

SB079_L.002

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.SB16-079 be amended as follows:

1 Amend printed bill, page 3, line 13, after "(2) (d)" insert "and (3)".

2 Page 4, after line 1 insert:

3 "(3) (a) (I) A SCHOOL DISTRICT OR PUBLIC SCHOOL, INCLUDING A
4 CHARTER SCHOOL, SHALL NOT, WITHOUT THE SPECIFIC WRITTEN CONSENT
5 OF THE PARENT OR LEGAL GUARDIAN OF THE AFFECTED STUDENT, RELEASE
6 OR OTHERWISE PROVIDE A STUDENT'S INDIVIDUAL CAREER AND ACADEMIC
7 PLAN, OR ANY PERSONALLY IDENTIFIABLE DATA, AS DEFINED IN 34 CFR
8 99.3, AS AMENDED, INCLUDED IN THE STUDENT'S INDIVIDUAL CAREER AND
9 ACADEMIC PLAN, TO A PERSON WHO IS NOT AN EMPLOYEE OF THE SCHOOL
10 DISTRICT OR PUBLIC SCHOOL OR TO AN ENTITY THAT IS NOT A PART OF THE
11 SCHOOL DISTRICT OR PUBLIC SCHOOL, INCLUDING BUT NOT LIMITED TO A
12 STATE OR FEDERAL AGENCY OR AN ENTITY WITH WHICH THE SCHOOL
13 DISTRICT OR PUBLIC SCHOOL CONTRACTS.

14 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF
15 THIS PARAGRAPH (a) TO THE CONTRARY, A SCHOOL DISTRICT OR PUBLIC
16 SCHOOL MAY PROVIDE PERSONALLY IDENTIFIABLE DATA THAT IS
17 INCLUDED IN A STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN TO
18 THE DEPARTMENT TO THE EXTENT SPECIFICALLY AUTHORIZED BY
19 STATUTE.

20 (b) EACH SCHOOL DISTRICT AND PUBLIC SCHOOL SHALL PROVIDE
21 TO THE DEPARTMENT ASSURANCES THAT IT HAS PREPARED AND IS
22 MAINTAINING AN INDIVIDUAL CAREER AND EDUCATION PLAN FOR EACH
23 STUDENT ENROLLED IN ONE OF GRADES NINE THROUGH TWELVE IN
24 COMPLIANCE WITH SECTIONS 22-30.5-525 AND 22-32-109 (1) (oo). THE
25 ASSURANCES MUST NOT INCLUDE PERSONALLY IDENTIFIABLE DATA.

26 **SECTION 3.** In Colorado Revised Statutes, 22-30.5-525, **add** (3)
27 as follows:

28 **22-30.5-525. Individual career and academic plans.**

29 (3) (a) (I) AN INSTITUTE CHARTER SCHOOL SHALL NOT, WITHOUT THE
30 SPECIFIC WRITTEN CONSENT OF THE PARENT OR LEGAL GUARDIAN OF THE
31 AFFECTED STUDENT, RELEASE OR OTHERWISE PROVIDE A STUDENT'S
32 INDIVIDUAL CAREER AND ACADEMIC PLAN, OR ANY PERSONALLY
33 IDENTIFIABLE DATA, AS DEFINED IN 34 CFR 99.3, AS AMENDED, INCLUDED
34 IN THE STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN, TO A PERSON
35 WHO IS NOT AN EMPLOYEE OF THE INSTITUTE CHARTER SCHOOL OR TO AN
36 ENTITY THAT IS NOT A PART OF THE INSTITUTE CHARTER SCHOOL,
37 INCLUDING BUT NOT LIMITED TO A STATE OR FEDERAL AGENCY OR AN



1 ENTITY WITH WHICH THE INSTITUTE CHARTER SCHOOL CONTRACTS.
2 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF
3 THIS PARAGRAPH (a) TO THE CONTRARY, AN INSTITUTE CHARTER SCHOOL
4 MAY PROVIDE PERSONALLY IDENTIFIABLE DATA THAT IS INCLUDED IN A
5 STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN TO THE DEPARTMENT
6 TO THE EXTENT SPECIFICALLY AUTHORIZED BY STATUTE.
7 (b) EACH INSTITUTE CHARTER SCHOOL SHALL PROVIDE TO THE
8 DEPARTMENT ASSURANCES THAT IT HAS PREPARED AND IS MAINTAINING
9 AN INDIVIDUAL CAREER AND EDUCATION PLAN FOR EACH STUDENT
10 ENROLLED IN ONE OF GRADES NINE THROUGH TWELVE IN COMPLIANCE
11 WITH THIS SECTION. THE ASSURANCES MUST NOT INCLUDE PERSONALLY
12 IDENTIFIABLE DATA.
13 **SECTION 4.** In Colorado Revised Statutes, 22-32-109, add (1)
14 (oo) (IV) and (1) (oo) (V) as follows:
15 **22-32-109. Board of education - specific duties.** (1) In addition
16 to any other duty required to be performed by law, each board of
17 education shall have and perform the following specific duties:
18 (oo) (IV) (A) A SCHOOL DISTRICT OR A PUBLIC SCHOOL OF A
19 SCHOOL DISTRICT, INCLUDING A CHARTER SCHOOL, SHALL NOT, WITHOUT
20 THE SPECIFIC WRITTEN CONSENT OF THE PARENT OR LEGAL GUARDIAN OF
21 THE AFFECTED STUDENT, RELEASE OR OTHERWISE PROVIDE A STUDENT'S
22 INDIVIDUAL CAREER AND ACADEMIC PLAN, OR ANY PERSONALLY
23 IDENTIFIABLE DATA, AS DEFINED IN 34 CFR 99.3, AS AMENDED, INCLUDED
24 IN THE STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN, TO A PERSON
25 WHO IS NOT AN EMPLOYEE OF THE SCHOOL DISTRICT OR THE PUBLIC
26 SCHOOL OR TO AN ENTITY THAT IS NOT A PART OF THE SCHOOL DISTRICT OR
27 PUBLIC SCHOOL, INCLUDING BUT NOT LIMITED TO A STATE OR FEDERAL
28 AGENCY OR AN ENTITY WITH WHICH THE SCHOOL DISTRICT OR PUBLIC
29 SCHOOL CONTRACTS.
30 (B) NOTWITHSTANDING THE PROVISIONS OF SUB-SUBPARAGRAPH
31 (A) OF THIS SUBPARAGRAPH (IV) TO THE CONTRARY, A SCHOOL DISTRICT
32 OR PUBLIC SCHOOL MAY PROVIDE PERSONALLY IDENTIFIABLE DATA THAT
33 IS INCLUDED IN A STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN TO
34 THE STATE DEPARTMENT OF EDUCATION TO THE EXTENT SPECIFICALLY
35 AUTHORIZED BY STATUTE.
36 (V) EACH SCHOOL DISTRICT AND PUBLIC SCHOOL SHALL PROVIDE
37 TO THE STATE DEPARTMENT OF EDUCATION ASSURANCES THAT IT HAS
38 PREPARED AND IS MAINTAINING AN INDIVIDUAL CAREER AND EDUCATION
39 PLAN FOR EACH STUDENT ENROLLED IN ONE OF GRADES NINE THROUGH
40 TWELVE IN COMPLIANCE WITH THIS PARAGRAPH (oo). THE ASSURANCES
41 MUST NOT INCLUDE PERSONALLY IDENTIFIABLE DATA."

1 Renumber succeeding sections accordingly.

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