

CHAPTER 375

EDUCATION - POSTSECONDARY

HOUSE BILL 21-1010

BY REPRESENTATIVE(S) Ricks and Gonzales-Gutierrez, Bacon, Benavidez, Bernett, Bird, Caraveo, Cutter, Esgar, Exum, Froelich, Gray, Herod, Hooton, Jackson, Jodeh, Kennedy, Kipp, Lontine, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Roberts, Sirota, Titone, Valdez A., Valdez D., Weissman, Young, Garnett; also SENATOR(S) Fields, Bridges, Buckner, Coleman, Danielson, Donovan, Ginal, Gonzales, Hansen, Jaquez Lewis, Kolker, Lee, Moreno, Pettersen, Priola, Simpson, Story, Winter, Zenzinger, Garcia.

AN ACT

CONCERNING INCREASING THE DIVERSITY OF COLORADO'S EDUCATORS IN ELEMENTARY AND SECONDARY PUBLIC SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 23-1-121.8 as follows:

23-1-121.8. Department directive - workgroup on diversity in the educator workforce - duties - recommendations - report - legislative declaration - definitions - repeal. (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(I) A HIGH-QUALITY TEACHER IS THE MOST IMPORTANT IN-SCHOOL FACTOR FOR STUDENT ACHIEVEMENT;

(II) FURTHER, STUDENTS BENEFIT FROM SEEING A DIVERSE GROUP OF EDUCATORS IN SCHOOL CLASSROOMS;

(III) IN COLORADO IN 2019, SEVENTY-SIX PERCENT OF ALL TEACHERS WERE WOMEN AND SIXTY-SEVEN PERCENT OF ALL TEACHERS IN COLORADO IDENTIFIED AS WHITE WOMEN;

(IV) HOWEVER, THE STUDENT DEMOGRAPHICS IN COLORADO ARE SIGNIFICANTLY MORE DIVERSE AND WILL CONTINUE TO BECOME MORE DIVERSE. FOR EXAMPLE, IN 2019, NEARLY FORTY-SEVEN PERCENT OF ALL PUBLIC SCHOOL STUDENTS IDENTIFIED AS NON-WHITE AND FOURTEEN PERCENT OF STUDENTS CONSIDERED THEMSELVES TO BE ENGLISH LANGUAGE LEARNERS.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(b)(I) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT THERE ARE MANY BARRIERS TO PREPARING, RECRUITING, AND RETAINING A HIGH-QUALITY, DIVERSE EDUCATOR WORKFORCE.

(II) ONE BARRIER IS HOW TEACHERS ARE LICENSED. A STUDY BY THE NATIONAL COUNCIL ON TEACHER QUALITY REPORTED THAT ONLY FORTY-SIX PERCENT OF ELEMENTARY SCHOOL TEACHING CANDIDATES PASS THEIR LICENSING TEST ON THE FIRST TRY. MOREOVER, ONLY THIRTY-EIGHT PERCENT OF BLACK TEACHING CANDIDATES, FIFTY-FOUR PERCENT OF HISPANIC TEACHING CANDIDATES, AND SEVENTY-FIVE PERCENT OF WHITE TEACHING CANDIDATES PASS THE LICENSING TEST, EVEN AFTER MULTIPLE ATTEMPTS AND EVEN THOUGH THEY COMPLETED AND GRADUATED FROM AN ACCREDITED TEACHER PREPARATION PROGRAM.

(c) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT AN IMPORTANT STEP TO INCREASING DIVERSITY AMONG COLORADO'S EDUCATORS IS TO TASK THE COLORADO DEPARTMENT OF HIGHER EDUCATION AND THE COLORADO DEPARTMENT OF EDUCATION TO INVESTIGATE BARRIERS TO AND EFFECTIVE STRATEGIES FOR PREPARING, RECRUITING, AND RETAINING A DIVERSE EDUCATOR WORKFORCE THAT BETTER REFLECTS THE DIVERSITY OF COLORADO'S STUDENTS.

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

(a) "DEPARTMENT OF EDUCATION" MEANS THE DEPARTMENT OF EDUCATION CREATED IN SECTION 24-1-115.

