

NOTE: The governor signed this measure on 6/10/2016.

An Act

HOUSE BILL 16-1440

BY REPRESENTATIVE(S) Wilson and Pettersen, Arndt, Court, Duran, Hamner, Lontine, Mitsch Bush, Pabon, Rankin, Roupe, Vigil, Hullinghorst, Young;
also SENATOR(S) Johnston and Holbert, Crowder, Garcia, Heath, Hill, Jahn, Kefalas, Kerr, Martinez Humenik, Newell, Sonnenberg, Todd, Woods.

CONCERNING REDUCING ADMINISTRATIVE REQUIREMENTS THAT PERTAIN TO THE ELEMENTARY AND SECONDARY PUBLIC EDUCATION SYSTEM.

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

SECTION 1. In Colorado Revised Statutes, 22-11-210, **amend** (2) (b) (II) as follows:

22-11-210. Public schools - annual review - plans - supports and interventions - rules - repeal. (2) (b) (II) A ~~small-rural~~ school district THAT IS AUTHORIZED TO SUBMIT A SINGLE PLAN PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) AND that is authorized pursuant to section 22-11-303 (4) to submit a school district performance plan every two years may submit a single plan to satisfy the school district and school plan requirements only if each of the public schools that is included in the single plan is authorized pursuant to section 22-11-403 (4) to submit a

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

~~school performance plan every two years. As used in this subparagraph (H), a small rural school district is a school district in Colorado that the department determines is rural based on the geographic size of the school district and the distance of the school district from the nearest large, urbanized area, and that enrolls fewer than one thousand two hundred students.~~

SECTION 2. In Colorado Revised Statutes, 22-11-303, **amend** (4) (a); and **repeal** (4) (b) as follows:

22-11-303. Accredited or accredited with distinction - performance plan - school district or institute - contents - adoption.

(4) (a) Notwithstanding the provisions of paragraph (a) of subsection (1) OR PARAGRAPH (a) OF SUBSECTION (2) of this section to the contrary, the local school board of a ~~small rural~~ school district OR THE INSTITUTE BOARD may adopt and submit to the department a school district performance plan for the school district OR THE INSTITUTE as described in subsection (3) of this section every two years so long as the school district OR THE INSTITUTE maintains the status of accredited or accredited with distinction.

~~(b) As used in paragraph (a) of this subsection (4), a small rural school district is a school district in Colorado that the department determines is rural, based on the geographic size of the school district and the distance of the school district from the nearest large, urbanized area, and that enrolls fewer than one thousand two hundred students.~~

SECTION 3. In Colorado Revised Statutes, 22-11-403, **amend** (5) (a); and **repeal** (5) (b) as follows:

22-11-403. School performance plan - contents.

(5) (a) Notwithstanding any provision of this section to the contrary, the school principal and the school district superintendent, or his or her designee, ~~of~~ FOR a DISTRICT public school, ~~of a small rural school district~~ OR THE SCHOOL PRINCIPAL FOR AN INSTITUTE CHARTER SCHOOL, may adopt a school performance plan for the public school as described in subsection (3) of this section every two years so long as the state board, pursuant to section 22-11-210, requires the public school to implement a performance plan.

~~(b) As used in paragraph (a) of this subsection (5), a small rural~~

~~school district is a school district in Colorado that the department determines is rural, based on the geographic size of the school district and the distance of the school district from the nearest large, urbanized area, and that enrolls fewer than one thousand two hundred students.~~

SECTION 4. In Colorado Revised Statutes, 22-2-106, **add** (1) (i) as follows:

22-2-106. State board - duties. (1) It is the duty of the state board:

(i) TO ENSURE THAT THE RULES PROMULGATED BY THE STATE BOARD AND THE POLICIES AND GUIDELINES ADOPTED BY THE DEPARTMENT PURSUANT TO THIS TITLE IMPOSE THE LEAST POSSIBLE ADMINISTRATIVE OR FINANCIAL BURDEN ON SCHOOL DISTRICTS, CHARTER SCHOOLS, OR BOARDS OF COOPERATIVE SERVICES AND, WHEN APPROPRIATE TO REDUCE POTENTIAL ADMINISTRATIVE BURDEN, TO PROMULGATE RULES AND INSTRUCT THE DEPARTMENT TO ADOPT POLICIES AND GUIDELINES THAT SPECIFICALLY APPLY TO RURAL SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOARDS OF COOPERATIVE SERVICES, AS IDENTIFIED BY THE DEPARTMENT.

SECTION 5. In Colorado Revised Statutes, 22-7-1211, **amend** (1) and (2) (c.5); and **add** (4) as follows:

22-7-1211. Early literacy grant program - created. (1) There is hereby created in the department the early literacy grant program to provide ~~moneys~~ MONEY to local education providers to implement literacy support and intervention instruction programs, including but not limited to related professional development programs, to assist students in kindergarten and first, second, and third grades to achieve reading competency. The state board by rule shall establish the application timelines and the information to be included in each grant application. A local education provider may apply individually or as part of a group of local education providers. A rural school district that is a member of a board of cooperative services may seek assistance in writing the grant application from the board of cooperative services. A board of cooperative services may apply for a grant to provide instructional support in literacy for small rural school districts ~~as described in section 22-11-303 (4) (b)~~, that are members of the board of cooperative services.

(2) The department shall review each grant application received and

recommend to the state board whether to award the grant and the duration and amount of each grant. In making recommendations, the department shall consider the following factors:

(c.5) In the case of a board of cooperative services that applies for a grant to provide instructional support in literacy, the number of small rural school districts, ~~as described in section 22-11-303 (4) (b)~~, the number of kindergarten and first-, second-, and third-grade students enrolled in the small rural school districts, and the resources available to the small rural school districts that will receive instructional support as a result of the grant;

(4) FOR PURPOSES OF THIS SECTION, "SMALL RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT ENROLLS FEWER THAN ONE THOUSAND TWO HUNDRED STUDENTS IN KINDERGARTEN THROUGH TWELFTH GRADE.

SECTION 6. In Colorado Revised Statutes, 22-7-1210, **amend** (5) (b) introductory portion and (5) (b) (III.5) as follows:

22-7-1210. Early literacy fund - created. (5) (b) A local education provider may use the per-pupil intervention ~~moneys~~ MONEY only as follows:

(III.5) For a local education provider that is a small rural school district as ~~described in section 22-11-303 (4) (b)~~ DEFINED IN SECTION 22-7-1211, to purchase from a board of cooperative services the services of a literacy specialist to provide educator professional development in literacy and other support in implementing the requirements of this part 12; or

SECTION 7. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within

such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Bill L. Cadman
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO