

HOUSE FLOOR AMENDMENT

Second Reading BY REPRESENTATIVES Buentello and McLachlan

1 Amend Appropriations Committee Report, dated April 27, 2019, page 1,
2 line 9, strike "CONSTITUTION."." and substitute "CONSTITUTION.

3 **SECTION 7.** In Colorado Revised Statutes, **add 22-14-109.5** as
4 follows:

5 **22-14-109.5. Ninth grade success grant program - created -**
6 **criteria - use of grant money - report - rules - definitions - repeal.**

7 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES:

9 (a) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED
10 BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS
11 TITLE 22 OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE STATE
12 CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF
13 THIS TITLE 22.

14 (b) "PROGRAM" MEANS THE NINTH GRADE SUCCESS GRANT
15 PROGRAM CREATED IN THIS SECTION.

16 (c) "SMALL RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT
17 IN COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL BASED ON
18 THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
19 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT
20 ENROLLS FEWER THAN ONE THOUSAND STUDENTS IN KINDERGARTEN
21 THROUGH TWELFTH GRADE.

22 (d) "STUDENT GROUP" HAS THE SAME MEANING AS PROVIDED IN
23 SECTION 22-11-103.

24 (e) "SUCCESS TEAM" MEANS A CROSS-DISCIPLINARY TEAM OF
25 NINTH-GRADE TEACHERS AND SUPPORT STAFF AS DESCRIBED IN
26 SUBSECTION (5) OF THIS SECTION.

27 (2) (a) THERE IS CREATED IN THE DEPARTMENT THE NINTH GRADE
28 SUCCESS GRANT PROGRAM TO PROVIDE FUNDING TO LOCAL EDUCATION
29 PROVIDERS AND CHARTER SCHOOLS TO IMPLEMENT A NINTH GRADE
30 SUCCESS PROGRAM, AS DESCRIBED IN SUBSECTION (5) OF THIS SECTION, TO
31 ASSIST STUDENTS ENROLLED IN NINTH GRADE TO DEVELOP THE SKILLS
32 THEY NEED TO SUCCESSFULLY PERSIST TO HIGH SCHOOL GRADUATION AND
33 SUCCEED IN THEIR EDUCATION AND PROFESSIONAL CAREERS.

34 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
35 CONTRARY, AN ALTERNATIVE EDUCATION CAMPUS DESIGNATED PURSUANT
36 TO SECTION 22-7-604.5 MAY NOT APPLY FOR OR RECEIVE MONEY OR
37 SERVICES THROUGH A GRANT AWARDED PURSUANT TO THIS SECTION.

38 (3) (a) A LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL THAT
39 SERVES STUDENTS ENROLLED IN GRADES NINE THROUGH TWELVE AND
40 THAT CHOOSES TO APPLY FOR A GRANT THROUGH THE PROGRAM MUST
41 SUBMIT A GRANT APPLICATION TO THE DEPARTMENT IN ACCORDANCE WITH

1 RULES ADOPTED BY THE STATE BOARD. A LOCAL EDUCATION PROVIDER OR
2 CHARTER SCHOOL THAT IS SELECTED TO RECEIVE A GRANT MUST, AS A
3 CONDITION OF ACCEPTING THE GRANT, PROVIDE A GRANT MATCH, WHICH
4 MAY INCLUDE IN-KIND CONTRIBUTIONS, IN AN AMOUNT SET BY THE STATE
5 BOARD, WHICH AMOUNT MUST NOT EXCEED:

6 (I) FIFTEEN PERCENT OF THE GRANT AMOUNT FOR A LOCAL
7 EDUCATION PROVIDER THAT IS A SMALL RURAL SCHOOL DISTRICT OR FOR
8 A CHARTER SCHOOL; AND

9 (II) TWENTY-FIVE PERCENT OF THE GRANT AMOUNT FOR ALL
10 OTHER LOCAL EDUCATION PROVIDERS.

11 (b) A GRANT APPLICATION AT A MINIMUM MUST INCLUDE:

12 (I) THE APPLICANT'S FOUR-YEAR GRADUATION RATE FOR THE
13 THREE PRECEDING SCHOOL YEARS;

14 (II) WHETHER THE APPLICANT HAS A DATA SYSTEM THAT ALLOWS
15 SCHOOL LEADERS AND TEACHERS REAL-TIME ACCESS TO INTEGRATED
16 DATA CONCERNING A STUDENT'S BEHAVIOR, ATTENDANCE, AND GRADES
17 AND ALLOWS COMPARISON OF THE DATA ACROSS DEMOGRAPHIC
18 CATEGORIES AND STUDENT GROUPS;

19 (III) FOR A LOCAL EDUCATION PROVIDER, DESIGNATION OF THE
20 SCHOOLS IN WHICH THE LOCAL EDUCATION PROVIDER WILL USE THE GRANT
21 MONEY TO IMPLEMENT NINTH GRADE SUCCESS TEAMS;

22 (IV) INDICATION OF THE APPLICANT'S ABILITY TO PROVIDE THE
23 REQUIRED GRANT MATCH AND ANY TYPE AND VALUE OF IN-KIND
24 CONTRIBUTION THAT THE APPLICANT MAY PROVIDE; AND

25 (V) ANY ADDITIONAL INFORMATION REQUIRED BY RULE OF THE
26 STATE BOARD THAT ASSISTS THE DEPARTMENT IN DETERMINING THE
27 LIKELIHOOD THAT, IN IMPLEMENTING THE SUCCESS TEAMS, THE APPLICANT
28 WILL BE SUCCESSFUL IN IMPROVING THE SUCCESS OF STUDENTS ENROLLED
29 IN NINTH GRADE.

30 (4) THE DEPARTMENT SHALL REVIEW EACH OF THE APPLICATIONS
31 RECEIVED PURSUANT TO THIS SECTION AND RECOMMEND TO THE STATE
32 BOARD APPLICANTS TO RECEIVE GRANTS AND THE AMOUNT, DURATION,
33 AND GRANT MATCH AMOUNT OF EACH RECOMMENDED GRANT. BEGINNING
34 IN THE 2019-20 BUDGET YEAR, THE STATE BOARD, SUBJECT TO AVAILABLE
35 APPROPRIATIONS, SHALL AWARD THE GRANTS, TAKING INTO
36 CONSIDERATION THE RECOMMENDATIONS OF THE DEPARTMENT. IN
37 AWARDING A GRANT, THE STATE BOARD SHALL SPECIFY THE AMOUNT AND
38 DURATION OF THE GRANT AND THE AMOUNT OF THE GRANT MATCH,
39 INCLUDING ANY TYPE OF IN-KIND CONTRIBUTION, THAT THE GRANT
40 RECIPIENT MUST PROVIDE. THE DEPARTMENT AND THE STATE BOARD IN
41 RECOMMENDING AND AWARDING GRANTS SHALL PRIORITIZE APPLICANTS
42 THAT HAVE A FOUR-YEAR GRADUATION RATE THAT, OVER THE PRECEDING
43 THREE SCHOOL YEARS, HAS CONSISTENTLY RANKED WITHIN THE LOWEST

1 TWENTY PERCENT OF THE FOUR-YEAR GRADUATION RATES FOR PUBLIC
2 HIGH SCHOOLS IN THE STATE. TO THE EXTENT PRACTICABLE, THE STATE
3 BOARD SHALL ALSO ENSURE THAT THE GRANT RECIPIENTS VARY IN
4 STUDENT POPULATION SIZE AND ARE LOCATED IN URBAN, SUBURBAN, AND
5 RURAL AREAS THROUGHOUT THE STATE.

6 (5) A LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL THAT
7 RECEIVES A GRANT THROUGH THE PROGRAM MUST USE THE GRANT MONEY
8 TO IMPLEMENT A NINTH GRADE SUCCESS PROGRAM THAT, AT A MINIMUM,
9 MUST INCLUDE THE FOLLOWING ELEMENTS:

10 (a) (I) CREATING AND IMPLEMENTING A CROSS-DISCIPLINARY
11 SUCCESS TEAM OF NINTH-GRADE TEACHERS AND SUPPORT STAFF, WHICH
12 MUST INCLUDE AT LEAST ONE SCHOOL COUNSELOR, SCHOOL MENTAL
13 HEALTH PROFESSIONAL, OR SCHOOL SOCIAL WORKER. TO THE EXTENT
14 PRACTICABLE, A SUCCESS TEAM MUST INCLUDE ALL OF THE NINTH-GRADE
15 TEACHERS WHO TEACH CORE COURSES, AS DEFINED IN SECTION
16 22-11-503.5. THE LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL
17 SHALL DESIGNATE A MEMBER OF THE SUCCESS TEAM TO SERVE AS THE
18 SUCCESS TEAM LEADER AND REDUCE THE TEAM LEADER'S WORKLOAD TO
19 A LEVEL THAT ALLOWS THE TEAM LEADER SUFFICIENT TIME TO COMPLETE
20 THE LEADERSHIP DUTIES, WHICH INCLUDE TEAM LOGISTICS, PREPARING
21 TEAM MEETING AGENDAS, AND FACILITATING TEAM MEETINGS.

22 (II) THE SUCCESS TEAM MUST MEET AT LEAST EVERY TWO WEEKS,
23 TO THE EXTENT PRACTICABLE, THROUGHOUT THE SCHOOL YEAR TO
24 COLLABORATE ON IDENTIFYING AND IMPLEMENTING STRATEGIES TO
25 IMPROVE OUTCOMES FOR NINTH-GRADE STUDENTS WHO ARE FOUND TO BE
26 AT RISK OF DROPPING OUT OF SCHOOL BEFORE GRADUATION AND TO
27 ADDRESS SYSTEMS-LEVEL BARRIERS TO SUCCESS FOR ALL NINTH-GRADE
28 STUDENTS. THE STRATEGIES MUST BE INFORMED BY DATA CONCERNING,
29 AT A MINIMUM, NINTH-GRADE STUDENTS' BEHAVIOR, ATTENDANCE, AND
30 GRADES ACROSS DEMOGRAPHIC CATEGORIES AND STUDENT GROUPS. THE
31 LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL SHALL ALLOW SUCCESS
32 TEAM MEMBERS TIME DURING THE WORK DAY FOR PLANNING AND
33 COLLABORATION OR PROVIDE INCENTIVES TO MEET OUTSIDE OF THE WORK
34 DAY.

35 (b) ORGANIZING THE SCHOOL STAFF TO ENSURE THAT, TO THE
36 EXTENT PRACTICABLE, THE NINTH-GRADE CLASSES ARE TAUGHT BY A
37 SINGLE GROUP OF TEACHERS WHO TEACH ONLY OR MOSTLY NINTH-GRADE
38 CLASSES;

39 (c) IMPLEMENTING A DATA SYSTEM THAT PROVIDES REAL-TIME
40 ACCESS TO INTEGRATED DATA CONCERNING A STUDENT'S BEHAVIOR,
41 ATTENDANCE, AND GRADES AND PROVIDES THE ABILITY TO COMPARE THE
42 DATA ACROSS DEMOGRAPHIC CATEGORIES AND STUDENT GROUPS;

43 (d) IDENTIFYING AND PRIORITIZING SERVICES FOR NINTH-GRADE

1 STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE IN NINTH GRADE;

2 (e) PROVIDING INSTRUCTIONAL SUPPORT FOR NINTH-GRADE

3 STUDENTS INCLUDING ATTENDANCE SUPPORT, CONTENT-SPECIFIC

4 ACADEMIC INTERVENTIONS, TUTORING, COURSE-COMPLETION PROGRAMS,

5 SOCIAL-EMOTIONAL LEARNING, AND TRAUMA-INFORMED INSTRUCTION;

6 (f) ENSURING THAT SCHOOL LEADERSHIP, GUIDANCE COUNSELORS,

7 AND KEY MEMBERS OF THE SUCCESS TEAM RECEIVE AND REVIEW DATA ON

8 ALL INCOMING NINTH-GRADE STUDENTS AND PLAN COURSE WORK AND

9 SUPPORTS FOR THE STUDENTS BASED ON THE DATA RECEIVED;

10 (g) ENSURING THAT ALL NINTH-GRADE TEACHERS RECEIVE DATA

11 CONCERNING THE INCOMING NINTH-GRADE STUDENTS BEFORE THE START

12 OF THE SCHOOL YEAR AND RECEIVE PROFESSIONAL DEVELOPMENT

13 CONCERNING HOW TO USE THE DATA TO INFORM INSTRUCTION FOR THE

14 STUDENTS. TO THE EXTENT POSSIBLE, THE LOCAL EDUCATION PROVIDER

15 OR CHARTER SCHOOL SHALL ENSURE THAT MIDDLE SCHOOL TEACHERS

16 PROVIDE INFORMATION TO NINTH-GRADE TEACHERS CONCERNING THE

17 INCOMING NINTH-GRADE STUDENTS.

18 (h) PROVIDING SUMMER ORIENTATION FOR INCOMING

19 NINTH-GRADE STUDENTS AND THEIR PARENTS TO INTRODUCE STUDENTS TO

20 THE BEHAVIORAL AND ACADEMIC EXPECTATIONS OF HIGH SCHOOL; AND

21 (i) EVALUATING WITH RIGOR THE IMPACT OF THE INTERVENTIONS

22 PROVIDED THROUGH THE NINTH GRADE SUCCESS PROGRAM ON STUDENT

23 ATTENDANCE, BEHAVIOR, COURSE COMPLETION, ACADEMIC RESULTS,

24 DISCIPLINE RATES, TEACHER SURVEYS, STUDENT SURVEYS, DROPOUT

25 RATES, AND GRADUATION RATES AS THE INFORMATION BECOMES

26 AVAILABLE FOR NINTH-GRADE STUDENTS WHO RECEIVE INTERVENTIONS

27 THROUGH THE PROGRAM.

28 (6) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE

29 MONEY TO THE DEPARTMENT TO IMPLEMENT THE PROGRAM, INCLUDING

30 MONEY FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION

31 39-28.8-501. IN ADDITION, THE DEPARTMENT MAY ACCEPT AND EXPEND

32 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR

33 THE PURPOSES OF THE PROGRAM; EXCEPT THAT THE DEPARTMENT MAY

34 NOT ACCEPT A GIFT, GRANT, OR DONATION IF IT IS SUBJECT TO CONDITIONS

35 THAT ARE INCONSISTENT WITH THIS ARTICLE OR ANY OTHER LAW OF THE

36 STATE.

37 (7) (a) EACH LOCAL EDUCATION PROVIDER AND CHARTER SCHOOL

38 THAT RECEIVES A GRANT THROUGH THE PROGRAM SHALL SUBMIT TO THE

39 DEPARTMENT, IN ACCORDANCE WITH THE REPORTING TIMELINES SPECIFIED

40 IN RULES OF THE STATE BOARD, INFORMATION CONCERNING THE

41 IMPLEMENTATION OF THE NINTH GRADE SUCCESS PROGRAM AND THE

42 EVALUATION OF THE IMPACT, AS DESCRIBED IN SUBSECTION (5)(i) OF THIS

43 SECTION, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP. THE

1 DEPARTMENT SHALL SPECIFY THE INFORMATION TO BE REPORTED TO
2 ENABLE THE DEPARTMENT TO PREPARE THE REPORT REQUIRED IN
3 SUBSECTION (7)(b) OF THIS SECTION.

4 (b) ON OR BEFORE MARCH 15, 2022, AND ON OR BEFORE MARCH
5 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL PREPARE AND
6 SUBMIT TO THE STATE BOARD AND TO THE EDUCATION COMMITTEES OF
7 THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
8 COMMITTEES, A REPORT OF THE NINTH GRADE SUCCESS PROGRAMS
9 IMPLEMENTED USING GRANTS RECEIVED THROUGH THE PROGRAM. AT A
10 MINIMUM, THE REPORT SHALL:

11 (I) SPECIFY THE GRANT RECIPIENTS AND THE AMOUNT AND
12 DURATION OF THE GRANTS AWARDED;

13 (II) DESCRIBE THE NINTH GRADE SUCCESS PROGRAMS THAT ARE
14 IMPLEMENTED USING THE GRANT MONEY; AND

15 (III) PROVIDE A SUMMARY OF THE EVALUATIONS OF THE IMPACT
16 OF THE INTERVENTIONS PROVIDED THROUGH THE NINTH GRADE SUCCESS
17 PROGRAMS, AS DESCRIBED IN SUBSECTION (5)(i) OF THIS SECTION, IN
18 TOTAL AND DISAGGREGATED BY STUDENT GROUP.

19 (c) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
20 (11)(a)(I), THE REPORT REQUIRED IN SUBSECTION (7)(b) OF THIS SECTION
21 CONTINUES INDEFINITELY.

22 (8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

23 **SECTION 8.** In Colorado Revised Statutes, 22-14-109, **amend**
24 (1); and **repeal and reenact, with amendments,** (4) as follows:

25 **22-14-109. Student re-engagement grant program - rules -**
26 **application - grants - report.** (1) There is hereby created within the
27 department the student re-engagement grant program to provide grant
28 moneys MONEY to local education providers to use in providing
29 educational services and supports to students to maintain student
30 engagement and support student re-engagement in high school. Subject
31 to available appropriations, the state board shall award student
32 re-engagement grants to local education providers from moneys MONEY
33 appropriated from the student re-engagement grant program fund created
34 in PURSUANT TO subsection (4) of this section.

35 (4) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE
36 MONEY TO THE DEPARTMENT TO IMPLEMENT THE STUDENT
37 RE-ENGAGEMENT GRANT PROGRAM CREATED IN THIS SECTION, INCLUDING
38 MONEY FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION
39 39-28.8-501. IN ADDITION, THE DEPARTMENT MAY ACCEPT AND EXPEND
40 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR
41 THE PURPOSES OF THE PROGRAM; EXCEPT THAT THE DEPARTMENT MAY
42 NOT ACCEPT A GIFT, GRANT, OR DONATION IF IT IS SUBJECT TO CONDITIONS
43 THAT ARE INCONSISTENT WITH THIS ARTICLE 14 OR ANY OTHER LAW OF

1 THE STATE.

2 **SECTION 9.** In Colorado Revised Statutes, 22-14-110, **amend**
3 (1) introductory portion and (1)(b); and **add** (1)(b.5) as follows:

4 **22-14-110. State board - rules.** (1) The state board shall
5 promulgate pursuant to the "State Administrative Procedure Act", article
6 4 of title 24, ~~C.R.S.~~, such rules as may be necessary to implement the
7 provisions of this ~~article~~ ARTICLE 14. At a minimum, ~~said rules shall~~ THE
8 RULES MUST include:

9 (b) The rules required pursuant to section 22-14-109 for the
10 student re-engagement grant program; **and**

11 (b.5) THE RULES REQUIRED PURSUANT TO SECTION 22-14-109.5
12 FOR THE NINTH GRADE SUCCESS GRANT PROGRAM; **AND**".

13 Page 1 of the report, line 12, strike "11." and substitute "14.".

14 Page 1 of the report, line 17, strike "12." and substitute "15.".

15 Page 1 of the report, after line 22 insert:

16 **"SECTION 16. Appropriation.** For the 2019-20 state fiscal year,
17 \$800,000 is appropriated to the department of education. This
18 appropriation is from the general fund and is based on an assumption that
19 the department will require an additional 0.6 FTE. To implement this act,
20 the department may use this appropriation for the ninth grade success
21 grant program.".

22 Page 2 of the report, line 1, strike "13." and substitute "17.".

23 Page 2 of the report, line 3, strike "11" and substitute "14".

24 Page 2 of the report, line 5, strike "12" and substitute "15".

25 Page 2 of the report, line 6, strike "law."." and substitute "law.

26 (4) Sections 7, 8, 9, and 16 of this act take effect only if House
27 Bill 19-1276 does not become law."."

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