

## CHAPTER 290

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**EDUCATION - PUBLIC SCHOOLS**


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**HOUSE BILL 09-1243**

BY REPRESENTATIVE(S) Middleton and Massey, Labuda, Casso, Court, McGihon, Miklosi, Peniston, Primavera, Ryden, Scanlan, Todd, Vigil, Apuan, Ferrandino, Fischer, Gardner B., Green, Hullinghorst, Kefalas, Kerr A., Merrifield, Riesberg, Roberts, Schafer S., Solano, Carroll T., Frangas, Gerou, Pace, Summers;  
also SENATOR(S) Bacon, Spence, Boyd, Carroll M., Gibbs, Groff, Heath, Hudak, Isgar, King K., Morse, Newell, Penry, Sandoval, Schwartz, Shaffer B.

**AN ACT**

**CONCERNING MEASURES TO RAISE THE GRADUATION RATE IN PUBLIC HIGH SCHOOLS IN COLORADO,  
AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** Title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 14**  
**Dropout Prevention and Student Re-engagement**

**22-14-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) THE STATE OF COLORADO HAS PLACED A HIGH PRIORITY ON REDUCING THE NUMBER OF STUDENT DROPOUTS IN COLORADO, INCLUDING ESTABLISHING THE GOAL OF DECREASING THE HIGH SCHOOL DROPOUT RATE BY HALF BY THE 2017-18 ACADEMIC YEAR;

(b) THE COLORADO DEPARTMENT OF EDUCATION REPORTS THAT THE STATEWIDE GRADUATION RATE FOR COLORADO HIGH SCHOOLS FOR THE 2006-07 SCHOOL YEAR WAS SEVENTY-FIVE PERCENT, AN IMPROVEMENT OF NINE-TENTHS OF A PERCENTAGE POINT OVER THE PREVIOUS SCHOOL YEAR;

(c) ALTHOUGH THE OVERALL GRADUATION RATE MAY HAVE IMPROVED, SERIOUS GAPS CONTINUE TO EXIST IN THE GRADUATION RATES AMONG ETHNIC AND ECONOMIC

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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.*

GROUPS AND, OVERALL, TWENTY-FIVE PERCENT OF THE HIGH SCHOOL STUDENTS IN COLORADO ARE NOT GRADUATING FROM HIGH SCHOOL WITHIN FOUR YEARS;

(d) STUDENTS WITH DISABILITIES ALSO CONTINUE TO ACHIEVE A SIGNIFICANTLY LOWER GRADUATION RATE THAN OTHER STUDENT GROUPS. THE GRADUATION RATE FOR COLORADO STUDENTS WITH DISABILITIES IS SIXTY-THREE AND SEVEN-TENTHS PERCENT, COMPARED WITH A STATEWIDE GRADUATION RATE OF SEVENTY-FIVE PERCENT.

(e) ACCORDING TO THE 2007 COLORADO YOUTH RISK BEHAVIOR SURVEY, APPROXIMATELY ONE OUT OF TEN STUDENTS DID NOT GO TO SCHOOL ONE OR MORE DAYS IN A THIRTY-DAY PERIOD BECAUSE THEY FELT UNSAFE AT SCHOOL OR IN TRAVELING TO OR FROM SCHOOL. THIS STATISTIC INDICATES THAT, TO IMPROVE STUDENT ATTENDANCE AND GRADUATION RATES, SCHOOLS AND SCHOOL DISTRICTS MUST ADDRESS SCHOOL SAFETY ISSUES AS WELL AS STUDENT LEARNING AND ENGAGEMENT ISSUES.

(f) STUDIES CLEARLY SHOW THAT A STUDENT'S LEVEL OF EDUCATION ATTAINMENT WILL DIRECTLY INFLUENCE THE STUDENT'S LEVEL OF ACHIEVEMENT AND SUCCESS THROUGHOUT THE REST OF HIS OR HER LIFE;

(g) THE NATIONAL CENTER FOR EDUCATION STATISTICS REPORTS THAT, IN COMPARING EMPLOYMENT RATES AND LEVELS OF EDUCATION ATTAINMENT ACROSS THE COUNTRY, IN 2005, THE UNEMPLOYMENT RATE FOR PERSONS WHO DROPPED OUT OF HIGH SCHOOL WAS SEVEN AND SIX-TENTHS PERCENT, COMPARED TO AN OVERALL AVERAGE UNEMPLOYMENT RATE FOR ALL EDUCATION LEVELS OF FOUR PERCENT; AND

(h) STUDIES FURTHER SHOW THAT STUDENTS WHO DROP OUT OF SCHOOL ARE MORE LIKELY TO BE INVOLVED IN CRIME OR DELINQUENCY AND TO LOSE LIFELONG OPPORTUNITIES FOR PERSONAL ACHIEVEMENT, RESULTING IN ECONOMIC AND SOCIAL COSTS TO THE STATE.

(2) THE GENERAL ASSEMBLY THEREFORE CONCLUDES THAT:

(a) IT IS IMPERATIVE THAT THE DEPARTMENT OF EDUCATION CREATE AN OFFICE OF DROPOUT PREVENTION AND STUDENT RE-ENGAGEMENT TO PROVIDE FOCUS, COORDINATION, RESEARCH, AND LEADERSHIP TO ASSIST LOCAL EDUCATION PROVIDERS IN IMPLEMENTING COORDINATED EFFORTS TO REDUCE THE HIGH SCHOOL DROPOUT RATE AND INCREASE THE HIGH SCHOOL GRADUATION AND COMPLETION RATES AND THE LEVELS OF STUDENT ENGAGEMENT AND RE-ENGAGEMENT;

(b) TO SIGNIFICANTLY REDUCE THE STATEWIDE DROPOUT RATE AND INCREASE THE RATES OF STUDENT ENGAGEMENT AND RE-ENGAGEMENT, THE OFFICE OF DROPOUT PREVENTION AND STUDENT RE-ENGAGEMENT MUST ALSO PROVIDE LEADERSHIP IN CREATING AND FACILITATING SYSTEMIC APPROACHES THAT INVOLVE INTERSYSTEM COLLABORATION BETWEEN LOCAL EDUCATION PROVIDERS AND THE FOSTER CARE AND CHILD WELFARE SYSTEMS, THE JUVENILE JUSTICE SYSTEM, THE DIVISION OF YOUTH SERVICES IN THE DEPARTMENT OF HUMAN SERVICES, INSTITUTIONS OF HIGHER EDUCATION, CAREER AND TECHNICAL EDUCATION PROVIDERS, ADULT BASIC EDUCATION, GENERAL EDUCATIONAL DEVELOPMENT

CERTIFICATE, AND ENGLISH-AS-A-SECOND-LANGUAGE PROGRAMS, OFFICES OF WORKFORCE DEVELOPMENT, SCHOOL-BASED STUDENT SUPPORT PERSONNEL, EXPANDED LEARNING OPPORTUNITY AND FAMILY EDUCATION PROGRAMS, GENERAL EDUCATIONAL DEVELOPMENT PROGRAMS, AND FACILITY SCHOOLS.

**22-14-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COMPLETION" MEANS A STUDENT GRADUATES FROM HIGH SCHOOL OR RECEIVES A CERTIFICATE OR OTHER DESIGNATION OF HIGH SCHOOL COMPLETION SUCH AS A GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

(3) "DROPOUT PREVENTION" MEANS SCHOOL AND COMMUNITY-BASED INITIATIVES TO PROMOTE POSITIVE SOCIAL, EMOTIONAL, FAMILIAL, AND EDUCATIONAL FACTORS THAT MAINTAIN AND STRENGTHEN STUDENT ENGAGEMENT AND ADDRESS BARRIERS AND CONDITIONS THAT MAY LEAD A STUDENT TO DROP OUT OF SCHOOL.

