

University of Denver

Digital Commons @ DU

All Publications

Colorado Legislative Council Research
Publications

12-1994

0397 Colorado Commission for Achievement in Education

Colorado Legislative Council

Follow this and additional works at: https://digitalcommons.du.edu/colc_all

Recommended Citation

Colorado Legislative Council, "0397 Colorado Commission for Achievement in Education" (1994). *All Publications*. 405.

https://digitalcommons.du.edu/colc_all/405

This Article is brought to you for free and open access by the Colorado Legislative Council Research Publications at Digital Commons @ DU. It has been accepted for inclusion in All Publications by an authorized administrator of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu, dig-commons@du.edu.



Colorado
Commission
For
Achievement
in Education

Report to the
COLORADO
GENERAL ASSEMBLY

Colorado Legislative Council
Research Publication No. 397
December 1994

REPORT OF THE
COLORADO **C**OMMISSION FOR
ACHIEVEMENT IN **E**DUICATION

Research Publication No. 397

COLORADO GENERAL ASSEMBLY

EXECUTIVE COMMITTEE
Rep. Chuck Berry, Chairman
Sen. Tom Norton, Vice Chairman
Sen. Michael Feeley
Sen. Jeffrey Wells
Rep. Tim Foster
Rep. Samuel Williams



COMMITTEE
Rep. Paul Schauer, Chairman

Sen. Tilman Bishop
Sen. Donald Mares
Sen. Bob Martinez
Sen. Bill Thiebaud
Sen. Ray Powers
Sen. Bill Schroeder
Rep. Jeanne Faetz
Rep. Vi June
Rep. Peggy Kerna
Rep. Carol Snyder
Rep. Pat Sullivan

STAFF
Charles S. Brown, Director
David Hite, Deputy Director
Stanley D. Eofson, Asst. Director

LEGISLATIVE COUNCIL

ROOM 029 STATE CAPITOL
DENVER, COLORADO 80203-1784
(303) 866-3521 FAX: 866-3855 TDD: 866-3472

December 30, 1994

To Members of the Sixtieth Colorado General Assembly, the Governor, the State Board of Education, and the Colorado Commission on Higher Education:

Submitted herewith is the report of the Colorado Commission for Achievement in Education required by Section 22-53-304, C.R.S. The commission was created pursuant to Section 22-53-301, C.R.S. The purpose of the commission is to recommend goals, objectives, and standards for the Colorado program for achievement in education and for Colorado's education and training system to be met by the year 2000.

Respectfully submitted,

A handwritten signature in black ink that reads "Pat Sullivan".

/s/ Representative Pat Sullivan, Chair
Colorado Commission for Achievement
in Education

PS/eg

TABLE OF CONTENTS

| | PAGE |
|--|-------------|
| LETTER OF TRANSMITTAL | iii |
| TABLE OF CONTENTS | v |
| LIST OF BILLS | vii |
| MEMBERS OF THE COMMISSION | ix |
| EXECUTIVE SUMMARY | xi |
| Commission Charge | xi |
| Commission Activities | xi |
| Commission Recommendations | xi |
| COMMISSION REPORT | 1 |
| Background | 1 |
| Commission Charges | 1 |
| COMMISSION ACTIVITIES AND RECOMMENDATIONS | 5 |
| Standards-Based Education System | 5 |
| Content Standards | 5 |
| Updates on Implementing a System of Standards-Based Education | 6 |
| Preparing Educators for Standards-Based Education | 6 |
| Breaking Down Barriers to Reform | 7 |
| School District Budget Format and Data Collection | 8 |
| Task Force Reports | 8 |
| TASK FORCE RECOMMENDATIONS | 9 |
| Task Force on Linkages and Networking Colleges and Schools | 9 |

