

CHAPTER 291

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 09-090

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 also REPRESENTATIVE(S) Benefield and Merrifield, Carroll T., Solano, Todd, Pace, Scanlan, Levy, Summers, Ferrandino, Miklosi, Schafer S., Casso, Fischer, Frangas, Green, Labuda, Primavera, Priola, Ryden, Vigil.

AN ACT

CONCERNING MEASURES TO INCREASE PARENT INVOLVEMENT IN PUBLIC EDUCATION.

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

SECTION 1. Part 3 of article 7 of title 22, Colorado Revised Statutes, is RECREATED AND REENACTED, WITH AMENDMENTS, to read:

PART 3
 COLORADO STATE ADVISORY COUNCIL
 FOR PARENT INVOLVEMENT IN EDUCATION

22-7-301. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) ALTHOUGH EDUCATION REFORM EFFORTS ARE ONGOING AT BOTH THE STATE AND LOCAL LEVELS, COLORADO CONTINUES TO EXPERIENCE AN UNACCEPTABLY HIGH DROPOUT RATE, INEQUALITIES IN THE ACADEMIC ACHIEVEMENT LEVELS OF STUDENTS FROM DIFFERENT RACIAL AND SOCIOECONOMIC GROUPS, AND LOW RATES OF ENROLLMENT AND PERSISTENCE IN POSTSECONDARY EDUCATION;

(b) TO ACCOMPLISH THE GOALS OF REDUCING THE DROPOUT RATE, REDUCING THE GAPS IN ACADEMIC ACHIEVEMENT AND GROWTH AMONG STUDENT GROUPS, AND INCREASING THE NUMBER OF STUDENTS WHO CONTINUE INTO HIGHER EDUCATION FOLLOWING HIGH SCHOOL GRADUATION OR COMPLETION, THE STATE MUST LOOK TO ADDITIONAL STRATEGIES FOR IMPROVING PUBLIC EDUCATION;

(c) STUDIES SHOW THAT, WHEN PARENTS ARE INVOLVED AS PARTNERS WITH THEIR

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

CHILDREN'S SCHOOLS, STUDENTS ACHIEVE HIGHER LEVELS OF ACADEMIC PERFORMANCE, STUDENTS DEMONSTRATE BETTER ATTENDANCE AND HOMEWORK COMPLETION, AND STUDENTS ARE LESS LIKELY TO DROPOUT OF SCHOOL;

(d) STUDENTS FROM DIVERSE CULTURAL BACKGROUNDS TEND TO PERFORM BETTER ACADEMICALLY WHEN THEIR PARENTS AND THE PROFESSIONALS AT THEIR SCHOOLS COLLABORATE TO BRIDGE THE GAP BETWEEN THE CULTURE AT HOME AND THAT AT THE SCHOOL; AND

(e) SECONDARY STUDENTS WHOSE PARENTS ARE INVOLVED WITH THEIR SCHOOLS MAKE BETTER TRANSITIONS INTO POSTSECONDARY EDUCATION, MAINTAIN THE QUALITY OF THEIR ACADEMIC WORK, AND ARE MORE LIKE TO DEVELOP REALISTIC PLANS FOR THEIR FUTURES.

(2) THE GENERAL ASSEMBLY THEREFORE FINDS THAT IT IS IN THE BEST INTERESTS OF THE STATE TO CREATE A STATE ADVISORY COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION THAT WILL REVIEW BEST PRACTICES AND RECOMMEND TO POLICY MAKERS AND EDUCATORS STRATEGIES TO INCREASE PARENT INVOLVEMENT IN PUBLIC EDUCATION, THEREBY HELPING TO IMPROVE THE QUALITY OF PUBLIC EDUCATION AND RAISE THE LEVEL OF STUDENTS' ACADEMIC ACHIEVEMENT THROUGHOUT THE STATE.

22-7-302. Definitions. AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE OR A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE.

(2) "CLOSE THE ACHIEVEMENT AND GROWTH GAP" MEANS TO LESSEN THE VARIANCE IN ACADEMIC ACHIEVEMENT AND GROWTH AMONG STUDENT GROUPS, AS REFLECTED IN STATEWIDE ASSESSMENT SCORES OR PERFORMANCE ON POSTSECONDARY AND WORKFORCE READINESS ASSESSMENTS AND IN CALCULATIONS OF STUDENTS' LONGITUDINAL ACADEMIC GROWTH, BY IMPROVING THE ACADEMIC ACHIEVEMENT AND GROWTH OF STUDENTS IN THOSE GROUPS THAT ARE UNDERPERFORMING.

(3) "COUNCIL" MEANS THE COLORADO STATE ADVISORY COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION CREATED IN SECTION 22-7-303.

(4) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

(5) "NATIONAL STANDARDS FOR FAMILY-SCHOOL PARTNERSHIPS" MEANS THE FOLLOWING RESEARCH-BASED STANDARDS FOR FAMILY-SCHOOL PARTNERSHIPS RECOGNIZED NATIONALLY BY PARENT TEACHER ASSOCIATIONS:

(a) FAMILIES ARE ACTIVE PARTICIPANTS IN THE LIFE OF THE SCHOOL AND FEEL WELCOMED, VALUED, AND CONNECTED TO EACH OTHER, TO SCHOOL STAFF, AND TO WHAT STUDENTS ARE LEARNING AND DOING IN THE CLASSROOM;

(b) FAMILIES AND SCHOOL STAFF ENGAGE IN REGULAR, MEANINGFUL COMMUNICATION ABOUT STUDENT LEARNING;

(c) FAMILIES AND SCHOOL STAFF CONTINUOUSLY COLLABORATE TO SUPPORT STUDENTS' LEARNING AND HEALTHY DEVELOPMENT BOTH AT HOME AND AT SCHOOL AND HAVE REGULAR OPPORTUNITIES TO STRENGTHEN THEIR KNOWLEDGE AND SKILLS TO PROVIDE SAID SUPPORT EFFECTIVELY;

(d) FAMILIES ARE EMPOWERED TO BE ADVOCATES FOR THEIR OWN AND OTHER CHILDREN TO ENSURE THAT STUDENTS ARE TREATED FAIRLY AND HAVE ACCESS TO LEARNING OPPORTUNITIES THAT WILL SUPPORT THEIR SUCCESS;

(e) FAMILIES AND SCHOOL STAFF ARE EQUAL PARTNERS IN DECISIONS THAT AFFECT CHILDREN AND FAMILIES AND TOGETHER INFORM, INFLUENCE, AND CREATE POLICIES, PRACTICES, AND PROGRAMS; AND

(f) FAMILIES AND SCHOOL STAFF COLLABORATE WITH COMMUNITY MEMBERS TO CONNECT STUDENTS, FAMILIES, AND STAFF TO EXPANDED LEARNING OPPORTUNITIES, COMMUNITY SERVICES, AND CIVIC PARTICIPATION.

(6) "PARENT" MEANS A CHILD'S BIOLOGICAL PARENT, ADOPTIVE PARENT, OR LEGAL GUARDIAN OR ANOTHER ADULT PERSON RECOGNIZED BY THE CHILD'S SCHOOL AS THE CHILD'S PRIMARY CAREGIVER.

(7) "PARENT EDUCATION PROGRAM" MEANS A PROGRAM TO TEACH PARENTS STRATEGIES AND SKILLS FOR WORKING WITH THEIR CHILDREN AND THE STAFF OF THE SCHOOLS AND INSTITUTIONS OF HIGHER EDUCATION IN WHICH THEIR CHILDREN ARE ENROLLED.

