

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 22-1016.01 Jacob Baus x2173

HOUSE BILL 22-1390

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HOUSE SPONSORSHIP

McCluskie and McLachlan,

SENATE SPONSORSHIP

Zenzinger,

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House Committees

Education  
Appropriations

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND, IN  
102 CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

**Section 1** of the bill finds that current economic conditions have increased the amount of revenue available to the state for the 2022-23 budget year, allowing the state to increase the amount of appropriation for the state's share of total program funding for school districts and institute charter schools, thereby mitigating the impact of the budget stabilization factor. Additionally, it finds there is uncertainty concerning the continuity

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

HOUSE  
Amended 2nd Reading  
April 26, 2022

and longevity of these current economic conditions and the reliability of continuing high property values and increased revenue.

**Section 2** of the bill:

- Increases the statewide base per pupil funding for the 2022-23 budget year by \$252.88, to account for inflation of 3.5%, to a new statewide base per pupil funding amount of \$7,478.16; and
- Sets the total program funding for the 2022-23 budget year for all school districts and institute charter schools after application of the budget stabilization factor to not less than \$8,420,114,162.

**Section 3** of the bill permits a public school one additional year to discontinue the prohibited use of an American Indian mascot if the public school was first notified of the prohibited use on or after January 1, 2022.

**Section 4** of the bill extends by one year the requirement for a board of cooperative services (BOCES) to obtain written permission from the school district in which a school operates or is located if the BOCES intends to authorize the school and the school is physically located within the geographic boundaries of a school district that is not a member of the BOCES.

**Section 5** of the bill extends by one year the ability for local education providers to carry forward more than 15% of per-pupil intervention money received pursuant to the "Colorado READ Act".

**Sections 6 and 7** of the bill extend by one year the local accountability system grant program and the requirement that the department of education (department) contract with an external evaluator to evaluate the implementation of the local accountability systems. The bill makes an appropriation for this evaluation.

**Section 8** of the bill extends by one year the completion of the pilot program to develop and use screening and identification processes and intervention strategies for early identification of and support for students enrolled in kindergarten through third grade who may have dyslexia.

**Section 9** of the bill states that, if a school district permits a student whose parent or guardian is a resident of the state but not a resident of the district to attend school in the district, the school district shall not require the parent, guardian, or student to pay tuition to attend school in the district, regardless of when during the school year, or under what circumstances, the student enrolls in or attends school in the district.

**Section 10** of the bill authorizes financial assistance through the educator recruitment and retention program to be used for applicants agreeing to teach for 3 years in educator shortage areas in the state.

**Section 11** of the bill permits a vendor that contracts with the department to develop a quality teacher recruitment program, and commits to satisfying the requirement to match 100% of the money paid

by the department for the contract through gifts, grants, or donations from private donors, to also accept gifts, grants and donations from school districts.

**Section 12** of the bill removes the department's authority to annually reallocate money among participating schools under the local school food purchasing program.

**Sections 13 to 16** of the bill extend by one year the K-5 social and emotional health pilot program and amend the requirements for school mental health professionals participating in the pilot program.

**Section 17** of the bill permits 20% of the money appropriated for the Colorado imagination library program to be used by the contractor for operating costs.

**Section 18** of the bill requires the state auditor to grant an extension of the time to meet auditing requirements for the 2021-22 budget year for rural and small rural school districts that can demonstrate difficulty in retaining an auditor, in lieu of prohibiting the release of tax revenue for the school districts.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) The annual total program funding of Colorado's schools is a  
5 collaborative effort between school districts and the state;

6 (b) In recent years, the stabilization of the state budget has  
7 required a reduction in the amount of the annual appropriation to fund the  
8 state's share of total program funding for all school districts and institute  
9 charter schools. This reduction is commonly referred to as the "budget  
10 stabilization factor".

11 (c) The school districts' share of total program funding is  
12 primarily derived from nonresidential and residential property tax  
13 revenue. Colorado's current economic conditions, which are driving  
14 significant increases in property values, are generally increasing the  
15 school districts' share of total program funding and consequently  
16 decreasing the state's share of total program funding.

1 (d) The current economic conditions have also increased the  
2 amount of revenue available to the state for the 2022-23 budget year,  
3 allowing the state to significantly increase the amount of appropriation for  
4 the state's share of total program funding for school districts and institute  
5 charter schools, thereby mitigating the impact of the budget stabilization  
6 factor; and

7 (e) There is, however, a great deal of uncertainty concerning the  
8 continuity and longevity of these current economic conditions and  
9 whether high property values and increased revenue will continue.

10 (2) Therefore, the general assembly declares that it is committed  
11 to continuing the efforts to reduce the budget stabilization factor in  
12 subsequent budget years to the degree possible, subject to the continuing  
13 high levels of property values and changing economic conditions.

14 **SECTION 2.** In Colorado Revised Statutes, 22-54-104, **add**  
15 (5)(a)(XXIX) and (5)(g)(I)(M) as follows:

16 **22-54-104. District total program - definitions.** (5) For  
17 purposes of the formulas used in this section:

18 (a)(XXIX) FOR THE 2022-23 BUDGET YEAR, THE STATEWIDE BASE  
19 PER PUPIL FUNDING IS \$7,478.16, WHICH IS AN AMOUNT EQUAL TO  
20 \$7,225.28, SUPPLEMENTED BY \$252.88 TO ACCOUNT FOR INFLATION.

21 (g) (I) For the 2010-11 budget year and each budget year  
22 thereafter, the general assembly determines that stabilization of the state  
23 budget requires a reduction in the amount of the annual appropriation to  
24 fund the state's share of total program funding for all districts and the  
25 funding for institute charter schools. The department of education shall  
26 implement the reduction in total program funding through the application  
27 of a budget stabilization factor as provided in this subsection (5)(g)(I).