LIST OF BILLS

| | | PAGE |
|----------|---|-------------|
| Bill 1 — | Concerning Implementation of Content Standards in the Second Priority Subject Matter Areas | 11 |
| Bill 2 — | Concerning the Authority of Governing Boards of institutions of Higher Education to Determine the Amount of Money Paid to Contracting Boards of Education for the Services of Public School Personnel who Supervise Student Teachers | 13 |
| Bill 3 — | Concerning the Granting of Waivers of Statutory Requirements Applicable to School Districts | 15 |

**COLORADO COMMISSION FOR
ACHIEVEMENT IN EDUCATION**

Members of the Commission

| | |
|--|---|
| Representative Pat Sullivan Chair | Senator Al Meiklejohn Vice-chair |
| Senator Don Mares | Representative Chuck Berry |
| Senator Tom Norton | Representative Ruth Wright |
| Ms. Beverly Ausfahl | Dr. William Randall |
| Dr. Alexander Bracken | Governor Roy Romer |
| Dr. Mike Massarotti | Dr. Albert Yates |
| Dr. Dwayne Nuzum | |

Legislative Council Staff

| | |
|---|---|
| Neil Krauss Research Assistant | Deb Godshall Principal Analyst |
|---|---|

Office of Legislative Legal Services

Julie Pelegrin
Staff Attorney

EXECUTIVE SUMMARY

The Colorado Commission for Achievement in Education recommends three bills for consideration by the Legislative Council.

Commission Charge

The general charge to the commission is to recommend goals, objectives, and standards for the Colorado program for achievement in education and for a state education and training system to be met by the year 2000.

Commission Activities

The commission held monthly public meetings and had discussions which drew upon expert testimony, comments from representatives of school districts and the general public, and staff research to address the specific provisions in its charge.

Commission Recommendations

Bill 1 — Second Priority Subject Areas. Bill 1 clarifies issues regarding model content standards and assessments in the second priority subject areas. The bill states that a school district need only adopt content standards in those second priority areas in which it offers classes and only assess students in those areas at the appropriate grade levels. Further, the state assessment program need only assess students in second priority areas in school districts that offer classes in the second priority areas and in appropriate grade levels.

Bill 2 — Compensating Supervisory Teachers. Bill 2 removes the cap of \$75 per quarter that higher education governing boards may pay to contracting local boards of education for the services of public school personnel who supervise student teachers. With the elimination of the monetary cap, the bill allows the governing boards to set the dollar amount.

Bill 3 — Streamlining the Waiver Process. Bill 3 concerns the process by which statutory requirements are waived for school districts. This bill revises Section 22-2-117, C.R.S., by eliminating the requirement that the accountability committee, administrators, and teachers concur on the waiver request; requiring the State Board of Education to hold a public hearing before granting a waiver; expanding the period for a school district waiver from two to five years; and requiring applications for renewals to be accompanied by an evaluation of the benefits of the waiver.

COMMISSION REPORT

Background

House Bill 91S2-1002, created the Colorado Achievement "COACH" Commission, now known as the Colorado Commission for Achievement in Education (CCAIE). The commission holds monthly meetings, and this is the second annual report.¹

The commission is comprised of 11 voting members, plus the Executive Director of the Colorado Commission on Higher Education (CCHIE) and the Commissioner of Education serving as ex officio nonvoting members. The number of voting members and corresponding appointing authorities are:

| Senate President | Senate Minority Leader | House Speaker | House Minority Leader | Governor |
|------------------|------------------------|---------------|-----------------------|----------|
| 2 | 1 | 2 | 1 | 5 |

The commission membership must have representation from the African-American and Hispanic communities. Appointments by House and Senate leadership must be members of the House or Senate, respectively. The Governor's appointments must include one teacher and one school administrator. The Governor must also give consideration to school district directors, representatives of the business community, and public school parents when making other appointments. In lieu of one of the Governor's appointments, the Governor may be a member of the commission.

Commission Charges

The general charge to the commission, as set forth in the enabling legislation, states the following:

the commission must recommend goals, objectives, and standards for the Colorado program for achievement in education and for a state education and training system to be met by the year 2000 (Section 22-53-302, C.R.S.).

The enabling legislation enumerates several other charges to the commission which are assigned primary or secondary consideration. In addition, the commission has been charged with duties through legislation passed during the 1993 and 1994 legislative sessions. Following is a comprehensive list of charges to the commission.

1. The initial final report for the Colorado Commission for Achievement in Education, Colorado Legislative Council Research Publication No. 389, was published in December 1993.

Charges to the Commission (22-53-302, C.R.S.). The commission must give primary consideration to recommending goals, objectives, and standards for the following:

- the Colorado program for achievement in public schools relating to the assessment of student achievement in public schools;
- a graduated system of educational achievement standards reflecting basic, superior, and worldwide expectations;
- a system of rewards; imposed policies, procedures, and processes for improvement; and sanctions related to student achievement outcomes;
- early childhood education; and
- K-12 education, including goals, objectives, and standards addressing the dropout rate and the involvement of parents and businesses in educating and training students.

The commission must give secondary consideration to recommending goals, objectives, and standards for the following:

- education at state-supported postsecondary institutions;
- adult literacy and basic skills education;
- continuing education and work force training for adults; and
- vocational education and training for secondary school students and adults.

In addition, the commission must develop recommendations regarding the following study areas:

- basic reforms in the state's educational system necessary to achieve the goals, objectives, and standards of the Colorado program for achievement in education;
- changes in the organization of education and training providers that are necessary to meet stated goals, objectives, and standards and to achieve a unified state education and training system;
- amendments to the Public School Finance Act of 1994;
- reorganization of school districts, including changes to the School District Organization Act of 1992 and any other barriers, statutory or otherwise, to the reorganization of school districts;

- changes in teacher preparation course requirements and practices pertaining to teacher employment, including an examination of the challenge of teaching to meet student needs in a changing society;
- utilization of and possible modifications to any existing system for educational accountability or educational achievement in order to achieve the goals and objectives of the Colorado program for achievement in education; and
- effects of education-related social and environmental conditions on educational achievement.

Charges in Other Legislation. During the 1993 and 1994 legislative sessions, two bills were enacted prescribing additional responsibilities for the commission: House Bill 93-1320 and House Bill 94-1356.

House Bill 93-1320. The commission is required, in consultation with the Financial Policies and Procedures Advisory Committee, to advise the State Board of Education in the development of the format for school district budget reports.

House Bill 94-1356, Footnote 27A. The Colorado Commission on Higher Education (CCHE) is directed to report to the Colorado Commission for Achievement in Education and the Joint Budget Committee on the use of fees for academic support; the use of fees to supplant lost tuition revenue; justification for fees; purposes of fees; and a breakdown of fees by type and category over the last five years. CCHE submitted the Footnote 27A report to commission members and will be discussed at a commission meeting during the 1995 legislative session.

COMMISSION ACTIVITIES AND RECOMMENDATIONS

The commission's primary activity during 1994 was oversight of implementation of the state's standards-based education system. The commission recommends legislation to the 1995 General Assembly clarifying issues regarding standards. Second, the commission has worked closely with experts outside and within the Colorado Department of Education (CDE) on removing barriers to reform and clarifying information in the school district budget. The commission also has continued to follow the work of various task forces it has appointed.

Standards-Based Education System

Throughout 1994, the commission discussed the standards-based education system with experts, educators, various CDE personnel and members of the Standards and Assessment Development and Implementation (SADI) Council. The discussions focused on three main areas: content standards, plans for implementation and educator preparation.

Content Standards

During the interim, the commission clarified a number of issues regarding first and second priority subject areas. Specifically, the commission determined that speaking and listening skills could be included within the first priority subject area of reading and writing skills without further legislation, because the former skills were necessary for the latter to occur. Members of the SADI Council also requested clarification on issues related to foreign languages as a second priority subject area. SADI raised a concern that some schools do not teach foreign languages and that different schools might choose to teach different languages at various levels. Although the SADI Council raised these issues in the context of foreign languages, two issues — the necessity to adopt content standards and assess students if subjects are not taught and the question of appropriate grade levels for assessment — apply to the entire scope of second priority subject areas. The result of the discussions on second priority subject areas is **Bill 1**.

Bill 1 clarifies issues regarding model content standards and assessments in the second priority subject areas.² The bill states that a school district need only adopt

2. The second priority subject areas are art, music, physical education, foreign languages and civics. The first priority subject areas are reading, writing, mathematics, science, history and geography. House Bill 93-1313 required the state to develop model content standards in each of these areas.

content standards in those second priority areas in which it offers classes and only assess students in those areas at the appropriate grade levels. Further, the state assessment program need only assess students in second priority areas in school districts that offer classes in the second priority areas and in appropriate grade levels.

The commission also heard testimony from groups concerned about integrating standards within the social studies areas of history, geography, civics and economics. The Colorado Council on Economic Education also requested that economics be included as a second priority area. The commission is not recommending a bill to add economics as a second priority subject area because the commission expects such a bill to be introduced in the 1995 legislative session.

Updates on Implementing a System of Standards-Based Education

Throughout the year, the chairs of the SADI Council updated the commission on drafts of the model content standards and on the response from educators and community leaders around the state to the standards. The commission also received updates from the CDE Standards Priority team assigned to prepare for the implementation of standards-based education. These updates included reports from the following nine task forces, which address different components of standards implementation: Standards, Curriculum and Instruction; Professional Development; Special Needs; Assessment; Resource Bank; Public Information; Accountability; Linkages; and Leadership. In December, the SADI Council discussed with the commission the third draft of the state model content standards and final plans for adoption of standards by the State Board of Education scheduled for April 1, 1995.

Preparing Educators for Standards-Based Education

The commission discussed how the new system of educator licensure (House Bill 91-1005) would mesh with standards-based education. Representatives from the Teacher and Special Service Providers and Principal and Administrator Professional Standards Boards reviewed how standards for licensure will incorporate preparation for standards-based education. The board representatives indicated, however, that the evaluation process for licensure would need to change once a system of standards-based education is implemented.

The CDE Task Force on Professional Development discussed its work on developing a statewide professional development plan for student standards and assessments with the Colorado Governor's Office, the Colorado Boards of Cooperative Educational Services (BOCES) Association and CONNECT (Colorado's Statewide Systemic Initiative on Science, Mathematics and Engineering). Deans from the Schools of Education at the University of Colorado at Boulder, the University of Colorado at Denver and the University of Northern Colorado discussed their programs' plans for

preparing new teachers to teach model content standards. The University of Northern Colorado and CU-Denver have begun contracting with school districts to prepare educators for the transition to standards-based education.

School districts also have been preparing teachers by revising their training programs to respond to standards-based education. Representatives from small and large districts discussed partnerships with outreach programs from universities, BOCES and other districts that are designed to prepare educators for standards and assessments.

Breaking Down Barriers to Reform

In June, the non-profit education policy group Agenda 21 requested InSites and the National Center for Higher Education Management Systems (NCHEMS) to conduct policy reviews on the status of K-12 education in Colorado. NCHEMS and InSites reported their results to the commission, and Agenda 21 responded by convening two discussion groups on state policy. After those discussions, Agenda 21 made a series of recommendations to CCAE, including the following:

- the process by which school districts obtain waivers from statutory requirements be eased;
- technical assistance be provided to groups which want to form charter schools for at-risk students; and
- the statutory cap of \$75 for teachers who supervise student teachers be eliminated.

The commission held a separate discussion with CDE regarding the process by which both charter schools and school districts obtain waivers from statutory requirements. Bills B and C were the result of discussions held by Agenda 21 and CCAE.

