

## 2009 CEA BILL SUMMARY

### KEY:

CEA Positions: S = Support; O = Oppose; T = Track/Monitor (do not oppose or support)

PI = Postponed indefinitely or defeated LOST = Defeated on the House or Senate floor

LAW = Signed into law by the Governor VETO = Vetoed by the Governor

ADOPTED = Adopted by both houses of the Legislature (applies to resolutions)

NO ACTION = Bill did not receive final action by the Legislature

SB = Senate Bill; SJR = Senate Joint Resolution (not a bill)

HB = House Bill; HJR = House Joint Resolution (not a bill)

SBE = State Board of Education; CDE = Colorado Department of Education; CCHE = Colorado Commission on Higher Education; CSI = Charter School Institute (statewide chartering authority)

### This document is chronological by bill number

Bill number - Bill sponsors - Bill title – Bill’s committee assignment - CEA position

Bill description

Rationale for CEA Support or Oppose positions

Action: Most recent status in the legislative process

Note: A bill without a CEA Position (Support, Oppose, Track) means that CEA has not yet taken a position.

## SENATE BILLS - AS OF MAY 18, 2009

### NEW LAWS:

#### **LAW - SB 32 – Groff, Marostica – UNC Education Innovation Institute – Education – S**

Creates the Education Innovation Institute within the University of Northern Colorado and requires the university to administer it for the purpose of studying/modeling innovations in education; analyzing problems in education and studying solutions; identifying key issues and setting research priorities in consultation with education experts, business, public officials, and Gov. Ritter’s P-20 Council; has no appropriation (gifts and grants only); AMENDED: added another purpose - identifying innovative uses of existing school facilities for P-20 collaboration

Rationale: The institute’s work may benefit public education statewide.

Status: Signed into law 3-18-09

#### **LAW - SB 33 – Sandoval – Early Childhood Education Services Free Lunch – Education – S**

Adds to list of students who qualify for free lunch under federal school lunch program any child enrolled in a state-subsidized early childhood education program operated by a public school and who is already also eligible for reduced-cost lunches

Rationale: The change would guarantee these youngsters a healthy lunch as part of their school day and assist their families financially.

Status: Signed into law 3-25-09

#### **LAW - SB 62 – B. Shaffer – Veterans’ Teaching Incentives – Education – S**

Modifies the criteria that the Dept. of Higher Education uses in awarding grants to higher ed institutions under the Teach Colorado grant initiative to include scholarship programs designed to assist veterans in entering the teaching profession; AMENDED:

Rationale: More students will be able to access scholarships to become teachers.

Status: Signed into law 4-30-09

#### **LAW - SB 66 – Tochtrop, Primavera – PERA & State Defined Contribution Plan – Finance – S**

Merges the state public officials' and employees' defined contribution plan into the PERA defined contribution plan

Rationale: We believe it is appropriate that PERA manage the state employee DC plan.

Status: Signed into law 3-31-09

#### **LAW - SB 86 – Tapia, Marostica – CSU Global Campus – Education – T**

Creates an online university to be known as CSU Global Campus and authorizes CSU to apply moderately selective admission standards and offer both Bachelor’s and Master’s degrees

Status: Signed into law 3-18-09

*May 18, 2009*

**LAW - SB 185 – Keller, Pommer – Supplemental Appropriation K-12 – Appropriations – T**

Eliminates some programs with CDE and transfers \$32.6M in categorical spending from the General Fund to the State Education Fund

Status: Signed into law 3-18-09

**LAW - SB 188 – Keller, Pommer – Supplemental Appropriation Higher Ed – Appropriations – T**

Cuts \$30M in higher education funding (11-14%) and eliminates needs-based financial aid for graduate students

Status: Signed into law 3-12-09

**LAW - SB 213 – Tapia, Pommer – Repeal Appropriation/Teacher Compensation Program – T**

Allows the General Assembly to determine annually whether to appropriate moneys for the alternative teacher pay plan grant program; repeals the FY 08-09 appropriation of \$1 million

Status: Signed into law 2-26-09

**LAW - SB 214 – Tapia, Pommer – Repeal Appropriation for Teacher Recruitment – T**

Repeals the FY 08-09 appropriation of \$1.1M for the NBCT stipends and pushes them ahead to FY 09-10 as a new expenditure (money already spent for the biennial Teaching and Learning Conditions survey in Spring 2009)

Status: Signed into law 3-18-09

**LAW - SB 215 – Keller, Pommer – Public School Finance Appropriations – T**

For FY 08-09 reduces the statewide base per pupil funding; eliminates from the statewide base per pupil funding an additional \$19.72 per pupil that is not constitutionally required to be included in the base funding; reduces the appropriation for charter school capital construction from \$10M to \$6.5M , and specifies that \$135,000 of this appropriation shall be distributed to the Charter School for the Deaf and Blind; eliminates \$34.5M for full-day kindergarten capital construction; delays for one year the requirement that CDE contract with a private entity to conduct a study to evaluate how declining pupil enrollment in school districts statewide impacts the students that remain in declining enrollment districts, and delays for one year the reporting requirement in connection with this study; AMENDED:

Status: Signed into law 4-17-09

**LAW - SB 230 – Spence, May – Charter School Food Authority – Education –**

Requires a school board to allow a district charter school to transfer the maintenance, supervision, and operation of the charter school's food-service facility from the district to a school food authority or agree to provide food services to the charter school; AMENDED: Expanded the definition of a school food authority to include a school district and the State Charter School Institute (CSI); limited the bill to four schools

Status: Signed into law 5-4-09

**LAW - SB 237 – Lundberg, Acree – Grounds for Mandatory Expulsion – Judiciary – T**

Changes current law to permit, rather than require, a district to suspend or expel a student for brandishing an artificial firearm; permits a district to suspend a student while determining whether the student's conduct could be grounds for suspension or expulsion; AMENDED:

Status: Signed into law 4-21-09

**SENT TO THE GOVERNOR FOR SIGNATURE:****SB 22 – Bacon, Solano – State Land Board Investment/Development – Finance – S**

Increases the amount of payments generated from public school lands (beginning in FY 09-10) that is credited to the State Land Board's investment and development fund from \$1 million to up to \$5 million; eliminates the repeal of the investment and development fund; ~~authorizes the State Land Board, to allow a portion of state or school lands to be incorporated, annexed, or included within a county, municipality, or other local government entity and to take any actions necessary to accomplish incorporation, annexation, or inclusion, including granting rights of way or dedications to a local government entity;~~ AMENDED:

Payments will be phased in over time

Rationale: The bill will increase K-12 funding.

