

2012-13 State Board of Education Regulatory Agenda

Submitted to:
**Colorado Secretary of State
Colorado Legislative Legal Council**

By:
**Carey Taylor Markel, Esq.
Director, State Board Relations
State Board of Education**

November 1, 2012



State Board of Education
201 E. Colfax Ave., Denver, CO 80203
303-866-6809
StateBoard-1@cde.state.co.us

Basis for Adoption	Purpose	Rule	Notice Date	Hearing Date	Adopt Date	Parties Potentially Affected
HB 12-1090; HB 09-1319; 22-2-107; 22-54-103; 22-30.5-107, C.R.S.	Revisions to the Rules for the Administration of the Public School Finance Act, incorporate statutory requirements concerning the annual count date for establishing total pupil enrollment; repeal the High School Fast Track Program Act and define how students enrolled in Early Colleges are funded.	1 CCR 301-39, Rules for the Administration of the Public School Finance Act of 1994	Sept	Nov	Dec	School districts, public schools, charter schools
22-54-103; 22-2-130; 22-30.7-102, C.R.S.	Amends the rules concerning the annual count date; amends the rules to incorporate new definitions of an online program and online school, and establish a new definition of single-district online program	1 CCR 301-71, Rules for the Administration, Certification and Oversight of Colorado Online Programs	Sept	Nov	Dec	Charter schools, school districts
Policy implementation	Revisions to the rules will add to the list of statutes that may be automatically waived for charter schools, based on the number of requests for particular waivers in the past several years.	1 CCR 301-35, Rules for the Administration of the Waiver of Statute and Rule	Sept	Nov	Dec	School districts and charter schools
SB 12-121	Statute requires the state board to adopt rules establishing the processes, guidelines, and eligibility for a single charter school or consortium of charter schools to apply for federal and state grants and programs.	1 CCR 301-91, Rules for Charter Schools Applying for Federal and State Grants and Programs	Sept	Nov	Dec	School districts and charter schools
HB 12-1090	Statute establishes new method of identifying pupil enrollment count date; all rules referencing "October 1 Pupil Count Date" must be updated.	The following rules are impacted: 1 CCR1 CCR01-39, Rules for the Administration of the Public School Finance Act of 1994 1CCR 301-76, Rules Related to the Development Expansion	Sept	Nov	Dec	School districts, charter schools, public schools, students and parents

Basis for Adoption	Purpose	Rule	Notice Date	Hearing Date	Adopt Date	Parties Potentially Affected
		Implementation and Management of Regional Service Areas 1 CCR 301-71, Rules for the Administration, Certification and Oversight of Colorado Online Programs (also include new definition from HB 12-1240) 1 CCR 301-14, Rules for the administration of the Public School Transportation Fund				
OLLS Review	Revise Rules for the Administration of the Educator Licensing Act of 1991, based on OLLS review	1 CCR 301-37, Rules for the Administration of the Educator Licensing Act of 1991	Oct	Dec	Dec	BOCEs, school districts, public schools
22-30.5-603, C.R.S.	Establishes timeline, standards and procedures to use in granting or denying authorization as a School Food Authority to a charter school collaborative	1 CCR 301-82, Rules for the Authorization of Charter Schools and Charter School Collaboratives as School Food Authorities	Oct	Dec	Jan	Charter schools, school districts
22-2-406; 22-20-103; 22-20-108, C.R.S.	Make consistent with statute, eliminate expired and outdated rules regarding special education due process hearings, eliminate the “preschooler with a disability” eligibility category and designate a new eligibility category of a “child with a developmental delay”.	1 CCR 301-8, Rules for the Administration of the Exceptional Children’s Educational Act	Oct	Dec	Jan	School districts, public schools and educators