Bill 2 arose from an effort to ensure that student teachers were provided with good supervisory mentors. The \$75 cap in Section 22-62-104, C.R.S., was written into law in 1974, and in order for school districts to attract high quality teachers to supervise, Agenda 21 suggested removing the cap altogether. With the elimination of the monetary cap, the bill allows the governing boards of institutions of higher education to set the dollar amount they will pay to local school districts.

Regarding Bill 3, testimony suggested that Section 22-2-117, C.R.S., be revised to loosen the requirements for concurrence on waivers at the local district level, because within the current system, any waiver request can be quashed by a small group of affected teachers. Thus, the concurrence requirement is a barrier to reform.

Bill 3 revises the process by which statutory requirements are waived for school districts in four significant ways. First, concurrence for a waiver request will no longer be required at the district level by a majority of the appropriate accountability committee, a majority of the affected certified administrators and a majority of the teachers of the affected school or district. Instead, those three groups must be notified of the waiver request, and the local school board must consider comments received from all parties on the request. Second, while the State Board of Education has the final authority, it must hold a public hearing prior to granting any waiver. Third, a waiver may be granted to a school district for up to five years, instead of the current law limitation of two years. Fourth, each application for renewal must be accompanied by an evaluation of the benefits of the waiver and the continued necessity for granting the waiver. The renewal may also be granted for five years, instead of two.

School District Budget Format and Data Collection

The commission has continued its work of advising the Financial Policies and Procedures Advisory Committee (FPP) on the development of a school district budget format. The commission clarified several issues for the FPP regarding the difficulty of comparing statistics for schools consisting of different grade levels. The FPP presented a sample budget format, which the commission agreed was a good effort at allowing the average citizen to understand how district money was spent at the school level.

The commission initiated House Bill 94-1213 to require the State Board of Education to establish and implement by July 1, 1998, a statewide electronic school district data collection system based on a redesigned chart of accounts. An update on this effort revealed that CDE contracted with CTMG, a private consultant, to prioritize school district data needs. The commission discussed its requirements and needs in a system of data collection with the consultant.

Task Force Reports

Pursuant to Section 22-53-303, the commission reestablished two task forces: the Task Force on Linkages and Networking Colleges and Schools (LINCS) and the Task Force on Community, Parental and Business Involvement in Education. A summary of the most recent task force report of LINCS follows.

TASK FORCE RECOMMENDATIONS

In the spring and winter of 1994, two CCAE task forces were reestablished and reported to the commission. Following is a summary of the recommendations of each task force.

Task Force on Linkages and Networking Colleges and Schools (LINCS)

Charges. The commission reestablished the task force to examine ways to build foundations for a "seamless" education system from the point of view of students, teachers, parents, community members, and businesses. The task force identified the following linkages to be addressed:

- K-12/Higher Education academic disciplines/courses
- High school graduation/college entrance requirements
- Professional development: K-16
- Standards and Assessment (House Bill 93-1313)
- School-to-work transitions: K-16
- Alternative delivery systems (telecommunications)
- All funding sources targeting these linkages

Goal and objectives. The LINCS task force adopted the following goal and objectives.

Goal: Students who are prepared to succeed in higher education

Objectives:

- To identify and recommend ways to link K-12 standards to higher education entrance requirements so that the high school preparation and college entrance standards are consistent, i.e. a seamless transition;
- Identify conditions and make recommendations regarding policy, information, and communications practices that maximize desired relationships between the two sectors of the education system and among the sectors with the larger community and business and industry; and
- Identify and recommend ways to support mechanisms for professional development for higher education faculty regarding content standards and related pedagogy.

A BILL FOR AN ACT

101 CONCERNING IMPLEMENTATION OF CONTENT STANDARDS IN THE
102 SECOND PRIORITY SUBJECT MATTER AREAS.
103

Unofficial Short Title:

"Clarification on Content Standards"

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Colorado Commission for Achievement in Education. Clarifies that a school district need only adopt content standards in those second priority subject areas in which it offers classes and need only assess students in second priority subject areas at the appropriate grade levels. Specifies that the state assessment program need only assess students in the second priority areas in those school districts that offer classes in those areas and at the appropriate grade levels.