Status: Sent to the Governor

**SB 88 – Veiga, Ferrandino – State Domestic Partner Benefits – Business, Labor & Technology – S**

Adds a state employee's domestic partner to the list of dependents eligible for coverage under state employee group benefit plans issued/renewed on or after July 1, 2010

Rationale: The exclusion of domestic partners as dependents in employer-sponsored health insurance plans is discrimination based primarily on sexual orientation, and we oppose this discrimination. This exclusion makes unmarried couples and their children more likely to be uninsured. We strongly advocate that all employees have access to health insurance and that all employers offer full family health insurance. Therefore, we believe that all employers, including the State of Colorado, should offer domestic partner health insurance benefits.

Status: Sent to Governor

**SB 160 – Hudak, Todd – Alternative Teacher Programs & Licensure – Education – T**

Combines the Teacher in Residence licensing program with the Alternative Teacher Licensing program; creates both a one-year and a two-year Alternative Teacher Licensing program; requires them to be evaluated every five years by the State Board of Education; requires SBE to establish common content requirements for college/universities that offer alternative licensing for teachers; AMENDED:

Status: Sent to the Governor

**SB 163 – Hudak, Middleton – Education Accountability Systems – Education – T**

Repeals the 1998 Educational Accreditation Act and creates the Education Accountability Act of 2009; requires the State Board of Education to:

- reaffirm or revise the statewide targets for measuring performance of public schools/districts/Institute Charter Schools in the areas of longitudinal academic growth, CSAP achievement, postsecondary and workforce readiness, and progress in closing the achievement gaps;
- adopt the Colorado Growth Model for measuring students' longitudinal academic progress;
- enter into an accreditation contract with each district and the Charter School Institute
- remove district/CSI accreditation if it remains at/below a benchmark accreditation category for five consecutive years and direct the district/CSI to restructure;
- direct each public school to adopt (annually) Improvement, Priority Improvement, or Turnaround Plans based on performance
- assign school boards/CSI specific accountability duties including having an accountability committee and annually adopting and implementing an Improvement, Priority Improvement, or Turnaround Plan;

Changes the term "School Accountability Report" (SAR) to "School Performance Report," requires CDE to publish a school performance report for each school, school district/CSI, and the state

AMENDED:

Status: Sent to the Governor

**SB 176 – Spence – Charter School District Bond Elections – Education – O**

Clarifies that a local school board may submit an issue to the voters concerning bonded indebtedness for land/facilities for charter schools; ~~requires districts to invite charter schools to discuss upcoming bond elections and whether the ballot will have a bond issue for the charter; removes the requirement that the school board review a charter school's capital construction plan to determine whether construction is needed, viable, etc; requires the district to put a charter school's capital construction needs into a bond issue unless the parties agree otherwise; removes the requirement that a charter school enter a contract with the district about the ownership of buildings, etc., financed through bonds and that the contract requires the district to pick up this debt if a charter school loses its charter, fails to pay for the construction, etc.;~~ AMENDED: Requires a school board to allow charter school representation on long range planning committees/committees that assess capital construction needs; gives flexibility to school boards to include charters' needs in bond issues

Rationale: The bill infringes on the power of school boards to determine what capital projects to put before the voters.

Status: Sent to the Governor

**SB 226 – Sandoval – School Food Allergy Policy – Health & Human Services – T**

Requires State Board of Education to adopt a policy for the management of food allergies and anaphylaxis among students enrolled in public schools; requires all districts to adopt like policies; requires each district to ensure that each school makes available self-injectable epinephrine for the purpose of providing emergency medical treatment in the event that a student or other person suffers anaphylaxis as a result of an allergic reaction to food; requires CDE to make available to districts and charter schools a standard form to be used to gather information from physicians and parents of students concerning students' risk of food allergies and anaphylaxis and their treatment

Status: Sent to the Governor

**SB 285 – Heath, Summers - Career Tech Ed Concurrent Enrollment – T**

Includes career and technical education program providers among the institutions of higher education that are permitted to offer concurrent enrollment opportunities to high school students

Status: Sent to the Governor

**PASSED BOTH CHAMBERS:****SB 85 – Scheffel, Lambert – Phase Out Business Personal Property Tax – Finance – O**

Exempts a percentage of business personal property, excluding state-assessed property, from property taxation and increases the amount of the exemption every two years until all business personal property is exempt from taxation

Rationale: We oppose the elimination of business personal property taxes as a state revenue source from which public education benefits.

Status: Passed both chambers; Senate concurred with House amendments and repassed

**SB 89 – K. King, Middleton – State Charter School Institute – Education – O**

Expands state law to give broader authority to the Charter School Institute (CSI) in operating both statewide and in any school district; allows the CSI to maintain a capital reserve fund (consisting of one percent of the per-pupil funding calculated for each Institute Charter School and allows the schools to get grant money from this fund) and be exempt from state purchasing rules/state procurement code

AMENDED: Removed a “statewide school of concern” from the bill

Rationale: We oppose the (original bill's) expansion of the Charter School Institute's authority and ability to open charter schools outside of K-12 school districts.

