

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

INTRODUCED

LLS NO. 17-0848.01 Julie Pelegrin x2700

SENATE BILL 17-103

SENATE SPONSORSHIP

Merrifield, Todd, Kerr, Zenzinger, Jones

HOUSE SPONSORSHIP

(None),

Senate Committees

Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING IMPLEMENTING RESEARCH-BASED EARLY LEARNING**
102 **STRATEGIES AS CORRECTIVE ACTIONS IN THE PUBLIC**
103 **ELEMENTARY AND SECONDARY EDUCATION ACCOUNTABILITY**
104 **SYSTEM.**

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>.)

Under current law, the department of education (department) must provide technical assistance and support to school districts, the state charter school institute (institute), and public schools that are operating

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.

under an improvement plan, priority improvement plan, or turnaround plan. The bill specifies that the technical assistance may include consultation concerning strategies that address the quality and availability of early childhood education opportunities.

Each school district and public school must conduct a needs assessment when preparing its performance plan. The bill specifically requires an early childhood learning needs assessment for school districts and public schools that serve children in kindergarten through third grade.

Current law specifies several actions that a public school may take if it is low performing and after it has been low performing for 5 years. The bill expands the list of actions for a public school that services children in kindergarten through third grade to include investing in research-based strategies to address any deficiencies identified in the early childhood learning needs assessment if those deficiencies are a direct cause of the public school's low performance and the public school has not previously implemented the strategies with success.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-11-208, **amend**
3 (2)(b) as follows:

4 **22-11-208. Accreditation - annual review - supports and**
5 **interventions - rules.** (2) The department shall provide technical
6 assistance and support to school districts that are accredited with
7 improvement plan, accredited with priority improvement plan, or
8 accredited with turnaround plan and to the institute if it is accredited at
9 any of those categories. The department shall base the amount of
10 technical assistance and support provided to a school district or the
11 institute on the school district's or institute's degree of need for assistance
12 and the department's available resources. Technical assistance and
13 support may include, but need not be limited to:

14 (b) Consultative services on best practices for improvement and
15 implementation of intervention strategies, including, where appropriate,
16 RESEARCH-BASED strategies that address THE QUALITY AND AVAILABILITY

1 OF early childhood education OPPORTUNITIES WITHIN THE SCHOOL
2 DISTRICT and student engagement and re-engagement; and

3 **SECTION 2.** In Colorado Revised Statutes, 22-11-210, **amend**
4 (3)(b), (5)(a)(IV), and (5)(a)(V); and **add** (5)(a)(VI) as follows:

5 **22-11-210. Public schools - annual review - plans - supports**
6 **and interventions - rules - repeal.** (3) At the request of a district public
7 school's local school board, or at the institute's request for an institute
8 charter school, the department shall provide technical assistance and
9 support to the public school, local school board, or institute in preparing
10 and implementing the public school's improvement, priority
11 improvement, or turnaround plan. The department shall base the amount
12 of technical assistance and support provided to a public school, the local
13 school board, or the institute on the school's degree of need for assistance
14 and the department's available resources. Technical assistance and
15 support may include, but need not be limited to:

16 (b) Consultative services on best practices for improvement and
17 implementation of intervention strategies, including, where appropriate,
18 RESEARCH-BASED strategies that address THE QUALITY AND AVAILABILITY
19 OF early childhood education OPPORTUNITIES FOR STUDENTS WHO RESIDE
20 WITHIN THE NEIGHBORHOOD FOR THE PUBLIC SCHOOL and student
21 engagement and re-engagement; and

22 (5) (a) If a public school fails to make adequate progress under its
23 turnaround plan or continues to operate under a priority improvement or
24 turnaround plan for a combined total of five consecutive school years, the
25 commissioner shall assign the state review panel to critically evaluate the
26 public school's performance and determine whether to recommend:

27 (IV) With regard to a district public school, that the district public

1 school be granted status as an innovation school pursuant to section
2 22-32.5-104; or