- 11 -

Bill 1

1
2 *Be it enacted by the General Assembly of the State of Colorado:*
3 **SECTION 1.** 22-53-407 (1), Colorado Revised Statutes,
4 1988 Repl. Vol., as amended, is amended to read:
5 **22-53-407.** Adoption of content standards by districts.
6 (1) In accordance with timelines adopted by the board pursuant

1 to section 22-53-406 (2), but not later than January 1, 1997, each
2 district shall adopt first priority content standards in the areas of
3 reading, writing, mathematics, science, history, and geography
4 which meet or exceed the state model content standards adopted
5 pursuant to section 22-53-406 (1). In accordance with timelines
6 adopted by the state board, ~~districts shall also adopt second~~
7 ~~priority content standards~~ ANY DISTRICT WHICH OFFERS CLASSES
8 in the SECOND PRIORITY areas of art, music, physical education,
9 foreign languages, and civics SHALL ALSO ADOPT CONTENT
10 STANDARDS FOR THOSE AREAS THAT MEET OR EXCEED THE STATE
11 MODEL CONTENT STANDARDS ADOPTED PURSUANT TO SECTION
12 22-53-406 (1). Content standards may be adopted for each grade
13 level or may be adopted for groupings of grade levels. In
14 adopting content standards, each district shall seek input from and
15 shall work in cooperation with educators, parents, students,
16 business persons, members of the general community who are
17 representative of the cultural diversity of the district, and the
18 district's advisory accountability committee created pursuant to
19 section 22-7-104.
20 **SECTION 2.** 22-53-409 (1) (a) and (3), Colorado
21 Revised Statutes, 1988 Repl. Vol., as amended, are amended to
22 read:
23 **22-53-409.** Assessments. (1) (a) Effective September
24 1, 1996, the department shall implement a Colorado student
25 assessment program under which it shall administer statewide
26 assessments, adopted by the board pursuant to section 22-53-406,
27 in the first priority areas of reading, writing, mathematics,

1 science, history, and geography on a stratified, random sampling
 2 basis to provide accurate and detailed information to the people
 3 of Colorado on student academic achievement and to corroborate
 4 the quality of the results provided by district assessments.
 5 Following adoption of state model content standards in the second
 6 priority areas of art, music, physical education, foreign
 7 languages, and civics, such areas shall be included in the
 8 Colorado student assessment program; EXCEPT THAT ONLY THOSE
 9 DISTRICTS THAT OFFER CLASSES IN THE SECOND PRIORITY AREAS
 10 SHALL BE INCLUDED IN THE ASSESSMENT PROGRAM. Such
 11 statewide assessments shall be administered in grades four, eight,
 12 and ten; EXCEPT THAT ASSESSMENTS IN THE SECOND PRIORITY
 13 AREAS SHALL ONLY BE ADMINISTERED TO THE GRADE LEVELS AT
 14 WHICH A DISTRICT OFFERS CLASSES IN SUCH AREAS. The
 15 timetable for administering such assessments shall be established
 16 by the board. The initial statewide assessment shall be
 17 considered a baseline assessment.

18 (3) In accordance with timelines adopted by the board
 19 pursuant to section 22-53-406 (2), but not later than January 1,
 20 1998, each district shall administer assessments adopted pursuant
 21 to the district plan required under section 22-53-407 (2) in the
 22 first priority areas of reading, writing, mathematics, science,
 23 history, and geography to students at the fourth, eighth, and tenth
 24 grade levels. Following adoption of content standards in ANY OF
 25 the second priority areas of art, music, physical education,
 26 foreign languages, and civics, such areas shall be included in the
 27 district assessments at the fourth, eighth, and tenth grade levels

1 TO THE EXTENT THE DISTRICT OFFERS CLASSES IN THE SECOND
 2 PRIORITY AREAS AT SUCH GRADE LEVELS. Results of such
 3 assessments shall be reported to the department pursuant to
 4 paragraph (b) of subsection (4) of this section. Nothing in this
 5 subsection (3) shall prevent districts from administering
 6 assessments at levels other than the fourth, eighth, and tenth
 7 grade levels.

8 SECTION 3. Safety clause. The general assembly
 9 hereby finds, determines, and declares that this act is necessary
 10 for the immediate preservation of the public peace, health, and
 11 safety.

LLS NO. 95-0176.01D HMB HOUSE BILL 95-
BY REPRESENTATIVE Sullivan

A BILL FOR AN ACT

101 CONCERNING THE AUTHORITY OF GOVERNING BOARDS OF
102 INSTITUTIONS OF HIGHER EDUCATION TO DETERMINE THE
103 AMOUNT OF MONEY PAID TO CONTRACTING BOARDS OF
104 EDUCATION FOR THE SERVICES OF PUBLIC SCHOOL
105 PERSONNEL WHO SUPERVISE STUDENT TEACHERS.

Unofficial Short Title:

"Payments to Student Teacher Supervisors "

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Colorado Commission for Achievement in Education. Removes the authorized dollar amount to be paid to contracting boards of education for the services of public school personnel who supervise student teachers. Authorizes the governing boards of state colleges and universities to set the dollar amount.

1 22-62-104. Payment of cost from public funds.
2 The respective governing boards of state colleges and
3 universities are authorized to pay the contracting boards of
4 education for the services of public school personnel in an amount
5 ~~not to exceed seventy-five dollars per full-time student-teacher per~~
6 ~~academic quarter, or an amount equivalent thereto DETERMINED~~
7 BY THE RESPECTIVE GOVERNING BOARDS.

8 (2) Each school district may, by mutual consent of the
9 parties to the agreement, provide compensation to student
10 teachers.

11 SECTION 2. Safety clause. The general assembly
12 hereby finds, determines, and declares that this act is necessary
13 for the immediate preservation of the public peace, health, and
14 safety.

1 Be it enacted by the General Assembly of the State of Colorado:
2 SECTION 1. 22-62-104, Colorado Revised Statutes,
3 1988 Repl. Vol., is amended to read:

Colorado Commission for Achievement in Education

A BILL FOR AN ACT

101 CONCERNING THE GRANTING OF WAIVERS OF STATUTORY
102 REQUIREMENTS APPLICABLE TO SCHOOL DISTRICTS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Colorado Commission for Achievement in Education.
Repeals the requirement that a local board seek concurrence for waiver requests and substitutes the requirement that the board seek comments prior to determining whether to proceed with a waiver request. Requires the state board of education to hold a public hearing prior to granting a waiver.

Changes the maximum term of waivers from two years to five years.

Requires school districts to submit an evaluation of the benefits and continued necessity of the waiver with each renewal application.

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

2 **SECTION 1.** 22-2-117 (1) and (2), Colorado Revised
3 Statutes, 1988 Repl. Vol., as amended, are amended to read:

4 **22-2-117. Additional power - state board - waiver of**
5 **requirements - procedure for filing - revocation or**
6 **modification of waiver - repeal.** (1) (a) ~~Upon application of the~~
7 ~~board of education of any school district, a majority of the~~
8 ~~appropriate accountability committee, a majority of the affected~~

