

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

INTRODUCED

LLS NO. 17-0404.01 Julie Pelegrin x2700

HOUSE BILL 17-1089

HOUSE SPONSORSHIP

Lundeen,

SENATE SPONSORSHIP

(None),

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES THAT APPLY TO CHRONICALLY**
102 **LOW-PERFORMING SCHOOL DISTRICTS.**

Bill Summary

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

The bill identifies a school district that is accredited with priority improvement plan or accredited with turnaround plan for 5 consecutive school years as a chronically low-performing school district. A chronically low-performing school district must establish a parent choice program under which it creates a parent choice account for the parent of each student who resides within and is enrolled in the school district. The

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

school district must deposit into each account the per-pupil amount of the state share of total program and the per-pupil share of categorical program funding, as applicable to the student, that the school district receives for the school year and may deposit the per-pupil amount of the local share of total program that the school district collects for the school year. If the school district does not deposit the per-pupil amount of the local share, it is not authorized to collect property tax for that school year, but the state share is calculated as if the school district collected the property tax.

A parent may withdraw money from his or her account only to purchase educational services for the parent's child. Educational services include enrolling the child in certain public schools, including online schools, of a school district other than the chronically low-performing school district or in certain institute charter schools. A parent may also choose to enroll his or her student in a public school of the chronically low-performing school district, in which case the school district is not required to deposit money in the parent's account while the student is enrolled in the public school. The parent may change educational services or public schools at any time during the school year.

The school district must adopt procedures by which a parent may withdraw money from his or her account and by which he or she must report to the school district how the money is used. If a parent misuses money from the account, the parent must reimburse the money to the school district. If a parent misuses money 2 times in a school year, the school district will stop depositing money into the account and notify the parent that he or she may enroll the student in a school of the school district. A parent who disputes the accounting may appeal to the school district board of education and, if dissatisfied with the board's decision, to the state board of education.

The school district must operate the parent choice program until the school district achieves the status of accredited or higher. While operating the program, the school district continues to be subject to school district accountability requirements, including ensuring that the students enrolled in the school district participate in state assessments, and is held accountable for the academic performance of students who are enrolled in the school district, regardless of whether the students are enrolled in schools of the school district.

Each chronically low-performing school district is deemed to be a school district of innovation. It must submit an innovation plan to the state board of education and may exercise the powers that are provided to school districts of innovation.

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

1 **SECTION 1.** In Colorado Revised Statutes, **add 22-11-209.5** as
2 follows:

3 **22-11-209.5. Low-performing school district - parent choice**
4 **program - flexibility - rules - definitions.** (1) AS USED IN THIS SECTION,
5 UNLESS THE CONTEXT OTHERWISE REQUIRES:

6 (a) "ACCOUNT" MEANS A PARENT CHOICE ACCOUNT DESCRIBED IN
7 SUBSECTION (2)(a) OF THIS SECTION.

8 (b) "CHRONICALLY LOW-PERFORMING" MEANS A SCHOOL DISTRICT
9 HAS BEEN ACCREDITED WITH PRIORITY IMPROVEMENT PLAN OR
10 ACCREDITED WITH TURNAROUND PLAN FOR FIVE CONSECUTIVE SCHOOL
11 YEARS.

12 (c) "EDUCATIONAL SERVICES" MEANS:

13 (I) INSTRUCTIONAL MATERIALS, INCLUDING DIGITAL DEVICES,
14 DIGITAL PERIPHERY DEVICES, AND ASSISTIVE TECHNOLOGY DEVICES THAT
15 ALLOW A STUDENT TO ACCESS INSTRUCTION OR INSTRUCTIONAL CONTENT;

16 (II) A COMPLETE COURSE OF STUDY FOR A PARTICULAR CONTENT
17 AREA OR GRADE LEVEL, INCLUDING ANY REQUIRED SUPPLEMENTAL
18 MATERIALS;

19 (III) ENROLLMENT IN, OR TUITION, FEES, OR COSTS OF BOOKS
20 ASSOCIATED WITH ENROLLMENT IN, A NONSECTARIAN PRIVATE SCHOOL OR
21 A NONSECTARIAN PRIVATE ONLINE PROGRAM;

