



Department of Education  
Department Description

FY 2010-11  
Budget Request

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## Table of Contents

Organization Chart.....4

Department Description and Background Information.....5

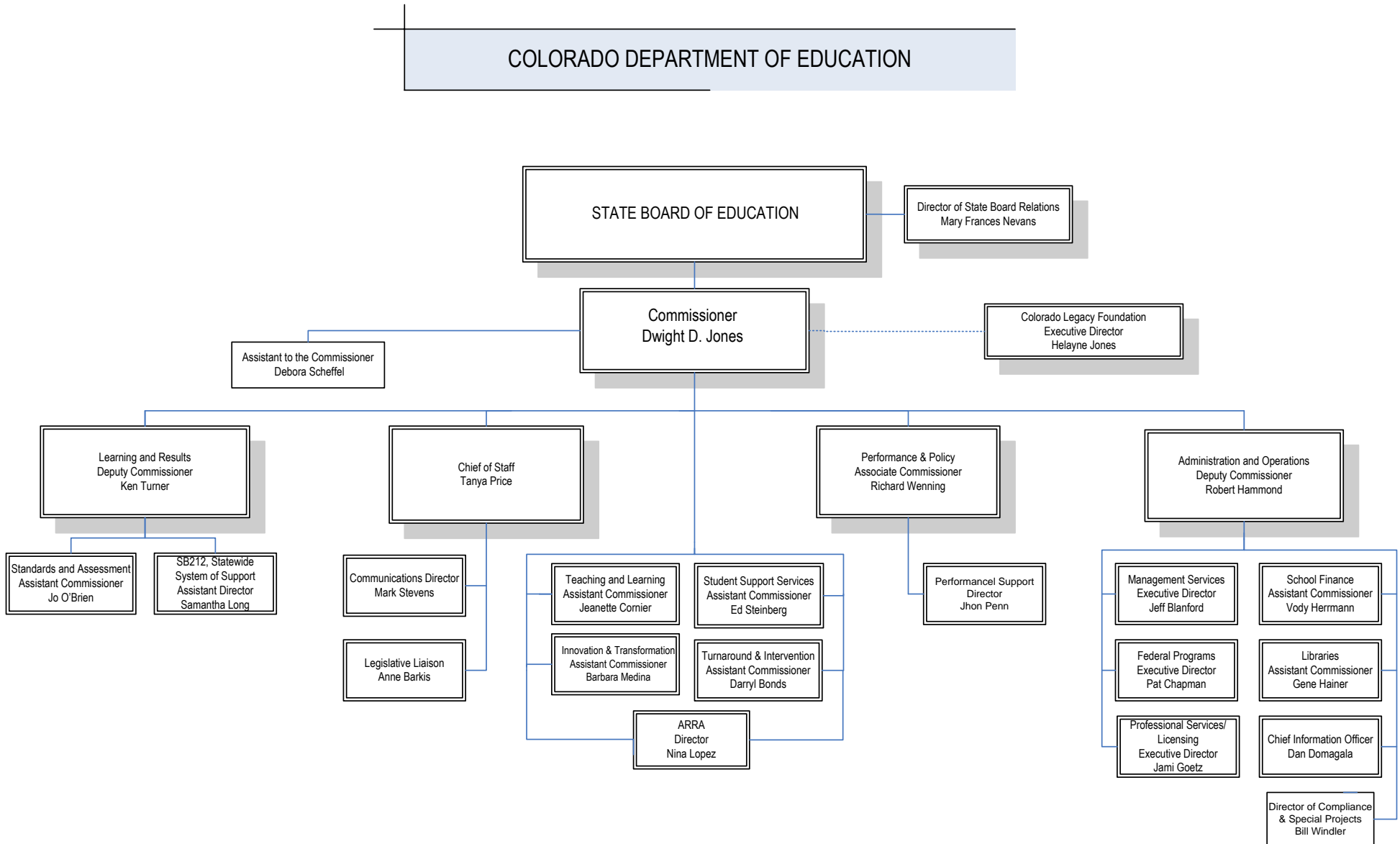
Prior Year Legislation – 2009 Legislative Session.....16

Hot Issues.....34

Work Load Reports.....36

Department Fact Sheet.....46

**Organization Chart**



## **Department Description and Background Information**

The Colorado Department of Education (CDE) is the administrative arm of the Colorado State Board of Education. CDE serves Colorado's 178 local school districts, providing them with leadership, consultation and administrative services on a statewide and regional basis.

CDE is made up of over forty units, 25 different programs, and 300-plus staff members, all pursuing the department's organizational commitment. In keeping with this commitment, the department not only administers K-12 public education, but also the state library system, family/adult literacy efforts, and the Colorado School for the Deaf and the Blind.

**State Board of Education** - In 1948, the Colorado State Constitution was amended to authorize an elected state board of education to provide general supervision of public schools, with powers and duties described throughout title 22 of the Colorado Revised Statutes. The first Colorado State Board of Education was elected in November 1950, and began its work in January 1951. Today, the state board of education is composed of seven elected officials representing Colorado's congressional districts. Board members serve without pay for six-year terms.

Title 11 of the Colorado Revised Statutes – specifically Sections 22-2-106 through 109 and 117 lists the state board's main responsibilities. These responsibilities include: addressing teacher licensing matters, approving CDE's budget, ordering distribution or apportionment of federal and state money for use of the public schools in the state, appraising and accrediting public schools and school districts, promulgating and adopting policies, rules and regulations concerning general supervision of public schools, adjudicating appeals concerning charter schools, appeals concerning initial decisions of the administrative law courts, appeals regarding online programs and appeals concerning exclusive chartering authority.

**Office of the Commissioner of Education** exists to serve the more than 800,000 pre-K through 12 public school children across Colorado by ensuring responsive support to the state's 178 school districts. In June 2007, Dwight D. Jones was unanimously selected as commissioner by the Colorado State Board of Education to implement legislative priorities and the board's strategic plan. He is assisted in the oversight of the entire agency by an advisory team comprised of two deputy commissioners, an associate commissioner and a chief of staff.

In September 2007, the department released its *Forward Thinking* plan to better align its endeavors with the board's strategic plan. *Forward Thinking* also announced the department's commitment to providing guidance, service and support to school districts via professional development in best practices; tools to eliminate gaps and increase achievement for all students; efficient use of federal,

## Department Description FY 2010-11 BUDGET REQUEST

state and private funds; reliable research, data and analysis; and the continual building and expanding of leadership capacity. The department then reorganized to better align the work of each unit with the goals of the plan.

Organizationally, the department is divided into two categories: learning and results, and administration and operations. Ken Turner, Ed.D., is the deputy commissioner for learning and results, which encompasses standards and assessment; innovation and transformation (including online learning, regional services and schools of choice); teaching and learning; and student support (including special education and gifted and talented). Robert Hammond is the deputy commissioner of administration and operations for the department. Under his direction are legislation and policy; professional services; communications; school finance; management services; federal programs; and information and technology.

Associate Commissioner Richard Wenning collaborates with both deputies on projects related to student achievement, longitudinal growth and education policy. Chief of Staff Tanya Price manages the commissioner's office and stays abreast of day-to-day program activity. She is the commissioner's point person and liaison to staff.

**Strategic Partnership** - As part of the Colorado Department of Education's *Forward Thinking* plan, the Colorado Legacy Foundation is a new privately funded nonprofit organization founded by CDE. The foundation seeks to build ongoing statewide leadership and support for aligning Colorado's P-20 education delivery system to meet the global demands of today's rapidly expanding, knowledge-centered economy. Its mission is to accelerate specific improvements within the P-12 system through strategic, public-private partnerships that prepare college-ready students for an economically and socially vibrant Colorado.

**Standards and Assessments** reviews the Colorado model content standards and the current research in both content and pedagogy most effective in helping students and teachers achieve better classroom results. Public conversations and information sessions are conducted with schools, higher education, school boards, policy makers, and the media. The office of standards and assessments is working with WestEd to perform an analysis of the current Colorado model content standards in preparation for a State Advisory Stakeholder Committee's recommendations about refreshing and renewing Colorado model content standards to reflect 21<sup>st</sup> century skills, college readiness and workforce readiness. Following the update of the standards, the office of standards and assessments will be responsible for the revision of the state assessments to reflect the revised standards.

The office of standards and assessments has two subordinate units: the unit of student assessment and the research and evaluation unit.

The unit of student assessment is charged with the responsibility of implementing the Colorado Student Assessment Program (CSAP) for grades three through ten in reading, writing, mathematics and science for grades five, eight and ten. The alternate assessment, CSAPA in the aforementioned grades and content areas; Spanish language assessments in reading and writing are administered in

## Department Description FY 2010-11 BUDGET REQUEST

grades three and four; the Colorado English Language Acquisition assessment in grades K-12, and the grade 11 ACT for Colorado. Colorado Revised Statutes (CRS) 22-7-409 and federal legislation HB 1 known as No Child Left Behind (NCLB). Additionally, National Assessment of Educational Progress (NAEP) is administered through the unit.

Unit of student assessment staff are responsible for working with the various assessment vendors in development, data management and the scanning, scoring and reporting of the scores for the specific assessments per the requirements of state and federal statutes. Colorado is one of 31 states to receive federal approval of its standards and assessments system.

The research and evaluation unit is a new unit created in the spring of 2008 within the office of standards and assessment. This unit is also responsible for the calculation of Colorado's longitudinal growth data. The mission of the research and evaluation unit is to drive and support a more systematic and responsible approach to education improvement policy using the proprietary and extensive student database held by CDE.

The **Turnaround and Intervention Unit** is being formed as the result of Title I-A School Improvement funds provided within the American Recovery and Reinvestment Act. This unit will specialize in providing technical assistance and other services to districts and schools on improvement based on their Annual Yearly Progress and CSAP scores.

The **Language, Culture and Equity Unit (LCEU)** (formerly the English language acquisition unit) provides leadership, expertise, and consultation to districts, parents/guardians, students and Colorado communities in order to support all English language learners and migrant students linguistically, socially, and academically. This support is funded by two federal grants and one state grant. The federal grants come from the No Child Left Behind legislation in the form of Title III; Language Instruction for Limited English Proficient and Immigrant Students; and Title I, Part C, Education for Migratory Children.

The unit's primary focus includes issues of educational equity primarily through the parent engagement coordinator. This person works to implement the Immigrant Integration toolkit and the development of an equity resource guide for Colorado schools. The LCEU sponsors numerous trainings for practitioners, parents, and community members for professional development and to disseminate information with regards to policy and best practices in order to develop a common understanding of issues related to student achievement. The LCEU also creates an annual report on the State of the State of English Language Learners in Colorado. Technical assistance is also provided to assist districts with Colorado's rapidly changing demographics. The state grant comes from legislation in the form of the English Language Proficiency Act (ELPA).

The **Unit of Online Learning** serves and supports authorizing districts, online programs and all stakeholders by blending statutory oversight responsibilities with the provision of technical assistance. The unit provides technical assistance to districts to begin online

## Department Description FY 2010-11 BUDGET REQUEST

programs and to districts that already have online programs in existence. In addition to providing oversight and staff for the Application of Certification of Online Programs, the unit receives the required annual reports from the online programs and creates a summary report for delivery to the state board and the Education Committee of the Colorado State Legislative Assembly. The unit of online learning develops and delivers applicable professional development for online teachers and administrators and brings together interested stakeholders in order to reach a common understanding of process and procedure. The unit also provides a review team and oversight for dispersal of the funds from the Supplemental Online Grant program.

The **Unit of Regional Services/Accreditation** provides a personal link to CDE that helps maintain relationships, develop leadership capacity, facilitate two-way communication between the field and CDE, and provides professional development. The regional managers assume and provide leadership and service to districts in six focus areas: accreditation/growth/accountability/results, achievement gap, RtI/progress monitoring, data analysis, leadership capacity building, and postsecondary readiness.

The **Schools of Choice (SOC)** unit provides information about non-traditional K-12 educational options (public charter, open enrollment, nonpublic and homeschool) to parents, teachers, districts, schools, CDE, and the general public. Funded by the federal government through Title V, Part B, which is the Public Charter School Grant Program (PCSGP), SOC funds new charter schools in their first three years of operation through a competitive application process. SOC manages the Choice and Charter School Web pages, provides technical guidance through data, research and analysis, and provides technical assistance to new and established charter schools.

**Teaching and Learning** provides leadership, guidance, and support with respect to the implementation of standards, educator professional development and the dissemination of research-proven instructional practices. The office takes the lead on the development of tools, strategies, and processes designed to make it possible for schools, staff, and students to demonstrate the greatest possible growth and performance.

The office oversees and coordinates support for the standards revision process, conceptualizes a vision, marshals needed resources and develops a work schedule. Through professional development, the office develops and implements a more consistent and comprehensive statewide system of support that promotes standards-based learning systems and which builds the capacity for schools and districts to achieve ambitious student outcomes.

The office ensures that quality standards are implemented for the operation and administration of multidistrict online educational enterprises and develops the infrastructure (policies, procedures, curriculum, practices, management tools, etc.) needed to support this effort.



## Department Description FY 2010-11 BUDGET REQUEST

**Student Support** encompasses five units: exceptional student leadership, gifted education, adult education and family literacy, prevention initiatives and facility education programs.

The **Exceptional Student Leadership Unit** administers both the State Exceptional Children's Educational Act (ECEA) and the Federal Individuals with Disabilities Education Act (IDEA) for children with disabilities. The unit must assure that the state and local administrative units are meeting 20 compliance and performance and indicators that have been identified by the Federal Office of Special Education Programs (OSEP). Several indicators compare percentage rates for children with disabilities to the rates for nondisabled children. These include graduation and dropout rates, participation in statewide assessments, and rates of suspension/expulsion. The percent of preschool children with disabilities who demonstrate improved positive social-emotional skills, acquisition and use of knowledge and skills, and appropriate behaviors to meet their needs must meet a threshold approved by OSEP.

The **Gifted Education Unit** administers the state categorical program for gifted children under the ECEA. Program plans that assure the implementation, identification and programming for gifted children are developed by administrative units with support from the unit.

The **Adult Education and Family Literacy Unit** provides a range of instructional services that address the basic educational needs of Colorado youth and adults. These services are funded under Title II of the federal Workforce Investment Act of 1998. Services provided through the grant include English as a second language instruction, adult education and adult secondary education instruction, and GED instruction. Oversight and supervision of the state GED testing program office is also provided.

Several state and federal programs are included under the prevention initiatives unit. The purpose of the Coordinated School Health program is to improve the health of Colorado children by decreasing childhood obesity through improved physical education, nutrition, and tobacco prevention in Colorado schools. The Comprehensive Health Education program encourages healthy lifestyles and develops programs that prevent risk behavior. Expelled and At Risk Student Services is a state categorical program which supports students who have been expelled, and implements strategies to help students avoid expulsion. The objectives of the federal Safe and Drug Free Schools and Communities program are to prevent and reduce tobacco, alcohol and other drug use among students and youth, and to prevent and reduce violence in and around schools. Learn and Serve Colorado is a program designed to: increase quality and reach of service-learning in Colorado, especially with disadvantaged youth; increase the impact of service-learning on K-12 academic achievement; and increase the impact of service-learning on the civic engagement of students and communities. The objectives of the federal McKinney-Vento Education of Homeless Children and Youth program are to remove barriers and develop policies, procedures and systems which support enrollment retention, and success of homeless children and youth; and provide educational and social support for homeless students, preschool through 12<sup>th</sup> grade, to assist them in meeting the same academic performance as all students.

## Department Description FY 2010-11 BUDGET REQUEST

The **Facility Education Programs Unit** oversees the implementation of educational programs within facilities. The unit works with facilities to create consistency with regard to curriculum, standards, and tracking student performance within facility education programs to raise the overall quality of the education provided to these students.

**School Finance** - Colorado public schools and the Charter School Institute (CSI) receive funding from a variety of sources. However, most revenues to Colorado's 178 school districts and CSI are provided through the Public School Finance Act of 1994 (as amended). In budget year 2008-09, this legislation provided for over \$5.3 billion of funding to Colorado school districts via state taxes (\$3.39 billion), local specific ownership (vehicle registration) taxes (\$160 million), and local property taxes (\$1.8 billion). Moneys provided via the Public School Finance Act of 1994 and through the financing public schools unit are available to each school district to fund the costs of providing public education.

In addition to the implementation of the Public School Finance Act and distribution of other funds, the financing public schools unit provides technical assistance and support to the school districts, Boards of Cooperative Education Services (BOCES), charter schools, and the Charter School Institute in the various budgetary, accounting, and reporting requirements imposed on such governmental entities via the statutory and regulatory processes.

One of the methods of monitoring activities is through the Automated Data Exchange (ADE) process. The Automated Data Exchange is the electronic data collection system through which all school districts, BOCES, and CSI submit their annual financial data to CDE: C.R.S. 22-44-105 (4)(a).

In addition, the financing public schools unit oversees the Financial Policy and Procedures (FPP) Advisory Committee. The main function of the committee is the upkeep of the FPP Handbook and Chart of Accounts to conform to legislative and statutory changes.

The **Colorado Preschool Program** (CPP) provides service and support in the development and administration of early childhood programs serving at-risk three, four, and five year olds in 171 school districts throughout the state. In 2008-09 the program is authorized to fund 20,160 children to attend a high quality preschool program and receive family support.

The five primary functions of this area are to: 1) Provide assistance and oversight to school districts and programs so that methods for operating the Colorado Preschool Program comply with statutory intent. CPP children are served in a diverse delivery system, including Head Start programs, charter schools, public schools, private for-profit programs, and public non-profit early childhood programs. 2) Research, compile and report on data concerning the Colorado Preschool Program. Using this data annually evaluate the effectiveness of the Colorado Preschool Program and submit a corresponding report to the state legislature. 3) Ensure each year that Colorado Preschool program slots are correctly reported by school districts and fully allocated in the Automated Data Exchange

## Department Description FY 2010-11 BUDGET REQUEST

system. 4) Provide assistance to districts wishing to participate in the Colorado Preschool Program and facilitate the allocation of CPP slots upon expansion of the program. 5) Upon request from a school district, provide technical assistance regarding the implementation of a full-day kindergarten program and train personnel for the successful implementation of a full-day kindergarten program.

**Capital Construction** provides financial and technical assistance to school districts, charter schools, and the Charter Schools Institute for facility needs. Historically, the program has provided grants through a competitive grant program to the poorer districts in the state and for projects that address primarily health and safety needs. The existing competitive grant program has been eliminated by 2008 legislation which establishes a new program called Building Excellent Schools Today (BEST). Additionally, this group administers a Charter School Capital Construction Program, a federal program called Qualified Zone Academic Bonds (QZAB), and a new full-day kindergarten grant program. The Charter School Capital Construction Program provides funding through a formula grant to charter schools to assist with facility needs. The QZAB program authorizes school districts to obtain interest free financing which can be used for facility needs. The full-day kindergarten grant program is a new program created in 2008 legislation which is a competitive grant program to assist school districts, charter schools, and the Charter Schools Institute with facility needs created when implementing new full-day kindergarten programs.

The BEST program will continue to provide financial assistance in the form of grants for smaller health, safety, and security types of projects as well as emergency projects. Additionally, the BEST program allows the state to finance larger new school and major addition projects using a lease/purchase COP arrangement. The BEST program will establish facility construction guidelines and will conduct a statewide public school facility assessment for evaluating needs in public school, charter school, Charter School Institute, BOCES, and The Colorado School for the Deaf and Blind facilities. Additionally, the program will provide technical support to assist with identifying needs, writing grants for BEST assistance, project design, and construction management. The capital construction grant group is currently developing this new program.

The **Nutrition Unit** is responsible for the administration of the federal Child Nutrition Programs (National School Lunch, School Breakfast, Special Milk, Afterschool Care Snack and Summer Food Service Programs) in public school districts throughout Colorado. Cash reimbursement from the United States Department of Agriculture (USDA) is in the form of flow-through distribution funds provided to sponsors as reimbursement for nutritious, quality meals provided to children. In its role in administering the programs in public school districts throughout Colorado, the nutrition unit conducts compliance reviews and provides technical assistance and extensive training to assist districts in providing quality meals for all children that participate in the programs.

