

CHAPTER 195

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 02-1304

BY REPRESENTATIVE(S) Williams S., Bacon, Groff, Romanoff, Williams T., Alexander, Borodkin, Boyd, Cloer, Coleman, Daniel, Jahn, Larson, Mace, Madden, Marshall, Plant, Sanchez, Tapia, Tochtrop, Veiga, Vigil, and Weddig;
also SENATOR(S) Anderson, Evans, Arnold, Entz, Fitz-Gerald, Hagedorn, Hanna, Isgar, Linkhart, Matsunaka, Tate, Teck, Tupa, and Windels.

AN ACT**CONCERNING THE PROVISION OF LITERACY SERVICES TO STUDENTS PREPARING TO ENTER THE FIRST GRADE, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

SECTION 1. 22-7-801, Colorado Revised Statutes, is amended to read:

22-7-801. Legislative declaration. The general assembly hereby finds and declares that, for purposes of section 17 of article IX of the state constitution, establishing a summer school grant program to provide funding to school districts for the operation of intensive literacy and reading comprehension education services to fourth and fifth grade students who scored at the unsatisfactory proficiency level on the Colorado state assessment program reading assessment administered pursuant to section 22-7-409 for the previous grade is an important element of accountable education reform and constitutes an accountable program to meet state academic standards. IN ADDITION, AUTHORIZING THE SUMMER SCHOOL GRANT PROGRAM TO PROVIDE FUNDING TO SCHOOL DISTRICTS FOR THE OPERATION OF INTENSIVE LITERACY AND READING COMPREHENSION EDUCATION SERVICES TO FIRST GRADE STUDENTS WHO SCORED AT AN UNSATISFACTORY LEVEL ON THE READING READINESS ASSESSMENT ADMINISTERED PURSUANT TO SECTION 22-7-504 CONSTITUTES AN ACCOUNTABLE PROGRAM TO MEET STATE ACADEMIC STANDARDS WHICH IS ALSO AN IMPORTANT ELEMENT OF ACCOUNTABLE EDUCATION REFORM. Therefore, the summer school grant program established by this part 8 may receive funding from the state education fund created in section 17 (4) of article IX of the state constitution.

SECTION 2. 22-7-802 (2), Colorado Revised Statutes, is amended to read:

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

22-7-802. Definitions. As used in this part 8, unless the context otherwise requires:

(2) "Eligible student" means a student who has:

(a) Completed the third grade and is preparing to enter the fourth grade and has scored at the unsatisfactory proficiency level on the third grade Colorado state assessment program reading assessment administered pursuant to section 22-7-409;

or

(b) Completed the fourth grade and is preparing to enter the fifth grade and has scored at the unsatisfactory proficiency level on the fourth grade Colorado state assessment program reading assessment administered pursuant to section 22-7-409;

OR

(c) COMPLETED KINDERGARTEN AND IS PREPARING TO ENTER THE FIRST GRADE AND HAS SCORED AT THE UNSATISFACTORY LEVEL ON THE READING READINESS ASSESSMENT FOR KINDERGARTEN PUPILS ADMINISTERED PURSUANT TO SECTION 22-7-504.

SECTION 3. 22-7-803 (1), Colorado Revised Statutes, is amended, and the said 22-7-803 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

22-7-803. Summer school grant program - created - application - rules - repeal. (1) There is hereby created in the department the summer school grant program to provide funding to school districts for the operation of summer school reading programs. The summer school reading programs shall be designed to provide intensive literacy and reading comprehension education services to eligible students DURING THE SUMMER PRIOR TO BEGINNING FIRST GRADE, during the summer prior to beginning fourth grade, and during the summer prior to beginning fifth grade.

(5) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, GRANT MONEYS FOR THE ELIGIBLE STUDENTS DESCRIBED IN SECTION 22-7-802 (2) (c) SHALL ONLY BE AVAILABLE TO SCHOOLS THAT ARE PARTICIPATING IN A FULL-DAY KINDERGARTEN EDUCATIONAL PROGRAM PURSUANT TO SECTION 22-32-119 (2).

(b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2006.

(6) THE DEPARTMENT IS ENCOURAGED TO APPLY FOR FEDERAL MONEYS RECEIVED FROM THE FEDERAL GOVERNMENT THROUGH THE FEDERAL "NO CHILD LEFT BEHIND ACT OF 2001", PUBLIC LAW 107-110, TO ASSIST IN FUNDING THE GRANT PROGRAM.

SECTION 4. 22-7-805 (1) (b), Colorado Revised Statutes, is amended, and the said 22-7-805 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

22-7-805. Reporting requirements. (1) Each school district that participates in the grant program shall submit an annual report to the department after completion of each academic year in which the school district participates in the grant program. Each school district shall submit the report on or before October 1 following the

completion of an academic year and shall include the following information:

(b) The subsequent performance levels for reading and writing, as measured by assessments administered pursuant to the Colorado student assessment program established pursuant to section 22-7-409, of eligible students who enrolled in the summer school reading program; ~~and~~

(b.5) FOR ELIGIBLE STUDENTS WHO ENROLL IN THE SUMMER SCHOOL READING PROGRAM PRIOR TO BEGINNING FIRST GRADE, THE SUBSEQUENT PERFORMANCE LEVELS FOR READING, AS MEASURED BY LITERACY AND READING COMPREHENSION ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-504; AND

SECTION 5. 22-7-607.5 (2) (b), Colorado Revised Statutes, is amended to read:

22-7-607.5. Teacher pay incentive program - repeal. (2) (b) The per pupil grant amount shall be an amount equal to twelve million ~~six hundred thirty~~ FIVE HUNDRED NINETY thousand FOUR HUNDRED dollars divided by the total number of students enrolled in all eligible schools.

SECTION 6. Appropriation - adjustments to the 2002 long bill. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) of article IX of the state constitution, not otherwise appropriated, to the summer school grant program fund created in section 22-7-804 (1), Colorado Revised Statutes, for the fiscal year beginning July 1, 2002, the sum of thirty nine thousand six hundred dollars (\$39,600), and such sum, or so much thereof as may be necessary, is further appropriated to the department of education, for the implementation of this act.

(2) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2002, shall be adjusted as follows:

(a) The appropriation to the department of education, assistance to public schools, grant programs and other distributions, for the teacher pay incentive program, is decreased by thirty nine thousand six hundred dollars (\$39,600). Said sum shall be from moneys in the state education fund created in section 17 (4) of article IX of the state constitution.

SECTION 7. 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 28, 2002