

Specifies eligibility requirements for participation in activities. Clarifies that a student who is not eligible to participate in activities at a school cannot become eligible by applying to participate in activities at another school and that the student must pay any assessed penalty before being eligible to participate in activities at any school.

Specifies that a school may charge students a participation fee as a prerequisite to participating in an activity, but that the amount of the fee for nonenrolled students cannot exceed the amount charged enrolled students who participate in the activity.

Specifies that a student who participates in an activity but who is not enrolled at the school is not included in the school district's pupil enrollment for purposes of school finance.

If a student transfers enrollment without an accompanying change of domicile by the student's parent or guardian, specifies that the transfer rules adopted by the school district determine whether a student is eligible to participate in activities at the new school; except that no transfer rule may prohibit the student from participating if the student transfers within 15 days after the beginning of the school year and prior to participating in the activity during the same year at the old school.

APPROVED by Governor May 23, 1996

EFFECTIVE May 23, 1996

S.B. 96-237 Intergovernmental agreements for school district capital projects - existing impact fee agreements - authority to require site dedication. Amends the statutory provision that states that the school finance act does not preempt intergovernmental agreements between local governments and school districts to fund school district capital projects using local government revenues other than impact fees.

Declares that this provision does not affect any agreement entered into prior to May 1, 1996, that is the subject of pending litigation before the Colorado supreme court. If a supreme court decision affirms the right to impose impact fees, permits local governments that imposed fees prior to May 1, 1996, to continue to impose such fees until July 1, 1997. If a supreme court decision rejects the right to impose impact fees, permits local governments that imposed fees pursuant to a voluntary agreement entered into prior to July 1, 1996, to continue to impose such fees for the term of the agreement. Requires that all impact fees or similar development charges or fees be appropriated on or before December 31, 1997.

States that this provision does not authorize local governments to require school site dedications or payments in lieu thereof, but does not restrict any other statutory authority of local governments to require school site dedications or payments in lieu thereof.

APPROVED by Governor June 5, 1996

EFFECTIVE June 5, 1996

H.B. 96-1012 School districts - boundaries. Reduces the number of signatures required for a

school district reorganization petition. Limits school district residents to bringing one reorganization petition per school district every 3 years. Stipulates the requirements for a reorganization plan.

In a detachment and annexation where there are no public schools in the affected territory, allows posting of public notice of the meeting on the proposed plan of organization in 3 public buildings located within the affected territory or, if there are fewer than 3 public buildings, mailing of notice to eligible electors residing in the affected area.

Requires the school organization planning committee to file a map showing the proposed boundaries of each school district affected by the proposed plan of organization.

Where the plan of organization includes an increase in the mill levy, makes implementation of a plan of organization conditional upon voter approval of the mill levy increase.

Specifies that a detachment and annexation takes effect on the date specified in the plan of organization, that the affected districts continue as bodies corporate as prior to the detachment and annexation, and that the school directors of a new school district shall be elected on the day specified in the plan of organization.

Clarifies when a plan of organization is deemed rejected. Where a plan of organization involves 3 or more existing school districts, and the plan is approved by at least 2 but less than all of the involved school districts, allows the approving school districts to formulate a new plan of organization involving the approving districts.

Clarifies that the limit of bonded indebtedness for new school districts is the same as existing school districts.

Where a reorganization results in creation of 2 or more school districts within the boundaries of an existing school district, authorizes the plan of organization to include the creation of joint taxation districts to incur bonded indebtedness for capital construction and to raise and expend property taxes to retire such indebtedness. Authorizes the school districts in the joint taxation district to share their assessed valuations.

Eliminates the district-specific requirements for creating a capital improvement zone in a school district within 36 months after the district attempts a successful or failed reorganization.

Directs the department of education to promulgate rules and regulations for the assignment of a cost of living factor to new districts, except districts created through deconsolidation. Provides that such rules and regulations shall apply only until a cost of living factor is certified for the new districts by the legislative council. Specifies that deconsolidated districts retain the cost of living factor of the district from which they were separated until a new cost of living factor is certified for the district by the legislative council.

Specifies the method of determining the mill levy in and the specific ownership tax revenue

payable to reorganized districts in the first year following the reorganization.

Includes other miscellaneous amendments concerning district reorganization.

APPROVED by Governor March 20, 1996

EFFECTIVE July 1, 1996

H.B. 96-1041 Special education - deaf and hard-of-hearing children. Recognizes the unique needs of children with low-incidence disabilities. Identifies the specific educational needs of deaf and hard-of-hearing children.

Requires the committee that prepares an individual educational program for a child who is deaf or hard of hearing to consider the child's specific communication needs, including:

- The child's communication mode;

- The availability of peers, adult models, and staff with whom the child can communicate; and

- The availability of appropriate educational services.

Requires the school to explain to the child's parent all of the educational options available to the child at the time the individual educational program is prepared. Specifies reasons for which a child may not be denied education in a particular communication mode or language. Allows a child to receive education in multiple communication modes or languages. Requires that a child receive education in the communication mode or language that is deemed beneficial for the child.

Clarifies that the committee does not have to ensure the availability of a specific number of peers, that the provisions of the act do not abrogate a parent's statutory rights to educational choice, and that no school district is required to expend additional resources or hire additional personnel to implement these requirements.

APPROVED by Governor March 18, 1996

EFFECTIVE March 18, 1996

H.B. 96-1139 State board of education - kindergarten through third grade literacy standards. Enacts the "Colorado Basic Literacy Act".

Requires the state board of education, after consultation with the state standards and assessments