

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-1003.01 Julie Pelegrin x2700

HOUSE BILL 19-1276

HOUSE SPONSORSHIP

Buentello and Exum, Larson

SENATE SPONSORSHIP

Todd and Coram,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROVIDING FINANCIAL SUPPORT FOR COMPREHENSIVE**
102 **PROGRAMS TO ASSIST NINTH-GRADE STUDENTS IN COMPLETING**
103 **HIGH SCHOOL, AND, IN CONNECTION THEREWITH, CREATING THE**
104 **NINTH GRADE SUCCESS GRANT PROGRAM.**

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://leg.colorado.gov>.)

The bill establishes the ninth grade success grant program (grant program) to provide money for school districts, boards of cooperative services (local education providers), and charter schools to implement a

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

ninth grade success program to assist ninth-grade students in developing the skills they need to graduate from high school and be successful postgraduation. The grant program is funded through the student re-engagement grant program fund.

The bill specifies the minimum application requirements for a local education provider or charter school that chooses to apply for a grant. The department of education (department) shall administer the grant program by reviewing applications and making recommendations to the state board of education (state board), which will award the grants. In making recommendations and awarding grants, the department and the state board shall prioritize those applying local education providers and charter schools that have 4-year high school graduation rates that rank in the bottom 20% of the 4-year high school graduation rates statewide. The bill includes additional criteria that the department and the state board must consider. A local education provider or charter school that receives a grant must provide matching money or in-kind contributions in amounts set by the state board, not to exceed specified percentages.

Each local education provider and charter school that receives a grant must use the money to implement a ninth grade success program that meets the requirements specified in the bill. Each grant recipient must report information concerning its ninth grade success program, including evaluation data for several specified outcome measures. The department must submit a report concerning the implementation of the grant program to the state board and to the education committees of the general assembly.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-14-109.5 as
3 follows:

4 **22-14-109.5. Ninth grade success grant program - created -**
5 **criteria - use of grant money - report - rules - definitions.** (1) AS USED
6 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED
8 BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS
9 TITLE 22 OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE STATE
10 CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF
11 THIS TITLE 22.

1 (b) "PROGRAM" MEANS THE NINTH GRADE SUCCESS GRANT
2 PROGRAM CREATED IN THIS SECTION.

3 (c) "SMALL RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT
4 IN COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL BASED ON
5 THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
6 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT
7 ENROLLS FEWER THAN TWO THOUSAND STUDENTS IN KINDERGARTEN
8 THROUGH TWELFTH GRADE.

9 (d) "STUDENT GROUP" HAS THE SAME MEANING AS PROVIDED IN
10 SECTION 22-11-103.

11 (e) "SUCCESS TEAM" MEANS A CROSS-DISCIPLINARY TEAM OF
12 NINTH-GRADE TEACHERS AND SUPPORT STAFF AS DESCRIBED IN
13 SUBSECTION (5) OF THIS SECTION.

14 (2) (a) THERE IS CREATED IN THE DEPARTMENT THE NINTH GRADE
15 SUCCESS GRANT PROGRAM TO PROVIDE FUNDING TO LOCAL EDUCATION
16 PROVIDERS AND CHARTER SCHOOLS TO IMPLEMENT A NINTH GRADE
17 SUCCESS PROGRAM, AS DESCRIBED IN SUBSECTION (5) OF THIS SECTION, TO
18 ASSIST STUDENTS ENROLLED IN NINTH GRADE TO DEVELOP THE SKILLS
19 THEY NEED TO SUCCESSFULLY PERSIST TO HIGH SCHOOL GRADUATION AND
20 SUCCEED IN THEIR EDUCATION AND PROFESSIONAL CAREERS. AS PROVIDED
21 IN SECTION 22-14-109 (4)(a.5), THE DEPARTMENT SHALL USE MONEY
22 ANNUALLY CREDITED AND APPROPRIATED TO THE STUDENT
23 RE-ENGAGEMENT GRANT PROGRAM FUND PURSUANT TO SECTION
24 22-14-109 FOR GRANTS ISSUED PURSUANT TO THE PROGRAM.

