

CHAPTER 372

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 17-103

BY SENATOR(S) Merrifield, Todd, Kerr, Zenzinger, Jones, Court, Fenberg, Garcia, Guzman, Kefalas, Moreno;
 also REPRESENTATIVE(S) Pettersen, Becker K., Bridges, Buckner, Coleman, Esgar, Exum, Gray, Hamner, Herod, Hooton,
 Jackson, Kennedy, Kraft-Tharp, Lee, Lontine, McLachlan, Melton, Michaelson Jenet, Mitsch Bush, Pabon, Rosenthal, Salazar,
 Weissman, Winter, Young.

AN ACT

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

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

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

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

(b) Consultative services on best practices for improvement and implementation of intervention strategies, including, where appropriate, RESEARCH-BASED strategies that address THE QUALITY AND AVAILABILITY OF early childhood education OPPORTUNITIES WITHIN THE SCHOOL DISTRICT and student engagement and re-engagement; and

SECTION 2. In Colorado Revised Statutes, 22-11-210, **amend** (3)(b) as follows:

22-11-210. Public schools - annual review - plans - supports and interventions - rules - repeal. (3) At the request of a district public school's local

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

school board, or at the institute's request for an institute charter school, the department shall provide technical assistance and support to the public school, local school board, or institute in preparing and implementing the public school's improvement, priority improvement, or turnaround plan. The department shall base the amount of technical assistance and support provided to a public school, the local school board, or the institute on the school's degree of need for assistance and the department's available resources. Technical assistance and support may include, but need not be limited to:

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

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

22-11-305. Accredited with priority improvement plan - school district or institute - plan contents - adoption. (3) A district priority improvement plan or an institute priority improvement plan ~~shall~~ **MUST** be designed to ensure that the school district or the institute improves its performance to the extent that, following completion of its next annual accreditation review, the school district or the institute attains a higher accreditation category. At a minimum, a district priority improvement plan or an institute priority improvement plan ~~shall~~ **MUST**:

(c) Assess and prioritize the issues and needs of the district or institute and of the district public schools or institute charter schools that must be addressed to raise the levels of attainment on the performance indicators by the district public schools or institute charter schools and to improve school readiness in district public schools or institute charter schools that serve students in preschool and kindergarten. IF A SCHOOL DISTRICT INCLUDES A DISTRICT PUBLIC SCHOOL THAT IS OPERATING UNDER A PRIORITY IMPROVEMENT OR TURNAROUND PLAN AND ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE, THE NEEDS ASSESSMENT FOR THE SCHOOL DISTRICT SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

(4) AN EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT MUST DETERMINE THE EXTENT TO WHICH:

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

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

(c) THE SCHOOL DISTRICT AND THE DISTRICT PUBLIC SCHOOLS WORK WITH AN EARLY CHILDHOOD COUNCIL ESTABLISHED PURSUANT TO PART 1 OF ARTICLE 60.5 OF

TITLE 26 OR EARLY CHILDHOOD COMMUNITY AGENCIES EXISTING WITHIN THE SCHOOL DISTRICT;

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

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

(f) JOINT PROFESSIONAL DEVELOPMENT OPPORTUNITIES, INCLUDING OPPORTUNITIES FOR EDUCATOR COLLABORATION, ARE AVAILABLE WITHIN THE SCHOOL DISTRICT FOR EARLY CHILDHOOD PROVIDERS, TEACHERS, AND PRINCIPALS;

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

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

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

22-11-306. Accredited with turnaround plan - school district or institute - plan content - adoption. (3) A district turnaround plan or an institute turnaround plan ~~shall~~ MUST be designed to ensure that the school district or the institute improves its performance to the extent that, following completion of its next annual accreditation review, the school district or the institute attains a higher accreditation category. At a minimum, a district turnaround plan or an institute turnaround plan ~~shall~~ MUST:

(c) Assess and prioritize the issues and needs of the district or institute and of the district public schools or institute charter schools that must be addressed to raise the levels of attainment on the performance indicators by the district public schools or institute charter schools and to improve school readiness in district public schools or institute charter schools that serve students in preschool and kindergarten. IF A SCHOOL DISTRICT INCLUDES A DISTRICT PUBLIC SCHOOL THAT IS OPERATING UNDER A PRIORITY IMPROVEMENT OR TURNAROUND PLAN AND ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE, THE NEEDS ASSESSMENT FOR THE SCHOOL DISTRICT SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN SECTION 22-11-305 (4).

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

22-11-405. School priority improvement plan - contents. (4) A school priority

improvement plan must be designed to ensure that the public school improves its performance to the extent that, following completion of the public school's next annual performance review, the public school attains a higher accreditation category. At a minimum, a school priority improvement plan must:

(c) Assess and prioritize the issues and needs at the public school that must be addressed to raise the levels of attainment on the performance indicators by the public school and to improve school readiness, if the public school serves students in preschool or kindergarten. THE NEEDS ASSESSMENT FOR A PUBLIC SCHOOL THAT ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN SUBSECTION (4.5) OF THIS SECTION.

(4.5) AN EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT MUST DETERMINE THE EXTENT TO WHICH:

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

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

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

(d) THE PUBLIC SCHOOL COLLABORATES WITH EARLY CHILDHOOD PROVIDERS AND PROGRAMS REGARDING STUDENTS' TRANSITION FROM PRESCHOOL TO KINDERGARTEN;

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

(f) JOINT PROFESSIONAL DEVELOPMENT OPPORTUNITIES, INCLUDING OPPORTUNITIES FOR EDUCATOR COLLABORATION, ARE AVAILABLE THROUGH THE PUBLIC SCHOOL FOR EARLY CHILDHOOD PROVIDERS, TEACHERS, AND PRINCIPALS;

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

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

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

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

(c) Assess and prioritize the issues and needs at the public school that must be addressed to raise the levels of attainment on the performance indicators by the public school and to improve school readiness, if the public school serves students in preschool or kindergarten. THE NEEDS ASSESSMENT FOR A PUBLIC SCHOOL THAT ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN SECTION 22-11-405 (4.5).

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

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

(VI.5) FOR A PUBLIC SCHOOL THAT SERVES STUDENTS ENROLLED IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE, THAT THE PUBLIC SCHOOL INVEST IN RESEARCH-BASED STRATEGIES FOCUSED ON EARLY LEARNING AND DEVELOPMENT TO ADDRESS ANY DEFICIENCIES IDENTIFIED IN THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT COMPLETED FOR THE PUBLIC SCHOOL PURSUANT TO SUBSECTION (3)(c) OF THIS SECTION IF THE CAUSE OF THE PUBLIC SCHOOL'S LOW PERFORMANCE IS DIRECTLY RELATED TO LACK OF SCHOOL READINESS AND ACCESS TO QUALITY EARLY LEARNING OPPORTUNITIES, AS DEMONSTRATED BY STUDENT ACHIEVEMENT DATA FOR THE EARLY ELEMENTARY GRADES, AND THE PUBLIC SCHOOL HAS NOT SUCCESSFULLY IMPLEMENTED THESE STRATEGIES IN THE PRECEDING SCHOOL YEARS. RESEARCH-BASED EARLY LEARNING AND DEVELOPMENT STRATEGIES INCLUDE INCREASING THE QUALITY AND AVAILABILITY OF EARLY LEARNING AND DEVELOPMENT PROGRAMS FOR STUDENTS WHO RESIDE WITHIN THE NEIGHBORHOOD OF THE PUBLIC SCHOOL AND INCREASING THE RESOURCES AVAILABLE IN KINDERGARTEN THROUGH THIRD GRADE TO IMPROVE SCHOOL READINESS AND EARLY LEARNING. A PUBLIC SCHOOL MAY IMPLEMENT STRATEGIES FOCUSED ON EARLY LEARNING AND DEVELOPMENT AS DESCRIBED IN THIS SUBSECTION (3)(d)(VI.5) ONLY IN COMBINATION WITH AT LEAST ONE OTHER RESEARCH-BASED STRATEGY SPECIFIED IN THIS SUBSECTION (3)(d).

SECTION 7. No appropriation. The general assembly has determined that this

act can be implemented within existing appropriations, and therefore no separate appropriation of state money is necessary to carry out the purposes of this act.

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

Approved: June 6, 2017