1 For the 2010-11 budget year and each budget year thereafter, the  
2 department of education and the staff of the legislative council shall  
3 determine, based on budget projections, the amount of such reduction to  
4 ensure the following:

5 (M) THAT, FOR THE 2022-23 BUDGET YEAR, THE SUM OF THE  
6 TOTAL PROGRAM FUNDING FOR ALL DISTRICTS, INCLUDING THE FUNDING  
7 FOR INSTITUTE CHARTER SCHOOLS, AFTER APPLICATION OF THE BUDGET  
8 STABILIZATION FACTOR, IS NOT LESS THAN EIGHT BILLION FOUR HUNDRED  
9 TWENTY-TWO MILLION TWO HUNDRED SIXTEEN THOUSAND ONE HUNDRED  
10 FIFTY-NINE DOLLARS (\$8,422,216,159); EXCEPT THAT THE DEPARTMENT  
11 OF EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MAKE  
12 MID-YEAR REVISIONS TO REPLACE PROJECTIONS WITH ACTUAL FIGURES,  
13 INCLUDING BUT NOT LIMITED TO ACTUAL PUPIL ENROLLMENT, ASSESSED  
14 VALUATIONS, AND SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR  
15 YEAR, TO DETERMINE ANY NECESSARY CHANGES IN THE AMOUNT OF THE  
16 REDUCTION TO MAINTAIN A TOTAL PROGRAM FUNDING AMOUNT FOR THE  
17 APPLICABLE BUDGET YEAR THAT IS CONSISTENT WITH THIS SUBSECTION  
18 (5)(g)(I)(M). FOR THE 2023-24 BUDGET YEAR, THE DIFFERENCE BETWEEN  
19 CALCULATED STATEWIDE TOTAL PROGRAM FUNDING AND ACTUAL  
20 STATEWIDE TOTAL PROGRAM FUNDING MUST NOT EXCEED THE DIFFERENCE  
21 BETWEEN CALCULATED STATEWIDE TOTAL PROGRAM FUNDING AND  
22 ACTUAL STATEWIDE TOTAL PROGRAM FUNDING FOR THE 2022-23 BUDGET  
23 YEAR.

24 **SECTION 3.** In Colorado Revised Statutes, 22-1-133, **add** (6) as  
25 follows:

26 **22-1-133. Prohibition on use of American Indian mascots -**  
27 **exemptions - definitions.** (6) (a) NOTWITHSTANDING THE PROVISIONS OF

1 THIS SECTION TO THE CONTRARY, A PUBLIC SCHOOL IN THE STATE IS  
2 PROHIBITED FROM USING AN AMERICAN INDIAN MASCOT ON OR AFTER  
3 JUNE 1, 2023, IF:

4 (I) THE PUBLIC SCHOOL IS USING AN AMERICAN INDIAN MASCOT;

5 (II) THE PUBLIC SCHOOL DOES NOT MEET THE CRITERIA FOR AN  
6 EXEMPTION AS OUTLINED IN SUBSECTION (2)(b) OF THIS SECTION;

7 (III) THE PUBLIC SCHOOL WAS NOT IDENTIFIED PURSUANT TO  
8 SUBSECTION (4)(a) OF THIS SECTION; AND

9 (IV) THE SCHOOL DISTRICT OF THE PUBLIC SCHOOL OR, IN THE  
10 CASE OF AN INSTITUTE CHARTER SCHOOL, THE STATE CHARTER SCHOOL  
11 INSTITUTE, WAS FIRST NOTIFIED ON OR AFTER MAY 1, 2022, BUT BEFORE  
12 JUNE 1, 2022, BY THE COMMISSION, IN COORDINATION WITH THE  
13 DEPARTMENT OF EDUCATION, THAT IT IS USING AN AMERICAN INDIAN  
14 MASCOT IN VIOLATION OF SUBSECTION (2) OF THIS SECTION.

15 (b) WHEN A PUBLIC SCHOOL DESCRIBED PURSUANT TO SUBSECTION  
16 (6)(a) OF THIS SECTION DISCONTINUES ITS USE OF AN AMERICAN INDIAN  
17 MASCOT PRIOR TO JUNE 1, 2023, THE PUBLIC SCHOOL SHALL NOTIFY ITS  
18 SCHOOL DISTRICT OR, IN THE CASE OF AN INSTITUTE CHARTER SCHOOL, THE  
19 STATE CHARTER SCHOOL INSTITUTE, THE COMMISSION, AND THE  
20 DEPARTMENT OF EDUCATION, OF THE DISCONTINUATION.

21 (c) FOR EACH MONTH DURING WHICH A PUBLIC SCHOOL DESCRIBED  
22 PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION USES AN AMERICAN  
23 INDIAN MASCOT AFTER JUNE 1, 2023, THE SCHOOL DISTRICT OF THE PUBLIC  
24 SCHOOL OR, IN THE CASE OF AN INSTITUTE CHARTER SCHOOL, THE STATE  
25 CHARTER SCHOOL INSTITUTE, SHALL PAY A FINE OF TWENTY-FIVE  
26 THOUSAND DOLLARS TO THE STATE TREASURER, WHO SHALL CREDIT THE  
27 MONEY RECEIVED TO THE STATE EDUCATION FUND CREATED IN SECTION

1 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

2 **SECTION 4.** In Colorado Revised Statutes, 22-5-111, **amend** (4)  
3 as follows:

4 **22-5-111. Buildings and facilities - repeal.**

5 (4) (a) Notwithstanding any provision of this article 5 to the contrary,  
6 ~~during the 2021-22 state fiscal year~~ FROM JULY 1, 2021, THROUGH  
7 DECEMBER 31, 2022, before authorizing a full-time school or an  
8 additional location of an existing school that is physically located within  
9 the geographic boundaries of a school district that is not a member of the  
10 board of cooperative services, a board of cooperative services must obtain  
11 written consent from such school district.

12 (b) The requirement for written consent set forth in subsection  
13 (4)(a) of this section does not apply to a school authorized or operating  
14 prior to June 11, 2021, so long as the school continues to operate ~~for the~~  
15 ~~2021-22 school year~~ THROUGH DECEMBER 31, 2022.

16 (c) This subsection (4) is repealed, effective July 1, ~~2022~~ 2023.

17 **SECTION 5.** In Colorado Revised Statutes, 22-7-1210.5, **amend**  
18 (6)(b)(II) as follows:

19 **22-7-1210.5. Per-pupil intervention money - uses - distribution**  
20 **- monitoring - repeal.** (6) (b) (II) (A) Notwithstanding the provisions of  
21 subsection (6)(b)(I) of this section, a local education provider may retain  
22 more than fifteen percent of the amount of per-pupil intervention money  
23 received in the 2020-21 ~~budget year~~ AND 2021-22 BUDGET YEARS for use  
24 in accordance with this section in the 2021-22 AND 2022-23 budget year  
25 YEARS, RESPECTIVELY.

26 (B) This subsection (6)(b)(II) is repealed, effective July 1, ~~2022~~  
27 2023.

1           **SECTION 6.** In Colorado Revised Statutes, 22-11-703, **amend**  
2 (5)(b) as follows:

3           **22-11-703. Local accountability system - grant program**  
4 **established - repeal.** (5) (b) (I) The amount of a grant awarded pursuant  
5 to this section must be at least twenty-five thousand dollars per budget  
6 year but must not exceed fifty thousand dollars per budget year for a grant  
7 awarded to a single local education provider and must not exceed  
8 seventy-five thousand dollars per budget year for a grant awarded to a  
9 group of local education providers. The department shall distribute the  
10 amount of each grant over three budget years.