(8) "PARENT INVOLVEMENT GRANT PROGRAM" MEANS THE PARENT INVOLVEMENT IN EDUCATION GRANT PROGRAM CREATED IN SECTION 22-7-305.

(9) "SCHOOL-BASED PARENT INFORMATION RESOURCE CENTER" MEANS A CENTER THAT PROVIDES TO PARENTS INFORMATION ON EDUCATION OPPORTUNITIES FOR THEIR CHILDREN, TRAINING FOR PARENTS AND FAMILIES ON EDUCATION ISSUES, AND OTHER SUPPORT SERVICES THAT MAY BE AVAILABLE TO PARENTS, SUCH AS MENTAL HEALTH SERVICES, SOCIAL SERVICES, AND HOUSING REFERRALS.

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

22-7-303. Colorado state advisory council for parent involvement in education - created - membership. (1) THERE IS HEREBY CREATED WITHIN THE DEPARTMENT OF EDUCATION THE COLORADO STATE ADVISORY COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION. THE COUNCIL SHALL CONSIST OF MEMBERS APPOINTED AS PROVIDED IN THIS SECTION AND SHALL HAVE THE POWERS AND DUTIES SPECIFIED IN THIS PART 3. THE COUNCIL SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION AS IF THE SAME WERE TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER AS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF TITLE 24, C.R.S.

(2) THE COUNCIL SHALL CONSIST OF THE FOLLOWING MEMBERS:

(a) THE FOLLOWING MEMBERS APPOINTED BY THE STATE BOARD:

(I) FIVE PERSONS WHO ARE PARENTS OF CHILDREN ENROLLED IN A PUBLICLY FUNDED PRESCHOOL PROGRAM, IN ANY OF GRADES ONE THROUGH TWELVE, OR IN A STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION;

(II) A REPRESENTATIVE FROM EACH OF THE PARENT INFORMATION AND RESOURCE CENTERS IN THE STATE THAT ARE RECOGNIZED BY AND RECEIVING FUNDING FROM THE OFFICE OF INNOVATION AND IMPROVEMENT IN THE FEDERAL DEPARTMENT OF EDUCATION;

(III) A REPRESENTATIVE FROM EACH OF THE PARENT TRAINING AND INFORMATION CENTERS IN THE STATE THAT ARE RECOGNIZED BY AND RECEIVING FUNDING FROM THE OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES IN THE FEDERAL DEPARTMENT OF EDUCATION;

(IV) A REPRESENTATIVE FROM EACH OF TWO NONPROFIT ORGANIZATIONS THAT PARTNER WITH FUNDING PROVIDERS, STATE AGENCIES, AND SERVICE PROVIDERS TO ASSIST ORGANIZATIONS IN PROVIDING SERVICES TO IMPROVE THE HEALTH AND WELL-BEING OF FAMILIES AND CHILDREN;

(V) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF PARENTS AND TEACHERS;

(VI) A REPRESENTATIVE OF AN ORGANIZATION THAT REPRESENTS PARENTS AND STUDENTS WHO ADVOCATE IN THE AREAS OF EQUALITY AND JUSTICE IN EDUCATION, RACIAL JUSTICE FOR YOUTH, AND IMMIGRANT RIGHTS;

(VII) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS SCHOOL EXECUTIVES;

(VIII) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS MEMBERS OF SCHOOL DISTRICT BOARDS OF EDUCATION;

(IX) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS TEACHERS;

(X) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS CHARTER SCHOOLS;

(XI) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS CAREER AND COLLEGE GUIDANCE COUNSELORS;

(XII) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT REPRESENTS CAREER AND TECHNICAL EDUCATION TEACHERS; AND

(XIII) A PERSON WITH EXPERTISE IN EARLY CHILDHOOD CARE AND EDUCATION;
AND

(b) ONE OR MORE REPRESENTATIVES FROM THE DEPARTMENT OF EDUCATION, APPOINTED BY THE COMMISSIONER OF EDUCATION, WITH EXPERTISE IN THE FOLLOWING AREAS:

(I) STRATEGIES TO CLOSE THE ACHIEVEMENT AND GROWTH GAP;

(II) THE PROGRAM FOR THE EDUCATION OF MIGRANT CHILDREN DESCRIBED IN ARTICLE 23 OF THIS TITLE;

(III) THE ENGLISH LANGUAGE PROFICIENCY PROGRAM DESCRIBED IN ARTICLE 24 OF THIS TITLE;

(IV) FEDERAL TITLE I PROGRAMS;

(V) THE EDUCATION OF EXCEPTIONAL CHILDREN, AS DEFINED IN SECTION 22-20-103 (12); AND

(VI) THE FAMILY LITERACY EDUCATION GRANT PROGRAM CREATED IN SECTION 22-2-124;

(c) TWO PERSONS APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION AS FOLLOWS:

(I) ONE PERSON WITH EXPERTISE IN IMPLEMENTING AN APPROVED TEACHER PREPARATION PROGRAM, AS DEFINED IN SECTION 23-1-121 (1) (a), C.R.S., AT AN INSTITUTION OF HIGHER EDUCATION IN THIS STATE; AND

(II) ONE PERSON WITH EXPERTISE IN THE SECONDARY-TO-HIGHER-EDUCATION TRANSITION PROGRAMS OPERATED WITHIN THE STATE; AND

(d) A REPRESENTATIVE OF THE DEPARTMENT OF HUMAN SERVICES APPOINTED BY THE EXECUTIVE DIRECTOR OF SAID DEPARTMENT.

(3) (a) A PERSON MAY NOT BE APPOINTED TO FILL MORE THAN ONE OF THE MEMBER POSITIONS REQUIRED IN SUBSECTION (2) OF THIS SECTION IN A SINGLE TERM. EACH APPOINTING AUTHORITY SHALL MAKE ITS INITIAL APPOINTMENTS ON OR BEFORE OCTOBER 1, 2009. EACH MEMBER OF THE COUNCIL SHALL SERVE AT THE PLEASURE OF THE MEMBER'S APPOINTING AUTHORITY. THE APPROPRIATE APPOINTING AUTHORITY SHALL FILL ANY VACANCIES ARISING DURING A MEMBER'S TERM ON THE COUNCIL.

(b) THE STATE BOARD, IN APPOINTING MEMBERS TO THE COUNCIL, SHALL, TO THE EXTENT PRACTICABLE, SELECT PERSONS WHO WILL REFLECT THE GENDER BALANCE AND ETHNIC AND RACIAL DIVERSITY OF THE STATE AND WILL PROVIDE REPRESENTATION FROM THROUGHOUT THE STATE.

(4) THE COUNCIL MEMBERS APPOINTED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION SHALL SERVE THREE-YEAR TERMS; EXCEPT THAT, OF THE PERSONS INITIALLY APPOINTED, THE STATE BOARD SHALL SELECT FOUR WHO SHALL SERVE INITIAL TERMS OF ONE YEAR AND FOUR WHO SHALL SERVE INITIAL TERMS OF TWO YEARS.

(5) THE STATE BOARD SHALL CALL THE FIRST MEETING OF THE COUNCIL TO BE HELD NO LATER THAN NOVEMBER 15, 2009. AT ITS FIRST MEETING, AND ANNUALLY THEREAFTER, THE COUNCIL SHALL SELECT FROM AMONG ITS MEMBERS A PERSON TO SERVE AS CHAIR OF THE COUNCIL. THE COUNCIL SHALL MEET UPON CALL OF THE CHAIR AS OFTEN AS NECESSARY TO ACCOMPLISH ITS DUTIES AS SPECIFIED IN THIS PART 3.

