

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0591.01 Brita Darling x2241

HOUSE BILL 20-1128

HOUSE SPONSORSHIP

Buentello and Wilson, Young

SENATE SPONSORSHIP

Zenzinger and Priola,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING EDUCATION REQUIREMENTS FOR EDUCATORS TO
102 INCREASE AWARENESS OF SPECIAL EDUCATION ISSUES.

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>.)

For renewal of an educator license, the bill requires teachers, special services providers, principals, and administrators to complete 10 clock hours of professional development during the term of the license relating to increasing awareness of laws and practices relating to the education of students with disabilities in the classroom, including but not limited to child find and inclusive learning environments.

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.

The bill also requires each educator preparation program, alternative teacher program, and alternative principal preparation program to include course work that provides educator candidates or alternative teacher or principals with an overview of federal laws relating to the education of students with disabilities, individualized education programs, and child find and that teaches educators effective special education classroom practices, including but not limited to inclusive learning environments.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds that:

4 (a) Every student needing special education services in
5 kindergarten through twelfth grade is covered by the "Individuals with
6 Disabilities Education Act", 20 U.S.C. sec. 1400 et seq., as amended, and
7 its implementing regulations, 34 CFR 300. This federal law states that
8 every child with a disability is entitled to a free and appropriate education,
9 with special education services delivered in the least restrictive
10 environment possible, and must be provided with specially designed
11 instruction according to the student's individualized education program
12 (IEP).

13 (b) Inclusive classroom environments where students with special
14 needs are included in general education classrooms benefit students both
15 with and without disabilities;

16 (c) Despite federal and state guidelines making sure special
17 education students get a proper education, many students with disabilities
18 and their families are being left behind in Colorado;

19 (d) In 2018, less than ten percent of students who had an IEP were
20 meeting grade level expectations in grades three through eight, and less
21 than sixty percent of students identified with a disability graduate high

1 school in four years;

2 (e) Moreover, thirty-three percent of all students who have been
3 suspended in kindergarten through second grade had an IEP; and

4 (f) Educator preparation programs in Colorado are not required to
5 prepare teacher and administrator candidates on special education laws
6 and regulations, creating great variability among educators on the
7 knowledge of federal and state laws regarding special education and best
8 practices for inclusive classrooms.

9 (2) Therefore, the general assembly declares that teachers, special
10 services providers, principals, and administrators should be aware of
11 special education laws and requirements and effective special education
12 practices, including but not limited to inclusive learning environments, as
13 part of the professional development requirements for renewal of
14 educator licenses, and that the teaching of special education laws and
15 effective special education practices should be required for all students
16 in Colorado's educator preparation programs.

17 **SECTION 2.** In Colorado Revised Statutes, 22-60.5-110, **amend**
18 (3)(b) introductory portion, (3)(b.5), (3)(c)(X), and (3)(c)(XI); and **add**
19 (3)(b.7) and (3)(c)(XII) as follows:

20 **22-60.5-110. Renewal of licenses.** (3) (b) A professional licensee
21 shall complete such ongoing professional development within the period
22 of time for which such professional license is valid. Such professional
23 development may include, but need not be limited to, in-service education
24 programs, including programs concerning juvenile mental health issues
25 and the awareness and prevention of youth suicide; ~~and~~ training in
26 preventing, identifying, and responding to child sexual abuse and assault;
27 AND LAWS AND PRACTICES RELATING TO THE EDUCATION OF STUDENTS

1 WITH DISABILITIES IN THE CLASSROOM, INCLUDING BUT NOT LIMITED TO
2 CHILD FIND AND INCLUSIVE LEARNING ENVIRONMENTS; college or
3 university credit from an accepted institution of higher education or a
4 community, technical, or local district college; educational travel that
5 meets the requirements specified in subsection (3)(d) of this section;
6 involvement in school reform; service as a mentor teacher for teacher
7 candidates participating in clinical practice, as defined in section
8 23-78-103; internships; and ongoing professional development training
9 and experiences. The state board of education, by rule, may establish
10 minimum criteria for professional development; except that such criteria
11 shall not:

12 (b.5) In adopting minimum criteria for professional development
13 activities, the state board, by rule, may require all or a portion of the
14 professional development activities to be related to increasing the license
15 holder's competence in his or her existing or potential endorsement area;
16 ~~or to~~ increasing the professional licensee's skills and competence in
17 delivery of instruction in his or her existing or potential endorsement area;
18 ~~or in~~ the teaching of literacy; OR INCREASING AWARENESS OF LAWS AND
19 PRACTICES RELATING TO EDUCATING STUDENTS WITH DISABILITIES IN THE
20 CLASSROOM, INCLUDING BUT NOT LIMITED TO CHILD FIND AND INCLUSIVE
21 LEARNING ENVIRONMENTS.

22 (b.7) (I) IN ADOPTING MINIMUM CRITERIA FOR PROFESSIONAL
23 DEVELOPMENT ACTIVITIES, THE STATE BOARD, BY RULE, SHALL REQUIRE
24 AT LEAST TEN CLOCK HOURS OF PROFESSIONAL DEVELOPMENT DURING THE
25 TERM OF ANY PROFESSIONAL LICENSE RELATING TO INCREASING
26 AWARENESS OF LAWS AND PRACTICES RELATING TO EDUCATING STUDENTS
27 WITH DISABILITIES IN THE CLASSROOM, INCLUDING BUT NOT LIMITED TO

1 CHILD FIND AND INCLUSIVE LEARNING ENVIRONMENTS.

2 (II) THE PROFESSIONAL DEVELOPMENT REQUIREMENT RELATING
3 TO EDUCATING STUDENTS WITH DISABILITIES SET FORTH IN SUBSECTION
4 (3)(b.7)(I) OF THIS SECTION DOES NOT APPLY TO A PROFESSIONAL
5 LICENSEE WHO IS IN THE FINAL YEAR OF THE LICENSE TERM ON THE
6 EFFECTIVE DATE OF THIS SUBSECTION (3)(b.7), BUT DOES APPLY TO THE
7 PROFESSIONAL LICENSEE'S SUBSEQUENT LICENSE TERMS.

8 (c) In selecting professional development activities for the
9 renewal of a professional license pursuant to this section, each licensee
10 shall choose those activities that will aid the licensee in meeting the
11 standards for a professional educator, including but not limited to the
12 following goals:

13 (X) Effective organization and management of human and
14 financial resources to create a safe and effective working and learning
15 environment; ~~and~~

16 (XI) Awareness of warning signs of dangerous behavior in youth
17 and situations that present a threat to the health and safety of students and
18 knowledge of the community resources available to enhance the health
19 and safety of students and the school community; AND

20 (XII) AWARENESS OF LAWS AND PRACTICES RELATING TO
21 EDUCATING STUDENTS WITH DISABILITIES IN THE CLASSROOM, INCLUDING
22 BUT NOT LIMITED TO CHILD FIND AND INCLUSIVE LEARNING
23 ENVIRONMENTS.

24 **SECTION 3.** In Colorado Revised Statutes, 22-60.5-111, **amend**
25 (14)(c)(II) and (14)(c)(III); and **add** (14)(c)(IV) as follows:

26 **22-60.5-111. Authorization - types - applicants' qualifications**
27 **- rules. (14) Principal authorization. (c)** At a minimum, a person's

1 individualized alternative principal program shall ensure that:

2 (II) The person receives coaching and mentoring from one or
3 more licensed principals and administrators and continuing
4 performance-based assessment of the person's skills development; except
5 that, if the person participates in an individualized alternative principal
6 program offered by a nonpublic school, the person must receive coaching
7 and mentoring from one or more principals and administrators who have
8 three or more years of experience in a nonpublic school; ~~and~~

9 (III) The person demonstrates professional competencies in
10 subject matter areas as specified by rule of the state board of education
11 pursuant to section 22-60.5-303; AND

12 (IV) THE PERSON RECEIVES EDUCATION AND TRAINING THAT
13 PROVIDES THE PERSON WITH AN OVERVIEW OF TITLE II OF THE FEDERAL
14 "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET
15 SEQ., AS AMENDED, AND ITS IMPLEMENTING REGULATIONS; SECTION 504
16 OF THE FEDERAL "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 701 ET
17 SEQ., AS AMENDED, AND ITS IMPLEMENTING REGULATIONS; THE
18 "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400
19 ET SEQ., AS AMENDED, AND ITS IMPLEMENTING REGULATIONS;
20 INDIVIDUALIZED EDUCATION PROGRAMS; AND CHILD FIND AND THAT
21 TEACHES EFFECTIVE SPECIAL EDUCATION CLASSROOM PRACTICES,
22 INCLUDING BUT NOT LIMITED TO INCLUSIVE LEARNING ENVIRONMENTS.

23 **SECTION 4.** In Colorado Revised Statutes, 22-60.5-205, **add**
24 (2)(i) as follows:

25 **22-60.5-205. One-year and two-year alternative teacher**
26 **programs - legislative declaration - standards and evaluation - duties**
27 **of department - duties of the state board of education - fees.**

1 (2) Designated agencies are hereby authorized to implement one-year
2 alternative teacher programs or two-year alternative teacher programs,
3 which two-year programs were formerly known as teacher in residence
4 programs, as follows:

5 (i) AN ALTERNATIVE TEACHER PROGRAM MUST INCLUDE COURSE
6 WORK THAT PROVIDES ALTERNATIVE TEACHERS WITH AN OVERVIEW OF
7 TITLE II OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990",
8 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED, AND ITS IMPLEMENTING
9 REGULATIONS; SECTION 504 OF THE FEDERAL "REHABILITATION ACT OF
10 1973", 29 U.S.C. SEC. 701 ET SEQ., AS AMENDED, AND ITS IMPLEMENTING
11 REGULATIONS; THE "INDIVIDUALS WITH DISABILITIES EDUCATION ACT",
12 20 U.S.C. SEC. 1400 ET SEQ., AS AMENDED, AND ITS IMPLEMENTING
13 REGULATIONS; INDIVIDUALIZED EDUCATION PROGRAMS; AND CHILD FIND
14 AND THAT TEACHES EFFECTIVE SPECIAL EDUCATION CLASSROOM
15 PRACTICES, INCLUDING BUT NOT LIMITED TO INCLUSIVE LEARNING
16 ENVIRONMENTS.

17 **SECTION 5.** In Colorado Revised Statutes, 22-60.5-305.5, **add**
18 (3)(a.5) as follows:

19 **22-60.5-305.5. Alternative principal preparation program -**
20 **legislative declaration.** (3) In designing an individualized alternative
21 principal program, the school district, charter school, or nonpublic school
22 shall, at a minimum, ensure that:

23 (a.5) THE PROGRAM PROVIDES INFORMATION AND TRAINING THAT
24 INCLUDES AN OVERVIEW OF TITLE II OF THE FEDERAL "AMERICANS WITH
25 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED,
26 AND ITS IMPLEMENTING REGULATIONS; SECTION 504 OF THE FEDERAL
27 "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 701 ET SEQ., AS

1 AMENDED, AND ITS IMPLEMENTING REGULATIONS; THE "INDIVIDUALS WITH
2 DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS
3 AMENDED, AND ITS IMPLEMENTING REGULATIONS; INDIVIDUALIZED
4 EDUCATION PROGRAMS; AND CHILD FIND AND THAT TEACHES EFFECTIVE
5 SPECIAL EDUCATION CLASSROOM PRACTICES, INCLUDING BUT NOT LIMITED
6 TO INCLUSIVE LEARNING ENVIRONMENTS.

7 **SECTION 6.** In Colorado Revised Statutes, 23-1-121, **add**
8 (2)(c.7) as follows:

9 **23-1-121. Commission directive - approval of educator**
10 **preparation programs - review.** (2) The commission shall adopt
11 policies establishing the requirements for educator preparation programs
12 offered by institutions of higher education. The department shall work in
13 cooperation with the state board of education in developing the
14 requirements for educator preparation programs. At a minimum, the
15 requirements must ensure that each educator preparation program
16 complies with section 23-1-125, is designed on a performance-based
17 model, and includes:

18 (c.7) COURSE WORK THAT PROVIDES EDUCATOR CANDIDATES WITH
19 AN OVERVIEW OF TITLE II OF THE FEDERAL "AMERICANS WITH
20 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED,
21 AND ITS IMPLEMENTING REGULATIONS; SECTION 504 OF THE FEDERAL
22 "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 701 ET SEQ., AS
23 AMENDED, AND ITS IMPLEMENTING REGULATIONS; THE "INDIVIDUALS WITH
24 DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS
25 AMENDED, AND ITS IMPLEMENTING REGULATIONS; INDIVIDUALIZED
26 EDUCATION PROGRAMS; AND CHILD FIND AND THAT TEACHES EDUCATORS
27 EFFECTIVE SPECIAL EDUCATION CLASSROOM PRACTICES, INCLUDING BUT

1 NOT LIMITED TO INCLUSIVE LEARNING ENVIRONMENTS;

2 **SECTION 7. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, or safety.