The **School Transportation Unit** provides oversight in student transportation to and from school and school-related events in Colorado school districts. The school transportation unit is statutorily required to provide rules and regulations related to safe

## Department Description FY 2010-11 BUDGET REQUEST

transportation of students. In its role in administering the programs in public school districts, the school transportation unit provides extensive training, technical assistance and monitoring to assist districts in providing safe, efficient and cost effective transportation for children.

Public School Finance provides state moneys annually through the Public School Transportation Fund to school districts to help defray student transportation expenses incurred. Moneys are provided to cover operating expenses such as driver salaries, fuel, and repairs.

As part of the financing public school unit, the audit unit ensures compliance with funds received via the Public School Finance Act, the Public School Transportation Fund and the English Language Proficiency Act. The Audit Unit accomplishes this mission by performing audits on school districts and resident care facilities every one to four years depending on the student population and other predetermined risk factors.

**State Libraries** - The State Library is statutorily charged with five interrelated responsibilities: 1) promote the establishment and development of all types of publicly-supported free library service throughout the state; 2) ensure equal access to information without regard to age, physical or mental health, place of residence, or economic status; 3) aid in the establishment and improvement of library programs; 4) improve and update the skills of persons employed in libraries through continuing education activities; and 5) promote and coordinate the sharing of resources and disseminate information regarding the availability of library services in Colorado.

To fulfill this mission the State Library has five units comprised of 45 total staff that provide expertise, leadership, and consultation for school, public, academic, and publicly funded special libraries to meet the goal of improving services to their users. Under the direction of the Executive Director, the units include the Talking Book Library (services and outreach to blind/visually disabled); the State Publications Library (catalogs and disseminates state agency publications); library development (professional development and consulting for librarians and staff in schools, institutions, and public libraries); Networking and Resource Sharing (coordinates technology-based projects and programs such as statewide database purchases to improve access equity to information and reduce costs to libraries); and the Library Research Service (conducts statistical surveys and analysis to improve library and community leaders' knowledge about the role of libraries in society). Annual appropriations provide approximately one-third of the funds needed to meet these goals.

**Management Services** encompasses the CDE budget office, human resources, accounting and purchasing, and grants fiscal units.

The CDE **Budget Office** is responsible for the management of the entire budget process which includes the development and submission of the department's annual budget request to the General Assembly. This unit provides the analysis of the fiscal impact of

## Department Description FY 2010-11 BUDGET REQUEST

legislation, and communications with and deliverables to the Joint Budget Committee, the Office of State Planning and Budgeting, and Legislative Council. The unit also manages the CDE internal budget process and performs expenditure monitoring throughout the year.

The **Human Resources Unit** administers the department's internal personnel functions by providing human resources support and services. The unit assists CDE appointing authorities in operating effectively within the Civil Service System and the administration of the department's at-will "consultant" employees. Lastly the unit, ensures consistency in the handling of personnel issues and general staff policy development internal to CDE.

The **Accounting and Purchasing Unit** is responsible for processing all financial transactions, procuring goods and services and issuing purchase orders and contracts for the department. The unit ensures that all purchases and payments for goods and services made by CDE are in compliance with state statutes, procurement rules, fiscal rules, and CDE policies and procedures.

The **Grants Fiscal Management Unit** administers federal and state grant distributions and awards. Grants fiscal management calculates the formula allocations and distributions for state and federal programs such as the Exceptional Children's Education Act, No Child Left Behind, Individuals with Disabilities Act, and several other formula grant programs within the department. It maintains all subsidiary ledgers of grant awards and payments to school districts for federal programs. In addition, the unit collects and reviews all budget and expenditure reporting submitted by Colorado school districts for federal programs. It provides budgetary support, expenditure tracking, and planning for the majority of federal programs at CDE.

**Federal Programs** provides grant administration, accountability and quality assurance services related to the federal programs it administers.

The program administration and monitoring team are responsible for the administration of more than \$160 million dollars in grants to school districts in Colorado. One function of this team is to minimize the administrative burden associated with the state and local school districts' ability to access federal education funding, eliminate gaps in educational programming and minimize duplication of effort through the centralization of application and reporting requirements and materials. Another function of the team is to help build the capacity of school districts and other local educational agencies to meet the compliance requirements associated with the receipt of the federal grants and to identify and waive certain federal program requirements that are barriers to increasing student achievement.

The **Data and Accountability Team** are responsible for ensuring that all evaluation, accountability and reporting requirements of the programs administered by this office are met. One function of this team is to ensure that all necessary data are collected, accurate and valid for their use in support of the administration of the federal programs. Another function of the team is to use the data to evaluate

## Department Description FY 2010-11 BUDGET REQUEST

the effectiveness of programs in achieving their stated goals, identify schools and districts in need of additional support to increase student achievement and to meet state and federal reporting requirements.

The **Quality Program Initiatives Team** provides technical assistance to schools and school districts in increasing the quality of their federal programs and the impact of their federal grants. As part of its Distinguished Title I Awards program, it also identifies schools, principals and teachers that are doing an exemplary job in providing a quality education to Colorado's children. The program also shares the information regarding "what is working" in these schools with other schools and programs.

**Educator Licensure** is responsible for licensing all Colorado educators. Educator Licensing provides customer service, expertise, leadership, and consultation in Colorado educator licensing. The licensing of educational personnel is required by state law. This office licenses teachers, special service providers, principals and administrators. Licenses are issued for substitute teachers, initial licenses, professional licenses as well as administrative licenses. In total there are 22 different licenses or endorsements issued by educatory licensure. This office conducts background checks of all licensed educational personnel in the state who work with children and when required, presents licenses for revocation, suspension or denial to the state board. Educator licensing supports the Teach in Colorado Web site which provides a recruitment device for all school districts in Colorado.

The office also manages three alternative licensing programs: alternative teacher program, alternative principal program, and the teacher in residence program, which also result in licensure. The alternative teacher programs allow individuals who want to be teachers to complete their teaching degree while working as a full-time teacher. The educator licensing office works with 45 designated agencies to provide high quality, on-the-job training programs. These alternative programs license approximately 1,000 teachers each year and has grown steadily since it was started in 1987.

Along with receiving, evaluating, and processing applications and licenses, this office holds training sessions for districts, facilities, charters schools, and designated agencies for transcript evaluation and licensing 101. The educator licensing office works with the Colorado Department of Higher Education (CDHE) to review and approve new and existing teacher education preparation programs.

Office of professional services helps draft legislation and policies to carry out the vision of the Commissioner, the state board, Colorado Legislature, national trends and legislation and the educational community.

**The Communications Office** assists CDE units with internal and external communications functions. The office is comprised of a director of communications, assistant director of communications and web management consultant. The office works to promote and support a wide variety of CDE activities, events and accomplishments. Media relations, public relations, brand identity and Web site content management are a few of the responsibilities of the office. Staff more recently developed a weekly e-newsletter titled *The*

## Department Description FY 2010-11 BUDGET REQUEST

*Scoop* that arrives in superintendent and educator inboxes across the state. *The Scoop* has quickly become a trusted, unified source of information from the department. The latest publication developed by the communications office is an internal CDE newsletter called *The Gold Star*. *The Gold Star* highlights the accomplishments of CDE units and staff. In addition, the communications staff works with the commissioner's office on annual reports, key messages, editorials, and support for district visits.

**Information Services** supports the department's mission to guarantee quality education for all Colorado children by collecting student data from all Colorado school districts necessary to support the acquisition and distribution of state and federal funding and to meet state and federal reporting requirements. The unit creates, maintains, and implements relevant computer systems for internal CDE processes; enabling the analysis of K-12 data by school districts, policy makers, and other education stakeholders.

The information technology unit also supports and maintains all aspects of enterprise computing, including desktop workstations, computer networks, server hardware, application software, database/e-mail/web services, data warehousing/archiving, and school accountability reporting. IT coordinates and approves computer technology purchases and implementations, including asset management and information security.

**Charter School Institute** is an independent agency in CDE that serves as a statewide charter school authorizer. In FY-10 the Institute will oversee at least 17 charter schools educating over 6,000 students throughout Colorado. While the statute that created the Institute specifically states that "by virtue of its functions and duties, shall not be deemed to be a school district for any purpose," it nonetheless performs many of the same functions as a school district for Institute charter schools, including special education, assessment, academic accountability and achievement, accreditation, administration of federal programs, financial accountability, and administration of school nutrition programs (free and reduced lunch). To perform these functions the Institute has a staff of 14 (in FY-09), augmented by part-time consultants as needed.

The Institute is governed by a nine member board of directors, seven of whom are appointed by the Governor and two by the Commissioner of Education. Each board member serves for a three year term, and may serve no more than two consecutive terms.

**Colorado School for the Deaf and the Blind (CSDB)** is a state-funded school within CDE. The school was established for the purpose of providing comprehensive educational services for children who are blind/low vision and/or deaf/hard of hearing birth to age 21. Services are provided directly to students enrolled at the school and through outreach programs, which are provided to students, staff, and families throughout Colorado.

## **Prior Year Legislation**

**H.B. 09-1046 (Scanlan/Penry)** The bill clarifies that a vendor that participates in the postsecondary and workforce readiness assessments pilot program shall provide to the department of education information concerning administration of the vendor's assessments in Colorado.

The bill also removes the restriction that a local education provider participating in the pilot program will assess students only in spring semesters and directs each participating LEP to ensure that the vendor provides assessment results directly to the department.

**H.B. 09-1065 (Benefield/Spence)** This bill creates the educator identifier system in the department of education. It outlines the scope, purposes, and certain restrictions on an initial-phase pilot program, the system, and the use of the data to be obtained through the system. Additionally, it establishes confidentiality parameters and protections for educator identifiers. Mandates that the department shall not be obligated to implement the system until sufficient funds have been received to cover the costs of implementation and repeals the program July 1, 2012.

**H.B. 09-1082 (Peniston/Tochtrop)** The bill requires a school district board of education to make a recording of each regular and special meeting of the board at which votes are taken and recorded and to make the recording available to the public and requires the board to use appropriate technology that is available within the school district at the time the recording is made. The bill also allows an individual or entity to request a copy of the recording, and requires the individual or entity to pay the costs incurred in providing the copy. The board is required to institute a policy requiring that the recordings be retained for a minimum of 90 days.

**H.B. 09-1099 (Roberts/Penry)** The bill clarifies that the Colorado youth advisory council is created in the legislative branch and requires the legislative members of the council to annually designate a nonprofit or private organization as the custodian of moneys donated to the designated organization on behalf of the council, and authorizes the designated organization to expend any moneys necessary to further the council's operation and duties. The bill also authorizes the designated organization and the council to contract with outside entities concerning the implementation of the council's operation and duties and provides that moneys in the youth advisory council cash fund are continuously appropriated rather than subject to annual appropriation.

**H.B. 09-1125 (Merrifield/Hudak)** Prohibits a school district, a board of cooperative services, a public school, or the state charter school institute from offering or providing an item of value prior to, upon, or after enrolling in an educational program unless:

- The local education provider makes the item of value available continuously or at regular intervals through the school year and ceases providing the item of value if the child leaves the education program before the end of the school year;



## Department Description FY 2010-11 BUDGET REQUEST

- The local education provider awards the item of value at the end of the school year or upon matriculation in recognition of student performance; or
- The local education provider pays the item of value to the child or his or her parent in exchange for services rendered.

**H.B. 09-1151 (Todd/Heath)** Effective January 1, 2010, the department of public safety replaces the department of labor and employment as the oversight agency responsible for code inspections for public school and junior college buildings. The public school construction and inspection section is created within the division of fire safety in the department of public safety to conduct the inspections. Transfers any moneys in the public safety inspection fund from school building inspection fees collected by the department of labor and employment to the public school construction and inspection cash fund for use by the department of public safety. Transfers employment positions, employees, and property from the department of labor and employment to the department of public safety to carry out the public school inspection duties.

Identifies the director of the division as the supervisor for the public school construction and inspection program and the certification program for public school and junior college building inspectors, and empowers the director to adopt rules to administer the program and to enforce the school building inspection provisions. Changes the name of the fire safety inspection cash fund to the public school construction and inspection cash fund, and exempts the fund from the limit on uncommitted reserves. Recognizes the authority of the local fire department to inspect school buildings for fire safety and to refer violations to the division for enforcement. Moves the board of appeals from the department of labor and employment to the division, and directs the board of appeals to advise the director in promulgating rules and enacting standards for the program.

For the 2009-10 fiscal year, appropriates \$635,201 and 8.0 FTE from the public school construction and inspection cash fund to the department of public safety for oversight of school building code inspections. Makes adjustments to the 2009-10 long bill to decrease the appropriation to the department of labor and employment by the same amount.

**H.B. 09-1182 (Marostica/White)** The bill repeals the on-line education cash fund on July 1, 2010 and makes the division of on-line learning in the department of education a permissible recipient of moneys from the state education fund for the purpose of funding on-line education.

**H.B. 09-1214 (Benefield/Bacon)** This bill clarifies the direction of the education data accountability committee (EDAC). It directs the EDAC, in reviewing proposed statutory or regulatory data reporting requirements, to inform the enacting state or federal agency of the estimated cost to the school districts and public schools of complying with the proposed requirements and whether the proposed requirements already exist in statute or regulation. It directs the EDAC, by September 15, 2009, to submit to the general assembly and publish on the internet a written report listing the non-cost-effective or duplicative, obsolete, inefficient, or not used and should be

## Department Description FY 2010-11 BUDGET REQUEST

repealed data reporting requirements. The bill changes the calendar for implementing changes to data reporting requirements from a rolling 90-day period to a single annual date. The state board of education is directed to update the state's interpretation of federal data privacy restrictions and, in doing so, to consider the interpretations applied by neighboring states. Finally, it suspends the reporting requirements for a program in any year in which the general assembly does not appropriate moneys for the program.

**H.B. 09-1240 (Miklosi/Foster)** This bill creates the Colorado teacher of the year program in the department of education to recognize and reward the teacher named Colorado teacher of the year pursuant to the program coordinated through the national teacher of the year program. The bill requires the state board of education to adopt rules for the implementation of the program, including the rewards, duties, and opportunities for the teacher named Colorado teacher of the year. The bill creates the Colorado teacher of the year fund, and authorizes the department to solicit and accept gifts, grants, and donations to fund the program.

**H.B. 09-1243 (Middleton/Bacon)** The bill creates the office of dropout prevention and student re-engagement in the department of education and specifies its duties, including collaborating with local education providers to reduce the student dropout rate and increase the student graduation and completion rates. The office is required to compile a report of effective dropout prevention and student engagement and re-engagement policies based on research and data. The office is required to annually analyze attendance data and assess the incidence, causes, and effects of student dropout, engagement, and re-engagement. Directs the office annually to report the assessment and any recommended strategies to address student dropout, engagement, and re-engagement to LEPS, the state board of education, the governor, and the education committees of the general assembly.

The bill requires each LEP to adopt a policy to provide notice to a student's parent if the student drops out of school. Additionally, each high priority and priority LEP is required to conduct a practices assessment and to adopt a student graduation and completion plan with requirements specified in the bill. The office is directed to provide technical assistance to high priority and priority LEPS and, if possible within available appropriations, to provide each high priority and priority LEP a template for the practices assessment. Directs the office to evaluate each high priority and priority LEP's plan as part of the accreditation review process.

The bill creates the student re-engagement grant program to provide moneys to LEPS for use in providing educational services and supports to students to maintain student engagement and support student re-engagement. The state board is directed to adopt rules to implement the program, including the information to be included in grant applications. The department is allowed to use up to 3% of the amount annually appropriated from the fund to offset the costs of implementing the program. The department is required to evaluate the services provided by grant recipients and to report the evaluation results to the education committees of the general assembly.

## Department Description FY 2010-11 BUDGET REQUEST

The office is required to submit an annual report to the state board, the governor, and the education committees of the general assembly making state policy findings and recommendations to reduce the student dropout rate and increase the student graduation and completion rates. The bill repeals the mandate to expel a habitually disruptive student, and allows a school district to suspend the student.

The general assembly appropriated \$157,772 from the student re-engagement grant program fund to the department for implementation of the act. The department is not required to implement any provision of the act until the department receives sufficient funding to operate the office of dropout prevention and student re-engagement.

**H.B. 09-1312 (Kerr, A./Schwartz)** This bill creates the renewable energy and energy efficiency for schools loan program to fund renewable energy projects and energy-efficient bus projects in qualified school districts. The repeal date associated with the public school energy efficiency fund is extended to July 1, 2017.

The governor's energy office is required to administer the loan program and act as a consultant to the state board of education when they promulgate rules establishing policies and procedures for the administration of the loan program. Requires the office to review and evaluate each application and make recommendations to the state treasurer as to whether to award a loan and the amount of the loan.

Authorizes the state treasurer to make loans and determine the interest rates and repayment terms of loans and to withhold amounts from a school district's payments of the state's share of the school district's total program received in accordance with the "Public School Finance Act of 1994" in the event that the school district fails to make timely payments against a loan received from the loan program.

Requires the legislative service agencies to conduct a post-enactment review of the loan program 2 years after the implementation of the loan program and report their conclusions to the education committees of the house of representatives and senate, or any successor committees. The bill specifies criteria to be included in that post-enactment review.

**H.B. 09-1319 (Merrifield/Williams)** The bill repeals the high school fast track program, the "Postsecondary Enrollment Options Act", and the "Fast College Fast Jobs Act".

This bill allows a school district, a board of cooperative services (BOCES), a district charter school, or an institute charter school to partner with an institution of higher education to offer college courses to qualified high school students. Local education providers are required to notify middle school, junior high school, and high school students and their parents or legal guardians of the concurrent

## Department Description FY 2010-11 BUDGET REQUEST

enrollment opportunities. Qualified students enrolled in a high school of a school district, a district charter school, an institute charter school, or a high school of a BOCES who desires to participate in concurrent enrollment must apply to the superintendent of the school district, or the superintendent's designee, or the chief administrator for approval.

The local education provider of a concurrent enrollment student must pay the cost of tuition for the chosen institution of higher education and will be reimbursed by the student if he or she fails to complete the course without the consent of the student's high school principal. The bill establishes a maximum concurrent enrollment tuition rate for local education providers and institutions of higher education to use in their cooperative agreements.

A student who intends to concurrently enroll is required to establish an academic plan of study that describes all of the intended courses to satisfy his or her remaining requirements for graduation, which must be approved by their principal, counselor, or teacher advisor. A participating student must first satisfy the minimum prerequisites for the course prior to his or her enrollment in the course. If the student does not satisfy the minimum prerequisites, he or she will concurrently enroll in a basic skills course only if the qualified student is concurrently enrolled in the twelfth grade in a local education provider and the institution offers the basic skills course.

The bill creates the accelerating students through concurrent enrollment program (ASCENT program) in the department to allow certain students to continue concurrent enrollment after the twelfth grade and establishes criteria for the department to use in selecting students to receive grants from the ASCENT program. Creates a concurrent enrollment advisory board in the department of education that is required to establish guidelines for the administration of the ASCENT program and the state board is required to promulgate rules for schools and school districts to follow in satisfying state and federal reporting requirements concerning the enrollment status of ASCENT program participants.

Specifies that a qualified student who participates in concurrent enrollment shall be included in a school district's pupil enrollment for the purpose of determining the school district's per-pupil funding pursuant to the "Public School Finance Act of 1994" unless the qualified student is participating in the ASCENT program, who are funded for at a lower rate.

The state board is required to promulgate rules for the administration of concurrent enrollment programs and requires the local education provider of a concurrent enrollment student to report to the department, upon request, data concerning the qualified student's participation. The institution of higher education of a concurrently enrolled student is required to report to the department of higher education, upon request, data concerning the qualified student's experience with postsecondary course work. Both department are required to report annually to the education committees of the general assembly concerning concurrent enrollment.