3 (V) That the public school be closed or, with regard to a district
4 charter school or an institute charter school, that the public school's
5 charter be revoked; OR

6 (VI) WITH REGARD TO A PUBLIC SCHOOL THAT SERVES STUDENTS
7 ENROLLED IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE,
8 THAT THE PUBLIC SCHOOL INVEST IN RESEARCH-BASED STRATEGIES
9 FOCUSED ON EARLY LEARNING AND DEVELOPMENT TO ADDRESS ANY
10 DEFICIENCIES IDENTIFIED IN THE EARLY CHILDHOOD LEARNING NEEDS
11 ASSESSMENT COMPLETED FOR THE PUBLIC SCHOOL PURSUANT TO SECTION
12 22-11-405 OR 22-11-406 IF THE CAUSE OF THE PUBLIC SCHOOL'S FAILURE
13 TO IMPROVE IS DIRECTLY RELATED TO LACK OF SCHOOL READINESS AND
14 ACCESS TO QUALITY EARLY LEARNING OPPORTUNITIES, AS DEMONSTRATED
15 BY STUDENT ACHIEVEMENT DATA FOR THE EARLY ELEMENTARY GRADES,
16 AND THE PUBLIC SCHOOL HAS NOT SUCCESSFULLY IMPLEMENTED THESE
17 STRATEGIES IN THE PRECEDING FIVE SCHOOL YEARS. RESEARCH-BASED
18 EARLY LEARNING AND DEVELOPMENT STRATEGIES INCLUDE INCREASING
19 THE QUALITY AND AVAILABILITY OF EARLY LEARNING AND DEVELOPMENT
20 PROGRAMS FOR STUDENTS WHO RESIDE WITHIN THE NEIGHBORHOOD OF
21 THE PUBLIC SCHOOL, WHERE APPLICABLE, AND INCREASING THE
22 RESOURCES AVAILABLE IN KINDERGARTEN THROUGH THIRD GRADE TO
23 IMPROVE SCHOOL READINESS AND EARLY LEARNING.

24 **SECTION 3.** In Colorado Revised Statutes, 22-11-305, **amend**
25 (3) introductory portion and (3)(c); and **add** (4) as follows:

26 **22-11-305. Accredited with priority improvement plan - school**
27 **district or institute - plan contents - adoption.** (3) A district priority

1 improvement plan or an institute priority improvement plan ~~shall~~ MUST
2 be designed to ensure that the school district or the institute improves its
3 performance to the extent that, following completion of its next annual
4 accreditation review, the school district or the institute attains a higher
5 accreditation category. At a minimum, a district priority improvement
6 plan or an institute priority improvement plan ~~shall~~ MUST:

7 (c) Assess and prioritize the issues and needs of the district or
8 institute and of the district public schools or institute charter schools that
9 must be addressed to raise the levels of attainment on the performance
10 indicators by the district public schools or institute charter schools and to
11 improve school readiness in district public schools or institute charter
12 schools that serve students in preschool and kindergarten. THE NEEDS
13 ASSESSMENT FOR A SCHOOL DISTRICT MUST, AT A MINIMUM, INCLUDE THE
14 EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN
15 SUBSECTION (4) OF THIS SECTION.

16 (4) IN ASSESSING THE NEEDS OF A SCHOOL DISTRICT AND OF THE
17 DISTRICT PUBLIC SCHOOLS AS REQUIRED IN SUBSECTION (3)(c) OF THIS
18 SECTION, THE SCHOOL DISTRICT SHALL, AT A MINIMUM, COMPLETE AN
19 EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT THAT DETERMINES THE
20 EXTENT TO WHICH:

21 (a) THERE ARE QUALITY EARLY CHILDHOOD PROGRAMS EXISTING
22 WITHIN THE GEOGRAPHIC BOUNDARIES OF THE SCHOOL DISTRICT;

