

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 17-0266.02 Kip Kolkmeier x4510 & Kristen Forrestal x4217 **HOUSE BILL 17-1267**

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Education

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A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY EDUCATIONAL**
102 **AGENCIES TO THE GENERAL ASSEMBLY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses the reporting

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
2nd Reading Unamended
April 19, 2017

HOUSE
3rd Reading Unamended
April 4, 2017

HOUSE
Amended 2nd Reading
April 3, 2017

requirements of educational agencies.

Sections 4, 5, 13, 19, and 24 of the bill repeal reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

Sections 5 and 13 also add a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

Sections 1 through 3, 6 through 12, 14 through 18, and 20 through 23 amend the organic statute to continue indefinitely the reporting requirements notwithstanding section 24-1-136 (11)(a)(I).

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-2-109, **amend**
3 (7)(b) as follows:

4 **22-2-109. State board of education - additional duties - teacher**
5 **standards - principal standards.** (7) (b) NOTWITHSTANDING SECTION
6 24-1-136 (11)(a)(I), the state board shall submit annually to the education
7 committees of the house of representatives and the senate, or any
8 successor committees, a written summary report of the results of the
9 survey conducted pursuant to ~~paragraph (a) of this subsection (7)~~
10 SUBSECTION (7)(a) OF THIS SECTION. In submitting the report, the state
11 board shall ensure that the report for the current year and the preceding
12 year's report, if one exists, are available to the education committees for
13 consideration at the biennial joint meeting held pursuant to section
14 22-60.5-116.5. The state board shall also submit the report annually to the
15 governor, the Colorado commission on higher education, and the
16 institutions of higher education that operate principal preparation
17 programs.

18 **SECTION 2.** In Colorado Revised Statutes, 22-2-110, **amend** (5)
19 as follows:

20 **22-2-110. Commissioner of education - oath - qualifications -**

1 **tenure.** (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the state
2 board shall annually review and evaluate the job performance of the
3 commissioner, as provided in section 22-2-106 (1)(b.5), and report the
4 results of its evaluation to the public and the education committees of the
5 house of representatives and senate, or any successor committees.

6 **SECTION 3.** In Colorado Revised Statutes, 22-2-106, **amend**
7 (1)(b.5) as follows:

8 **22-2-106. State board - duties - rules.** (1) It is the duty of the
9 state board:

10 (b.5) To review and evaluate annually the job performance of the
11 commissioner of education using procedures and criteria determined by
12 the state board. The procedures and criteria shall include, at a minimum,
13 consideration of the comments and opinions of school district
14 superintendents and school board members regarding the commissioner's
15 job performance. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the
16 state board shall report the results of its evaluation to the education
17 committees of the house of representatives and senate, or any successor
18 committees.

19 **SECTION 4.** In Colorado Revised Statutes, 22-7-707, **repeal** (3)
20 as follows:

21 **22-7-707. Reporting requirements - progress reports - final**
22 **reports.** (3) ~~On or before January 15, 2002, and on or before January 15~~
23 ~~each year thereafter, the department shall submit to the governor and the~~
24 ~~board of education in each school district in which a grant recipient is~~
25 ~~located a state report on the teacher development grant program. At such~~
26 ~~times as the report is submitted to the governor, the department shall~~
27 ~~provide notice to the education committees of the senate and the house of~~

1 ~~representatives that the state report is available to the members of the~~
2 ~~committees upon request. The state report shall include the following~~
3 ~~information:~~

4 (a) ~~A list of grant recipients and the year in which each grant was~~
5 ~~awarded;~~

6 (b) ~~A compilation and summary of the progress and final reports~~
7 ~~received pursuant to this section;~~

8 (c) ~~Such additional information concerning the implementation~~
9 ~~and effectiveness of the grant program as may be deemed beneficial by~~
10 ~~the state board, including but not limited to any recommendations for~~
11 ~~changes in the grant program.~~

12 **SECTION 5.** In Colorado Revised Statutes, 22-7-1019, **amend**
13 **(1) and (2) as follows:**

14 **22-7-1019. Preschool to postsecondary and workforce**
15 **readiness - progress reports - effectiveness reports.**

16 (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before
17 February 15, 2009, and on or before February 15 each year thereafter,
18 ~~through 2012~~, the department of education shall submit to the education
19 committees of the senate and the house of representatives, or any
20 successor committees, a report summarizing the actions taken by the state
21 board, the commission, and local education providers in implementing the
22 requirements specified in this part 10. The department may include in the
23 report recommendations, as may be necessary, for legislative changes in
24 the time line for implementation of this part 10.

