

INITIATIVE 2021-2022 #94 EDUCATIONAL MATERIALS UNDER THE COLORADO OPEN RECORDS ACT **AMENDED Text**

INITIATED STATUTE CONCERNING ~~ACCESS TO~~ EDUCATIONAL MATERIALS UNDER THE COLORADO OPEN RECORDS ACT

PROPOSED INITIATIVE 2021-2022 # 94

Be it enacted by the People of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 24-72-202, **amend** (6)(a)(I), and **add** (9)(a), ~~(9-1)(b)~~ and ~~(9-2)(c)~~ as follows:

24-72-202. Definitions. As used in this part 2, unless the context otherwise requires:

(6)(a)(I) "Public records" means, and includes all writings made, maintained, or kept by the state, any agency, institution, LOCAL EDUCATION PROVIDER, a nonprofit corporation incorporated pursuant to section 23-5-121 (2), C.R.S., or political subdivision of the state, or that are described in section 29-1-902, C.R.S., and held by any local-government-financed entity for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds, AND INCLUDES EDUCATIONAL MATERIALS ~~AS USED IN THIS PART 2.~~

(9)(a) "EDUCATIONAL MATERIALS" MEANS ALL WRITTEN MATERIALS AND ELECTRONIC RESOURCES THAT AN EDUCATOR FOR A LOCAL EDUCATION PROVIDER USES IN TEACHING IN PRESCHOOL, KINDERGARTEN, OR GRADES ONE THROUGH FIVE OR IN TEACHING A COURSE IN GRADES SIX THROUGH TWELVE, INCLUDING BUT NOT LIMITED TO TEXTBOOKS, SUPPLEMENTAL WORKSHEETS OR TEXTS, ASSIGNED OR RECOMMENDED READING MATERIALS, ELECTRONIC OR DIGITAL MATERIALS OR OTHER RESOURCES, AND COURSE SYLLABUSES, BUT DOES NOT INCLUDE TESTS OR STUDENT ASSIGNMENTS DEVELOPED BY EDUCATORS BUT NOT YET DISTRIBUTED TO STUDENTS.

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~~(9.1)(b)~~ “EDUCATOR” MEANS A CLASSROOM TEACHER, A PERSON EMPLOYED BY THE LOCAL EDUCATION PROVIDER TO PROVIDE PROFESSIONAL SERVICES TO STUDENTS IN SUPPORT OF THE EDUCATION INSTRUCTIONAL PROGRAM, AND INCLUDES A SCHOOL ADMINISTRATOR, CONTRACTOR OR VOLUNTEER.

~~(9.2)(c)~~ “LOCAL EDUCATION PROVIDER” MEANS A SCHOOL DISTRICT CREATED PURSUANT TO ARTICLE 30 OF TITLE 22, A BOARD OF ~~COOPERATIVES~~ COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF TITLE 22 THAT OPERATES A PUBLIC SCHOOL, A CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22, OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22.

SECTION 2. Effective date. This act shall take effect upon proclamation by the governor pursuant to Sec. 1(4) of Article V of the Colorado Constitution and shall be self-executing.

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