(6) THE COUNCIL MEMBERS SHALL SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

22-7-304. Council - advisory duties. (1) THE COUNCIL SHALL INFORM, AT A MINIMUM, THE EARLY CHILDHOOD COUNCILS AND THE EARLY CHILDHOOD CARE AND EDUCATION COUNCILS CREATED PURSUANT TO ARTICLE 6.5 OF TITLE 26, C.R.S., PUBLIC SCHOOLS, SCHOOL DISTRICTS, THE STATE CHARTER SCHOOL INSTITUTE, THE DEPARTMENT, THE STATE BOARD, THE DEPARTMENT OF HIGHER EDUCATION, THE COLORADO COMMISSION ON HIGHER EDUCATION, AND THE GOVERNING BOARDS FOR THE STATE INSTITUTIONS OF HIGHER EDUCATION CONCERNING BEST PRACTICES AND STRATEGIES, ALIGNED WITH THE NATIONAL STANDARDS FOR FAMILY-SCHOOL PARTNERSHIPS, FOR INCREASING PARENT INVOLVEMENT IN PUBLIC EDUCATION AND PROMOTING FAMILY AND SCHOOL PARTNERSHIPS, INCLUDING BUT NOT LIMITED TO BEST PRACTICES AND STRATEGIES IN THE FOLLOWING AREAS:

(a) CREATING AND IMPLEMENTING PROGRAMS TO EFFECTIVELY INVOLVE PARENTS IN IMPROVING THEIR CHILDREN'S EDUCATION AND LEVELS OF ACADEMIC ACHIEVEMENT. TO IDENTIFY THESE BEST PRACTICES AND STRATEGIES, THE COUNCIL SHALL REVIEW THE PROGRAMS IMPLEMENTED IN OTHER STATES AND THE RESULTS OF STATE AND NATIONAL RESEARCH CONDUCTED IN THIS AREA.

(b) INVOLVING PARENTS IN PROGRAMS TO RAISE ACADEMIC ACHIEVEMENT, INCREASE HIGH SCHOOL GRADUATION RATES, DECREASE STUDENT DROPOUT RATES, AND CLOSE THE ACHIEVEMENT AND GROWTH GAP;

(c) INVOLVING PARENTS IN RESPONSE TO INTERVENTION PROGRAMS IN PUBLIC SCHOOLS AND SCHOOL DISTRICTS;

(d) INVOLVING PARENTS IN PROGRAMS TO RAISE ACADEMIC ACHIEVEMENT, IMPROVE THE PERSISTENCE RATE, AND IMPROVE THE ON-TIME GRADUATION RATE OF STUDENTS ENROLLED IN INSTITUTIONS OF HIGHER EDUCATION;

(e) INCREASING PARENT INVOLVEMENT IN EDUCATION-RELATED COMMITTEES AT THE LOCAL AND STATE LEVELS;

(f) DESIGNING AND IMPLEMENTING PARENT EDUCATION PROGRAMS AND CENTERS AND PARENT LEADERSHIP TRAINING PROGRAMS;

(g) CREATING AND IMPLEMENTING FAMILY-TO-SCHOOL LIAISON POSITIONS; AND

(h) ESTABLISHING AND IMPLEMENTING SCHOOL-BASED PARENT INFORMATION RESOURCE CENTERS.

(2) THE COUNCIL SHALL RECOMMEND TO THE STATE BOARD AND TO THE

COLORADO COMMISSION ON HIGHER EDUCATION PLANS FOR STATEWIDE PARENT INVOLVEMENT INITIATIVES, WHICH MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

(a) REQUIRING EACH SCHOOL DISTRICT AND THE STATE CHARTER SCHOOL INSTITUTE, AS PART OF THE ACCREDITATION PROCESS, TO INCREASE THE LEVEL OF PARENT INVOLVEMENT IN EDUCATION; AND

(b) INITIATIVES TO INCREASE ADMISSIONS TO INSTITUTIONS OF HIGHER EDUCATION AND THE DEGREE-COMPLETION RATE AND TO REDUCE THE NEED FOR REMEDIATION.

22-7-305. Parent involvement in education grant program - creation - rules - fund - reports. (1) (a) THERE IS HEREBY CREATED IN THE DEPARTMENT THE PARENT INVOLVEMENT IN EDUCATION GRANT PROGRAM TO PROVIDE MONEYS TO ASSIST PUBLIC SCHOOLS IN CREATING AND IMPLEMENTING PROGRAMS TO SUPPORT GREATER PARENT INVOLVEMENT IN THE SCHOOLS. THE COUNCIL SHALL ASSIST THE DEPARTMENT IN IMPLEMENTING THE PARENT INVOLVEMENT GRANT PROGRAM AS PROVIDED IN THIS SECTION AND SHALL PROVIDE ADVICE TO RECIPIENT SCHOOLS TO ASSIST THEM IN CREATING AND IMPLEMENTING PROGRAMS TO ENSURE THAT THE PROGRAMS REFLECT THE BEST PRACTICES IDENTIFIED BY THE COUNCIL PURSUANT TO SECTION 22-7-304.

(b) THE SCHOOL DISTRICT OF A PUBLIC SCHOOL, OR A BOARD OF COOPERATIVE SERVICES OR REGIONAL SERVICE COUNCIL THAT OPERATES A PUBLIC SCHOOL, THAT SEEKS A GRANT THROUGH THE PARENT INVOLVEMENT GRANT PROGRAM SHALL APPLY ON BEHALF OF THE PUBLIC SCHOOL; EXCEPT THAT, IF THE PUBLIC SCHOOL IS A CHARTER SCHOOL, THE PUBLIC SCHOOL MAY APPLY ON ITS OWN BEHALF. TO BE ELIGIBLE TO RECEIVE A GRANT, A PUBLIC SCHOOL SHALL MEET ONE OR MORE OF THE FOLLOWING CRITERIA:

(I) A SIGNIFICANT PERCENTAGE, AS DEFINED BY RULE OF THE STATE BOARD, OF THE STUDENTS ENROLLED IN THE PUBLIC SCHOOL FOR THE THREE ACADEMIC YEARS IMMEDIATELY PRECEDING APPLICATION WERE:

(A) ELIGIBLE FOR FREE OR REDUCED-COST LUNCH PURSUANT TO THE PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.; OR

(B) STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH, AS DEFINED IN SECTION 22-24-103 (4);

(II) THE DROPOUT RATE FOR THE PUBLIC SCHOOL FOR EACH OF THE THREE ACADEMIC YEARS IMMEDIATELY PRECEDING APPLICATION EXCEEDED THE STATE AVERAGE DROPOUT RATE FOR EACH RESPECTIVE YEAR BY A PERCENTAGE ESTABLISHED BY RULE OF THE STATE BOARD;

(III) FOR EACH OF THE THREE ACADEMIC YEARS IMMEDIATELY PRECEDING APPLICATION, THE STATEWIDE ASSESSMENT SCORES OF STUDENTS ENROLLED IN THE PUBLIC SCHOOL DEMONSTRATED THAT:

(A) A SIGNIFICANT ACHIEVEMENT OR GROWTH GAP, AS DEFINED BY RULE OF THE STATE BOARD, EXISTED AMONG IDENTIFIED GROUPS OF STUDENTS; OR

(B) THE SCHOOL WAS AN ACADEMICALLY UNDERPERFORMING SCHOOL, AS DEFINED BY RULE OF THE STATE BOARD.