25 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
26 CONTRARY, AN ALTERNATIVE EDUCATION CAMPUS DESIGNATED PURSUANT
27 TO SECTION 22-7-604.5 MAY NOT APPLY FOR OR RECEIVE MONEY OR

1 SERVICES THROUGH A GRANT AWARDED PURSUANT TO THIS SECTION.

2 (3) (a) A LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL THAT
3 SERVES STUDENTS ENROLLED IN GRADES NINE THROUGH TWELVE AND
4 THAT CHOOSES TO APPLY FOR A GRANT THROUGH THE PROGRAM MUST
5 SUBMIT A GRANT APPLICATION TO THE DEPARTMENT IN ACCORDANCE WITH
6 RULES ADOPTED BY THE STATE BOARD. A LOCAL EDUCATION PROVIDER OR
7 CHARTER SCHOOL THAT IS SELECTED TO RECEIVE A GRANT MUST, AS A
8 CONDITION OF ACCEPTING THE GRANT, PROVIDE A GRANT MATCH, WHICH
9 MAY INCLUDE IN-KIND CONTRIBUTIONS, IN AN AMOUNT SET BY THE STATE
10 BOARD, WHICH AMOUNT MUST NOT EXCEED:

11 (I) FIFTEEN PERCENT OF THE GRANT AMOUNT FOR A LOCAL
12 EDUCATION PROVIDER THAT IS A SMALL RURAL SCHOOL DISTRICT OR FOR
13 A CHARTER SCHOOL; AND

14 (II) TWENTY-FIVE PERCENT OF THE GRANT AMOUNT FOR ALL
15 OTHER LOCAL EDUCATION PROVIDERS.

16 (b) A GRANT APPLICATION AT A MINIMUM MUST INCLUDE:

17 (I) THE APPLICANT'S FOUR-YEAR GRADUATION RATE FOR THE
18 THREE PRECEDING SCHOOL YEARS;

19 (II) WHETHER THE APPLICANT HAS A DATA SYSTEM THAT ALLOWS
20 SCHOOL LEADERS AND TEACHERS REAL-TIME ACCESS TO INTEGRATED
21 DATA CONCERNING A STUDENT'S BEHAVIOR, ATTENDANCE, AND GRADES
22 AND ALLOWS COMPARISON OF THE DATA ACROSS DEMOGRAPHIC
23 CATEGORIES AND STUDENT GROUPS;

24 (III) FOR A LOCAL EDUCATION PROVIDER, DESIGNATION OF THE
25 SCHOOLS IN WHICH THE LOCAL EDUCATION PROVIDER WILL USE THE GRANT
26 MONEY TO IMPLEMENT NINTH GRADE SUCCESS TEAMS;

27 (IV) INDICATION OF THE APPLICANT'S ABILITY TO PROVIDE THE

1 REQUIRED GRANT MATCH AND ANY TYPE AND VALUE OF IN-KIND
2 CONTRIBUTION THAT THE APPLICANT MAY PROVIDE; AND

3 (V) ANY ADDITIONAL INFORMATION REQUIRED BY RULE OF THE
4 STATE BOARD THAT ASSISTS THE DEPARTMENT IN DETERMINING THE
5 LIKELIHOOD THAT, IN IMPLEMENTING THE SUCCESS TEAMS, THE APPLICANT
6 WILL BE SUCCESSFUL IN IMPROVING THE SUCCESS OF STUDENTS ENROLLED
7 IN NINTH GRADE.

8 (4) THE DEPARTMENT SHALL REVIEW EACH OF THE APPLICATIONS
9 RECEIVED PURSUANT TO THIS SECTION AND RECOMMEND TO THE STATE
10 BOARD APPLICANTS TO RECEIVE GRANTS AND THE AMOUNT, DURATION,
11 AND GRANT MATCH AMOUNT OF EACH RECOMMENDED GRANT. BEGINNING
12 IN THE 2019-20 BUDGET YEAR, THE STATE BOARD, SUBJECT TO AVAILABLE
13 APPROPRIATIONS, SHALL AWARD THE GRANTS, TAKING INTO
14 CONSIDERATION THE RECOMMENDATIONS OF THE DEPARTMENT. IN
15 AWARDING A GRANT, THE STATE BOARD SHALL SPECIFY THE AMOUNT AND
16 DURATION OF THE GRANT AND THE AMOUNT OF THE GRANT MATCH,
17 INCLUDING ANY TYPE OF IN-KIND CONTRIBUTION, THAT THE GRANT
18 RECIPIENT MUST PROVIDE. THE DEPARTMENT AND THE STATE BOARD IN
19 RECOMMENDING AND AWARDING GRANTS SHALL PRIORITIZE APPLICANTS
20 THAT HAVE A FOUR-YEAR GRADUATION RATE THAT, OVER THE PRECEDING
21 THREE SCHOOL YEARS, HAS CONSISTENTLY RANKED WITHIN THE LOWEST
22 TWENTY PERCENT OF THE FOUR-YEAR GRADUATION RATES FOR PUBLIC
23 HIGH SCHOOLS IN THE STATE. TO THE EXTENT PRACTICABLE, THE STATE
24 BOARD SHALL ALSO ENSURE THAT THE GRANT RECIPIENTS VARY IN
25 STUDENT POPULATION SIZE AND ARE LOCATED IN URBAN, SUBURBAN, AND
26 RURAL AREAS THROUGHOUT THE STATE.

27 (5) A LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL THAT

1 RECEIVES A GRANT THROUGH THE PROGRAM MUST USE THE GRANT MONEY
2 TO IMPLEMENT A NINTH GRADE SUCCESS PROGRAM THAT, AT A MINIMUM,
3 MUST INCLUDE THE FOLLOWING ELEMENTS:

4 (a) (I) CREATING AND IMPLEMENTING A CROSS-DISCIPLINARY
5 SUCCESS TEAM OF NINTH-GRADE TEACHERS AND SUPPORT STAFF, WHICH
6 MUST INCLUDE AT LEAST ONE SCHOOL COUNSELOR, SCHOOL MENTAL
7 HEALTH PROFESSIONAL, OR SCHOOL SOCIAL WORKER. TO THE EXTENT
8 PRACTICABLE, A SUCCESS TEAM MUST INCLUDE ALL OF THE NINTH-GRADE
9 TEACHERS WHO TEACH CORE COURSES, AS DEFINED IN SECTION
10 22-11-503.5. THE LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL
11 SHALL DESIGNATE A MEMBER OF THE SUCCESS TEAM TO SERVE AS THE
12 SUCCESS TEAM LEADER AND REDUCE THE TEAM LEADER'S WORKLOAD TO
13 A LEVEL THAT ALLOWS THE TEAM LEADER SUFFICIENT TIME TO COMPLETE
14 THE LEADERSHIP DUTIES, WHICH INCLUDE TEAM LOGISTICS, PREPARING
15 TEAM MEETING AGENDAS, AND FACILITATING TEAM MEETINGS.

16 (II) THE SUCCESS TEAM MUST MEET AT LEAST EVERY TWO WEEKS,
17 TO THE EXTENT PRACTICABLE, THROUGHOUT THE SCHOOL YEAR TO
18 COLLABORATE ON IDENTIFYING AND IMPLEMENTING STRATEGIES TO
19 IMPROVE OUTCOMES FOR NINTH-GRADE STUDENTS WHO ARE FOUND TO BE
20 AT RISK OF DROPPING OUT OF SCHOOL BEFORE GRADUATION AND TO
21 ADDRESS SYSTEMS-LEVEL BARRIERS TO SUCCESS FOR ALL NINTH-GRADE
22 STUDENTS. THE STRATEGIES MUST BE INFORMED BY DATA CONCERNING,
23 AT A MINIMUM, NINTH-GRADE STUDENTS' BEHAVIOR, ATTENDANCE, AND
24 GRADES ACROSS DEMOGRAPHIC CATEGORIES AND STUDENT GROUPS. THE
25 LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL SHALL ALLOW SUCCESS
26 TEAM MEMBERS TIME DURING THE WORK DAY FOR PLANNING AND
27 COLLABORATION OR PROVIDE INCENTIVES TO MEET OUTSIDE OF THE WORK

1 DAY.

2 (b) ORGANIZING THE SCHOOL STAFF TO ENSURE THAT, TO THE
3 EXTENT PRACTICABLE, THE NINTH-GRADE CLASSES ARE TAUGHT BY A
4 SINGLE GROUP OF TEACHERS WHO TEACH ONLY OR MOSTLY NINTH-GRADE
5 CLASSES;

6 (c) IMPLEMENTING A DATA SYSTEM THAT PROVIDES REAL-TIME
7 ACCESS TO INTEGRATED DATA CONCERNING A STUDENT'S BEHAVIOR,
8 ATTENDANCE, AND GRADES AND PROVIDES THE ABILITY TO COMPARE THE
9 DATA ACROSS DEMOGRAPHIC CATEGORIES AND STUDENT GROUPS;

10 (d) IDENTIFYING AND PRIORITIZING SERVICES FOR NINTH-GRADE
11 STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE IN NINTH GRADE;

12 (e) PROVIDING INSTRUCTIONAL SUPPORT FOR NINTH-GRADE
13 STUDENTS INCLUDING ATTENDANCE SUPPORT, CONTENT-SPECIFIC
14 ACADEMIC INTERVENTIONS, TUTORING, COURSE-COMPLETION PROGRAMS,
15 SOCIAL-EMOTIONAL LEARNING, AND TRAUMA-INFORMED INSTRUCTION;

16 (f) ENSURING THAT SCHOOL LEADERSHIP, GUIDANCE COUNSELORS,
17 AND KEY MEMBERS OF THE SUCCESS TEAM RECEIVE AND REVIEW DATA ON
18 ALL INCOMING NINTH-GRADE STUDENTS AND PLAN COURSE WORK AND
19 SUPPORTS FOR THE STUDENTS BASED ON THE DATA RECEIVED;

20 (g) ENSURING THAT ALL NINTH-GRADE TEACHERS RECEIVE DATA
21 CONCERNING THE INCOMING NINTH-GRADE STUDENTS BEFORE THE START
22 OF THE SCHOOL YEAR AND RECEIVE PROFESSIONAL DEVELOPMENT
23 CONCERNING HOW TO USE THE DATA TO INFORM INSTRUCTION FOR THE
24 STUDENTS. TO THE EXTENT POSSIBLE, THE LOCAL EDUCATION PROVIDER
25 OR CHARTER SCHOOL SHALL ENSURE THAT MIDDLE SCHOOL TEACHERS
26 PROVIDE INFORMATION TO NINTH-GRADE TEACHERS CONCERNING THE
27 INCOMING NINTH-GRADE STUDENTS.

1 (h) PROVIDING SUMMER ORIENTATION FOR INCOMING
2 NINTH-GRADE STUDENTS AND THEIR PARENTS TO INTRODUCE STUDENTS TO
3 THE BEHAVIORAL AND ACADEMIC EXPECTATIONS OF HIGH SCHOOL; AND

4 (i) EVALUATING WITH RIGOR THE IMPACT OF THE INTERVENTIONS
5 PROVIDED THROUGH THE NINTH GRADE SUCCESS PROGRAM ON STUDENT
6 ATTENDANCE, BEHAVIOR, COURSE COMPLETION, ACADEMIC RESULTS,
7 DISCIPLINE RATES, TEACHER SURVEYS, STUDENT SURVEYS, DROPOUT
8 RATES, AND GRADUATION RATES AS THE INFORMATION BECOMES
9 AVAILABLE FOR NINTH-GRADE STUDENTS WHO RECEIVE INTERVENTIONS
10 THROUGH THE PROGRAM.

11 (6) (a) EACH LOCAL EDUCATION PROVIDER AND CHARTER SCHOOL
12 THAT RECEIVES A GRANT THROUGH THE PROGRAM SHALL SUBMIT TO THE
13 DEPARTMENT, IN ACCORDANCE WITH THE REPORTING TIMELINES SPECIFIED
14 IN RULES OF THE STATE BOARD, INFORMATION CONCERNING THE
15 IMPLEMENTATION OF THE NINTH GRADE SUCCESS PROGRAM AND THE
16 EVALUATION OF THE IMPACT, AS DESCRIBED IN SUBSECTION (5)(i) OF THIS
17 SECTION, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP. THE
18 DEPARTMENT SHALL SPECIFY THE INFORMATION TO BE REPORTED TO
19 ENABLE THE DEPARTMENT TO PREPARE THE REPORT REQUIRED IN
20 SUBSECTION (6)(b) OF THIS SECTION.

21 (b) ON OR BEFORE MARCH 15, 2022, AND ON OR BEFORE MARCH
22 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL PREPARE AND
23 SUBMIT TO THE STATE BOARD AND TO THE EDUCATION COMMITTEES OF
24 THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
25 COMMITTEES, A REPORT OF THE NINTH GRADE SUCCESS PROGRAMS
26 IMPLEMENTED USING GRANTS RECEIVED THROUGH THE PROGRAM. AT A
27 MINIMUM, THE REPORT SHALL:

1 (I) SPECIFY THE GRANT RECIPIENTS AND THE AMOUNT AND
2 DURATION OF THE GRANTS AWARDED;

3 (II) DESCRIBE THE NINTH GRADE SUCCESS PROGRAMS THAT ARE
4 IMPLEMENTED USING THE GRANT MONEY; AND

5 (III) PROVIDE A SUMMARY OF THE EVALUATIONS OF THE IMPACT
6 OF THE INTERVENTIONS PROVIDED THROUGH THE NINTH GRADE SUCCESS
7 PROGRAMS, AS DESCRIBED IN SUBSECTION (5)(i) OF THIS SECTION, IN
8 TOTAL AND DISAGGREGATED BY STUDENT GROUP.

9 (c) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
10 (11)(a)(I), THE REPORT REQUIRED IN SUBSECTION (6)(b) OF THIS SECTION
11 CONTINUES INDEFINITELY.