22 (IV) ENROLLMENT IN A PUBLIC SCHOOL, INCLUDING AN ONLINE
23 PUBLIC SCHOOL, OF A SCHOOL DISTRICT OTHER THAN THE CHRONICALLY
24 LOW-PERFORMING SCHOOL DISTRICT, SO LONG AS THE OTHER SCHOOL
25 DISTRICT HAS A HIGHER ACCREDITATION RATING THAN THE CHRONICALLY
26 LOW-PERFORMING SCHOOL DISTRICT AND THE PUBLIC SCHOOL IN WHICH
27 THE STUDENT ENROLLS IS OPERATING UNDER AN IMPROVEMENT PLAN OR

1 A PERFORMANCE PLAN PURSUANT TO SECTION 22-11-210; AND

2 (V) ENROLLMENT IN AN INSTITUTE CHARTER SCHOOL, SO LONG AS
3 THE INSTITUTE CHARTER SCHOOL IS OPERATING UNDER AN IMPROVEMENT
4 PLAN OR A PERFORMANCE PLAN PURSUANT TO SECTION 22-11-210.

5 (d) "PER-PUPIL AMOUNT OF THE SCHOOL DISTRICT'S LOCAL SHARE"
6 MEANS AN AMOUNT EQUAL TO THE SCHOOL DISTRICT'S LOCAL SHARE OF
7 TOTAL PROGRAM FUNDING AS DESCRIBED IN SECTION 22-54-106 FOR THE
8 APPLICABLE BUDGET YEAR, DIVIDED BY THE SCHOOL DISTRICT'S FUNDED
9 PUPIL COUNT, AS DEFINED IN SECTION 22-54-103, FOR THE APPLICABLE
10 BUDGET YEAR.

11 (e) "PER-PUPIL AMOUNT OF THE SCHOOL DISTRICT'S STATE SHARE"
12 MEANS AN AMOUNT EQUAL TO THE SCHOOL DISTRICT'S STATE SHARE OF
13 TOTAL PROGRAM FUNDING AS DESCRIBED IN SECTION 22-54-106 FOR THE
14 APPLICABLE BUDGET YEAR, DIVIDED BY THE SCHOOL DISTRICT'S FUNDED
15 PUPIL COUNT, AS DEFINED IN SECTION 22-54-103, FOR THE APPLICABLE
16 BUDGET YEAR.

17 (f) "PER-PUPIL CATEGORICAL FUNDING" MEANS THE AMOUNT OF
18 FUNDING THAT A SCHOOL DISTRICT RECEIVES FOR A CATEGORICAL
19 PROGRAM, AS DEFINED IN SECTION 22-55-102, IN A BUDGET YEAR DIVIDED
20 BY THE NUMBER OF STUDENTS ENROLLED BY THE SCHOOL DISTRICT WHO
21 ARE ELIGIBLE TO RECEIVE SERVICES THROUGH THAT CATEGORICAL
22 PROGRAM IN THE BUDGET YEAR. FOR PURPOSES OF CALCULATING
23 PER-PUPIL CATEGORICAL FUNDING FOR THE ENGLISH LANGUAGE
24 PROFICIENCY PROGRAM, A SCHOOL DISTRICT SHALL INCLUDE THE AMOUNT
25 IT RECEIVES THROUGH THE PROFESSIONAL DEVELOPMENT AND STUDENT
26 SUPPORT PROGRAM CREATED IN SECTION 22-24-108.