(b) "DIVERSE EDUCATOR WORKFORCE" MEANS TEACHERS AND SPECIAL SERVICES PROVIDERS WHO HAVE A DISABILITY OR WHO ARE OF A GENDER, ETHNICITY, OR RACE THAT IS UNDERREPRESENTED IN THE EDUCATOR WORKFORCE RELATIVE TO THE DISABILITY, GENDER, ETHNICITY, OR RACE OF COLORADO STUDENTS SERVED BY THE EDUCATOR WORKFORCE.

(3) THE DEPARTMENT OF HIGHER EDUCATION, IN CONJUNCTION WITH THE DEPARTMENT OF EDUCATION, SHALL CONVENE A WORKGROUP TO INVESTIGATE BARRIERS TO THE PREPARATION, RECRUITMENT, AND RETENTION OF A DIVERSE EDUCATOR WORKFORCE AND TO RECOMMEND EFFECTIVE STRATEGIES FOR PREPARING, RECRUITING, AND RETAINING A DIVERSE EDUCATOR WORKFORCE.

(4) THE DEPARTMENT OF HIGHER EDUCATION AND THE DEPARTMENT OF EDUCATION SHALL SELECT WORKGROUP MEMBERS AND MAY SEEK RECOMMENDATIONS OR NOMINATIONS FROM INTERESTED STAKEHOLDERS. THE WORKGROUP MEMBERS MUST BE REPRESENTATIVE OF THE RACIAL AND ETHNIC DIVERSITY OF THE COLORADO STUDENT POPULATION, AS DETERMINED BY THE DEPARTMENT OF EDUCATION, BY ENSURING THAT AT LEAST FIFTY PERCENT OF THE WORKGROUP IS COMPRISED OF PERSONS FROM HISTORICALLY UNDERREPRESENTED MINORITY GROUPS. THE WORKGROUP MAY CONSIST OF MEMBERS FROM OTHER WORKGROUPS WITHIN THE DEPARTMENT OF HIGHER EDUCATION OR DEPARTMENT OF EDUCATION. AT A MINIMUM, THE SELECTED WORKGROUP MEMBERS MUST INCLUDE BUT ARE NOT LIMITED TO ONE OR MORE OF THE FOLLOWING PERSONS OR ORGANIZATIONS, OR THEIR REPRESENTATIVES:

- (a) A REPRESENTATIVE OF THE DEPARTMENT OF HIGHER EDUCATION;
 - (b) A REPRESENTATIVE OF THE DEPARTMENT OF EDUCATION;
 - (c) DEANS OF TEACHER PREPARATION PROGRAMS AT STATE INSTITUTIONS OF HIGHER EDUCATION;
 - (d) DIRECTORS OF ALTERNATIVE TEACHER PROGRAMS;
 - (e) REPRESENTATIVES FROM COMMUNITY COLLEGES GOVERNED BY THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION;
 - (f) TEACHERS SERVING IN TRADITIONAL DISTRICT SCHOOLS WHO HOLD AN INITIAL OR PROFESSIONAL TEACHER'S LICENSE PURSUANT TO ARTICLE 60.5 OF TITLE 22;
 - (g) TEACHERS SERVING IN DISTRICT CHARTER SCHOOLS;
 - (h) PRINCIPALS OR SCHOOL LEADERS OF TRADITIONAL DISTRICT SCHOOLS OR DISTRICT CHARTER SCHOOLS, INCLUDING SCHOOLS THAT HAVE A DIVERSE EDUCATOR WORKFORCE;
 - (i) GRADUATES OF TEACHER PREPARATION PROGRAMS, WHO MAY INCLUDE GRADUATES WHO DID NOT PASS THE LICENSING TEST ON THE FIRST TRY;
 - (j) RESEARCHERS WITH EXPERTISE IN THE PREPARATION, RECRUITMENT, OR RETENTION OF A DIVERSE EDUCATOR WORKFORCE; AND
 - (k) NONPROFIT OR OTHER ORGANIZATIONS THAT HAVE EXPERTISE IN THE PREPARATION, RECRUITMENT, OR RETENTION OF A DIVERSE EDUCATOR WORKFORCE.
- (5) THE WORKGROUP SHALL INVESTIGATE BARRIERS TO THE PREPARATION, RETENTION, AND RECRUITMENT OF A DIVERSE EDUCATOR WORKFORCE AND SHALL CONSIDER STRATEGIES TO INCREASE DIVERSITY IN THE EDUCATOR WORKFORCE. THE ISSUES CONSIDERED BY THE WORKGROUP MAY INCLUDE BUT ARE NOT LIMITED TO:
- (a) THE DATA AND RECOMMENDATIONS FROM THE DECEMBER 16, 2014, REPORT PREPARED FOR THE DEPARTMENT OF EDUCATION BY AUGENBLICK, PALAICH AND ASSOCIATES TITLED "KEEPING UP WITH THE KIDS: INCREASING MINORITY TEACHER REPRESENTATION IN COLORADO";
 - (b) EFFECTIVE STRATEGIES TO BUILD A STRONG LOCAL PIPELINE FOR STUDENTS, ESPECIALLY DIVERSE STUDENTS, WHO ARE OR MAY CONSIDER BECOMING EDUCATORS, INCLUDING PAID MENTORSHIPS AND TEACHING AND VOLUNTEER OPPORTUNITIES;
 - (c) EDUCATOR PREPARATION PROGRAMS AND HOW THEY MAY INHIBIT OR PROMOTE SUCCESS FOR DIVERSE EDUCATOR CANDIDATES;
 - (d) EFFECTIVE STRATEGIES TO ASSIST PARAPROFESSIONALS, SUBSTITUTE TEACHERS, AND NONCERTIFIED EDUCATORS WHO ARE ENGAGED IN THE PROFESSION BUT WHO ARE NOT LICENSED DUE TO FINANCIAL DIFFICULTIES, DIFFICULTY IN

PASSING THE STATE-CERTIFIED CONTENT TEST, DISTANCE TO TESTING LOCATION, PREPARATION AND TESTING FEES, OR FOR OTHER REASONS;

(e) WHETHER CREATING PARTNERSHIPS BETWEEN SCHOOL DISTRICTS THAT SERVE MINORITY STUDENTS AND MINORITY-SERVING INSTITUTIONS WILL INCREASE THE DIVERSITY OF THE EDUCATOR WORKFORCE; AND

(f) EFFECTIVE STRATEGIES TO RETAIN THE EXISTING DIVERSE EDUCATOR WORKFORCE IN COLORADO, INCLUDING DIVERSE EDUCATORS IN HARD-TO-STAFF SCHOOLS, WHICH STRATEGIES MAY INCLUDE FINANCIAL INCENTIVES, SUCH AS STIPENDS OR BONUSES, AND ROBUST PROFESSIONAL DEVELOPMENT OPPORTUNITIES.

(6) (a) ON OR BEFORE SEPTEMBER 30, 2022, THE DEPARTMENT OF HIGHER EDUCATION AND THE DEPARTMENT OF EDUCATION SHALL SUBMIT A WRITTEN REPORT FROM THE WORKGROUP TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, CONCERNING:

(I) THE WORKGROUP'S FINDINGS, INCLUDING IDENTIFICATION OF EXISTING BARRIERS TO THE PREPARATION, RECRUITMENT, AND RETENTION OF A DIVERSE EDUCATOR WORKFORCE;

(II) THE RELEVANCE OF THE FINDINGS AND RECOMMENDATIONS SET FORTH IN THE DECEMBER 16, 2014, REPORT REFERENCED IN SUBSECTION (5)(a) OF THIS SECTION;

(III) EFFECTIVE STRATEGIES FOR PREPARING, RECRUITING, AND RETAINING A DIVERSE EDUCATOR WORKFORCE IN COLORADO; AND

(IV) THE WORKGROUP'S RECOMMENDATIONS, INCLUDING ANY NECESSARY CHANGES TO STATUTES OR AGENCY RULES.

