

## CHAPTER 251

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**EDUCATION - UNIVERSITIES AND COLLEGES**


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**SENATE BILL 99-051**

BY SENATORS Hernandez, Dyer, Nichol, Pascoe, Phillips, Rupert, Tanner, Tebedo, and Weddig;  
 also REPRESENTATIVES George, Alexander, Allen, Bacon, Chavez, Clarke, Coleman, Gagliardi, Hagedorn, Hefley, Kaufman,  
 Lawrence, Leyba, Mace, Miller, Morrison, Plant, Saliman, Scott, Spence, Stengel, Swenson, Tapia, Tate, Veiga, Vigil,  
 S. Williams, and Zimmerman.

**AN ACT**

CONCERNING THE REDUCTION OF DROPOUT RATES IN SECONDARY SCHOOLS THROUGH PREVENTION AND INTERVENTION PROGRAMS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

**SECTION 1.** Part 28 of article 32 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-32-2806. Colorado student dropout prevention and intervention program.**

(1) **Short title.** THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO STUDENT DROPOUT PREVENTION AND INTERVENTION ACT".

(2) **Legislative declaration.** THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) DURING THE LAST DECADE, OVER ONE HUNDRED THOUSAND STUDENTS IN COLORADO LEFT SCHOOL WITHOUT SUCCESSFULLY COMPLETING A HIGH SCHOOL PROGRAM;

(b) IN 1996, THREE MILLION SIX HUNDRED THOUSAND YOUNG ADULTS IN THE UNITED STATES WERE NEITHER ENROLLED IN SCHOOL NOR HAD THEY COMPLETED A HIGH SCHOOL PROGRAM;

(c) IN THE 1995-1996 ACADEMIC YEAR, APPROXIMATELY THIRTEEN THOUSAND STUDENTS WITHDREW FROM COLORADO SCHOOLS PRIOR TO RECEIVING A DIPLOMA, RESULTING IN A FOUR PERCENT DROPOUT RATE;

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(d) OF THOSE STUDENTS WHO WITHDREW FROM COLORADO SCHOOLS PRIOR TO RECEIVING A DIPLOMA, APPROXIMATELY FIVE THOUSAND NINE HUNDRED WERE MINORITY STUDENTS;

(e) THE DROPOUT RATE OF MINORITY STUDENTS IN COLORADO IS SIGNIFICANTLY GREATER THAN THAT OF NON-MINORITY STUDENTS;

(f) NUMEROUS FACTORS, INCLUDING SOCIOECONOMIC BACKGROUND, LACK OF ADULT SUPPORT, AND THE INABILITY TO COMMUNICATE WELL IN ENGLISH, INFLUENCE A STUDENT'S DECISION TO DROP OUT OF SCHOOL;

(g) RESEARCH HAS SHOWN THAT, COMPARED WITH HIGH SCHOOL GRADUATES, RELATIVELY MORE DROPOUTS ARE UNEMPLOYED, AND THOSE DROPOUTS WHO DO SUCCEED IN FINDING WORK TEND TO EARN LESS MONEY THAN HIGH SCHOOL GRADUATES; AND

(h) HIGH SCHOOL DROPOUTS ARE MORE LIKELY TO APPLY FOR AND RECEIVE PUBLIC ASSISTANCE THAN HIGH SCHOOL GRADUATES.

(3) **Definitions.** FOR PURPOSES OF THIS SECTION:

(a) "AT-RISK STUDENTS" MEANS STUDENTS IN SECONDARY SCHOOLS WHO ARE AT RISK OF DROPPING OUT OF SCHOOL BECAUSE OF THEIR SOCIOECONOMIC BACKGROUND, LACK OF ADULT SUPPORT, LANGUAGE BARRIERS, OR OTHER IDENTIFIED INDICATORS THAT CAUSE STUDENTS TO DROP OUT OF SCHOOL.

(b) "ENTITY" MEANS ANY LOCAL GOVERNMENT, COLORADO PUBLIC OR NONSECTARIAN SECONDARY SCHOOL, INCLUDING CHARTER SCHOOLS, GROUP OF PUBLIC OR NONSECTARIAN SECONDARY SCHOOLS, SCHOOL DISTRICT OR GROUP OF SCHOOL DISTRICTS, BOARD OF COOPERATIVE SERVICES, INSTITUTION OF HIGHER EDUCATION, THE COLORADO NATIONAL GUARD, STATE AGENCY, OR STATE-OPERATED PROGRAM OR ANY PRIVATE NONPROFIT OR NOT-FOR-PROFIT COMMUNITY-BASED ORGANIZATION.

(4) **Colorado student dropout prevention and intervention program.** THERE IS HEREBY CREATED THE COLORADO STUDENT DROPOUT PREVENTION AND INTERVENTION PROGRAM IN THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM FOR THE PURPOSE OF PROVIDING SERVICES TO AT-RISK STUDENTS AND THEIR FAMILIES IN AN EFFORT TO REDUCE THE DROPOUT RATE IN SECONDARY SCHOOLS THROUGH AN APPROPRIATE COMBINATION OF ACADEMIC AND EXTRACURRICULAR ACTIVITIES DESIGNED TO ENHANCE THE OVERALL EDUCATION AND EDIFICATION OF STUDENTS IN SECONDARY SCHOOLS.

(5) **Administration.** (a) THE STUDENT DROPOUT PREVENTION AND INTERVENTION PROGRAM SHALL BE ADMINISTERED THROUGH THE DEPARTMENT OF LOCAL AFFAIRS. SUBJECT TO THE DESIGNATION IN PARAGRAPH (b) OF THIS SUBSECTION (5), THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM BOARD CREATED IN SECTION 24-32-2802 SHALL SELECT THOSE ENTITIES THAT WILL RECEIVE GRANTS THROUGH THE STUDENT DROPOUT PREVENTION AND INTERVENTION PROGRAM AND THE AMOUNT OF EACH GRANT. IN ADDITION, THE DEPARTMENT OF LOCAL AFFAIRS SHALL MONITOR THE EFFECTIVENESS OF PROGRAMS THAT RECEIVE FUNDS THROUGH THE STUDENT

DROPOUT PREVENTION AND INTERVENTION PROGRAM. TO BE ELIGIBLE FOR GRANTS FROM THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM BOARD FOR THE PROVISION OF STUDENT DROPOUT PREVENTION AND INTERVENTION PROGRAMS TARGETING AT-RISK STUDENTS, AN ENTITY SHALL APPLY TO THE BOARD IN ACCORDANCE WITH THE TIMELINES AND GUIDELINES ADOPTED BY THE BOARD PURSUANT TO SECTION 24-32-2802.

(b) ANY MONEYS AWARDED BY THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM BOARD SHALL BE PAID FROM MONEYS APPROPRIATED OUT OF THE GENERAL FUND FOR SUCH PROGRAM. EACH YEAR NO LESS THAN TEN PERCENT OF THE TOTAL APPROPRIATION FROM THE GENERAL FUND SHALL BE DESIGNATED AND USED EXCLUSIVELY FOR PROGRAMS SPECIFICALLY DESIGNED TO PREVENT STUDENTS FROM DROPPING OUT OF SECONDARY SCHOOLS; EXCEPT THAT, COMMENCING IN FISCAL YEAR 2004-2005 AND IN EACH FISCAL YEAR THEREAFTER, NO LESS THAN TWENTY PERCENT OF THE TOTAL APPROPRIATION SHALL BE DESIGNATED AND USED EXCLUSIVELY FOR SUCH PURPOSE.

(6) (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS IS AUTHORIZED TO ACCEPT ON BEHALF OF THE STATE ANY FUNDS, GRANTS, GIFTS, OR DONATIONS FROM ANY PRIVATE OR PUBLIC SOURCE FOR THE PURPOSE OF IMPLEMENTING STUDENT DROPOUT PREVENTION AND INTERVENTION PROGRAMS PURSUANT TO THIS ARTICLE; EXCEPT THAT NO FUNDS, GRANTS, GIFTS, OR DONATIONS SHALL BE ACCEPTED IF THE CONDITIONS ATTACHED THERETO REQUIRE THE EXPENDITURE THEREOF IN A MANNER CONTRARY TO LAW.

(b) ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH FUNDS, GRANTS, GIFTS, OR DONATIONS PURSUANT TO THIS SUBSECTION (6) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE STUDENT DROPOUT PREVENTION AND INTERVENTION FUND, WHICH FUND IS HEREBY CREATED. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE ADMINISTRATION OF THIS ARTICLE. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS MAY EXPEND MONEYS APPROPRIATED TO THE DEPARTMENT FROM THE FUND FOR PURPOSES OF PROVIDING A GRANT FOR THE IMPLEMENTATION AND ADMINISTRATION OF A STUDENT DROPOUT PREVENTION AND INTERVENTION PROGRAM. ALL INVESTMENT EARNINGS DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY MONEYS NOT APPROPRIATED SHALL REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND OF THE STATE AT THE END OF ANY FISCAL YEAR.

**SECTION 2.** 24-32-2801 (4), Colorado Revised Statutes, is amended to read:

**24-32-2801. Youth crime prevention and intervention program - creation - standards - applications.** (4) For purposes of this part 28, "entity" means any local government, COLORADO PUBLIC OR NONSECTARIAN SECONDARY SCHOOL, INCLUDING CHARTER SCHOOLS, GROUP OF PUBLIC OR NONSECTARIAN SECONDARY SCHOOLS, school district OR GROUP OF SCHOOL DISTRICTS, BOARD OF COOPERATIVE SERVICES, INSTITUTION OF HIGHER EDUCATION, THE COLORADO NATIONAL GUARD, state agency, or state-operated program or any private nonprofit or not-for-profit community-based organization.

**SECTION 3.** 24-32-2802 (1) (a), (1) (b), (2) (b) (III), and (2) (c), Colorado Revised Statutes, are amended to read:

**24-32-2802. Youth crime prevention and intervention program board - members - duties - student dropout prevention and intervention fund - creation.**

(1) (a) There is hereby created the youth crime prevention and intervention program board, referred to in this part 28 as the "board", consisting of four members appointed by the governor with the consent of the senate, ~~two~~ THREE members appointed by the speaker of the house of representatives, and ~~two~~ THREE members appointed by the president of the senate. For the initial appointments, the governor shall appoint members to the board after the speaker of the house of representatives and the president of the senate have made appointments. No more than ~~five~~ SIX of the members appointed to the board shall be members of the same political party. At their first meeting, the members of the board shall choose a chairperson and a vice-chairperson. In addition to the appointed board members, the executive director of the department of local affairs shall serve as the ~~ninth~~ ELEVENTH member of the board.

(b) (I) In appointing members to the board, the governor, the speaker of the house of representatives, and the president of the senate shall choose persons who have a knowledge and awareness of innovative strategies for youth crime prevention and intervention.

(II) In appointing members of the board, the governor, the speaker of the house of representatives, and the president of the senate shall appoint one or more persons who possess knowledge and awareness of early childhood care and education. IN ADDITION, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE SHALL EACH APPOINT AT LEAST ONE PERSON WHO HAS A KNOWLEDGE AND AWARENESS OF STUDENT ISSUES, INCLUDING THE CAUSES OF STUDENT DROPOUT IN SECONDARY SCHOOLS, AS WELL AS INNOVATIVE STRATEGIES FOR REDUCING THE DROPOUT RATE AMONG SECONDARY SCHOOL STUDENTS. For purposes of this subparagraph (II), "early childhood" means less than nine years of age.

(III) IN APPOINTING MEMBERS, THE GOVERNOR SHALL APPOINT AT LEAST ONE MEMBER TO THE BOARD WHO IS REPRESENTATIVE OF A MINORITY COMMUNITY.

(2) (b) In addition to the guidelines developed pursuant to paragraph (a) of this subsection (2), the board shall develop criteria for awarding grants under the youth crime prevention and intervention program including, but not limited to, the following requirements:

(III) That the program is directed at providing intervention services to youth and their families in an effort to decrease incidents of crime and violence OR THAT THE PROGRAM IS DIRECTED AT PROVIDING SERVICES TO AT-RISK STUDENTS AND THEIR FAMILIES IN AN EFFORT TO REDUCE THE DROPOUT RATE IN SECONDARY SCHOOLS PURSUANT TO SECTION 24-32-2806. IF AN ENTITY IS SEEKING A GRANT FROM THE BOARD FOR A STUDENT DROPOUT PREVENTION AND INTERVENTION PROGRAM PURSUANT TO SECTION 24-32-2806, ONE OF THE CRITERIA THE BOARD SHALL CONSIDER IS WHETHER OR NOT THE PROGRAM HAS BEEN IMPLEMENTED ELSEWHERE, IF KNOWN, AND, IF SO, THE RELATIVE SUCCESS OF SUCH PROGRAM. IT SHALL NOT BE REQUIRED, HOWEVER, THAT THE PROGRAM BE PREVIOUSLY IMPLEMENTED IN ORDER

FOR THE BOARD TO AWARD A GRANT TO SUCH ENTITY.

(c) In addition to the guidelines and criteria developed pursuant to paragraphs (a) and (b) of this subsection (2), the board shall develop result-oriented criteria for measuring the effectiveness of programs that receive grants under the youth crime prevention and intervention program as deemed appropriate to the nature of each program including, but not limited to, requiring grantees to evaluate the impact of the services provided by the program. ANY CRITERIA DEVELOPED PURSUANT TO THIS PARAGRAPH (c) FOR MEASURING THE EFFECTIVENESS OF STUDENT DROPOUT PREVENTION AND INTERVENTION PROGRAMS ESTABLISHED PURSUANT TO SECTION 24-32-2806 SHALL INCLUDE THE IMPLEMENTATION OF A METHOD BY WHICH TO TRACK THE STUDENTS SERVED BY THE PROGRAM TO EVALUATE THE IMPACT OF THE SERVICES PROVIDED, WHICH TRACKING SHALL CONTINUE, IF POSSIBLE, FOR AT LEAST TWO YEARS OR THROUGH GRADUATION FROM A SECONDARY SCHOOL, WHICHEVER OCCURS FIRST.

**SECTION 4. Appropriation - adjustments in 1999 long bill.** For the implementation of this act, the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 1999, shall be adjusted as follows:

(1) The appropriation to the department of local affairs for prevention and intervention program grants is hereby decreased by the amount of twenty-five thousand dollars (\$25,000) general fund.

(2) The appropriation to the department of local affairs, community development, division of local government, local government and community services, is hereby increased by the sum of twenty-five thousand dollars (\$25,000) general fund, or so much thereof as may be necessary, for a student dropout prevention study.

**SECTION 5. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 29, 1999