assessments to LEPs;
- Amendment L.030, which adds requirements that CDE report to the Joint Education Committees of the General Assembly its progress in using assessment results to calculate LEPs' achievement of performance indicators;
- Amendment L.035, which prohibits LEPs from including assessment results in their calculation of educators' effectiveness ratings for the 2014-15 school year;
- Amendment L.007, which relates to LEPs' policies about requesting paper and pencil assessments; and
- Amendment L.034, which requires administrative units to contractually agree on the assignment of a student's scores if that student has an individualized education plan and attends school in an administrative unit other than the student's administrative unit of residence.

The committee passed the bill, as amended, and referred the bill to the House Committee on Appropriations.

**House Appropriations Committee (April 17, 2015).** The committee adopted Amendment J.002 and referred the bill to the House Committee of the Whole. The amendment appropriated \$104,907 to CDE from the State Education Fund to implement the provisions of the bill.

**House Second Reading (April 24, 2015).** The House Committee of the whole amended the education report by adopting the following amendments:

- Amendment No. 3 by Pettersen, which prohibits CDE from counting the 2015-16 school year as part of schools' and districts' turnaround clock;
- Amendment No. 4 by Pettersen, which requires LEPs participating in the local assessment pilot program to consult with their personnel performance evaluation council.

The House Committee of the whole adopted the amended Education committee report and the

Appropriations committee report.

**House Third Reading (May 1, 2015).** The House passed the bill with no further amendments.

**House Consideration of Senate Amendments (May 6, 2015).** The House concurred with Senate amendments to the bill.

## **Senate Action**

**Senate Education Committee (May 4, 2015).** At the hearing, parents, educators, and representatives of education advocacy groups spoke about the bill. The committee adopted Amendment L.047 and referred the bill, as amended, to the Senate Committee on Appropriations.

The amendment eliminated the statewide requirement for social studies assessments, clarified the requirements for eleventh graders to take national college entrance exams, clarified the requirements placed on participants in the pilot program, added a requirement that LEPs adopt written policies and procedures for parents who wish to opt their children out of statewide assessments, prohibited LEPs from imposing negative consequences on parents or children who opt out of the assessments, allowed LEPs to use 2014-15 assessment results as baseline data, placed restrictions on LEPs for using measures of student academic growth for evaluations, and made other technical changes.

**Senate Appropriations Committee (May 5, 2015).** The Senate Appropriations Committee adopted J.005 and referred the bill to the Senate Committee of the Whole. The amendment increased the amount appropriated to \$2,369,118.

**Senate Second Reading (May 5, 2015).** The Senate Committee of the Whole amended the Education committee report as follows:

- Amendment No. 1 by Kerr, which clarifies the requirements of the pilot program; and
- Amendment No. 2 by Kerr, which requires that a new contract be issued every five years for the college entrance exam.

The committee passed the bill, as amended.

**Senate Third Reading (May 6, 2015).** The Senate amended the bill as follows:

- Third Reading Amendment No. 1 by Kerr, which made technical changes to the bill.

The Senate passed the bill with no further amendments.

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# Legislative Council Staff

## Research Note

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**Bill Number:** HB15-1321

**Short Title:** *Flexibility & Funding For Rural School Districts*

**Prime Sponsors:** Representatives Pettersen and Wilson  
Senators Grantham and Donovan

**Research Analyst:** Lisa Gezelter (x3264)

### Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on May 22, 2015.

### Summary

The bill provides flexibility for rural school districts in several key areas, as well as a one-time \$10 million appropriation to be distributed to rural charter schools and small, rural districts, defined as those serving fewer than 1,000 students in kindergarten through twelfth grade. These funds may be used for non-recurring expenses that fall within certain parameters.

Small, rural districts are given flexibility from the requirements of state law in the following areas:

- parent engagement policies;
- certain requirements of school and district accountability committees;
- financial reporting at the school-site level; and
- restrictions on the percentage of total program funding that can be drawn from property tax revenue.

All rural districts, defined as those serving fewer than 6,500 students in kindergarten through twelfth grade, are given flexibility from the provisions of state law requiring local board meeting notices and boards of cooperative educational services (BOCES) special meeting notices to be distributed in writing. Distribution of these notices via electronic mail is permitted for the districts in this category.

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The bill also allows employees who serve more than one role within a school district to receive one unified performance evaluation; for individuals serving as both principal and administrator, the bill codifies districts' compliance with state law regarding personnel performance evaluation councils.