Status: Passed both chambers; signed by the Speaker

**SB 90 – Hudak, Benefield – Parent Involvement in Education – Education – T**

Creates the State Advisory Council for Parent Involvement in Education within CDE to advise educators on the best practices and strategies to increase parents' involvement in education and promote family-school partnerships; appropriates grant money for schools to implement parent involvement programs under State Board of Education rules;

Permits district accountability committees to increase parent representation on these committees and requires districts, to the extent possible, to ensure this parent representation reflects the student population in the district; changes the name of “school advisory councils” to school accountability committees; requires charter schools to have accountability committees;

Requires that parents are appointed to a variety boards including the School Leadership Academy Board, district and institute charter school governing boards, the State Charter School Institute Board, the trustees of the state School for the Deaf and Blind, and the Colorado Commission on Higher Education advisory committee; AMENDED: removed funding from the bill

Status: Passed both chambers; Senate concurred with House amendments and repassed

**SB 123 – Williams, Todd – Healthy Choices Dropout Prevention – Education – T**

Creates a pilot program to reduce the dropout rate of overweight middle school students; gives grants to school districts to implement appropriate dropout strategies; AMENDED: Removed the requirement that

schools measure body mass of students; removed appropriation and made the funding source grants, gifts, and donations

Status: Passed both chambers; Senate concurred with House amendments and repassed

**SB 180 – Tochtrop, Casso – Firefighter/Law Enforcement Collective Bargaining – State Affairs – S**  
Grants firefighters and law enforcement officers the right to organize and form a union and to bargain collectively with their employers; provides for advisory arbitration in collective bargaining disputes and prohibits strikes, but submits unresolved issues to the voters; AMENDED: The state may charge the petitioning union a fee for holding an election.

Rationale: We support collective bargaining for all employees.

Status: Passed both chambers; Senate concurred with House amendments; signed by the Speaker

**SB 228 – Morse, Marostica – Repeal 6% Limit or Arveschoug-Bird Amendment – Finance – S**

Eliminates the six percent limit on the growth of total General Fund appropriations; if the limit was used as a trigger for some other event, establishes a new trigger based on the amount actually appropriated from the GF; eliminates the automatic transfer to the controlled maintenance trust fund that is a percentage of excess GF revenue; eliminates the automatic transfer of GF surplus to the highway users tax fund (HUTF) and the capital construction fund (makes these transfers discretionary) and eliminates the automatic diversion of sales and use tax revenue to the sales and use tax holding fund; AMENDED:

Status: Passed both chambers, Senate concurred with House amendments; signed by the Speaker

**SB 282 – Sandoval, A. Kerr – PERA-DPSRS Merger – Finance – S**

Merges and transfers the assets of the DPS Retirement System into PERA; creates a separate Denver Schools Division; incorporates the existing DPS plan into statute and requires PERA Board to administer the provisions of the plan for DPS members; allows benefits to be portable between the Denver public schools division and other PERA divisions

Rationale: The merger benefits DPS employees without harming other school or retired division employees. We have been working on this merger for a decade.

Status: Passed both chambers

**SB 291- Bacon, Middleton – De-Bruced School Districts – Education – S**

Requires that any school district that has obtained voter approval to retain and spend revenues in excess of the property tax revenue limitation imposed by TABOR and that obtains voter approval to again become subject to such limitation shall receive state aid as if the district levied the number of mills that it would have levied had the district maintained its authority to retain and spend revenues in excess of such revenue limitation

Status: Passed both chambers; signed by the Speaker

**SB 295 – Boyd – Higher Ed Accessibility – T**

Permits state supported colleges and universities to set their own tuition rates

Status: Passed both chambers; Senate considered House amendments and adhered

## **PI or LOST:**

**PI - SB 29 – B. Shaffer, Hullinghorst – School Bus Safety Belts – Transportation – T**

Requires school buses to be equipped with student safety belts; requires passengers on school buses purchased after June 30, 2010, to wear safety belts; expands the requirement after June 30, 2014, to cover buses purchased after June 30, 2004; exempts a person with a disability if a physician certifies that safety belt is inappropriate for that person; directs CDE to enforce the requirement that buses have safety belts; AMENDED: gives the bus driver immunity from penalties while in the course/scope of the driver's duties; requires CDE to approve rules requiring school bus drivers to attend annual safety belt system training; deletes the requirement for retrofitting old buses

Status: PI 3-19-09 by House Education Committee

**LOST - SB 45 – K. King, Middleton – Higher Ed Guaranteed Credit Transfer – Education – T**

Requires CCHE to establish articulation agreements for AT LEAST FIVE B.A. degree programs, defining “articulation agreement” as a written agreement between a student coming from a state community college and the higher education institute that formalizes the student’s plan to complete a 60-credit curriculum; ensures that the student who completes this curriculum shall be required to take no more than 60 additional credits at any institution to complete the requirements for a standard 120-hour Bachelor’s degree; AMENDED: CCHE must do this for at least five B.A. programs now and then convert all other B.A. programs under timeline established by the legislation  
Status: Passed Senate Education and Appropriations (amended); lost in the Senate on 4-21-09 on second reading

**PI - SB 46 – Sandoval – Healthy Snacks in Schools – Education – T**

Requires school boards to adopt policies prohibiting the sale of snack foods to students from any source; provides an exception for sales of snack foods that satisfy minimum nutritional requirements and sales of snack foods that occur off school campuses or at certain school-sponsored events

Status: PI 2-11-09 by Senate Education Committee

**PI - SB 57 – Harvey, Stephens – Public School Financial Transparency – Education – T**

Requires school boards, BOCES, and charters to create/maintain searchable budget database web sites that include information about their revenue and expenditures; AMENDED: Must be done by September 1, 2011, updated monthly, and be in a structured format that can be downloaded; does not apply to districts/BOCES/charter schools that do not have web sites as of January 1, 2009; AMENDED: excludes all charter schools (narrowed bill title)

Status: PI 3-19-09 by the House Education Committee

**PI - SB 82 – Schultheis – Repeal TABOR Refund Mechanisms – State Affairs – O**

Eliminates the state revenue refund methods in years when TABOR refunds exist; resulting in the requirement that the state issue checks to citizens as the sole TABOR refund mechanism

Rationale: A wide range of methods for TABOR refunds should be available to the Legislature.

Status: PI 1-28-09 by Senate State Affairs

**PI - SB 83 – Schultheis – Limitation on Public Resources - State Affairs – O**

Changes the longstanding statutory restrictions on state or local government involvement and use of public resources in the political process (candidate and ballot issue elections including recall elections): extends the restriction to any person who directly or indirectly makes use of any public resource from any source; specifies that an elected official/entity may respond solely to written questions about ballot issues; repeals law authorizing a public entity to expend public resources to dispense a factual summary; Rationale: We believe that current law is clear, easy to follow, and consistently applied.

Status: PI 1-28-09 by Senate State Affairs

**PI - SB 130 – Spence – Scholarships for Children with Autism Pilot – Education – O**

~~Creates a pilot program to give vouchers to parents whose children have autism/autism spectrum disorder and are currently enrolled in a public school to attend private schools;~~ AMENDED: Permits the Charter School Institute (CSI) to solicit applications for up to three pilot charter schools to serve students through the new Colorado Stipends for Children with Autism Pilot Program based on number of autistic students who apply; the schools may be located in any district regardless of the district’s exclusive chartering authority; would withhold up to the \$30,000 per autistic student (from the district’s state funding) to fund these charter schools

Rationale: We opposed the original bill, which would have used public tax dollars for private schools vouchers. We oppose the amended bill because school districts should have control over charter schools.

Status: PI 4-30-09 by House Education Committee

**LOST - SB 131 – Romer – Require Physical Activity – Education – T**

Requires each child in a public school (including charters) to engage in at least 150 minutes of physical activity each week (requires districts to pay for this if it is an increase in what is already provided); AMENDED: Minimum requirement is 120 minutes for a student attending an elementary school that meets fewer than five days/week; requirement that a district adopt a policy concerning physical activity is not intended to dictate classroom instruction; does not allow a school to substitute physical activity for physical education

Status: PI 4-27-09 in Senate

**PI - SB 136 – Scheffel – Alternative Principal Preparation – Education – O**

Allows individuals to participate in this principal preparation program with a B.A. and one year of teaching or providing job training; allows private entities to train principals (currently districts or BOCES provide the supervision/mentoring for a principal with an alternative license)

*May 18, 2009*

Status: PI 2-11-09 by Senate Education Committee

**PI - SB 155 – K. King – Funding for Education Facilities – Local Govt – O**

Authorizes a metropolitan district (special district) to build a public school building if the district in which the school will be located refuses the dedication of the site and land area for the public school

Rationale: School boards should have the sole authority to determine where a public school is built.

Status: PI 2-10-09 by Senate Local Government Committee

**LOST - SB 170 – Romer – Nondiscrimination in Higher Education Funding – Education – S**

Grants in-state tuition status to students, without regard for immigration status, who attend a Colorado high school for at least three years and enrolls in a Colorado college or university within five years from graduating or earning a GED in Colorado; AMENDED:

Rationale: In-state tuition will allow more students to attend college.

Status: Lost on Senate second reading 4-6-09

**PI - SB 221 – Lundberg, Lambert – Property Tax Credit for Private Schools – State Affairs – O**

Creates a property tax credit for four years for parents whose children attend private or religious schools; requires that the lost revenue be backfilled by the state

Rationale: We oppose the use of public tax dollars for private and religious schools.

Status: PI 2-23-09 by Senate State Affairs Committee

**PI - SB 236 – Lundberg, Murray – Transparency and New School Construction – Education – O**

Requires a school board to hold a public hearing about planned construction of a school and to make available to the public copies of architectural, building and site plans, specifications, etc.

Rationale: Boards are already required to inform the public of planned school construction, but to make specific architectural plans available to the public is a security issue.

Status: PI 2-5-09 by Senate Education Committee

## HOUSE BILLS - AS OF MAY 18, 2009

### NEW LAWS:

#### **LAW - HB 1046 – Scanlan – CDE Assessments Pilot Program – Education – S**

Allows more flexibility in scheduling the pilot assessments by removing the restriction that a pilot district must assess students only in spring semester; requires vendors of the pilot assessments to provide CDE information about the vendor's assessments in Colorado; directs pilot districts to ensure that the vendor provides assessment results directly to CDE

Rationale: The bill strengthens the provisions in the pilot program.

Status: Signed into law 3-20-09

#### **LAW - HB 1063 – Summers, Penry - In-state Tuition if Parent Moves for Job – State Affairs – T**

Provides in-state tuition status to a child whose parent/legal guardian moves to Colorado for a job if the child is a legal U.S. resident and in his/her senior year of high school and if the child graduates from a Colorado public high school

Status: Signed into law 5-4-09

#### **LAW - HB 1079 – Vaad – Annexing Municipalities by a Junior College District – Local Government – T**

Creates a procedure for a municipality or group of municipalities to be annexed to an existing adjacent junior college district; requires approval of the junior college's Board of Trustees, the junior college district's electorate, the government boards of the municipality/municipalities, and the electorate of the municipality/municipalities

Status: Signed into law 3-25-09

#### **LAW - HB 1082 – Peniston – School Board Meeting Recordings – Education – S**

Requires a school board to record regular and special meetings, using the best technology available to the district, and to make the recordings available to the public; AMENDED: Senate Education amendments: recordings only of sessions where votes are taken/recorded would be available to the public for 90 days; House Education amendments: recordings of all regular and special meetings, to be kept for a year (state law already requires taping executive sessions, but public does not have access to these)

Rationale: The bill would give citizens greater access to school board proceedings and decisions.

Status: Signed into law 3-25-09

#### **LAW - HB 1125 – Merrifield – Limiting School Attendance Incentives – Education – S**

Prohibits a school district, BOCES, a public school, or the Charter School Institute from offering or providing a financial benefit, an item, or an extraordinary service or activity as an incentive or reward for enrolling in or attending school; makes exceptions for activities provided on school grounds, certain field trips, items valued at \$20 or less, financial benefits valued at \$20 or less that are redeemed on school grounds, and financial benefits provided pursuant to federal nutrition programs; AMENDED: Allows financial incentives except those worth more than \$20 that specifically try to generate enrollment

Rationale: Schools should not be able to increase their enrollment by offering incentives to students to enroll.

