SENATE SPONSORSHIP

Moreno,

HOUSE SPONSORSHIP

(None),

Senate Committees	House Committees
Education	

A BILL FOR AN ACT

101 CONCERNING CREATION OF AN AUTOMATIC ENROLLMENT IN
102   ADVANCED COURSES GRANT PROGRAM IN THE DEPARTMENT OF
103   EDUCATION.

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 establishes the automatic enrollment in advanced courses grant program (grant program) in the department of education (department) to provide funding for school districts that automatically enroll certain students in advanced courses.

In order to be eligible for the grant program, a school district must

automatically enroll students who are in ninth grade or higher in an advanced course in a subject related to one in which the student demonstrated proficiency on the prior year's statewide assessment. Eligible school districts are encouraged to automatically enroll eligible fourth- through eighth-grade students in advanced courses as well. School districts are required to permit parents to remove their children from automatically enrolled classes and may permit parents to exempt their children from any automatic enrollment.

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

2   **SECTION 1. Legislative declaration.** (1) The general assembly

3   hereby finds and declares that:

4   (a) All students deserve the opportunity to learn higher-level

5   content;

6   (b) Students who have access to a rigorous curriculum perform

7   better across multiple measures, including graduating high school and

8   completing higher education;

9   (c) Traditionally, disadvantaged minorities and low-income

10   students of all racial and ethnic backgrounds who perform well in school

11   do not enroll in advanced classes at the same rate as their peers,

12   regardless of preparedness;

13   (d) High school graduation guidelines adopted by the Colorado

14   state board of education require students to demonstrate competency in

15   math and English scores to graduate, which can include achieving a

16   sufficient score on an advanced placement or international baccalaureate

17   exam; and

18   (e) A school's or school district's course placement policies and

19   decisions impact a student's opportunity to reach his or her full academic

20   potential.

21   **SECTION 2.** In Colorado Revised Statutes, **add** part 2 to article

1   95.5 of title 22 as follows:

2   PART 2

3   AUTOMATIC ENROLLMENT IN ADVANCED COURSES

4   GRANT PROGRAM

5   **22-95.5-201. Definitions.** AS USED IN THIS PART 2, UNLESS THE

6   CONTEXT OTHERWISE REQUIRES:

7   (1) "ADVANCED COURSE" MEANS AN ADVANCED COURSE OF STUDY

8   IN ANY SUBJECT, INCLUDING AN ADVANCED PLACEMENT COURSE; AN

9   INTERNATIONAL BACCALAUREATE COURSE; OR A COURSE DESIGNATED BY

10   A SCHOOL DISTRICT AS AN HONORS, GIFTED, OR ACCELERATED COURSE.

11   (2)   "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION

12   CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

13   (3) "ELIGIBLE SCHOOL DISTRICT" MEANS A SCHOOL THAT MEETS

14   THE REQUIREMENTS DESCRIBED IN SECTION 22-95.5-203 (1).

15   (4) "GRANT PROGRAM" MEANS THE AUTOMATIC ENROLLMENT IN

16   ADVANCED COURSES GRANT PROGRAM CREATED IN SECTION 22-95.5-202.

17   (5) "PARENT" MEANS A STUDENT'S BIOLOGICAL PARENT, ADOPTIVE

18   PARENT, OR LEGAL GUARDIAN.

19   (6)   "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN

20   COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON THE

21   GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE

22   SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

23   (7)   "SCHOOL DISTRICT" MEANS ANY PUBLIC SCHOOL DISTRICT

24   ORGANIZED UNDER THE LAWS OF COLORADO OR AN INSTITUTE CHARTER

25   SCHOOL CREATED PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22.

26   "SCHOOL DISTRICT" DOES NOT INCLUDE A LOCAL COLLEGE DISTRICT.

27   (8)   "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION

1 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE

2 STATE CONSTITUTION.

3 **22-95.5-202. Automatic enrollment in advanced courses grant**

4 **program - creation - rules.** (1) THERE IS CREATED IN THE DEPARTMENT

5 THE AUTOMATIC ENROLLMENT IN ADVANCED COURSES GRANT PROGRAM

6 TO INCREASE THE NUMBER OF STUDENTS ENROLLED IN ADVANCED

7 COURSES FOR SUBJECTS IN WHICH THE STUDENT HAS DEMONSTRATED

8 PROFICIENCY.

9 (2) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM IN

10 ACCORDANCE WITH STATE BOARD RULES. THE DEPARTMENT SHALL:

11 (a) ACCEPT AND REVIEW GRANT APPLICATIONS;

12 (b) DETERMINE THE AMOUNT, IN ACCORDANCE WITH STATE BOARD

13 RULES AND BASED ON AVAILABLE APPROPRIATIONS, THAT WILL BE

14 AWARDED TO EACH ELIGIBLE SCHOOL DISTRICT; AND

15 (c) AWARD A GRANT TO EACH ELIGIBLE SCHOOL DISTRICT THAT

16 HAS SUBMITTED AN APPLICATION.

17 (3) (a) PURSUANT TO ARTICLE 4 OF TITLE 24, THE STATE BOARD

18 SHALL PROMULGATE RULES TO IMPLEMENT THE GRANT PROGRAM,

19 INCLUDING RULES RELATING TO:

20 (I) THE APPLICATION PROCESS, INCLUDING DEADLINES;

21 (II) THE FORMULA FOR DETERMINING THE AMOUNT OF THE GRANT

22 AWARDED TO EACH ELIGIBLE SCHOOL DISTRICT;

23 (III) DEADLINES FOR THE DEPARTMENT TO AWARD GRANTS; AND

24 (IV) A PROCESS FOR VERIFYING THAT SCHOOL DISTRICTS THAT

25 HAVE RECEIVED AN AWARD ARE COMPLYING WITH THE REQUIREMENTS OF

26 THE GRANT PROGRAM.

27 (b) WHEN PROMULGATING RULES FOR DETERMINING THE AMOUNT

1 OF THE GRANT AWARD PURSUANT TO SUBSECTION (3)(a)(II) OF THIS

2 SECTION, THE STATE BOARD SHALL INCLUDE THE FOLLOWING FACTORS:

3 (I) THE COSTS ASSOCIATED WITH A DISTRICT IMPLEMENTING ITS

4 PLAN SUBMITTED WITH ITS APPLICATION;

5 (II) THE NUMBER OF GRADE LEVELS IN WHICH THE DISTRICT

6 AUTOMATICALLY ENROLLS STUDENTS IN ADVANCED COURSES; AND

7 (III) THE NUMBER OF STUDENTS AUTOMATICALLY ENROLLED IN

8 ADVANCED COURSES BY THE SCHOOL DISTRICT.

9 (c) IN PROMULGATING RULES PURSUANT TO THIS PART 2, THE

10 STATE BOARD SHALL ENSURE THAT A RURAL SCHOOL DISTRICT MAY

11 SUBMIT A SIMPLIFIED GRANT APPLICATION.

12 **22-95.5-203. Eligible school districts - application - use of**

13 **grant money - report.** (1) (a) A SCHOOL DISTRICT IS ELIGIBLE FOR THE

14 GRANT PROGRAM IF THE SCHOOL DISTRICT AUTOMATICALLY ENROLLS

15 EACH STUDENT ENTERING THE NINTH GRADE OR HIGHER IN AN ADVANCED

16 COURSE IN A SUBJECT RELATED TO THE SUBJECT IN WHICH THE STUDENT

17 ACHIEVED A SCORE THAT IS EQUIVALENT TO, OR EXCEEDS,

18 DEMONSTRATING PROFICIENCY ON THE STATE ASSESSMENT THAT WAS

19 ADMINISTERED PURSUANT TO SECTION 22-7-1006.3 FOR THE PRECEDING

20 ACADEMIC YEAR, REFERRED TO IN THIS SECTION AS AN "ELIGIBLE SCORE",

21 AS FOLLOWS:

22 (I) STUDENTS WHO ACHIEVE AN ELIGIBLE SCORE IN A SUBJECT

23 RELATED TO MATHEMATICS MUST BE AUTOMATICALLY ENROLLED IN

24 ADVANCED COURSES IN MATHEMATICS;

25 (II) STUDENTS WHO ACHIEVE AN ELIGIBLE SCORE IN SUBJECTS

26 RELATING TO READING AND WRITING MUST BE ENROLLED IN ADVANCED

27 COURSES IN ENGLISH, SOCIAL STUDIES, HUMANITIES, OR OTHER RELATED

1 SUBJECTS; AND

2 (III) STUDENTS WHO ACHIEVE AN ELIGIBLE SCORE IN A SUBJECT

3 RELATED TO SCIENCE OR SOCIAL STUDIES MUST BE AUTOMATICALLY

4 ENROLLED IN ADVANCED COURSES IN SCIENCE OR SOCIAL STUDIES.

5 (b) (I) AN ELIGIBLE SCHOOL DISTRICT IS ENCOURAGED TO

6 AUTOMATICALLY ENROLL EACH STUDENT ENTERING THE FOURTH

7 THROUGH EIGHTH GRADE IN ADVANCED COURSES AS DESCRIBED IN THIS

8 SECTION.

9 (II) AN ELIGIBLE SCHOOL DISTRICT IS ENCOURAGED TO USE

10 AUTOMATIC ENROLLMENT FOR COURSES IN SUBJECTS NOT LISTED IN THIS

11 SECTION.

12 (c) AN ELIGIBLE SCHOOL DISTRICT SHALL PERMIT A PARENT OF A

13 STUDENT TO REMOVE THE STUDENT FROM AN ADVANCED COURSE IN

14 WHICH THE STUDENT HAS BEEN AUTOMATICALLY ENROLLED. AN ELIGIBLE

15 SCHOOL DISTRICT MAY PERMIT A PARENT OF A STUDENT TO EXEMPT THE

16 STUDENT FROM ANY AUTOMATIC ENROLLMENT IN ADVANCED COURSES.

17 (2) IN AN APPLICATION SUBMITTED PURSUANT TO THIS PART 2, A

18 SCHOOL DISTRICT SHALL INCLUDE THE FOLLOWING:

19 (a) A DESCRIPTION OF THE SCHOOL DISTRICT'S EXISTING

20 ADVANCED COURSES AND ANY PLANNED ADVANCED COURSES, INCLUDING

21 COURSES THAT MAY BE IMPLEMENTED WITH MONEY RECEIVED FROM THE

22 GRANT PROGRAM;

23 (b) THE SCHOOL DISTRICT'S PLAN FOR AUTOMATICALLY ENROLLING

24 STUDENTS INTO ADVANCED COURSES;

25 (c) A DESCRIPTION OF HOW THE SCHOOL DISTRICT WILL USE ANY

26 GRANT AWARDED CONSISTENT WITH THE REQUIREMENTS OF SUBSECTION

27 (3) OF THIS SECTION; AND

1   (d) ANY OTHER INFORMATION REQUIRED BY STATE BOARD RULE.

2   (3) AN ELIGIBLE SCHOOL DISTRICT THAT IS AWARDED A GRANT

3   PURSUANT TO THIS PART 2 MAY USE THE GRANT MONEY FOR ANY OF THE

4   FOLLOWING:

5   (a) EXPANDING THE NUMBER OF ADVANCED COURSES OFFERED IN

6   THE SCHOOL DISTRICT, INCLUDING THE USE OF TECHNOLOGY TO INCREASE

7   THE NUMBER OF ADVANCED COURSES OFFERED;

8   (b) INCENTIVIZING TEACHERS TO TEACH ADVANCED COURSES,

9   INCLUDING TEACHER TRAINING AND PROFESSIONAL DEVELOPMENT IN

10   AREAS RELATING TO ADVANCED COURSE INSTRUCTION;

11   (c) DEVELOPING ADVANCED COURSE CURRICULUM; OR

12   (d) EXPANDING PARENT AND STUDENT ENGAGEMENT IN THE

13   SCHOOL DISTRICT AS IT RELATES TO ADVANCED COURSE AVAILABILITY

14   AND ENROLLMENT AND STUDENT SUCCESS IN ADVANCED COURSES.

15   (4) SCHOOL DISTRICTS THAT RECEIVE AN AWARD FROM THE GRANT

16   PROGRAM MUST SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT THAT

17   INCLUDES THE FOLLOWING INFORMATION:

18   (a) THE NUMBER OF STUDENTS ENROLLED IN ADVANCED COURSES;

19   (b) THE NUMBER OF STUDENTS AUTOMATICALLY ENROLLED IN

20   ADVANCED COURSES BY THE SCHOOL DISTRICT; AND

21   (c) DEMOGRAPHIC INFORMATION OF STUDENTS AUTOMATICALLY

22   ENROLLED IN ADVANCED COURSES, INCLUDING BUT NOT LIMITED TO AGE,

23   ETHNICITY, RACIAL, AND SOCIOECONOMIC INFORMATION.

24   **22-95.5-204. Department of education reporting requirements.**

25   IN ITS ANNUAL REPORT BEFORE THE HOUSE AND SENATE COMMITTEES OF

26   REFERENCE PURSUANT TO SECTION 2-7-203, THE DEPARTMENT SHALL

27   INCLUDE INFORMATION DESCRIBING THE GRANTS AWARDED THROUGH THE

1   GRANT PROGRAM DURING THE PRECEDING YEAR.

2   **SECTION 3.** In Colorado Revised Statutes, 22-95.5-101, **amend**

3 the introductory portion as follows:

4   **22-95.5-101. Definitions.** As used in this ~~article 95.5~~ PART 1,

5 unless the context otherwise requires:

6   **SECTION 4. Act subject to petition - effective date.** This act

7 takes effect at 12:01 a.m. on the day following the expiration of the

8 ninety-day period after final adjournment of the general assembly (August

9 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a

10 referendum petition is filed pursuant to section 1 (3) of article V of the

11 state constitution against this act or an item, section, or part of this act

12 within such period, then the act, item, section, or part will not take effect

13 unless approved by the people at the general election to be held in

14 November 2020 and, in such case, will take effect on the date of the

15 official declaration of the vote thereon by the governor.