(c) THE PROGRAMS THAT A RECIPIENT SCHOOL MAY FUND WITH GRANT MONEYS RECEIVED THROUGH THE PARENT INVOLVEMENT GRANT PROGRAM SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, PROGRAMS TO ESTABLISH:

- (I) FAMILY-TO-SCHOOL LIAISON POSITIONS;
- (II) PARENT LEADERSHIP TRAINING OPPORTUNITIES;
- (III) CENTERS TO PROVIDE PARENT EDUCATION PROGRAMS; AND
- (IV) SCHOOL-BASED PARENT INFORMATION RESOURCE CENTERS.

(2) THE STATE BOARD SHALL PROMULGATE RULES PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., AS NECESSARY FOR IMPLEMENTATION OF THE PARENT INVOLVEMENT GRANT PROGRAM, INCLUDING BUT NOT LIMITED TO:

(a) RULES AS SPECIFIED IN PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION AND SUBSECTION (5) OF THIS SECTION;

(b) RULES ESTABLISHING THE TIME FRAMES FOR SUBMISSION AND REVIEW OF APPLICATIONS AND SELECTION OF RECIPIENT SCHOOLS;

(c) RULES SPECIFYING THE INFORMATION TO BE INCLUDED IN GRANT APPLICATIONS; AND

(d) RULES IDENTIFYING ANY CRITERIA FOR SELECTION OF RECIPIENT SCHOOLS IN ADDITION TO THE CRITERIA SPECIFIED IN PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION.

(3) THE COUNCIL SHALL REVIEW THE GRANT APPLICATIONS RECEIVED PURSUANT TO THIS SECTION AND SHALL RECOMMEND RECIPIENT SCHOOLS AND THE GRANT AMOUNTS TO THE STATE BOARD. SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD SHALL ANNUALLY AWARD GRANTS THROUGH THE PARENT INVOLVEMENT GRANT PROGRAM, WHICH GRANTS SHALL BE PAID FROM THE PARENT INVOLVEMENT GRANT PROGRAM FUND CREATED IN SUBSECTION (4) OF THIS SECTION.

(4) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE PARENT INVOLVEMENT GRANT PROGRAM FUND, REFERRED TO IN THIS SUBSECTION (4) AS THE "FUND", THAT SHALL CONSIST OF SUCH MONEYS AS MAY BE CREDITED TO THE FUND PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (4). THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE PARENT INVOLVEMENT GRANT PROGRAM. ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END

OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND; EXCEPT THAT ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AS OF JUNE 30, 2019, SHALL BE TRANSFERRED TO THE GENERAL FUND.

(b) THE COUNCIL SHALL SEEK AND MAY ACCEPT GIFTS, GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THE PARENT INVOLVEMENT GRANT PROGRAM; EXCEPT THAT THE COUNCIL SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION IF IT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS PART 3 OR ANY OTHER LAW OF THE STATE. THE COUNCIL SHALL TRANSMIT ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND.

(c) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE STATE BOARD AND THE DEPARTMENT SHALL NOT IMPLEMENT THE PARENT INVOLVEMENT GRANT PROGRAM UNTIL SUCH TIME AS THERE IS AT LEAST TWENTY THOUSAND DOLLARS CREDITED TO THE FUND.

(d) IN ANY FISCAL YEAR IN WHICH THERE IS AT LEAST TWENTY THOUSAND DOLLARS CREDITED TO THE FUND, THE DEPARTMENT MAY USE UP TO ONE PERCENT OF THE MONEYS CREDITED TO THE FUND TO OFFSET THE COSTS INCURRED IN IMPLEMENTING THE PARENT INVOLVEMENT GRANT PROGRAM, AND THE DEPARTMENT MAY USE UP TO AN ADDITIONAL ONE PERCENT OF THE MONEYS CREDITED TO THE FUND TO OFFSET THE COSTS OF PROVIDING MEETING SPACE, EQUIPMENT, AND STAFF SERVICES TO THE COUNCIL PURSUANT TO SECTION 22-7-303 (6).

(5) (a) BEGINNING IN THE BUDGET YEAR FOLLOWING THE FIRST BUDGET YEAR IN WHICH THE STATE BOARD AWARDS GRANTS PURSUANT TO THIS SECTION, EACH RECIPIENT SCHOOL SHALL ANNUALLY SUBMIT TO THE COUNCIL AND THE DEPARTMENT, IN ACCORDANCE WITH TIMELINES SPECIFIED BY RULE OF THE STATE BOARD, A REPORT SUMMARIZING THE AMOUNT OF MONEYS RECEIVED IN THE PRECEDING FISCAL YEAR FROM THE PARENT INVOLVEMENT GRANT PROGRAM, THE MANNER IN WHICH THE MONEYS WERE USED, AND THE RESULTS ACHIEVED THROUGH THE USE OF THE MONEYS. THE REPORT SHALL INCLUDE SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED BY RULE OF THE STATE BOARD.

(b) ON OR BEFORE MARCH 15 OF THE FIRST YEAR IN WHICH THE COUNCIL RECEIVES REPORTS PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (5), AND ON OR BEFORE MARCH 15 EACH YEAR THEREAFTER, THE COUNCIL SHALL SUMMARIZE THE REPORTS RECEIVED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (5) AND SUBMIT THE SUMMARY, WITH ANY ADDITIONAL PERTINENT INFORMATION, TO THE STATE BOARD AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

22-7-306. Repeal of part. (1) THIS PART 3 IS REPEALED, EFFECTIVE JULY 1, 2019.

(2) PRIOR TO SAID REPEAL, THE COUNCIL SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

SECTION 2. 22-7-104 (1), (1.5), and (4), Colorado Revised Statutes, are amended, and the said 22-7-104 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

22-7-104. School district accountability committees. (1) The board of education of each school district in the state shall adopt a plan for a local accountability program designed to measure the adequacy and efficiency of educational programs offered by the district. ~~Except as provided in subsection (4) of this section, the board shall appoint or create a process for the election of a~~ THE school district accountability committee ~~that~~ APPOINTED OR ELECTED AS PROVIDED IN SUBSECTION (1.3) OF THIS SECTION shall make recommendations to the board relative to the program of accountability, but it shall be the responsibility of the board to implement the provisions of this section. The areas of study by the district accountability committee and other appropriate accountability committees shall be cooperatively determined at least annually by the committee and the board of education. ~~The school district accountability committee shall consist of at least three parents of students enrolled in a public school in the school district who are not employees or related to employees of the district, one teacher, one school administrator, and one person from the community who is involved in business.~~

(1.3) (a) EACH SCHOOL DISTRICT BOARD OF EDUCATION SHALL APPOINT, OR CREATE A PROCESS FOR ELECTION OF, A SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE. EACH SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE SHALL CONSIST OF AT LEAST THE FOLLOWING PERSONS:

(I) AT LEAST ONE PERSON WHO IS A TEACHER EMPLOYED BY THE SCHOOL DISTRICT;

(II) AT LEAST ONE PERSON WHO IS AN ADMINISTRATOR EMPLOYED BY THE SCHOOL DISTRICT;

(III) AT LEAST ONE PERSON WHO IS INVOLVED IN BUSINESS IN THE COMMUNITY WITHIN THE SCHOOL DISTRICT BOUNDARIES; AND

(IV) AT LEAST THREE PERSONS WHO ARE PARENTS OF STUDENTS ENROLLED IN PUBLIC SCHOOLS OF THE SCHOOL DISTRICT.

(b) A PERSON MAY NOT BE APPOINTED OR ELECTED TO FILL MORE THAN ONE OF THE MEMBER POSITIONS REQUIRED IN PARAGRAPH (a) OF THIS SUBSECTION (1.3) IN A SINGLE TERM.

(c) IF A SCHOOL DISTRICT BOARD OF EDUCATION CHOOSES TO INCREASE THE NUMBER OF PERSONS ON THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE, IT SHALL ENSURE THAT THE NUMBER OF PARENTS APPOINTED OR ELECTED TO THE COMMITTEE PURSUANT TO SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF THIS SUBSECTION (1.3) EXCEEDS THE NUMBER OF REPRESENTATIVES FROM THE GROUP WITH THE NEXT HIGHEST REPRESENTATION.

(d) IF A SCHOOL DISTRICT BOARD OF EDUCATION APPOINTS THE MEMBERS OF A SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE, THE SCHOOL DISTRICT BOARD OF EDUCATION, TO THE EXTENT PRACTICABLE, SHALL ENSURE THAT THE PARENTS WHO

ARE APPOINTED REFLECT THE STUDENT POPULATIONS THAT ARE SIGNIFICANTLY REPRESENTED WITHIN THE SCHOOL DISTRICT. SAID STUDENT POPULATIONS MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

(I) STUDENTS WHO ARE MEMBERS OF NON-CAUCASIAN RACES;

(II) STUDENTS WHO ARE ELIGIBLE FOR FREE OR REDUCED-COST LUNCH THROUGH THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.;

(III) STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH, AS DEFINED IN SECTION 22-24-103 (4);

(IV) STUDENTS WHO ARE MIGRANT CHILDREN, AS DEFINED IN SECTION 22-23-103 (2);

(V) STUDENTS WHO ARE IDENTIFIED AS CHILDREN WITH DISABILITIES PURSUANT TO SECTION 22-20-108; AND

(VI) STUDENTS WHO ARE IDENTIFIED AS GIFTED AS DEFINED IN SECTION 22-20-103 (13).

(1.5) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1.5), A PARENT SHALL NOT BE ELIGIBLE TO SERVE ON A SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE IF HE OR SHE IS EMPLOYED BY, OR IS A RELATIVE OF A PERSON WHO IS EMPLOYED BY, THE SCHOOL DISTRICT, INCLUDING BEING EMPLOYED AT A PUBLIC SCHOOL OF THE SCHOOL DISTRICT.

(b) IF A SCHOOL DISTRICT MAKES A GOOD FAITH EFFORT BUT IS UNABLE TO IDENTIFY A SUFFICIENT NUMBER OF PARENTS WHO ARE WILLING TO SERVE ON A SCHOOL ACCOUNTABILITY COMMITTEE AND WHO ARE NOT EXCLUDED FROM SERVING AS PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (1.5), ONE OR MORE PARENTS WHO ARE EMPLOYED BY, OR ARE RELATED TO A PERSON WHO IS EMPLOYED BY, THE SCHOOL DISTRICT, INCLUDING BEING EMPLOYED AT A PUBLIC SCHOOL OF THE SCHOOL DISTRICT, MAY SERVE ON THE SCHOOL ACCOUNTABILITY COMMITTEE.

(c) AS USED IN THIS ~~SECTION~~ SUBSECTION (1.5), UNLESS THE CONTEXT OTHERWISE REQUIRES, "RELATED" OR "RELATIVE" MEANS A PERSON'S SPOUSE, SON, DAUGHTER, SISTER, ~~OR~~ BROTHER, MOTHER, OR FATHER.

(4) ~~Any school district that demonstrates that, prior to January 1, 2000, the school district had in place a committee or council that performed at least the duties specified for a school district accountability committee in this section and section 22-7-105 is not required to appoint or elect a school district accountability committee pursuant to subsection (1) of this section.~~ THE MEMBERS OF EACH SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE SHALL SELECT FROM AMONG THE PARENT REPRESENTATIVES SERVING ON THE COMMITTEE A MEMBER TO SERVE AS CHAIR OR CO-CHAIR OF THE COMMITTEE. THE SCHOOL DISTRICT BOARD OF EDUCATION SHALL ESTABLISH THE LENGTH OF TERM FOR WHICH THE COMMITTEE CHAIR OR CO-CHAIR SHALL SERVE.

SECTION 3. 22-7-106, Colorado Revised Statutes, is amended to read:

22-7-106. School accountability committees - creation - qualifications - elections. (1) (a) ~~Except as provided in subsection (4) of this section,~~ There shall be a school ~~advisory council~~ ACCOUNTABILITY COMMITTEE at each public school in each school district, INCLUDING BUT NOT LIMITED TO EACH DISTRICT CHARTER SCHOOL, and at each institute charter school created pursuant to part 5 of article 30.5 of this title. A school ~~advisory council~~ ACCOUNTABILITY COMMITTEE shall consist of AT LEAST seven members ~~designated, appointed, or elected~~ as follows:

(I) The principal of the school or the principal's designee;

(II) AT LEAST one teacher who provides instruction at the school; ~~elected by a vote of all licensed professionals who provide instruction at the school or have an office in the school;~~

(III) AT LEAST three parents or legal guardians of students enrolled in the school; ~~who are elected by a vote of the parents and legal guardians of students enrolled in the school;~~

(IV) AT LEAST one adult member ~~designated by~~ OF an organization of parents, teachers, and students recognized by the school; and

(V) ~~★~~ AT LEAST ONE person from the community. ~~who is involved in business and who is appointed by the principal.~~

(a.3) THE SCHOOL DISTRICT BOARD OF EDUCATION OR THE STATE CHARTER SCHOOL INSTITUTE SHALL DETERMINE THE ACTUAL NUMBER OF PERSONS ON THE SCHOOL ACCOUNTABILITY COMMITTEE AND THE METHOD FOR SELECTING THE MEMBERS OF THE SCHOOL ACCOUNTABILITY COMMITTEE. IF THE BOARD OF EDUCATION OR THE INSTITUTE CHOOSES TO INCREASE THE NUMBER OF PERSONS ON THE SCHOOL ACCOUNTABILITY COMMITTEE, IT SHALL ENSURE THAT THE NUMBER OF PARENTS, AS DESCRIBED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (1), ON THE COMMITTEE EXCEEDS THE NUMBER OF REPRESENTATIVES FROM THE GROUP WITH THE NEXT HIGHEST REPRESENTATION.

(a.5) A PERSON MAY NOT BE SELECTED TO FILL MORE THAN ONE OF THE MEMBER POSITIONS REQUIRED IN PARAGRAPH (a) OF THIS SUBSECTION (1) IN A SINGLE TERM.

(a.7) IF THE SCHOOL DISTRICT BOARD OF EDUCATION OR THE INSTITUTE DETERMINES THAT THE MEMBERS OF A SCHOOL ACCOUNTABILITY COMMITTEE SHOULD BE APPOINTED, THE APPOINTING AUTHORITY SHALL, TO THE EXTENT PRACTICABLE, APPOINT PERSONS WHO REFLECT THE STUDENT POPULATIONS THAT ARE SIGNIFICANTLY REPRESENTED WITHIN THE SCHOOL. IF THE SCHOOL DISTRICT BOARD OF EDUCATION OR THE INSTITUTE DETERMINES THAT PERSONS SHALL BE ELECTED TO SERVE ON THE SCHOOL ACCOUNTABILITY COMMITTEE, THE SCHOOL PRINCIPAL SHALL ENCOURAGE PERSONS WHO REFLECT THE STUDENT POPULATIONS THAT ARE SIGNIFICANTLY REPRESENTED WITHIN THE SCHOOL TO SEEK ELECTION TO THE COMMITTEE. SAID STUDENT POPULATIONS MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

(I) STUDENTS WHO ARE MEMBERS OF NON-CAUCASIAN RACES;

(II) STUDENTS WHO ARE ELIGIBLE FOR FREE OR REDUCED-COST LUNCH THROUGH THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.;

(III) STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH, AS DEFINED IN SECTION 22-24-103 (4);

(IV) STUDENTS WHO ARE MIGRANT CHILDREN, AS DEFINED IN SECTION 22-23-103 (2);

(V) STUDENTS WHO ARE IDENTIFIED AS CHILDREN WITH DISABILITIES PURSUANT TO SECTION 22-20-108; AND

(VI) STUDENTS WHO ARE IDENTIFIED AS GIFTED AS DEFINED IN SECTION 22-20-103 (13).

~~(b) No more than three members of a school advisory council shall be employed by or relatives of an employee of the school district. If an election would result in more than three school district employees or persons related to school district employees serving on the council, only the number of candidates who receive the highest number of votes that will result in three school district employees or persons related to school district employees serving on the council shall become members of the council and other employees or persons related to employees shall be disqualified.~~

~~(b.5) In the case of an institute charter school, no more than three members of a school advisory council shall be employed by or relatives of an employee of the institute charter school. If an election would result in more than three school employees or persons related to school employees serving on the council, only the number of candidates who receive the highest number of votes that will result in three school employees or persons related to school employees serving on the council shall become members of the council and other employees or persons related to employees shall be disqualified.~~

~~(c) Any appointment or designation required by paragraph (a) of this subsection (1) shall be made by September 1, 2001, and by September 1 of every odd-numbered year thereafter. Any election required by paragraph (a) of this subsection (1) shall be conducted on or before October 31, 2001, October 31, 2003, and on or before October 31 of every year thereafter.~~

~~(2) Members of the council shall serve terms of two years; except that, of the members first elected, the member elected pursuant to subparagraph (H) of paragraph (a) of subsection (1) of this section and the two members with the highest number of votes cast in the election conducted pursuant to subparagraph (H) of paragraph (a) of subsection (1) of this section shall serve terms of three years.~~

~~(3) Any vacancies that may arise on the council A SCHOOL ACCOUNTABILITY COMMITTEE by reason of a member's resignation or disqualification or for any other reason shall be filled by majority action of the remaining members of the council COMMITTEE. Except for the principal, no member of the council shall serve more than two consecutive, full terms, plus any balance remaining on an unexpired term if the initial appointment was to fill a vacancy.~~

(3.5) THE MEMBERS OF EACH SCHOOL ACCOUNTABILITY COMMITTEE SHALL ANNUALLY SELECT FROM AMONG THE PARENT REPRESENTATIVES ELECTED TO THE COMMITTEE A MEMBER TO SERVE AS CHAIR OR CO-CHAIR OF THE COMMITTEE.

~~(4) The school advisory council required by this section shall not be required in any school or school district that demonstrates that prior to January 1, 2000, the school or school district had in place a committee or council that performed at least the duties specified for school advisory councils in this section and section 22-7-107. NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY:~~

(a) IF, AFTER MAKING GOOD-FAITH EFFORTS, A PRINCIPAL OR AN ORGANIZATION OF PARENTS, TEACHERS, AND STUDENTS IS UNABLE TO FIND A SUFFICIENT NUMBER OF PERSONS WHO ARE WILLING TO SERVE ON THE SCHOOL ACCOUNTABILITY COMMITTEE, THE PRINCIPAL, WITH ADVICE FROM THE ORGANIZATION OF PARENTS, TEACHERS, AND STUDENTS, MAY ESTABLISH AN ALTERNATIVE MEMBERSHIP PLAN FOR THE SCHOOL ACCOUNTABILITY COMMITTEE, WHICH PLAN SHALL REFLECT THE MEMBERSHIP SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION AS MUCH AS PRACTICABLE;

(b) THE MEMBERS OF THE GOVERNING BOARD OF A DISTRICT CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL MAY SERVE AS MEMBERS OF THE SCHOOL ACCOUNTABILITY COMMITTEE;

(c) IN A SCHOOL DISTRICT WITH FIVE HUNDRED OR FEWER ENROLLED STUDENTS, ONE MEMBER OF THE SCHOOL DISTRICT BOARD OF EDUCATION MAY ALSO SERVE ON A SCHOOL ACCOUNTABILITY COMMITTEE AND THE DISTRICT ACCOUNTABILITY COMMITTEE MAY SERVE AS A SCHOOL ACCOUNTABILITY COMMITTEE.

~~(5) As used in this section, unless the context otherwise requires, "related" or "relative" means a person's spouse, son, daughter, sister, or brother.~~

SECTION 4. The introductory portion to 22-5.5-105 (2) (a) and 22-5.5-105 (2) (a) (IV), Colorado Revised Statutes, are amended to read:

22-5.5-105. Regional service areas - establishment - plan - governance.

(2) (a) Each plan for a regional service area shall be administered by a locally appointed regional service council, representing the following entities within the regional service area and composed of a minimum of five members; EXCEPT THAT A REGIONAL SERVICE COUNCIL INITIALLY FORMED OR REORGANIZED ON OR AFTER THE EFFECTIVE DATE OF SENATE BILL 09-090, ENACTED IN 2009, SHALL BE COMPOSED OF A MINIMUM OF SIX MEMBERS as follows:

(IV) The regional service council, within ninety days after its initial formation and each time the regional service council reorganizes thereafter, shall appoint one council member representing business and industry, ~~and~~ one council member representing each existing early childhood council from within the regional service area, AND, FOR A REGIONAL SERVICE COUNCIL INITIALLY FORMED OR REORGANIZED ON OR AFTER THE EFFECTIVE DATE OF SENATE BILL 09-090, ENACTED IN 2009, ONE COUNCIL MEMBER WHO IS A PARENT OF A STUDENT ENROLLED IN A PUBLIC PRESCHOOL, ELEMENTARY, SECONDARY, OR POSTSECONDARY INSTITUTION LOCATED WITHIN THE REGIONAL SERVICE AREA.

SECTION 5. 22-13-103 (1) (k), Colorado Revised Statutes, is amended to read:

22-13-103. School leadership academy board - created - duties - reports - repeal. (1) There is hereby created in the department the school leadership academy board, which shall consist of fourteen members appointed by the commissioner as follows:

(k) Four members who shall be appointed at the discretion of the commissioner. FOR APPOINTMENTS MADE AFTER SEPTEMBER 1, 2008, AT LEAST ONE OF THE MEMBERS APPOINTED PURSUANT TO THIS PARAGRAPH (k) SHALL BE A PARENT OF A STUDENT ENROLLED IN A PUBLIC SCHOOL OF THE STATE.