Basis for Adoption	Purpose	Rule	Notice Date	Hearing Date	Adopt Date	Parties Potentially Affected
HB 12-1238	Statute requires the state board to adopt rules for administration of the Colorado Reading to Ensure Academic Development Act, including the establishment of a list of approved reading assessments, advisory lists of instructional programming and professional development, the establishment of minimum reading competency skill levels, and procedures for the collecting and reporting of information concerning students' reading skills.	1 CCR 301-XX, Rules for the Implementation of the Colorado Reading to Ensure Academic Development Act	Nov	Jan & Feb (2)	Mar	School districts, public schools, students and parents, and educators
OLLS Review	The OLLS reviewed 1 CCR 301-1 and identified areas of misalignment between statute and rule. These revisions align statute with rule.	1 CCR 301-1, Rules for the Administration of the Accreditation of School Districts	Nov	Jan	Feb	School districts, public schools
Policy implementation	Due to concerns about how breaches in administration of statewide assessments impair the effectiveness of the state's accountability system, the department is recommending that accountability rules be revised to specifically address consequences for such breaches.	1 CCR 301-1, Rules for the Administration of the Accreditation of School Districts	Dec	Feb	Mar	School districts and public schools
HB 12-1043, HB 12-1345	Statute establishes additional requirements for Individual Career and Academic Plans that must be incorporated into existing state board rules.	1 CCR 301-81, Rules Governing Standards for Individual Career and Academic Plans	Dec	Feb	Mar	School districts, public schools, students and parents
Statute repealed	Existing rules are obsolete; statute has been repealed.	REPEAL: 1 CCR 301-41, Rules for the Administration of the Charter School District Pilot Program	Dec	Feb	Mar	N/A
Statute repealed	Existing rules are obsolete; statute has been repealed.	REPEAL: 1 CCR 301-36, Rules for the Administration of the Interdistrict Public Schools of	Dec	Feb	Mar	N/A

Basis for Adoption	Purpose	Rule	Notice Date	Hearing Date	Adopt Date	Parties Potentially Affected
		Choice Pilot Program				
HB 12-2345	Statute requires the state board to adopt rules for the administration of funding to BOCES to assist their districts in implementing and meeting state's educational priorities. Permanent rules must be adopted to replace emergency rules.	1 CCR 301-89, Rules for the Administration of Funding Assistance to Boards of Cooperative Services in Implementing and Meeting State Educational Priorities	Dec	Feb	Mar	BOCES, school districts, and public schools
SB 10-191	Statute requires state board to adopt rules establishing quality standards for the evaluation of licensed personnel other than teachers and principals. These rules will provide guidance on the expectation of measuring licensed personnel such as counselors, occupational therapists, nurses, audiologists, physical therapists, school psychologists, speech language pathologists, social workers and school orientation and mobility specialists. 1 CCR 301-87 also requires the state board to annually revisit and update rules, if necessary.	1 CCR 301-87, Rules for the Administration of a Statewide System to Evaluate the Effectiveness of Licensed Personnel Employed by School Districts and Boards of Cooperative Services	Jan	Mar Apr May	June	School districts, public schools and educators
HB 12-1240	Statute has been amended to revise criteria for John Irwin school awards; rules must be revised accordingly.	1 CCR 301-51, Rules for the Administration of the School Awards Program	Jan	Mar	Apr	School districts and public schools
HB 12-1238	Statute amends requirements for school and district improvement plans to include strategies for addressing reading deficiencies; rules must be revised accordingly.	1 CCR 301-1, Rules for the Administration of the Accreditation of School Districts	Feb	Apr	May	School districts and public schools

Basis for Adoption	Purpose	Rule	Notice Date	Hearing Date	Adopt Date	Parties Potentially Affected
HB 12-057	Statute requires the state board to adopt rules establishing the approval process for the Native American Language and Culture Instruction Authorization.	1 CCR 301-37, Rules for the Administration of the Educator Licensing Act: Authorization for Native American Language and Culture Instruction	Feb	April	May	School districts, public schools, and educators
Policy implementation	Minimum standards governing school transportation vehicles will be revised in accordance with best practices, to make more efficient, user friendly, and updated.	1 CCR 301-25, Colorado Minimum Standards Governing School Transportation Vehicles	Mar	May	June	School districts