25 (2) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before
26 February 15, 2014, and on or before February 15 each year thereafter, the
27 department of education shall submit to the education committees of the

1 senate and the house of representatives, or any successor committees, a
2 report concerning the results achieved through implementation of school
3 readiness, the preschool through elementary and secondary education
4 standards, and postsecondary and workforce readiness.

5 **SECTION 6.** In Colorado Revised Statutes, 22-7-1213, **amend**
6 (3)(b) introductory portion as follows:

7 **22-7-1213. Reporting requirements.** (3) (b) NOTWITHSTANDING
8 SECTION 24-1-136 (11)(a)(I), the department shall annually submit to the
9 state board, the governor, the president of the senate, the speaker of the
10 house of representatives, and the education committees of the house of
11 representatives and the senate, or any successor committees, and shall
12 post on the department website a report that summarizes:

13 **SECTION 7.** In Colorado Revised Statutes, 22-10-105, **amend**
14 (2)(b) as follows:

15 **22-10-105. Evaluation of grants - report.**
16 (2) (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the office shall
17 submit the report to the governor's office; the state board; the joint budget
18 committee of the general assembly; the education committees of the
19 senate and the house of representatives, or any successor committees; the
20 business, labor, and technology committee of the senate, or any successor
21 committee; and the business, labor, economic, and workforce
22 development committee of the house of representatives, or any successor
23 committee. The office shall also post the report on the department's
24 website for public viewing.

25 **SECTION 8.** In Colorado Revised Statutes, 22-13-105, **amend**
26 (4) as follows:

27 **22-13-105. School turnaround leader grants - application -**

1 **awards - report.** (4) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I),
2 during the term of the grant, each grant recipient shall annually report to
3 the department the information requested by the department to monitor
4 the effectiveness of the school turnaround leader grants. The department
5 shall analyze and summarize the reports received from grant recipients
6 and annually submit to the state board, the governor, and the education
7 committees of the senate and the house of representatives, or any
8 successor committees, a report of the effectiveness of the school
9 turnaround leader grants awarded pursuant to this section. The department
10 shall also post the annual report on its website.

11 **SECTION 9.** In Colorado Revised Statutes, **amend** 22-28-112 as
12 follows:

13 **22-28-112. Reports to legislative committees.**
14 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), by January 15, 2007,
15 and by January 15 of each year thereafter, the department shall report to
16 the education committees of the senate and house of representatives, or
17 any successor committees, on the effectiveness of the Colorado preschool
18 program. The department is authorized to request from any participating
19 school district such information and data as may be necessary to make
20 such reports.

21 **SECTION 10.** In Colorado Revised Statutes, 22-30.5-113,
22 **amend** (1) as follows:

23 **22-30.5-113. State board - department of education - duties -**
24 **charter schools - evaluation - report.** (1) NOTWITHSTANDING SECTION
25 24-1-136 (11)(a)(I), beginning in the 2004-05 budget year, and at least
26 every three years thereafter, the department shall prepare a report and
27 evaluation for the governor and the house and senate committees on

1 education on the success or failure of charter schools and of institute
2 charter schools authorized pursuant to part 5 of this ~~article~~ ARTICLE 30.5,
3 their relationship to other school reform efforts, and suggested changes
4 in state law necessary to strengthen or change the charter school program
5 described in this ~~article~~ ARTICLE 30.5.

6 **SECTION 11.** In Colorado Revised Statutes, 22-30.5-409,
7 **amend** (2) as follows:

8 **22-30.5-409. Annual reports on bonds issued on behalf of**
9 **charter schools - review by state auditor.** (2) NOTWITHSTANDING
10 SECTION 24-1-136 (11)(a)(I), no later than March 1, 2002, and no later
11 than March 1 each year thereafter, the state auditor shall examine the
12 report submitted in accordance with subsection (1) of this section and,
13 upon completion of such review, shall report any findings regarding said
14 submitted report to the education committees of the senate and the house
15 of representatives, the legislative audit committee, the capital
16 development committee, the joint budget committee, and the department
17 of education.

18 **SECTION 12.** In Colorado Revised Statutes, 22-30.5-513,
19 **amend** (10)(b) as follows:

20 **22-30.5-513. Institute charter schools - definitions - funding -**
21 **at-risk supplemental aid - legislative declaration - repeal.**
22 (10) (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before
23 January 15, 2010, and on or before January 15 each year thereafter, the
24 institute board shall submit to the education committees of the senate and
25 the house of representatives, or any successor committees, the findings of
26 the review described in ~~paragraph (a) of this subsection (10)~~ SUBSECTION
27 (10)(a) OF THIS SECTION and any recommendations for legislative changes

1 regarding the operations of the institute.

2 **SECTION 13.** In Colorado Revised Statutes, 22-30.7-103,
3 **amend** (3)(h) and (3)(h.5) as follows:

4 **22-30.7-103. Division of online learning - created - duties -**
5 **repeal.** (3) **Duties.** The online division shall have the following duties:

6 [REDACTED]
7 (h) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), to prepare
8 a summary report to be submitted on or before February 1, 2009, and on
9 or before June 1, 2014, and on or before June 1 every five years
10 thereafter, to the state board and the education committees of the house
11 of representatives and the senate, or any successor committees;

12 (h.5) (I) On or before June 1, 2015, and on or before June 1 every
13 year thereafter, to prepare a summary report of data related to students
14 who participated in a supplemental online course offered by a nonprofit
15 provider selected pursuant to section 22-5-119 and submit the report to
16 said nonprofit provider and to the department and the education
17 committees of the house of representatives and the senate, or any
18 successor committees.

19 (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
20 (3)(h.5) IS REPEALED, EFFECTIVE JUNE 2, 2018.

21 **SECTION 14.** In Colorado Revised Statutes, 22-32.5-111,
22 **amend** (1) introductory portion as follows:

23 **22-32.5-111. Reporting.** (1) NOTWITHSTANDING SECTION
24 24-1-136 (11)(a)(I), on or before March 1, 2010, and on or before March
25 1 each year thereafter, the commissioner and the state board shall submit
26 to the governor and to the education committees of the senate and the
27 house of representatives, or any successor committees, a report

1 concerning the districts of innovation. At a minimum, the report shall
2 include:

3 **SECTION 15.** In Colorado Revised Statutes, 22-33-205, **amend**
4 (4) as follows:

5 **22-33-205. Services for expelled and at-risk students - grants**
6 **- criteria.** (4) The department of education is authorized to retain up to
7 one percent of any ~~moneys~~ MONEY appropriated for the program for the
8 purpose of annually evaluating the program. The department of education
9 is authorized and encouraged to retain up to an additional two percent of
10 any ~~moneys~~ MONEY appropriated for the program for the purpose of
11 partnering with organizations or agencies that provide services and
12 supports that are designed to reduce the number of truancy cases requiring
13 court involvement and that also reflect the best interests of students and
14 families. The services and supports shall include, but need not be limited
15 to, alternatives to guardian ad litem representation in truancy proceedings.
16 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before January 1,
17 2006, and on or before January 1 each year thereafter, the department of
18 education shall report to the education committees of the house of
19 representatives and the senate, or any successor committees, the
20 evaluation findings on the outcomes and the effectiveness of the program
21 related to school attendance, attachment, and achievement. The report
22 shall also include specific information on the efficacy of services and
23 supports that provide alternatives to court involvement and guardian ad
24 litem representation in truancy proceedings.

25 **SECTION 16.** In Colorado Revised Statutes, **amend** 22-41-107
26 as follows:

27 **22-41-107. Reports.** NOTWITHSTANDING SECTION 24-1-136

1 (11)(a)(I), the public school fund investment board shall submit financial
2 statements on November 1 of each fiscal year to the state treasurer, the
3 state board of land commissioners, the office of state planning and
4 budgeting, the joint budget committee, and the education and finance
5 committees of the senate and house of representatives, or any successor
6 committees.

