

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 24, 2016
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB16-005 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 2 through 24 and substitute:
2 "SECTION 1. In Colorado Revised Statutes, 22-7-1006.3, add
3 (1) (f) as follows:
4 **22-7-1006.3. State assessments - administration - rules.**
5 (1) (f) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (1) TO
6 THE CONTRARY, A LOCAL EDUCATION PROVIDER MAY EXEMPT THE
7 STUDENTS IT ENROLLS IN NINTH GRADE FROM TAKING THE STATE
8 ASSESSMENTS IN ENGLISH LANGUAGE ARTS, MATHEMATICS, SCIENCE, AND
9 SOCIAL STUDIES. A LOCAL EDUCATION PROVIDER THAT EXEMPTS ITS
10 NINTH-GRADE STUDENTS FROM THE STATE ASSESSMENTS SHALL NOTIFY
11 THE DEPARTMENT OF EDUCATION THAT THE DEPARTMENT IS PROHIBITED
12 FROM ADMINISTERING THE STATE ASSESSMENTS TO THE STUDENTS THAT
13 THE LOCAL EDUCATION PROVIDER ENROLLS IN NINTH GRADE.
14 **SECTION 2.** In Colorado Revised Statutes, 22-63-201, add (2)
15 (c) as follows:
16 **22-63-201. Employment - license required - exception.**
17 (2) (c) A RURAL SCHOOL DISTRICT THAT PROHIBITS ADMINISTRATION OF
18 STATE ASSESSMENTS TO NINTH-GRADE STUDENTS AS PROVIDED IN SECTION
19 22-7-1006.3 (1) (f) MAY CONTRACT WITH A PERSON FOR EMPLOYMENT AS
20 A TEACHER REGARDLESS OF WHETHER THE PERSON HOLDS AN INITIAL OR
21 PROFESSIONAL TEACHER'S LICENSE OR AUTHORIZATION ISSUED PURSUANT
22 TO THE PROVISIONS OF ARTICLE 60.5 OF THIS TITLE.
23 **SECTION 3.** In Colorado Revised Statutes, add 22-63-203.7 as
24 follows:

1 **22-63-203.7. Nonprobationary status prohibited.**
2 NOTWITHSTANDING ANY PROVISION OF SECTION 22-9-106, 22-63-202, OR
3 22-63-203 TO THE CONTRARY, A TEACHER WHO IS EMPLOYED BY A LOCAL
4 EDUCATION PROVIDER THAT PROHIBITS ADMINISTRATION OF STATE
5 ASSESSMENTS TO NINTH-GRADE STUDENTS AS PROVIDED IN SECTION
6 22-7-1006.3 (1) (f) SHALL NOT ATTAIN NONPROBATIONARY STATUS IF THE
7 TEACHER HAS PROBATIONARY STATUS AS OF, OR LOSES
8 NONPROBATIONARY STATUS AFTER, THE BEGINNING OF THE SCHOOL YEAR
9 IN WHICH THE LOCAL EDUCATION PROVIDER BEGINS PROHIBITING
10 ADMINISTRATION OF STATE ASSESSMENTS TO NINTH-GRADE STUDENTS.

11 **SECTION 4.** In Colorado Revised Statutes, **amend** 22-63-402 as
12 follows:

13 **22-63-402. Services - disbursements.** (1) ~~No~~ AN order or
14 warrant for the disbursement of school district moneys shall NOT be
15 drawn in favor of ~~any~~ A person for services as a teacher, except for
16 services performed for a junior college district or in an adult education
17 program, unless the person holds a valid teacher's license or authorization
18 from the department of education. ~~Such~~ THE license or authorization shall
19 MUST be duly registered in the administrative office of the school district
20 ~~wherein~~ IN WHICH the services are ~~to be~~ rendered. A teacher shall MUST
21 hold a valid license or authorization during all periods of employment by
22 a school district. A person who performs services as a teacher without
23 possessing a valid teacher's license or authorization shall ~~forfeit~~ FORFEITS
24 all claim to compensation out of school district moneys for the time
25 during which THE PERSON PERFORMS services ~~are performed~~ without the
26 license or authorization.

27 (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF
28 THIS SECTION TO THE CONTRARY, A RURAL SCHOOL DISTRICT, AS
29 IDENTIFIED BY THE DEPARTMENT OF EDUCATION, THAT PROHIBITS
30 ADMINISTRATION OF STATE ASSESSMENTS TO NINTH-GRADE STUDENTS AS
31 PROVIDED IN SECTION 22-7-1006.3 (1) (f) MAY EMPLOY AND PAY A PERSON
32 AS A TEACHER, AND THE PERSON HAS A VALID CLAIM TO COMPENSATION
33 FOR SERVICES RENDERED WHILE EMPLOYED AS A TEACHER, REGARDLESS
34 OF WHETHER THE PERSON HOLDS AN INITIAL OR PROFESSIONAL TEACHER'S
35 LICENSE OR AUTHORIZATION ISSUED PURSUANT TO THE PROVISIONS OF
36 ARTICLE 60.5 OF THIS TITLE."

37 Page 3, strike lines 1 through 21.

38 Renumber succeeding sections accordingly.

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