Because House Bill 15-1339, a related measure that pertained to school districts' financial reporting, was postponed indefinitely by the Senate Appropriations Committee on May 5, 2015, Section 7 of this bill takes effect and Section 12 of this bill does not take effect.

## **Background**

Colorado has 178 school districts. Of these, 159 serve fewer than 6,500 students and 110 serve fewer than 1,000 students. Rural districts serve 153,176 students while the subset of small rural districts serves 36,094 students.

## **House Action**

**House Education Committee (April 1, 2015).** At the hearing, representatives of rural school districts and BOCES, former students, representatives of advocacy organizations, and a representative of the Colorado League of Charter Schools spoke in support of the bill. The committee passed the bill with no amendments.

**House Appropriations Committee (April 22, 2015).** The committee passed amendment L.001, which added spending restrictions to the section of the bill that allocates \$10 million to small rural districts and rural charter schools. The committee also passed amendment J.002, which appropriated \$10 million from the State Education Fund to the Colorado Department of Education for implementation of the bill.

**House Second Reading (April 23, 2015).** The House Committee of the Whole adopted the Education Committee report and adopted the following amendments:

- Amendment No. 2 by Wilson, which granted small, rural districts flexibility from reporting financial data at the school or site level and added provisions making certain sections' effective dates dependent on the passage of House Bill 15-1339.
- Amendment No. 3 by Wilson, which clarified the definition of small, rural districts and rural districts.

**House Third Reading (April 27, 2015).** The House adopted Third Reading amendment No. 1 by Wilson to further clarify the definition of rural and small, rural districts. The bill passed, as amended.

## **Senate Action**

**Senate Education Committee (April 29, 2015).** At the hearing, a representative of a rural school district and a representative of an advocacy organization spoke in support of the bill. The

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committee passed the bill with no amendments.

**Senate Appropriations Committee (May 1, 2015).** The bill passed, unamended.

**Senate Second Reading (May 5, 2015).** The Senate Committee of the Whole passed the bill with no further amendments.

**Senate Third Reading (May 6, 2015).** The bill passed with no further amendments.

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**Version:** Final



# Legislative Council Staff

## Research Note

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**Bill Number:** HB15-1270

**Short Title:** *Pathways In Technology Early College High Schools*

**Prime Sponsors:** Representatives Duran and Foote  
Senators Todd and Woods

**Research Analyst:** Lisa Gezelter (x3264)

### Current Status

This research note reflects the final version of the bill, which was signed into law by the Governor on May 18, 2015.

### Summary

The bill creates Pathways in Technology Early College High Schools, known as P-Tech schools. These are public schools that include grades 9 through 14 and are designed to prepare students for careers in industry by granting both high school diplomas and associates degrees. These schools are closely tied with industry to provide students with internships, mentors, job shadowing, and apprenticeships. P-Tech schools are operated collaboratively by local education providers, community colleges, and one or more local high-growth industry employers. High school and college courses are integrated and focused on science, technology, engineering, and mathematics (STEM) along with workplace education experiences.

P-Tech schools must be approved by both the Commissioner of Education and the Executive Director of the Department of Higher Education. Applications to establish these schools must include the school's operating agreement; the school's operational model, including curricula, instructional practices, faculty roles, student support structures, class schedules, experiential learning opportunities, and the associate degrees that students may attain; the estimated number of students expected to enroll; written confirmation from the charter school's authorizer, if the applying local education provider is a charter school; and any additional information required by the commissioner and executive director.

Students at P-Tech schools are subject to the state's assessment requirements. In addition,

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the commissioner and executive director may establish performance indicators for these schools. Students in grades 9 through 12 may be counted by the local education provider in its annual enrollment count, and students in grades 13 and 14 may be counted in the provider's extended high school pupil enrollment. P-Tech students who are enrolled in community college classes may receive a College Opportunity Fund (COF) stipend payable to the community college that is a partner in the P-Tech school.

The bill makes certain technical changes to the statutes dealing with enrollment count and per-pupil funding to cover students enrolled in P-Tech Schools. The bill also makes technical changes to sections of law dealing with COF stipends and the Accelerating Students Through Concurrent Enrollment (ASCENT) Program to cover these students.

If no applications to establish P-Tech schools are made by January 1, 2017, the law will be repealed in July of that year.

## **Background**

P-Tech schools began in 2011 as a collaboration between IBM, the New York City Department of Education, and the City University of New York as a way to reimagine the education system to prepare students with the skills and knowledge to succeed in the current evolving workplace. These three institutions together devised a 9-14 model linking high school and college learning with industry-based skills training that leads directly to employment in STEM-related industries.

