

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 19-0070.01 Brita Darling x2241

**HOUSE BILL 19-1017**

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**HOUSE SPONSORSHIP**

**Michaelson Jenet,**

**SENATE SPONSORSHIP**

**Fields,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING INCREASING ACCESS TO SCHOOL SOCIAL WORKERS IN**  
102      **PUBLIC ELEMENTARY SCHOOLS.**

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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 creates the "Colorado K-5 Social and Emotional Health Act" (act). The act requires the department of education (department) to select a pilot school district (pilot district) to participate in a pilot program that ensures that a school social worker, as defined in the act, is dedicated to each of grades kindergarten through fifth grade. To the extent possible, the school social worker shall follow the same students through each

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.

grade. The general assembly shall appropriate the resources necessary for the pilot district to hire or contract with the additional school social workers.

The department shall select a pilot district that meets the characteristics outlined in the bill, including high poverty, ethnic diversity, and a large concentration of students in the foster care system.

Among other responsibilities consistent with the school social worker license, the school social worker shall provide needed services to students and their families in the pilot district, including identifying learning disabilities, conducting functional behavior assessments and developing behavior intervention plans, identifying food insecurities, and helping eligible students and their families access public benefits. Services must be provided at school and during school hours, as appropriate.

The pilot program begins operation during the 2020-21 school year and repeals in July 2027. The department shall contract with a professional program evaluator (evaluator) to conduct a preliminary evaluation in 2024 and a final evaluation before the repeal of the pilot program. The evaluator shall establish the method for the pilot district's data collection and monitor data throughout the pilot program.

The evaluator shall evaluate the effectiveness of services provided by the pilot program on the academic, mental, and physical health and well-being of the student cohorts within the scope of the pilot program.

The bill requires the department to request money for pilot program administration, employment contracts for social workers, and the pilot program evaluation through the annual budget process.

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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** article 99 to title  
3 22 as follows:

4 **ARTICLE 99**

5 **Colorado K-5 Social and Emotional Health Act**

6 **22-99-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 99 IS  
7 THE "COLORADO K-5 SOCIAL AND EMOTIONAL HEALTH ACT".

8 **22-99-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
9 FINDS THAT:

10 (a) SCHOOL MENTAL HEALTH PROFESSIONALS, INCLUDING SCHOOL

1 SOCIAL WORKERS, POSITIVELY IMPACT THE SCHOOL ENVIRONMENT BY  
2 WORKING WITH YOUNG STUDENTS AND THEIR FAMILIES TO IDENTIFY  
3 SAFETY NET INSECURITIES, SOCIAL AND EMOTIONAL SKILLS DEFICITS,  
4 INSTANCES OF ABUSE AND NEGLECT, AND MENTAL HEALTH CHALLENGES;

5 (b) IDENTIFYING THESE STUDENT ISSUES AS EARLY AS POSSIBLE  
6 INCREASES THE LIKELIHOOD THAT PROBLEMS CAN BE RESOLVED  
7 SUCCESSFULLY AND IN A MANNER THAT DECREASES LONG-TERM  
8 PROBLEMS WITH LEARNING AND OTHER BARRIERS TO STUDENT SUCCESS IN  
9 THE FUTURE;

10 (c) A PILOT PROGRAM THAT PLACES A TEAM OF SCHOOL MENTAL  
11 HEALTH PROFESSIONALS IN EVERY PILOT PROGRAM SCHOOL WILL ALLOW  
12 THE TEAM, IN PARTNERSHIP WITH CLASSROOM TEACHERS, TO PROVIDE  
13 NEEDED SUPPORT FOR YOUNG STUDENTS AND THEIR FAMILIES AT A  
14 CRITICAL TIME IN THEIR EDUCATION;

15 (d) A SIGNIFICANT GOAL OF THE PILOT PROGRAM IS TO ENSURE  
16 THAT STUDENTS OF ELEMENTARY AGE RECEIVE THE RIGHT LEVEL OF  
17 NECESSARY SERVICES, IN THE RIGHT PLACE, AND AT THE RIGHT TIME; AND

18 (e) RECEIVING THE RIGHT LEVEL OF SERVICES, IN THE RIGHT PLACE,  
19 AND AT THE RIGHT TIME HELPS REMOVE THE BURDEN PLACED ON  
20 TEACHERS TO BE EVERYTHING TO A STUDENT, FROM THERAPIST TO FAMILY  
21 COUNSELOR, AND INSTEAD ALLOWS TEACHERS TO RETURN TO THEIR  
22 PRIMARY TASK: TEACHING.