(4) "EXPANDED LEARNING OPPORTUNITY PROGRAMS" MEANS PROGRAMS THAT PROVIDE KINDERGARTEN-THROUGH-TWELFTH-GRADE SUPERVISED LEARNING ACTIVITIES THAT MAY INCLUDE, BUT NEED NOT BE LIMITED TO, AFTER-SCHOOL PROGRAMS, BEFORE-SCHOOL PROGRAMS, SUMMER SCHOOL PROGRAMS, WEEKEND PROGRAMS, AND EXTENDED-DAY AND EXTENDED-YEAR PROGRAMS.

(5) "GRADUATION" MEANS A STUDENT MEETS THE LOCALLY DEFINED REQUIREMENTS FOR A HIGH SCHOOL DIPLOMA.

(6) "GRANT PROGRAM" MEANS THE STUDENT RE-ENGAGEMENT GRANT PROGRAM ESTABLISHED IN SECTION 22-14-109.

(7) "HIGH PRIORITY LOCAL EDUCATION PROVIDER" MEANS A LOCAL EDUCATION PROVIDER THAT THE OFFICE IDENTIFIES PURSUANT TO SECTION 22-14-103 (4) AS BEING MOST IN NEED OF TECHNICAL ASSISTANCE AND SUPPORT.

(8) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE, OR THE STATE CHARTER SCHOOL INSTITUTE CREATED PURSUANT TO SECTION 22-30.5-503.

(9) "OFFICE" MEANS THE OFFICE OF DROPOUT PREVENTION AND STUDENT RE-ENGAGEMENT CREATED WITHIN THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION 22-14-103.

(10) "PARENT" MEANS A STUDENT'S BIOLOGICAL OR ADOPTIVE PARENT OR THE STUDENT'S LEGAL GUARDIAN OR LEGAL CUSTODIAN.

(11) "PRIORITY LOCAL EDUCATION PROVIDER" MEANS A LOCAL EDUCATION PROVIDER THAT THE OFFICE IDENTIFIES PURSUANT TO SECTION 22-14-103 (4) AS BEING IN SIGNIFICANT NEED OF TECHNICAL ASSISTANCE AND SUPPORT.

(12) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

(13) "STUDENT ENGAGEMENT" MEANS A STUDENT'S SENSE OF BELONGING, SAFETY, AND INVOLVEMENT IN SCHOOL THAT LEADS TO ACADEMIC ACHIEVEMENT, REGULAR SCHOOL ATTENDANCE, AND GRADUATION. ELEMENTS OF PROMOTING STUDENT ENGAGEMENT INCLUDE PROVIDING RIGOROUS AND RELEVANT INSTRUCTION, CREATING POSITIVE RELATIONSHIPS WITH TEACHERS AND COUNSELORS, PROVIDING SOCIAL AND EMOTIONAL SUPPORT SERVICES FOR STUDENTS AND THEIR FAMILIES, CREATING PARTNERSHIPS WITH COMMUNITY ORGANIZATIONS AND FAMILIES THAT FOSTER LEARNING OUTSIDE OF THE CLASSROOM, AND CULTIVATING REGULAR SCHOOL ATTENDANCE.

(14) "STUDENT GRADUATION AND COMPLETION PLAN" MEANS A LOCAL EDUCATION PROVIDER'S PLAN, CREATED PURSUANT TO SECTION 22-14-107, FOR REDUCING THE STUDENT DROPOUT RATE AND INCREASING THE RATES OF STUDENT ENGAGEMENT, RE-ENGAGEMENT, GRADUATION, AND COMPLETION.

(15) "STUDENT RE-ENGAGEMENT" MEANS THAT A STUDENT REENROLLS IN HIGH SCHOOL AFTER DROPPING OUT PRIOR TO COMPLETION. STUDENT RE-ENGAGEMENT USUALLY RESULTS FROM A LOCAL EDUCATION PROVIDER'S USE OF EVIDENCE- OR RESEARCH-BASED STRATEGIES TO REACH OUT TO STUDENTS WHO HAVE DROPPED OUT OF SCHOOL AND TO ASSIST THEM IN TRANSITIONING BACK INTO SCHOOL AND OBTAINING THEIR HIGH SCHOOL DIPLOMAS OR OTHERWISE COMPLETING HIGH SCHOOL.

(16) "STUDENT SUPPORT PERSONNEL" MEANS A STATE-LICENSED OR STATE-CERTIFIED SCHOOL COUNSELOR, SCHOOL PSYCHOLOGIST, SCHOOL SOCIAL WORKER, OR SCHOOL NURSE, OR OTHER STATE-LICENSED OR STATE-CERTIFIED MENTAL HEALTH PROFESSIONAL QUALIFIED UNDER STATE LAW TO PROVIDE SUPPORT SERVICES TO CHILDREN AND ADOLESCENTS.

**22-14-103. Office of dropout prevention and student re-engagement - created - purpose - duties.** (1) (a) THERE IS HEREBY CREATED WITHIN THE DEPARTMENT OF EDUCATION THE OFFICE OF DROPOUT PREVENTION AND STUDENT RE-ENGAGEMENT. THE HEAD OF THE OFFICE SHALL BE THE DIRECTOR OF THE OFFICE OF DROPOUT PREVENTION AND STUDENT RE-ENGAGEMENT AND SHALL BE APPOINTED BY THE COMMISSIONER OF EDUCATION IN ACCORDANCE WITH SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION. THE OFFICE OF DROPOUT PREVENTION AND STUDENT RE-ENGAGEMENT SHALL CONSIST OF THE DIRECTOR AND AN ASSISTANT DIRECTOR WHO SHALL BE APPOINTED BY THE DIRECTOR. THE COMMISSIONER MAY ASSIGN OR OTHERWISE DIRECT OTHER PERSONNEL WITHIN THE DEPARTMENT TO ASSIST THE DIRECTOR AND ASSISTANT DIRECTOR IN MEETING THE RESPONSIBILITIES OF THE OFFICE.

(b) THE OFFICE OF DROPOUT PREVENTION AND STUDENT RE-ENGAGEMENT AND THE DIRECTOR OF THE OFFICE SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION AS IF THE SAME WERE TRANSFERRED TO THE DEPARTMENT OF EDUCATION BY A **TYPE 2** TRANSFER AS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968",

## ARTICLE 1 OF TITLE 24, C.R.S.

(c) THE DEPARTMENT IS STRONGLY ENCOURAGED TO DIRECT, TO THE EXTENT POSSIBLE, ANY INCREASES IN THE AMOUNT OF FEDERAL MONEYS RECEIVED BY THE DEPARTMENT FOR PROGRAMS UNDER TITLE I, PART A OF THE "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., PROGRAMS UNDER THE "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C., SEC. 1400, ET SEQ., OR OTHER FEDERAL PROGRAMS TO ASSIST IN FUNDING THE ACTIVITIES OF THE OFFICE AS SPECIFIED IN THIS ARTICLE.

(d) THE DEPARTMENT SHALL SEEK AND MAY ACCEPT AND EXPEND GIFTS, GRANTS, AND DONATIONS FROM PUBLIC OR PRIVATE ENTITIES TO FUND THE OPERATIONS OF THE OFFICE, INCLUDING THE PERSONNEL FOR THE OFFICE AND EXECUTION OF THE DUTIES AND RESPONSIBILITIES SPECIFIED IN THIS ARTICLE. NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, THE DEPARTMENT IS NOT REQUIRED TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE UNTIL SUCH TIME AS THE DEPARTMENT HAS RECEIVED AN AMOUNT IN GIFTS, GRANTS, AND DONATIONS FROM PUBLIC OR PRIVATE ENTITIES THAT THE DEPARTMENT DEEMS SUFFICIENT TO ADEQUATELY FUND THE OPERATIONS OF THE OFFICE.

(2) THE OFFICE SHALL COLLABORATE WITH LOCAL EDUCATION PROVIDERS TO REDUCE THE STATEWIDE AND LOCAL STUDENT DROPOUT RATES AND TO INCREASE THE STATEWIDE AND LOCAL GRADUATION AND COMPLETION RATES IN ACCORDANCE WITH THE GOALS SPECIFIED IN SECTION 22-14-101. TO ACCOMPLISH THIS PURPOSE, THE OFFICE SHALL ASSIST LOCAL EDUCATION PROVIDERS IN:

(a) ANALYZING STUDENT DATA PERTAINING TO STUDENT DROPOUT RATES, GRADUATION RATES, COMPLETION RATES, MOBILITY RATES, TRUANCY RATES, SUSPENSION AND EXPULSION RATES, SAFETY OR DISCIPLINE INCIDENCES, AND STUDENT ACADEMIC GROWTH DATA AT THE STATE AND LOCAL LEVELS; AND

(b) CREATING AND EVALUATING STUDENT GRADUATION AND COMPLETION PLANS.

(3) TO ACCOMPLISH THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION, THE OFFICE SHALL ALSO:

(a) REVIEW STATE POLICIES AND ASSIST LOCAL EDUCATION PROVIDERS IN REVIEWING THEIR POLICIES PERTAINING TO ATTENDANCE, TRUANCY, DISCIPLINARY ACTIONS UNDER THE LOCAL EDUCATION PROVIDER'S CODE OF CONDUCT, BEHAVIORAL EXPECTATIONS, DROPOUT PREVENTION, AND STUDENT ENGAGEMENT AND RE-ENGAGEMENT TO IDENTIFY EFFECTIVE STRATEGIES FOR AND BARRIERS TO REDUCING THE STUDENT DROPOUT RATES AND INCREASING STUDENT ENGAGEMENT AND RE-ENGAGEMENT WITHIN THE STATE;

(b) IDENTIFY AND RECOMMEND, AS PROVIDED IN SECTION 22-14-104, BEST PRACTICES AND EFFECTIVE STRATEGIES TO REDUCE STUDENT DROPOUT RATES AND INCREASE STUDENT ENGAGEMENT AND RE-ENGAGEMENT;

(c) DEVELOP INTERAGENCY AGREEMENTS AND OTHERWISE COOPERATE WITH OTHER STATE AND FEDERAL AGENCIES AND WITH PRIVATE, NONPROFIT AGENCIES TO COLLECT AND REVIEW STUDENT DATA AND DEVELOP AND RECOMMEND METHODS

FOR REDUCING STUDENT DROPOUT RATES AND INCREASING STUDENT ENGAGEMENT AND RE-ENGAGEMENT. THE OFFICE SHALL, TO THE EXTENT POSSIBLE, COLLABORATE WITH, AT A MINIMUM:

- (I) CAREER AND TECHNICAL EDUCATION PROVIDERS;
- (II) GENERAL EDUCATIONAL DEVELOPMENT SERVICE PROVIDERS;
- (III) THE PREVENTION SERVICES DIVISION IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;
- (IV) THE DIVISION OF YOUTH CORRECTIONS AND OTHER AGENCIES WITHIN THE JUVENILE JUSTICE SYSTEM;
- (V) THE DEPARTMENT OF CORRECTIONS;
- (VI) THE JUDICIAL DEPARTMENT;
- (VII) INSTITUTIONS OF HIGHER EDUCATION;
- (VIII) OFFICES OF WORKFORCE DEVELOPMENT;
- (IX) EXPANDED LEARNING OPPORTUNITY AND FAMILY EDUCATION PROGRAMS;
- (X) ADULT BASIC EDUCATION AND ENGLISH-AS-A-SECOND-LANGUAGE PROGRAMS;
- (XI) ORGANIZATIONS THAT PROVIDE SERVICES FOR PREGNANT AND PARENTING TEENS AND STUDENTS WITH SPECIAL HEALTH AND EDUCATION NEEDS;
- (XII) AGENCIES AND NONPROFIT ORGANIZATIONS WITHIN THE CHILD WELFARE SYSTEM; AND
- (XIII) PRIVATE, NONPROFIT ORGANIZATIONS THAT PROVIDE SERVICES FOR HOMELESS FAMILIES AND YOUTH.

(d) SOLICIT PUBLIC AND PRIVATE GIFTS, GRANTS, AND DONATIONS TO ASSIST IN THE IMPLEMENTATION OF THIS ARTICLE; AND

(e) EVALUATE THE EFFECTIVENESS OF LOCAL EDUCATION PROVIDERS' EFFORTS IN REDUCING THE STATEWIDE STUDENT DROPOUT RATE AND INCREASING THE STATEWIDE GRADUATION AND COMPLETION RATES AND TO REPORT PROGRESS IN IMPLEMENTING THE PROVISIONS OF THIS ARTICLE.

(4) (a) THE OFFICE SHALL COLLABORATE WITH OTHER DIVISIONS WITHIN THE DEPARTMENT TO IDENTIFY ANNUALLY THROUGH THE ACCREDITATION PROCESS THOSE LOCAL EDUCATION PROVIDERS THAT DO NOT MEET THEIR ESTABLISHED GRADUATION AND COMPLETION RATE EXPECTATIONS. OF THOSE LOCAL EDUCATION PROVIDERS IDENTIFIED, THE OFFICE SHALL USE CRITERIA ADOPTED BY RULE OF THE STATE BOARD TO DETERMINE:

(I) WHICH LOCAL EDUCATION PROVIDERS ARE MOST IN NEED OF IMPROVEMENT AND ASSISTANCE AND SHALL RECOGNIZE SAID LOCAL EDUCATION PROVIDERS AS HIGH PRIORITY LOCAL EDUCATION PROVIDERS; AND

(II) WHICH LOCAL EDUCATION PROVIDERS ARE IN SIGNIFICANT NEED OF IMPROVEMENT AND ASSISTANCE AND SHALL RECOGNIZE SAID LOCAL EDUCATION PROVIDERS AS PRIORITY LOCAL EDUCATION PROVIDERS.

(b) THE OFFICE SHALL PROVIDE TECHNICAL ASSISTANCE TO EACH HIGH PRIORITY LOCAL EDUCATION PROVIDER AND TO PRIORITY LOCAL EDUCATION PROVIDERS AS PROVIDED IN THIS ARTICLE.

(5) IN ADDITION TO THE ASSISTANCE SPECIFIED IN SECTIONS 22-14-106 (3) AND 22-14-107 (5), THE OFFICE SHALL PROVIDE TECHNICAL ASSISTANCE IN THE AREAS OF DROPOUT PREVENTION AND STUDENT ENGAGEMENT AND RE-ENGAGEMENT TO THE HIGH PRIORITY LOCAL EDUCATION PROVIDERS AND, TO THE EXTENT PRACTICABLE WITHIN EXISTING RESOURCES, TO PRIORITY LOCAL EDUCATION PROVIDERS. TECHNICAL ASSISTANCE MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

(a) TRAINING IN IMPLEMENTING IDENTIFIED, EFFECTIVE, RESEARCH-BASED STRATEGIES FOR DROPOUT PREVENTION AND STUDENT ENGAGEMENT AND RE-ENGAGEMENT;

(b) ASSISTANCE IN ESTIMATING THE COST OF IMPLEMENTING THE IDENTIFIED STRATEGIES IN THE SCHOOLS OPERATED OR APPROVED BY THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER AND ANALYZING THE COST-EFFECTIVENESS OF THE STRATEGIES;

(c) IDENTIFICATION AND RECOMMENDATION OF EFFECTIVE APPROACHES APPLIED BY OTHER COLORADO LOCAL EDUCATION PROVIDERS THAT MAY BE SIMILARLY SITUATED TO THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER.

**22-14-104. Report of effective policies and strategies - creation - use.** (1) ON OR BEFORE DECEMBER 31, 2009, THE OFFICE SHALL REVIEW THE EXISTING RESEARCH AND DATA FROM THIS STATE AND OTHER STATES AND COMPILE A REPORT OF EFFECTIVE DROPOUT PREVENTION AND STUDENT ENGAGEMENT AND RE-ENGAGEMENT POLICIES AND STRATEGIES IMPLEMENTED BY LOCAL EDUCATION PROVIDERS WITHIN THIS STATE AND IN OTHER STATES. THE OFFICE MAY USE THE FINDINGS AND RECOMMENDATIONS IN THE REPORT TO PROVIDE TECHNICAL ASSISTANCE TO HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDERS, TO ASSIST HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDERS IN CREATING STUDENT GRADUATION AND COMPLETION PLANS, AND TO RECOMMEND TO THE STATE BOARD AND THE GENERAL ASSEMBLY STATE POLICIES CONCERNING DROPOUT PREVENTION AND STUDENT ENGAGEMENT AND RE-ENGAGEMENT. HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDERS MAY USE THE REPORT TO REVIEW THEIR POLICIES, TO FORMULATE NEW POLICIES AND STRATEGIES, AND TO CREATE AND EVALUATE THEIR STUDENT GRADUATION AND COMPLETION PLANS.

(2) IN PREPARING THE REPORT OF EFFECTIVE POLICIES AND STRATEGIES, THE OFFICE, AT A MINIMUM, SHALL CONSULT, SHARE INFORMATION, AND COORDINATE EFFORTS WITH:

(a) THE GOVERNOR'S OFFICE;

(b) THE P-20 EDUCATION COORDINATING COUNCIL APPOINTED BY THE GOVERNOR PURSUANT TO EXECUTIVE ORDER B 003 07;

(c) LOCAL EDUCATION PROVIDERS WITHIN COLORADO THAT HAVE MAINTAINED LOW STUDENT DROPOUT RATES AND HIGH RATES OF STUDENT ENGAGEMENT AND RE-ENGAGEMENT IN PREVIOUS YEARS;

(d) STATE AND NATIONAL EXPERTS IN DROPOUT RATE REDUCTION AND STUDENT ENGAGEMENT AND RE-ENGAGEMENT STRATEGIES WHO ARE KNOWLEDGEABLE ABOUT SUCCESSFUL POLICIES AND PRACTICES FROM OTHER STATES AND LOCAL GOVERNMENTS IN OTHER STATES; AND

(e) FEDERAL GOVERNMENT OFFICIALS WHO ADMINISTER DROPOUT RATE REDUCTION AND STUDENT ENGAGEMENT AND RE-ENGAGEMENT INITIATIVES AND PROGRAMS.

(3) THE OFFICE SHALL PERIODICALLY REVIEW AND REVISE THE REPORT OF EFFECTIVE POLICIES AND STRATEGIES AS NECESSARY TO MAINTAIN THE REPORT'S RELEVANCE AND APPLICABILITY. THE OFFICE SHALL POST THE INITIAL REPORT OF EFFECTIVE STRATEGIES AND SUBSEQUENT REVISIONS ON THE DEPARTMENT'S WEB SITE.

**22-14-105. Assessment of statewide student attendance data - report.**

BEGINNING IN THE 2009-10 ACADEMIC YEAR, THE OFFICE, WITH ASSISTANCE FROM OTHER DIVISIONS WITHIN THE DEPARTMENT, SHALL ANNUALLY ANALYZE DATA COLLECTED BY THE DEPARTMENT FROM LOCAL EDUCATION PROVIDERS THROUGHOUT THE STATE CONCERNING STUDENT ATTENDANCE AND THE IMPLEMENTATION OF SCHOOL ATTENDANCE POLICIES AND PRACTICES AND SHALL ASSESS THE OVERALL INCIDENCE, CAUSES, AND EFFECTS OF STUDENT DROPOUT, ENGAGEMENT, AND RE-ENGAGEMENT IN COLORADO. ON OR BEFORE FEBRUARY 15, 2010, AND ON OR BEFORE FEBRUARY 15 EACH YEAR THEREAFTER, THE OFFICE SHALL PROVIDE TO LOCAL EDUCATION PROVIDERS, THE STATE BOARD, THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND THE GOVERNOR'S OFFICE THE ASSESSMENT AND ANY RECOMMENDED STRATEGIES TO ADDRESS STUDENT DROPOUT, ENGAGEMENT, AND RE-ENGAGEMENT IN COLORADO. THE OFFICE MAY COMBINE THIS ASSESSMENT AND RECOMMENDATION WITH THE REPORT REQUIRED BY SECTION 22-14-111.

**22-14-106. Local education provider practices assessment - technical assistance - rules.**

(1) (a) EACH HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDER SHALL CONDUCT A PRACTICES ASSESSMENT AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION. EACH HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDER'S PRACTICES ASSESSMENT SHALL CONSIDER COMMUNITY PARTNERSHIPS WITH STATE AND LOCAL GOVERNMENT AGENCIES AND COMMUNITY-BASED ORGANIZATIONS AND CURRENT PRACTICES AND POLICIES AS THEY RELATE TO DIFFERENT TYPES OF DROPOUT STUDENTS OR STUDENTS AT RISK OF DROPPING OUT.

(b) EACH HIGH PRIORITY LOCAL EDUCATION PROVIDER SHALL COMPLETE ITS INITIAL PRACTICES ASSESSMENT NO LATER THAN JUNE 30, 2010. EACH PRIORITY

LOCAL EDUCATION PROVIDER SHALL COMPLETE ITS INITIAL PRACTICES ASSESSMENT NO LATER THAN JUNE 30, 2011. FOLLOWING COMPLETION OF THE INITIAL PRACTICES ASSESSMENT, EACH HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDER SHALL REVIEW AND UPDATE THE PRACTICES ASSESSMENT IN ACCORDANCE WITH TIMELINES ADOPTED BY RULE OF THE STATE BOARD.

(c) EACH LOCAL EDUCATION PROVIDER THAT IS NOT A HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER IS ENCOURAGED TO CONDUCT A PRACTICES ASSESSMENT AND TO PERIODICALLY REVIEW AND UPDATE THE PRACTICES ASSESSMENT. A LOCAL EDUCATION PROVIDER THAT CHOOSES TO CONDUCT A PRACTICES ASSESSMENT PURSUANT TO THIS PARAGRAPH (c) SHALL COMPLY WITH THE PROVISIONS OF SUBSECTION (4) OF THIS SECTION.

