

CHAPTER 191

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 96-095

BY SENATORS Alexander, Bishop, Matsunaka, Meiklejohn, Norton, Rizzuto, and Weddig;
also REPRESENTATIVE Tool.

AN ACT

CONCERNING BOARDS OF COOPERATIVE EDUCATION SERVICES.

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

SECTION 1. Article 5 of title 22, Colorado Revised Statutes, 1995 Repl. Vol., is amended BY THE ADDITION OF A NEW SECTION to read:

22-5-118. Implementation and financing of regional education and support services - plan - annual report. (1) THE GENERAL ASSEMBLY RECOGNIZES THAT THE INCREASING NUMBER OF STUDENTS, THE DESIRE TO REDUCE SCHOOL DISTRICTS' RELIANCE ON PROPERTY TAXES, THE NEED TO CONSOLIDATE SERVICES RATHER THAN SCHOOLS, AND THE LIMITATIONS ON STATE REVENUES REQUIRE THE BOARDS OF COOPERATIVE SERVICES TO DEVELOP THE HIGHEST POSSIBLE EFFICIENCIES AND MOST ECONOMIC METHODS FOR SCHOOL DISTRICTS TO DELIVER EDUCATION AND SUPPORT SERVICES. THE GENERAL ASSEMBLY FURTHER RECOGNIZES THAT IT IS ESSENTIAL TO ASSIST SCHOOL DISTRICTS IN PROVIDING EDUCATIONAL SERVICES WITH THE MAXIMUM ECONOMIES OF SCALE WITHOUT VIOLATING THE PRINCIPLE OF LOCAL CONTROL. THE GENERAL ASSEMBLY THEREFORE DECLARES THAT USING BOARDS OF COOPERATIVE SERVICES TO ASSIST IN DELIVERING EDUCATION AND SUPPORT SERVICES FURTHERS A VALID PUBLIC PURPOSE AND PROMOTES A COMMITMENT TO ACHIEVING EFFICIENCIES AND ECONOMIES IN PROVIDING EDUCATIONAL SERVICES.

(2) BEGINNING FISCAL YEAR 1996-97 AND FOR FISCAL YEARS THEREAFTER, IN ADDITION TO ANY STATE MONEYS RECEIVED PURSUANT TO SECTION 22-5-115, A BOARD OF COOPERATIVE SERVICES MAY RECEIVE STATE MONEYS BY SUBMITTING TO THE DEPARTMENT OF EDUCATION A PLAN FOR THE PROVISION OF EDUCATION AND SUPPORT SERVICES PROGRAMS, AS SPECIFIED IN THIS SECTION. ANY AMOUNT APPROPRIATED TO FUND ANY EDUCATION OR SUPPORT SERVICES PROGRAM PURSUANT

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

TO THIS SECTION SHALL BE DISTRIBUTED BY THE DEPARTMENT OF EDUCATION TO EACH BOARD OF COOPERATIVE SERVICES THAT SUBMITS A PLAN. THE AMOUNT APPROPRIATED SHALL BE DIVIDED EQUALLY BASED ON THE TOTAL NUMBER OF STUDENTS ENROLLED IN THE MEMBER SCHOOL DISTRICTS OF THE PARTICIPATING BOARDS AND DISTRIBUTED BASED ON THE NUMBER OF STUDENTS PARTICIPATING IN THE FUNDED EDUCATION OR SUPPORT SERVICES PROGRAM FROM EACH MEMBER SCHOOL DISTRICT OF EACH PARTICIPATING BOARD.

(3) (a) TO RECEIVE FUNDS UNDER THIS SECTION, A BOARD OF COOPERATIVE SERVICES, IN COOPERATION WITH ITS PARTICIPATING SCHOOL DISTRICTS, THE DEPARTMENT OF EDUCATION, THE COLORADO COMMISSION ON HIGHER EDUCATION, THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, AND POSTSECONDARY INSTITUTIONS, SHALL PREPARE AND SUBMIT A PLAN TO INCREASE EFFICIENCIES AND ECONOMIES IN PROVIDING EDUCATION AND SUPPORT SERVICES TO THE BOARD'S PARTICIPATING SCHOOL DISTRICTS.

(b) EACH PLAN SHALL INCLUDE BUT IS NOT LIMITED TO MEASURES CONCERNING:

(I) THE ENHANCEMENT OF STUDENT ACHIEVEMENT AND INSTRUCTION THROUGH COOPERATIVE RESEARCH AND DEVELOPMENT, THE CONTINUOUS UPGRADING OF STANDARDS AND ASSESSMENT TECHNIQUES, AND THE ESTABLISHMENT OF A REGIONAL CURRICULUM CENTER;

(II) STAFF DEVELOPMENT AND TRAINING PROGRAMS;

(III) THE DEVELOPMENT OF IMPROVED COMMUNICATIONS THROUGH SUCH METHODS AS COMMUNICATIONS TECHNOLOGY, DISTANCE LEARNING, AND MEDIA ASSISTANCE;

(IV) THE USE OF FEDERAL AND STATE CATEGORICAL FUNDS AND THE DISTRIBUTION AND DELIVERY OF FEDERAL BLOCK GRANT MONEYS;

(V) DATA PROCESSING;

(VI) AGREEMENTS TO ACT AS A REGIONAL ADMINISTRATIVE UNIT FOR TRANSPORTATION, COOPERATIVE PURCHASING, FOOD, AND OTHER NONINSTRUCTIONAL SUPPORT SERVICES, AS MAY BE APPROPRIATE;

(VII) COOPERATIVE PROGRAMS FOR STUDENTS WHO ARE AT RISK OF SUSPENSION OR EXPULSION.

(4) A BOARD OF COOPERATIVE SERVICES MAY CONTRACT WITH A SCHOOL DISTRICT THAT IS NOT A MEMBER OF THE BOARD OF COOPERATIVE SERVICES TO PROVIDE TO THE SCHOOL DISTRICT ANY OF THE SERVICES SPECIFIED IN THE PLAN DEVELOPED PURSUANT TO THIS SECTION.

(5) THE GENERAL ASSEMBLY MAY APPROPRIATE MONEYS TO THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION TO BOARDS OF COOPERATIVE SERVICES AS PROVIDED IN THIS SECTION. ANY MONEYS APPROPRIATED SHALL BE IN ADDITION TO ANY MONEYS APPROPRIATED PURSUANT TO SECTION 22-5-115.

(6) (a) ON OR BEFORE JULY 1, 1997, AND BY JULY 1 OF EACH YEAR THEREAFTER, EACH BOARD OF COOPERATIVE SERVICES THAT RECEIVES MONEYS PURSUANT TO THIS SECTION SHALL SUBMIT A REPORT TO THE DEPARTMENT OF EDUCATION CONCERNING THE PROGRAMS AND SERVICES FUNDED BY MONEYS RECEIVED PURSUANT TO THIS SECTION.

(b) ON OR BEFORE JANUARY 1, 1998, AND BY JANUARY 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL SUBMIT TO THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES A SUMMARY OF THE REPORTS RECEIVED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (6).

(7) THE STATE BOARD MAY ADOPT RULES FOR THE IMPLEMENTATION OF THIS SECTION.

SECTION 2. 22-5-114, Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-5-114. Eligibility for funds. (1) (a) Any board of cooperative services organized under the provisions of this article shall be entitled to such state moneys as may be available upon receiving approval by the state board; except that the state board shall approve not more than seventeen such boards of cooperative services.

(b) APPROVAL TO RECEIVE STATE MONEYS UNDER THIS SUBSECTION (1) DOES NOT CONSTITUTE APPROVAL TO RECEIVE STATE MONEYS PURSUANT TO SECTION 22-5-118.

(2) Unless otherwise approved by the state board, to be eligible ~~for~~ TO RECEIVE state funds UNDER THIS SECTION AND UNDER SECTION 22-5-118, a board of cooperative services shall meet all the following criteria:

(a) It shall serve school districts with a combined total enrollment of not less than four thousand students; AND

(b) It shall EITHER serve school districts in two or more counties OR SERVE MULTIPLE SCHOOL DISTRICTS LOCATED IN THE SAME COUNTY. ~~and~~

~~(c) It shall serve school districts with a combined total valuation for assessment of not less than sixty million dollars or school districts with a combined total area of not less than four thousand square miles.~~

SECTION 3. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 23, 1996