

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0546.01 Julie Pelegrin x2700

HOUSE BILL 22-1069

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HOUSE SPONSORSHIP

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**House Committees**  
Education

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A BILL FOR AN ACT

101 CONCERNING PARENTS' AUTHORITY TO REQUEST REFORMS FOR  
102 LOW-PERFORMING 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 authorizes the parents of children enrolled in a low-performing school, or the parents of children enrolled in schools that matriculate to a low-performing school, (petitioner) to petition the school district board of education for the low-performing school, or the state charter school institute board if the low-performing school is an institute charter school, (oversight board) to implement specified reforms. A

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.

school is considered low-performing if it is required to adopt a priority improvement or turnaround plan for 2 consecutive school years. The bill specifies the types of reforms that a petitioner may request and the requirements for petitions. A petition must be signed by at least 50% of the parents of students enrolled in the low-performing school or in schools that matriculate to the low-performing school.

If an oversight board receives a valid petition, the oversight board must hold a meeting at which the petitioner may present the requested reforms. The oversight board may propose alternative reforms, and the petitioner may amend the requested reforms or withdraw the petition. At the conclusion of the meeting, if the petitioner has not withdrawn the petition, the oversight board must vote whether to implement the reforms, as originally presented or as amended, and, if applicable, adopt a plan to implement the reforms by the following school year.

If the oversight board chooses not to approve and adopt a plan to implement the reforms, the petitioner may submit the petition to the state board of education (state board) and may consider recall procedures against the oversight board if it is a school district board of education.

If the state board receives a petition, it must hold a public hearing at which it takes testimony from the petitioners, other eligible parents, and the oversight board concerning the requested reforms. At the conclusion of the hearing, the state board must decide whether to require the school district or state charter school institute, whichever is applicable, to implement the reforms or to require other specified actions. If the state board requires the school district or the institute to take actions, the low-performing school is subject to the same oversight and requirements that apply to public schools that have been on priority improvement or turnaround plans for 5 school years.

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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** 22-11-212 as  
3 follows:

4           **22-11-212. Parent intervention - low-performing schools -**  
5 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
6 OTHERWISE REQUIRES:

7           (a) "ELIGIBLE PARENT" MEANS THE BIOLOGICAL PARENT, ADOPTIVE  
8 PARENT, OR LEGAL GUARDIAN OF A CHILD WHO IS ENROLLED IN A  
9 LOW-PERFORMING SCHOOL OR, IF THE LOW-PERFORMING SCHOOL IS A

1 DISTRICT PUBLIC SCHOOL, OF A CHILD WHO IS ENROLLED IN A SCHOOL THAT  
2 MATRICULATES TO THE LOW-PERFORMING SCHOOL.

3 (b) "LOW-PERFORMING SCHOOL" MEANS A DISTRICT PUBLIC  
4 SCHOOL OR AN INSTITUTE CHARTER SCHOOL THAT, IN ACCORDANCE WITH  
5 SECTION 22-11-210, HAS BEEN REQUIRED TO ADOPT A PRIORITY  
6 IMPROVEMENT OR TURNAROUND PLAN FOR AT LEAST TWO CONSECUTIVE  
7 YEARS.

8 (c) "PETITIONER" MEANS AN ELIGIBLE PARENT OR GROUP OF  
9 ELIGIBLE PARENTS THAT CIRCULATES A PETITION PURSUANT TO THIS  
10 SECTION TO REQUEST A LOCAL SCHOOL BOARD OR THE INSTITUTE BOARD  
11 TO MAKE SPECIFIED REFORMS IN A LOW-PERFORMING SCHOOL.