## **House Action**

**House Education Committee (March 18, 2015).** At the hearing, representatives from the Colorado Advanced Manufacturing Alliance, St. Vrain Valley School District, and Colorado Association of Commerce and Industry spoke in support of the bill. No witnesses spoke in opposition to the bill.

The committee adopted amendments L.001 and L.007 and referred the bill to the Appropriations Committee. Amendment L.001 struck grade-level requirements for P-Tech students to receive COF stipends. Amendment L.007 allowed students to earn certificates as well as associate degrees, added the definition of certified center of learning, and made certain technical changes to the requirements for agreements between local education providers, community colleges, and employers.

**House Appropriations Committee (March 27, 2015).** The House Appropriations Committee adopted amendment J.001 and referred the bill to the House Committee of the Whole. The amendment appropriated \$7,232 to the Colorado Department of Education and the same amount to the Department of Higher Education to implement the bill.

**House Second Reading (April 1, 2015).** The House Committee of the Whole adopted the Education and Appropriations Committee reports. In addition, the COW adopted the following amendments:

- Amendment No. 3 by Duran, which amended the Education Committee Report to

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change language requiring three-way agreements among local education providers, community colleges, and employers to include internships, mentorships, and other resources in the allocation of support. The amendment also allowed applications for P-Tech schools to include an estimated number of students rather than a maximum number.

- Amendment No. 5 by Wilson, which added a section to the printed bill delineating the relationship between extended high school funding and ASCENT funding. The amendment also tied the bill's effective date to passage of Senate Bill 15-138, which clarifies the way state funding for ASCENT students is distributed to those school districts that include ASCENT students in their funded pupil count under the School Finance Act.

**House Third Reading (April 2, 2015).** The House adopted the bill on third reading with no additional amendments.

**House Consideration of Senate Amendments (April 30, 2015).** The House concurred with the Senate amendments to the bill.

## Senate Action

**Senate Education Committee (April 15, 2015).** At the hearing, representatives of the St. Vrain Valley School District and the Colorado Association of Commerce and Industry spoke in support of the bill. No witnesses spoke in opposition to the bill.

The committee adopted amendments L.012 and L.014 and referred the bill to the Senate Appropriations Committee. Amendment L.012 moved the appropriation section of the bill further down. Amendment L.014 added a repeal date of July 1, 2017, if there are no applications for P-Tech schools by January 1, 2017.

**Senate Appropriations Committee (April 24, 2015).** The committee referred the bill, unamended, to the Senate Committee of the Whole.

**Senate Second Reading (April 24, 2015).** The Senate Committee of the Whole adopted the bill on second reading along with the Senate Education and Appropriations Committee reports.

**Senate Third Reading (April 27, 2015).** The Senate adopted the bill on third reading with no additional amendments.

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**Version:** Final



# Legislative Council Staff

## Research Note

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**Bill Number:** HB15-1184

**Short Title:** *Charter School Networks Authority*

**Prime Sponsors:** Representative Lontine  
Senator Hill

**Research Analyst:** Rachel Kurtz-Phelan

### Current Status

This note reflects the final version of the bill.

### Summary

The bill adds language to state law to define and authorize "charter school networks." A charter school network may be formed when an existing charter school organizes an additional school or schools under the same legal authority. The bill allows a charter school network to operate one or more schools that have one or more authorizers. Under current practice, charter school networks operate under a single board of governance. This bill aligns state law with current practice. According to the bill, the charter school network is responsible for overseeing, governing, and monitoring the performance and compliance of each school within the network.

Regarding expenditures, a network is authorized to make expenditures and allocate funds among the schools it operates so long as the expenditures and fund allocations are consistent with the terms of each charter contract. In addition, the network is required to track and report expenditures from local bond revenue and mill levy overrides in order to ensure that the local revenue allocated to school(s) in a particular school district are not spent to support school(s) within the network that are located in a different school district.

Finally, the bill requires that the authorizer of each school within the network collect, analyze, and report data from state assessments for each school individually, in order to ensure that each school within the network is held accountable for its own performance.

### Background

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Enacted in 1993, the Colorado Charter Schools Act authorizes the creation of charter schools across the state. Charter schools are publicly funded, tuition-free schools that are operated by a group of parents, educators, or community members as partially self-governing schools within a school district. Charter schools are administered by an independent board of directors and hire staff separately from the school district in which they are located. There is no limit on the number of charter schools that may be opened in the state. As of July 1, 2013, all Colorado charter schools were required to be organized as nonprofit corporations; however, they may still contract with a third-party entity that is not a nonprofit organization to operate the school. During the 2012-13 school year, which is the most recent year for which data is available, there were 184 charter schools operating in Colorado, serving approximately 94,000 students.