(b) THE WORKGROUP MAY SUBMIT INTERIM FINDINGS AND RECOMMENDATIONS FOR CONSIDERATION DURING THE 2022 REGULAR LEGISLATIVE SESSION PRIOR TO THE COMPLETION OF THE FINAL WRITTEN REPORT PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION.

(7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024.

SECTION 2. In Colorado Revised Statutes, 23-1-121, **amend** (6) as follows:

23-1-121. Commission directive - approval of educator preparation programs - review - report - legislative declaration. (6) (a) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I) TO THE CONTRARY, the department shall annually prepare a report concerning the enrollment in, graduation rates from, and effectiveness of the review of educator preparation programs authorized by the commission. In addition, the report ~~shall~~ MUST include data on the outcomes of graduates of educator preparation programs pursuant to section 22-2-112 (1)(q). ~~C.R.S.~~ The report ~~shall~~ MUST also state the percentage of educator candidates graduating from each program during the preceding twelve months who applied for and received an initial license pursuant to section 22-60.5-201 ~~C.R.S.~~, and the percentage of the graduates who passed the assessments administered pursuant to

section 22-60.5-203, ~~C.R.S.~~, INCLUDING THE PERCENTAGE OF GRADUATES WHO PASSED THE ASSESSMENTS ON THE FIRST ATTEMPT. For purposes of completing the report required pursuant to this subsection (6), the department of higher education and the department of education shall share any relevant data that complies with state and federal regulations with the other agency. The department shall ~~provide notice~~ SUBMIT THE REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES. ~~that the report is available to the members of the committees upon request. Notwithstanding the requirement in section 24-1-136 (11)(a)(I), the requirement to submit the report required in this subsection (6) continues indefinitely.~~

(b) (I) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT A HIGH-QUALITY TEACHER IS THE MOST IMPORTANT IN-SCHOOL FACTOR FOR STUDENT ACHIEVEMENT AND STUDENTS BENEFIT FROM SEEING A DIVERSE GROUP OF EDUCATORS IN SCHOOL CLASSROOMS. HOWEVER, THE EDUCATOR WORKFORCE IN COLORADO IS NOT AS DIVERSE AS THE POPULATION OF STUDENTS IT SERVES OR WILL SERVE IN THE FUTURE.

(II) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT EDUCATOR PREPARATION PROGRAMS MUST CLEARLY AND TRANSPARENTLY SHOW THE FIRST-TIME PASS RATES OF CANDIDATES, ESPECIALLY THOSE CANDIDATES WHO ARE OF A GENDER, RACE, OR ETHNICITY THAT IS UNDERREPRESENTED IN THE EDUCATOR WORKFORCE, AND THAT DIVERSE EDUCATOR CANDIDATES SHOULD HAVE ACCESS TO THE NECESSARY INFORMATION TO DETERMINE WHICH EDUCATOR PREPARATION PROGRAM GIVES THE CANDIDATE THE BEST CHANCE OF SUCCESS AT BECOMING AN EDUCATOR.

(c) COMMENCING WITH THE REPORT IN 2021, TO THE EXTENT POSSIBLE, ALL DATA AND INFORMATION REQUIRED TO BE REPORTED ANNUALLY PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION MUST BE DISAGGREGATED BY THE GENDER, RACE, AND ETHNICITY OF THE CANDIDATES AND GRADUATES.

(d) THE DEPARTMENT OF HIGHER EDUCATION AND THE DEPARTMENT OF EDUCATION SHALL POST THE DEPARTMENT OF HIGHER EDUCATION'S ANNUAL REPORT, REQUIRED PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION, ON EACH DEPARTMENT'S WEBSITE IN THE LOCATION RELATING TO TEACHER PREPARATION PROGRAMS AND TEACHER LICENSURE, AS APPLICABLE.

SECTION 3. Appropriation. (1) For the 2021-22 state fiscal year, \$20,115 is appropriated to the department of education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.3 FTE. To implement this act, the department may use this appropriation for educator effectiveness unit administration.

(2) For the 2021-22 state fiscal year, \$7,400 is appropriated to the department of higher education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for Colorado commission on higher education administration.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed

pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 29, 2021