23 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE  
24 CREATION AND SUCCESSFUL IMPLEMENTATION OF A COLORADO K-5  
25 SOCIAL AND EMOTIONAL HEALTH PILOT PROGRAM COULD HAVE A  
26 PROFOUND IMPACT ON THE EARLY EDUCATIONAL AND SOCIAL  
27 EXPERIENCES OF KINDERGARTEN THROUGH FIFTH-GRADE STUDENTS,

1 RESULTING IN THOSE STUDENTS GRADUATING TO MIDDLE AND HIGH  
2 SCHOOL PROGRAMS WITH FEWER SOCIAL, EMOTIONAL, AND BEHAVIORAL  
3 ISSUES; ADVERSE CHILDHOOD EXPERIENCES; DISCIPLINARY REFERRALS  
4 AND DELINQUENT CONDUCT; SCHOOL ABSENCES AND TRUANCY; AND  
5 INCIDENCES OF SELF-HARM.

6 **22-99-103. Definitions.** AS USED IN THIS ARTICLE 99, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

8 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
9 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

10 (2) "PILOT PROGRAM" MEANS THE K-5 SOCIAL AND EMOTIONAL  
11 HEALTH PILOT PROGRAM, CREATED IN SECTION 22-99-104.

12 (3) "PILOT SCHOOL" MEANS A SCHOOL SELECTED BY THE  
13 DEPARTMENT TO PARTICIPATE IN THE PILOT PROGRAM CREATED IN  
14 SECTION 22-99-104 FOR STUDENTS IN KINDERGARTEN THROUGH FIFTH  
15 GRADE.

16 (4) "SCHOOL COUNSELOR" MEANS A COUNSELOR HOLDING A  
17 MASTER'S DEGREE IN EDUCATIONAL COUNSELING AND A PROFESSIONAL  
18 SPECIAL SERVICES LICENSE IN COLORADO WITH AN ENDORSEMENT IN  
19 SCHOOL COUNSELING, INCLUDING BUT NOT LIMITED TO THE COMPLETION  
20 OF COURSE WORK IN THE AREAS OF ACADEMIC AND SOCIAL EMOTIONAL  
21 DEVELOPMENT; ASSESSMENT FOR SOCIAL AND EMOTIONAL CONCERNS,  
22 INCLUDING SUICIDE PREVENTION AND INTERVENTION; CRISIS  
23 INTERVENTION; SOCIAL EMOTIONAL PREVENTION PROGRAMS, INCLUDING  
24 CHARACTER EDUCATION AND VIOLENCE PREVENTION; MENTAL HEALTH,  
25 PROTECTIVE FACTORS FOR AT-RISK STUDENTS, AND CAREER AWARENESS,  
26 EXPLORATION, AND PLANNING.

27 (5) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT ORGANIZED

1 AND EXISTING PURSUANT TO LAW BUT DOES NOT INCLUDE A LOCAL  
2 COLLEGE DISTRICT.

3 (6) "SCHOOL MENTAL HEALTH PROFESSIONAL" MEANS A SCHOOL  
4 COUNSELOR, A SCHOOL PSYCHOLOGIST, OR A SCHOOL SOCIAL WORKER.

5 (7) "SCHOOL PSYCHOLOGIST" MEANS A PSYCHOLOGIST HOLDING  
6 A MASTER'S DEGREE AND A PROFESSIONAL SPECIAL SERVICES LICENSE IN  
7 COLORADO WITH A SCHOOL PSYCHOLOGIST ENDORSEMENT.

8 (8) "SCHOOL SOCIAL WORKER" MEANS A SOCIAL WORKER HOLDING  
9 A MASTER'S DEGREE AND A PROFESSIONAL SPECIAL SERVICES LICENSE IN  
10 COLORADO WITH AN ENDORSEMENT IN SCHOOL SOCIAL WORK, INCLUDING  
11 BUT NOT LIMITED TO THE COMPLETION OF COURSE WORK IN THE AREAS OF  
12 SCHOOL AND SPECIAL EDUCATION LAW, INCLUDING CONTENT COVERING  
13 FUNCTIONAL BEHAVIOR ASSESSMENT AND THE DEVELOPMENT OF  
14 BEHAVIOR INTERVENTION PLANS.

15 **22-99-104. K-5 social and emotional health pilot program -**  
16 **creation - selection of pilot schools - rules.** (1) THERE IS CREATED THE  
17 K-5 SOCIAL AND EMOTIONAL HEALTH PILOT PROGRAM IN THE  
18 DEPARTMENT TO DETERMINE THE IMPACT OF DEDICATED SCHOOL MENTAL  
19 HEALTH PROFESSIONALS IN KINDERGARTEN THROUGH FIFTH GRADE IN  
20 ELEMENTARY SCHOOLS THAT HAVE HIGH-POVERTY, HIGH-NEED STUDENTS.  
21 THE PILOT PROGRAM IS IMPLEMENTED WITHIN THE SELECTED PILOT  
22 SCHOOLS AND ADMINISTERED BY THE DEPARTMENT. OPERATION OF THE  
23 PILOT PROGRAM BEGINS IN THE 2020-21 SCHOOL YEAR AND CONTINUES  
24 THROUGH THE CONCLUSION OF THE 2022-23 SCHOOL YEAR, UNLESS THE  
25 REPEAL OF THE PILOT PROGRAM IS EXTENDED BY THE GENERAL ASSEMBLY.  
26 PURSUANT TO SECTION 22-99-106, THE DEPARTMENT SHALL EMPLOY OR  
27 CONTRACT WITH A PILOT PROGRAM COORDINATOR AND CONTRACT FOR

1 PRELIMINARY AND FINAL PROGRAM EVALUATIONS OF THE PILOT PROGRAM.  
2 THE DEPARTMENT SHALL PROMULGATE ANY RULES NECESSARY FOR THE  
3 ADMINISTRATION OF THE PILOT PROGRAM.

4 (2) (a) NO LATER THAN JANUARY 15, 2020, THE DEPARTMENT  
5 SHALL SELECT UP TO TEN PILOT SCHOOLS TO PARTICIPATE IN THE PILOT  
6 PROGRAM. THE DEPARTMENT SHALL SELECT PILOT SCHOOLS THAT EXHIBIT  
7 THE CHARACTERISTICS SET FORTH IN SUBSECTION (2)(b) OF THIS SECTION  
8 AND THAT ARE APPROPRIATE TEST SCHOOLS TO EVALUATE THE IMPACT  
9 AND EFFECTIVENESS OF THE PILOT PROGRAM. THE PILOT SCHOOLS MUST  
10 DEMONSTRATE A WILLINGNESS TO PARTICIPATE IN THE PILOT PROGRAM  
11 AND TO COLLECT THE DATA AND INFORMATION NECESSARY FOR THE  
12 EVALUATION OF THE PILOT PROGRAM.

13 (b) THE DEPARTMENT SHALL SELECT PILOT SCHOOLS, INCLUDING  
14 RURAL, SMALL, AND GEOGRAPHICALLY DIVERSE SCHOOLS, WHICH SCHOOLS  
15 SHALL HAVE A HIGH-POVERTY STUDENT POPULATION AND A HIGH  
16 PERCENTAGE OF STUDENTS WHO EXPERIENCE OR MAY EXPERIENCE FOOD  
17 INSECURITY, AS EVIDENCED BY THE NUMBER OR PERCENTAGE OF  
18 STUDENTS IN THE SCHOOL WHO ARE ELIGIBLE FOR FREE AND  
19 REDUCED-PRICED MEALS; AND MAY INCLUDE SCHOOLS:

20 (I) IN LARGE, METROPOLITAN SCHOOL DISTRICTS;

21 (II) THAT HAVE SIGNIFICANT ETHNIC, CULTURAL, AND LANGUAGE  
22 DIVERSITY WITHIN THEIR STUDENT POPULATIONS, WHICH MAY INCLUDE  
23 STUDENTS FROM REFUGEE POPULATIONS;

24 (III) THAT HAVE A HIGH NUMBER OR DENSITY OF YOUTH WHO ARE  
25 STUDENTS IN OUT-OF-HOME PLACEMENT, AS DEFINED IN SECTION  
26 22-32-138;

27 (VI) THAT ARE IN A SCHOOL DISTRICT THAT HAS A HIGH

1 PERCENTAGE OF STUDENTS WHO ARE ADJUDICATED DELINQUENT; AND  
2 (VII) THAT ARE IN A SCHOOL DISTRICT THAT HAS A HIGH RATE OF  
3 YOUTH SUICIDE, ATTEMPTED SUICIDE, OR SUICIDAL IDEATION.

4 **22-99-105. Implementation of pilot program.** (1) IN THE FIRST  
5 AND SUBSEQUENT YEARS OF OPERATION OF THE PILOT PROGRAM, EACH  
6 PILOT SCHOOL SHALL EMPLOY OR CONTRACT WITH ADDITIONAL SCHOOL  
7 MENTAL HEALTH PROFESSIONALS SO THAT EACH OF GRADES ONE THROUGH  
8 FIVE AND THE KINDERGARTEN PROGRAM IN EACH PILOT SCHOOL HAS A  
9 SCHOOL MENTAL HEALTH PROFESSIONAL DEDICATED TO EACH GRADE AND  
10 THE KINDERGARTEN PROGRAM. IF A SINGLE GRADE OR THE KINDERGARTEN  
11 PROGRAM HAS MORE THAN ONE HUNDRED STUDENTS, ADDITIONAL SCHOOL  
12 MENTAL HEALTH PROFESSIONALS MUST BE ADDED TO THE GRADE OR  
13 KINDERGARTEN PROGRAM TO MAINTAIN A RATIO OF APPROXIMATELY ONE  
14 SCHOOL MENTAL HEALTH PROFESSIONAL PER ONE HUNDRED STUDENTS, AS  
15 DETERMINED BY THE PILOT SCHOOL. A SMALL PILOT SCHOOL SHALL  
16 MAINTAIN A RATIO OF APPROXIMATELY ONE SCHOOL MENTAL HEALTH  
17 PROFESSIONAL PER ONE HUNDRED STUDENTS, AS DETERMINED BY THE  
18 PILOT SCHOOL. AT LEAST ONE OF THE SCHOOL MENTAL HEALTH  
19 PROFESSIONALS AT EACH PILOT SCHOOL MUST BE A SCHOOL SOCIAL  
20 WORKER.

21 (2) THE GOAL OF THE PILOT PROGRAM IS FOR A SCHOOL MENTAL  
22 HEALTH PROFESSIONAL TO DEVELOP AN ONGOING RELATIONSHIP WITH  
23 PILOT SCHOOL STUDENTS AND TO FOLLOW THOSE STUDENTS, TO THE  
24 EXTENT POSSIBLE, AS THE STUDENTS ADVANCE THROUGH THE GRADES AT  
25 THE PILOT SCHOOL. THIS WILL ALLOW THE SCHOOL MENTAL HEALTH  
26 PROFESSIONAL TO UNDERSTAND THE NEEDS OF THE STUDENTS AND THEIR  
27 FAMILIES OVER TIME AND TO HELP ADDRESS THOSE NEEDS OVER TIME, IF

1 NECESSARY. TO ACHIEVE THIS GOAL, SCHOOL MENTAL HEALTH  
2 PROFESSIONALS MAY BE ASSIGNED TO A COHORT OF STUDENTS BY GRADE  
3 OR, IN A SMALLER SCHOOL, BY MULTIPLE GRADES. SCHOOL MENTAL  
4 HEALTH PROFESSIONALS IN EACH PILOT SCHOOL SHALL WORK AS A TEAM  
5 TO ADDRESS THE ACADEMIC AND SOCIAL EMOTIONAL NEEDS OF THE PILOT  
6 SCHOOL'S STUDENTS.

7 (3) FOR PURPOSES OF IMPLEMENTING THIS PILOT PROGRAM, THE  
8 GENERAL ASSEMBLY SHALL APPROPRIATE TO THE DEPARTMENT FOR  
9 DISTRIBUTION TO THE PILOT SCHOOLS, OR TO THE GOVERNING BODY FOR  
10 THE PILOT SCHOOL, THE AMOUNT OF MONEY NECESSARY FOR THE PILOT  
11 SCHOOLS TO EMPLOY OR CONTRACT WITH THE NUMBER OF ADDITIONAL  
12 SCHOOL MENTAL HEALTH PROFESSIONALS NECESSARY TO IMPLEMENT THE  
13 PILOT PROGRAM, AS DESCRIBED SUBSECTION (1) OF THIS SECTION.  
14 THROUGHOUT THE DURATION OF THE PILOT PROGRAM, THE PILOT SCHOOL  
15 MUST EMPLOY OR CONTRACT WITH, AT THE PILOT SCHOOL'S EXPENSE, THE  
16 SAME NUMBER OF SCHOOL MENTAL HEALTH PROFESSIONALS EMPLOYED BY  
17 OR CONTRACTED WITH THE PILOT SCHOOL DURING THE 2019-20 SCHOOL  
18 YEAR, SO THAT THE APPROPRIATION TO THE PILOT SCHOOL FOR THE PILOT  
19 PROGRAM SUPPLEMENTS, BUT DOES NOT SUPPLANT, THE PILOT SCHOOL'S  
20 EXISTING EXPENDITURES FOR SCHOOL MENTAL HEALTH PROFESSIONAL  
21 POSITIONS PRIOR TO THE OPERATION OF THE PILOT PROGRAM.

22 (4) (a) IN IMPLEMENTING THE PILOT PROGRAM, THE SCHOOL  
23 MENTAL HEALTH PROFESSIONALS SHALL WORK AS A TEAM, WITH EACH  
24 PROFESSIONAL PROVIDING SERVICES TO STUDENTS AND OFFERING  
25 TRAINING AND RESOURCES TO SCHOOL FACULTY AND ADMINISTRATORS  
26 THAT ARE AUTHORIZED UNDER THE SCHOOL MENTAL HEALTH  
27 PROFESSIONAL'S SPECIAL SERVICES LICENSE AND ENDORSEMENT. IN



1 ADDITION, SCHOOL MENTAL HEALTH PROFESSIONALS MAY, CONSISTENT  
2 WITH THE SCHOOL MENTAL HEALTH PROFESSIONAL'S JOB DUTIES AND  
3 LICENSURE:

4 (I) ASSIST STUDENTS WITH APPLYING FOR AND OBTAINING  
5 NECESSARY PUBLIC BENEFITS FOR WHICH EACH STUDENT IS ELIGIBLE;

6 (II) PROVIDE SERVICES AND SUPPORTS TO STUDENTS WHO HAVE AN  
7 INDIVIDUALIZED EDUCATION PROGRAM, AS PROVIDED IN SECTION  
8 22-20-108;

9 (III) CONSULT AND COORDINATE WITH OTHER SCHOOL  
10 PROFESSIONALS ON BEHALF OF STUDENTS AND SUPPORT FAMILIES  
11 ACCESSING COMMUNITY-BASED RESOURCES AS NEEDED AND  
12 APPROPRIATE;

13 (IV) PROVIDE THE SCHOOL WITH RESOURCES TO DEVELOP AND  
14 IMPROVE THE SOCIAL AND EMOTIONAL HEALTH OF STUDENTS;

15 (V) PROVIDE SOCIAL AND EMOTIONAL SKILL BUILDING IN THE  
16 SCHOOL AND WITH STUDENTS IN THE CLASSROOM; AND

17 (VI) IDENTIFY FOOD INSECURITY, HOMELESSNESS, AND OTHER  
18 ISSUES AFFECTING STUDENTS AND MAKE REFERRALS TO SERVICES WITHIN  
19 THE COMMUNITY, BRINGING THOSE SERVICES INTO THE SCHOOL SETTING  
20 WHERE POSSIBLE.

21 (b) AS APPROPRIATE, AND TO THE EXTENT POSSIBLE, THE SCHOOL  
22 MENTAL HEALTH PROFESSIONAL MUST PROVIDE SERVICES OR ARRANGE  
23 FOR SERVICES TO BE PROVIDED FOR STUDENTS AT THE SCHOOL AND  
24 DURING SCHOOL HOURS OR WHEN STUDENT BUSING IS AVAILABLE.

