

CHAPTER 292

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 14-1204

BY REPRESENTATIVE(S) Wilson, Dore, Sonnenberg, Becker, Conti, Coram, Duran, Ginal, Hamner, Hullinghorst, Landgraf, May, McLachlan, Mitsch Bush, Murray, Navarro, Pettersen, Rankin, Saine, Salazar, Schafer, Scott, Stephens, Tyler, Williams, Wright, Young;
also SENATOR(S) Grantham, Aguilar, Baumgardner, Brophy, Crowder, Guzman, Heath, Herpin, Hodge, Jahn, Johnston, Kefalas, Kerr, King, Newell, Nicholson, Renfroe, Rivera, Roberts, Scheffel, Schwartz, Tochtrop, Todd, Zenzinger.

AN ACT**CONCERNING FLEXIBILITY REGARDING THE REQUIREMENTS IMPOSED ON RURAL SCHOOL DISTRICTS.**

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

SECTION 1. In Colorado Revised Statutes, 22-11-303, **add** (4) 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) OF THIS SECTION TO THE CONTRARY, THE LOCAL SCHOOL BOARD OF A SMALL RURAL SCHOOL DISTRICT MAY ADOPT AND SUBMIT TO THE DEPARTMENT A SCHOOL DISTRICT PERFORMANCE PLAN FOR THE SCHOOL DISTRICT AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION EVERY TWO YEARS SO LONG AS THE SCHOOL DISTRICT 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 2. In Colorado Revised Statutes, 22-11-403, **add** (4) as follows:

22-11-403. School performance plan - contents. (4) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE SCHOOL PRINCIPAL AND

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

THE SCHOOL DISTRICT SUPERINTENDENT, OR HIS OR HER DESIGNEE, OF A PUBLIC SCHOOL OF A SMALL RURAL SCHOOL DISTRICT 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 (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, 22-11-210, **amend** (2) (b) as follows:

22-11-210. Public schools - annual review - plans - supports and interventions - rules. (2) (b) (I) Notwithstanding any provision of this article to the contrary, a school district with one thousand students or fewer may submit a single plan to satisfy the school district and school plan requirements, so long as the plan meets all state and federal requirements for school and district plans. A school district with more than one thousand but fewer than one thousand two hundred students may, upon request and at the department's discretion, submit a single plan to satisfy the school district and school plan requirements, so long as the plan meets all state and federal requirements for school and district plans.

(II) A SMALL RURAL SCHOOL DISTRICT 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 SCHOOL PERFORMANCE PLAN EVERY TWO YEARS. AS USED IN THIS SUBPARAGRAPH (II), 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, 22-7-1210, **amend** (5) (b) (III); and **add** (5) (b) (III.5) as follows:

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

(III) To purchase tutoring services in reading for students with significant reading deficiencies; ~~or~~

(III.5) FOR A LOCAL EDUCATION PROVIDER THAT IS A SMALL RURAL SCHOOL DISTRICT AS DESCRIBED IN SECTION 22-11-303 (4) (b), 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 5. In Colorado Revised Statutes, 22-7-1211, **amend** (1) and (2) (c); and **add** (2) (c.5) 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 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) The cost of the instructional program that the applying local education provider or group of local education providers plans to implement using the grant moneys; ~~and~~

(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;

SECTION 6. 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 31, 2014