7 **SECTION 17.** In Colorado Revised Statutes, 22-43.7-111,
8 **amend** (1) introductory portion as follows:

9 **22-43.7-111. Reporting requirements - auditing by state**
10 **auditor.** (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), no later
11 than February 15, 2010, and no later than each February 15 thereafter, the
12 board shall present a written report to the education and finance
13 committees of the house of representatives and the senate and the capital
14 development committee, or any successor committees, regarding the
15 provision of financial assistance to applicants pursuant to this ~~article~~
16 ARTICLE 43.7. The report must include, at a minimum:

17 **SECTION 18.** In Colorado Revised Statutes, 22-54-124, **amend**
18 (3)(b) as follows:

19 **22-54-124. State aid for charter schools - use of state education**
20 **fund money - definitions.** (3) (b) NOTWITHSTANDING SECTION 24-1-136
21 (11)(a)(I), no later than February 1 of each budget year, the department
22 of education shall certify to the education committees of the senate and
23 the house of representatives and the joint budget committee of the general
24 assembly the total number of pupils expected to be enrolled in all
25 qualified charter schools in the state during the next budget year, as
26 derived from reports provided to the department by districts pursuant to
27 section 22-30.5-112 (1) and by institute charter schools pursuant to

1 section 22-30.5-513 (3)(a). For the purposes of any certification made
2 during the 2003-04 budget year and budget years thereafter, a pupil
3 expected to be enrolled in a qualified charter school as defined in
4 ~~sub-subparagraph (B) of subparagraph (I) of paragraph (f.6) of subsection~~
5 ~~(H) SUBSECTION (1)(f.6)(I)(B)~~ of this section shall be counted as one-half
6 of one pupil.

7 **SECTION 19.** In Colorado Revised Statutes, 22-69-106, **amend**
8 (1) introductory portion as follows:

9 **22-69-106. Alternative teacher compensation plan grant**
10 **program - report.** (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I),
11 on or before January 15, 2010, and on or before January 15 each year
12 thereafter, so long as grant moneys were MONEY WAS awarded to at least
13 one school district pursuant to the grant program during the preceding
14 calendar year, the department shall report to the education committees of
15 the house of representatives and the senate, or any successor committees,
16 and to the governor the following information from the preceding
17 calendar year:

18 **SECTION 20.** In Colorado Revised Statutes, 22-80-103, **amend**
19 (7) introductory portion as follows:

20 **22-80-103. Board of trustees - appointments - powers - duties**
21 **- fund created.** (7) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the
22 board of trustees shall transmit, on or before January 1, 2005, and on or
23 before January 1 of each year thereafter, a report to the education
24 committees of the senate and house of representatives that contains the
25 following:

26 **SECTION 21.** In Colorado Revised Statutes, 22-91-105, **amend**
27 (2) as follows:

1 **22-91-105. Reporting.** (2) NOTWITHSTANDING SECTION 24-1-136
2 (11)(a)(I), on or before May 15, 2009, and on or before May 15 each year
3 thereafter, the department shall submit to the education committees of the
4 senate and the house of representatives, or any successor committees, a
5 report that, at a minimum, summarizes the information received by the
6 department pursuant to subsection (1) of this section. The department
7 shall also post the report to its website.

8 **SECTION 22.** In Colorado Revised Statutes, 22-93-103, **amend**
9 (4) introductory portion as follows:

10 **22-93-103. School bullying prevention and education grant**
11 **program - grant process - reports by grant recipients.**

12 (4) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before a date
13 specified by rule of the state board pursuant to section 22-93-104 (1)(d),
14 the department shall submit annually to the state board and to the
15 education committees of the senate and house of representatives, or any
16 successor committees, the following information regarding the
17 administration of the program in the preceding year:

18 **SECTION 23.** In Colorado Revised Statutes, 22-94-103, **amend**
19 (4) as follows:

20 **22-94-103. Annual reports.** (4) NOTWITHSTANDING SECTION
21 24-1-136 (11)(a)(I), the department shall submit an annual report to the
22 office of the governor, the state board of education, and the members of
23 the education committees of the house of representatives and the senate,
24 or any successor committees, summarizing the findings from the two
25 reports submitted to the department pursuant to this section.

26 ■
27 **SECTION 24. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2018 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.