

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 21-0575.01 Julie Pelegrin x2700

SENATE BILL 21-013

SENATE SPONSORSHIP

Fields,

HOUSE SPONSORSHIP

Bacon and Froelich,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ADDRESS STUDENT LEARNING LOSS**
102 **OCcurring AS A RESULT OF THE COVID-19 PANDEMIC.**

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>.)

The bill directs the department of education (department) to identify educational products, strategies, and services that have demonstrated effectiveness in identifying and reversing student learning loss that has been caused by the suspension of in-person learning. The department must create and maintain a resource bank of examples of educational products, explanations of and instructions for implementing

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 24, 2021

strategies and educational services, and models of professional development programs related to using the products and implementing the strategies and services. The department must also provide information concerning public or private nonprofit entities that school districts, boards of cooperative services, and charter schools may work with in providing student support. The bill also directs the department, to the extent possible within existing resources, to provide technical assistance to school districts and charter schools upon request.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 22-2-146** as
3 follows:

4 **22-2-146. Department of education - COVID-19-related**
5 **education loss - strategies - resources - legislative declaration.**

6 (1) THE GENERAL ASSEMBLY FINDS THAT:

7 (a) DUE TO THE PUBLIC HEALTH RISKS OF THE COVID-19
8 PANDEMIC, THE PUBLIC SCHOOLS IN COLORADO HAVE HAD TO CEASE
9 IN-PERSON INSTRUCTION FOR REPEATED AND EXTENDED PERIODS OF TIME
10 DURING THE 2019-20 AND 2020-21 SCHOOL YEARS;

11 (b) RESEARCH SUGGESTS THAT THESE PERIODS OF REMOTE
12 LEARNING, AS WELL AS TRAUMA EXPERIENCED BY STUDENTS AS A RESULT
13 OF THE PANDEMIC, HAVE HAD DETRIMENTAL EFFECTS ON STUDENTS'
14 ABILITY TO LEARN AND GROW ACADEMICALLY AND ON THEIR ABILITY
15 EVEN TO RETAIN THE LEVEL OF LEARNING THAT THEY HAD PREVIOUSLY
16 ACHIEVED;

17 (c) THESE NEGATIVE EFFECTS HAVE HAD AN EVEN GREATER
18 IMPACT ON STUDENTS OF COLOR, LOW-INCOME STUDENTS, AND STUDENTS
19 WITH DISABILITIES, WHO ARE EXPECTED TO EXPERIENCE A SIGNIFICANTLY
20 GREATER LOSS OF LEARNING, THEREBY EXACERBATING THE ACADEMIC
21 ACHIEVEMENT GAPS THAT EXISTED BEFORE THE PANDEMIC;

1 (d) THE SCHOOL DISTRICTS AND PUBLIC SCHOOLS OF THE STATE
2 WILL FACE SIGNIFICANT CHALLENGES IN TRYING TO COMPENSATE FOR
3 THESE LEARNING LOSSES AND IN HELPING ALL STUDENTS TO OVERCOME
4 THE LEARNING LOSSES THEY HAVE EXPERIENCED AND ADVANCE TO
5 GRADE-LEVEL OR HIGHER ACADEMIC ACHIEVEMENT;

6 (e) THERE ARE INDICATIONS THAT TUTORING SERVICES, PROGRAMS
7 THAT EXTEND THE SCHOOL DAY OR THE SCHOOL YEAR, AND SUMMER
8 SCHOOL PROGRAMS MAY BE SUCCESSFUL IN HELPING STUDENTS,
9 ESPECIALLY LOW-INCOME STUDENTS, STUDENTS OF COLOR, AND STUDENTS
10 WITH DISABILITIES, TO OVERCOME LEARNING LOSS AND CLOSE THE
11 ACHIEVEMENT GAP;

12 (f) THERE ARE OTHER INNOVATIVE STRATEGIES THAT SOME PUBLIC
13 SCHOOLS AND SCHOOL DISTRICTS HAVE BEEN IMPLEMENTING TO ADDRESS
14 LEARNING LOSS, INCLUDING HOME VISITATION PROGRAMS THROUGH
15 WHICH TEACHERS VISIT THEIR STUDENTS' HOMES TO ASSIST THE STUDENTS
16 AND THE PARENTS IN EFFORTS TO OVERCOME LEARNING LOSS; AND