## Department Description FY 2010-11 BUDGET REQUEST

Anticipates that the department will receive \$30,031 in federal moneys for implementation of the act. Of said amount, appropriates \$10,139 to the department of law for legal services.

**S.B. 09-33 (Sandoval/Solano)** The bill adds children who are enrolled in state-subsidized early childhood education programs operated by public schools and are eligible for reduced-cost lunches under the federal "National School Lunch Act" to the list of qualifying students eligible to receive a free lunch under the child nutrition school lunch protection program.

**S.B. 09-62 (Schaeffer,B./Apuan)** This bill modifies the criteria that the department of higher education uses in awarding grants to institutions of higher education under the teach Colorado grant initiative to include scholarship programs designed to assist honorably discharged veterans in entering the teaching profession.

**S.B. 09-89 (King,K./Middleton)** The bill allows the state charter school institute board to exempt the state charter school institute from the procurement code and reduces the amount of institute charter school funding that the department of education retains for administrative costs to 1%. Representatives from each institute charter school and the institute board are directed annually to review the institute's level of funding and costs and to recommend to the general assembly any appropriate changes in the institute's funding.

The bill also creates the institute charter school capital construction assistance fund to consist of 1% of the per pupil funding calculated for each institute charter school. Allows an institute charter school that is seeking assistance in meeting capital construction needs to apply for a grant or an interest-free loan from the fund, sets forth procedures for applying for and awarding grants, and directs the institute board to adopt rules and award grants based on economic need and the viability and merit of the capital construction projects.

The bill clarifies that an institute charter school may request the state treasurer or the institute to withhold moneys otherwise payable to the institute charter school and apply the moneys to the repayment of bonds issued on behalf of the institute charter school. Appropriates \$365,226 from the fund to the department for allocation to the institute for implementation of the act.

**S.B. 09-90 (Hudak/Benefield)** This bill creates the state advisory council for parent involvement in education in the department of education, specifies the council membership, and directs the council to advise public education entities concerning best practices and strategies, aligned with national standards, for increasing parent involvement in public education and promoting family and school partnerships. The bill also creates the parent involvement in education grant program to provide moneys to public schools to create and implement programs to increase parent involvement in public education. The state board of education is directed to adopt rules to implement the program.

## Department Description FY 2010-11 BUDGET REQUEST

The bill specifies eligibility criteria for applicants and directs the advisory council to review applications and make recommendations to the state board for awarding grants.

Creates the parent involvement grant program fund for payment of grants and, in any year in which at least \$20,000 is credited to the fund, requires the state board to award grants. Requires recipient schools to report the success of grant-funded programs, and directs the council to submit a summary report to the state board and the education committees of the general assembly.

Allows for an increase in the number of persons serving on a school district accountability committee and school accountability committees (formerly called school advisory council), but requires a specified level of parent representation and directs each school district or principal, to the extent practicable, to ensure that the parents serving on the committees reflect the student groups significantly represented within the population of students enrolled in the school district.

Allows a principal to adopt an alternative accountability committee membership if necessary, allows members of a charter school governing board to serve on the charter school's accountability committee, and prohibits waiver of the accountability committee requirement for charter schools. This bill requires at least one parent to be appointed to each of the following boards: The school leadership academy board, each of the regional service area councils, the state charter school institute board, the board of trustees for the Colorado school for the deaf and the blind, and the advisory committee to the Colorado commission on higher education. Finally, it removes the prohibition against appointing an officer, employee, or board member of a charter school to the state charter school institute board.

**S.B. 09-123 (Williams/Todd)** The bill creates the healthy choices dropout prevention pilot program in the department of education to improve student attendance and reduce the dropout rate of adolescent students in certain public schools. The department is required to develop a standard application form for a school district to use in applying on behalf of a school for a grant from the program and the commissioner of education or his or her designee is required to review each application and, subject to the receipt of sufficient gifts, grants, and donations, determine and announce which schools shall receive grants and the amount of the grant that each recipient school shall receive. The bill requires a school to satisfy certain minimum standards to be eligible to receive a grant from the program, specifies the permissible uses of grant moneys, and permits a school that receives grant moneys, or the school district of such a school, to contract with a private entity for the provision of services under the program.

The department is allowed to use no more than two percent of the moneys appropriated from the healthy choices dropout prevention pilot program fund to offset the direct and indirect costs of implementing the program. Authorizes the department to seek and accept gifts, grants, and donations from private or public sources for the program.

## Department Description FY 2010-11 BUDGET REQUEST

The school district that includes a school that receives a grant from the program is required to report to the department concerning the school's use of the grant moneys and the department is then required to report to the education and the health and human services committees of the general assembly concerning the activities carried out under the program and the effectiveness of the program.

The state board of education is required to promulgate rules establishing policies and procedures for the administration of the program as well as rules establishing criteria and procedures for the commissioner or his or her designee to use in selecting schools to receive grants from the program and in determining the amount of the grant each recipient school shall receive.

Appropriates \$8,228 from the general fund to the department for the implementation of the program. Reappropriates \$751 of said sum to the department of law for the implementation of the program. Repeals the program as of July 1, 2009.

**S.B. 09-160 (Hudak/Todd)** Renames the teacher in residence program to be the 2-year alternative teacher program and the current alternative teacher program to be the one-year alternative teacher program, and relocates the provisions for those programs in statute to the alternative teacher program. Requires both alternative teacher programs to meet the Colorado performance-based standards for teachers and authorizes the department of education to perform an evaluation of each one-year and 2-year alternative teacher program not more often than every 5 years. The state board of education is required to establish common coursework standards to establish minimum competency in a licensure area. A designated institution of higher education is allowed to establish program fees that are in accordance with its existing policies.

**S.B. 09-163 (Hudak/Middleton)** Repeals and reenacts, with amendments, the "Educational Accreditation Act of 1998" to align accountability and accreditation measures and procedures.

**State accountability duties and procedures.** Assigns to the state board of education the following duties with regard to accountability:

- Reviewing the performance of the statewide public education system and setting, reaffirming, or revising statewide targets for measuring the performance of each public school, each school district, the state charter school institute (institute), and the state in the areas of student longitudinal academic growth, student achievement levels on the statewide assessments, postsecondary and workforce readiness, and progress made in closing the achievement and growth gaps (the performance indicators);
- Adopting the Colorado growth model (growth model) for measuring student longitudinal academic growth;
- Entering annually into an accreditation contract with each school district and the institute, and accrediting each school district and the institute based on its performance under the contract, including performance on the performance indicators, implementation of its plan, implementation of its system for accrediting its public schools, and compliance with statutory and regulatory requirements;

## Department Description FY 2010-11 BUDGET REQUEST

- Removing a school district's or the institute's accreditation if it remains at or below a certain accreditation category for 5 consecutive school years, and directing the school district or the institute to take certain restructuring actions;
- Based on the recommendations of the department of education (department), annually directing each public school in the state to adopt a performance, improvement, priority improvement, or turnaround plan, based on the public school's performance; and
- Directing a school district or the institute to restructure one of its public schools if the school remains at a specified plan type or below for 5 consecutive school years.

Assigns to the commissioner of education and the department specified tasks to support the state board, school districts, the institute, and public schools in fulfilling their duties with regard to accountability, including:

- Calculating annually what will constitute adequate academic growth for each student, based on the growth model;
- Providing student academic growth information to the appropriate public school and school district or the institute;
- Measuring the performance indicators of each public school, each school district, the institute, and the state;
- Creating a state review panel to critically evaluate and provide recommendations concerning the improvement, priority improvement, or turnaround plans for certain public schools, school districts, or the institute and making recommendations concerning removing accreditation and restructuring a school district or the institute or restructuring a public school;
- Performing an annual accreditation review for each school district and the institute and, based on criteria established by state board rule, assigning an accreditation category to each school district and the institute;
- Annually reviewing each public school's performance and, based on the criteria established by state board rule, recommending to the state board that the public school adopt a performance, improvement, priority improvement, or turnaround plan;
- Providing technical assistance and support, subject to available resources, to public schools, school districts, and the institute if accredited at a low accreditation category or directed to adopt an improvement, priority improvement, or turnaround plan; and
- Creating and maintaining an internet-based, electronic, data delivery system (data portal) for publishing school, school district, institute, and state performance reports; the accreditation category for each school district and the institute; the performance, improvement, priority improvement, or turnaround plan for each public school, each school district, and the institute; and supporting data.

**School district and institute accountability duties and procedures.** Assigns to each school district board of education and the institute the following duties with regard to accountability:

- For each local school board, appointing or electing a school district accountability committee, with specified membership;
- Based on the school district's or institute's accreditation category, annually adopting a performance, improvement, priority improvement, or turnaround plan, each with specified contents that include attainment targets for the performance indicators;



## Department Description FY 2010-11 BUDGET REQUEST

- If the school district or the institute adopts a turnaround plan, submitting the plan to the commissioner for review and approval;
- Submitting the final version of the performance, improvement, priority improvement, or turnaround plan to the department for publication on the data portal, and implementing the plan;
- Adopting policies for accreditation of the district public schools or the institute charter schools, which policies are comparable to and at least as rigorous as the state-level accreditation procedures;
- Annually assigning an accreditation category to each district public school or institute charter school that corresponds to the type of plan the public school is required by the state board to adopt;
- Adopting a priority improvement plan or turnaround plan for a public school of the school district or an institute charter school if directed to do so by the state board;
- Restructuring a district public school or institute charter school based on the directions from the state board;
- Submitting the final version of each district public school's or each institute charter school's performance, improvement, priority improvement, or turnaround plan to the department for publication on the data portal; and
- Reporting data to the department as required for measuring the level of attainment on the performance indicators and preparing the school district, institute, and school performance reports.

Assigns to each school district accountability committee specified tasks to support the local school board in fulfilling its duties with regard to accountability, including:

- Recommending to the local school board priorities for spending school district moneys;
- Advising the local school board concerning the preparation of and submitting to the local school board recommendations for the contents of the performance, improvement, priority improvement, or turnaround plan;
- Compiling the performance, improvement, priority improvement, and turnaround plans received from the district public schools and taking them into account in advising and making recommendations concerning the school district plan.