11           (II) (A) NOTWITHSTANDING ANY PROVISIONS OF SUBSECTION  
12 (5)(b)(I) OF THIS SECTION TO THE CONTRARY, AS A RESULT OF THE  
13 SUSPENSION OF FUNDING FOR THE LOCAL ACCOUNTABILITY SYSTEM GRANT  
14 PROGRAM DURING THE 2020-21 BUDGET YEAR, THE 2020-21 BUDGET YEAR  
15 IS NOT INCLUDED IN DETERMINING THE THREE BUDGET YEARS FOR GRANT  
16 DISTRIBUTION.

17           (B) THIS SUBSECTION (5)(b)(II) IS REPEALED, EFFECTIVE JULY 1,  
18 2024.

19           **SECTION 7.** In Colorado Revised Statutes, 22-11-705, **amend**  
20 (5)(a) as follows:

21           **22-11-705. Local accountability systems - report.** (5) (a) (I) In  
22 the third year of the grant program, the department shall contract with an  
23 external evaluator, which may be a state institution of higher education,  
24 to prepare a summary evaluation report of the implementation of the local  
25 accountability systems that receive grants. The evaluation must, at a  
26 minimum, include an evaluation of the success of each local  
27 accountability system in evaluating student success and the processes for



1 ensuring a cycle of continuous improvement within the public schools of  
2 the participating local education providers. At the annual meeting held  
3 pursuant to subsection (1) of this section at the end of the first year of the  
4 grant program, the department, participating local education providers,  
5 and the accountability system partners shall identify the goals, tools, and  
6 measures to be addressed by the summary evaluation report. The data  
7 used for the summary evaluation report must include qualitative and  
8 quantitative measures.

9 (II) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (5)(a)(I)  
10 OF THIS SECTION TO THE CONTRARY, AS A RESULT OF THE SUSPENSION OF  
11 FUNDING FOR THE LOCAL ACCOUNTABILITY SYSTEM GRANT PROGRAM  
12 DURING THE 2020-21 BUDGET YEAR, THE 2020-21 BUDGET YEAR IS NOT  
13 CONSIDERED A GRANT PROGRAM YEAR FOR PURPOSES OF DETERMINING  
14 THE THIRD YEAR OF THE GRANT PROGRAM.

15 **SECTION 8.** In Colorado Revised Statutes, 22-20.5-104, **amend**  
16 (3), (4), and (5) as follows:

17 **22-20.5-104. Pilot program - dyslexia markers - effective**  
18 **interventions - created - evaluation report - repeal.** (3) At the end of  
19 the ~~2021-22~~ 2022-23 school year, the department shall evaluate the  
20 implementation of the pilot program and the effectiveness of the  
21 strategies in identifying and supporting more students in the participating  
22 local education providers than were identified and supported in  
23 nonparticipating local education providers. Based on the evaluation, the  
24 department shall refine the resources for technical support, identification,  
25 and interventions, as necessary, and disseminate the resources to all local  
26 education providers in the state. Upon request, the department shall also  
27 provide the technical support necessary to effectively use the resources.

1 (4) On or before December 31, ~~2022~~ 2023, the department shall  
2 submit to the state board of education and the education committees of  
3 the senate and the house of representatives, or any successor committees,  
4 a report concerning the implementation and evaluation of the pilot  
5 program. The department may include in the report any recommendations  
6 for legislation that the department deems necessary based on the  
7 evaluation of the pilot program.

8 (5) This section is repealed, effective July 1, ~~2023~~ 2024.

9 **SECTION 9.** In Colorado Revised Statutes, 22-36-101, **amend**  
10 (2)(a) as follows:

11 **22-36-101. Choice of programs and schools within school**  
12 **districts.** (2) (a) Every school district shall adopt such policies and  
13 procedures as are reasonable and necessary to implement the provisions  
14 of subsection (1) of this section, including, but not limited to, timelines  
15 for application to and acceptance in any program or school ~~which~~ THAT  
16 may provide for enrollment of the student on or before the pupil  
17 enrollment count day, and, while adopting policies and procedures, the  
18 school district shall consider adopting a policy establishing that an  
19 applicant with a proficiency rating of unsatisfactory in one or more  
20 academic areas who attends a public school that is required to implement  
21 a turnaround plan pursuant to section 22-11-406 or that is subject to  
22 restructuring pursuant to section 22-11-210 shall have priority over any  
23 other applicant for enrollment purposes. IF A SCHOOL DISTRICT PERMITS  
24 A STUDENT WHOSE PARENT OR GUARDIAN IS A RESIDENT OF THE STATE BUT  
25 NOT A RESIDENT OF THE DISTRICT TO ATTEND SCHOOL IN THE DISTRICT,  
26 THE SCHOOL DISTRICT SHALL NOT REQUIRE THE PARENT, GUARDIAN, OR  
27 STUDENT TO PAY TUITION TO ATTEND SCHOOL IN THE DISTRICT,

1 REGARDLESS OF WHEN DURING THE SCHOOL YEAR, OR UNDER WHAT  
2 CIRCUMSTANCES, THE STUDENT ENROLLS IN OR ATTENDS SCHOOL IN THE  
3 DISTRICT.

4 **SECTION 10.** In Colorado Revised Statutes, 22-54-103, **add**  
5 (10)(i) as follows:

6 **22-54-103. Definitions.** As used in this article 54, unless the  
7 context otherwise requires:

8 (10) (i) AT THE REQUEST OF A DISTRICT THAT INCLUDES IN ITS  
9 PUPIL ENROLLMENT ONE OR MORE STUDENTS WHO ARE PARTICIPATING IN  
10 NONPUBLIC HOME-BASED EDUCATIONAL PROGRAMS AND ALSO ATTENDING  
11 A PUBLIC SCHOOL OR PUBLIC PROGRAM FOR A PORTION OF THE SCHOOL  
12 DAY, THE DEPARTMENT OF EDUCATION SHALL ASSIGN A SEPARATE SCHOOL  
13 CODE TO EACH PROGRAM OFFERED THROUGH THE DISTRICT OR A SCHOOL  
14 OF THE DISTRICT THAT IS DESIGNED TO PROVIDE ENRICHMENT SUPPORTS  
15 AND SERVICES TO STUDENTS PARTICIPATING IN NONPUBLIC HOME-BASED  
16 EDUCATIONAL PROGRAMS.

