

CHAPTER 243

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 18-1396

BY REPRESENTATIVE(S) Buckner, Arndt, Becker K., Bridges, Coleman, Esgar, Exum, Ginal, Hamner, Hansen, Herod, Jackson, Lee, McLachlan, Melton, Pettersen, Roberts, Rosenthal, Valdez, Weissman, Young, Duran;
also SENATOR(S) Moreno and Priola, Aguilar, Fields, Garcia, Gardner, Guzman, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Todd, Zenzinger.

AN ACT

CONCERNING CREATION OF AN ADVANCED PLACEMENT EXAM FEE GRANT PROGRAM IN THE DEPARTMENT OF EDUCATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** article 95.5 to title 22 as follows:

ARTICLE 95.5
Advanced Placement Exam Fee Grant Program

22-95.5-101. Definitions. AS USED IN THIS ARTICLE 95.5, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

(2) "ELIGIBLE STUDENT" MEANS A STUDENT ENROLLED IN A HIGH SCHOOL WHO IS A LOW-INCOME INDIVIDUAL, AS DEFINED IN 20 U.S.C. SEC. 6537, AND WHO IS PLANNING TO TAKE ONE OR MORE ADVANCED PLACEMENT EXAMS.

(3) "GRANT PROGRAM" MEANS THE ADVANCED PLACEMENT EXAM FEE GRANT PROGRAM CREATED IN SECTION 22-95.5-102.

(4) "HIGH SCHOOL" MEANS ANY PUBLIC SCHOOL THAT SERVES GRADES NINE THROUGH TWELVE AND HAS ONE OR MORE STUDENTS WHO PLAN TO TAKE AN ADVANCED PLACEMENT EXAM.

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

(5) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

22-95.5-102. Advanced placement exam fee grant program - creation - rules.

(1) THERE IS CREATED IN THE DEPARTMENT THE ADVANCED PLACEMENT EXAM FEE GRANT PROGRAM TO INCREASE THE NUMBER OF ELIGIBLE STUDENTS WHO TAKE ADVANCED PLACEMENT EXAMS AND RECEIVE SCORES FOR WHICH COLLEGE ACADEMIC CREDIT IS AWARDED BY PROVIDING FUNDS TO HIGH SCHOOLS TO PAY ALL OR A PORTION OF ADVANCED PLACEMENT EXAM FEES ON BEHALF OF ELIGIBLE STUDENTS.

(2) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM IN ACCORDANCE WITH STATE BOARD RULES. THE DEPARTMENT SHALL:

(a) ACCEPT AND REVIEW GRANT APPLICATIONS RECEIVED FROM HIGH SCHOOLS;

(b) DETERMINE THE AMOUNT, BASED ON AVAILABLE APPROPRIATIONS, THAT WILL BE AWARDED FOR EACH ADVANCED PLACEMENT EXAM THAT WILL BE ADMINISTERED TO AN ELIGIBLE STUDENT; AND

(c) AWARD GRANTS, AT THE AMOUNT SET FOR EACH EXAM THAT WILL BE ADMINISTERED TO AN ELIGIBLE STUDENT, DETERMINED PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION, TO EACH HIGH SCHOOL THAT HAS SUBMITTED AN APPLICATION.

(3) THE AMOUNT SET BY THE DEPARTMENT FOR EACH ADVANCED PLACEMENT EXAM PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION MUST BE THE SAME FOR EACH EXAM, REGARDLESS OF THE SUBJECT OF THE EXAM.

(4) PURSUANT TO ARTICLE 4 OF TITLE 24, THE STATE BOARD SHALL PROMULGATE RULES TO IMPLEMENT THE GRANT PROGRAM, INCLUDING RULES RELATING TO:

(a) THE APPLICATION PROCESS, INCLUDING APPLICATION REQUIREMENTS AND DEADLINES;

(b) A PROCESS FOR VERIFYING STUDENT ELIGIBILITY; AND

(c) DEADLINES FOR THE DEPARTMENT TO AWARD GRANTS.

(5) A HIGH SCHOOL THAT RECEIVES AN AWARD PURSUANT TO THIS SECTION SHALL USE THE ENTIRE AMOUNT AWARDED TO PAY ALL OR A PORTION OF ADVANCED PLACEMENT EXAM FEES ON BEHALF OF ELIGIBLE STUDENTS WHO WILL TAKE AN ADVANCED PLACEMENT EXAM IN THE AMOUNT SET FOR EACH EXAM BY THE DEPARTMENT PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION.

22-95.5-103. Reporting requirements. IN ITS ANNUAL REPORT BEFORE THE HOUSE AND SENATE COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203, THE DEPARTMENT SHALL INCLUDE INFORMATION DESCRIBING THE GRANTS AWARDED THROUGH THE GRANT PROGRAM DURING THE PRECEDING YEAR.

SECTION 2. In Colorado Revised Statutes, 22-95-102, **amend** (3)(d) as follows:

22-95-102. Advanced placement incentives pilot program - creation - administration - teacher incentives. (3) Regardless of the outcome of the advanced placement exams taken, for each student who completes an advanced placement class and who subsequently takes the advanced placement exam, the department shall distribute to the rural school five hundred dollars to be used for:

(d) Paying the advanced placement exam fee for each student who takes the advanced placement exam and participates in the school lunch program, unless the exam fee is covered by a STATE OR federal grant program; and

SECTION 3. Appropriation. For the 2018-19 state fiscal year, \$554,869 is appropriated to the department of education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.3 FTE. To implement this act, the department may use this appropriation for the advanced placement exam fee grant program created in section 22-95.5-102 (1), C.R.S.

SECTION 4. 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 8, 2018, if adjournment sine die is on May 9, 2018); 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: May 24, 2018