

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

DRAFT

LLS NO. 10-0479.02 Julie Pelegrin

HOUSE BILL

HOUSE SPONSORSHIP

Merrifield, Rice, Ryden

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Spence and Steadman, Newell

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING IMPROVED WORKFORCE DEVELOPMENT THROUGH
102 INCREASED PARTICIPATION IN ARTS EDUCATION IN PUBLIC
103 SCHOOLS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

In **section 1**, the bill recognizes the importance of visual arts and performing arts in public education. **Section 2** of the bill requires each public school in the state to provide visual arts and performing arts education. Demonstration of proficiency regarding the visual arts and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

performing arts standards will be a condition of high school graduation from the public schools of the state beginning with the ninth-grade class of 2010-11.

Under current law, the state board of education must adopt rules describing the minimum contents of each student's individual career and academic plan. **Section 3** of the bill requires each plan to include the student's progress in visual arts and performing arts classes.

Sections 4-8 of the bill amend several provisions of the "Preschool to Postsecondary Education Alignment Act" to specifically incorporate visual arts and performing arts education into the standards, assessments, and postsecondary and workforce readiness program that the state board of education and local education providers adopt.

Sections 9-13 of the bill recognize the importance of visual arts and performing arts education in preventing student dropouts and in helping local education providers re-engage students in school. Under current law, the office of dropout prevention and student re-engagement, in the department of education, collaborates with several community organizations. The bill includes private nonprofit or for-profit community arts organizations in the list of collaborative agencies. Certain local education providers are currently required to assess their practices related to student dropouts and re-engagement. The bill includes policies and practices related to visual arts and performing arts education in the assessment. Those local education providers that adopt student graduation and completion plans are encouraged to include increased availability of visual arts and performing arts education in those plans. The bill also specifies visual arts and performing arts education as education services for which a local education provider may seek grant moneys under the student re-engagement grant program.

Sections 14 and 15 of the bill conform the definition of arts-based activity in the dropout prevention activity grant program with the definitions of visual arts and performing arts created in the bill.

Section 16 of the bill clarifies that career and technical education for which a school district, board of cooperative services, or charter school may receive funding includes visual arts and performing arts education.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds that:

4 (a) Recent studies have shown that education in visual arts and
5 performing arts has positive effects on children's behavior, attitudes, and

1 academic performance and on career and workforce readiness;

2 (b) The opportunity to study and build skills in the visual arts and
3 performing arts increases students' self-confidence, nurtures students'
4 creativity and curiosity, provides on-going challenges for students, helps
5 students remain engaged in school, facilitates building positive
6 relationships between students and teachers, and, as a result of these
7 effects, helps reduce the school dropout rate;

8 (c) Visual arts and performing arts education provide an
9 alternative method of reaching struggling students, including those who
10 are disadvantaged, those for whom English is a second language, and
11 students with disabilities;

12 (d) The innovation and creativity that students exercise and foster
13 in visual arts and performing arts education enables them to innovate,
14 creatively solve problems, and bring greater creativity to their thinking in
15 the more traditional education areas of reading, mathematics, and science
16 and to develop the twenty-first-century critical thinking, collaboration,
17 communication, and leadership skills that are crucial to success in today's
18 workforce;

19 (e) Because of the level of innovation and creativity demanded for
20 Colorado and the nation to stay competitive in the global economy, it is
21 crucial that each student graduate from a public high school in Colorado
22 with a solid foundation in visual arts and performing arts education that
23 will enable the student to participate fully, creatively, and successfully in
24 the state's economy and workforce.

25 (2) The general assembly finds, therefore, that requiring school
26 districts and charter schools to fully integrate visual arts and performing
27 arts education into the elementary and secondary school curriculum and

1 into the description of postsecondary and workforce readiness is
2 necessary to more fully support workforce development within the state
3 and ensure that Colorado is able to compete economically on both a
4 national and global scale.

5 **SECTION 2.** Article 1 of title 22, Colorado Revised Statutes, is
6 amended BY THE ADDITION OF A NEW SECTION to read:

7 **22-1-104.5. Teaching of visual arts and performing arts -**
8 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
9 OTHERWISE REQUIRES:

10 (a) "PERFORMING ARTS" MEANS ART FORMS THAT ARE EXPRESSED
11 BY INDIVIDUALS OR GROUPS THAT INVOLVE PERFORMANCE THROUGH
12 MULTI-SENSORY EXPERIENCES, WHICH PERFORMANCES MAY INCLUDE, BUT
13 NEED NOT BE LIMITED TO, DANCE, MUSIC, THEATER, AND DIGITAL OR
14 ELECTRONIC PRODUCTIONS.