25 (c) SERVICES PROVIDED BY THE SCHOOL MENTAL HEALTH  
26 PROFESSIONAL TO THE STUDENT MUST INCLUDE THE STUDENT'S FAMILY  
27 AND HOUSEHOLD, WHERE APPROPRIATE. THE SCHOOL MENTAL HEALTH

1 PROFESSIONAL IS SPECIFICALLY AUTHORIZED TO MAKE HOME VISITS WHEN  
2 APPROPRIATE UNDER THE CIRCUMSTANCES AND CONSISTENT WITH  
3 LICENSURE.

4 (5) EACH PILOT SCHOOL'S TEAM OF SCHOOL MENTAL HEALTH  
5 PROFESSIONALS SHALL PARTICIPATE IN THE SCHOOL'S OR SCHOOL  
6 DISTRICT'S MULTI-TIERED SYSTEMS OF SUPPORT PROCESS TO ASSIST IN  
7 DEVELOPING APPROPRIATE PLANS FOR THE MENTAL HEALTH AND  
8 BEHAVIORAL NEEDS OF INDIVIDUAL STUDENTS.

9 (6) EACH PILOT SCHOOL, OR EACH PILOT SCHOOL'S GOVERNING  
10 BODY, WHERE APPROPRIATE, SHALL COLLECT, TRANSMIT, AND RETAIN ANY  
11 DATA AND INFORMATION NECESSARY FOR THE EVALUATION OF THE PILOT  
12 PROGRAM PURSUANT TO SECTION 22-99-106. EACH PILOT SCHOOL SHALL  
13 RECORD THE UNIQUE STUDENT IDENTIFIER, AS DEFINED IN SECTION  
14 22-16-103, FOR ALL STUDENTS ENROLLED IN THE PILOT SCHOOL.

15 **22-99-106. Pilot program coordinator - evaluation of pilot**  
16 **program - student impacts and outcomes.** (1) THE DEPARTMENT SHALL  
17 EMPLOY OR CONTRACT WITH A PILOT PROGRAM COORDINATOR TO OVERSEE  
18 THE IMPLEMENTATION OF THE PILOT PROGRAM ACROSS THE PILOT  
19 SCHOOLS. THE PILOT PROGRAM COORDINATOR MUST BE A SCHOOL SOCIAL  
20 WORKER WHO SHALL WORK WITH EACH PILOT SCHOOL'S TEAM OF SCHOOL  
21 MENTAL HEALTH PROFESSIONALS. THE DUTIES OF THE PILOT PROGRAM  
22 COORDINATOR INCLUDE, AT A MINIMUM:

23 (a) COORDINATING DATA COLLECTION AND PROGRAM EVALUATION  
24 REQUIREMENTS WITH THE PROFESSIONAL PROGRAM EVALUATOR RETAINED  
25 PURSUANT TO SUBSECTION (2) OF THIS SECTION;

26 (b) SERVING AS A CONTACT PERSON AND RESOURCE FOR TEAMS OF  
27 SCHOOL MENTAL HEALTH PROFESSIONALS IN THE PILOT SCHOOLS;

1 (c) SHARING BEST PRACTICES RELATING TO THE PILOT PROGRAM  
2 AND ITS IMPLEMENTATION AT THE PILOT SCHOOLS; AND

3 (d) ENSURING FIDELITY TO THE GOALS OF THE PILOT PROGRAM  
4 ACROSS THE PILOT SCHOOLS.

5 (2) (a) THE DEPARTMENT SHALL SELECT A PROFESSIONAL  
6 PROGRAM EVALUATOR TO COMPLETE A PRELIMINARY EVALUATION OF THE  
7 PILOT PROGRAM ON OR BEFORE SEPTEMBER 1, 2022, AND A FINAL  
8 EVALUATION OF THE PILOT PROGRAM TO BE COMPLETED ON OR BEFORE  
9 SEPTEMBER 1, 2023. THE DEPARTMENT SHALL CONTRACT WITH THE  
10 EVALUATOR PRIOR TO THE IMPLEMENTATION OF THE PILOT PROGRAM IN  
11 THE PILOT SCHOOLS DURING THE 2020-21 SCHOOL YEAR TO CREATE A  
12 PROCESS FOR THE COLLECTION AND TRANSMISSION OF DATA AND  
13 INFORMATION TO THE EVALUATOR TO ENSURE THAT THE EVALUATOR HAS  
14 THE DATA AND INFORMATION NECESSARY TO COMPLETE THE PRELIMINARY  
15 AND FINAL REPORTS CONCERNING THE IMPACT AND OUTCOMES OF THE  
16 PILOT PROGRAM. THE PILOT PROGRAM EVALUATOR, IN CONJUNCTION WITH  
17 THE DEPARTMENT, SHALL SELECT A GROUP OF CONTROL SCHOOLS THAT  
18 HAVE SCHOOL CHARACTERISTICS AND STUDENT DEMOGRAPHICS SIMILAR  
19 TO THOSE OF THE PILOT SCHOOLS, TO SERVE AS A CONTROL GROUP FOR  
20 PURPOSES OF EVALUATING THE IMPACTS AND OUTCOMES OF THE PILOT  
21 PROGRAM ON PARTICIPATING STUDENTS AND PILOT SCHOOLS. DATA  
22 COLLECTED FOR PILOT SCHOOLS AND CONTROL GROUP SCHOOLS MUST  
23 INCLUDE DATA FROM SCHOOL CLIMATE AND HEALTHY SCHOOLS SURVEYS  
24 FOR ANY GRADE IN WHICH SUCH SURVEYS HAVE BEEN CREATED.