Status: Signed into law 4-16-09

#### **LAW - HB 1151 – Todd - Oversight of School Building Inspections – Judiciary – T**

Replaces the Dept. of Labor with the Dept. of Public Safety as the oversight agency responsible for school building code inspections

Status: Signed into law 5-4-09

#### **LAW - HB 1153 – May – Issue Committees under Fair Campaign Practices Act – State Affairs – T**

Exempts an "issue committee" (supporting or opposing a ballot issue) from registering with the county or the Secretary of State until such time as the committee accepts contributions or makes contributions in excess of \$200 and then only if a title has been fixed for a ballot issue, a matter has been referred to the voters, a petition has been circulated and signed by at least one person, or a signed petition has been submitted to the appropriate election official; AMENDED:

Status: Signed into law 4-22-09

#### **LAW - HB 1182 – Marostica, White – Changes to Online Education Funding – Education – T**

Repeals the online education cash fund and allows the CDE Division of Online Learning to be funded from the State Education Fund

*March 16, 2009*

Status: Signed into law 4-3-09

**LAW - HB 1186 – Levy, M. Carroll – Contents and Delivery of Mail Ballots – State Affairs – S**

Requires return mail ballot envelopes to contain a section allowing the elector to apply to be designated as a permanent mail-in voter; allows a mail-in voter to deliver a voted mail-in ballot to an early voting polling place during early voting or to any polling place on Election Day

Rationale: We believe voters should have the convenience of designating themselves as permanent absentee voters.

Status: Signed into law 4-3-09

**LAW - HB 1189 – Pommer – Per-Pupil Funding for State Education Programs – T**

Clarifies that the Colorado School for the Deaf and Blind and education programs provided by state agencies for students placed with the state agency may receive per pupil funding under the School Finance Act

Status: Signed into law 4-3-09

**LAW - HB 1214 – Benfield, Bacon – School District Reporting Requirements – Education – S**

Requires the Education Data Advisory Committee in CDE to review the reporting requirements imposed on districts and schools by state and federal agencies, and to inform the enacting agency of the estimated cost to the districts and schools of complying with the proposed requirements and whether the proposed requirements already exist in statute or regulation; by September 15, 2009, directs the EDAC to submit to the Legislature and publish an online report listing the data reporting requirements that are not cost-effective or are duplicative, obsolete, inefficient, or not used and should be repealed; directs the State Board to update the state's interpretation of federal data privacy restrictions and to align the state's interpretation of federal data collection and reporting requirements with that of neighboring states; suspends reporting requirements for a program in any year in which the Legislature does not appropriate money for the program

Rationale: School reporting requirements are burdensome on educators and should be periodically reviewed. This bill requires CDE to follow this reporting requirement that was supposed to have begun in 2007.

Status: Signed into law 4-30-09

**LAW - HB 1216 – Murray, Newell – Statewide Voter Registration System -- State Affairs – O**

Amends voter registration laws to reflect the implementation of a statewide voter registration system; requires county clerk to send a voter information card by nonforwardable mail to active registered electors; allows an eligible voter to vote in person at a polling place upon surrender of a mail-in ballot; allows an unaffiliated voter to vote a regular party ballot at the Primary Election upon declaring affiliation with a political party; AMENDED:

Rationale:

Status: Signed into law 4-22-09

**LAW - HB 1236 – Primavera – Driver Stopping Distance at School Bus Signal – Education – S**

Requires a driver to stop at least 25 feet before reaching a school bus when bus signals the driver to stop

Rationale: The bill would reduce the danger to students who are entering or leaving school buses.

Status: Signed into law 4-2-09

**LAW - HB 1240 – Miklosi – Colorado Teacher of the Year Program – Education – S**

Requires the State Board of Education to adopt rules for the implementation of the Colorado Teacher of the Year program, including the rewards, duties, and opportunities for each Teacher of the Year; creates the Colorado Teacher of the Year fund, and authorizes CDE to solicit and accept gifts, grants, and donations to fund the program

Rationale: The bill elevates the program and spends no state money (funding comes from grants/donations).

Status: Signed into law 5-5-09

**LAW - HB 1250 – Merrifield – Federal Moneys to County for School Districts – Education – S**

Increases public school funding in counties that get federal money for national forests (to offset property taxes on federal lands) to at least 50 percent of the federal dollars received (counties currently decide how to split this money and only five percent is required to go to public education) (involves \$18M in 43 counties); AMENDED: Allows districts to phase in increase over three years; requires counties to include school districts in planning if addressing the portion of this funding over 50% level

Rationale: The reallocation would increase public school funding.

Status: Signed into law 5-11-09

**LAW - HB 1272 – Massey, Tapia – Limited Gaming/Amendment 50 Community College Funding – Education – T**

Implements Amendment 50 including defining gaming and betting limits; directs the new revenue to community colleges (78%) and gaming towns and counties (22%) in accordance with the formula specified in Amendment 50; specifies that state community colleges, local district colleges (Aims, Mountain), and state junior colleges (Trinidad JC), plus Mesa State College's Western Colorado Community College division and Adams State College's associate degree programs are eligible to receive funding under the new formula; provides parameters for determining their respective full-time equivalent student enrollment, required for application of the distribution formula; allows the governing boards of the community colleges to issue revenue bonds in anticipation of receiving gaming tax revenues; AMENDED:

Status: Signed into law 4-21-09

**LAW - HB 1285 – Benefield, K. King – Government Data Sharing – Finance – T**

Replaces the Data Protocol Development Council with the Government Data Advisory Board whose responsibilities would include recommending rules for requesting/responding/imposing fees for data requests; creates the Education Data subcommittee of the advisory board whose responsibilities would include the creation of a statewide P-20 education data system; AMENDED:

Status: Signed into law 4-30-09

**LAW - HB 1295 – Todd, Heath – Metro State Master's Degree – Education – S**

Permits Metro State College to offer Master's degree programs

Status: Signed into law 5-5-09

**LAW - HB 1296 – Green – Extension of Reading Assistance Grants – Education – S**

Extends the repeal of the Reading Assistance Grant Program for one year to July 2010

Rationale: We believe this grant program should be continued because it has a positive effect on student achievement.

Status: Signed into law 4-22-09

**LAW - HB 1326 – Carroll, B. Schaffer - Integrity of Citizen-Initiated Petitions – State Affairs – S**

With respect to the form of a ballot question submitted to a vote of the people, requires a ballot issue changing the state constitution to be referred to as an "amendment" and a ballot issue changing the Colorado Revised Statutes to be referred to as a "proposition;" requires earlier deadlines for filing; allows electors to sign petitions to withdraw their signatures; requires petitions to say that a petition signature indicates support for placing the measure on the ballot; makes new requirements for petition circulators and the petition circulation process and potential fraudulent activities; makes new requirements for paid circulators; AMENDED:

Status: Signed into law 5-14-09

**SENT TO THE GOVERNOR:**

**HB 1015 – Murray, Hodge – Primary Elections – State Affairs – O**

Requires election officials to cancel the Primary Election for a particular office if, 30 days out from the election, not more than one candidate of a major political party has been nominated and to this candidate the party nominee for the General Election; authorizes a designated election official at any level of government in Colorado to conduct a Primary Election by mail ballot; AMENDED:

Status: Sent to the Governor

**HB 1057 – A. Kerr, Bacon – Parental Leave for Academic Activities – Education – S**

Allows an employee who works for an employer that has at least 50 employees to take an unpaid leave to attend parent-teacher conferences and other academic activities related to the parent's child; limits the leave to six hours/month and 40 hours/school year; permits the employer to require that the leave be taken in no more than three-hour increments and to require that the parent provide written verification from the school or district of the academic activity for which the leave is taken; requires the parent to provide the employer with at least three days notice one week notice except in situations where the employer is not aware three days in advance of the need to take the leave; directs parents to make reasonable attempts to schedule conferences and other activities outside of regular work hours; allows the parent to elect to substitute accrued paid vacation, personal, and other paid leave for the unpaid leave in this bill; specifies

that an employer that provides comparable leave to its employees is already in compliance and not required to provide employees any additional leave; AMENDED: applies employers with at least 50 employees; limited to 18 hours per school year; one week notice required; days prorated for part-time workers; employee can request or employer can require that paid leave be used instead of unpaid; permits employers with existing school leave policies to incorporate this bill into their policies; exclude seasonal workers and workers whose jobs are vital for health or safety; generally conforms the law to FMLA; repeals in 2015

Rationale: This leave helps more parents be involved in their children's education.

Status: Sent to the Governor

**HB 1242 – Summers, K. King – Tax Credit Donations to Research Institutions – Finance – T**

~~Allows an income tax credit (for 10 years) for a taxpayer making a qualifying contribution to the Department of Higher Education; allows the taxpayer to designate a recipient research arm of a Colorado college or university for the purpose of using the contribution to advance the commercialization of research projects;~~ AMENDED: Allows the research arms of state institutions to accept donations from nonprofits and to set up venture development funds administered by nonprofits; citizens could contribute to the nonprofits and get a tax deduction or use as a charity contribution on federal income taxes

Rationale: The bill reduces state revenues in favor of privatizing public research.

Status: Sent to the Governor

**HB 1312 – A. Kerr – Renewable Energy Loans for Schools – Education – S**

Creates the Renewable Energy and Energy Efficiency for Schools loan program to fund renewable energy projects and battery-powered and hybrid-electric bus projects in school districts within the Public School Energy Efficiency Fund; AMENDED:

Rationale: The bill provides a revenue source for loans to school districts for renewal energy projects.

Status: Sent to the Governor

**PASSED BOTH CHAMBERS:**

**HB 1065 – Benefield, Spence – Teacher Identifier Pilot Program – Education – S**

Authorizes the Quality Teacher Commission to continue working until 2012 on a “teacher identifier,” a unique tracking number assigned to each licensed educator in Colorado; creates a pilot program to study the “teacher gap” (the documented phenomenon that a poor or minority student is more likely to be taught by a less qualified or less experienced teacher than the teacher who teaches the student's more affluent or white peers) and identify solutions to the teacher gap; identify problems that may arise if the teacher identifier program is implemented statewide; and identify positive uses for data from a teacher identifier system that could be used to improve teaching and learning; directs the implementation of a pilot project beginning in August 2009 with three volunteer districts, one of which has a significant teacher gap;

Provides that each educator's identifier shall be used for only the pilot program and that it will not include any personal identifying information; guarantees that the data from the pilot shall not be used in any way to evaluate or sanction individual educators, nor shall be used in the aggregate to sanction any district or teacher preparation program, though the data may be used to evaluate and improve teacher preparation programs through the state accreditation process;

Directs that on or before December 20, 2010, the Quality Teacher Commission shall incorporate the results from the pilot school districts' reports into recommendations for the State Board of Education, Dept. of Higher Education, and the Legislature, including positive uses of the identifiers, misuses of the identifiers, adequate teacher protections associated with the identifiers, and potential policy changes to close the teacher gap and improve student achievement, as well as the commission's recommendation about expanding the pilot statewide; AMENDED: Added “The data obtained from the pilot program shall not be used to negatively sanction individual educators. The use of information that school districts obtain from any other source shall not be restricted by the provisions of” this bill. AMENDED:

Rationale: CEA supports the bill as long as the language is retained that protects individual teachers from being evaluated or sanctioned by any information attached to the identifier.

Status: Passed both chambers; House concurred with Senate amendments; signed by the Speaker

**HB 1243 – Middleton, Bacon – Increase High School Graduation Rates – Education – T**

Creates the Office of Dropout Prevention and Student Re-engagement in CDE to collaborate with school districts to reduce the student dropout rate and increase graduation/completion rates; requires a report of effective research-based policies; requires analysis of attendance data and a study of the incidence, causes, and effects of dropout; requires districts identified as high priority and priority for student dropouts to conduct assessments of their practices and adopt a student graduation/completion plan; requires school districts to adopt a policy to give parents notice if a student drops out of school and to outline the available alternatives; creates a grant program for student re-engagement for districts to access; repeals the mandate to expel an habitually disruptive student and allows a district to instead suspend the student; repeals the requirement that a suspension or expulsion count as an unexcused absence under a school district's attendance policy; AMENDED: Removed the appropriations (gifts, grants, donations only)

Status: Passed both chambers; House concurred with Senate amendments; signed by the Speaker

**HB 1267 – Todd, Bacon – Higher Education Pervasively Sectarian – Education –**

Conforms state law on religious colleges to a recent federal court decision by eliminating certain language concerning the standard by which higher ed institutions may be deemed to be “pervasively sectarian” and thus excluded from various kinds of state financial assistance, e.g., College Opportunity Fund stipends; replaces the pervasively sectarian standard with a standard prohibiting state assistance only to students pursuing professional degrees in theology

Status: Passed both chambers; House concurred with Senate amendments and repassed

**HB 1288 – Nikkel, Kopp - Colorado Taxpayer Transparency Act – Finance – O**

Requires Information Technology Dept. in the Governor’s office to create and maintain searchable budget database web site that shows revenue and expenditure data from the state financial warehouse; requires state agency web sites to link to this site; AMENDED:

Rationale: State Treasurer is already working on this and bill is not needed.

Status: Passed both chambers; House concurred with Senate amendments and repassed

**HB 1319 – Merrifield, Massey, Williams – Concurrent Enrollment – Education –**

Repeals the Postsecondary Enrollment Options Act and the Fast College Fast Jobs Act; allows districts to partner with higher education institutions to offer college courses to qualified high school students; requires student/parent notification of concurrent enrollment opportunities; requires students to apply to local school board and get superintendent’s approval to participate; requires the district to pay the tuition costs to the higher education institution; requires the student/parent to reimburse the district if the student does not complete the course without the high school principal’s consent; requires the student who intends to concurrently enroll to take an English and math skills assessment administered by the college to determine if he needs a basic skills course; if so, allows the student to concurrently enroll in the basic skills course only if also enrolled in 12<sup>th</sup> grade and then only if the college offers the basic skills course; Requires a student who plans to do concurrent enrollment to establish (in consultation with district administration) an academic plan of study describing all the courses he intends to complete to satisfy remaining high school graduation requirements; requires a principal, counselor, or teacher advisor to approve this plan;

Requires the district and college to enter into a cooperative agreement that includes the rate of tuition the district will pay to the college; sets a maximum tuition rate for concurrent enrollment

Creates the Concurrent Enrollment Advisory Board in CDE;

Creates ASCENT (Accelerating Students through Concurrent Enrollment Program) in CDE to allow certain students to continue concurrent enrollment after the 12<sup>th</sup> grade; establishes criteria for CDE to use in selecting students to receive grants from the ASCENT program; requires CDE to include consideration of an ASCENT participant in preparing school accountability reports regardless of whether the student completed high school graduation requirements;

Includes a concurrent enrollment student in the districts per-pupil enrollment for school finance purposes unless the student is participating in ASCENT; funds this student at a lower per-pupil rate;

*May 18, 2009*

Requires the district, upon CDE request, to provide data about the student's participation in concurrent enrollment; requires the college to report to the Dept. of Higher Education, upon request, the student's experience with postsecondary work; requires CDE and DHE to report annually to the Legislature:

**AMENDMENTS:**

Status: Passed both chambers; House concurred with Senate amendments and repassed

**HJR 1020 – Middleton – Interim Committee to Study School Finance**

Status: Passed both chambers; House concurred with Senate amendments

**HJR 1025 – Bacon, S. Schafer – Interim Committee on School Safety –**

Status: Passed both chambers

**PI or LOST:**

**PI - HB 1009 – S. King – Public School Emergency Drills – Education – T**

Requires public K-12 and postsecondary schools to conduct certain emergency safety drills beginning in the 2010-11 academic year

Status: PI 2-5-09 by House Education Committee

**PI - HB 1051 – Baumgardner – Federal Mineral Funds – Agriculture – O**

Commits more federal mineral lands lease revenues to local road construction by cutting 10 percent of FML money that currently goes to public schools and other government programs

Rationale: The bill reduces public school revenue.

Status: PI 2-4-09 by House Agriculture Committee

**PI - HB 1068 – Lambert, Scheffel - Business Personal Property Tax Exemption – Finance – O**

Requires the Legislature to appropriate from the General Fund to the newly Business Personal Property Tax Reimbursement Fund a sum of money for each year after there are peak General Fund appropriations; in order to reimburse counties, special districts, and cities for the decrease in property tax revenue associated with the new tax exemption

Rationale: We oppose the elimination of business personal property taxes as a state revenue source from which public education benefits.

Status: PI 1-28-09 by House Finance Committee

**PI - HB 1069 – Stephens, Kopp – Withdrawal of an Initiative Petition – State Affairs – O**

Makes it unlawful for any person, directly or indirectly, to or offer to pay, loan, or contribute any money to/for the proponents or representatives of the proponents of an initiative petition; makes it unlawful for any person to compel, induce, or prevail upon the proponents or designated representatives to withdraw a ballot issue petition; or to receive/agree to accept/contract for any money, gift, loan, or other valuable consideration for withdrawing or agreeing to withdraw an initiative petition; makes offenses Class 6 felonies; makes a five-year statutory appropriation

Rationale: We do not believe the current law regarding withdrawing initiative petitions should be changed. It is clear and appropriate as is.

Status: PI 1-27-09 by House State Affairs Committee

**PI - HB 1070 – Fischer – Participation of Government Entities in Urban Renewal Areas re Property Taxes - Local Government – S**

Exempts agricultural and vacant land from being declared urban renewal areas; involves municipalities and school districts when urban renewal plans are created because the exemptions affects property tax revenues that go to school districts

Rationale: School districts are involved in local tax decisions that affect their revenue.

Status: PI 2-19-09 by House Local Government Committee

**PI - HB 1074 – Middleton – Voting Rights for Faculty on Governing Boards – Education – S**

Grants voting rights to members of the governing boards of CSU, UNC, School of Mines, Adams State, Ft. Lewis, Mesa State, Metro State, and Western State who are also faculty; prohibits these faculty board members from voting on matters concerning hiring/dismissal of, salary/benefits paid to, or tenure of a faculty member; reduces by one member each the Boards of Trustees of these higher ed institutions

Rationale: The bill would give higher education faculty a stronger voice in campus governance.

Status: PI 1-15-09 by House Education Committee

**PI - HB 1115 – Summers, Renfroe – Voter Identification – State Affairs – O**

Requires that identification used for voting be a valid, government-issued form of i.d. with a photograph of the eligible elector

Rationale: The bill makes an unreasonable requirement on voters and disenfranchises Coloradans who may lack photo identification, many of them elderly, disadvantaged, or minority voters.