SECTION 6. 22-30.5-505 (2) (a), Colorado Revised Statutes, is amended to read:

22-30.5-505. State charter school institute - institute board - appointment - powers and duties - rules. (2) (a) The institute board shall consist of nine members, no more than five of whom are members of the same political party. Seven of the members shall be appointed by the governor, with the consent of the senate, and two of the members shall be appointed by the commissioner. In making the appointments, the governor and the commissioner shall ensure the institute board reflects the geographic diversity of the state. IN MAKING APPOINTMENTS ON AND AFTER THE EFFECTIVE DATE OF SENATE BILL 09-090, ENACTED IN 2009, THE GOVERNOR AND THE COMMISSIONER SHALL ENSURE THAT AT LEAST ONE MEMBER OF THE INSTITUTE BOARD IS A PARENT OF A STUDENT WHO IS, OR WHO HAS BEEN, ENROLLED IN AN INSTITUTE CHARTER SCHOOL. Members appointed to the institute board shall have experience in at least one of the following areas:

- (I) Experience as a charter school board member or founder of a charter school;
- (II) Experience as a public school administrator with experience working with charter schools;
- (III) Financial management expertise;
- (IV) Detailed knowledge of charter school law;
- (V) Other board or public service experience;
- (VI) Experience as a public school teacher;
- (VII) On-line education and on-line curriculum development expertise;
- (VIII) School district special education expertise; and
- (IX) Curriculum and assessment expertise.

SECTION 7. 22-30.5-505 (2) (d), Colorado Revised Statutes, is amended to read:

22-30.5-505. State charter school institute - institute board - appointment -

powers and duties - rules. (2) (d) For any board member appointed on or after May 22, 2008, during his or her term of office, a member of the institute board shall not be a member of the general assembly; an officer, employee, or board member of a school district; ~~or charter school in the state~~; a member of the state board; or an employee of the institute board or the department of education.

SECTION 8. 22-80-103 (1) (a), Colorado Revised Statutes, is amended to read:

22-80-103. Board of trustees - appointments - powers - duties - fund created.

(1) (a) There is hereby created by a **type 1** transfer in the department of education a board of trustees for the Colorado school for the deaf and the blind. The board of trustees shall consist of seven members who are residents of Colorado, appointed by the governor with the consent of the senate. Of these seven members, at least one appointee shall be a blind person and at least one appointee shall be a deaf person. BEGINNING WITH THE FIRST APPOINTMENT MADE ON OR AFTER THE EFFECTIVE DATE OF SENATE BILL 09-090, ENACTED IN 2009, THE GOVERNOR SHALL ENSURE THAT, OF THE SEVEN MEMBERS OF THE BOARD OF TRUSTEES, AT LEAST ONE APPOINTEE IS THE PARENT OF A CHILD WHO IS DEAF OR BLIND OR BOTH.

SECTION 9. 23-1-103 (1) (b) and (1) (c), Colorado Revised Statutes, are amended to read:

23-1-103. Advisory committee to the Colorado commission on higher education.

(1) There is hereby established an advisory committee to the commission for the purpose of suggesting solutions for the problems and needs of higher education and maintaining liaison with the general assembly and the governing boards for state-supported institutions of higher education. The advisory committee shall consist of not less than thirteen members, to be designated as follows:

(b) One member shall be selected and designated by the commission to represent the faculty in the state and one member shall be selected and designated by the commission to represent the students in the state. ON AND AFTER THE EFFECTIVE DATE OF SENATE BILL 09-090, ENACTED IN 2009, THE COMMISSION SHALL SELECT AND DESIGNATE ONE MEMBER WHO, AT THE TIME OF DESIGNATION, IS A PARENT OF A STUDENT WHO IS ENROLLED IN A STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION IN COLORADO TO REPRESENT THE PARENTS OF STUDENTS.

(c) Not more than ~~five~~ FOUR additional members representing educational or other groups may be selected and designated by the commission to serve on the advisory committee.

SECTION 10. 22-7-107 (1) and the introductory portion to 22-7-107 (2), Colorado Revised Statutes, are amended to read:

22-7-107. School accountability committee recommendations - meetings.

(1) In addition to any other duties and powers provided for by law, the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE of each public school shall make recommendations to the principal of the school regarding the prioritization of expenditures of school moneys. The principal shall consider such recommendations made by the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE regarding the

expenditure of any state, federal, local, or private grants and any other discretionary funds MONEYS.

(2) Each school ~~advisory council~~ ACCOUNTABILITY COMMITTEE shall meet at least quarterly to discuss:

SECTION 11. 22-7-205 (1), Colorado Revised Statutes, is amended to read:

22-7-205. Local goals and objectives and plans to improve educational achievement and graduation rates. (1) No later than June 15, 1989, and then no later than September 1, 1990, and September 1 of each year thereafter, the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE for each school building in the state shall adopt high, but achievable, goals and objectives for the improvement of education in its building and shall adopt a plan to improve educational achievement in the school, to implement methods of maximizing graduation rates from the secondary schools of the district, and to increase the ratings for the school's accreditation category established pursuant to section 22-11-202. Each building's goals and objectives and plan shall be reviewed by the district accountability committee before its submission to the board of education of the district. Procedures for the implementation of the plan shall be included in the budget submitted to the board of education pursuant to section 22-44-108.

SECTION 12. 22-7-207, Colorado Revised Statutes, is amended to read:

22-7-207. School accountability committees - recommendations - prioritization of school expenditures. In addition to any other duties and powers provided for by law, the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE for each school building in the state shall make recommendations to the chief executive officer of the school relative to the prioritization of expenditures of school district moneys by such school. In addition, a copy of such recommendations shall be sent to the accountability committee of the school district and to the board of education of such school district. The chief executive officer shall consider such recommendations made by the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE in formulating budget requests to be presented to the board of education.

SECTION 13. 22-11-303 (1), Colorado Revised Statutes, is amended to read:

22-11-303. Colorado school awards program - distribution of award. (1) Any award presented by the state board pursuant to this part 3 shall be spent or distributed for use within the public school as the principal of the public school, after consultation with the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE for the public school, deems appropriate.

SECTION 14. 22-30.5-104 (6) (a) and (6) (b), Colorado Revised Statutes, are amended to read:

22-30.5-104. Charter school - requirements - authority. (6) (a) Pursuant to contract, a charter school may operate free from specified school district policies and free from state rules, as provided in paragraph (b) of this subsection (6). Pursuant to contract, a local board of education may waive locally imposed school

district requirements, without seeking approval of the state board; except that a charter school shall not, by contract or otherwise, operate free of the requirements contained in the "Public School Finance Act of 1994", article 54 of this title, THE REQUIREMENTS SPECIFIED IN PART 1 OF ARTICLE 7 OF THIS TITLE CONCERNING SCHOOL ACCOUNTABILITY COMMITTEES, or the requirements contained in the "Children's Internet Protection Act", article 87 of this title.

(b) The state board shall promulgate rules identifying state statutes and state rules that are automatically waived for all charter schools. A school district, on behalf of a charter school, may apply to the state board for a waiver of a state statute or state rule that is not automatically waived for charter schools by rule. Notwithstanding any provision of this subsection (6) to the contrary, the state board may not waive ANY STATUTE OR STATE RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES AS DESCRIBED IN SECTION 22-7-106, any statute or rule relating to the assessments required to be administered pursuant to section 22-7-409, any statute or rule necessary to prepare the school accountability reports pursuant to part 6 of article 7 of this title, any statute or rule necessary to implement the provisions of the "Public School Finance Act of 1994", article 54 of this title, or any statute or rule relating to the "Children's Internet Protection Act", article 87 of this title.