1 ~~certified administrators, and a majority of the teachers of the~~
2 ~~affected school or district concurring therein, the state board may~~
3 ~~waive any requirements imposed by this title~~ THE BOARD OF
4 EDUCATION OF ANY SCHOOL DISTRICT MAY SUBMIT AN
5 APPLICATION TO THE STATE BOARD REQUESTING A WAIVER OF ANY
6 REQUIREMENTS IMPOSED BY THIS TITLE. PRIOR TO FILING AN
7 APPLICATION PURSUANT TO THIS SECTION, THE REQUESTING
8 BOARD OF EDUCATION SHALL NOTIFY THE APPROPRIATE
9 ACCOUNTABILITY COMMITTEE, THE AFFECTED CERTIFIED
10 ADMINISTRATORS, AND THE TEACHERS OF THE AFFECTED SCHOOL
11 OR DISTRICT OF THE PROPOSED APPLICATION FOR WAIVER. THE
12 NOTICE SHALL LIST THE SPECIFIC REQUIREMENTS THAT ARE THE
13 SUBJECT OF THE PROPOSED APPLICATION AND THE PERIOD OF
14 TIME, NOT LESS THAN TWENTY DAYS, DURING WHICH THE
15 REQUESTING BOARD OF EDUCATION SHALL RECEIVE COMMENTS ON
16 THE PROPOSED APPLICATION. IN DETERMINING WHETHER TO
17 PROCEED WITH THE APPLICATION, THE REQUESTING BOARD OF
18 EDUCATION SHALL CONSIDER ALL COMMENTS RECEIVED.

19 (b) THE STATE BOARD MAY WAIVE ANY REQUIREMENTS
20 IMPOSED BY THIS TITLE UPON APPLICATION OF THE BOARD OF
21 EDUCATION OF ANY SCHOOL DISTRICT SUBMITTED PURSUANT TO
22 PARAGRAPH (a) OF THIS SUBSECTION (1). PRIOR TO GRANTING THE
23 WAIVER, THE STATE BOARD SHALL GIVE REASONABLE PUBLIC
24 NOTICE, HOLD A PUBLIC HEARING, AND MAKE FINDINGS. ANY
25 WAIVER GRANTED PURSUANT TO THIS SECTION SHALL BE SUBJECT
26 TO STANDARDS PROVIDING FOR EDUCATIONAL ACHIEVEMENT AND
27 ENHANCEMENT OF EDUCATIONAL OPPORTUNITY, GIVING DUE REGARD TO THE

1 costs of providing such services or by rule and regulation
2 promulgated by the state board for such school district, or portion
3 thereof, which, in its discretion, it deems necessary to accomplish
4 the purposes of sections 22-53-203 to 22-53-208 relating to
5 educational achievement. The burden of proof shall be on such
6 school district to demonstrate that the waiver requested, if
7 granted, would result in the accomplishment of the purposes of
8 said sections.

9 (2) Any waiver ~~made~~ GRANTED pursuant to the
10 provisions of this section shall be for a period not to exceed ~~two~~
11 FIVE years; except that, if the waiver is ~~made~~ GRANTED in
12 connection with a charter school application pursuant to section
13 22-30.5-104 (6), the waiver shall be for a period equal to the
14 term of the charter. Any waiver ~~made~~ GRANTED in connection
15 with a charter school application shall be subject to review every
16 two years and may be revoked if such waiver is deemed no
17 longer necessary by the state board. A waiver may be renewed
18 by the state board upon application of the board of education of
19 any school district. ~~a majority of the appropriate accountability~~
20 ~~committee, a majority of the affected certified administrators, and~~
21 ~~a majority of the teachers of the affected school or district~~
22 ~~concurring therein.~~ EACH APPLICATION FOR RENEWAL SHALL BE
23 ACCOMPANIED BY AN EVALUATION OF THE BENEFITS OF THE
24 WAIVER AND THE CONTINUED NECESSITY FOR GRANTING RENEWAL
25 OF THE WAIVER. Such renewal shall be for a period not to exceed
26 ~~two~~ FIVE years; except that, if a renewal is granted in connection
27 with a charter pursuant to section 22-30.5-104 (6), such renewal

1 shall be for a period equal to the term of the charter. A waiver
2 renewal that is granted in connection with a charter shall be
3 subject to review every two years and may be revoked if such
4 waiver is deemed no longer necessary by the state board. A
5 waiver may be renewed more than one time.

6 SECTION 2. Safety clause. The general assembly
7 hereby finds, determines, and declares that this act is necessary
8 for the immediate preservation of the public peace, health, and
9 safety.