Status: PI 1-22-09 by House State Affairs Committee

**PI - HB 1140 – Court, White – Clarify Initiative/Referendum Process – State Affairs – O**

Changes current law regarding ballot issue titling and petitions:

- Requires that ballot issue petitions state that a voter's signature on a ballot issue petition signifies his/her support for placing the measure on the ballot and that the measure will be on the ballot if sufficient signatures are collected (meaning that the measure cannot then be withdrawn by the individual who titled it);
- Requires that future ballot issues be labeled "amendments" (if amending the constitution) and "propositions" if changing state law, and that measures address specified subjects as identified in the Blue Book summary short titles
- Requires the state to finalize the short titles of each ballot issue before the Blue Book is finalized and provide the short titles to the Secretary of State so that they are included on the ballot;
- Prevents ballot issues that have been withdrawn by their sponsors from being included on the ballot by changing the withdrawal deadline

Rationale: We do not believe the current law regarding information on ballot issue petitions and current law on withdrawing initiative petitions should be changed. The laws are clear and appropriate as they are.

Status: PI 3-26-09 by House State Affairs Committee

**PI - HB 1146 – McNulty, Scheffel – Proof of Citizenship to Vote – State Affairs – O**

Requires a person who applies to register to vote to provide proof of citizenship

Rationale: The bill makes an unreasonable requirement on voters and disenfranchises Coloradans who may have such proof, but are unable to provide it.

Status: PI 1-27-09 by House State Affairs Committee

**PI - HB 1158 – Waller – Initiative Petition Withdrawal – State Affairs – O**

Changes the date by which an initiative petition may be withdrawn from consideration as a ballot issue from 33 days to 60 days prior to the election at which the initiative is to be voted on; specifies that a withdrawn initiative shall not be certified by the Secretary of State to each county clerk prior to the election or included in ballot information by the state or county circulated to the public

Rationale: We do not believe the current law regarding withdrawing initiative petitions should be changed. It is clear and appropriate as is.

Status: PI 3-26-09 by House State Affairs Committee

**PI - HB 1165 – Lambert, Cadman – Sole Source Govt Contract Database – State Affairs – O**

Requires the Dept. of Personnel to have a comprehensive public database of all sole-source government contracts in any level of Colorado government under Amendment 54 (passed by the voters in November 2008) composed of summaries of the government contracts provided by the contract holders; requires the Dept. of Personnel to promulgate rules for the effective administration of Amendment 54

Rationale: We oppose the implementation of Amendment 54 because we believe it to be unconstitutional and a violation of free speech.

Status: PI 2-3-09 by House State Affairs Committee

**PI – HB 1177 – Fischer, Bacon - CSU Students Voting Rights – Education – S**

Gives the student representatives on the CSU Board of Governance the right to vote

Rationale: The bill would give students a stronger voice in the governance of the CSU system.

Status: PI 2-9-09 by House Education Committee

**PI - HB 1195 – Lambert, Brophy – Private School Tuition Income Tax Credit – O**

Establishes a private school tuition income tax credit and allows any private school to issue credit certificates to taxpayers

Rationale: We oppose the use of public tax dollars for private schools.

Status: PI 2-12-09 by House Education Committee

**PI - HB 1225 – S. Schafer– Risk Assessments of K-12 Students – Education – S**

Allows districts to conduct risk assessments of students who enroll in school and have been involved in the previous six months in circumstances related to threats of physical harm or other acts of violence

Rationale: School districts should have the limited ability to conduct such assessments in order to prevent violent acts in schools/on school grounds.

Status: PI 2-23-09 by House Education Committee (at the sponsor's request)

**PI - HB 1324 – McNulty, Mitchell – Nonlicensed Employees Bar to School Jobs – Judiciary –**

Prohibits a school district or public school from employing as a nonlicensed employee a person who has a conviction for certain enumerated criminal offenses; creates discretionary disqualifications for certain criminal offenses as bars to employment for nonlicensed employees in a school; amends existing mandatory disqualifications for licensed educators to include any conviction for a felony drug offense

Status: PI 4-13-09 by House Judiciary Committee

**PI - HB 1270 – Waller – Enrollment Options for Homeschooled Students – Education – O**

Amends the Postsecondary Enrollment Options Act to extend concurrent enrollment opportunities to pupils enrolled in private schools and home schools; requires CDE to enter into a cooperative agreement with both the district of a student and the college/university; requires CDE to reimburse any student who enrolls in courses at a higher ed institution for the amount of tuition he/she paid

Rationale: We oppose the use of public tax dollars for private and home schools.

Status: PI 2-19-08 by House Education Committee

**LAID OVER - HB 1273 – Kefalas – Health Care for Colorado – Bus Affairs & Labor – S**

Creates the Colorado Health Care Authority as a corporate body and political subdivision of the state with the charge of creating and administering a health care system in Colorado that provides comprehensive medical benefits to all citizens, i.e., universal or single payer health care

Rationale: Our Association supports a universal health care system; the bill would begin to create this system.

Status: Laid over to 05-07-09 after the session concludes

**PI - HB 1304 – Solano, Williams – Suspend Some CSAP Tests – Education – S**

For the 2009-10 and 2010-11 school years, prohibits CDE from administering specified statewide assessments that are not specifically required by federal law, i.e., writing CSAP in grades 3-8 and all CSAP tests in grades 9-10

Rationale: Not administering CSAP tests that are not required under NCLB saves the state money during a time of extreme budget restrictions.

Status: PI 3-23-09 by House Education Committee

**LAID OVER - HB 1356 – Pommer – State Education Fund and College Opportunity Fund Stipends - Appropriations - O**

Permits funding for College Opportunity Fund stipends for college/university students to come from the State Education Fund (SEF); limits funding to students concurrently enrolled in high school and college or enrolled in basic skills courses, teacher prep programs, or early childhood ed courses; repeals the provision after one year

Rationale: We oppose opening the State Education Fund to higher education funding because the SEF is intended by Amendment 23 to aid in K-12 funding.

Status: Laid over on House second reading to 8-8-09 after session concludes