SECTION 15. 22-30.5-304 (1) (d) (I), Colorado Revised Statutes, is amended to read:

22-30.5-304. Review committee - membership - recommendations.

(1) Whenever an independent charter school is to be organized pursuant to this part 3, on or before the date specified by rule adopted by the state board in accordance with section 22-30.5-303 (2) (b), the commissioner shall cause a review committee to be formed. The review committee shall consist of:

(d) (I) Two parents of students enrolled in the school who are members of the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE and are elected by a vote of the members of the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE.

SECTION 16. 22-30.5-507 (7), Colorado Revised Statutes, is amended to read:

22-30.5-507. Institute charter school - requirements - authority. (7) Pursuant to the charter contract, an institute charter school may operate free from specified statutes and state board rules. The state board may waive state statutory requirements or rules promulgated by the state board; except that the state board may not waive ANY STATUTE OR RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES AS DESCRIBED IN SECTION 22-7-106, any state statute or rule relating to the assessments required to be administered pursuant to section 22-7-409, any state statute or rule necessary to prepare the school accountability reports pursuant to part 6 of article 7 of this title, or any statute or rule necessary to implement the provisions of the "Public School Finance Act of 1994", article 54 of this title, or any state statute or rule relating to the "Children's Internet Protection Act", article 87 of this title. Any waiver of state statute or state board rule made pursuant to this subsection (7) shall be for the term of the contract for which the waiver is made. A request for a waiver may be submitted to the institute as a part of the application for an institute charter school.

SECTION 17. 22-32.5-104 (3) (f) and (4) (c), Colorado Revised Statutes, are amended to read:

22-32.5-104. Innovation plans - submission - contents. (3) Each innovation plan, whether submitted by a public school or created by a local school board through collaboration between the local school board and a public school, shall include the following information:

(f) Evidence that a majority of the administrators employed at the public school, a majority of the teachers employed at the public school, and a majority of the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE for the public school consent to designation as an innovation school;

(4) Each plan for creating an innovation school zone, whether submitted by a group of public schools or created by a local school board through collaboration with a group of public schools, shall include the information specified in subsection (3) of this section for each public school that would be included in the innovation school zone. A plan for creating an innovation school zone shall also include the following additional information:

(c) Evidence that a majority of the administrators and a majority of the teachers employed at each public school that would be included in the innovation school zone and a majority of the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE for each public school that would be included in the innovation school zone consent to creating the innovation school zone; and

SECTION 18. 22-32.5-110 (1), Colorado Revised Statutes, is amended to read:

22-32.5-110. District of innovation - review of innovation schools and innovation school zones. (1) Three years after the local school board of a district of innovation approves an innovation plan or a plan for creating an innovation school zone, and every three years thereafter, the local school board shall review the level of performance of the innovation school and each public school included in the innovation school zone and determine whether the innovation school or innovation school zone is achieving or making adequate progress toward achieving the academic performance results identified in the school's or zone's innovation plan. The local school board, in collaboration with the innovation school or the innovation school zone, may revise the innovation plan, including but not limited to revising the identification of the provisions of the collective bargaining agreement that need to be waived to implement the innovations, as necessary to improve or continue to improve academic performance at the innovation school or innovation school zone. Any revisions to the innovation plan shall require the consent of a majority of the teachers and a majority of the administrators employed at and a majority of the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE for each affected public school.

SECTION 19. 22-2-103 (1) (g) and (1) (h), Colorado Revised Statutes, are amended, and the said 22-2-103 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

22-2-103. Department of education. (1) The department of education shall

include the following:

- (g) The facility schools unit ~~and~~ CREATED IN SECTION 22-2-403;
- (h) The facility schools board CREATED IN SECTION 22-2-404; AND
- (i) THE COLORADO STATE ADVISORY COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION CREATED IN SECTION 22-7-303.

SECTION 20. 24-1-115, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-1-115. Department of education - creation. (14) THE DEPARTMENT OF EDUCATION SHALL INCLUDE THE COLORADO STATE ADVISORY COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION CREATED IN SECTION 22-7-303, C.R.S., AND ITS POWERS, DUTIES, AND FUNCTIONS, AS IF THE COUNCIL WERE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF EDUCATION.

SECTION 21. 2-3-1203 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(ff) JULY 1, 2019: THE COLORADO STATE ADVISORY COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION CREATED IN SECTION 22-7-303, C.R.S.

SECTION 22. 22-30.5-104 (6) (a) and (6) (b), Colorado Revised Statutes, are amended to read:

22-30.5-104. Charter school - requirements - authority. (6) (a) Pursuant to contract, a charter school may operate free from specified school district policies and free from state rules, as provided in paragraph (b) of this subsection (6). Pursuant to contract, a local board of education may waive locally imposed school district requirements, without seeking approval of the state board; except that a charter school shall not, by contract or otherwise, operate free of the requirements contained in the "Public School Finance Act of 1994", article 54 of this title, THE REQUIREMENTS SPECIFIED IN PART 4 OF ARTICLE 11 OF THIS TITLE CONCERNING SCHOOL ACCOUNTABILITY COMMITTEES, or the requirements contained in the "Children's Internet Protection Act", article 87 of this title.

(b) The state board shall promulgate rules identifying state statutes and state rules that are automatically waived for all charter schools. A school district, on behalf of a charter school, may apply to the state board for a waiver of a state statute or state rule that is not automatically waived for charter schools by rule. Notwithstanding any provision of this subsection (6) to the contrary, the state board may not waive ANY STATUTE OR RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES AS DESCRIBED IN SECTION 22-11-401, any statute or rule relating to the assessments required to be administered pursuant to section 22-7-409, any statute or rule necessary to prepare the school accountability reports pursuant to part 6 of article

7 of this title, any statute or rule necessary to implement the provisions of the "Public School Finance Act of 1994", article 54 of this title, or any statute or rule relating to the "Children's Internet Protection Act", article 87 of this title.

SECTION 23. 22-30.5-507 (7), Colorado Revised Statutes, is amended to read:

22-30.5-507. Institute charter school - requirements - authority. (7) Pursuant to the charter contract, an institute charter school may operate free from specified statutes and state board rules. The state board may waive state statutory requirements or rules promulgated by the state board; except that the state board may not waive ANY STATUTE OR RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES AS DESCRIBED IN SECTION 22-11-401, any state statute or rule relating to the assessments required to be administered pursuant to section 22-7-409, any state statute or rule necessary to prepare the school accountability reports pursuant to part 6 of article 7 of this title, or any statute or rule necessary to implement the provisions of the "Public School Finance Act of 1994", article 54 of this title, or any state statute or rule relating to the "Children's Internet Protection Act", article 87 of this title. Any waiver of state statute or state board rule made pursuant to this subsection (7) shall be for the term of the contract for which the waiver is made. A request for a waiver may be submitted to the institute as a part of the application for an institute charter school.

SECTION 24. Act subject to petition - effective date. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 5, 2009, if adjournment sine die is on May 6, 2009); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) Notwithstanding the provisions of subsection (1) of this section:

(a) Sections 2, 3, 10, 11, 12, 13, 14, and 16 of this act shall not take effect if Senate Bill 09-163 is enacted and becomes law; and

(b) Sections 22 and 23 of this act shall take effect only if Senate Bill 09-163 is enacted and becomes law.

Approved: May 21, 2009