**Authorizers.** Charter schools operate under a contract, or "charter," established between the school's board of directors and an authorizer. There are two types of charter school authorizing bodies in Colorado: local school boards and the state Charter School Institute (CSI). The CSI was created in 2004 as an independent agency within the Colorado Department of Education (CDE) and is governed by a nine-member board of directors.

School districts enrolling fewer than 3,000 students are automatically given exclusive authority to charter new schools in their district. All other districts must apply for this authority from the State Board of Education (SBE), and the authority may be revoked by the SBE if warranted. Once a district has exclusive chartering authority, the local school board is the authorizer of new charter schools within its boundaries. School districts may grant charters to new schools, provided that a majority of the students (except online students) enrolling in the school live in that district or in contiguous school districts. Under state law, the CSI may authorize charter schools located in districts that do not have exclusive chartering authority, or in districts where the local school board has given the CSI permission to authorize schools. In these districts, the local school board and the CSI have concurrent authority to authorize charter schools. A school district may also choose to relinquish exclusive chartering authority.

## **House Action**

**House Education Committee (February 25, 2015).** At the hearing, representatives from individual charter schools, charter schools networks, and the Colorado League of Charter Schools testified in support of the bill. There were no witnesses who spoke in opposition to the bill.

The committee adopted amendment L.001 and referred the bill to the House Committee of the Whole. The amendment changes the definition of "local funds" to include more precise language pertaining to revenue generated by bonds and mill levy overrides. In addition, the amendment removes language specifying what are considered appropriate expenditures.

**House Second Reading (March 2, 2015).** The House passed the bill on second reading with several small technical amendments.

**House Third Reading (March 3, 2015).** The House adopted the bill on third reading with no additional amendments.

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## Senate Action

**Senate Education Committee (March 18, 2015).** At the hearing, representatives from charter schools networks and the Colorado League of Charter Schools testified in support of the bill. There were no witnesses who spoke in opposition to the bill.

The committee adopted a conceptual amendment to replace the safety clause with a petition clause and referred the bill to the Senate Committee of the Whole with a recommendation that it be placed on the consent calendar.

**Senate Second Reading (March 24, 2015).** The Senate passed the bill on second reading with no additional amendments.

**Senate Third Reading (March 25, 2015).** The Senate adopted the bill on third reading with no additional amendments.

## Relevant Research

Charter Schools Act Issue Brief

<http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251832097597&ssbinary=true>

State Oversight of Charter Schools Issue Brief

<http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251619440316&ssbinary=true>

The State of Charter Schools 2013 Report:

<http://www.cde.state.co.us/cdechart/stateofcharterschoolsreport>

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# Legislative Council Staff

## Research Note

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**Bill Number:** SB15-290

**Short Title:** *Colorado Student Leaders Institute*

**Prime Sponsors:** Senator Todd  
Representative Wilson

**Research Analyst:** Rachel Kurtz-Phelan (x3028)

### Current Status

This research note reflects the final version of the bill.

### Summary

The bill creates the Colorado Student Leaders Institute (COSLI) in the Office of the Lieutenant Governor. The institute, which is established as a pilot program, is a competitive, academic summer program for students entering tenth or eleventh grade. Students who are accepted into the program attend for four weeks, during which time they attend college-level classes (for which they earn three hours of college credit), lectures, and seminars; and participate in cultural enrichment activities. Students are required to participate in a history research project and a public service practicum that includes a final report of findings and recommendations to the General Assembly for legislative action. The pilot program sunsets in the summer of 2019.

### Background

COSLI is an affiliate of The National Conference of Governors Schools. Its mission is to provide an academic summer residential program for high school students who are working to become quality leaders and who promote and inspire a strong United States of America. COSLI seeks to reinforce the importance of civic engagement, entrepreneurship, responsibility, accountability, ethics and integrity in the rising generation of American leaders.

### Senate Action

**Senate Education Committee (May 4, 2015).** At the hearing, a representative from COSLI spoke in support of the bill. The committee referred the bill, unamended, to the Senate Appropriations

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Committee.

**Senate Appropriations Committee (May 4, 2015).** The committee adopted amendment J.001, which appropriates \$218,825 to the Colorado Department of Education from the State Education Fund, and referred the bill to the Senate Committee of the Whole.

