

CHAPTER 204

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 24-1282

BY REPRESENTATIVE(S) Martinez and Pugliese, Amabile, Bird, Boesenecker, Brown, Daugherty, deGruy Kennedy, Duran, English, Hamrick, Herod, Jodeh, Joseph, Kipp, Lindsay, Lukens, Mabrey, Mauro, McLachlan, Ortiz, Ricks, Rutinel, Young; also SENATOR(S) Coleman and Simpson, Bridges, Buckner, Cutter, Exum, Hinrichsen, Jaquez Lewis, Michaelson Jenet, Mullica, Priola, Roberts, Sullivan, Winter F., Zenzinger.

AN ACT

CONCERNING MEASURES TO INCREASE THE SUCCESS RATES OF NINTH-GRADE STUDENTS IN PUBLIC HIGH SCHOOLS IN COLORADO, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 22-14-109.5, **repeal** (8); and **add** (7.7) as follows:

22-14-109.5. Ninth-grade success grant program - created - criteria - use of grant money - appropriation - report - rules - definitions - repeal. (7.7) (a) FOR THE 2024-25 STATE FISCAL YEAR THROUGH THE 2027-28 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE TWO MILLION DOLLARS FROM THE STATE EDUCATION FUND TO THE DEPARTMENT FOR PURPOSES OF THIS SECTION.

(b) THE GENERAL ASSEMBLY DECLARES THAT FOR THE PURPOSES OF SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION, PROVIDING FUNDING TO THE DEPARTMENT FOR THE PURPOSES OF THE NINTH-GRADE SUCCESS GRANT PROGRAM IS AN ACCOUNTABLE PROGRAM TO MEET STATE ACADEMIC STANDARDS, AND THEREFORE THE DEPARTMENT MAY RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION FOR THIS PURPOSE.

(c) (I) ANY ONE-TIME TECHNOLOGY-ASSOCIATED COSTS IN FISCAL YEAR 2024-25 ARE EXEMPT FROM THE ADMINISTRATIVE CAP PURSUANT TO SUBSECTION (4) OF THIS SECTION.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(II) THIS SUBSECTION (7.7)(c) IS REPEALED, EFFECTIVE JANUARY 1, 2026.

(8) ~~This section is repealed, effective July 1, 2025.~~

SECTION 2. In Colorado Revised Statutes, 22-14-111, **add** (2.5) as follows:

22-14-111. Report to general assembly, state board, and governor - exception to three-year expiration. (2.5) (a) BEGINNING WITH THE REPORT SUBMITTED PURSUANT TO THIS SECTION ON MARCH 15, 2026, THE OFFICE SHALL INCLUDE INFORMATION REGARDING NINTH-GRADE PERFORMANCE. AT A MINIMUM, THE FOLLOWING MEASURES MUST BE INCLUDED:

(I) FOR EACH PUBLIC SCHOOL THAT SERVES THE NINTH GRADE, THE NUMBER AND PERCENTAGE OF FIRST-TIME NINTH GRADE STUDENTS WHO AT THE END OF THE SCHOOL YEAR HAVE NOT EARNED AT LEAST FOUR CORE CREDITS OR HAVE FAILED ONE OR MORE CORE CREDITS, REPORTED FOR THE SCHOOL IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, GENDER, ENGLISH LANGUAGE LEARNER STATUS, AND WHETHER OR NOT THE STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM;

(II) FOR EACH SCHOOL DISTRICT, THE NUMBER AND PERCENTAGE OF FIRST-TIME NINTH GRADE STUDENTS WHO AT THE END OF THE SCHOOL YEAR HAVE NOT EARNED AT LEAST FOUR CORE CREDITS OR HAVE FAILED ONE OR MORE CORE CREDITS, REPORTED FOR THE SCHOOL DISTRICT IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, GENDER, ENGLISH LANGUAGE LEARNER STATUS, AND WHETHER OR NOT THE STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM;

(III) FOR THE CHARTER SCHOOL INSTITUTE, THE NUMBER AND PERCENTAGE OF FIRST-TIME NINTH GRADE STUDENTS WHO AT THE END OF THE SCHOOL YEAR HAVE NOT EARNED AT LEAST FOUR CORE CREDITS OR HAVE FAILED ONE OR MORE CORE CREDITS, REPORTED FOR THE CHARTER SCHOOL INSTITUTE IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, GENDER, ENGLISH LANGUAGE LEARNER STATUS, AND WHETHER OR NOT THE STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM; AND

(IV) FOR THE STATE AS A WHOLE, THE NUMBER AND PERCENTAGE OF FIRST-TIME NINTH GRADE STUDENTS WHO AT THE END OF THE SCHOOL YEAR HAVE NOT EARNED AT LEAST FOUR CORE CREDITS OR HAVE FAILED ONE OR MORE CORE CREDITS, REPORTED FOR THE STATE AS A WHOLE IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, GENDER, ENGLISH LANGUAGE LEARNER STATUS, AND WHETHER OR NOT THE STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM.

(b) IN PERFORMING THEIR DUTIES PURSUANT TO THIS SUBSECTION (2.5), THE DEPARTMENT, THE OFFICE, EACH SCHOOL DISTRICT, THE CHARTER SCHOOL INSTITUTE, AND EACH PUBLIC SCHOOL SHALL COMPLY WITH THE FEDERAL AND STATE LAWS REGARDING PRIVACY, INCLUDING THE FEDERAL "FAMILY EDUCATIONAL RIGHTS AND PRIVACY RIGHTS ACT OF 1974", 20 U.S.C. SEC. 1232G, AS AMENDED, AND ITS IMPLEMENTING REGULATIONS, AND THE "STUDENT DATA TRANSPARENCY AND SECURITY ACT" CREATED PURSUANT TO ARTICLE 16 OF THIS TITLE 22, AS AMENDED, AND ITS IMPLEMENTING RULES.

SECTION 3. Appropriation - adjustments to 2024 long bill. (1) To implement this act, the appropriation from the general fund made in the annual general appropriation act for the 2024-25 state fiscal year to the department of education for use by student pathways for the ninth grade success grant program is reduced by \$792,444, and the related FTE is decreased by 0.6 FTE.

(2) For the 2024-25 state fiscal year, \$2,000,000 is appropriated to the department of education. This appropriation is from the state education fund created in section 17 (4)(a) of article IX of the state constitution. To implement this act, the department may use this appropriation as follows:

(a) \$74,950 for use by management and administration for information technology services; and

(b) \$1,925,050 for use by student pathways for the ninth grade success grant program, which amount is based on an assumption that the division will require an additional 1.4 FTE.

SECTION 4. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: May 18, 2024