27 (2) (a) FOR THE SCHOOL YEAR THAT STARTS ON JULY 1 AFTER A

1 SCHOOL DISTRICT IS IDENTIFIED AS CHRONICALLY LOW-PERFORMING, THE
2 SCHOOL DISTRICT SHALL ESTABLISH A PARENT CHOICE PROGRAM FOR THE
3 PARENTS OF STUDENTS WHO RESIDE WITHIN THE BOUNDARIES OF THE
4 SCHOOL DISTRICT AND ARE ENROLLED IN THE SCHOOL DISTRICT. THE
5 SCHOOL DISTRICT SHALL ESTABLISH A CHOICE ACCOUNT FOR THE PARENT
6 OF EACH STUDENT WHO RESIDES WITHIN AND ENROLLS IN THE SCHOOL
7 DISTRICT AND DEPOSIT INTO THE ACCOUNT AN AMOUNT EQUAL TO THE
8 PER-PUPIL AMOUNT OF THE SCHOOL DISTRICT'S STATE SHARE FOR EACH
9 APPLICABLE BUDGET YEAR AND AN AMOUNT EQUAL TO THE PER-PUPIL
10 CATEGORICAL FUNDING FOR EACH CATEGORICAL PROGRAM IN WHICH THE
11 STUDENT IS ELIGIBLE TO PARTICIPATE. IN ADDITION, THE SCHOOL DISTRICT
12 MAY DEPOSIT INTO EACH ACCOUNT AN AMOUNT EQUAL TO THE PER-PUPIL
13 AMOUNT OF THE SCHOOL DISTRICT'S LOCAL SHARE FOR EACH APPLICABLE
14 BUDGET YEAR. THE SCHOOL DISTRICT SHALL DEPOSIT THE MONEY IN EACH
15 PARENT'S ACCOUNT AS IT IS RECEIVED FROM THE DEPARTMENT OR FROM
16 THE COUNTY TREASURER, AS APPLICABLE. A PARENT MAY WITHDRAW
17 MONEY FROM HIS OR HER CHOICE ACCOUNT FOR USE ONLY IN PURCHASING
18 EDUCATIONAL SERVICES.

19 (b) A CHRONICALLY LOW-PERFORMING SCHOOL DISTRICT SHALL
20 MAINTAIN THE PARENT CHOICE PROGRAM AS DESCRIBED IN THIS SECTION.
21 THE SCHOOL DISTRICT SHALL DEPOSIT THE AMOUNTS DESCRIBED IN
22 SUBSECTION (2)(a) OF THIS SECTION IN THE PARENT CHOICE ACCOUNTS
23 UNTIL THE SCHOOL DISTRICT ACHIEVES AN ACCREDITATION RATING OF
24 ACCREDITED OR HIGHER; EXCEPT THAT THE SCHOOL DISTRICT IS NOT
25 REQUIRED TO DEPOSIT MONEY INTO THE ACCOUNT OF A PARENT FOR ANY
26 MONTH DURING THE BUDGET YEAR IN WHICH THE PARENT ENROLLS HIS OR
27 HER STUDENT IN A PUBLIC SCHOOL OF THE SCHOOL DISTRICT.

1 (c) NOTWITHSTANDING THE PROVISIONS OF SECTION 22-54-106 TO
2 THE CONTRARY, IN A BUDGET YEAR IN WHICH A SCHOOL DISTRICT THAT IS
3 REQUIRED TO MAINTAIN A PARENT CHOICE PROGRAM DOES NOT DEPOSIT
4 THE PER-PUPIL AMOUNT OF THE SCHOOL DISTRICT'S LOCAL SHARE INTO THE
5 PARENT CHOICE ACCOUNTS, THE SCHOOL DISTRICT IS NOT AUTHORIZED TO
6 LEVY PROPERTY TAX MILLS FOR THE PURPOSES OF SECTION 22-54-106 FOR
7 THE SCHOOL DISTRICT'S LOCAL SHARE OF TOTAL PROGRAM FUNDING. IN A
8 BUDGET YEAR IN WHICH A SCHOOL DISTRICT IS PROHIBITED BY THIS
9 SUBSECTION (2)(c) FROM LEVYING PROPERTY TAX MILLS FOR THE
10 PURPOSES OF SECTION 22-54-106, THE DEPARTMENT SHALL CALCULATE
11 THE SCHOOL DISTRICT'S STATE SHARE OF TOTAL PROGRAM AS IF THE
12 SCHOOL DISTRICT HAD LEVIED THE NUMBER OF MILLS REQUIRED IN
13 SECTION 22-54-106 AND COLLECTED ONE HUNDRED PERCENT OF THE
14 RESULTING PROPERTY TAX REVENUES.

