

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

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 19-1003.01 Julie Pelegrin x2700

**HOUSE BILL 19-1276**

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**HOUSE SPONSORSHIP**

**Buentello and Exum, Larson**

**SENATE SPONSORSHIP**

**Todd and Coram,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**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, AND MAKING AN**  
105            **APPROPRIATION.**

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**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

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.

HOUSE  
Amended 2nd Reading  
April 26, 2019

services (local education providers), and charter schools to implement a 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.

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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

1 THIS TITLE 22.

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

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

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

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

15 (2) (a) THERE IS CREATED IN THE DEPARTMENT THE NINTH GRADE  
16 SUCCESS GRANT PROGRAM TO PROVIDE FUNDING TO LOCAL EDUCATION  
17 PROVIDERS AND CHARTER SCHOOLS TO IMPLEMENT A NINTH GRADE  
18 SUCCESS PROGRAM, AS DESCRIBED IN SUBSECTION (5) OF THIS SECTION, TO  
19 ASSIST STUDENTS ENROLLED IN NINTH GRADE TO DEVELOP THE SKILLS  
20 THEY NEED TO SUCCESSFULLY PERSIST TO HIGH SCHOOL GRADUATION AND  
21 SUCCEED IN THEIR EDUCATION AND PROFESSIONAL CAREERS. ■ ■

22 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
23 CONTRARY, AN ALTERNATIVE EDUCATION CAMPUS DESIGNATED PURSUANT  
24 TO SECTION 22-7-604.5 MAY NOT APPLY FOR OR RECEIVE MONEY OR  
25 SERVICES THROUGH A GRANT AWARDED PURSUANT TO THIS SECTION.

26 (3) (a) A LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL THAT  
27 SERVES STUDENTS ENROLLED IN GRADES NINE THROUGH TWELVE AND

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

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

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

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

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

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

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

24 (IV) INDICATION OF THE APPLICANT'S ABILITY TO PROVIDE THE  
25 REQUIRED GRANT MATCH AND ANY TYPE AND VALUE OF IN-KIND  
26 CONTRIBUTION THAT THE APPLICANT MAY PROVIDE; AND

27 (V) ANY ADDITIONAL INFORMATION REQUIRED BY RULE OF THE

1 STATE BOARD THAT ASSISTS THE DEPARTMENT IN DETERMINING THE  
2 LIKELIHOOD THAT, IN IMPLEMENTING THE SUCCESS TEAMS, THE APPLICANT  
3 WILL BE SUCCESSFUL IN IMPROVING THE SUCCESS OF STUDENTS ENROLLED  
4 IN NINTH GRADE.

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

24 (5) A LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL THAT  
25 RECEIVES A GRANT THROUGH THE PROGRAM MUST USE THE GRANT MONEY  
26 TO IMPLEMENT A NINTH GRADE SUCCESS PROGRAM THAT, AT A MINIMUM,  
27 MUST INCLUDE THE FOLLOWING ELEMENTS:

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

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

26           (b) ORGANIZING THE SCHOOL STAFF TO ENSURE THAT, TO THE  
27 EXTENT PRACTICABLE, THE NINTH-GRADE CLASSES ARE TAUGHT BY A

1 SINGLE GROUP OF TEACHERS WHO TEACH ONLY OR MOSTLY NINTH-GRADE  
2 CLASSES;

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

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

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

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

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

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

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

8 (6) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE  
9 MONEY TO THE DEPARTMENT TO IMPLEMENT THE PROGRAM, INCLUDING  
10 MONEY FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION  
11 39-28.8-501. IN ADDITION, THE DEPARTMENT MAY ACCEPT AND EXPEND  
12 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR  
13 THE PURPOSES OF THE PROGRAM; EXCEPT THAT THE DEPARTMENT MAY  
14 NOT ACCEPT A GIFT, GRANT, OR DONATION IF IT IS SUBJECT TO CONDITIONS  
15 THAT ARE INCONSISTENT WITH THIS ARTICLE OR ANY OTHER LAW OF THE  
16 STATE.

17 (7) (a) EACH LOCAL EDUCATION PROVIDER AND CHARTER SCHOOL  
18 THAT RECEIVES A GRANT THROUGH THE PROGRAM SHALL SUBMIT TO THE  
19 DEPARTMENT, IN ACCORDANCE WITH THE REPORTING TIMELINES SPECIFIED  
20 IN RULES OF THE STATE BOARD, INFORMATION CONCERNING THE  
21 IMPLEMENTATION OF THE NINTH GRADE SUCCESS PROGRAM AND THE  
22 EVALUATION OF THE IMPACT, AS DESCRIBED IN SUBSECTION (5)(i) OF THIS  
23 SECTION, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP. THE  
24 DEPARTMENT SHALL SPECIFY THE INFORMATION TO BE REPORTED TO  
25 ENABLE THE DEPARTMENT TO PREPARE THE REPORT REQUIRED IN  
26 SUBSECTION (7)(b) OF THIS SECTION.

27 (b) ON OR BEFORE MARCH 15, 2022, AND ON OR BEFORE MARCH



1 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL PREPARE AND  
2 SUBMIT TO THE STATE BOARD AND TO THE EDUCATION COMMITTEES OF  
3 THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR  
4 COMMITTEES, A REPORT OF THE NINTH GRADE SUCCESS PROGRAMS  
5 IMPLEMENTED USING GRANTS RECEIVED THROUGH THE PROGRAM. AT A  
6 MINIMUM, THE REPORT SHALL:

7 (I) SPECIFY THE GRANT RECIPIENTS AND THE AMOUNT AND  
8 DURATION OF THE GRANTS AWARDED;

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

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

15 (c) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136  
16 (11)(a)(I), THE REPORT REQUIRED IN SUBSECTION (7)(b) OF THIS SECTION  
17 CONTINUES INDEFINITELY.

18 **SECTION 2.** In Colorado Revised Statutes, 22-14-109, **amend**  
19 **(1); and repeal and reenact, with amendments, (4) as follows:**

20 **22-14-109. Student re-engagement grant program - rules -**  
21 **application - grants - report.** (1) There is hereby created within the  
22 department the student re-engagement grant program to provide grant  
23 ~~moneys~~ MONEY to local education providers to use in providing  
24 educational services and supports to students to maintain student  
25 engagement and support student re-engagement in high school. Subject  
26 to available appropriations, the state board shall award student  
27 re-engagement grants to local education providers from ~~moneys~~ MONEY

1 appropriated from the student re-engagement grant program fund created  
2 in PURSUANT TO subsection (4) of this section.

3 (4) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE MONEY  
4 TO THE DEPARTMENT TO IMPLEMENT THE STUDENT RE-ENGAGEMENT  
5 GRANT PROGRAM CREATED IN THIS SECTION, INCLUDING MONEY FROM THE  
6 MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501. IN  
7 ADDITION, THE DEPARTMENT MAY ACCEPT AND EXPEND GIFTS, GRANTS, OR  
8 DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THE  
9 PROGRAM; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT,  
10 GRANT, OR DONATION IF IT IS SUBJECT TO CONDITIONS THAT ARE  
11 INCONSISTENT WITH THIS ARTICLE 14 OR ANY OTHER LAW OF THE STATE.

12  
13 **SECTION 3.** In Colorado Revised Statutes, 22-14-110, **amend**  
14 (1) introductory portion and (1)(b); and **add** (1)(b.5) as follows:

15 **22-14-110. State board - rules.** (1) The state board shall  
16 promulgate pursuant to the "State Administrative Procedure Act", article  
17 4 of title 24, ~~C.R.S.~~, such rules as may be necessary to implement the  
18 provisions of this ~~article~~ ARTICLE 14. At a minimum, ~~said rules shall~~ THE  
19 RULES MUST include:

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

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

24 **SECTION 4. Appropriation.** For the 2019-20 state fiscal year,  
25 \$800,000 is appropriated to the department of education. This  
26 appropriation is from the general fund and is based on an assumption that  
27 the department will require an additional 0.6 FTE. To implement this act,

1 the department may use this appropriation for the ninth grade success  
2 grant program.

3 **SECTION 5. Safety clause.** The general assembly hereby finds,  
4 determines, and declares that this act is necessary for the immediate  
5 preservation of the public peace, health, and safety.