A BILL FOR AN ACT

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

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.)

Under current law, the department of education (department) must provide technical assistance and support to school districts, the state charter school institute (institute), and public schools that are operating

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.
under an improvement plan, priority improvement plan, or turnaround plan. The bill specifies that the technical assistance may include consultation concerning strategies that address the quality and availability of early childhood education opportunities.

Each school district and public school must conduct a needs assessment when preparing its performance plan. The bill specifically requires an early childhood learning needs assessment for school districts and public schools that serve children in kindergarten through third grade.

Current law specifies several actions that a public school may take if it is low performing and after it has been low performing for 5 years. The bill expands the list of actions for a public school that services children in kindergarten through third grade to include investing in research-based strategies to address any deficiencies identified in the early childhood learning needs assessment if those deficiencies are a direct cause of the public school's low performance and the public school has not previously implemented the strategies with success.

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), (5)(a)(IV), and (5)(a)(V); and add (5)(a)(VI) 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 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

(5) (a) If a public school fails to make adequate progress under its
turnaround plan or continues to operate under a priority improvement or
turnaround plan for a combined total of five consecutive school years, the
commissioner shall assign the state review panel to critically evaluate the
public school's performance and determine whether to recommend:

(IV) With regard to a district public school, that the district public
school be granted status as an innovation school pursuant to section 22-32.5-104; or

(V) That the public school be closed or, with regard to a district charter school or an institute charter school, that the public school's charter be revoked; OR

(VI) WITH REGARD TO 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 SECTION 22-11-405 OR 22-11-406 IF THE CAUSE OF THE PUBLIC SCHOOL'S FAILURE TO IMPROVE 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 FIVE 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, WHERE APPLICABLE, AND INCREASING THE RESOURCES AVAILABLE IN KINDERGARTEN THROUGH THIRD GRADE TO IMPROVE SCHOOL READINESS AND EARLY LEARNING.

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. The needs assessment for a school district must, at a minimum, include the early childhood learning needs assessment described in subsection (4) of this section.

(4) In assessing the needs of a school district and of the district public schools as required in subsection (3)(c) of this section, the school district shall, at a minimum, complete an early childhood learning needs assessment that determines 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 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. THE NEEDS
ASSESSMENT FOR A SCHOOL DISTRICT MUST, AT A MINIMUM, INCLUDE 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 MUST, AT A MINIMUM, INCLUDE THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN SUBSECTION (4.5) OF THIS SECTION.

(4.5) IN ASSESSING THE NEEDS OF A PUBLIC SCHOOL THAT ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE, AS REQUIRED IN SUBSECTION (4)(c) OF THIS SECTION, THE PUBLIC SCHOOL SHALL, AT A MINIMUM, COMPLETE AN EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT THAT DETERMINES 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 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 must, at a minimum, include 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) of section 22-11-405 (4.5). These 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.

SECTION 7. 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.