15 (b) "VISUAL ARTS" MEANS ART WORKS CREATED BY INDIVIDUALS
16 OR GROUPS USING A VARIETY OF MEDIA AND PROCESSES, WHICH ART
17 WORKS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, DRAWING, PAINTING,
18 CERAMIC ARTS, SCULPTURE, PHOTOGRAPHY, GRAPHIC ARTS, PRINTMAKING,
19 MEDIA ARTS, ELECTRONIC OR DIGITAL DESIGN, TEXTILES, JEWELRY, GLASS
20 ARTS, AND FINE WOODWORKING.

21 (2) EACH PUBLIC SCHOOL IN THE STATE SHALL PROVIDE CLASSES
22 IN VISUAL ARTS AND IN PERFORMING ARTS, WHICH CLASSES SHALL BE
23 BASED ON CONTENT STANDARDS FOR VISUAL ARTS AND PERFORMING ARTS
24 AND PROVIDED IN COMPLIANCE WITH STATE AND FEDERAL LAW. SCHOOL
25 DISTRICTS AND PUBLIC SCHOOLS ARE STRONGLY ENCOURAGED TO
26 EXPLORE AND IMPLEMENT INNOVATIVE DELIVERY MECHANISMS FOR
27 PERFORMING ARTS AND VISUAL ARTS CLASSES, INCLUDING BUT NOT

1 LIMITED TO USING ON-SITE TECHNOLOGY AND SOFTWARE, ON-LINE
2 EDUCATION, AND COLLABORATION AMONG COMMUNITY COLLEGES, OTHER
3 SCHOOL DISTRICTS OR PUBLIC SCHOOLS, BOARDS OF COOPERATIVE
4 SERVICES, AND REGIONAL SERVICE AREAS.

5 (3) FOR STUDENTS WHO ENROLL IN NINTH GRADE ON OR AFTER
6 JULY 1, 2010, EACH PUBLIC SCHOOL IN THE STATE SHALL REQUIRE
7 DEMONSTRATED PROFICIENCY WITH REGARD TO THE VISUAL ARTS AND
8 PERFORMING ARTS STANDARDS AS A CONDITION OF HIGH SCHOOL
9 GRADUATION.

10 **SECTION 3.** 22-2-136 (2) (a), Colorado Revised Statutes, is
11 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

12 **22-2-136. Additional duty - state board - individual career and**
13 **academic plans - standards - rules.** (2) In establishing the standards for
14 individual career and academic plans, the state board shall ensure, at a
15 minimum, that:

16 (a) Each individual career and academic plan includes a career
17 planning and guidance component and a portfolio that reflects, at a
18 minimum:

19 (II.5) THE STUDENT'S PROGRESS IN VISUAL ARTS AND PERFORMING
20 ARTS COURSES;

21 **SECTION 4.** 22-7-1003, Colorado Revised Statutes, is amended
22 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to
23 read:

24 **22-7-1003. Definitions.** As used in this part 10, unless the
25 context otherwise requires:

26 (11.5) "PERFORMING ARTS" SHALL HAVE THE SAME MEANING AS
27 PROVIDED IN SECTION 22-1-104.5 (1) (a).

1 (25) "VISUAL ARTS" SHALL HAVE THE SAME MEANING AS
2 PROVIDED IN SECTION 22-1-104.5 (1) (b).

3 **SECTION 5.** 22-7-1005 (2) (a), Colorado Revised Statutes, is
4 amended to read:

5 **22-7-1005. Preschool through elementary and secondary**
6 **education - aligned standards - adoption - revisions.** (2) (a) The state
7 board shall ensure that the preschool through elementary and secondary
8 education standards, at a minimum, include standards in reading, writing,
9 mathematics, science, history, geography, visual ~~and~~ ARTS, performing
10 arts, physical education, world languages, English language competency,
11 economics, civics, financial literacy, and any other instructional areas for
12 which the state board had adopted standards as of January 1, 2008.

13 **SECTION 6.** 22-7-1009 (4), Colorado Revised Statutes, is
14 amended to read:

15 **22-7-1009. Diploma endorsements - adoption - revisions.**
16 (4) The state board shall also consider and may adopt criteria for a range
17 of additional endorsements that a school district, BOCES, or institute
18 charter high school may choose to grant to graduating students to
19 recognize concentrated focus and outstanding achievement in a variety of
20 subject areas, including but not limited to ~~performance and fine~~ VISUAL
21 ARTS, PERFORMING arts, career and technical education, history and civics,
22 mathematics, and science.

23 **SECTION 7.** 22-7-1013 (1) (b), Colorado Revised Statutes, is
24 amended to read:

25 **22-7-1013. Local education provider - preschool through**
26 **elementary and secondary education standards - adoption.** (1) (b) In
27 revising its preschool through elementary and secondary education

1 standards, each local education provider shall ensure that it adopts
2 standards, at a minimum, in those subject matter areas that are included
3 in the state preschool through elementary and secondary education
4 standards, including but not limited to English language competency AND
5 VISUAL ARTS AND PERFORMING ARTS EDUCATION.

6 **SECTION 8.** 22-7-1015 (2) (b), Colorado Revised Statutes, is
7 amended to read:

8 **22-7-1015. Postsecondary and workforce readiness program**
9 **- technical assistance.** (2) (b) A local education provider may
10 accommodate the range of student interests and aspirations by adopting
11 multiple curricula that, combined, create multiple postsecondary and
12 workforce readiness programs within a school district or within a high
13 school that are designed to prepare a student for differing post-graduation
14 goals, including but not limited to immediate entry into the workforce or
15 matriculation into career and technical education or higher education.
16 The local education provider shall ensure, however, that every
17 postsecondary and workforce readiness program adopted by the local
18 education provider:

19 (I) Is aligned with postsecondary and workforce readiness such
20 that a student who successfully completes the program will be prepared
21 to demonstrate postsecondary and workforce readiness prior to or upon
22 attaining a high school diploma; AND

23 (II) INCLUDES COURSES IN VISUAL ARTS AND PERFORMING ARTS.

24 **SECTION 9.** 22-14-102, Colorado Revised Statutes, is amended
25 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to
26 read:

27 **22-14-102. Definitions.** As used in this article, unless the context

1 otherwise requires:

2 (10.5) "PERFORMING ARTS" SHALL HAVE THE SAME MEANING AS
3 PROVIDED IN SECTION 22-1-104.5 (1) (a).

4 (17) "VISUAL ARTS" SHALL HAVE THE SAME MEANING AS
5 PROVIDED IN SECTION 22-1-104.5 (1) (b).

6 **SECTION 10.** 22-14-103 (3) (c) (XII) and (3) (c) (XIII),
7 Colorado Revised Statutes, are amended, and the said 22-14-103 (3) (c)
8 is further amended BY THE ADDITION OF A NEW
9 SUBPARAGRAPH, to read:

10 **22-14-103. Office of dropout prevention and student**
11 **re-engagement - created - purpose - duties.** (3) To accomplish the
12 purposes specified in subsection (2) of this section, the office shall also:

13 (c) Develop interagency agreements and otherwise cooperate with
14 other state and federal agencies and with private, nonprofit agencies to
15 collect and review student data and develop and recommend methods for
16 reducing student dropout rates and increasing student engagement and
17 re-engagement. The office shall, to the extent possible, collaborate with,
18 at a minimum:

19 (XII) Agencies and nonprofit organizations within the child
20 welfare system; ~~and~~

21 (XIII) Private, nonprofit organizations that provide services for
22 homeless families and youth; AND

23 (XIV) PRIVATE NONPROFIT OR FOR-PROFIT COMMUNITY ARTS
24 ORGANIZATIONS THAT WORK IN EITHER VISUAL ARTS OR PERFORMING
25 ARTS;

26 **SECTION 11.** 22-14-106 (2), Colorado Revised Statutes, is
27 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

1 **22-14-106. Local education provider practices assessment -**
2 **technical assistance - rules.** (2) Each practices assessment, at a
3 minimum, shall address the high priority or priority local education
4 provider's:

5 (g.5) PRACTICES RELATING TO VISUAL ARTS AND PERFORMING
6 ARTS EDUCATION, INCLUDING BUT NOT LIMITED TO THE AVAILABILITY OF
7 COURSES IN VISUAL ARTS AND PERFORMING ARTS, REQUIREMENTS FOR
8 OBTAINING VISUAL ARTS OR PERFORMING ARTS COURSE CREDITS, THE
9 AVAILABILITY OF EXTRACURRICULAR ACTIVITIES THAT INVOLVE VISUAL
10 ARTS OR PERFORMING ARTS, AND THE HIGH PRIORITY OR PRIORITY LOCAL
11 EDUCATION PROVIDER'S RELATIONSHIPS WITH NONPROFIT OR FOR-PROFIT
12 COMMUNITY ARTS ORGANIZATIONS;

13 **SECTION 12.** 22-14-107 (3) (a), Colorado Revised Statutes, is
14 amended, and the said 22-14-107 (3) is further amended BY THE
15 ADDITION OF A NEW PARAGRAPH, to read:

16 **22-14-107. Student graduation and completion plans -**
17 **adoption - evaluation.** (3) In designing its student graduation and
18 completion plan, each high priority or priority local education provider is
19 encouraged to:

20 (a) Include a variety of innovative dropout reduction efforts in the
21 plan, including new schools and programs that provide educational
22 environments that are specifically designed to promote student
23 re-engagement, including policies and programs that create alternative
24 pathways to high school graduation; ~~and~~

25 (a.5) EXPAND THE AVAILABILITY OF VISUAL ARTS AND
26 PERFORMING ARTS COURSES AND OPPORTUNITIES THROUGH THE REGULAR
27 SCHOOL CURRICULUM AND THROUGH INCREASED ACCESS TO

1 EXTRACURRICULAR ACTIVITIES, INCLUDING BUT NOT LIMITED TO ENTERING
2 INTO AGREEMENTS WITH NONPROFIT OR FOR-PROFIT COMMUNITY ARTS
3 ORGANIZATIONS TO PROVIDE EXPANDED VISUAL ARTS AND PERFORMING
4 ARTS EDUCATIONAL PROGRAMS; AND

5 **SECTION 13.** 22-14-109 (1), Colorado Revised Statutes, is
6 amended to read:

7 **22-14-109. Student re-engagement grant program - rules -**
8 **application - grants - fund created - report.** (1) There is hereby
9 created within the department the student re-engagement grant program
10 to provide grant moneys to local education providers to use in providing
11 educational services, INCLUDING BUT NOT LIMITED TO VISUAL ARTS AND
12 PERFORMING ARTS EDUCATION, and supports to students to maintain
13 student engagement and support student re-engagement in high school.
14 Subject to available appropriations, the state board shall award student
15 re-engagement grants to local education providers from moneys
16 appropriated from the student re-engagement grant program fund created
17 in subsection (4) of this section.

18 **SECTION 14.** 22-27.5-101 (1) (c) and (1) (e), Colorado Revised
19 Statutes, are amended to read:

20 **22-27.5-101. Legislative declaration.** (1) The general assembly
21 hereby finds that:

22 (c) With the increased difficulties in funding public education and
23 increased emphasis on core academic subjects, schools have been forced
24 to focus their resources on teaching the core curriculum subjects of
25 reading, writing, and mathematics and have been less able to fund
26 ~~education in music, dance, theater, and the~~ visual arts OR PERFORMING
27 ARTS EDUCATION or to provide vocational education;

1 (e) A grant program to provide additional funding for schools to
2 sponsor before- and after-school programs in ~~the~~ VISUAL ARTS AND
3 PERFORMING arts and in vocational subjects will have the combined
4 benefits of providing a wider range of VISUAL ARTS, PERFORMING arts,
5 and vocational education, exposing students to a wide range of
6 opportunities in ~~music, dance, creative writing, theater, photography, and~~
7 ~~other~~ visual arts AND PERFORMING ARTS, assisting students in obtaining
8 skills in a wide variety of vocations, enabling students to discover their
9 artistic and vocational talents, and providing greater incentives for some
10 students to stay in school.

11 **SECTION 15.** 22-27.5-102 (1), Colorado Revised Statutes, is
12 amended, and the said 22-27.5-102 is further amended BY THE
13 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

14 **22-27.5-102. Definitions.** As used in this article, unless the
15 context otherwise requires:

16 (1) "Arts-based activity program" means a before- or after-school
17 program that provides students with an opportunity to learn about and
18 participate in an ~~arts-based activity including but not limited to theater,~~
19 ~~music, dance, creative writing, photography, ceramics, sculpture,~~
20 ~~painting, and any other form of~~ IN visual arts OR PERFORMING ARTS.

21 (5.5) "PERFORMING ARTS" SHALL HAVE THE SAME MEANING AS
22 PROVIDED IN SECTION 22-1-104.5 (1) (a).

23 (8.5) "VISUAL ARTS" SHALL HAVE THE SAME MEANING AS
24 PROVIDED IN SECTION 22-1-104.5 (1) (b).

25 **SECTION 16.** 23-8-103 (2) (a), Colorado Revised Statutes, is
26 amended to read:

27 **23-8-103. Standards for eligibility for grants - rules.** (2) Any

1 course approved pursuant to subsection (1) of this section shall:

2 (a) Be designed to provide students with an entry-level
3 occupational skill or prepare students for further education, INCLUDING
4 BUT NOT LIMITED TO SKILLS OR PREPARATION IN THE AREAS OF VISUAL
5 ARTS, AS DEFINED IN SECTION 22-1-104.5 (1) (b), C.R.S., OR PERFORMING
6 ARTS, AS DEFINED IN SECTION 22-1-104.5 (1) (a), C.R.S.;

7 **SECTION 17. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.