17 (g) THE DEPARTMENT OF EDUCATION CAN PLAY A CRUCIAL ROLE
18 IN SUPPORTING SCHOOL DISTRICTS AND PUBLIC SCHOOLS BY IDENTIFYING
19 BEST PRACTICES FOR ADDRESSING THESE LEARNING LOSSES AND
20 EFFECTIVE STRATEGIES FOR BOOSTING STUDENT LEARNING AND CLOSING
21 ACHIEVEMENT GAPS AND BY PROVIDING A RESOURCE BANK OF MODEL
22 MATERIALS AND STRATEGIES SPECIFICALLY DESIGNED TO ADDRESS
23 LEARNING RECOVERY FOR ALL STUDENTS.

24 (2) (a) BY THE FALL SEMESTER OF THE 2021-22 SCHOOL YEAR AND
25 CONTINUING THEREAFTER, THE DEPARTMENT SHALL IDENTIFY
26 EDUCATIONAL PRODUCTS, STRATEGIES, AND SERVICES THAT HAVE
27 DEMONSTRATED EFFECTIVENESS IN IDENTIFYING AND REVERSING STUDENT

1 LEARNING LOSS, INCLUDING THOSE PRODUCTS, STRATEGIES, AND SERVICES
2 THAT ARE SPECIFICALLY DESIGNED TO ADDRESS LEARNING LOSS
3 EXPERIENCED BY STUDENTS OF COLOR, LOW-INCOME STUDENTS, AND
4 STUDENTS WITH DISABILITIES. THE DEPARTMENT SHALL CREATE AND
5 MAINTAIN A RESOURCE BANK OF EXAMPLES OF THESE PRODUCTS,
6 EXPLANATIONS OF AND INSTRUCTIONS FOR IMPLEMENTING THESE
7 STRATEGIES AND SERVICES, AND MODELS OF PROFESSIONAL DEVELOPMENT
8 PROGRAMS RELATED TO USING THE PRODUCTS AND IMPLEMENTING THE
9 STRATEGIES AND SERVICES. THE DEPARTMENT SHALL ENSURE THAT THE
10 RESOURCE BANK INCLUDES PRODUCTS, STRATEGIES, AND SERVICES AND
11 MODELS OF PROFESSIONAL DEVELOPMENT PROGRAMS THAT TAKE INTO
12 ACCOUNT THE CIRCUMSTANCES OF, AND ARE APPROPRIATE FOR
13 IMPLEMENTATION BY, RURAL AND SMALL RURAL SCHOOL DISTRICTS AND
14 CHARTER SCHOOLS LOCATED WITHIN RURAL AND SMALL RURAL SCHOOL
15 DISTRICTS.

16 (b) THE DEPARTMENT SHALL INCLUDE IN THE RESOURCE BANK
17 INFORMATION CONCERNING PUBLIC AND PRIVATE NONPROFIT ENTITIES
18 THAT MAY PARTNER WITH SCHOOL DISTRICTS, BOARDS OF COOPERATIVE
19 SERVICES, AND CHARTER SCHOOLS TO PROVIDE PERSONNEL OR OTHER
20 RESOURCES TO ASSIST IN IMPLEMENTING STRATEGIES TO OVERCOME
21 LEARNING LOSS.

22 (c) SCHOOL DISTRICTS, BOARDS OF COOPERATIVE SERVICES, AND
23 CHARTER SCHOOLS MAY SUBMIT TO THE DEPARTMENT DESCRIPTIONS AND
24 EXPLANATIONS OF STRATEGIES, SERVICES, AND PROGRAMS THAT THEY
25 HAVE IMPLEMENTED, WITH EVIDENCE DEMONSTRATING THE POSITIVE
26 EFFECTS ACHIEVED THROUGH IMPLEMENTING THE STRATEGIES, SERVICES,
27 AND PROGRAMS. THE DEPARTMENT SHALL INCLUDE THE SUBMITTED

1 EXAMPLES IN THE RESOURCE BANK.

2 (d) THE RESOURCE BANK MUST BE AVAILABLE FOR REVIEW BY
3 SCHOOL DISTRICTS, BOARDS OF COOPERATIVE SERVICES, AND CHARTER
4 SCHOOLS. TO THE GREATEST EXTENT POSSIBLE WITHIN EXISTING
5 RESOURCES, THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE,
6 UPON REQUEST, TO ASSIST SCHOOL DISTRICTS AND CHARTER SCHOOLS IN
7 IDENTIFYING AND IMPLEMENTING STRATEGIES TO ADDRESS STUDENT
8 LEARNING LOSS.

9 SECTION 2. In Colorado Revised Statutes, 22-5-119, add (11)
10 as follows:

11 22-5-119. Statewide supplemental online and blended learning
12 program - contract - legislative declaration - definitions.

13 (11) (a) BEGINNING IN THE SUMMER OF 2021 AND CONTINUING
14 THROUGHOUT THE 2021-22 SCHOOL YEAR, IN ADDITION TO ADMINISTERING
15 THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING
16 PROGRAM IN ACCORDANCE WITH SUBSECTION (5) OF THIS SECTION, THE
17 ADMINISTERING BOCES SHALL PRIORITIZE ENTERING INTO PARTNERSHIPS
18 WITH LOCAL PUBLIC EDUCATION AGENCIES FOR DELIVERY OF
19 SUPPLEMENTAL ONLINE LEARNING RECOVERY COURSES FOR STUDENTS
20 ENROLLED IN KINDERGARTEN THROUGH TWELFTH GRADE. THE
21 ADMINISTERING BOCES AND LOCAL PUBLIC EDUCATION AGENCIES SHALL,
22 TO THE EXTENT PRACTICABLE, PARTNER WITH NONPROFIT ENTITIES AND
23 COMMUNITY-BASED ORGANIZATIONS TO EXPAND THE AVAILABILITY OF,
24 AND STUDENTS' ACCESS TO, SUPPLEMENTAL ONLINE LEARNING RECOVERY
25 COURSES. LOCAL PUBLIC EDUCATION AGENCIES ARE ENCOURAGED TO
26 IDENTIFY THE STUDENTS WHO ARE MOST IN NEED OF LEARNING RECOVERY
27 COURSES AS A RESULT OF THE EFFECTS OF THE COVID-19 PANDEMIC AND

1 TO PRIORITIZE THESE STUDENTS TO RECEIVE SUPPLEMENTAL ONLINE
2 PROGRAMMING TO SUPPORT LEARNING RECOVERY.

3 (b) THE ADMINISTERING BOCES SHALL COMMUNICATE TO ALL
4 LOCAL PUBLIC EDUCATION AGENCIES, AND THE LOCAL PUBLIC EDUCATION
5 AGENCIES SHALL COMMUNICATE TO THE PARENTS OF STUDENTS ENROLLED
6 BY THE LOCAL PUBLIC EDUCATION AGENCIES, THE AVAILABILITY OF
7 SUPPLEMENTAL ONLINE EDUCATION COURSES THROUGH THE
8 ADMINISTERING BOCES, INCLUDING THE AVAILABILITY OF LEARNING
9 RECOVERY COURSES, THE TYPES OF COURSES THAT ARE AVAILABLE FOR
10 LEARNING RECOVERY AND OTHER PURPOSES, THE MANNER IN WHICH
11 STUDENTS MAY ENROLL IN THESE COURSES THROUGH THE LOCAL PUBLIC
12 EDUCATION AGENCY, AND THE BENEFITS TO STUDENTS WHO
13 SUCCESSFULLY COMPLETE THE COURSES. AT A MINIMUM, THE LOCAL
14 PUBLIC EDUCATION AGENCY SHALL PROVIDE THE INFORMATION THROUGH
15 THE DIGITAL MEANS NORMALLY USED FOR COMMUNICATING WITH
16 PARENTS AND SHALL ENSURE, TO THE EXTENT PRACTICABLE, THAT THE
17 INFORMATION IS AVAILABLE IN LANGUAGES THAT STUDENTS' PARENTS
18 UNDERSTAND.

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