15 (3) (a) NO LATER THAN MARCH 1 OF THE SCHOOL YEAR IN WHICH
16 A SCHOOL DISTRICT IS IDENTIFIED AS CHRONICALLY LOW-PERFORMING,
17 THE SCHOOL DISTRICT SHALL NOTIFY THE PARENTS OF THE STUDENTS WHO
18 RESIDE WITHIN AND ARE ENROLLED IN THE SCHOOL DISTRICT THAT THEY
19 ARE ELIGIBLE TO PARTICIPATE IN THE PARENT CHOICE PROGRAM. THE
20 NOTICE AT A MINIMUM MUST:

21 (I) DESCRIBE THE PARENT CHOICE ACCOUNTS AND HOW A PARENT
22 MAY USE THE MONEY DEPOSITED IN THE PARENT CHOICE ACCOUNT;

23 (II) SPECIFY THE DATE BY WHICH THE PARENT MUST NOTIFY THE
24 SCHOOL DISTRICT THAT HIS OR HER CHILD WILL ENROLL IN THE SCHOOL
25 DISTRICT FOR THE COMING BUDGET YEAR AND THE INFORMATION THE
26 PARENT MUST PROVIDE FOR CREATION OF A PARENT CHOICE ACCOUNT;

27 (III) INFORM THE PARENT THAT HE OR SHE MAY CHOOSE TO

1 ENROLL HIS OR HER CHILD IN A SCHOOL OF THE SCHOOL DISTRICT FOR ALL
2 OR ANY PORTION OF THE BUDGET YEAR, IN WHICH CASE THE SCHOOL
3 DISTRICT WILL NOT DEPOSIT MONEY INTO THE PARENT CHOICE ACCOUNT
4 FOR ANY MONTH IN WHICH THE CHILD IS ENROLLED IN A PUBLIC SCHOOL OF
5 THE SCHOOL DISTRICT;

6 (IV) INFORM THE PARENT THAT HE OR SHE MAY REMOVE HIS OR
7 HER CHILD FROM A PUBLIC SCHOOL OF THE SCHOOL DISTRICT DURING THE
8 BUDGET YEAR, WHILE MAINTAINING ENROLLMENT IN THE SCHOOL
9 DISTRICT, BY NOTIFYING THE SCHOOL DISTRICT AND THAT THE SCHOOL
10 DISTRICT SHALL BEGIN DEPOSITING MONEY INTO THE PARENT'S CHOICE
11 ACCOUNT IN THE MONTH FOLLOWING THE MONTH IN WHICH THE PARENT
12 GIVES NOTICE; AND

13 (V) PROVIDE AN ESTIMATE OF THE AMOUNT THAT THE SCHOOL
14 DISTRICT WILL DEPOSIT INTO EACH PARENT CHOICE ACCOUNT FOR THE
15 COMING BUDGET YEAR.

16 (b) A PARENT WHO RESIDES WITHIN THE SCHOOL DISTRICT AND
17 CHOOSES TO ENROLL HIS OR HER CHILD AS A STUDENT IN THE SCHOOL
18 DISTRICT MUST NOTIFY THE SCHOOL DISTRICT BY A DATE SPECIFIED BY THE
19 SCHOOL DISTRICT AND PROVIDE THE INFORMATION NECESSARY FOR THE
20 ACCOUNTING SYSTEM, INCLUDING WHETHER THE PARENT INTENDS TO
21 ENROLL HIS OR HER CHILD IN A PUBLIC SCHOOL OF THE SCHOOL DISTRICT.

22 (c) THE BOARD OF EDUCATION FOR EACH SCHOOL DISTRICT THAT
23 IS REQUIRED TO MAINTAIN A PARENT CHOICE PROGRAM PURSUANT TO THIS
24 SECTION SHALL ESTABLISH PROCEDURES FOR IMPLEMENTING THE
25 PROGRAM, WHICH MUST AT A MINIMUM INCLUDE:

26 (I) THE ANNUAL DATE AND PROCEDURE BY WHICH A PARENT MUST
27 NOTIFY THE SCHOOL DISTRICT THAT THE PARENT IS ENROLLING HIS OR HER

1 STUDENT IN THE SCHOOL DISTRICT AND THE INFORMATION THAT THE
2 PARENT MUST PROVIDE;

3 (II) THE PROCEDURE FOR MAINTAINING A PARENT CHOICE
4 ACCOUNT FOR EACH PARENT, INCLUDING THE PROCESS BY WHICH A
5 PARENT MAY WITHDRAW MONEY FROM THE ACCOUNT TO USE FOR
6 EDUCATIONAL SERVICES; AND

7 (III) THE PROCEDURE BY WHICH A PARENT MUST ACCOUNT TO THE
8 SCHOOL DISTRICT FOR THE USE OF MONEY WITHDRAWN FROM THE
9 ACCOUNT, WHICH AT A MINIMUM MUST INCLUDE SUBMITTING RECEIPTS
10 MONTHLY FOR THE EDUCATIONAL SERVICES PURCHASED.

