

CHAPTER 139

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 11-1201

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also SENATOR(S) Nicholson and White, Aguilar, Bacon, Boyd, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Kopp, Morse, Newell, Spence, Steadman, Tochtrop, Williams S.

AN ACT**CONCERNING MEASURES TO FACILITATE THE ISSUANCE OF EDUCATOR LICENSES.***Be it enacted by the General Assembly of the State of Colorado:*

SECTION 1. 22-60.5-110 (3) (a), Colorado Revised Statutes, is amended, and the said 22-60.5-110 (3) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

22-60.5-110. Renewal of licenses. (3) (a) A LICENSEE MAY RENEW HIS OR HER professional license ~~may be renewed upon~~ BY submitting an application for renewal, ~~payment of~~ PAYING the ~~statutory~~ fee ESTABLISHED BY THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 22-60.5-112, and ~~evidence~~ PROVIDING THE AFFIDAVIT of satisfactory completion ~~by the applicant~~ of ongoing professional development AS DESCRIBED IN PARAGRAPH (a.5) OF THIS SUBSECTION (3). A licensee need not be employed as a professional educator during all or any portion of the term for which his or her professional educator license is valid. Employment as a professional educator shall not constitute a requirement for renewal of a professional license. Except as otherwise provided in paragraph (e) of this subsection (3), the professional development activities completed by an applicant for license renewal shall apply equally to renewal of any professional educator license or endorsement held by the applicant.

(a.5) A LICENSEE WHO SEEKS RENEWAL OF HIS OR HER PROFESSIONAL LICENSE SHALL SIGN AND SUBMIT WITH THE RENEWAL APPLICATION AN AFFIDAVIT IN WHICH THE LICENSEE AFFIRMS UNDER OATH THAT HE OR SHE SATISFACTORILY COMPLETED THE ONGOING PROFESSIONAL DEVELOPMENT ACTIVITIES SPECIFIED IN THE AFFIDAVIT;

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

THAT THE ACTIVITIES WERE COMPLETED WITHIN THE TERM OF THE PROFESSIONAL LICENSE; AND THAT, TO THE BEST OF THE LICENSEE'S KNOWLEDGE, THE ACTIVITIES MEET THE REQUIREMENTS OF THIS SECTION AND RULES ADOPTED BY THE STATE BOARD OF EDUCATION IMPLEMENTING THIS SECTION. THE DEPARTMENT MAY ACCEPT A LICENSEE'S AFFIDAVIT OF SATISFACTORY COMPLETION OF ONGOING PROFESSIONAL DEVELOPMENT AS PROOF OF COMPLETION OF THE SPECIFIED PROFESSIONAL DEVELOPMENT ACTIVITIES WITHOUT FURTHER VERIFICATION.

SECTION 2. 22-60.5-112 (1), Colorado Revised Statutes, is amended to read:

22-60.5-112. Fees - fund - repeal. (1) (a) The fee for the examination and review of an application for any license, endorsement, or authorization, or any renewal or reinstatement thereof, shall be established by the state board of education and shall be nonrefundable. Upon determination of eligibility, such license, endorsement, or authorization shall be issued without an additional fee. The state board of education shall adjust if necessary all such fees annually so that they generate an amount of revenue that approximates the direct and indirect costs of the state board of education and of the department of education for the administration of this article; however, the state board of education shall establish and adjust such fees for licenses issued pursuant to section 22-60.5-201 (1) (a) so that the fees generate an amount of revenue that approximates the direct and indirect costs of the state board of education and the department of education for the administration of sections 22-60.5-201 (1) (a) and 22-60.5-205. All fees collected under this section shall be transmitted to the state treasurer and credited to the educator licensure cash fund, which fund is hereby created AND REFERRED TO IN THIS SUBSECTION (1) AS THE "CASH FUND". The general assembly shall make annual appropriations from the educator licensure cash fund for expenditures of the state board of education and of the department of education incurred in the administration of this article. At the end of any fiscal year, all unexpended and unencumbered moneys in the educator licensure cash fund shall remain therein and shall not be credited or transferred to the general fund or any other fund.

(b) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (1) TO THE CONTRARY, FOR THE 2011-12, 2012-13, AND 2013-14 FISCAL YEARS, THE MONEYS IN THE CASH FUND ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT TO OFFSET THE DIRECT AND INDIRECT COSTS INCURRED BY THE STATE BOARD OF EDUCATION AND THE DEPARTMENT IN ADMINISTERING THIS ARTICLE. IN EACH OF SAID FISCAL YEARS, THE GENERAL APPROPRIATIONS BILL SHALL, FOR INFORMATIONAL PURPOSES, REFLECT THE ESTIMATED AMOUNT OF EXPENDITURES, INCLUDING ANY FUNDING FOR PERSONNEL, FROM THE CASH FUND.

(II) DURING EACH OF THE 2012, 2013, AND 2014 REGULAR LEGISLATIVE SESSIONS, THE DEPARTMENT SHALL REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, AND THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY CONCERNING EXPENDITURES FROM THE CASH FUND AND THE DEPARTMENT'S PROGRESS IN MEETING THE GOAL OF REDUCING TO SIX WEEKS OR LESS THE PROCESSING TIME FOR ISSUING OR RENEWING AN EDUCATOR LICENSE.

(III) FOR STATE FISCAL YEARS 2011-12, 2012-13, AND 2013-14, ANY PERSONS HIRED TO ASSIST THE DEPARTMENT IN REDUCING THE PROCESSING TIME FOR ISSUING

OR RENEWING AN EDUCATOR LICENSE SHALL BE INDEPENDENT CONTRACTORS WITH THE DEPARTMENT, AND THE CONTRACTS FOR SERVICES SHALL NOT EXTEND BEYOND JUNE 30, 2014.

(IV) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2014.

SECTION 3. 24-50-503, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-50-503. Personal services contracts implicating state personnel system - no separation of existing classified employees - repeal.

(3) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ANY PERSONAL SERVICES CONTRACTS ENTERED INTO BY THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION 22-60.5-112 (1)(b), C.R.S., SHALL BE VALID AND SHALL NOT BE SUBJECT TO APPROVAL PURSUANT TO THIS SECTION.

(b) THIS SUBSECTION (3) IS REPEALED EFFECTIVE JULY 1, 2014.

SECTION 4. 24-76.5-103 (3) (f) and (3) (g), Colorado Revised Statutes, are amended, and the said 24-76.5-103 (3) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

24-76.5-103. Verification of lawful presence - exceptions - reporting - rules.

(3) Verification of lawful presence in the United States shall not be required:

(f) For pregnant women; ~~or~~

(g) For individuals over the age of eighteen years and under the age of nineteen years who continue to be eligible for medical assistance programs after their eighteenth birthday; OR

(h) FOR RENEWING AN EDUCATOR LICENSE PURSUANT TO ARTICLE 60.5 OF TITLE 22, C.R.S.

SECTION 5. 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 4, 2011