

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

REVISED

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

LLS NO. 17-0619.02 Julie Pelegrin x2700

HOUSE BILL 17-1211

HOUSE SPONSORSHIP

Coleman, Arndt, Buckner, Lontine, Pettersen, Wilson, Sias

SENATE SPONSORSHIP

Priola, Fields, Martinez Humenik

House Committees

Education

Senate Committees

State, Veterans, & Military Affairs
Education

A BILL FOR AN ACT

101 **CONCERNING PROFESSIONAL DEVELOPMENT FOR EDUCATORS**

102 **REGARDING DISCIPLINARY STRATEGIES FOR YOUNG STUDENTS.**

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 creates the discipline strategies pilot program (pilot program) to provide money to school districts, boards of cooperative services, and charter schools for professional development for educators in the use of culturally responsive methods of student discipline for students enrolled in preschool through third grade and developmentally appropriate responses to the behavioral issues of students enrolled in

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.

SENATE
2nd Reading Unamended
May 1, 2017

HOUSE
3rd Reading Unamended
March 22, 2017

HOUSE
2nd Reading Unamended
March 20, 2017

preschool through third grade. The department of education (department) and the state board of education (state board) must implement the pilot program by reviewing applications, awarding grants, and preparing a report concerning implementation of the pilot program, including its success in reducing the use of exclusionary discipline practices. The department must submit the report to the state board, the joint budget committee, and the education committees of the general assembly.

The pilot program must be paid for exclusively with gifts, grants, and donations, and the department and the state board are not required to implement the pilot program in a year in which they do not receive a sufficient amount in gifts, grants, and donations.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 22-2-143** as
3 follows:

4 **22-2-143. Discipline strategies pilot program - created -**
5 **reporting - rules - definitions - legislative declaration - repeal.**

6 (1) THE GENERAL ASSEMBLY FINDS THAT:

7 (a) RESEARCH DEMONSTRATES THAT YOUNG CHILDREN WHO ARE
8 SUSPENDED OR EXPELLED FROM SCHOOL ARE UP TO TEN TIMES MORE
9 LIKELY TO EXPERIENCE ACADEMIC FAILURE AND GRADE RETENTION AND
10 TO HOLD NEGATIVE ATTITUDES TOWARD SCHOOL THAN THOSE CHILDREN
11 WHO ARE NOT SUSPENDED OR EXPELLED. YOUNG CHILDREN WHO ARE
12 SUSPENDED OR EXPELLED FROM SCHOOL ARE ALSO MORE LIKELY TO DROP
13 OUT OF HIGH SCHOOL AND TO BE INCARCERATED LATER IN LIFE.

14 (b) LACK OF TRAINING TO DEAL WITH BEHAVIORAL ISSUES IN THE
15 CLASSROOM CONTRIBUTES TO EDUCATION DISSATISFACTION AND
16 BURNOUT, WHICH INCREASES THE NUMBER OF EDUCATORS WHO LEAVE THE
17 PROFESSION. PROVIDING ADDITIONAL TRAINING AND SUPPORT IN DEALING
18 WITH STUDENT DISCIPLINE ISSUES MAY HELP SCHOOL DISTRICTS AND
19 SCHOOLS RETAIN EXPERIENCED EDUCATORS.

1 (c) TO REDUCE THE INCIDENCE OF EXCLUSIONARY DISCIPLINE
2 AMONG STUDENTS, ESPECIALLY THOSE ENROLLED IN PRESCHOOL THROUGH
3 THIRD GRADE, TEACHERS AND ADMINISTRATORS SHOULD RECEIVE
4 TRAINING AND SUPPORT IN USING CULTURALLY RESPONSIVE METHODS OF
5 DISCIPLINE WITH YOUNG STUDENTS AND IN IMPLEMENTING
6 DEVELOPMENTALLY APPROPRIATE RESPONSES TO THE BEHAVIORAL ISSUES
7 OF YOUNG STUDENTS.

8 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
9 REQUIRES:

10 (a) "BOARD OF COOPERATIVE SERVICES" MEANS A REGIONAL
11 EDUCATIONAL SERVICE UNIT CREATED PURSUANT TO ARTICLE 5 OF THIS
12 TITLE 22.

13 (b) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED
14 BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS
15 TITLE 22 OR A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER
16 SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE
17 22.

18 (c) "CULTURALLY RESPONSIVE METHODS" MEANS METHODS THAT
19 USE THE CULTURAL KNOWLEDGE, EXPERIENCES, SOCIAL AND EMOTIONAL
20 LEARNING NEEDS, AND PERFORMANCE STYLES OF DIVERSE STUDENTS TO
21 ENSURE THAT CLASSROOM MANAGEMENT STRATEGIES AND
22 RESEARCH-BASED ALTERNATIVES TO EXCLUSIONARY DISCIPLINE ARE
23 APPROPRIATE AND EFFECTIVE FOR STUDENTS.

24 (d) "EXCLUSIONARY DISCIPLINE METHODS" MEANS IN-SCHOOL
25 SUSPENSION, OUT-OF-SCHOOL SUSPENSION, EXPULSION, SCHOOL-BASED
26 ARRESTS, SCHOOL-BASED REFERRALS TO THE JUVENILE JUSTICE SYSTEM,
27 AND VOLUNTARY OR INVOLUNTARY PLACEMENT IN AN ALTERNATIVE

1 EDUCATION PROGRAM.

2 (e) "PILOT PROGRAM" MEANS THE DISCIPLINE STRATEGIES PILOT
3 PROGRAM CREATED IN SUBSECTION (3) OF THIS SECTION.

4 (3) (a) THERE IS CREATED IN THE DEPARTMENT THE DISCIPLINE
5 STRATEGIES PILOT PROGRAM TO PROVIDE MONEY TO SCHOOL DISTRICTS,
6 GROUPS OF SCHOOL DISTRICTS, BOARDS OF COOPERATIVE SERVICES, AND
7 CHARTER SCHOOLS FOR PROFESSIONAL DEVELOPMENT FOR TEACHERS AND
8 PRINCIPALS CONCERNING THE USE OF CULTURALLY RESPONSIVE METHODS
9 OF STUDENT DISCIPLINE IN PRESCHOOL THROUGH THIRD GRADE AND
10 DEVELOPMENTALLY APPROPRIATE RESPONSES TO THE BEHAVIORAL ISSUES
11 OF STUDENTS ENROLLED IN PRESCHOOL THROUGH THIRD GRADE,
12 INCLUDING STUDENTS WITH DISABILITIES. THE INTENT OF THE PILOT
13 PROGRAM IS TO PROVIDE PROFESSIONAL DEVELOPMENT FOR EDUCATORS
14 TO ASSIST THEM IN REDUCING THE USE OF EXCLUSIONARY DISCIPLINE
15 METHODS IN PUBLIC SCHOOLS, ESPECIALLY WITH REGARD TO STUDENTS
16 ENROLLED IN PRESCHOOL THROUGH THIRD GRADE AND STUDENTS WITH
17 DISABILITIES. THE DEPARTMENT IS REQUIRED TO IMPLEMENT THE PILOT
18 PROGRAM ONLY TO THE EXTENT THAT IT RECEIVES SUFFICIENT MONEY
19 THROUGH GIFTS, GRANTS, AND DONATIONS AS PROVIDED IN SUBSECTION
20 (7) OF THIS SECTION.

21 (b) THE STATE BOARD SHALL PROMULGATE RULES AS PROVIDED IN
22 THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
23 AS NECESSARY, TO IMPLEMENT THE PILOT PROGRAM.

24 (4) A SCHOOL DISTRICT, GROUP OF SCHOOL DISTRICTS, BOARD OF
25 COOPERATIVE SERVICES, OR CHARTER SCHOOL MAY APPLY TO THE
26 DEPARTMENT TO RECEIVE A GRANT THROUGH THE PILOT PROGRAM. AN
27 APPLICATION MUST INCLUDE:

1 (a) THE NUMBER OF TEACHERS AND PRINCIPALS TO WHOM THE
2 APPLICANT WILL PROVIDE PROFESSIONAL DEVELOPMENT IN USING
3 CULTURALLY RESPONSIVE METHODS OF STUDENT DISCIPLINE IN
4 PRESCHOOL THROUGH THIRD GRADE AND DEVELOPMENTALLY
5 APPROPRIATE RESPONSES TO THE BEHAVIORAL ISSUES OF STUDENTS
6 ENROLLED IN PRESCHOOL THROUGH THIRD GRADE AND THE NUMBER AND
7 GRADE LEVELS OF STUDENTS SERVED BY THOSE TEACHERS AND
8 PRINCIPALS;

9 (b) THE PROFESSIONAL DEVELOPMENT PROGRAMS THAT THE
10 APPLICANT EXPECTS TO PROVIDE WITH THE GRANT MONEY;

11 (c) THE OTHER RESOURCES AVAILABLE TO THE APPLICANT TO
12 PROVIDE THE PROFESSIONAL DEVELOPMENT;

13 (d) THE AGGREGATE NUMBER AND TYPE OF DISCIPLINARY
14 INCIDENTS OCCURRING IN PRESCHOOL, KINDERGARTEN, AND GRADES ONE
15 THROUGH THREE IN THE SCHOOLS OPERATED BY THE APPLICANT IN THE
16 PRECEDING THREE SCHOOL YEARS AND THE TYPES OF DISCIPLINARY
17 RESPONSES AND STRATEGIES USED;

18 (e) THE APPLICANT'S AGREEMENT TO PROVIDE TO THE
19 DEPARTMENT THE INFORMATION NECESSARY FOR THE DEPARTMENT TO
20 CREATE THE REPORT DESCRIBED IN SUBSECTION (6) OF THIS SECTION FOR
21 EACH SCHOOL YEAR IN WHICH THE APPLICANT RECEIVES A GRANT; AND

22 (f) ANY ADDITIONAL INFORMATION REQUIRED BY RULE OF THE
23 STATE BOARD.

24 (5) THE DEPARTMENT SHALL REVIEW THE APPLICATIONS RECEIVED
25 PURSUANT TO SUBSECTION (4) OF THIS SECTION AND RECOMMEND TO THE
26 STATE BOARD WHICH APPLICANTS SHOULD RECEIVE GRANTS THROUGH THE
27 PILOT PROGRAM AND THE AMOUNT OF EACH GRANT. THE STATE BOARD,

1 TAKING INTO CONSIDERATION THE DEPARTMENT'S RECOMMENDATIONS,
2 SHALL AWARD THE GRANTS, SUBJECT TO AVAILABLE FUNDING. IN MAKING
3 RECOMMENDATIONS AND AWARDING GRANTS, THE DEPARTMENT AND THE
4 STATE BOARD SHALL, TO THE EXTENT PRACTICABLE, AWARD A GRANT TO
5 AT LEAST ONE SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, OR
6 CHARTER SCHOOL LOCATED IN A RURAL AREA AND SHALL CONSIDER:

7 (a) THE LEVEL OF FINANCIAL NEED THAT AN APPLICANT
8 DEMONSTRATES;

9 (b) THE QUALITY OF THE PROFESSIONAL DEVELOPMENT GRANT
10 PROGRAMS THAT THE APPLICANT EXPECTS TO PROVIDE WITH THE GRANT
11 MONEY;

12 (c) THE STUDENT DEMOGRAPHICS OF THE SCHOOLS OPERATED BY
13 THE APPLICANT AND THE USE OF EXCLUSIONARY DISCIPLINE METHODS IN
14 THE PRECEDING THREE SCHOOL YEARS BY EDUCATORS EMPLOYED BY THE
15 APPLICANT; AND

16 (d) ANY ADDITIONAL CRITERIA ADOPTED BY RULE OF THE STATE
17 BOARD.

18 (6) (a) FOR EACH SCHOOL YEAR IN WHICH THE STATE BOARD
19 AWARDS GRANTS THROUGH THE PILOT PROGRAM, THE DEPARTMENT SHALL
20 PREPARE A REPORT CONCERNING IMPLEMENTATION OF THE PILOT
21 PROGRAM. AT A MINIMUM, THE REPORT MUST INCLUDE:

22 (I) THE NUMBER OF SCHOOL DISTRICTS, BOARDS OF COOPERATIVE
23 SERVICES, AND CHARTER SCHOOLS THAT RECEIVED GRANTS THROUGH THE
24 PILOT PROGRAM AND THE AMOUNT OF EACH GRANT;

25 (II) THE TYPES OF PROFESSIONAL DEVELOPMENT THAT GRANT
26 RECIPIENTS PROVIDED TO TEACHERS AND PRINCIPALS;

27 (III) FOR THE SCHOOLS OPERATED BY THE GRANT RECIPIENTS, A

1 COMPARISON OF THE FOLLOWING STRATEGIES, POLICIES, OR DATA BEFORE
2 AND AFTER EDUCATORS PARTICIPATED IN THE PROFESSIONAL
3 DEVELOPMENT PROGRAMMING PROVIDED WITH THE GRANT MONEY:

4 (A) DISCIPLINARY STRATEGIES OR POLICIES;

5 (B) FOR PRESCHOOL, KINDERGARTEN, AND GRADES ONE THROUGH
6 THREE, THE AGGREGATE NUMBER AND TYPES OF DISCIPLINARY INCIDENTS,
7 AGGREGATE INFORMATION CONCERNING THE TYPES OF DISCIPLINARY
8 RESPONSES TO INCIDENTS, AND AGGREGATE INFORMATION CONCERNING
9 THE CHANGES IN DISCIPLINARY RESPONSES USED BEFORE AND AFTER THE
10 TRAINING;

11 (C) ATTENDANCE AND TRUANCY RATES; AND

12 (D) INDICATORS OF TEACHER SATISFACTION; AND

13 (IV) ANY OTHER NONPERSONALLY IDENTIFYING DATA REQUESTED
14 BY THE DEPARTMENT THAT INDICATES WHETHER THE PILOT PROGRAM IS
15 SUCCESSFUL IN REDUCING THE USE OF EXCLUSIONARY DISCIPLINE
16 METHODS IN PUBLIC SCHOOLS.

17 (b) BY APRIL 15, 2018, AND BY APRIL 15 EACH YEAR THEREAFTER,
18 THE DEPARTMENT SHALL SUBMIT THE REPORT TO THE STATE BOARD, THE
19 JOINT BUDGET COMMITTEE, AND THE EDUCATION COMMITTEES OF THE
20 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
21 COMMITTEES.

22 (7) THE PILOT PROGRAM IS NOT ELIGIBLE TO RECEIVE STATE
23 APPROPRIATIONS AND MUST BE FUNDED SOLELY THROUGH GIFTS, GRANTS,
24 OR DONATIONS. THE DEPARTMENT MAY ACCEPT AND EXPEND GIFTS,
25 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
26 PURPOSES OF THE PILOT PROGRAM. NOTWITHSTANDING ANY PROVISION OF
27 THIS SECTION TO THE CONTRARY, THE DEPARTMENT AND THE STATE

1 BOARD ARE NOT REQUIRED TO IMPLEMENT THE PILOT PROGRAM,
2 INCLUDING PROMULGATING RULES AND PREPARING THE REPORT
3 DESCRIBED IN SUBSECTION (6) OF THIS SECTION, IN A BUDGET YEAR IF THE
4 DEPARTMENT DOES NOT RECEIVE AT LEAST THREE HUNDRED THOUSAND
5 DOLLARS IN GIFTS, GRANTS, OR DONATIONS FOR THE PILOT PROGRAM FOR
6 THAT BUDGET YEAR.

7 (8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2020.

8 **SECTION 2. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety.