

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

REVISED

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

LLS NO. 20-0591.01 Brita Darling x2241

HOUSE BILL 20-1128

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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.

SENATE
Amended 2nd Reading
March 13, 2020

HOUSE
3rd Reading Unamended
February 21, 2020

HOUSE
Amended 2nd Reading
February 20, 2020

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)(I), (3)(b.5), (3)(c)(X), and (3)(c)(XI);
19 and **add** (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 (I) Specify any particular type of professional development
13 activity as a requirement or partial requirement for license renewal,
14 EXCEPT AS PROVIDED IN SUBSECTION (3)(b.7) OF THIS SECTION;

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

25 (b.7) (I) IN SELECTING PROFESSIONAL DEVELOPMENT ACTIVITIES
26 FOR RENEWAL OF A PROFESSIONAL TEACHER, SPECIAL SERVICES,
27 PRINCIPAL, OR ADMINISTRATOR LICENSE, IN ADDITION TO THE OTHER

1 REQUIREMENTS SET FORTH IN THIS SECTION, THE PROFESSIONAL LICENSEE
2 SHALL COMPLETE TEN OF THE CLOCK HOURS OF PROFESSIONAL
3 DEVELOPMENT REQUIRED DURING THE TERM OF ANY PROFESSIONAL
4 LICENSE IN PROFESSIONAL DEVELOPMENT ACTIVITIES RELATING TO
5 INCREASING AWARENESS OF LAWS AND PRACTICES RELATING TO
6 EDUCATING STUDENTS WITH DISABILITIES IN THE CLASSROOM, INCLUDING
7 BUT NOT LIMITED TO CHILD FIND AND INCLUSIVE LEARNING
8 ENVIRONMENTS. ==

9 (II) A LICENSEE WHO HAS LESS THAN THREE YEARS LEFT IN THE
10 LICENSE RENEWAL PERIOD ON JUNE 30, 2020, HAS UNTIL THE END OF THE
11 NEXT APPLICABLE RENEWAL PERIOD TO COMPLETE THE REQUIREMENTS
12 ESTABLISHED IN SUBSECTION (3)(b.7)(I) OF THIS SECTION AND MAY
13 SUBMIT CLASSES AND ACTIVITIES COMPLETED WITHIN FIVE YEARS PRIOR
14 TO JUNE 30, 2020, TO SATISFY THE REQUIREMENTS OF SUBSECTION
15 (3)(b.7)(I) OF THIS SECTION.

16 (III) NOTHING IN SUBSECTION (3)(b.7)(I) OF THIS SECTION
17 PROHIBITS A LICENSEE FROM APPLYING A SINGLE PROFESSIONAL
18 DEVELOPMENT COURSE OR ABILITY TO ONE OR MORE CONTENT OR HOURLY
19 REQUIREMENTS ESTABLISHED PURSUANT TO THIS SECTION OR BY RULE OF
20 THE STATE BOARD OF EDUCATION.

21 (c) In selecting professional development activities for the
22 renewal of a professional license pursuant to this section, each licensee
23 shall choose those activities that will aid the licensee in meeting the
24 standards for a professional educator, including but not limited to the
25 following goals:

26 (X) Effective organization and management of human and
27 financial resources to create a safe and effective working and learning

1 environment; ~~and~~

2 (XI) Awareness of warning signs of dangerous behavior in youth
3 and situations that present a threat to the health and safety of students and
4 knowledge of the community resources available to enhance the health
5 and safety of students and the school community; AND

6 (XII) AWARENESS OF LAWS AND PRACTICES RELATING TO
7 EDUCATING STUDENTS WITH DISABILITIES IN THE CLASSROOM, INCLUDING
8 BUT NOT LIMITED TO CHILD FIND AND INCLUSIVE LEARNING
9 ENVIRONMENTS.

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

12 **22-60.5-111. Authorization - types - applicants' qualifications**
13 **- rules.** (14) **Principal authorization.** (c) At a minimum, a person's
14 individualized alternative principal program shall ensure that:

15 (II) The person receives coaching and mentoring from one or
16 more licensed principals and administrators and continuing
17 performance-based assessment of the person's skills development; except
18 that, if the person participates in an individualized alternative principal
19 program offered by a nonpublic school, the person must receive coaching
20 and mentoring from one or more principals and administrators who have
21 three or more years of experience in a nonpublic school; ~~and~~

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

25 (IV) THE PERSON RECEIVES EDUCATION AND TRAINING THAT
26 PROVIDES THE PERSON WITH AN OVERVIEW OF TITLE II OF THE FEDERAL
27 "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET

1 SEQ., AS AMENDED, AND ITS IMPLEMENTING REGULATIONS; SECTION 504
2 OF THE FEDERAL "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 701 ET
3 SEQ., AS AMENDED, AND ITS IMPLEMENTING REGULATIONS; THE
4 "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400
5 ET SEQ., AS AMENDED, AND ITS IMPLEMENTING REGULATIONS;
6 INDIVIDUALIZED EDUCATION PROGRAMS; AND CHILD FIND AND THAT
7 TEACHES EFFECTIVE SPECIAL EDUCATION CLASSROOM PRACTICES,
8 INCLUDING BUT NOT LIMITED TO INCLUSIVE LEARNING ENVIRONMENTS.

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

11 **22-60.5-205. One-year and two-year alternative teacher**
12 **programs - legislative declaration - standards and evaluation - duties**
13 **of department - duties of the state board of education - fees.**

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

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

1 PRACTICES, INCLUDING BUT NOT LIMITED TO INCLUSIVE LEARNING
2 ENVIRONMENTS.

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

5 **22-60.5-305.5. Alternative principal preparation program -**
6 **legislative declaration.** (3) In designing an individualized alternative
7 principal program, the school district, charter school, or nonpublic school
8 shall, at a minimum, ensure that:

9 (a.5) THE PROGRAM PROVIDES INFORMATION AND TRAINING THAT
10 INCLUDES AN OVERVIEW OF TITLE II OF THE FEDERAL "AMERICANS WITH
11 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED,
12 AND ITS IMPLEMENTING REGULATIONS; SECTION 504 OF THE FEDERAL
13 "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 701 ET SEQ., AS
14 AMENDED, AND ITS IMPLEMENTING REGULATIONS; THE "INDIVIDUALS WITH
15 DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS
16 AMENDED, AND ITS IMPLEMENTING REGULATIONS; INDIVIDUALIZED
17 EDUCATION PROGRAMS; AND CHILD FIND AND THAT TEACHES EFFECTIVE
18 SPECIAL EDUCATION CLASSROOM PRACTICES, INCLUDING BUT NOT LIMITED
19 TO INCLUSIVE LEARNING ENVIRONMENTS.

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

22 **23-1-121. Commission directive - approval of educator**
23 **preparation programs - review.** (2) The commission shall adopt
24 policies establishing the requirements for educator preparation programs
25 offered by institutions of higher education. The department shall work in
26 cooperation with the state board of education in developing the
27 requirements for educator preparation programs. At a minimum, the

1 requirements must ensure that each educator preparation program
2 complies with section 23-1-125, is designed on a performance-based
3 model, and includes:

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

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