11 (d) IF A PARENT CHOOSES TO WITHDRAW HIS OR HER CHILD FROM
12 ENROLLMENT IN THE SCHOOL DISTRICT BEFORE THE END OF A SCHOOL
13 YEAR, THE SCHOOL DISTRICT SHALL CEASE DEPOSITING MONEY INTO THE
14 PARENT'S CHOICE ACCOUNT AS OF THE DATE OF WITHDRAWAL.

15 (e) IF, BASED ON THE ACCOUNTING PROCEDURES, A SCHOOL
16 DISTRICT DETERMINES THAT A PARENT HAS MISUSED MONEY DEPOSITED
17 INTO THE PARENT'S CHOICE ACCOUNT, THE SCHOOL DISTRICT SHALL
18 NOTIFY THE PARENT OF THE MISUSE AND REQUIRE THE PARENT TO
19 REIMBURSE THE AMOUNT OF MISUSED MONEY TO THE SCHOOL DISTRICT.
20 IF THE PARENT MISUSES MONEY DEPOSITED TO THE PARENT'S CHOICE
21 ACCOUNT TWICE IN ONE SCHOOL YEAR, THE SCHOOL DISTRICT SHALL STOP
22 DEPOSITING MONEY INTO THE PARENT'S ACCOUNT AND NOTIFY THE
23 PARENT THAT HE OR SHE MAY ENROLL THE STUDENT IN ONE OF THE
24 SCHOOLS OF THE SCHOOL DISTRICT FOR THE REMAINDER OF THE SCHOOL
25 YEAR. IF A PARENT DISPUTES A SCHOOL DISTRICT'S DETERMINATION OF
26 MISUSE OF MONEY, THE PARENT MAY APPEAL THE DETERMINATION TO THE
27 LOCAL SCHOOL BOARD. IF THE PARENT IS NOT SATISFIED WITH THE

1 DECISION OF THE LOCAL SCHOOL BOARD, THE PARENT MAY APPEAL THE
2 DECISION TO THE STATE BOARD AS PROVIDED IN SUBSECTION (6) OF THIS
3 SECTION.

4 (4) A SCHOOL DISTRICT THAT IS REQUIRED TO OPERATE A PARENT
5 CHOICE PROGRAM PURSUANT TO THIS SECTION IS SUBJECT TO THE
6 ACCOUNTABILITY REQUIREMENTS SPECIFIED IN THIS ARTICLE 11 AND
7 SHALL ENSURE THAT THE STATE ASSESSMENTS DESCRIBED IN SECTION
8 22-7-1006.3 ARE ADMINISTERED AS PROVIDED IN SAID SECTION TO THE
9 STUDENTS WHO ARE ENROLLED IN THE SCHOOL DISTRICT, REGARDLESS OF
10 WHETHER A STUDENT IS ATTENDING A SCHOOL OF THE SCHOOL DISTRICT.
11 THE DEPARTMENT SHALL APPLY THE SCORES ACHIEVED BY THE STUDENTS
12 WHO ARE ENROLLED IN THE SCHOOL DISTRICT AND OTHER DATA
13 ATTRIBUTABLE TO STUDENTS ENROLLED IN THE SCHOOL DISTRICT AS
14 NECESSARY TO MEASURE THE SCHOOL DISTRICT'S LEVEL OF ATTAINMENT
15 OF THE PERFORMANCE INDICATORS AND ACCREDIT THE SCHOOL DISTRICT
16 AS PROVIDED IN THIS ARTICLE 11.

17 (5) A SCHOOL DISTRICT THAT IS REQUIRED TO OPERATE A PARENT
18 CHOICE PROGRAM PURSUANT TO THIS SECTION IS AUTOMATICALLY
19 DESIGNATED A DISTRICT OF INNOVATION AND EACH PUBLIC SCHOOL OF THE
20 SCHOOL DISTRICT IS DEEMED TO BE A SCHOOL OF INNOVATION. THE
21 SCHOOL DISTRICT SHALL PREPARE AN INNOVATION PLAN AS DESCRIBED IN
22 SECTION 22-32.5-104 AND SUBMIT THE PLAN TO THE STATE BOARD AS
23 SOON AS POSSIBLE AFTER BEING IDENTIFIED AS CHRONICALLY
24 LOW-PERFORMING. THE STATE BOARD SHALL WAIVE ANY STATUTES OR
25 RULES SPECIFIED IN THE PLAN, SUBJECT TO THE LIMITATIONS ON WAIVERS
26 SPECIFIED IN SAID SECTION. THE SCHOOL DISTRICT HAS THE POWERS AND
27 MAY IMPLEMENT THE PROCEDURES DESCRIBED IN SECTION 22-32.5-109.

1 (6) A PARENT MAY APPEAL THE DECISION OF THE LOCAL SCHOOL
2 BOARD CONCERNING THE ALLEGED MISUSE OF MONEY DEPOSITED INTO THE
3 PARENT'S CHOICE ACCOUNT BY FILING NOTICE OF APPEAL WITH THE STATE
4 BOARD WITHIN THIRTY DAYS AFTER RECEIVING THE DECISION OF THE
5 LOCAL SCHOOL BOARD. THE PARENT SHALL SUBMIT A COPY OF THE NOTICE
6 OF APPEAL TO THE LOCAL SCHOOL BOARD AT THE SAME TIME HE OR SHE
7 FILES THE NOTICE WITH THE STATE BOARD. THE STATE BOARD SHALL
8 PROVIDE OPPORTUNITY TO THE PARENT AND THE LOCAL SCHOOL BOARD TO
9 PROVIDE DOCUMENTS AND TESTIMONY CONCERNING THE APPEAL AND
10 SHALL DETERMINE WHETHER TO UPHOLD OR REVERSE THE DECISION OF
11 THE LOCAL SCHOOL BOARD WITHIN FORTY-FIVE DAYS AFTER RECEIVING
12 THE NOTICE OF APPEAL. THE STATE BOARD MAY ADOPT RULES AS
13 NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SUBSECTION (6).

14 (7) NOTWITHSTANDING ANY PROVISION OF THIS TITLE 22 TO THE
15 CONTRARY, IF A PARENT WHO IS PARTICIPATING IN THE PARENT CHOICE
16 PROGRAM CHOOSES TO ENROLL HIS OR HER CHILD IN A PUBLIC SCHOOL OF
17 A SCHOOL DISTRICT OTHER THAN THE CHRONICALLY LOW-PERFORMING
18 SCHOOL OR IN AN INSTITUTE CHARTER SCHOOL, THE RECEIVING SCHOOL
19 DISTRICT, DISTRICT CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL,
20 WHICHEVER IS APPLICABLE, MAY REQUIRE THE PARENT TO PAY TUITION IN
21 AN AMOUNT NOT TO EXCEED THE AMOUNT DEPOSITED TO THE PARENT'S
22 CHOICE ACCOUNT IN PURSUANT TO THIS SECTION.

23 (8) THE PROVISIONS OF THIS SECTION APPLY TO A SCHOOL DISTRICT
24 THAT IS IDENTIFIED AS CHRONICALLY LOW-PERFORMING, REGARDLESS OF
25 ANY ACTION DESCRIBED IN THIS PART 2 THAT THE STATE BOARD MAY TAKE
26 WITH REGARD TO THE SCHOOL DISTRICT.

27 **SECTION 2.** In Colorado Revised Statutes, 22-54-103, **amend**

1 the introductory portion; and **add** (10)(a)(VI) as follows:

2 **22-54-103. Definitions.** As used in this ~~article~~ ARTICLE 54, unless
3 the context otherwise requires:

4 (10) (a) (VI) FOR THE 2017-18 BUDGET YEAR AND EACH BUDGET
5 YEAR THEREAFTER, FOR A DISTRICT THAT IS REQUIRED TO IMPLEMENT A
6 PARENT CHOICE PROGRAM PURSUANT TO SECTION 22-11-209.5, "PUPIL
7 ENROLLMENT" INCLUDES EACH PUPIL WHO IS ENROLLED IN THE SCHOOL
8 DISTRICT AS OF THE PUPIL ENROLLMENT COUNT DAY, REGARDLESS OF
9 WHETHER THE PUPIL ATTENDS A SCHOOL OF THE SCHOOL DISTRICT OR USES
10 MONEY DEPOSITED TO THE STUDENT'S PARENT CHOICE ACCOUNT TO
11 PURCHASE EDUCATIONAL SERVICES.

12 **SECTION 3. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety.