

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 17-0848.01 Julie Pelegrin x2700

SENATE BILL 17-103

SENATE SPONSORSHIP

Merrifield, Todd, Kerr, Zenzinger, Jones

HOUSE SPONSORSHIP

Pettersen,

Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 **CONCERNING IMPLEMENTING RESEARCH-BASED EARLY LEARNING**
102 **STRATEGIES AS CORRECTIVE ACTIONS IN THE PUBLIC**
103 **ELEMENTARY AND SECONDARY EDUCATION ACCOUNTABILITY**
104 **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.*

HOUSE
2nd Reading Unamended
May 2, 2017

SENATE
3rd Reading Unamended
April 17, 2017

SENATE
Amended 2nd Reading
April 13, 2017

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.

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

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

4 **22-11-208. Accreditation - annual review - supports and**
5 **interventions - rules.** (2) The department shall provide technical
6 assistance and support to school districts that are accredited with
7 improvement plan, accredited with priority improvement plan, or
8 accredited with turnaround plan and to the institute if it is accredited at
9 any of those categories. The department shall base the amount of
10 technical assistance and support provided to a school district or the
11 institute on the school district's or institute's degree of need for assistance
12 and the department's available resources. Technical assistance and
13 support may include, but need not be limited to:

14 (b) Consultative services on best practices for improvement and
15 implementation of intervention strategies, including, where appropriate,
16 RESEARCH-BASED strategies that address THE QUALITY AND AVAILABILITY

1 OF early childhood education OPPORTUNITIES WITHIN THE SCHOOL
2 DISTRICT and student engagement and re-engagement; and

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

5 **22-11-210. Public schools - annual review - plans - supports**
6 **and interventions - rules - repeal.** (3) At the request of a district public
7 school's local school board, or at the institute's request for an institute
8 charter school, the department shall provide technical assistance and
9 support to the public school, local school board, or institute in preparing
10 and implementing the public school's improvement, priority
11 improvement, or turnaround plan. The department shall base the amount
12 of technical assistance and support provided to a public school, the local
13 school board, or the institute on the school's degree of need for assistance
14 and the department's available resources. Technical assistance and
15 support may include, but need not be limited to:

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

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

25 **22-11-305. Accredited with priority improvement plan - school**
26 **district or institute - plan contents - adoption.** (3) A district priority
27 improvement plan or an institute priority improvement plan ~~shall~~ MUST

1 be designed to ensure that the school district or the institute improves its
2 performance to the extent that, following completion of its next annual
3 accreditation review, the school district or the institute attains a higher
4 accreditation category. At a minimum, a district priority improvement
5 plan or an institute priority improvement plan ~~shall~~ MUST:

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

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

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

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

27 (c) THE SCHOOL DISTRICT AND THE DISTRICT PUBLIC SCHOOLS

1 WORK WITH AN EARLY CHILDHOOD COUNCIL ESTABLISHED PURSUANT TO
2 PART 1 OF ARTICLE 60.5 OF TITLE 26 OR EARLY CHILDHOOD COMMUNITY
3 AGENCIES EXISTING WITHIN THE SCHOOL DISTRICT;

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

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

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

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

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

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

24 **22-11-306. Accredited with turnaround plan - school district**
25 **or institute - plan content - adoption.** (3) A district turnaround plan or
26 an institute turnaround plan ~~shall~~ MUST be designed to ensure that the
27 school district or the institute improves its performance to the extent that,

1 following completion of its next annual accreditation review, the school
2 district or the institute attains a higher accreditation category. At a
3 minimum, a district turnaround plan or an institute turnaround plan shall
4 MUST:

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

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

19 **22-11-405. School priority improvement plan - contents.** (4) A
20 school priority improvement plan must be designed to ensure that the
21 public school improves its performance to the extent that, following
22 completion of the public school's next annual performance review, the
23 public school attains a higher accreditation category. At a minimum, a
24 school priority improvement plan must:

25 (c) Assess and prioritize the issues and needs at the public school
26 that must be addressed to raise the levels of attainment on the
27 performance indicators by the public school and to improve school

1 readiness, if the public school serves students in preschool or
2 kindergarten. THE NEEDS ASSESSMENT FOR A PUBLIC SCHOOL THAT
3 ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH
4 THREE SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE EARLY
5 CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN SUBSECTION
6 (4.5) OF THIS SECTION.

7 (4.5) AN EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT MUST
8 DETERMINE THE EXTENT TO WHICH:

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

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

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

27 (d) THE PUBLIC SCHOOL COLLABORATES WITH EARLY CHILDHOOD

1 PROVIDERS AND PROGRAMS REGARDING STUDENTS' TRANSITION FROM
2 PRESCHOOL TO KINDERGARTEN;

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

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

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

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

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

20 **22-11-406. School turnaround plan - contents.** (3) A school
21 turnaround plan must be designed to ensure that the public school
22 improves its performance to the extent that, following completion of the
23 public school's next annual performance review, the public school attains
24 a higher accreditation category. At a minimum, a school turnaround plan
25 must:

26 (c) Assess and prioritize the issues and needs at the public school
27 that must be addressed to raise the levels of attainment on the

1 performance indicators by the public school and to improve school
2 readiness, if the public school serves students in preschool or
3 kindergarten. THE NEEDS ASSESSMENT FOR A PUBLIC SCHOOL THAT
4 ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH
5 THREE SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE EARLY
6 CHILDHOOD LEARNING NEEDS ASSESSMENT DESCRIBED IN SECTION
7 22-11-405 (4.5).

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

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

16 (VI.5) FOR A PUBLIC SCHOOL THAT SERVES STUDENTS ENROLLED
17 IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE, THAT THE
18 PUBLIC SCHOOL INVEST IN RESEARCH-BASED STRATEGIES FOCUSED ON
19 EARLY LEARNING AND DEVELOPMENT TO ADDRESS ANY DEFICIENCIES
20 IDENTIFIED IN THE EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT
21 COMPLETED FOR THE PUBLIC SCHOOL PURSUANT TO SUBSECTION (3)(c) OF
22 THIS SECTION IF THE CAUSE OF THE PUBLIC SCHOOL'S LOW PERFORMANCE
23 IS DIRECTLY RELATED TO LACK OF SCHOOL READINESS AND ACCESS TO
24 QUALITY EARLY LEARNING OPPORTUNITIES, AS DEMONSTRATED BY
25 STUDENT ACHIEVEMENT DATA FOR THE EARLY ELEMENTARY GRADES, AND
26 THE PUBLIC SCHOOL HAS NOT SUCCESSFULLY IMPLEMENTED THESE
27 STRATEGIES IN THE PRECEDING SCHOOL YEARS. RESEARCH-BASED EARLY

1 LEARNING AND DEVELOPMENT STRATEGIES INCLUDE INCREASING THE
2 QUALITY AND AVAILABILITY OF EARLY LEARNING AND DEVELOPMENT
3 PROGRAMS FOR STUDENTS WHO RESIDE WITHIN THE NEIGHBORHOOD OF
4 THE PUBLIC SCHOOL AND INCREASING THE RESOURCES AVAILABLE IN
5 KINDERGARTEN THROUGH THIRD GRADE TO IMPROVE SCHOOL READINESS
6 AND EARLY LEARNING. A PUBLIC SCHOOL MAY IMPLEMENT STRATEGIES
7 FOCUSED ON EARLY LEARNING AND DEVELOPMENT AS DESCRIBED IN THIS
8 SUBSECTION (3)(d)(VI.5) ONLY IN COMBINATION WITH AT LEAST ONE
9 OTHER RESEARCH-BASED STRATEGY SPECIFIED IN THIS SUBSECTION (3)(d).

10 **SECTION 7. No appropriation.** The general assembly has
11 determined that this act can be implemented within existing
12 appropriations, and therefore no separate appropriation of state money is
13 necessary to carry out the purposes of this act.

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