**Senate Second Reading (May 4, 2015).** The Senate Committee of the Whole adopted the Appropriations Committee Report and passed the bill with no further amendments.

**Senate Third Reading (May 5, 2015).** The Senate passed the bill with no further amendments.

**Senate Consideration of House Amendments (May 6, 2015).** The Senate concurred with House amendments to the bill.

## House Action

**House Judiciary Committee (May 5, 2015).** The committee referred the bill, unamended, to the House Appropriations Committee. No witnesses testified on the bill.

**House Appropriations Committee (May 5, 2015).** The committee adopted amendment J.004, which reappropriates \$218,825 from the Colorado Department of Education to the Office of the Lieutenant Governor to administer the program. The committee referred the amended bill to the House Committee of the Whole.

**House Second Reading (May 5, 2015).** The House Committee of the Whole adopted the Appropriations Committee Report and passed the bill with no further amendments.

**House Third Reading (May 6, 2015).** The House passed the bill with no further amendments.

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# Legislative Council Staff

## Research Note

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**Bill Number:** SB15-281

**Short Title:** *Institute Charter School Plan Meetings*

**Prime Sponsors:** Senator Hill  
Representative Kraft-Tharp

**Research Analyst:** Rachel Kurtz-Phelan (x3028)

### Current Status

This research note reflects the final version of the bill, which was signed by the Governor on June 5, 2015.

### Summary

The bill makes a small change to current state law pertaining to institute charter schools. Currently, the Colorado Charter School Institute (CSI) is required to hold a public hearing to review an institute charter school's proposed school priority improvement or school turnaround plan before final adoption. This bill instead makes the institute charter school hold its own public hearing to review the plan, and requires CSI to ensure that the institute charter school complies with the requirement.

### Background

The Colorado Charter School Institute is the state's only non-district charter school authorizer. It currently authorizes 34 charter schools throughout the state.

Schools and districts that are assigned to a priority improvement or turnaround plan are the lowest-performing schools and districts in Colorado, according to the state's accountability tool called the District and School Performance Framework Report. The report is based on four key indicators, which are achievement, growth, achievement and growth gaps, and postsecondary and workforce readiness. Schools and districts on priority improvement or turnaround plans are considered to be falling short of state expectations in one or more of these areas.

### Senate Action

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**Senate Education Committee (April 29, 2015).** At the hearing, a representative from CSI spoke in support of the bill. The committee referred the bill, unamended and with a recommendation that it be placed on the consent calendar, to the Senate Committee of the Whole.

**Senate Second Reading (April 30, 2015).** The Senate Committee of the Whole passed the bill with no amendments.

**Senate Third Reading (May 1, 2015).** The Senate passed the bill with no amendments.

### **House Action**

**House Education Committee (May 4, 2015).** At the hearing, a representative from CSI spoke in support of the bill. The committee referred the bill, unamended, to the House Committee of the Whole.

**House Second Reading (May 4, 2015).** The House Committee of the Whole passed the bill with no amendments.

**House Third Reading (May 5, 2015).** The House passed the bill with no amendments.

**Date:** 8/14/2015

**Version:** Final

**Date:** 9/21/2015

**Version:** Final



# Legislative Council Staff

## Research Note

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**Bill Number:** SB15-267

**Short Title:** *School Finance*

**Prime Sponsors:** Senator Hill  
Representative Hamner

**Research Analyst:** Rachel Kurtz-Phelan (x3028)

### Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on June 5, 2015.

### Summary

The bill makes changes to the funding for K-12 public schools in Colorado. The bill increases base per pupil funding to \$6,292 and reduces the negative factor by \$25 million from the FY 2014-15 level. It also repeals the minimum state aid requirement, and increases the amount that is annually transferred from the Public School Fund to the State Public School Fund.

### Background

Public schools in Colorado are funded by a combination of federal, state, and local sources. The majority is designated by the Public School Finance Act of 1994 (School Finance Act) which is passed annually by the General Assembly. In budget year 2015-16, the 178 school districts in Colorado will receive over \$6.2 billion in funding, of which \$4.1 billion comes from state taxes, \$1.97 billion from local property taxes, and \$149.7 million from vehicle registration taxes (called local specific ownership taxes).

The School Finance Act contains a formula that is used to determine the total amount of state and local funding received by each school district in Colorado and the Charter School Institute. This amount is referred to as Total Program funding, which is calculated by taking the funded pupil count, multiplying it by the total per-pupil funding amount, and then adding funding for at-risk students and on-line students, and then applying the Negative Factor. The Negative Factor was added to the school finance formula in FY 2010-11 as a budget balancing mechanism that reduces the amount of

funding received by school districts.

## **Relevant Research**

<https://www.cde.state.co.us/cdefinance/fy2015-16brochure>

## **Senate Action**

**Senate Education Committee (April 16, 2015).** At the hearing, representatives from Adams County School District 50 and the Colorado Association of School Boards spoke about the bill. The committee referred the bill, unamended, to the Senate Appropriations Committee.

**Senate Appropriations Committee (April 17, 2015).** The Senate Appropriations Committee adopted amendment J.001, and referred the bill to the Senate Committee of the Whole. The amendment appropriates \$25,607,866 from the General Fund to the Colorado Department of Education, and makes a small change to the appropriation for the Accelerating Students Through Concurrent Enrollment (ASCENT) program.

**Senate Second Reading (April 23, 2015).** The Senate Committee of the Whole adopted the Appropriations Committee report and adopted the following amendment:

- Amendment No. 2 by Steadman, Grantham, and Lambert, which changes the appropriation from \$25,607,866 to \$25,000,000. It also removes the requirement for minimum state aid that had been suspended through FY 2014-15 but was due to be reinstated in FY 2015-16.

**Senate Third Reading (April 24, 2015).** The Senate passed the bill with no further amendments.

**Senate Consideration of House Amendments (May 1, 2015).** The Senate concurred with House amendments to the bill.

## **House Action**

**House Education Committee (April 27, 2015).** At the hearing, one witness spoke about the bill. The committee adopted amendments L.019, L.024, and L.025, and referred the bill to the House Appropriations Committee.

Amendment L.019 adds a legislative declaration to the bill. Amendment L.024 adds funding for at-risk students. Amendment L.025 requires the transfer of the first \$21 million of interest or income earned on investments in the Public School Fund to the State Public School Fund.

**House Appropriations Committee (April 29, 2015).** The House Appropriations Committee passed amendment L.026 and conceptual amendment J.003, and referred the bill to the House Committee of the Whole. Amendment L.026 makes a small technical change to the House Education Committee report. Amendment J.003 adds an additional \$5,000,000 appropriation for the Department

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of Education.

**House Second Reading (April 29, 2015).** The House Committee of the Whole adopted the Education and Appropriations Committee Reports and adopted the following amendment:

- Amendment No. 3 by Dore, which creates a school finance review committee to study and recommend legislation regarding tax policy and school finance.

**House Third Reading (April 30, 2015).** The House passed the bill after adopting the following amendments:

- Amendment No. 1 by Hamner, which makes several small technical changes to the bill;
- Amendment No. 2 by Hamner, which repeals second reading amendment No. 3 by Dore creating a school finance review committee.

**Date:** 9/21/2015

**Version:** Final

**Date:** 5/20/2015

**Version:** Final



# Legislative Council Staff

## Research Note

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**Bill Number:** SB15-111

**Short Title:** *Educator Licensure Cash Fund Continuous Appropriation*

**Prime Sponsors:** Senator Lambert  
Representative Hamner

**Research Analyst:** Kori Donaldson (x4976)

### Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on April 3, 2015.

### Summary

This bill, recommended by the Joint Budget Committee (JBC), grants the Colorado Department of Education (CDE) three years of continuous spending authority over moneys in the Educator Licensure Fund. The bill also extends a requirement that the CDE report to the General Assembly about its expenditures from the fund and to hire independent contractors, rather than new employees, to reduce educator license processing times.

### Background

The Educator Licensure Cash Fund is subject to annual appropriation, except for the years FY 2011-12 through FY 2014-15, when the moneys were continuously appropriated. House Bill 11-1201 addressed concerns with the amount of time it took CDE to evaluate educator licensure applications in part through the granting of continuous spending authority from the Education Licensure Cash Fund for FY 2011-12 through FY 2014-15. During the CDE's hearing on December 18, 2014, the JBC discussed sponsoring legislation to extend the continuous appropriations for the Office of Professional Services and Educator Licensure (office) beyond FY 2014-15. The office is responsible for evaluating applications and issuing educator authorizations, credentials, and licenses. The office evaluates about 38,000 applications a year.

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## Senate Action

**Senate Finance Committee (February 5, 2015).** The committee referred the bill to the Senate Committee of the Whole with a recommendation that it be placed on the consent calendar. No witness testimony was heard on the bill.

**Senate second reading (February 10, 2015).** The Senate Committee of the Whole voted to refer the bill to the Senate Appropriations Committee.

**Senate Appropriations Committee (February 13, 2015).** The committee referred the bill to the Senate Committee of the Whole with a recommendation that it be placed on the consent calendar.

**Senate second reading (February 18, 2015).** The Senate Committee of the Whole passed the bill with no amendments.

**Senate third reading (February 19, 2015).** The bill was adopted by the full Senate.

## House Action

**House Finance Committee (March 5, 2015).** The committee referred the bill to the House Committee of the Whole. No witness testimony was heard on the bill.

**House second reading (March 9, 2015).** The House Committee of the Whole passed the bill with no amendments.

**House third reading (March 10, 2015).** The bill was adopted by the full House.

## Relevant Research

JBC Committee Hearing Response from CDE, December 18, 2014 (see page 150):  
[http://www.tornado.state.co.us/gov\\_dir/leg\\_dir/jbc/2014-15/eduhrg.pdf](http://www.tornado.state.co.us/gov_dir/leg_dir/jbc/2014-15/eduhrg.pdf)

**Date:** 7/2/2015

**Version:** Final



# Legislative Council Staff

## Research Note

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**Bill Number:** SB15-108

**Short Title:** *Direct Appropriations For Colorado Department of Education Programs*

**Prime Sponsors:** Senator Steadman  
Representative Hamner

**Research Analyst:** Rachel Kurtz-Phelan (x3028)

### Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on March 13, 2015.

### Summary

The bill, which was recommended by the Joint Budget Committee, makes changes to the appropriations for several grants and programs within the Colorado Department of Education (CDE), including:

- the Adult Education and Literacy Grant Program;
- School Turnaround Leader Development and Grant Programs;
- the English Language Proficiency Act Excellence Award Program;
- the Professional Development and Student Support Program; and
- State Grants to Publicly-supported Libraries.

The bill also requires that any remaining funds in the associated cash funds be transferred to either the General Fund or State Education Fund by June 30, 2015, and eliminates three cash funds that do not receive money from any other sources other than the General Fund or the State Education Fund.

### Background

Previously, the General Assembly appropriated moneys into certain cash funds and then reappropriated moneys out of those cash funds to CDE to use for administering the programs covered

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by the cash funds. This double appropriation inflated CDE's annual budget by double counting each affected program's appropriation. Under this bill, the General Assembly appropriates funds directly to CDE from the General Fund or State Education Fund.

## **Senate Action**

**Senate Education Committee (January 29, 2015).** There were no witnesses present to testify on the bill. The committee referred the bill, unamended, to the consent calendar of the Senate Committee of the Whole.

**Senate Second Reading (February 4, 2015).** The Senate Committee of the Whole passed the bill with no amendments.

**Senate Third Reading (February 5, 2015).** The Senate passed the bill with no amendments.

## **House Action**

**House Appropriations Committee (February 10, 2015).** No witnesses being present, the committee referred the bill, unamended, to the House Committee of the Whole.

**House Second Reading (February 11, 2015).** The House Committee of the Whole passed the bill with no amendments.

**House Third Reading (February 12, 2015).** The House passed the bill with no amendments.

**Date:** 7/2/2015

**Version:** Final

**Date:** 9/17/2015

**Version:** Final



# Legislative Council Staff

## Research Note

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**Bill Number:** SB15-056

**Short Title:** *Frequency Of Statewide Social Studies Testing*

**Prime Sponsors:** Senator Kerr  
Representative Kraft-Tharp

**Research Analyst:** Rachel Kurtz-Phelan (x3028)

### Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on May 20, 2015.

### Summary

The bill reduces the frequency of required social studies assessments. Beginning in the 2015-2016 school year, the Colorado Department of Education (CDE) may administer the social studies assessment in a representative sample of schools, as long as it is administered at least once every three years in each public school. A school district or charter school that is not selected by CDE to have the social studies assessment administered in a particular year may request that CDE administer the assessment in a particular district school or charter school during the next school year after the request is made. CDE may choose in which grades it administers the social studies assessment, except for 12th grade, and each student must take the assessment once in elementary school, once in middle school, and once in high school.

### Background

Colorado's statewide assessment system was first established in 1997 under the name Colorado Student Assessment Program (CSAP). CSAP operated under the provisions of House Bill 93-1313, which initiated standards-based education and assessment in Colorado.

The federal No Child Left Behind (NCLB) Act of 2001 required states to develop standardized tests linked to academic content standards and test students annually in reading and math from grade 3 through grade 8 and once in high school. The law also required three science tests throughout a student's school career, and required states to meet 100 percent proficiency on standardized

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assessments by 2014.

In 2008, the General Assembly passed Senate Bill 08-212, or Colorado's Achievement Plan for Kids (CAP4K), which required changes to Colorado's academic content standards, and new assessments aligned with the new standards. In 2011, the U.S. Department of Education began issuing waivers to states from the proficiency requirements of NCLB, so long as the states in question adopted standards and assessments to ensure that students graduate from high school ready for college or careers. Colorado's standards, which underwent a review by the State Board of Education in 2010, met those requirements. Colorado's waiver was approved on February 9, 2012.

From 2012 until 2014, students took the Transitional Colorado Assessment Program (TCAP) assessments, which were developed collaboratively by CDE, Colorado teachers, and CTB-McGraw Hill. TCAP provided a transition between CSAP and the new Colorado Measures of Academic Success (CMAS) assessments. The CMAS program, currently in use, utilizes English language arts and mathematics assessments developed by the Partnership for Assessment of Readiness for College and Careers (PARCC) consortium. The CMAS science and social studies assessments were developed specifically for Colorado. All four CMAS assessments were rolled out in 2015.

## Relevant Research

<https://www.colorado.gov/pacific/sites/default/files/14-13%20Statewide%20Student%20Assessment%20IB.pdf>

## Senate Action

**Senate Education Committee (April 9, 2015).** No witnesses being present to testify, the committee referred the bill unamended to the Senate Appropriations Committee.

**Senate Appropriations Committee (April 30, 2015).** The committee referred the bill, unamended, to the Senate Committee of the Whole.

**Senate Second Reading (May 4, 2014).** The Senate Committee of the Whole amended the Education committee report by adopting Amendment No. 1 by Kerr, which added language prohibiting CDE from administering the social studies assessment to students in the 12th grade.

**Senate Third Reading (May 5, 2015).** The Senate passed the bill with no further amendments.

**Senate Consideration of House Amendments (May 6, 2015).** The Senate concurred with House amendments to the bill.

## House Action

**House Judiciary Committee (May 5, 2015).** Representatives from several organizations testified in support of the bill. The committee referred the bill, unamended, to the House

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Appropriations Committee.

**House Appropriations Committee (May 5, 2015).** The committee adopted amendment J.002 and referred the bill to the House Committee of the Whole. The amendment appropriates \$935,180 to the Colorado Department of Education from the State Education Fund.

**House Second Reading (May 5, 2015).** The House Committee of the Whole adopted the House Appropriations Committee Report and passed the bill with no further amendments.

**House Third Reading (May 6, 2015).** The House passed the bill with no further amendments.

**Date:** 9/17/2015

**Version:** Final

**Date:** 6/1/2015

**Version:** Final



# Legislative Council Staff

## Research Note

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**Bill Number:** SB15-051

**Short Title:** *Ineligible Students Appeal Process Injunctions*

**Prime Sponsors:** Senator Todd  
Representative Priola

**Research Analyst:** Rachel Kurtz-Phelan (x3028)

### Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on April 3, 2015.

### Summary

The bill removes the ability of a student who has been found to be ineligible to participate in an extracurricular activity to file a complaint with a neutral group of arbitrators. Instead, the student is now permitted to seek a preliminary injunction or restraining order from a court of competent jurisdiction.

### Background

A student who is determined to be ineligible to participate in an extracurricular activity is permitted to appeal that decision. Prior to the passage of the bill, once the appeal was complete, the student was able to file a petition or complaint with a group of arbitrators. Any cost associated with the additional arbitration was shared equally between the student and the school district, or the activities agency in which the school district is a member.

### Senate Action

**Senate Education Committee (January 22, 2015).** At the hearing, three representatives from the Colorado High School Activities Association (CHSAA) testified in support of the bill. The

**Date:** 6/1/2015

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committee referred the bill, unamended, to the consent calendar of the Senate Committee of the Whole.

**Senate Second Reading (January 27, 2015).** The Senate Committee of the Whole passed the bill with no amendments.

**Senate Third Reading (January 28, 2015).** The Senate passed the bill with no amendments.

#### **House Action**

**House Education Committee (March 4, 2015).** At the hearing, two representatives from CHSAA testified in support of the bill. The committee referred the bill, unamended, to the House Committee of the Whole.

**House Second Reading (March 9, 2015).** The House Committee of the Whole passed the bill with no amendments.

**House Third Reading (March 10, 2015).** The house passed the bill with no amendments.

**Date:** 6/1/2015

**Version:** Final