(d) IF A HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER HAS AUTHORIZED ONE OR MORE EXISTING CHARTER SCHOOLS PURSUANT TO ARTICLE 30.5 OF THIS TITLE, EACH CHARTER SCHOOL SHALL CONDUCT ITS OWN PRACTICES ASSESSMENT IN ACCORDANCE WITH THE DEADLINES SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (1) AND SUBMIT THE ASSESSMENT TO THE DEPARTMENT PURSUANT TO SUBSECTION (4) OF THIS SECTION. A PRACTICES ASSESSMENT CONDUCTED BY A CHARTER SCHOOL SHALL CONFORM TO THE REQUIREMENTS SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

(2) EACH PRACTICES ASSESSMENT, AT A MINIMUM, SHALL ADDRESS THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER'S:

(a) ATTENDANCE AND TRUANCY REPORTING AND ENFORCEMENT POLICIES AND DEFINITIONS;

(b) RISK FACTORS AND REMEDIES APPLICABLE TO STUDENTS WHO ARE FAILING ONE OR MORE COURSES, HAVE EXPERIENCED TRAUMATIC LIFE EVENTS, OR HAVE LOST ACADEMIC INTEREST OR MOTIVATION AND TO STUDENTS WHOSE PRESENCE OR ACTIONS ARE PERCEIVED TO BE DETRIMENTAL TO OTHER STUDENTS;

(c) INTERACTION WITH THE JUDICIAL SYSTEM IN ENFORCING COMPULSORY SCHOOL ATTENDANCE;

(d) INTERACTION WITH THE JUVENILE JUSTICE SYSTEM IN:

(I) ASSISTING IN ADMINISTERING JUVENILE DIVERSION PROGRAMS AND COORDINATING SUPPORTS FOR ALL STUDENTS TRANSITIONING OUT OF THE JUVENILE JUSTICE SYSTEM TO AID IN THE CONTINUATION OF THE STUDENTS' EDUCATION, ESPECIALLY FOR THOSE STUDENTS INVOLVED IN THE JUVENILE JUSTICE SYSTEM AS A RESULT OF SCHOOL-RELATED VIOLATIONS OF THE LOCAL EDUCATION PROVIDER'S CODE OF CONDUCT OR CRIMES COMMITTED ON SCHOOL PROPERTY; AND

(II) COORDINATING WITH JUVENILE PROBATION OFFICERS REGARDING SCHOOL-RELATED CONDITIONS OF PROBATION;

(e) COORDINATION WITH CHILD WELFARE SERVICES, INCLUDING BUT NOT LIMITED TO COUNTY DEPARTMENTS OF SOCIAL SERVICES, FACILITY SCHOOLS, AND OTHER YOUTH SERVICES PROVIDERS;

- (f) GRADING POLICIES;
  - (g) POLICIES FOR GRADE REPETITION AND REMEDIATION;
  - (h) COURSE COMPLETION REQUIREMENTS AND POLICIES; AND
  - (i) POLICIES AND PRACTICES RELATING TO:
    - (I) THE USE OF INDIVIDUAL CAREER AND ACADEMIC PLANS;
    - (II) ADDRESSING ETHNICITY, LANGUAGE, AND CULTURAL BARRIERS BETWEEN STUDENTS' HOMES AND SCHOOL;
    - (III) ENGLISH-LANGUAGE ACQUISITION;
    - (IV) STUDENT ACQUISITION OF BEHAVIORAL, SOCIAL, AND EMOTIONAL SKILLS;
    - (V) STUDENTS' HEALTH CARE NEEDS;
    - (VI) ALTERNATIVE AND FLEXIBLE EDUCATIONAL STRATEGIES;
    - (VII) FAMILY INVOLVEMENT AND FAMILY SUPPORT SERVICES;
    - (VIII) EXPANDED LEARNING OPPORTUNITY PROGRAMS;
    - (IX) STAFF DEVELOPMENT IN IMPLEMENTING EVIDENCE-BASED STRATEGIES;
    - (X) INNOVATIONS TO ADDRESS BARRIERS TO SCHOOL ENGAGEMENT AND SUCCESS;
    - (XI) OUTREACH SERVICES TO RE-ENGAGE STUDENTS WHO DROP OUT OF SCHOOL;
  - AND
  - (XII) REVIEW AND ANALYSIS OF DATA REGARDING DROPOUT RATES, GRADUATION RATES, SCHOOL COMPLETION RATES, TRUANCY RATES, THE NUMBER OF STUDENTS WHO ARE HABITUALLY TRUANT, SUSPENSION RATES, AND EXPULSION RATES.
- (3) THE OFFICE SHALL PROVIDE TECHNICAL ASSISTANCE TO HIGH PRIORITY LOCAL EDUCATION PROVIDERS TO ASSIST THEM IN COMPLETING THEIR PRACTICES ASSESSMENTS. THE OFFICE MAY PROVIDE TECHNICAL ASSISTANCE TO PRIORITY LOCAL EDUCATION PROVIDERS AS ALLOWABLE WITHIN AVAILABLE APPROPRIATIONS. IN ADDITION, AT THE REQUEST OF A HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER AND TO THE EXTENT PRACTICABLE WITHIN AVAILABLE RESOURCES, THE OFFICE SHALL PROVIDE A TEMPLATE, WHICH INCLUDES ANY STUDENT DATA THAT IS PERTINENT TO THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER AND TO WHICH THE OFFICE HAS ACCESS, TO ASSIST THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER IN PREPARING ITS PRACTICES ASSESSMENT.
- (4) UPON COMPLETING ITS PRACTICES ASSESSMENT OR ANY UPDATES TO THE ASSESSMENT, EACH HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDER SHALL TRANSMIT THE ASSESSMENT TO THE DEPARTMENT FOR PUBLICATION ON THE INTERNET.

**22-14-107. Student graduation and completion plans - adoption - evaluation.**

(1) (a) BASED ON THE COMPLETED PRACTICES ASSESSMENT, BY A DATE SPECIFIED BY RULE OF THE STATE BOARD, BUT NOT LATER THAN OCTOBER 1, 2010, EACH HIGH PRIORITY LOCAL EDUCATION PROVIDER SHALL ADOPT A STUDENT GRADUATION AND COMPLETION PLAN FOR THE SCHOOLS OPERATED OR APPROVED BY THE HIGH PRIORITY LOCAL EDUCATION PROVIDER. EACH PRIORITY LOCAL EDUCATION PROVIDER SHALL ADOPT A STUDENT GRADUATION AND COMPLETION PLAN BY A DATE SPECIFIED BY RULE OF THE STATE BOARD, BUT NOT LATER THAN OCTOBER 1, 2011. FOLLOWING ADOPTION OF THE INITIAL STUDENT GRADUATION AND COMPLETION PLAN, EACH HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDER SHALL REVIEW AND UPDATE THE STUDENT GRADUATION AND COMPLETION PLAN IN ACCORDANCE WITH TIMELINES ADOPTED BY RULE OF THE STATE BOARD. IN SETTING THE DATES FOR ADOPTION OF THE INITIAL STUDENT GRADUATION AND COMPLETION PLANS AND THE TIMELINES FOR REVIEWING AND UPDATING THE STUDENT GRADUATION AND COMPLETION PLANS, THE STATE BOARD SHALL ENSURE THAT THE DATES COINCIDE WITH THE DATES BY WHICH EACH LOCAL EDUCATION PROVIDER IS REQUIRED TO ADOPT THE PLAN REQUIRED BY ITS ACCREDITATION CATEGORY OR ITS ANNUAL PERFORMANCE REVIEW.

(b) EACH LOCAL EDUCATION PROVIDER THAT IS NOT A HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER IS ENCOURAGED TO ADOPT A STUDENT GRADUATION AND COMPLETION PLAN AND TO PERIODICALLY REVIEW AND UPDATE THE PLAN. A LOCAL EDUCATION PROVIDER THAT CHOOSES TO ADOPT A STUDENT GRADUATION AND COMPLETION PLAN PURSUANT TO THIS PARAGRAPH (b) SHALL COMPLY WITH THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION.

(c) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (1) TO THE CONTRARY, IF A HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER HAS AUTHORIZED ONE OR MORE EXISTING CHARTER HIGH SCHOOLS PURSUANT TO ARTICLE 30.5 OF THIS TITLE, EACH CHARTER HIGH SCHOOL SHALL ADOPT ITS OWN STUDENT GRADUATION AND COMPLETION PLAN IN ACCORDANCE WITH THE DEADLINES SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (1) AND SUBMIT THE PLAN TO THE DEPARTMENT PURSUANT TO SUBSECTION (6) OF THIS SECTION. A STUDENT GRADUATION AND COMPLETION PLAN ADOPTED BY A CHARTER HIGH SCHOOL SHALL CONFORM TO THE REQUIREMENTS SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

(2) AT A MINIMUM, EACH HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDER'S STUDENT GRADUATION AND COMPLETION PLAN SHALL INCLUDE:

(a) THE PERCENTAGE BY WHICH THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER ANTICIPATES REDUCING THE STUDENT TRUANCY RATE AND DROPOUT RATE AND THE TIMELINE FOR ACHIEVING THE REDUCTIONS;

(b) THE PERCENTAGE BY WHICH THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER ANTICIPATES INCREASING THE STUDENT ATTENDANCE, GRADUATION, AND COMPLETION RATES AND THE TIMELINE FOR ACHIEVING THE INCREASES;

(c) OTHER OBJECTIVES THAT THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER IDENTIFIES THAT ARE DESIGNED TO RESULT IN IMPROVED DROPOUT

PREVENTION, IMPROVED STUDENT ATTENDANCE, AND IMPROVED STUDENT ENGAGEMENT AND RE-ENGAGEMENT WITHIN THE SCHOOLS OPERATED OR APPROVED BY THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER;

(d) THE MANNER IN WHICH THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER WILL MEASURE SUCCESS IN ACHIEVING THE GOALS AND OBJECTIVES OF THE STUDENT GRADUATION AND COMPLETION PLAN;

(e) THE MANNER IN WHICH SCHOOL STAFF AND PARENTS WILL WORK TOGETHER TO ADDRESS THE RISK FACTORS AND REMEDIES FOR STUDENTS; AND

(f) A DESCRIPTION OF THE SUPPORTS THAT THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER WILL PROVIDE TO A STUDENT WHO LEAVES A PUBLIC SCHOOL PRIOR TO GRADUATION OR COMPLETION, WHICH SUPPORTS, AT A MINIMUM, SHALL INCLUDE AN EXPLANATION OF THE EDUCATIONAL ALTERNATIVES AVAILABLE TO THE STUDENT TO ASSIST HIM OR HER IN RE-ENGAGING IN SCHOOL AND OTHER SETTINGS, INCLUDING BUT NOT LIMITED TO AN ADULT BASIC EDUCATION, GENERAL EDUCATIONAL DEVELOPMENT, OR ENGLISH-AS-A-SECOND-LANGUAGE PROGRAM, OR INTO THE WORKFORCE OR JOB TRAINING.

(3) IN DESIGNING ITS STUDENT GRADUATION AND COMPLETION PLAN, EACH HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER IS ENCOURAGED TO:

(a) INCLUDE A VARIETY OF INNOVATIVE DROPOUT REDUCTION EFFORTS IN THE PLAN, INCLUDING NEW SCHOOLS AND PROGRAMS THAT PROVIDE EDUCATIONAL ENVIRONMENTS THAT ARE SPECIFICALLY DESIGNED TO PROMOTE STUDENT RE-ENGAGEMENT, INCLUDING POLICIES AND PROGRAMS THAT CREATE ALTERNATIVE PATHWAYS TO HIGH SCHOOL GRADUATION; AND

(b) REVIEW EXISTING SUPPORTS AND RESOURCES THAT THE HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER MAY LEVERAGE TO SUPPORT IMPLEMENTATION OF THE PLAN, INCLUDING BUT NOT LIMITED TO GRANTS FOR EXPELLED AND AT-RISK STUDENT SERVICES AVAILABLE PURSUANT TO SECTION 22-33-205, GRANTS AVAILABLE THROUGH THE SCHOOL COUNSELOR CORPS GRANT PROGRAM CREATED IN ARTICLE 91 OF THIS TITLE, ASSISTANCE AVAILABLE THROUGH THE CLOSING THE ACHIEVEMENT GAP PROGRAM PURSUANT TO SECTION 22-7-611, AND FEDERAL MONEYS AVAILABLE PURSUANT TO THE "SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT", 20 U.S.C. SEC. 7101 ET SEQ.

(4) EACH HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER, IN ADOPTING ITS STUDENT GRADUATION AND COMPLETION PLAN, SHALL ALSO ADOPT A PROCESS BY WHICH ANNUALLY TO REVIEW AND EVALUATE THE EFFECTIVENESS OF THE PLAN. EACH HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER THAT IS A SCHOOL DISTRICT SHALL INCLUDE ITS PRACTICES ASSESSMENT AND ITS STUDENT GRADUATION AND COMPLETION PLAN WITH THE PLAN THE SCHOOL DISTRICT IS REQUIRED TO ADOPT BASED ON ITS ACCREDITATION CATEGORY.

(5) THE OFFICE SHALL PROVIDE TECHNICAL ASSISTANCE TO HIGH PRIORITY LOCAL EDUCATION PROVIDERS TO ASSIST THEM IN COMPLETING THEIR STUDENT GRADUATION AND COMPLETION PLANS. THE OFFICE MAY PROVIDE TECHNICAL

ASSISTANCE TO PRIORITY LOCAL EDUCATION PROVIDERS AS ALLOWABLE WITHIN AVAILABLE APPROPRIATIONS.

(6) UPON ADOPTING ITS STUDENT GRADUATION AND COMPLETION PLAN OR ANY UPDATES TO THE PLAN, EACH HIGH PRIORITY OR PRIORITY LOCAL EDUCATION PROVIDER SHALL TRANSMIT THE PLAN TO THE DEPARTMENT FOR PUBLICATION ON THE INTERNET.

(7) (a) BEGINNING IN THE 2011-12 ACADEMIC YEAR, THE OFFICE SHALL ANNUALLY EVALUATE EACH HIGH PRIORITY LOCAL EDUCATION PROVIDER'S STUDENT GRADUATION AND COMPLETION PLAN AS PART OF THE ACCREDITATION REVIEW PROCESS. THE OFFICE SHALL EVALUATE THE COMPONENTS OF EACH STUDENT GRADUATION AND COMPLETION PLAN, THE HIGH PRIORITY LOCAL EDUCATION PROVIDER'S IMPLEMENTATION OF THE PLAN, AND THE RESULTS ACHIEVED. IN EVALUATING THE STUDENT GRADUATION AND COMPLETION PLANS, THE OFFICE SHALL GENERALLY ENSURE THAT THE HIGH PRIORITY LOCAL EDUCATION PROVIDER APPLIES BEST PRACTICES AND STRATEGIES AND EMPLOYS RIGOROUS ONGOING PROGRAM EVALUATION AND OVERSIGHT IN IMPLEMENTING THE PLAN. ON COMPLETION OF THE EVALUATION, THE OFFICE MAY PROVIDE RECOMMENDATIONS TO THE HIGH PRIORITY LOCAL EDUCATION PROVIDER CONCERNING IMPROVEMENTS IN THE PLAN DESIGN AND IMPLEMENTATION.

(b) THE OFFICE MAY EVALUATE, AS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (7), THE STUDENT GRADUATION AND COMPLETION PLANS OF PRIORITY LOCAL EDUCATION PROVIDERS AS ALLOWABLE WITHIN AVAILABLE APPROPRIATIONS.

**22-14-108. Local education provider - notice to parent of dropout status.**

(1) EACH LOCAL EDUCATION PROVIDER SHALL ADOPT AND IMPLEMENT POLICIES AND PROCEDURES PURSUANT TO WHICH THE LOCAL EDUCATION PROVIDER OR THE PUBLIC SCHOOL IN WHICH THE STUDENT WAS ENROLLED SHALL NOTIFY A STUDENT'S PARENT IF THE STUDENT DROPS OUT OF SCHOOL, EVEN IF THE STUDENT IS NOT SUBJECT TO THE COMPULSORY ATTENDANCE REQUIREMENT SPECIFIED IN SECTION 22-33-104. THE LOCAL EDUCATION PROVIDER SHALL DEVELOP THE POLICIES AND PROCEDURES WITH THE GOAL OF ENCOURAGING THE STUDENT TO RE-ENROLL IN SCHOOL AND OF CONVEYING TO THE STUDENT'S PARENT THE LONG-TERM RAMIFICATIONS TO THE STUDENT OF DROPPING OUT OF SCHOOL.

(2) AT A MINIMUM, THE POLICIES AND PROCEDURES SHALL SPECIFY THE TIME FRAMES BY WHICH THE LOCAL EDUCATION PROVIDER OR THE PUBLIC SCHOOL IN WHICH THE STUDENT WAS ENROLLED SHALL NOTIFY THE STUDENT AND HIS OR HER PARENT AND SHALL REQUIRE THE PERSONNEL AT THE PUBLIC SCHOOL TO ATTEMPT TO MEET IN PERSON WITH THE STUDENT AND HIS OR HER PARENT.

(3) AT A MINIMUM, THE NOTICE SHALL INCLUDE WRITTEN NOTIFICATION OF THE STUDENT'S DROPOUT STATUS AND AN EXPLANATION OF THE EDUCATIONAL ALTERNATIVES AVAILABLE TO THE STUDENT TO ASSIST HIM OR HER IN RE-ENGAGING IN SCHOOL.

**22-14-109. Student re-engagement grant program - rules - application - grants - fund created - report.**

(1) THERE IS HEREBY CREATED WITHIN THE DEPARTMENT THE STUDENT RE-ENGAGEMENT GRANT PROGRAM TO PROVIDE GRANT

MONEYS TO LOCAL EDUCATION PROVIDERS TO USE IN PROVIDING EDUCATIONAL SERVICES AND SUPPORTS TO STUDENTS TO MAINTAIN STUDENT ENGAGEMENT AND SUPPORT STUDENT RE-ENGAGEMENT IN HIGH SCHOOL. SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD SHALL AWARD STUDENT RE-ENGAGEMENT GRANTS TO LOCAL EDUCATION PROVIDERS FROM MONEYS APPROPRIATED FROM THE STUDENT RE-ENGAGEMENT GRANT PROGRAM FUND CREATED IN SUBSECTION (4) OF THIS SECTION.

(2) THE STATE BOARD SHALL ADOPT RULES PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., FOR IMPLEMENTING THE GRANT PROGRAM. AT A MINIMUM, THE RULES SHALL INCLUDE:

(a) TIMELINES AND PROCEDURES BY WHICH A LOCAL EDUCATION PROVIDER MAY APPLY FOR A GRANT;

(b) THE INFORMATION TO BE INCLUDED ON GRANT APPLICATIONS, INCLUDING AT A MINIMUM:

(I) THE LOCAL EDUCATION PROVIDER'S PLAN FOR PROVIDING EDUCATIONAL SERVICES, INCLUDING SOCIAL AND EMOTIONAL SUPPORT SERVICES;

(II) A DESCRIPTION OF THE SERVICES TO BE PROVIDED;

(III) THE ESTIMATED COST OF PROVIDING THE SERVICES;

(IV) THE CRITERIA THE LOCAL EDUCATION PROVIDER WILL APPLY TO MEASURE THE EFFECTIVENESS OF THE SERVICES PROVIDED; AND

(V) A DESCRIPTION OF THE LOCAL EDUCATION PROVIDER'S POLICIES AND PRACTICES RELATED TO:

(A) COURSE COMPLETION AND CREDIT RECOVERY;

(B) ATTENDANCE AND BEHAVIOR IMPROVEMENTS;

(C) ALTERNATIVE AND FLEXIBLE LEARNING STRATEGIES;

(D) SAFE AND WELCOMING SCHOOL ENVIRONMENTS;

(E) STUDENT SOCIAL AND EMOTIONAL SUPPORTS;

(F) FAMILY ENGAGEMENT AND FAMILY SUPPORT STRATEGIES;

(G) STAFF DEVELOPMENT;

(H) INNOVATIONS TO ADDRESS BARRIERS TO SCHOOL ENGAGEMENT AND SUCCESS;  
AND

(I) TRANSFERENCE OF STUDENT RECORDS TO AND RECEIPT OF STUDENT RECORDS FROM OTHER LOCAL EDUCATION PROVIDERS.

(3) EACH LOCAL EDUCATION PROVIDER THAT SEEKS TO RECEIVE A GRANT PURSUANT TO THIS SECTION SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT IN ACCORDANCE WITH THE RULES ADOPTED BY THE STATE BOARD. THE DEPARTMENT SHALL REVIEW THE GRANT APPLICATIONS RECEIVED AND RECOMMEND GRANT RECIPIENTS AND GRANT AMOUNTS TO THE STATE BOARD. THE STATE BOARD SHALL ANNUALLY AWARD GRANTS THROUGH THE GRANT PROGRAM BASED ON THE DEPARTMENT'S RECOMMENDATIONS.

(4) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE STUDENT RE-ENGAGEMENT GRANT PROGRAM FUND, REFERRED TO IN THIS SUBSECTION (4) AS THE "FUND", THAT SHALL CONSIST OF ANY MONEYS CREDITED TO THE FUND PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (4) AND ANY ADDITIONAL MONEYS THAT THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS SECTION.

(b) THE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION IF IT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS ARTICLE OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL TRANSMIT ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND.

(c) THE DEPARTMENT MAY EXPEND UP TO THREE PERCENT OF THE MONEYS ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE COSTS INCURRED IN IMPLEMENTING THIS SECTION AND IN EVALUATING AND PROVIDING TECHNICAL ASSISTANCE TO LOCAL EDUCATION PROVIDERS THAT RECEIVE GRANTS PURSUANT TO THIS SECTION.