**School accountability duties and procedures.** Assigns to each public school the following duties with regard to accountability:

- Establishing a school accountability committee, with specified membership;
- Adopting, in consultation with the school district superintendent if the school is a district public school, a performance or improvement plan, if directed to do so by the state board;
- Annually implementing a performance, improvement, priority improvement, or turnaround plan, as directed by the state board.

Assigns to each school accountability committee specified tasks to support the public school and the school district or the institute in fulfilling its duties with regard to accountability, including:

- Recommending to the school principal priorities for spending school moneys;

## Department Description FY 2010-11 BUDGET REQUEST

- Advising the school principal, and district superintendent if the school is a district public school, concerning the preparation of and submitting to the principal and the superintendent, if appropriate, recommendations concerning the contents of a school performance or school improvement plan;
- Advising the local school board or the institute concerning the preparation of and submitting to the local school board or the institute recommendations concerning the contents of a school priority improvement or turnaround plan; and
- Meeting at least quarterly to discuss whether school district leadership, personnel, and infrastructure are advancing or impeding implementation of the school district's plan and to discuss safety issues related to the school environment.

**School performance reports.** Changes the term "school accountability report" to "school performance report", and requires the department to publish a school performance report for each public school, a school district performance report for each school district, an institute performance report, and a state performance report. Specifies the contents of the performance report, and directs the department to update the contents of each report within 60 days after receiving the necessary data. Amends the alternative education campus provisions to conform to the accountability and accreditation changes made in the act. Expands the closing the achievement gap program to include a school district that is identified by state board rule as having a significant achievement gap.

**S.B. 09-176 (Spence/Casso)** Allows for participation by charter school representatives in a school district's long-range planning committee to assess and prioritize capital construction needs and specifies that an invitation to participate in bond election discussions shall be extended to district charter schools no later than June 1 of the applicable election year.

Requires a school district to include a charter school in an upcoming bond election if the charter school's capital construction plan remedies shortcomings in the charter school's facilities identified pursuant to the statewide needs assessment, and the charter school's facilities' needs receive a higher priority assessment than the other schools in the school district. Requires any construction financed with bond proceeds pursuant to the act to conform to any construction guidelines established in the "Building Excellent Schools Today Act", part 1 of article 43.7 or title 22, C.R.S.

Allows the school district and the charter school to agree to an alternative financial plan that addresses the capital construction needs of the charter school and allows a school district to exclude from prioritization the capital construction plan of any charter school that is on probation with the school district or that has been authorized within the previous 5 years.

Requires the school district to notify the charter school in writing no later than 60 days prior to the date by which the school district is required to certify the ballot question to the county whether the charter school's capital construction needs have been prioritized for inclusion in the upcoming bond election and if a charter school's capital construction needs are not being prioritized, the school district

## Department Description FY 2010-11 BUDGET REQUEST

must provide the charter school with a written statement specifying the reasons for excluding the charter school's capital construction needs.

The bill also removes the requirement that a district board of education review a charter school's capital construction plan to determine the construction need, viability of the capital construction plan, and the need to obtain revenues through bonded indebtedness or from a special mill levy.

Clarifies that a school district board of education may submit a question to eligible electors of a school district concerning contracting bonded indebtedness for the land and facilities needs of a charter school of the school district and for charter school capital construction without title or ownership of the charter school capital construction being held by the school district or ownership or use restrictions placed on the charter school by the school district.

Provides that no bonds shall be issued for the purpose of providing charter school capital construction unless the charter school enters into a contract with the school district requiring the ownership of any capital construction financed by the charter school to automatically revert to the school district if the charter school's charter is revoked or not renewed, the charter school becomes insolvent and can no longer operate as a charter school, or the charter school ceases to operate.

The bill prohibits a charter school from encumbering any capital construction financed by bond revenues with any additional debt without the express approval of the school district. The bill requires a school district denying any additional encumbrance to provide written reasons for the denial.

**S.B. 09-181 (Tapia/Marostica)** The bill eliminates the requirement that the general assembly annually adopt a resolution to certify the amount of moneys in the state education fund that should be considered available for appropriation for the next state fiscal year.

**S.B. 09-213 (Tapia/Pommer)** The bill allows the general assembly to determine annually whether to appropriate moneys for the alternative teacher compensation plan grant program and repeals the 2008-09 fiscal year appropriation of \$1 million for the grant program.

**S.B. 09-214 (Tapia/Pommer)** The bill requires the general assembly to determine annually whether to fund portions of the teacher recruitment and retention program, including the biennial survey and teacher stipends. It also repeals the 2008-09 fiscal year appropriation for the program.

## Department Description FY 2010-11 BUDGET REQUEST

**S.B. 09-215 (Keller/Pommer)** The bill specifies that the statewide base per pupil funding for the 2008-09 budget year is \$5,250.41 to account for inflation plus an additional one percentage point. The bill also eliminates from the statewide base per pupil funding an additional \$19.72 per pupil that is not constitutionally required to be included in such base funding.

The bill allows the department of education to transfer its direct and indirect costs for administering the "Public School Finance Act of 1994" from the appropriation in the annual general appropriation bill for the state's share of total program of all school districts. The bill reduces the appropriation for charter school capital construction from \$10,000,000 to \$5,135,000, for the 2008-09 budget year and specifies that \$135,000 of such appropriation shall be distributed to the charter school for the deaf and blind.

The bill also extends the deadline by one year for the department to contract with a private person or entity to conduct a study to evaluate how declining pupil enrollment in school districts statewide impacts the students that remain in the declining enrollment districts and delays the reporting requirement in connection with the study by one year.

**S.B. 09-226 (Sandoval/Gagliardi)** The bill requires the state board of education to promulgate rules for the management of food allergies and anaphylaxis among students enrolled in public schools of the state. The state board is required to consult with the department of public health and environment in promulgating the rules. The bill also specifies mandatory provisions to be included in the rules.

The bill then requires each school district and state charter school institute to adopt a policy for the management of food allergies and anaphylaxis among children in schools of the school district, and requires that each policy include provisions that satisfy the rules promulgated by the state board. Requires the department to develop, maintain, and make available to school districts and institute charter schools a standard form to be used by school districts and institute charter schools to gather information from physicians and parents and guardians of students concerning students' risk of food allergies and anaphylaxis and the treatment thereof.

Appropriates \$1,951 to the department of education for the implementation of the act.

**S.B. 09-230 (Spence/May)** Allows a school food authority to establish, maintain, equip, and operate a food-service facility. The bill requires a board of education of a school district or a state charter school institute to attempt to negotiate food service terms with a district or institute charter school. If the attempt fails, the must to allow the charter school to transfer the maintenance, supervision, and operation of the charter school's food-service facility from the school district or state charter school institute to a school food authority or to agree to provide food services to the charter school according to terms that the charter school requests.

## Department Description FY 2010-11 BUDGET REQUEST

The state board of education is required to promulgate rules establishing a timeline and procedures by which a district charter school or an institute charter school may apply to the department for authorization as a school food authority and a timeline, standards, and procedures for the department to use in granting or denying the authorization.

A district charter school or an institute charter school is allowed to apply to the department of education for authorization as a school food authority. Allows the commissioner of education or his or her designee to grant or deny provisional authorization as a school food authority to an applying district charter schools or institute charter schools and sets an expiration date for provisional authorizations. The bill requires the department to review each district charter school or institute charter school that receives provisional authorization and to grant or deny authorization as a school food authority to the district charter school or institute charter school prior to the expiration date of the provisional authorization. Sets a date after which the commissioner or his or her designee may no longer grant provisional authorizations.

**S.B. 09-237 (Lundberg/Acree)** Permits, rather than requires a school district to suspend or expel a student for carrying, using, actively displaying, or threatening the use of a firearm facsimile and requires school districts to develop a policy that authorizes students to bring a firearm facsimile to school for a school-related or nonschool-related activity. The bill also requires the policy to allow the discipline to be determined on a case-by-case basis.

**S.B. 09-256 (Romer/Pommer)** Amends the "Public School Finance Act of 1994" as follows:

- For the 2009-10 budget year, increases the statewide base per pupil funding to \$5,507.68, which is an amount equal to \$5,250.41 supplemented by \$257.27 to account for a 3.9% inflation increase, plus an additional one percentage point.
- For the 2009-10 budget year, maintains the funding for supplemental kindergarten enrollment at an amount equal to 8% of a full-day pupil.
- For the 2009-10 budget year and budget years thereafter, eliminates the requirement that each school district (district) and each charter school set aside a percentage of its budget to be allocated to an account for instructional supplies and materials and to an account for capital needs or for the management of risk-related activities. Eliminates the monetary spending restrictions from each district capital reserve fund.
- For the 2009-10 budget year, requires each district and the state charter school institute (institute) to create and budget an amount to a fiscal emergency restricted reserve (reserve). For the 2009-10 budget year, makes the total amount of the reserve \$110 million. Directs the department of education (department) to calculate the amount to be budgeted to the reserve by each district and the institute so that each budgets a proportional share of the total amount of the reserve. Requires the amount budgeted to the reserve to be released for expenditure by each district and for distribution to institute charter schools by the institute, as applicable, on January 29, 2010, if a negative supplemental appropriation to effect a rescission of the total amount of the reserve has not been enacted and become law by such date.

## Department Description FY 2010-11 BUDGET REQUEST

- Increases the cap on the amount of additional property tax revenue that a district may retain and spend to an amount equal to 25% of the district's total program. Requires a district that intends to seek voter approval to retain and spend additional property tax revenues to submit a proposal regarding the district's proposed use of the additional revenues to the state board of education (state board).
- Excludes from the calculation of a district's maximum mill levy override amount specific ownership tax revenue attributable to property tax levies made by the district that have been authorized at previous elections and property tax levies made by the district for the purpose of satisfying bonded indebtedness.
- In any budget year in which the state share of funding for an accounting district is insufficient to fully fund the total program of an institute charter school in the accounting district, directs the department to request a supplemental appropriation to ensure that the institute charter school is fully funded.
- Directs the department to distribute charter school capital construction funding in 12 approximately equal monthly payments during the applicable budget year rather than in a lump sum payment. Encourages the governor to allocate a portion of the moneys received by the state through the federal "American Recovery and Reinvestment Act of 2009" to charter schools in the state to help meet capital construction needs.