12 (2) AN ELIGIBLE PARENT OR GROUP OF ELIGIBLE PARENTS WHOSE  
13 CHILDREN ARE ENROLLED IN A LOW-PERFORMING SCHOOL MAY REQUEST  
14 THE LOCAL SCHOOL BOARD OR INSTITUTE BOARD THAT OVERSEES THE  
15 LOW-PERFORMING SCHOOL TO IMPLEMENT SPECIFIED REFORMS, AS  
16 DESCRIBED IN SUBSECTION (3) OF THIS SECTION, TO IMPROVE THE  
17 PERFORMANCE OF THE LOW-PERFORMING SCHOOL. TO REQUEST THE  
18 IMPLEMENTATION OF REFORMS, THE ELIGIBLE PARENT OR GROUP OF  
19 ELIGIBLE PARENTS MUST CIRCULATE AND SUBMIT TO THE LOCAL SCHOOL  
20 BOARD OR INSTITUTE BOARD A PETITION THAT MEETS THE REQUIREMENTS  
21 SPECIFIED IN SUBSECTION (4) OF THIS SECTION. THE PETITIONER MUST  
22 SUBMIT THE PETITION TO THE LOCAL SCHOOL BOARD OR INSTITUTE BOARD  
23 BY JANUARY 1 OF THE SCHOOL YEAR PRIOR TO THE SCHOOL YEAR IN  
24 WHICH THE REFORMS WOULD TAKE EFFECT, OR BY MARCH 15 OF THE  
25 SCHOOL YEAR PRIOR TO THE SCHOOL YEAR IN WHICH THE REFORMS WOULD  
26 TAKE EFFECT IF THE SCHOOL DISTRICT OR THE INSTITUTE APPEALS THE  
27 DETERMINATION OF THE PLAN THE PUBLIC SCHOOL IS REQUIRED TO ADOPT.

1 (3) A PETITIONER MAY REQUEST THE LOCAL SCHOOL BOARD OR  
2 INSTITUTE BOARD TO ADOPT ONE OR MORE OF THE FOLLOWING REFORMS  
3 TO IMPROVE THE PERFORMANCE OF A LOW-PERFORMING SCHOOL:

4 (a) ADOPTING AND IMPLEMENTING SAFETY PROTOCOLS AND  
5 STUDENT DISCIPLINE PROCEDURES AT THE LOW-PERFORMING SCHOOL;

6 (b) ADOPTING AND USING ALTERNATIVE OR SUPPLEMENTARY  
7 CURRICULA OR PROGRAMS AT THE LOW-PERFORMING SCHOOL;

8 (c) IMPLEMENTING ONE OR MORE OF THE ACTIONS SPECIFIED IN  
9 SECTION 22-11-210 (5) AT THE LOW-PERFORMING SCHOOL. IF THE  
10 PETITIONER REQUESTS THAT THE LOW-PERFORMING SCHOOL BE  
11 CONVERTED TO A CHARTER SCHOOL, THE PETITIONER MAY IDENTIFY A  
12 DESIRED NONPROFIT CHARTER SCHOOL OPERATOR IN THE PETITION. IF THE  
13 PETITIONER REQUESTS THAT AN EXTERNAL MANAGER TAKE OVER  
14 OPERATION OF THE LOW-PERFORMING SCHOOL, THE PETITIONER MAY  
15 IDENTIFY A DESIRED PUBLIC OR PRIVATE MANAGEMENT PARTNER IN THE  
16 PETITION.

17 (d) REPLACING SCHOOL STAFF AND FACULTY WHO ARE RELEVANT  
18 TO THE CAUSE OF THE SCHOOL'S LOW PERFORMANCE; OR

19 (e) ALLOWING THE INSTITUTE TO AUTHORIZE NEW INSTITUTE  
20 CHARTER SCHOOLS WITHIN THE SCHOOL DISTRICT.

21 (4) (a) A PETITION MUST INCLUDE:

22 (I) THE NAME AND ADDRESS OF THE LOW-PERFORMING SCHOOL TO  
23 WHICH IT APPLIES;

24 (II) A LIST OF THE REFORMS THAT THE PETITIONER IS REQUESTING  
25 FROM AMONG THE REFORMS LISTED IN SUBSECTION (3) OF THIS SECTION;

26 AND

27 (III) THE FOLLOWING STATEMENT: "BY SIGNING THIS PETITION, AN

1 INDIVIDUAL AFFIRMS THAT THE INDIVIDUAL IS THE PARENT OR LEGAL  
2 GUARDIAN OF A STUDENT CURRENTLY ENROLLED IN THE PUBLIC SCHOOL  
3 IDENTIFIED ON THIS PETITION, OR IN A PUBLIC SCHOOL THAT  
4 MATRICULATES TO THE PUBLIC SCHOOL IDENTIFIED ON THIS PETITION, AND  
5 THAT THE INDIVIDUAL UNDERSTANDS THAT ONLY ONE SIGNATURE PER  
6 FAMILY IS ALLOWED ON THIS PETITION AND DUPLICATE SIGNATURES WILL  
7 NOT BE COUNTED."

8 (b) TO BE VALID, A PETITION MUST BE SIGNED BY AT LEAST FIFTY  
9 PERCENT OF THE ELIGIBLE PARENTS OF THE AFFECTED LOW-PERFORMING  
10 SCHOOL AND MUST NOT INCLUDE THE SIGNATURE OF MORE THAN ONE  
11 ELIGIBLE PARENT OF EACH STUDENT ENROLLED IN THE AFFECTED  
12 LOW-PERFORMING SCHOOL. IF A PETITION INCLUDES THE SIGNATURE OF  
13 MORE THAN ONE ELIGIBLE PARENT OF A STUDENT, THE PETITION IS NOT  
14 INVALIDATED, BUT THE SIGNATURE OF ONLY ONE ELIGIBLE PARENT OF A  
15 STUDENT MAY BE COUNTED IN DETERMINING WHETHER THE PETITION  
16 MEETS THE REQUIREMENTS FOR NUMBER OF SIGNATURES SPECIFIED IN THIS  
17 SUBSECTION (4)(b).

18 (5) AFTER COLLECTING SIGNATURES, A PETITIONER MUST SUBMIT  
19 THE SIGNED PETITION TO THE LOCAL SCHOOL BOARD OF THE  
20 LOW-PERFORMING SCHOOL OR THE INSTITUTE, WHICHEVER IS APPLICABLE,  
21 AND A COPY TO THE LOW-PERFORMING SCHOOL. WITHIN FOURTEEN DAYS  
22 AFTER RECEIVING A PETITION, THE AFFECTED SCHOOL DISTRICT OR THE  
23 INSTITUTE SHALL DETERMINE WHETHER THE PETITION MEETS THE  
24 REQUIREMENTS FOR PETITIONS SPECIFIED IN SUBSECTION (4) OF THIS  
25 SECTION, INCLUDING THE REQUIRED NUMBER OF SIGNATURES, BASED ON  
26 THE SCHOOL DISTRICT OR INSTITUTE ENROLLMENT RECORDS AND NOTIFY  
27 THE PETITIONER, THE LOW-PERFORMING SCHOOL, AND THE LOCAL SCHOOL

1 BOARD OR INSTITUTE BOARD, AS APPLICABLE, ACCORDINGLY. IF THE  
2 PETITIONER DISAGREES WITH THE SCHOOL DISTRICT'S OR INSTITUTE'S  
3 FINDING THAT THE PETITION DOES NOT HAVE A SUFFICIENT NUMBER OF  
4 SIGNATURES, THE PETITIONER MAY SUBMIT THE PETITION TO THE  
5 DEPARTMENT FOR A RECOUNT. THE SCHOOL DISTRICT OR THE INSTITUTE  
6 SHALL COOPERATE WITH THE DEPARTMENT IN CONDUCTING THE RECOUNT.  
7 WITHIN FOURTEEN DAYS AFTER RECEIVING A REQUEST FOR A RECOUNT,  
8 THE DEPARTMENT SHALL NOTIFY THE PETITIONER, THE LOW-PERFORMING  
9 SCHOOL, AND THE LOCAL SCHOOL BOARD OR INSTITUTE BOARD THAT THE  
10 PETITION DOES OR DOES NOT MEET THE REQUIREMENTS.

11 (6) (a) UPON RECEIVING NOTICE THAT A PETITION MEETS THE  
12 REQUIREMENTS SPECIFIED IN SUBSECTION (4) OF THIS SECTION, A LOCAL  
13 SCHOOL BOARD OR THE INSTITUTE BOARD, WHICHEVER IS APPLICABLE,  
14 SHALL PLACE CONSIDERATION OF THE PETITION ON THE AGENDA FOR ITS  
15 NEXT REGULARLY SCHEDULED PUBLIC MEETING. AT THE PUBLIC MEETING,  
16 THE LOCAL SCHOOL BOARD OR INSTITUTE BOARD SHALL PROVIDE ALL  
17 ELIGIBLE PARENTS AND REPRESENTATIVES FROM THE LOW-PERFORMING  
18 SCHOOL THE OPPORTUNITY TO PROVIDE FEEDBACK CONCERNING THE  
19 REQUESTED REFORMS. THE LOCAL SCHOOL BOARD OR INSTITUTE BOARD  
20 MAY PROPOSE ALTERNATIVES TO THE REQUESTED REFORMS. AT THE  
21 CONCLUSION OF THE PUBLIC MEETING, THE PETITIONER MAY AGREE TO  
22 AMEND THE REFORMS REQUESTED IN THE PETITION OR WITHDRAW THE  
23 PETITION. IF THE PETITIONER DOES NOT WITHDRAW THE PETITION, AT THE  
24 CONCLUSION OF THE PUBLIC MEETING THE LOCAL SCHOOL BOARD OR  
25 INSTITUTE BOARD SHALL VOTE WHETHER TO APPROVE OR DISAPPROVE THE  
26 REFORMS REQUESTED IN THE PETITION AS ORIGINALLY PROPOSED OR AS  
27 AMENDED, IF APPLICABLE, AND, IF APPROVED, TO ADOPT A PLAN TO

1 IMPLEMENT THE REFORMS.

2 (b) IF THE LOCAL SCHOOL BOARD OR INSTITUTE BOARD DOES NOT  
3 APPROVE AND ADOPT A PLAN TO IMPLEMENT THE REFORMS IN THE COMING  
4 SCHOOL YEAR OR AS SOON THEREAFTER AS PRACTICABLE, THE PETITIONER  
5 MAY SUBMIT THE REQUEST FOR REFORMS TO THE STATE BOARD AS  
6 PROVIDED IN SUBSECTION (7) OF THIS SECTION. IN ADDITION, THE  
7 PETITIONER MAY SEEK TO INITIATE A RECALL ELECTION OF THE MEMBERS  
8 OF THE LOCAL SCHOOL BOARD AS PROVIDED IN PART 1 OF ARTICLE 12 OF  
9 TITLE 1 ON THE GROUNDS THAT THE LOCAL SCHOOL BOARD REFUSED TO  
10 IMPLEMENT THE PARENT-REQUESTED REFORMS.

11 (7) WITHIN THIRTY DAYS AFTER THE PUBLIC MEETING HELD  
12 PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION, IF THE LOCAL SCHOOL  
13 BOARD OR INSTITUTE BOARD HAS NOT APPROVED AND ADOPTED A PLAN TO  
14 IMPLEMENT THE REFORMS SPECIFIED IN THE PETITION, THE PETITIONER  
15 MAY SUBMIT THE PETITION TO THE STATE BOARD. THE STATE BOARD  
16 SHALL HOLD A PUBLIC HEARING WITHIN THIRTY DAYS AFTER RECEIVING A  
17 PETITION TO HEAR TESTIMONY FROM THE PETITIONER, OTHER ELIGIBLE  
18 PARENTS, AND THE LOCAL SCHOOL BOARD OR INSTITUTE BOARD. AT THE  
19 CONCLUSION OF THE PUBLIC HEARING, THE STATE BOARD SHALL DECIDE  
20 WHETHER TO REQUIRE THE SCHOOL DISTRICT OR INSTITUTE TO IMPLEMENT  
21 THE REQUESTED REFORMS OR TO REQUIRE THE SCHOOL DISTRICT OR  
22 INSTITUTE TO IMPLEMENT AN ACTION SPECIFIED IN SECTION 22-11-210(5).  
23 IF THE STATE BOARD REQUIRES THE SCHOOL DISTRICT OR INSTITUTE TO  
24 IMPLEMENT THE REQUESTED REFORMS OR TO IMPLEMENT ANOTHER  
25 ACTION SPECIFIED IN SECTION 22-11-210 (5):

26 (a) THE STATE BOARD MAY EXTEND THE TIME FOR IMPLEMENTING  
27 THE REFORMS BY ONE ADDITIONAL SCHOOL YEAR; AND

1           (b) THE LOW-PERFORMING SCHOOL IS SUBJECT TO THE PROVISIONS  
2 OF SECTION 22-11-210 (5.5).

3           **SECTION 2. Act subject to petition - effective date.** This act  
4 takes effect at 12:01 a.m. on the day following the expiration of the  
5 ninety-day period after final adjournment of the general assembly; except  
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
7 of the state constitution against this act or an item, section, or part of this  
8 act within such period, then the act, item, section, or part will not take  
9 effect unless approved by the people at the general election to be held in  
10 November 2022 and, in such case, will take effect on the date of the  
11 official declaration of the vote thereon by the governor.