17 **SECTION 11.** In Colorado Revised Statutes, 22-60.3-204,  
18 **amend** (1)(b) as follows:

19 **22-60.3-204. Program eligibility - financial assistance -**  
20 **funding.** (1) (b) As a condition of receiving financial assistance through  
21 the program, an applicant must agree to teach for a period of three years  
22 in a rural or small rural school district OR IN AN EDUCATOR SHORTAGE  
23 AREA, AS DETERMINED BY THE STATE BOARD OF EDUCATION. If an  
24 applicant does not fulfill the service condition of the program, the  
25 applicant shall repay the awarded financial assistance to the department  
26 in accordance with the rules promulgated by the state board.

27 **SECTION 12.** In Colorado Revised Statutes, 22-94-102, **amend**

1 (2)(f) as follows:

2 **22-94-102. Contract to create quality teacher recruitment**

3 **program.** (2) In awarding a contract pursuant to subsection (1) of this  
4 section, the department shall take into consideration the number of  
5 districts in which the vendor will place licensed teachers, the number of  
6 licensed teachers that the vendor will place, and the potential number of  
7 children who will be taught by the licensed teachers. The department shall  
8 ensure that it awards the contract to one or more vendors that satisfy the  
9 following criteria:

10 (f) The vendor commits to matching no less than one hundred  
11 percent of any ~~moneys~~ MONEY that the department pays through a  
12 contract entered into pursuant to subsection (1) of this section. A vendor  
13 that responds to the department's solicitation for a contract issued  
14 pursuant to subsection (1) of this section shall provide written  
15 documentation from one or more private or corporate donors, OR ONE OR  
16 MORE SCHOOL DISTRICTS OR OTHER LOCAL GOVERNMENTS, that pledge to  
17 make gifts, grants, ~~or~~ donations, OR OTHER PLEDGES OF MONEY, WHICH  
18 MAY INCLUDE IMPACT INCOME, SUCCESS PAYMENTS, AND SPONSORSHIP  
19 AND EVENT INCOME, BUT SHALL NOT INCLUDE MONEY RECEIVED FROM  
20 PROGRAM PARTICIPANTS, to the vendor that, in total, equal at least the  
21 amount that the department has specified will be available for the  
22 purposes of a contract pursuant to subsection (1) of this section for the  
23 applicable fiscal year. The written documentation must also include the  
24 date by which the vendor will receive the gifts, grants, ~~or~~ donations, OR  
25 OTHER MONEY to be used in furtherance of the requirements of this ~~article~~  
26 **ARTICLE 94.**

27 **SECTION 13.** In Colorado Revised Statutes, 22-100-102, **amend**

1 (5)(b) as follows:

2 **22-100-102. Local school food purchasing program - creation**  
3 **- report - rules - repeal.** (5) (b) The department is authorized to monitor  
4 the school food purchasing program to ensure program integrity. ~~and to~~  
5 ~~annually reallocate money among participating providers to maximize the~~  
6 ~~amount of the money given.~~

7 **SECTION 14.** In Colorado Revised Statutes, 22-102-103, **amend**  
8 (4), (7), and (8) as follows:

9 **22-102-103. Definitions.** As used in this article 102, unless the  
10 context otherwise requires:

11 (4) "School counselor" means a ~~counselor holding a master's~~  
12 ~~degree in educational counseling and a professional special services~~  
13 ~~license in Colorado~~ PERSON WITH A TEMPORARY EDUCATOR ELIGIBILITY  
14 AUTHORIZATION ISSUED PURSUANT TO SECTION 22-60.5-111 (5) WHO IS  
15 WORKING TO ATTAIN A SPECIAL SERVICES PROVIDER LICENSE FOR SCHOOL  
16 COUNSELING, OR A LICENSE ISSUED PURSUANT TO ARTICLE 60.5 OF THIS  
17 TITLE 22 with an endorsement in school counseling, including but not  
18 limited to the completion of course work in the areas of academic and  
19 social-emotional development; assessment for social and emotional  
20 concerns, including suicide prevention and intervention; crisis  
21 intervention; social-emotional prevention programs, including character  
22 education and violence prevention; mental health; protective factors for  
23 at-risk students; and career awareness, exploration, and planning.

24 (7) "School psychologist" means a ~~school psychologist holding a~~  
25 ~~master's degree and a professional special services license in Colorado~~  
26 PERSON WITH A TEMPORARY EDUCATOR ELIGIBILITY AUTHORIZATION  
27 ISSUED PURSUANT TO SECTION 22-60.5-111 (5) WHO IS WORKING TO

1 ATTAIN A SPECIAL SERVICES PROVIDER LICENSE AS A SCHOOL  
2 PSYCHOLOGIST, OR A LICENSE ISSUED PURSUANT TO ARTICLE 60.5 OF THIS  
3 TITLE 22 with a school psychologist endorsement.

4 (8) "School social worker" means a ~~social worker holding a~~  
5 ~~master's degree and a professional special services license in Colorado~~  
6 PERSON WITH A TEMPORARY EDUCATOR ELIGIBILITY AUTHORIZATION  
7 ISSUED PURSUANT TO SECTION 22-60.5-111 (5) WHO IS WORKING TO  
8 ATTAIN A SPECIAL SERVICES PROVIDER LICENSE AS A SCHOOL SOCIAL  
9 WORKER, OR A LICENSE ISSUED PURSUANT TO ARTICLE 60.5 OF THIS TITLE  
10 22 with an endorsement in school social work, including but not limited  
11 to the completion of course work in the areas of school and special  
12 education law, including content covering functional behavior assessment  
13 and the development of behavior intervention plans.

14 **SECTION 15.** In Colorado Revised Statutes, 22-102-104, **amend**  
15 (1) and (2)(a) as follows:

16 **22-102-104. K-5 social and emotional health pilot program -**  
17 **creation - selection of pilot schools - rules.** (1) There is created the K-5  
18 social and emotional health pilot program in the department to determine  
19 the impact of dedicated school mental health professionals in  
20 kindergarten through fifth grade in elementary schools that have  
21 high-poverty, high-need students. The pilot program is implemented  
22 within the selected pilot schools and administered by the department as  
23 a pilot program for ~~three consecutive~~ FOUR school years, unless extended  
24 by the general assembly. Subject to available appropriations or gifts,  
25 grants, or donations for the ~~three-year~~ FOUR-YEAR term of the pilot  
26 program, pursuant to section 22-102-106, the department shall employ or  
27 contract with a pilot program coordinator and contract for preliminary and

1 final program evaluations of the pilot program. The ~~department~~ STATE  
2 BOARD OF EDUCATION shall promulgate any rules necessary for the  
3 administration of the pilot program.