The bill requires each employment contract for a teacher or chief administrative officer to contain a provision requiring the teacher or chief administrative officer to accept the terms of the contract within 30 days after receipt of the contract and if not accepted, the district is authorized to open the position to additional candidates.

The bill also clarifies that the prohibition of a term in a charter contract that would require a charter school to forego operating or capital construction funds shall not be construed to prohibit a charter school from contracting with its chartering board of education or with the institute, as applicable, for the purchase of services.

The bill requires each district and the institute to ensure that each student who enrolls in the sixth grade in a public school registers on-line with college in Colorado and directs each district and the institute to collaborate with the department and the department of higher education in monitoring implementation of the registration requirement. Requires each public school to assist each student and his or her parent or legal guardian in developing and maintaining the student's individual career and academic plan and to comply with the requirements of the federal "Family Educational Rights and Privacy Act of 1974" in developing and maintaining the plan. The state board is also to promulgate rules to establish standards for individual career and academic plans for students enrolled in public schools.

Requires the state board to award at least half of any increase in the appropriation for the expelled and at-risk student services grant program for the 2009-10 fiscal year to grant applicants that provide services and supports that are designed to reduce the number of

## Department Description FY 2010-11 BUDGET REQUEST

truancy cases requiring court involvement and that also reflect the best interests of the students and families. Authorizes and encourages the department to retain up to an additional 2% of any moneys appropriated to the expelled and at-risk student program to partner with organizations or agencies that provide services and supports that are designed to reduce the number of truancy cases requiring court involvement and that also reflect the best interests of students and families.

The definition of "excess transportation costs" is modified to allow for additional money from mill levies and to include transportation vehicles or other capital outlays related to pupil transportation.

Authorizes district boards of education that provide for a district emergency reserve established at an amount equal to at least 3% of the amount budgeted in the district's general fund to designate real property as all or a portion of its constitutionally required reserve, so long as the district board has notified the state treasurer and the department of its intent to enter into a lease-purchase agreement with respect to such property. A local board who expends any moneys from the reserve is required to restore the district emergency reserve within specified periods.

Requires the commissioner of education to study the feasibility of operating one or more state schools to serve students who are in need of greater academic support and who may be at risk of academic failure. The commissioner is authorized to contract for the creation and operation of a state residential school to provide educational services to students who are at risk of academic failure if the commissioner concludes that state residential schools would be beneficial to the state. Requires that a state residential school provide an educational program focused on math and science. In the alternative to a state residential school, authorizes the commissioner to provide technical assistance to school districts and public schools to address the needs of students who are at risk of academic failure by improving the availability and quality of secondary-level math and science curricula. Authorizes the appropriation of up to \$3 million to the commissioner for the implementation of a state residential school or the provision of technical assistance, and specifies that such moneys may be from the state education fund.

For the 2008-09 budget year, allows the commissioner to accept, as repayment from a district that has received an overpayment, items for use by the department, including lifetime on-line curriculum licenses, in the same value as the amount of the overpayment owed by the district.

Includes in the school awards program centers of excellence awards for public schools in the state that enroll at least 75% at-risk pupils and that demonstrate the highest rates of student academic growth. Of the moneys available for the school awards program, requires that \$250,000 be awarded each year to schools through a centers of excellence award. For the 2009-10 budget year, transfers \$250,000 from the read-to-achieve cash fund to the school awards program fund to be used for centers of excellence awards.

## Department Description FY 2010-11 BUDGET REQUEST

For the 2009-10 budget year, transfers \$1.75 million from the read-to-achieve cash fund to the closing the achievement gap cash fund for the purposes of the closing the achievement gap program.

For the 2008-09 budget year, requires each district that has unexpended and unencumbered moneys remaining from the moneys that the district received for full-day kindergarten programs to return such unexpended and unencumbered moneys to the department. For the 2009-10 budget year, allows districts that do not report any full-day kindergarten pupils to use the moneys received for full-day kindergarten for planning and facility preparation for a full-day kindergarten program in subsequent years.

Reverses the change made in Senate Bill 09-269 that would allow moneys from the read-to-achieve cash fund to be used for summer school programs.

Authorizes the state treasurer to invest public funds in any certificate of participation or other security evidencing rights in payments to be made by a school district under a lease or lease-purchase agreement if the security carries at least 2 credit ratings and is rated at or above "A" by the credit rating agencies.

Reduces the appropriation to the read-to-achieve cash fund by \$2 million.

**S.B. 09-260 (White/Pommer)** For the 2008-09 and 2009-10 state fiscal years, transfers to the state public school fund, instead of the public school fund (permanent school fund), moneys not otherwise allocated from:

- Interest or income earned on the investment of the moneys in the permanent school fund;
- Proceeds received by the state for the sale of timber on public school lands, rental payments for the use and occupation of the surface of said lands, and rentals or lease payments for sand, gravel, clay, stone, coal, oil, gas, geothermal resources, gold, silver, or other minerals on said land; and
- Royalties and other payments for the depletion or extraction of a natural resource on said lands.

**S.B. 09-285 (Newell/Levy)** This bill includes career and technical education programs among the institutions of higher education that are permitted to offer concurrent enrollment opportunities to high school students. Adds 2 representatives of career and technical education programs to the concurrent enrollment advisory board and requires an institution that has entered into a cooperative agreement with a local education provider concerning the provision of concurrent enrollment opportunities to qualified students to provide a copy of the cooperative agreement to the state board for community colleges and occupational education if the cooperative agreement contemplates the provision of career and technical education courses. The bill prohibits the concurrent enrollment of a student in a course that is offered by a career and technical education program unless the course is included in a postsecondary degree or certificate program that is approved by the state board for community colleges and occupational education. The instructor of a



Department Description FY 2010-11 BUDGET REQUEST

career and technical education course in which a qualified student concurrently enrolls is required to possess a career and technical education teaching credential that has been authorized by the state board.

**S.B. 09-291 (Bacon/Middleton)** This bill 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 the taxpayer's bill of rights 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.

## Hot Issues

- **Accountability** – The Colorado Department of Education places a strong emphasis on educational accountability. One of the primary examples of this is the department’s top legislative priority in 2009—S.B.09-163 Accountability Alignment—which was signed into law on May 21, 2009. The alignment bill streamlines three independent systems of accountability into a single system and creates a more supportive method of addressing persistently under-performing schools. Using the longitudinal growth calculation, it shifts the primary criteria for accountability from a single assessment result to a student’s progress over time. This legislation also creates more transparency for the public. By shifting from a paper school accountability report to a web-based portal (SchoolView.org) for reporting, the public will have access to much more information on school, district and state-level education data.
- **Standards and Assessments** – In 2008 the General Assembly passed S.B.08-212, the Colorado Achievement Plan for Kids requiring the alignment of pre-K through post-secondary standards and assessments. The Colorado Department of Education has been working closely with the Department of Higher Education to implement this legislation. Staff from both departments have conducted stakeholder meetings across the state and worked with experts in each of the content areas to develop recommendations on the adoption of internationally benchmarked standards. On June 30, 2009 the Colorado State Board of Education and the Colorado Commission on Higher Education jointly adopted a description of Postsecondary and Workforce Readiness. This adoption came six months before the deadline set forth in the legislation. The process will now shift to the development and adoption of new standards and the development of a new assessment tool that can evaluate students’ progress in reaching the adopted standards.
- **American Recovery and Reinvestment Act** – On February 17, 2009, President Barack Obama signed the American Recovery and Reinvestment Act (ARRA) at the Denver Museum of Nature and Science. That act generates significant new federal funding for education in Colorado. It provides additional formula-driven funding for existing federal programs (IDEA, No Child Left Behind, etc.) as well as opportunities for fiscal stabilization funds and multiple competitive grants. Governor Bill Ritter Jr. applied for state fiscal stabilization funding on June 4, 2009. Colorado secured the first phase of this funding (\$509 million) on June 10. The remaining funds (approximately \$250 million) will be awarded to states on a rolling basis between July 1 and September 30, 2009. Of that funding, roughly 27 percent will go to K-12 education through the state’s current finance formula. In addition, Colorado has an opportunity to compete for Race to the Top, a competitive grant available through the U.S. Department of Education. The Colorado Department of Education is working closely with the governor and lieutenant governor to ensure that our application for Race to the Top places this state in the best possible

## Department Description FY 2010-11 BUDGET REQUEST

position to receive that grant. Beginning in late summer 2009, stakeholders will begin meeting to discuss how to demonstrate Colorado's progress in the four reform areas: teacher quality and effectiveness, standards and assessments, longitudinal data systems, and support and intervention for chronically under-performing schools. Applications for the first phase of Race to the Top funding are due in December 2009, with phase 1 grants awarded in March, 2010.

- **Educator Identifier System** – The collection and analysis of meaningful education data continues to be a top priority for the Colorado Department of Education. During the 2009 legislative session the department worked closely with policymakers and education stakeholders to build support for H.B.09-1065, the Teacher Identifier Pilot Program. That bill passed and was signed into law on May 21, 2009. It requires the assignment of an individual identification number to each licensed teacher and principal in the state. Coupled with the Colorado's student identifier system, H.B. 09-1065 provides a tremendous opportunity to better understand educator quality and effectiveness to bring about improved student outcomes. While it is completely dependent upon gifts, grants and donations, the department is working with the governor, legislature and the Quality Teachers Commission to secure the funding necessary to begin implementation and identify opportunities for federal funding

## Workload Reports

### Public School Finance

<b>Program</b>	<b>Workload Indicator</b>	<b>FY 07-08 Actual</b>	<b>FY 08-09 Actual</b>	<b>FY 09-10 Est.</b>	<b>FY 10-11 Est.</b>
<b>Public School Finance</b>	Number of Students Funded through Public School Finance Act of 1994	760,884.2	778,108.4	788,648.3	797,780.4
<b>Public School Finance</b>	Number of Districts, Boards of Cooperative Services and Charter Schools the Unit Collects Audits and Electronic Submission of Financial Data	178 – Districts 1 – Charter School Institute 20- Boards of Cooperative Educational Services 141 Charter Schools	178 – Districts 1 – Charter School Institute 20- Boards of Cooperative Educational Services 150 Charter Schools	178 – Districts 1 – Charter School Institute 20- Boards of Cooperative Educational Services 160 Charter Schools	178 – Districts 1 – Charter School Institute 20- Boards of Cooperative Educational Services 170 Charter Schools
<b>Colorado Preschool Program</b>	Provides Technical Assistance and Monitors 20% of Colorado Preschool Program Classrooms Annually for Number of Preschool Pupils in School Districts	16,356 @ 8/1 pupil/teacher ratio	19,480 @ 8/1 pupil/teacher ratio	20,160 @ 8/1 pupil/teacher ratio	20,160 @ 8/1 pupil/teacher ratio

Department Description FY 2010-11 BUDGET REQUEST

<b>Program</b>	<b>Workload Indicator</b>	<b>FY 07-08 Actual</b>	<b>FY 08-09 Actual</b>	<b>FY 09-10 Est.</b>	<b>FY 10-11 Est.</b>
Charter School Institute Funding	Calculate amount of funding for each charter school based on district of residence per pupil funding. Transfer funds to CSI. Determine administrative funds to withhold for CSI and CDE.	4,087.5 12 charter schools	5,344.5 16 charter schools	6,643 17 charter schools	6,643 17 charter schools
Charter School Intercept Program	Coordinate with the State Treasurer's office to withhold state funds a charter school is entitled to receive from its charter authorizer for the payment of debt service on charter school bonds.	37 charter schools	38 charter schools	38 charter schools	38 charter schools

**Teaching and Learning**

<b>Program</b>	<b>Workload Indicator</b>	<b>FY 07-08 Actual</b>	<b>FY 08-09 Actual</b>	<b>FY 09-10 Est.</b>	<b>FY 10-11 Est.</b>
<b>Early Childhood Team Results Matter – Child and family outcomes</b>	Number of teachers trained on assessment tools ( <i>this includes training of trainers and classroom teachers</i> )	735	590 Final number not yet calculated for this year	885	
<b>Early Childhood Team Results Matter – Child and family outcomes</b>	Number of teachers trained on “observation and documentation” modules	1145	835 Final number not yet calculated for this year	1,000	
<b>Standards Support/Competitive Grants</b>	Number of Competitive Grant Programs	5	6	7	8
<b>Standards Support/Competitive Grants</b>	Number of Grantees	78	85	90	100
<b>Standards Support/Competitive Grants</b>	Grant Dollars Administered	\$11,710,000	\$12,140,000	\$17,140,000	\$22,140,000
<b>Standards and Achievement Support</b>	# of school support team visits (includes initial visits and re-visits)	22	25	40	40
<b>Standards and Achievement Support</b>	# of Comprehensive appraisals for district improvement	13	9	10	10

Department Description FY 2010-11 BUDGET REQUEST

Note: Actual numbers for next year will be directly contingent upon variables including; available resources, program expansion, and the number of children in community based programs.

**Innovation and Transformation**

<b>Program</b>	<b>Workload Indicator</b>	<b>FY 06-07 Actual</b>	<b>FY 07-08 Actual</b>	<b>FY 08-09 Est.</b>	<b>FY 09-10 Est.</b>
<b>Language, Culture, and Equity</b>	# of English Language Learners in the State	100,039	124,417	134,000	144,000
<b>Language, Culture, and Equity</b>	# of Migrant students in the State	11,613	10,000* * number does not include current summer school counts, so # will be increased in final counts	11,600	11,600
<b>Language, Culture, and Equity</b>	# of trainings provided throughout the state	35	41	45	48
<b>Schools of Choice</b>	# of operating charter schools	133	141	150	166
<b>Schools of Choice</b>	# of school districts with exclusive chartering authority	167	169	172	175
<b>Schools of Choice</b>	# of Charter School Program sub-grantees	29	28	30	32
<b>Schools of Choice</b>	# of charter school students	52,242	56,772	60,000	65,000
<b>Regional Services/Accreditation</b>	# of Instructional Audits conducted (review strengths and weaknesses of instructional programs)	12	12	15	18

Department Description FY 2010-11 BUDGET REQUEST

<b>Regional Services/Accreditation</b>	# of Districts served	178	178	178	178
<b>Regional Services/Accreditation</b>	# of Regional Professional Development Councils served	8	8	8	8
<b>Regional Services/Accreditation</b>	# of BOCES served, includes monthly briefings to superintendents	22	22	22	22
<b>Regional Services/Accreditation</b>	# of presentations to State Brd of Education	1	2	2	2
<b>Regional Services/Accreditation</b>	# of Accreditation Reviews, includes visits, writing and reporting of accreditation reports	178	178	178	178
<b>Regional Services/Accreditation</b>	# of trainings to District Accountability Committees	8	8	5	5
<b>Regional Services/Accreditation</b>	# of new superintendents mentored	30	26	30	35
<b>On-Line Learning</b>	# of online programs served and supported (certification, monitoring, accountability, technical assistance)	NA	19	24	29
<b>On-Line Learning</b>	# of RFP's for supplemental grants processed	NA	29	35	41



Department Description FY 2010-11 BUDGET REQUEST

<b>On-Line Learning</b>	# of On-site visits to Online Programs and Districts for information gathering or technical assistance	NA	23	36	48
<b>On-Line Learning</b>	# of Online students supported	10,093 (pre-legislation)	9,520	13,500	18,000

**Assessments**

<b>Program</b>	<b>Workload Indicator</b>	<b>FY 06-07 Actual</b>	<b>FY 07-08 Actual</b>	<b>FY 08-09 Est.</b>	<b>FY 09-10 Est.</b>
<b>Unit of Student Assessment</b>	Number of CSAP assessments processed each year  Major functions: Item development, training, management of tests and data, analysis and research	CSAP: 1,551,536 tests in Reading, Writing, Mathematics, Science	The actual CSAP data will arrive in July. The following are approximations:  1,563,145 CSAP tests	1,574,841	1,586,624
<b>Unit of Student Assessment</b>	Number of CSAP-A assessments processed each year  Major functions: Item development, training, management of tests and data, analysis and research	CSAP-A: 15,776 tests in Reading, Writing, Mathematics, Science	The actual CSAP-A data will arrive in July. The following are approximations:  16,381 CSAP-A tests	17,009	17,661

Department Description FY 2010-11 BUDGET REQUEST

<p><b>Unit of Student Assessment</b></p>	<p>Number of Lectura &amp; Escritura assessments processed each year</p> <p>Major functions: Test and data management, analysis and research</p>	<p>3,699 Lectura &amp; Escritura tests</p>	<p>The actual Lectura/Escritura data will arrive in July. The following are approximations: 3,700 Lectura &amp; Escritura tests</p>	<p>3,700</p>	<p>3,700</p>
<p><b>Unit of Student Assessment</b></p>	<p>Number of Colorado ACT tests processed each year Other major functions:</p> <p>Major functions: Administration oversight, data management, analysis and research</p>	<p>50,436 Colorado ACT tests</p>	<p>The actual CO-ACT data will arrive in July. The following are approximations:  50,775 Colorado ACT tests</p>	<p>51,116</p>	<p>51,460</p>
<p><b>Unit of Student Assessment</b></p>	<p>Number of Colorado English Language Acquisition tests processed each year</p> <p>Major functions: Administration oversight, data management, analysis and research</p>	<p>85,997 Colorado English Language Acquisition tests</p>	<p>85,085 Colorado English Language Acquisition tests</p>	<p>85,000</p>	<p>85,000</p>

**Student Support**

<b>Program</b>	<b>Workload Indicator</b>	<b>FY 06-07 Actual</b>	<b>FY 07-08 Actual</b>	<b>FY 08-09 Est.</b>	<b>FY 09-10 Est.</b>
Special Education	Number of children with disabilities as of December 1	83,121	82,560	82,000	82,000
Special Education	Total Special Education Expenditures	\$700 million	\$735.000	\$770.000	\$800,000
Special Education	Percent of Expenditures Paid for with Local Funds	62%	64%	66%	68%
Gifted Education	Number of Gifted Students Served	54,337	56,184	57,044	57,917
Gifted Education	Number of schools in AP Exam Fee Program	107	135	168	210
Gifted Education	Number of Online Modules Implemented Statewide	2	5	8	10
Safe and Drug Free Schools and Communities	Number of Disciplinary Actions in Schools	5%	Not available	4%	3%
Expelled and At Risk Students Grants	Number of Funded Programs	55	60	65	70
Education for Homeless Children	Number of Grants Funded	15	15	16	17
Adult Education and Family Literacy	Number of Adult Learners Served	14,530	14,550	14,550	15,000

Department Description FY 2010-11 BUDGET REQUEST

Colorado Family Literacy Education Fund	Number of Families Served	325	372	400	425
GED Testing	Number of GED Recipients	10,000	9,905	12,284	14,674
Facility Schools	Number of Approved Facility Schools	72	68	68	68
Facility Schools	Number of Students (one-day count)	2,284	2,214	2,200	210
Facility Schools	Number of Education Staff (teachers, paraprofessionals and administrators)	611	605	600	600

**Library Programs**

<b>Program</b>	<b>Workload Indicator</b>	<b>FY 06-07 Actual</b>	<b>FY 07-08 Actual</b>	<b>FY 08-09 Est.</b>	<b>FY 09-10 Est.</b>
AskColorado	Number of virtual reference questions from Coloradans	55,935	50,169*	55,000	57,000
Colorado Talking Book Library and State Publications Library	Circulation to patrons: (# of items provided statewide)	366,750	406,800	448,480	489,500
State Library	Statewide professional development of librarians: <u># of events</u> <u># attending</u>	<u>170</u> 3,425	<u>316</u> 6,320	<u>375</u> 7,000	<u>400</u> 7,500
Colorado Talking Book Library	Collection materials in library (total of all types)	61,229	104,656	120,000	130,000

*\*reflects new process to share colorado.gov queries between AskColorado and Colorado Interactive, the state portal authority, as requested through OIT.*