

# Pre-K and K-12 Education

During the 2023 legislative session, the General Assembly considered several measures related to kindergarten through twelfth grade (K-12) education in Colorado. Specifically, the legislature adopted bills related to preschool, special education and students with disabilities, school officials, teacher credentialing, math curriculum, school meals, and due process in various school proceedings.

### Preschool

*Senate Bill 23-269* creates the Colorado Universal Preschool Program Provider Participation Bonus Program within the Department of Early Childhood (CDEC). The program provides a one-time bonus payment to preschool providers that are participating in the Universal Preschool Colorado (UPK) program and have not previously participated in the Colorado state-run preschool program.

Additionally, *Senate Bill 23-216*, a budget package bill, removes a transfer to the Preschool Programs Cash Fund and instead requires that the amount be appropriated to the CDEC to fund the UPK program.

### Special Education and Students with Disabilities

Current law separates funding for special education services into three tiers. Tier B reimburses for students with specific, identified disabilities. Beginning in

FY 2023-24, *Senate Bill 23-099* increases funding for Tier B special education by \$40.2 million per year, from the General Fund, State Education Fund, or a combination of the two funds.

Three additional bills passed during the 2023 session impact special education and students with disabilities. *House Bill 23-1263* requires Individualized Education Plans to be translated into the dominant language spoken at the home of the student, upon request of the parent, guardian, or legal custodian. *House Bill 23-1089* clarifies school district residency for students who are in foster care and require special education services. It also requires the Colorado Department of Human Services (CDHS) to convene a working group to identify issues related to foster youth education, transportation, and stability, and to recommend any regulatory or legislative changes prior to the 2025 legislative sessions.

Finally, *House Bill 23-1168* requires the Colorado Department of Education (CDE) to enter into a five-year contract with a nonprofit organization to create and maintain a list of attorneys qualified to represent the parents of children with disabilities in due process hearings brought under the federal Individuals with Disabilities in Education Act.



# K-12 Education

## School Officials

Under prior law, a mental health professional must be licensed by CDE in order to work in a school. *Senate Bill 23-004* allows school districts to employ school-based therapists who are not licensed by the department but hold a Colorado license for their profession to work in coordination with licensed special service providers to coordinate mental health supports for students. *Senate Bill 23-070* requires the Department of Law to annually convene a meeting for school resource officers and school officials to discuss best practices in responding to reports received through the Safe2Tell program.

## Teacher Credentialing

*House Bill 23-1064* enacts the Interstate Teacher Mobility Compact, which allows licensed teachers from one member state to more easily obtain a teacher's license from another member state. The compact takes effect when ten states have enacted the compact. *Senate Bill 23-087* creates the Teacher Degree Apprenticeship Program, and establishes a teacher apprenticeship authorization, in lieu of teacher licensure, that allows apprentices to be employed by a school or school district.

## Math Curriculum

In order to reduce learning loss related to the COVID-19 pandemic, *House Bill 23-1231* makes significant changes to K-12 math education. By January 2024, the bill requires that CDE make available free, optional trainings for K-12 educators in math education using a train-the-trainer model.



The bill requires that local education providers (LEPs) identify strategies to assist students who are below grade level in math and set targets for increasing student achievement in math as part of the LEP's annual improvement plan. The bill also creates the Colorado Academic Accelerator Grant Program in CDE to create community learning centers that provide free academic enrichment and support activities to help students in science, technology, engineering, and math.

## School Meals

In the November 2022 election, voters approved Proposition FF, which created the Healthy School Meals for All Program to provide reimbursement to participating school food authorities for offering free meals to all students, beginning in FY 2023-24. It also provides funding for school food authorities to increase wages or provide stipends to school meal employees, grants for purchasing local food, and technical assistance related to using local products. *Senate Bill 23-221* creates the Healthy School Meals for All Program General Fund Exempt Account to collect the revenue generated for the program.

## Student Discipline and Due Process

The General Assembly passed several bills related to student discipline and due process in school proceedings. *Senate Bill 23-296* requires that public schools adopt a formal policy to protect students from harassment or discrimination, train staff annually, and

# K-12 Education

collect and pass along data on reported incidents to school districts and the state.

*House Bill 23-1191* prohibits an employee or volunteer from imposing corporal punishment on a child in a public school, a state-licensed child care center, a family child care home, or a specialized group facility. School districts are required to add the prohibition on corporal punishment to their conduct and discipline codes. The bill also requires CDEC to incorporate the prohibition on corporal punishment into its child care licensing rules.

Under prior law, school districts were encouraged to consider certain factors before suspending or expelling a student. *Senate Bill 23-029* requires these factors to be considered, and further requires that a school district document alternative disciplinary measures used prior to suspension or expulsion in both the student's record and in the data reported to CDE. The bill also creates the School Discipline Task Force to study and make recommendations regarding state and local school discipline policies. *House Bill 23-1291* changes the burden of proof in expulsion hearings, and creates a path for judicial review of an expulsion action. The bill also requires that hearing officers recuse themselves in certain situations, and requires them to participate in annual training on the state's school discipline laws.