12 **SECTION 2.** In Colorado Revised Statutes, 22-14-109, **amend**
13 (4)(a), (4)(b), (4)(c), and (4)(d); and **add** (4)(a.5) as follows:

14 **22-14-109. Student re-engagement grant program - rules -**
15 **application - grants - fund created - report.** (4) (a) There is created in
16 the state treasury the student re-engagement grant program fund, referred
17 to in this subsection (4) as the "fund", that consists of any money credited
18 to the fund pursuant to subsection (4)(b) of this section and any additional
19 money that the general assembly may appropriate to the fund, including
20 money from the marijuana tax cash fund created in section 39-28.8-501.
21 The money in the fund is subject to annual appropriation by the general
22 assembly to the department for the direct and indirect costs associated
23 with the implementation of this section AND SECTION 22-14-109.5.

24 (a.5) BEGINNING IN THE 2019-20 BUDGET YEAR, AND FOR EACH
25 BUDGET YEAR THEREAFTER, OF THE MONEY ANNUALLY APPROPRIATED TO
26 THE FUND, AFTER SUBTRACTING THE AMOUNT DESCRIBED IN SUBSECTION
27 (4)(c) OF THIS SECTION, THE DEPARTMENT SHALL:

1 (I) ALLOCATE UP TO TWO MILLION DOLLARS TO AWARDED GRANTS
2 THROUGH THE STUDENT RE-ENGAGEMENT GRANT PROGRAM;

3 (II) ALLOCATE ANY MONEY REMAINING IN THE FUND AFTER THE
4 ALLOCATION DESCRIBED IN SUBSECTION (4)(a.5)(I) OF THIS SECTION, UP TO
5 TWO MILLION DOLLARS, TO AWARDED GRANTS THROUGH THE NINTH
6 GRADE SUCCESS GRANT PROGRAM CREATED IN SECTION 22-14-109.5; AND

7 (III) ALLOCATE ANY MONEY REMAINING IN THE FUND AFTER THE
8 ALLOCATIONS DESCRIBED IN SUBSECTIONS (4)(a.5)(I) AND (4)(a.5)(II) OF
9 THIS SECTION EVENLY BETWEEN AWARDED GRANTS THROUGH THE
10 STUDENT RE-ENGAGEMENT GRANT PROGRAM AND THROUGH THE NINTH
11 GRADE SUCCESS GRANT PROGRAM.

12 (b) The department is authorized to seek and accept gifts, grants,
13 or donations from private or public sources for the purposes of this
14 section AND SECTION 22-14-109.5; except that the department may not
15 accept a gift, grant, or donation if it is subject to conditions that are
16 inconsistent with this ~~article~~ ARTICLE 14 or any other law of the state. The
17 department shall transmit all private and public ~~moneys~~ MONEY received
18 through gifts, grants, or donations to the state treasurer, who shall credit
19 the same to the fund.

20 (c) The department may expend up to three percent of the ~~moneys~~
21 MONEY annually appropriated from the fund to offset the costs incurred
22 in implementing this section AND SECTION 22-14-109.5 and in evaluating
23 and providing technical assistance to local education providers that
24 receive grants pursuant to this section AND SECTION 22-14-109.5.

25 (d) Any ~~moneys~~ MONEY in the fund not expended for the purpose
26 of this section OR SECTION 22-14-109.5 may be invested by the state
27 treasurer as provided by law. All interest and income derived from the

1 investment and deposit of ~~moneys~~ MONEY in the fund ~~shall be~~ IS credited
2 to the fund. Any unexpended and unencumbered ~~moneys~~ MONEY
3 remaining in the fund at the end of a fiscal year ~~shall remain~~ REMAINS in
4 the fund and ~~shall~~ IS not be credited or transferred to the general fund or
5 another fund.

6 **SECTION 3.** In Colorado Revised Statutes, 22-14-110, **amend**
7 (1) introductory portion and (1)(b); and **add** (1)(b.5) as follows:

8 **22-14-110. State board - rules.** (1) The state board shall
9 promulgate pursuant to the "State Administrative Procedure Act", article
10 4 of title 24, ~~C.R.S.~~, such rules as may be necessary to implement the
11 provisions of this ~~article~~ ARTICLE 14. At a minimum, ~~said rules shall~~ THE
12 RULES MUST include:

13 (b) The rules required pursuant to section 22-14-109 for the
14 student re-engagement grant program; ~~and~~

15 (b.5) THE RULES REQUIRED PURSUANT TO SECTION 22-14-109.5
16 FOR THE NINTH GRADE SUCCESS GRANT PROGRAM; AND

17 **SECTION 4. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety.