

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

INTRODUCED

LLS NO. 20-0805.01 Julie Pelegrin x2700

HOUSE BILL 20-1111

HOUSE SPONSORSHIP

Geitner, Neville, Soper, Larson

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PARENTS' AUTHORITY TO REQUEST REFORMS FOR**
102 **LOW-PERFORMING SCHOOLS.**

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 the low-performing school, (petitioners) 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.

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.

A 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 petitioners 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 hearing at which the petitioners may present the requested reforms. The oversight board may propose alternative reforms, and the petitioners may amend the requested reforms or withdraw the petition. At the conclusion of the meeting, if the petitioners have not withdrawn the petition, the oversight board must vote whether to implement the reforms, as originally presented or as amended, and adopt a plan to implement the reforms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 petitioners 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 meeting, the state board must decide whether to require the school district or state charter school institute, whichever is applicable, to implement the reforms or 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.

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 BOARD OR
20 INSTITUTE BOARD A PETITION THAT MEETS THE REQUIREMENTS SPECIFIED
21 IN SUBSECTION (4) OF THIS SECTION. THE PETITIONER MUST SUBMIT THE
22 PETITION TO THE LOCAL BOARD OR INSTITUTE BOARD BY JANUARY 1 OF
23 THE SCHOOL YEAR PRIOR TO THE SCHOOL YEAR IN WHICH THE REFORMS
24 WOULD TAKE EFFECT, OR BY MARCH 15 OF THE SCHOOL YEAR PRIOR TO
25 THE SCHOOL YEAR IN WHICH THE REFORMS WOULD TAKE EFFECT IF THE
26 SCHOOL DISTRICT OR THE INSTITUTE APPEALS THE DETERMINATION OF THE
27 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 PETITIONERS, THE LOW-PERFORMING SCHOOL, AND THE LOCAL

1 SCHOOL BOARD OR INSTITUTE BOARD, AS APPLICABLE, ACCORDINGLY. IF
2 THE 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 PETITIONERS, 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 ENACTING ALTERNATIVES TO THE REQUESTED REFORMS. AT
21 THE 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
5 PETITIONERS MAY SUBMIT THE REQUEST FOR REFORMS TO THE STATE
6 BOARD AS PROVIDED IN SUBSECTION (7) OF THIS SECTION. IN ADDITION,
7 THE PETITIONERS MAY SEEK TO INITIATE A RECALL ELECTION OF THE
8 MEMBERS OF THE LOCAL SCHOOL BOARD AS PROVIDED IN PART 1 OF
9 ARTICLE 12 OF TITLE 1 ON THE GROUNDS THAT THE LOCAL SCHOOL BOARD
10 REFUSED TO 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 PETITIONERS
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 PETITIONERS, 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 (August
6 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2020 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.