23 (b) CHILDREN ARE ENROLLED IN PUBLICLY FUNDED EARLY
24 LEARNING AND DEVELOPMENT PROGRAMS WITHIN THE SCHOOL DISTRICT
25 OR IN PRIVATE EARLY LEARNING AND DEVELOPMENT PROGRAMS THAT
26 PARTICIPATE IN THE SCHOOL READINESS QUALITY IMPROVEMENT PROGRAM
27 CREATED IN SECTION 26-6.5-106;

1 (c) THE SCHOOL DISTRICT AND THE DISTRICT PUBLIC SCHOOLS
2 WORK WITH AN EARLY CHILDHOOD COUNCIL ESTABLISHED PURSUANT TO
3 PART 1 OF ARTICLE 60.5 OF TITLE 26 OR EARLY CHILDHOOD COMMUNITY
4 AGENCIES EXISTING WITHIN THE SCHOOL DISTRICT;

5 (d) THE SCHOOL DISTRICT AND THE DISTRICT PUBLIC SCHOOLS
6 COLLABORATE WITH EARLY CHILDHOOD PROVIDERS AND PROGRAMS
7 REGARDING STUDENTS' TRANSITION FROM PRESCHOOL TO KINDERGARTEN;

8 (e) TEACHERS EMPLOYED BY THE SCHOOL DISTRICT OR THE
9 DISTRICT PUBLIC SCHOOLS TO TEACH KINDERGARTEN OR ONE OF GRADES
10 ONE THROUGH THREE HAVE EARLY CHILDHOOD TEACHING CREDENTIALS;

11 (f) JOINT PROFESSIONAL DEVELOPMENT OPPORTUNITIES ARE
12 AVAILABLE WITHIN THE SCHOOL DISTRICT FOR EARLY CHILDHOOD
13 PROVIDERS, TEACHERS, AND PRINCIPALS;

14 (g) THE SCHOOL DISTRICT AND THE DISTRICT PUBLIC SCHOOLS
15 HAVE A CURRENT PARENT ENGAGEMENT PLAN AND PROVIDE AMPLE
16 OPPORTUNITIES FOR PARENT AND FAMILY ENGAGEMENT IN PRESCHOOL
17 THROUGH THIRD GRADE; AND

18 (h) OTHER EARLY CHILDHOOD RESOURCES, SUCH AS HOME
19 VISITATION, EARLY INTERVENTION SERVICES, LIBRARY PROGRAMS FOR
20 YOUNG CHILDREN, AND FAMILY RESOURCE CENTERS, ARE AVAILABLE TO
21 FAMILIES WHO RESIDE WITHIN THE SCHOOL DISTRICT.

22 **SECTION 4.** In Colorado Revised Statutes, 22-11-306, **amend**
23 (3) introductory portion and (3)(c) as follows:

24 **22-11-306. Accredited with turnaround plan - school district**
25 **or institute - plan content - adoption.** (3) A district turnaround plan or
26 an institute turnaround plan ~~shall~~ MUST be designed to ensure that the
27 school district or the institute improves its performance to the extent that,

1 following completion of its next annual accreditation review, the school
2 district or the institute attains a higher accreditation category. At a
3 minimum, a district turnaround plan or an institute turnaround plan ~~shall~~
4 MUST:

5 (c) Assess and prioritize the issues and needs of the district or
6 institute and of the district public schools or institute charter schools that
7 must be addressed to raise the levels of attainment on the performance
8 indicators by the district public schools or institute charter schools and to
9 improve school readiness in district public schools or institute charter
10 schools that serve students in preschool and kindergarten. THE NEEDS
11 ASSESSMENT FOR A SCHOOL DISTRICT MUST, AT A MINIMUM, INCLUDE THE
12 EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN SECTION
13 22-11-305 (4).

14 **SECTION 5.** In Colorado Revised Statutes, 22-11-405, **amend**
15 (4)(c); and **add** (4.5) as follows:

16 **22-11-405. School priority improvement plan - contents.** (4) A
17 school priority improvement plan must be designed to ensure that the
18 public school improves its performance to the extent that, following
19 completion of the public school's next annual performance review, the
20 public school attains a higher accreditation category. At a minimum, a
21 school priority improvement plan must:

22 (c) Assess and prioritize the issues and needs at the public school
23 that must be addressed to raise the levels of attainment on the
24 performance indicators by the public school and to improve school
25 readiness, if the public school serves students in preschool or
26 kindergarten. THE NEEDS ASSESSMENT FOR A PUBLIC SCHOOL THAT
27 ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH

1 THREE MUST, AT A MINIMUM, INCLUDE THE EARLY CHILDHOOD LEARNING
2 NEEDS ASSESSMENT DESCRIBED IN SUBSECTION (4.5) OF THIS SECTION.

3 (4.5) IN ASSESSING THE NEEDS OF A PUBLIC SCHOOL THAT ENROLLS
4 STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE, AS
5 REQUIRED IN SUBSECTION (4)(c) OF THIS SECTION, THE PUBLIC SCHOOL
6 SHALL, AT A MINIMUM, COMPLETE AN EARLY CHILDHOOD LEARNING NEEDS
7 ASSESSMENT THAT DETERMINES THE EXTENT TO WHICH:

8 (a) THERE ARE QUALITY EARLY CHILDHOOD PROGRAMS EXISTING
9 WITHIN THE NEIGHBORHOOD OF THE PUBLIC SCHOOL; EXCEPT THAT A
10 PUBLIC SCHOOL MUST INCLUDE THIS INFORMATION IN THE EARLY
11 CHILDHOOD LEARNING NEEDS ASSESSMENT ONLY IF THE INFORMATION IS
12 READILY AVAILABLE TO THE PUBLIC SCHOOL;

13 (b) CHILDREN ARE ENROLLED IN PUBLICLY FUNDED EARLY
14 LEARNING AND DEVELOPMENT PROGRAMS WITHIN THE NEIGHBORHOOD OF
15 THE PUBLIC SCHOOL OR IN PRIVATE EARLY LEARNING AND DEVELOPMENT
16 PROGRAMS THAT PARTICIPATE IN THE SCHOOL READINESS QUALITY
17 IMPROVEMENT PROGRAM CREATED IN SECTION 26-6.5-106 AND ARE
18 LOCATED WITHIN THE NEIGHBORHOOD OF THE PUBLIC SCHOOL; EXCEPT
19 THAT A PUBLIC SCHOOL MUST INCLUDE THIS INFORMATION IN THE EARLY
20 CHILDHOOD LEARNING NEEDS ASSESSMENT ONLY IF THE INFORMATION IS
21 READILY AVAILABLE TO THE PUBLIC SCHOOL;

22 (c) THE PUBLIC SCHOOL WORKS WITH AN EARLY CHILDHOOD
23 COUNCIL ESTABLISHED PURSUANT TO PART 1 OF ARTICLE 60.5 OF TITLE 26
24 OR EARLY CHILDHOOD COMMUNITY AGENCIES EXISTING WITHIN THE
25 NEIGHBORHOOD OF THE PUBLIC SCHOOL;

26 (d) THE PUBLIC SCHOOL COLLABORATES WITH EARLY CHILDHOOD
27 PROVIDERS AND PROGRAMS REGARDING STUDENTS' TRANSITION FROM

1 PRESCHOOL TO KINDERGARTEN;

2 (e) TEACHERS EMPLOYED AT OR BY THE PUBLIC SCHOOL TO TEACH
3 KINDERGARTEN OR ONE OF GRADES ONE THROUGH THREE HAVE EARLY
4 CHILDHOOD TEACHING CREDENTIALS;

5 (f) JOINT PROFESSIONAL DEVELOPMENT OPPORTUNITIES ARE
6 AVAILABLE THROUGH THE PUBLIC SCHOOL FOR EARLY CHILDHOOD
7 PROVIDERS, TEACHERS, AND PRINCIPALS;

8 (g) THE PUBLIC SCHOOL HAS A CURRENT PARENT ENGAGEMENT
9 PLAN AND PROVIDES AMPLE OPPORTUNITIES FOR PARENT AND FAMILY
10 ENGAGEMENT IN PRESCHOOL THROUGH THIRD GRADE; AND

11 (h) OTHER EARLY CHILDHOOD RESOURCES, SUCH AS HOME
12 VISITATION, EARLY INTERVENTION SERVICES, LIBRARY PROGRAMS FOR
13 YOUNG CHILDREN, AND FAMILY RESOURCE CENTERS, ARE AVAILABLE TO
14 FAMILIES WHO RESIDE IN THE NEIGHBORHOOD OF THE PUBLIC SCHOOL.

15 **SECTION 6.** In Colorado Revised Statutes, 22-11-406, **amend**
16 (3)(c), (3)(d) introductory portion, and (3)(d)(VI); and **add** (3)(d)(VI.5)
17 as follows:

18 **22-11-406. School turnaround plan - contents.** (3) A school
19 turnaround plan must be designed to ensure that the public school
20 improves its performance to the extent that, following completion of the
21 public school's next annual performance review, the public school attains
22 a higher accreditation category. At a minimum, a school turnaround plan
23 must:

24 (c) Assess and prioritize the issues and needs at the public school
25 that must be addressed to raise the levels of attainment on the
26 performance indicators by the public school and to improve school
27 readiness, if the public school serves students in preschool or

1 kindergarten. THE NEEDS ASSESSMENT FOR A PUBLIC SCHOOL THAT
2 ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH
3 THREE MUST, AT A MINIMUM, INCLUDE THE EARLY CHILDHOOD LEARNING
4 NEEDS ASSESSMENT DESCRIBED IN SECTION 22-11-405 (4.5).

5 (d) Identify specific, research-based strategies that are appropriate
6 in scope, intensity, and type to address the needs and issues identified
7 pursuant to ~~paragraph (c) of this subsection (3)~~ SUBSECTION (3)(c) OF THIS
8 SECTION, which strategies shall, at a minimum, include one or more of the
9 following:

10 (VI) For a district charter school or an institute charter school,
11 renegotiating and significantly restructuring the charter school's charter
12 contract; ~~and~~

13 (VI.5) FOR A PUBLIC SCHOOL THAT SERVES STUDENTS ENROLLED
14 IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE, THAT THE
15 PUBLIC SCHOOL INVEST IN RESEARCH-BASED STRATEGIES FOCUSED ON
16 EARLY LEARNING AND DEVELOPMENT TO ADDRESS ANY DEFICIENCIES
17 IDENTIFIED IN THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT
18 COMPLETED FOR THE PUBLIC SCHOOL PURSUANT TO SUBSECTION (3)(c) OF
19 THIS SECTION IF THE CAUSE OF THE PUBLIC SCHOOL'S LOW PERFORMANCE
20 IS DIRECTLY RELATED TO LACK OF SCHOOL READINESS AND ACCESS TO
21 QUALITY EARLY LEARNING OPPORTUNITIES, AS DEMONSTRATED BY
22 STUDENT ACHIEVEMENT DATA FOR THE EARLY ELEMENTARY GRADES, AND
23 THE PUBLIC SCHOOL HAS NOT SUCCESSFULLY IMPLEMENTED THESE
24 STRATEGIES IN THE PRECEDING SCHOOL YEARS. RESEARCH-BASED EARLY
25 LEARNING AND DEVELOPMENT STRATEGIES INCLUDE INCREASING THE
26 QUALITY AND AVAILABILITY OF EARLY LEARNING AND DEVELOPMENT
27 PROGRAMS FOR STUDENTS WHO RESIDE WITHIN THE NEIGHBORHOOD OF

1 THE PUBLIC SCHOOL AND INCREASING THE RESOURCES AVAILABLE IN
2 KINDERGARTEN THROUGH THIRD GRADE TO IMPROVE SCHOOL READINESS
3 AND EARLY LEARNING.

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