4 (2) (a) Subject to available appropriations or gifts, grants, or  
5 donations for the ~~three-year~~ FOUR-YEAR term of the pilot program, no  
6 later than January 15 immediately preceding the first implementation  
7 year, the department shall select up to ten pilot schools to participate in  
8 the pilot program. If available appropriations and gifts, grants, or  
9 donations are insufficient to fully fund the pilot program, the department  
10 may select fewer than ten pilot schools to participate in the pilot program.  
11 The department shall select pilot schools that exhibit the characteristics  
12 set forth in subsection (2)(b) of this section and that are appropriate test  
13 schools to evaluate the impact and effectiveness of the pilot program. The  
14 pilot schools must demonstrate a willingness to participate in the pilot  
15 program and to collect the data and information necessary for the  
16 evaluation of the pilot program.

17 **SECTION 16.** In Colorado Revised Statutes, 22-102-105, **amend**  
18 (4)(a) as follows:

19 **22-102-105. Implementation of pilot program.** (4) (a) In  
20 implementing the pilot program, the school mental health professionals  
21 shall work as a team, with each professional providing services to  
22 students and offering training and resources to school faculty and  
23 administrators ~~that~~ WHO are authorized under the school mental health  
24 professional's ~~special services~~ AUTHORIZATION OR THE PROFESSIONAL'S  
25 license and endorsement.

26 **SECTION 17.** In Colorado Revised Statutes, 22-102-106, **amend**  
27 (2)(a) as follows:

1           **22-102-106. Pilot program coordinator - evaluation of pilot**  
2 **program - student impacts and outcomes.** (2) (a) The department shall  
3 select a professional program evaluator to complete a preliminary  
4 evaluation of the pilot program on or before September 1 of the second  
5 full school year of implementation of the pilot program and a final  
6 evaluation of the pilot program to be completed on or before September  
7 1 immediately following the conclusion of the final school year of the  
8 pilot program. Subject to available appropriations or gifts, grants, or  
9 donations for the ~~three-year~~ FOUR-YEAR term of the pilot program, the  
10 department shall contract with the evaluator in the school year prior to the  
11 implementation of the pilot program in the pilot schools to create a  
12 process for the collection and transmission of data and information to the  
13 evaluator to ensure that the evaluator has the data and information  
14 necessary to complete the preliminary and final reports concerning the  
15 impact and outcomes of the pilot program. The pilot program evaluator,  
16 in conjunction with the department, shall select a group of control schools  
17 that have school characteristics and student demographics similar to those  
18 of the pilot schools to serve as a control group for purposes of evaluating  
19 the impacts and outcomes of the pilot program on participating students  
20 and pilot schools. Data collected for pilot schools and control group  
21 schools must include data from school climate and healthy schools  
22 surveys for any grade in which such surveys have been created.

23           **SECTION 18.** In Colorado Revised Statutes, 24-90-120, **amend**  
24 (4)(a) and (6)(c) as follows:

25           **24-90-120. Colorado imagination library program - creation**  
26 **- request for proposal - state librarian duties - report - legislative**  
27 **declaration - definitions.** (4) (a) The contractor, in operating the



1 program pursuant to subsection (2) of this section, shall pay to the  
2 national nonprofit foundation ~~fifty percent~~ of the statewide cost to  
3 provide free books to eligible children enrolled in the program, as  
4 determined by the national nonprofit foundation. The general assembly  
5 shall annually appropriate money from the general fund to the department  
6 of education for the state librarian to distribute to the contractor for the  
7 state's FIFTY PERCENT share of the cost to provide the books AND OPERATE  
8 THE PROGRAM.

9 (6) (c) Twenty percent of money appropriated for the 2021-22  
10 state fiscal year, ~~and ten percent of money appropriated for the 2022-23~~  
11 ~~fiscal year~~ and each fiscal year thereafter, may be used for the contractor  
12 operating the program for duties set forth in subsections (2)(a) to (2)(f)  
13 of this section.

14 **SECTION 19.** In Colorado Revised Statutes, 29-1-606, **add** (9)  
15 as follows:

16 **29-1-606. Submission of reports - repeal.**

17 (9) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION TO THE  
18 CONTRARY, FOR A SCHOOL DISTRICT'S 2021-22 BUDGET YEAR, THE STATE  
19 AUDITOR SHALL NOT AUTHORIZE THE COUNTY TREASURER TO PROHIBIT  
20 THE RELEASE OF MONEY GENERATED BY THE SCHOOL DISTRICT PURSUANT  
21 TO SUBSECTION (5)(b)(I) OF THIS SECTION, BUT SHALL GRANT THE SCHOOL  
22 DISTRICT AN ADDITIONAL EXTENSION OF TWELVE MONTHS TO COMPLETE  
23 THE AUDIT AND SUBMIT THE AUDIT REPORT, IF THE SCHOOL DISTRICT:

24 (I) IS A RURAL SCHOOL DISTRICT OR SMALL RURAL SCHOOL  
25 DISTRICT, AS DEFINED IN SECTION 22-7-1211 (4);

26 (II) HAS EXHAUSTED ALL AVAILABLE EXTENSIONS PERMITTED BY  
27 THIS SECTION; AND

1 (III) DEMONSTRATES TO THE STATE AUDITOR IT WAS UNABLE TO  
2 RETAIN AN AUDITOR TO COMPLETE THE AUDITING REQUIREMENTS  
3 PURSUANT TO THIS PART 6.

4 (b) IF THE SCHOOL DISTRICT DOES NOT COMPLETE THE AUDIT AND  
5 SUBMIT THE AUDIT REPORT WITHIN THE ADDITIONAL EXTENSION PROVIDED  
6 PURSUANT TO SUBSECTION (9)(a) OF THIS SECTION, THE STATE AUDITOR  
7 SHALL MAKE OR CAUSE SUCH AUDIT TO BE MADE, PURSUANT TO  
8 SUBSECTION (5)(b)(II) OF THIS SECTION.

9 (c) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2024.

10 **SECTION 20.** In Colorado Revised Statutes, **amend 22-35-108**  
11 **as follows:**

12 **22-35-108. Accelerating students through concurrent**  
13 **enrollment program - objectives - non-tuition expenses - rules.**

14 (1) (a) There is hereby established the accelerating students through  
15 concurrent enrollment program, ~~Beginning in the 2010-11 school year,~~  
16 ~~the department shall administer the ASCENT program pursuant to the~~  
17 ~~provisions of this section and guidelines established by the board pursuant~~  
18 ~~to subsection (4) of this section.~~ WHICH IS AVAILABLE TO ALL QUALIFIED  
19 STUDENTS WHO ARE DESIGNATED BY THEIR ENROLLING LOCAL EDUCATION  
20 PROVIDERS PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION. The  
21 objectives of the ASCENT program are to:

22 (I) Increase the percentage of students who participate in  
23 postsecondary education, especially among low-income and traditionally  
24 underserved populations;

25 (II) Decrease the number of students who do not complete high  
26 school;

27 (III) Decrease the amount of time that is required for a student to

1 complete a postsecondary degree or certificate;

2 (IV) Reduce state expenditures for public education; and

3 (V) Increase the number of educational pathways available to

4 students.

5 (b) Notwithstanding any ~~other~~ provision of this ~~article~~ ARTICLE 35

6 TO THE CONTRARY, a qualified student who is designated by ~~the~~

7 ~~department~~ A LOCAL EDUCATION PROVIDER to be an ASCENT program

8 participant pursuant to subsection (2) of this section may concurrently

9 enroll in postsecondary courses, including academic courses and career

10 and technical education courses, in the year directly following the year in

11 which ~~he or she~~ THE QUALIFIED STUDENT was enrolled in the twelfth

12 grade of a ~~the~~ local education provider.

13 (2) (a) ~~Subject to available appropriations, the department may~~

14 ~~designate as an ASCENT program participant any qualified student who~~

15 A LOCAL EDUCATION PROVIDER MAY DESIGNATE A QUALIFIED STUDENT AS

16 AN ASCENT PROGRAM PARTICIPANT IF THE QUALIFIED STUDENT:

17 (I) Has completed or is on schedule to complete at least ~~twelve~~

18 NINE credit hours of postsecondary course work prior to the completion

19 of ~~his or her~~ THE QUALIFIED STUDENT'S twelfth-grade year;

20 (II) Is not in need of a developmental education course;

21 ~~(III) Has been selected for participation in the ASCENT program~~

22 ~~by his or her high school principal or equivalent school administrator;~~

23 ~~(IV)~~ (III) Has been accepted into a postsecondary degree program

24 at an institution of higher education; AND

25 ~~(V) Has satisfied any other selection criteria established by~~

26 ~~guidelines established by the board pursuant to subsection (4) of this~~

27 ~~section; and~~

1           ~~(VI)~~ (IV) Has not been designated AS an ASCENT program  
2 participant in any A prior year.

3           ~~(b) Repealed.~~

4           ~~(c) (I) Repealed.~~

5           ~~(H)~~ (b) EACH LOCAL EDUCATION PROVIDER THAT DESIGNATES  
6 QUALIFIED STUDENTS TO PARTICIPATE IN THE ASCENT PROGRAM SHALL,  
7 AS PROVIDED BY STATE BOARD RULE, REPORT TO THE DEPARTMENT THE  
8 ESTIMATED NUMBER OF ASCENT PROGRAM PARTICIPANTS THAT THE  
9 LOCAL EDUCATION PROVIDER WILL ENROLL FOR THE FOLLOWING SCHOOL  
10 YEAR. The department, as part of its annual budget request to the general  
11 assembly, shall report the ESTIMATED total number of potential ASCENT  
12 program participants for the following school year.

13           ~~(H) Repealed.~~

14           ~~(IV) The department shall not designate a greater number of~~  
15 ~~ASCENT program participants for a school year than the number of~~  
16 ~~participants that the general assembly approves for funding in the annual~~  
17 ~~general appropriation act for the applicable budget year.~~

18           (3) (a) The local education provider of a qualified student who is  
19 designated by the department as an ASCENT program participant may  
20 include the student A LOCAL EDUCATION PROVIDER MAY INCLUDE EACH  
21 QUALIFIED STUDENT WHOM THE LOCAL EDUCATION PROVIDER DESIGNATES  
22 TO PARTICIPATE IN THE ASCENT PROGRAM PURSUANT TO THIS SECTION  
23 in the district's funded pupil count, or, in the case of a QUALIFIED student  
24 enrolled in an institute charter school, in the FUNDED PUPIL COUNT OF THE  
25 school's accounting district, as provided in section 22-54-103 (7).

26           ~~(b) A local education provider that receives extended high school~~  
27 ~~funding, as described in section 22-54-104 (4.7), in a budget year for~~

1 ASCENT program participants may expend the funding on behalf of  
2 ASCENT program participants who enroll in an institution of higher  
3 education during that budget year and on behalf of ASCENT program  
4 participants who, by May 1 of that budget year, are admitted to an  
5 institution of higher education to participate in the ASCENT program  
6 during the next budget year.

7 (c) The local education provider shall certify to the department by  
8 May 10 of each year the list of ASCENT program participants who are  
9 admitted to an institution of higher education to participate in the  
10 ASCENT program during the next budget year. At the end of the budget  
11 year in which the local education provider receives the extended high  
12 school funding for ASCENT program participants, the local education  
13 provider shall remit to the department any remaining amount of the  
14 funding that the local education provider is not using for an ASCENT  
15 program participant who is included on the certified list.

16 (4) The board shall establish guidelines AS NECESSARY for the  
17 administration of the ASCENT program. including but not limited to  
18 selection criteria that the department may use pursuant to subparagraph  
19 (V) of paragraph (a) of subsection (2) of this section to designate  
20 qualified students as ASCENT program participants.

21 (5) For the purposes of part 5 of article 11 of this title 22  
22 concerning school accountability reports, the department shall include  
23 ASCENT program participants in the reporting requirements, regardless  
24 of whether an ASCENT program participant has completed his or her THE  
25 PARTICIPANT'S graduation requirements.

26 (6)(a) Repealed.

27 (b) (6) For purposes of applying the provisions of article 11 of this

1 title 22 concerning school accountability and reporting graduation rates,  
2 a qualified student who is an ASCENT program participant shall MUST  
3 be counted in the enrolling school district's or institute charter school's  
4 graduation rate in the school year in which the student completes the  
5 school district's or institute charter school's minimum high school  
6 graduation requirements. The state board of education shall promulgate  
7 rules for schools and school districts to follow in satisfying state and  
8 federal reporting requirements concerning the enrollment status of  
9 ASCENT program participants. To the extent practicable, the rules must  
10 ensure that schools and school districts are not adversely affected in  
11 calculating and reporting the completion of high school graduation  
12 requirements by qualified students who have been designated by the  
13 department LOCAL EDUCATION PROVIDERS as ASCENT program  
14 participants. The rules must include, at a minimum, reporting  
15 requirements relating to:

16 (H) (a) The provisions of article 7 of this title 22 concerning  
17 educational accountability; and

18 (H) (b) The provisions of article 11 of this title 22 concerning  
19 educational accreditation.

20 **SECTION 21.** In Colorado Revised Statutes, 22-35-105, **repeal**  
21 (4) as follows:

22 **22-35-105. Financial provisions - payment of tuition.**

23 (4) (a) ~~Before paying the tuition for a course in which a qualified student~~  
24 ~~concurrently enrolls, the local education provider in which the qualified~~  
25 ~~student is enrolled shall require the qualified student and his or her parent~~  
26 ~~or legal guardian to sign a document requiring repayment of the amount~~  
27 ~~of tuition paid by the local education provider for the course on the~~

1 qualified student's behalf if the qualified student does not complete the  
2 course for any reason without the consent of the principal of the student's  
3 high school.

4 (b) If a qualified student concurrently enrolled in a course for  
5 whom a local education provider pays tuition does not complete the  
6 course for any reason without the consent of the principal of the high  
7 school in which the qualified student is enrolled, the qualified student or  
8 the qualified student's parent or legal guardian shall reimburse the local  
9 education provider, as provided in the document signed pursuant to  
10 paragraph (a) of this subsection (4), for the amount of tuition paid by the  
11 local education provider for the course.

12 (c) A local education provider may adopt a policy that requires a  
13 qualified student and his or her parent or legal guardian to sign a  
14 document prior to the student's concurrent enrollment in a course, which  
15 document commits the student or his or her parent or legal guardian to  
16 reimburse the local education provider for the tuition paid by the local  
17 education provider for the course in the event that the student receives a  
18 failing grade in the course.

19 **SECTION 22.** In Colorado Revised Statutes, 22-35-103, **amend**  
20 (6)(a) as follows:

21 **22-35-103. Definitions.** As used in this article 35, unless the  
22 context otherwise requires:

23 (6) (a) "Concurrent enrollment" means the simultaneous  
24 enrollment of a qualified student in a local education provider and in one  
25 or more postsecondary courses, including academic or career and  
26 technical education courses, which may include course work related to  
27 apprenticeship programs or internship programs, at an institution of

1 higher education pursuant to the provisions of this article 35, at no tuition  
2 cost to the qualified student or the qualified student's parent or legal  
3 guardian. ~~except as provided in section 22-35-105 (4)(c).~~ As provided in  
4 section 22-35-104 (5) and (6)(b)(II), upon successfully completing a  
5 concurrent enrollment postsecondary course, the qualified student must  
6 receive credit that applies to completion of high school graduation  
7 requirements and postsecondary credit that applies toward completion of  
8 developmental education courses, applies toward earning a certificate or  
9 degree awarded through an approved postsecondary career and technical  
10 education program, is approved by the department of higher education for  
11 transfer from a two-year institution to a four-year institution in  
12 satisfaction of prerequisite courses for a specific major, is approved for  
13 statewide transfer pursuant to section 23-1-125, or is part of a statewide  
14 degree transfer agreement pursuant to section 23-1-108 (7)(a).

15 **SECTION 23.** In Colorado Revised Statutes, 22-35-107, **amend**  
16 (6) introductory portion, (6)(c), and (6)(d) as follows:

17 **22-35-107. Concurrent enrollment advisory board - created -**  
18 **membership - duties - reports - repeal.** (6) The board ~~shall have~~ HAS  
19 the following duties:

20 (c) Making recommendations as necessary to the general  
21 assembly, the state board, and the commission concerning the  
22 improvement or updating of state policies relating to concurrent  
23 enrollment programs, including but not limited to recommendations of  
24 policies that will allow every local education provider in the state to have  
25 adequate resources to enter into at least one cooperative agreement; ~~and~~  
26 ~~recommendations of a funding allocation model, to be approved by the~~  
27 ~~state board on or before July 1, 2013, in the event that the number of~~



1 ~~qualified students identified by local education providers exceeds~~  
2 ~~available appropriations pursuant to section 22-35-108 (2);~~

3 (d) On or before ~~December 1, 2010~~ DECEMBER 1, 2022,  
4 considering and making recommendations to the state board and the  
5 education committees of the house of representatives and senate, or any  
6 successor committees, regarding the feasibility of a waiver process  
7 whereby a LOCAL EDUCATION PROVIDER, ON BEHALF OF A qualified  
8 student, could apply to the department for a waiver of certain provisions  
9 of section 22-35-108, which waiver would allow the LOCAL EDUCATION  
10 PROVIDER TO DESIGNATE THE student to be designated by the department  
11 as an ASCENT program participant in the second year following the year  
12 in which ~~he or she~~ THE QUALIFIED STUDENT was enrolled in the twelfth  
13 grade of a THE local education provider so long as ~~he or she~~ THE  
14 QUALIFYING STUDENT:

15 (I) Was so designated in the year directly following the year in  
16 which ~~he or she~~ THE QUALIFIED STUDENT was enrolled in the twelfth  
17 grade of a THE local education provider;

18 (II) Requires fifteen or fewer credit hours of postsecondary course  
19 work to achieve a postsecondary credential; and

20 (III) Is eligible for free or ~~reduced-cost~~ REDUCED-PRICE lunch  
21 pursuant to the federal "Richard B. Russell National School Lunch Act",  
22 42 U.S.C. sec. 1751 et seq.;

23 **SECTION 24.** In Colorado Revised Statutes, 22-35-112, **amend**  
24 (2) introductory portion and (2)(g) as follows:

25 **22-35-112. Reports.** (2) ~~On or before February 1, 2011, and on~~  
26 ~~or before February 1 each year thereafter through 2016, and on or before~~  
27 ~~April 1, 2017, and on or before April 1 each year thereafter,~~ ON OR

1 BEFORE APRIL 1, 2022, AND ON OR BEFORE MAY 1 EACH YEAR  
2 THEREAFTER, the department and the department of higher education shall  
3 collaborate to prepare and submit to the education committees of the  
4 senate and house of representatives, or any successor committees, a report  
5 concerning the concurrent enrollment of qualified students in  
6 postsecondary courses, including academic courses and career and  
7 technical education courses, and courses related to apprenticeship  
8 programs and internship programs. The report must include, but need not  
9 be limited to:

10 (g) FOR THE PREVIOUS SCHOOL YEAR, the total number of qualified  
11 students ~~designated by the department as ASCENT or TREP program~~  
12 ~~participants in the previous school year~~ THAT LOCAL EDUCATION  
13 PROVIDERS DESIGNATED AS ASCENT PROGRAM PARTICIPANTS AND THE  
14 TOTAL NUMBER OF QUALIFIED STUDENTS THE DEPARTMENT DESIGNATED  
15 AS PARTICIPANTS IN THE TEACHER RECRUITMENT EDUCATION AND  
16 PREPARATION PROGRAM;

17 **SECTION 25.** In Colorado Revised Statutes, 22-35-113, **amend**  
18 (1)(f) as follows:

19 **22-35-113. Concurrent enrollment - website.** (1) By July 1,  
20 2020, the department of education and the department of higher  
21 education, with advice from the state board, shall make available to the  
22 public a concurrent enrollment website to provide information to students,  
23 parents, and legal guardians concerning concurrent enrollment options  
24 and requirements. The departments must ensure that the website is clear,  
25 easy to navigate, and generally user-friendly. In addition, the website  
26 must at a minimum:

27 (f) Provide information concerning the payment of the costs of

1 concurrent enrollment, including tuition, which is not chargeable to the  
2 student or the student's parent or legal guardian, ~~except as provided in~~  
3 ~~section 22-35-105 (4)(c)~~, fees and books, which may be chargeable to the  
4 student or the student's parent or legal guardian, and transportation;

5 **SECTION 26.** In Colorado Revised Statutes, 22-54-112, **amend**  
6 (2)(c) as follows:

7 **22-54-112. Reports to the state board.** (2) (c) On or before  
8 November 10 of each year, the secretary of the state charter school  
9 institute board shall certify to the state board the pupil enrollment, ~~and the~~  
10 ~~online pupil enrollment, AND THE EXTENDED HIGH SCHOOL PUPIL~~  
11 ~~ENROLLMENT~~ of each institute charter school taken in the preceding  
12 October.

13 **SECTION 27.** In Colorado Revised Statutes, 22-54-114, **amend**  
14 (4)(a) as follows:

15 **22-54-114. State public school fund.** (4) (a) For the 1997-98  
16 fiscal year and fiscal years thereafter, the net amount recovered by the  
17 department of education during the applicable fiscal year, pursuant to  
18 school district and institute charter school audits, as overpayments made  
19 to school districts and institute charter schools ~~and any amount remitted~~  
20 ~~by a school district or institute charter school pursuant to section~~  
21 ~~22-35-108 (3)(c)~~, that would otherwise be transmitted to the state  
22 treasurer for deposit in the general fund shall instead be transmitted to the  
23 state treasurer for deposit in the state public school fund. The amount  
24 shall be available for appropriation to the department of education in  
25 subsequent fiscal years.

26 **SECTION 28.** In Colorado Revised Statutes, 23-18-202, **amend**  
27 (5)(c)(III) as follows:

1           **23-18-202. College opportunity fund - appropriations -**  
2 **payment of stipends - reimbursement - report.** (5) (c) (III) For an  
3 eligible undergraduate student who has completed one or more college  
4 courses while enrolled in high school pursuant to the "Concurrent  
5 Enrollment Programs Act", article 35 of title 22, or while designated by  
6 the department of education as an ASCENT program participant pursuant  
7 to section 22-35-108 or as a TREP program participant pursuant to  
8 section 22-35-108.5, or while enrolled in a pathways in technology early  
9 college high school pursuant to article 35.3 of title 22, all college-level  
10 credit hours earned by the student while so enrolled count against the  
11 lifetime limitation described in subsection (5)(c)(I) of this section; except  
12 that credit hours earned from enrollment in a developmental education  
13 course, as defined in section 23-1-113 (11)(b), do not count against the  
14 lifetime limitation.

15           **SECTION 29.** In Colorado Revised Statutes, 24-75-220, **add** (8)  
16 as follows:

17           **24-75-220. State education fund - transfers - surplus -**  
18 **legislative declaration.** (8) ON JULY 1, 2022, THE STATE TREASURER  
19 SHALL TRANSFER THREE HUNDRED MILLION DOLLARS FROM THE GENERAL  
20 FUND TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF  
21 ARTICLE IX OF THE STATE CONSTITUTION.

22           **SECTION 30. Appropriation.** For the 2022-23 state fiscal year,  
23 \$100,000 is appropriated to the department of education. This  
24 appropriation is from the general fund. The department may use this  
25 appropriation for contracting with an external evaluator to perform the  
26 evaluation of local accountability systems required pursuant to section  
27 22-11-705 (5), C.R.S.

1           **SECTION 31. Appropriation.** For the 2022-23 state fiscal year,  
2           \$184,125,900 is appropriated to the department of education. This  
3           appropriation consists of \$2,101,985 from the general fund and  
4           \$182,023,915 from the state education fund created in section 17 (4)(a)  
5           of article IX of the state constitution. To implement this act, the  
6           department may use this appropriation for the state share of districts' total  
7           program funding.

8           **SECTION 32. Appropriation to the department of education**  
9           **for the fiscal year beginning July 1, 2022.** Section 2 of HB 21-1329,  
10          **amend** Part IV (2)(A) Footnote 8, as follows:

11           Section 2. **Appropriation.**

12          8       Department of Education, Assistance to Public Schools, Public  
13          School Finance, State Share of Districts' Total Program Funding --  
14          Pursuant to Section ~~22-35-108 (2)(a)~~ and 22-35-108.5 (2)(b)(II), C.R.S.,  
15          the purpose of this footnote is to specify what portion of this  
16          appropriation is intended to be available for ~~the Accelerating Students~~  
17          ~~Through Concurrent Enrollment (ASCENT) Program~~ and the Teacher  
18          Recruitment Education and Preparation (TREP) Program for FY 2022-23.  
19          It is the General Assembly's intent that the Department of Education be  
20          authorized to utilize up to ~~\$4,249,000 of this appropriation to fund~~  
21          ~~qualified students designated as ASCENT Program participants and~~  
22          ~~\$1,699,600~~ \$1,737,200 of this appropriation to fund qualified students  
23          designated as TREP Program participants. This amount is calculated  
24          based on an estimated ~~500 FTE participants~~ and 200 FTE TREP Program  
25          participants funded at a rate of ~~\$8,498~~ \$8,686 per FTE pursuant to  
26          Section 22-54-104 (4.7), C.R.S.

27          **SECTION 33. Appropriation.** (1) For the 2022-23 state fiscal

1 year, \$196,086 is appropriated to the department of education. This  
2 appropriation is from the general fund. To implement this act, the  
3 department may use this appropriation as follows:

4 (a) \$127,973 for the dyslexia markers pilot program;

5 (b) \$43,113 for college and career readiness, which amount is  
6 based on an assumption that the department will require an additional 0.5  
7 FTE; and

8 (c) \$25,000 for information technology services.

9 **SECTION 34. Safety clause.** The general assembly hereby finds,  
10 determines, and declares that this act is necessary for the immediate  
11 preservation of the public peace, health, or safety.