25 (b) THE DEPARTMENT SHALL SELECT A PROFESSIONAL PROGRAM  
26 EVALUATOR THAT HAS THE KNOWLEDGE AND SKILLS NECESSARY TO  
27 EVALUATE THE EFFECTIVENESS OF SERVICES PROVIDED BY THE PILOT

1 PROGRAM AND THE RESULTING IMPACTS AND OUTCOMES OF THE PILOT  
2 PROGRAM ON THE STUDENT COHORTS PARTICIPATING IN THE PILOT  
3 PROGRAM. THE DEPARTMENT IS ENCOURAGED, BUT IS NOT REQUIRED, TO  
4 CONTRACT WITH A STATE INSTITUTION OF HIGHER EDUCATION TO  
5 COMPLETE THE EVALUATION OF THE PILOT PROGRAM.

6 (c) THE DEPARTMENT AND THE PILOT SCHOOLS SHALL COOPERATE  
7 FULLY WITH THE PILOT PROGRAM EVALUATOR'S COLLECTION AND  
8 ANALYSIS OF DATA AND INFORMATION RELATING TO THE PILOT PROGRAM'S  
9 IMPACT AND OUTCOMES. THE DEPARTMENT, PILOT SCHOOLS, THE PILOT  
10 PROGRAM COORDINATOR, AND THE CONTRACTED EVALUATOR SHALL  
11 COMPLY WITH ALL STATE AND FEDERAL LAWS RELATING TO THE  
12 CONFIDENTIALITY OF ACADEMIC AND MEDICAL RECORDS OF STUDENTS  
13 AND SHALL PROVIDE AGGREGATED DATA WHERE APPROPRIATE.

14 (d) THE PILOT PROGRAM EVALUATOR SHALL DETERMINE THE  
15 IMPACT OF THE PILOT PROGRAM ON STUDENTS' ACADEMIC, MENTAL,  
16 SOCIAL EMOTIONAL, AND PHYSICAL HEALTH AND WELL-BEING. THE  
17 EVALUATOR SHALL COLLECT AND ANALYZE DATA RELATING TO STUDENT  
18 AND SCHOOL OUTCOMES, WHICH OUTCOMES MAY INCLUDE:

19 (I) THE INCREASE OR DECREASE IN STUDENTS' DISCIPLINARY  
20 REFERRALS, EITHER WITHIN THE PILOT SCHOOL, OR PILOT SCHOOL'S  
21 DISTRICT, IF RELEVANT, OR WITH LAW ENFORCEMENT, AND THE INCREASE  
22 OR DECREASE IN STUDENTS ADJUDICATED DELINQUENT WITHIN THE PILOT  
23 SCHOOL'S DISTRICT;

24 (II) THE INCREASE OR DECREASE IN STUDENTS' LOST INSTRUCTION  
25 TIME DUE TO DISCIPLINARY ACTION OR VISITS TO THE SCHOOL NURSE OR  
26 SCHOOL COUNSELOR;

27 (III) THE INCREASE OR DECREASE IN EXCUSED AND UNEXCUSED

- 1 ABSENCES AND TRUANCY;
- 2 (IV) THE INCREASE OR DECREASE IN OVERALL STUDENT
- 3 PERFORMANCE ON STATEWIDE ASSESSMENTS, BY GRADE;
- 4 (V) THE INCREASE OR DECREASE IN THE STUDENT COHORTS'
- 5 GRADE POINT AVERAGE, BY GRADE;
- 6 (VI) THE INCREASE IN ACCESS TO SUPPORTIVE SERVICES FOR
- 7 STUDENTS AND THEIR FAMILIES, AS EVIDENCED BY:
- 8 (VII) AN INCREASE IN THE NUMBER OR PERCENTAGE OF STUDENTS
- 9 IDENTIFIED AS ELIGIBLE FOR FREE OR REDUCED-PRICE MEALS, BY GRADE;
- 10 (VIII) AN INCREASE IN EMPLOYMENT OUTCOMES FOR STUDENTS'
- 11 FAMILIES;
- 12 (IX) AN INCREASE OR DECREASE IN STUDENTS' FOOD SECURITY AS
- 13 DEMONSTRATED BY AN INCREASE OR DECREASE IN THE NUMBER OR
- 14 PERCENTAGE OF STUDENTS PARTICIPATING IN THE FEDERAL
- 15 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;
- 16 (X) AN INCREASE OR DECREASE IN THE NUMBER OR PERCENTAGE
- 17 OF ELIGIBLE STUDENTS ACCESSING PUBLIC BENEFITS;
- 18 (XI) AN INCREASE OR DECREASE IN THE PILOT SCHOOLS'
- 19 AWARENESS OF OR INVOLVEMENT WITH DOMESTIC VIOLENCE OR CHILD
- 20 ABUSE ISSUES AFFECTING STUDENTS;
- 21 (XII) CHANGES TO THE SCHOOL CLIMATE DURING THE OPERATION
- 22 OF THE PILOT PROGRAM AND EVALUATION OF SCHOOL CLIMATE AND
- 23 HEALTHY SCHOOLS SURVEYS;
- 24 (XIII) THE REDUCTION IN ADVERSE CHILDHOOD EXPERIENCES OR
- 25 THE POSITIVE RESOLUTION OF ADVERSE CHILDHOOD EXPERIENCES, IF
- 26 AVAILABLE;
- 27 (XIV) THE REDUCTION IN YOUTH SUICIDE AND ATTEMPTED

1 SUICIDE; AND

2 (XV) ANY OTHER RELEVANT DATA AND INFORMATION RELATING  
3 TO PILOT PROGRAM OUTCOMES AND IMPACTS AS DETERMINED BY THE  
4 PILOT PROGRAM EVALUATOR.

5 **22-99-107. Appropriations for this article - gifts, grants, or**  
6 **donations.** (1) THE DEPARTMENT SHALL INCLUDE IN ITS ANNUAL BUDGET  
7 REQUEST TO THE GENERAL ASSEMBLY THE AMOUNT OF APPROPRIATIONS  
8 NECESSARY TO ADMINISTER THE PILOT PROGRAM AND EMPLOY OR  
9 CONTRACT WITH THE REQUIRED NUMBER OF SCHOOL MENTAL HEALTH  
10 PROFESSIONALS AND THE AMOUNT OF APPROPRIATIONS NECESSARY FOR  
11 THE ONGOING PROGRAM EVALUATION CONTRACT AND TO EMPLOY OR  
12 CONTRACT WITH THE PILOT PROGRAM COORDINATOR.

13 (2) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE MONEY  
14 FROM THE MARIJUANA TAX CASH FUND, CREATED IN SECTION 39-28.8-501,  
15 TO THE DEPARTMENT TO BE USED FOR THE PILOT PROGRAM ESTABLISHED  
16 IN THIS ARTICLE 99.

17 (3) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,  
18 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE  
19 PURPOSES OF THIS ARTICLE 99.

20 **22-99-108. Repeal of article.** THIS ARTICLE 99 IS REPEALED,  
21 EFFECTIVE JULY 1, 2023.

22 **SECTION 2. Act subject to petition - effective date.** This act  
23 takes effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly (August  
25 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
26 referendum petition is filed pursuant to section 1 (3) of article V of the  
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect  
2 unless approved by the people at the general election to be held in  
3 November 2020 and, in such case, will take effect on the date of the  
4 official declaration of the vote thereon by the governor.