

CHAPTER 5

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 17-052

BY SENATOR(S) Kerr, Moreno, Tate, Court, Holbert, Kagan, Merrifield, Todd;
also REPRESENTATIVE(S) Thurlow, Arndt.

AN ACT

**CONCERNING RECOMMENDATIONS RELATED TO TITLE 22 FROM THE DEPARTMENT OF EDUCATION
TO THE STATUTORY REVISION COMMITTEE.**

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

SECTION 1. In Colorado Revised Statutes, 22-51-105, **amend** (1) as follows:

22-51-105. Certifications by school boards, governing boards, and facility schools - rules. (1) On or before August 15 of each year, the school board of each school district entitled to and desiring reimbursement under this ~~article~~ ARTICLE 51, the state charter school institute board, and each facility school entitled to and desiring reimbursement under this ~~article~~ ARTICLE 51 shall certify to the state board of education, on forms ~~to be provided by the commissioner of education, such~~ ANY information ~~as the board shall deem~~ THE BOARD DEEMS necessary to determine the reimbursement entitlement of the district, the institute, or the facility school. ~~including, but~~ THE INFORMATION INCLUDES, BUT IS NOT LIMITED TO, the total amount of the school district's, the institute's, or the facility school's current operating expenditures for pupil transportation during the preceding entitlement period, the total number of miles traveled and the total number of pupils transported on ~~October 1, or the school day nearest said date~~ THE PUPIL ENROLLMENT COUNT DAY, AS DEFINED IN SECTION 22-54-103 (10.5), during the preceding entitlement period by vehicles operated by or for the school district, the institute, or the facility school in providing pupil transportation, and the transportation route descriptions in effect on ~~said date~~ THE PUPIL ENROLLMENT COUNT DAY.

SECTION 2. In Colorado Revised Statutes, 22-60.5-102, **amend** the introductory portion, (4), (10), and (15)(a); and **repeal** (2) as follows:

22-60.5-102. Definitions. As used in this ~~article~~ ARTICLE 60.5, unless the context

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

otherwise requires:

(2) ~~"Accredited independent school" means any independent school which is accredited by the state board of education pursuant to the rules and regulations of said board.~~

(4) "Alternative teacher contract" means a contract, as described in section 22-60.5-207, entered into for an alternative teacher position by a holder of an alternative teacher license pursuant to section 22-60.5-201 (1)(a) and a school district ~~accredited nonpublic school~~; or board of cooperative services that provides a one-year or two-year alternative teacher program.

(10) "Designated agency" means a school district or districts, ~~an accredited nonpublic school~~, a board of cooperative services, an accepted institution of higher education, or a nonprofit organization, or any combination thereof, ~~which~~ THAT is responsible for the organization, management, and operation of an approved alternative teacher program.

(15) "Mentor teacher" means:

(a) ~~Any teacher who is~~ A TEACHER designated by the school district ~~or accredited independent school~~ employing an alternative teacher and who has demonstrated outstanding teaching and school leadership and can provide exemplary modeling and counseling to alternative teachers participating in an alternative teacher program; or

SECTION 3. In Colorado Revised Statutes, 22-60.5-115, **amend** (2) introductory portion, (2)(c) introductory portion, and (2)(c)(III) as follows:

22-60.5-115. Rules. (2) The state board of education shall promulgate rules ~~and regulations~~ as necessary to implement sections 22-60.5-201 (1)(a) and 22-60.5-205. ~~Such rules and regulations shall~~ THE RULES MUST include, but need not be limited to, the following:

(c) Criteria relating to the designation of mentor teachers by school districts ~~and accredited independent schools~~ providing alternative teacher programs. ~~Such~~ THE guidelines may include ~~but shall not be limited to~~; consideration of the following factors in regard to potential mentor teachers:

(III) The general consensus of professional opinion in ~~such~~ THE school district. ~~or accredited independent school.~~

SECTION 4. In Colorado Revised Statutes, 22-60.5-207, **amend** (1) as follows:

22-60.5-207. Alternative teacher contracts. (1) Alternative teacher contracts may include ~~but are not limited to~~; terms and conditions ~~which~~ THAT:

(a) Differ from any terms and conditions of contracts of ~~such~~ THE school district ~~or accredited independent school~~ for first-year employees who are licensed other than as alternative teachers;

(b) Define those conditions unique to the responsibilities and duties of an alternative teacher and the alternative teacher program of ~~such~~ THE school district; ~~or accredited independent school;~~

(c) Establish the right of the employing school district ~~or accredited independent school~~ to terminate ~~such~~ THE alternative teacher contract at any time during the first three months of employment; however, ~~such action shall be taken only~~ THE EMPLOYING SCHOOL DISTRICT MUST ONLY TAKE SUCH ACTION after consideration of a recommendation of the alternative teacher support team for ~~such~~ THE alternative teacher and ~~shall not be~~ IS NOT subject to appeal by ~~such~~ THE alternative teacher.

SECTION 5. In Colorado Revised Statutes, 19-2-1002, **amend** (9)(c)(I) as follows:

19-2-1002. Juvenile parole. (9) Parole discharge. (c) The board may discharge a juvenile from parole before completion of the mandatory six-month parole period when the board finds that the juvenile meets, at a minimum, all of the following conditions of special achievement:

(I) Graduation from a public ~~or accredited nonpublic~~ high school or successful completion of a high school equivalency examination, as that term is defined in section 22-33-102 (8.5); ~~C.R.S.;~~

SECTION 6. In Colorado Revised Statutes, 22-60.5-201, **amend** (1)(a)(IV) and (1)(a)(V) as follows:

22-60.5-201. Types of teacher licenses issued - term. (1) The department is designated as the sole agency authorized to issue the following teacher licenses to persons of good moral character:

(a) **Alternative teacher license.** (IV) An alternative teacher license ~~shall be~~ IS valid in any school district ~~or accredited nonpublic school and shall entitle its~~ AND ENTITLES THE holder to work exclusively as an alternative teacher pursuant to the terms of an alternative teacher contract. A holder of an alternative teacher license is the teacher of record.

(V) For applicants enrolled in a one-year alternative teacher program, the alternative teacher license issued pursuant to this ~~paragraph (a) shall be~~ SUBSECTION (1)(a) IS valid for a period of one year after the date of issuance and may be renewed for only one additional year, but only upon written evidence that the employing school district ~~accredited nonpublic school;~~ or board of cooperative services anticipates extending the alternative teacher's contract for one additional year pursuant to ~~the provisions of~~ section 22-60.5-207 (2). For applicants enrolled in a two-year alternative teacher program, the alternative teacher license issued pursuant to this ~~paragraph (a) shall be~~ SUBSECTION (1)(a) IS valid for a period of two years after the date of issuance.

SECTION 7. In Colorado Revised Statutes, 22-60.5-205, **amend** (3)(b)(I) as follows:

22-60.5-205. One-year and two-year alternative teacher programs -

legislative declaration - standards and evaluation - duties of department - duties of the state board of education - fees. (3) (b) (I) The state board of education shall, at its discretion, approve an application by a designated agency seeking to provide an alternative teacher program. The application ~~shall~~ MUST meet the requirements of this section and any rules established by the state board of education. The state board of education is authorized to resolve any differences that may arise between school districts ~~accredited nonpublic schools~~, and accepted institutions of higher education ~~with regard to~~ REGARDING alternative teacher programs.

SECTION 8. In Colorado Revised Statutes, **amend** 22-60.5-206 as follows:

22-60.5-206. Alternative teacher support teams - duties - advisory councils.

(1) ~~THE DESIGNATED AGENCY SHALL ESTABLISH~~ an alternative teacher support team ~~shall be established by the designated agency~~ for each holder of an alternative teacher license employed as an alternative teacher through an alternative teacher program. At a minimum, each alternative teacher support team ~~shall be composed of~~ MUST INCLUDE an alternative teacher's mentor teacher and the principal and a representative of an accepted institution of higher education, if applicable.

(2) The alternative teacher support team shall:

(a) Establish the content of the required program of planned instruction and activities;

(b) Determine at what point in the program an alternative teacher may have responsibility for classroom instruction;

(c) Ensure that a significant portion of the teaching assignment of an alternative teacher is in the subject matter area or areas of the alternative teacher's endorsement;

(d) Evaluate the progress and effectiveness of an alternative teacher; and

(e) Make a recommendation to the school district ~~or accredited nonpublic school~~ that employs an alternative teacher concerning his or her eligibility to receive an initial teacher license or whether he or she is unable to complete the one-year alternative teacher program due to unforeseen circumstances, but should apply for an extension of the alternative teacher license with the expectation that he or she will complete his or her program within one additional year.

(3) As a member of an alternative teacher support team, the mentor teacher has primary responsibility for representing the faculty and parents in evaluating and making recommendations regarding the issuance of an initial teacher license to an alternative teacher or renewal of an alternative teacher license for one additional year. In recognition of the significant duties and responsibilities of mentor teachers, the designating school district ~~or accredited nonpublic school~~ shall make appropriate provisions as are necessary to ensure the proper discharge of ~~such~~ THE duties and responsibilities by the mentor teacher.

(4) In addition, for purposes of carrying out any alternative teacher program approved by the state board of education, any designated agency shall establish an

advisory council that ~~shall include~~ INCLUDES, at a minimum, representatives of each school district, ~~or accredited nonpublic school~~, including at least one mentor teacher and a representative of ~~any~~ AN accepted institution of higher education in the designated agency.

SECTION 9. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 1, 2017