(d) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(e) THE DEPARTMENT IS ENCOURAGED TO DIRECT TO THE FUND ANY FEDERAL MONEYS RECEIVED BY THE DEPARTMENT THAT MAY BE USED FOR THE PURPOSES SPECIFIED IN THIS SECTION.

(5) (a) ON OR BEFORE FEBRUARY 15, 2011, AND ON OR BEFORE FEBRUARY 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL EVALUATE THE STUDENT RE-ENGAGEMENT SERVICES PROVIDED BY EACH LOCAL EDUCATION PROVIDER THAT RECEIVED A GRANT PURSUANT TO THIS SECTION IN THE PRECEDING FISCAL YEAR; EXCEPT THAT THE DEPARTMENT NEED NOT PROVIDE AN EVALUATION FOR ANY FISCAL YEAR IN WHICH GRANTS WERE NOT AWARDED. AT A MINIMUM, THE DEPARTMENT SHALL REVIEW:

(I) THE OUTCOMES AND EFFECTIVENESS OF THE SERVICES PROVIDED AS MEASURED BY THE DEMONSTRATED DEGREE OF STUDENT RE-ENGAGEMENT;

(II) THE ACADEMIC GROWTH OF STUDENTS WHO RECEIVED SERVICES AS A RESULT OF THE GRANT, TO THE EXTENT THE INFORMATION IS AVAILABLE;

(III) THE REDUCTION IN THE DROPOUT RATE; AND

(IV) THE INCREASE IN THE GRADUATION AND COMPLETION RATES FOR THE GRANT RECIPIENTS' SCHOOLS.

(b) THE DEPARTMENT SHALL REPORT THE EVALUATION RESULTS TO THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, IN CONJUNCTION WITH THE REPORT SUBMITTED PURSUANT TO SECTION 22-14-111.

**22-14-110. State board - rules.** (1) THE STATE BOARD SHALL PROMULGATE PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., SUCH RULES AS MAY BE NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE. AT A MINIMUM, SAID RULES SHALL INCLUDE:

(a) THE RULES REQUIRED PURSUANT TO SECTION 22-14-103 (4) TO ESTABLISH CRITERIA FOR IDENTIFYING HIGH PRIORITY AND PRIORITY LOCAL EDUCATION PROVIDERS;

(b) THE RULES REQUIRED PURSUANT TO SECTION 22-14-109 FOR THE STUDENT RE-ENGAGEMENT GRANT PROGRAM; AND

(c) RULES TO DEFINE AND CALCULATE THE FOLLOWING RATES:

(I) THE STUDENT DROPOUT RATE;

(II) THE GRADUATION RATE;

(III) THE COMPLETION RATE;

(IV) THE STUDENT RE-ENGAGEMENT RATE;

(V) THE TRUANCY RATE;

(VI) THE STUDENT MOBILITY RATE;

(VII) THE STUDENT SUSPENSION RATE; AND

(VIII) THE STUDENT EXPULSION RATE.

(2) TO THE EXTENT THE STATE BOARD, AS OF THE EFFECTIVE DATE OF THIS ARTICLE, HAS ALREADY PROMULGATED ANY OF THE RULES SPECIFIED IN SUBSECTION (1) OF THIS SECTION, THE STATE BOARD SHALL REVIEW SAID RULES AND DETERMINE WHETHER THEY SHOULD BE REVISED BASED ON THE PROVISIONS OF THIS ARTICLE.

**22-14-111. Report to general assembly, state board, and governor - exception to three-year expiration.** (1) ON OR BEFORE FEBRUARY 15, 2010, AND ON OR BEFORE FEBRUARY 15 EACH YEAR THEREAFTER, THE OFFICE SHALL SUBMIT TO THE STATE BOARD, THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND TO THE GOVERNOR A REPORT MAKING STATE POLICY FINDINGS AND RECOMMENDATIONS TO REDUCE THE STUDENT DROPOUT RATE AND INCREASE THE STUDENT GRADUATION AND COMPLETION RATES. AT A MINIMUM, IN PREPARING THE FINDINGS AND RECOMMENDATIONS, THE OFFICE SHALL:

(a) CONSIDER WHICH STATE STATUTES AND RULES MAY BE APPROPRIATELY AMENDED TO PROVIDE INCENTIVES AND SUPPORT FOR AND REMOVE BARRIERS TO REDUCING THE STUDENT DROPOUT RATE AND INCREASING THE STUDENT GRADUATION AND COMPLETION RATES, INCLUDING BUT NOT LIMITED TO STATUTES AND RULES PERTAINING TO FUNDING FOR LOCAL EDUCATION PROVIDERS' OPERATING COSTS, FUNDING FOR CATEGORICAL PROGRAMS, AND TRUANCY;

(b) CONSIDER RESEARCH-BASED DROPOUT PREVENTION AND STUDENT ENGAGEMENT AND RE-ENGAGEMENT STRATEGIES;

(c) DETERMINE THE AMOUNT OF STATE MONEYS SPENT ON REDUCING THE DROPOUT RATES IN SCHOOLS OPERATED OR APPROVED BY LOCAL EDUCATION PROVIDERS IN THE PRECEDING FISCAL YEAR AND DETERMINE THE EFFECTS OF THOSE EXPENDITURES; AND

(d) CONSULT WITH THE PERSONS SPECIFIED IN SECTION 22-14-104 (2).

(2) BEGINNING WITH THE REPORT SUBMITTED PURSUANT TO THIS SECTION ON FEBRUARY 15, 2012, THE OFFICE SHALL ADD TO THE REPORT A SUMMARY OF THE ACTIONS TAKEN BY LOCAL EDUCATION PROVIDERS STATEWIDE TO REDUCE THE STUDENT DROPOUT RATE AND INCREASE THE GRADUATION AND COMPLETION RATES AND THE PROGRESS MADE IN ACHIEVING THESE GOALS. AT A MINIMUM, THE SUMMARY SHALL INCLUDE:

(a) A SUMMARY AND EVALUATION OF THE STUDENT GRADUATION AND COMPLETION PLANS ADOPTED BY THE LOCAL EDUCATION PROVIDERS;

(b) A LIST OF THE LOCAL EDUCATION PROVIDERS WHOSE SCHOOLS HAVE EXPERIENCED THE GREATEST DECREASE IN STUDENT DROPOUT RATES AND THE GREATEST INCREASE IN STUDENT GRADUATION AND COMPLETION RATES IN THE STATE IN THE PRECEDING ACADEMIC YEAR;

(c) IDENTIFICATION OF LOCAL EDUCATION PROVIDERS AND PUBLIC SCHOOLS THAT ARE ACHIEVING THE GOALS AND OBJECTIVES SPECIFIED IN THEIR STUDENT GRADUATION AND COMPLETION PLANS AND THOSE THAT ARE NOT ACHIEVING THEIR GOALS AND OBJECTIVES;

(d) EXPLANATION OF THE ACTIONS TAKEN AND STRATEGIES IMPLEMENTED BY THE LOCAL EDUCATION PROVIDERS WITH THE HIGHEST STUDENT DROPOUT RATES TO REDUCE THOSE RATES AND BY THE LOCAL EDUCATION PROVIDERS WITH THE LOWEST STUDENT GRADUATION AND COMPLETION RATES TO INCREASE THOSE RATES;

(e) IDENTIFICATION OF THE LOCAL EDUCATION PROVIDERS THAT HAVE DEMONSTRATED THE GREATEST IMPROVEMENT IN REDUCING THEIR STUDENT DROPOUT RATES AND INCREASING THEIR STUDENT GRADUATION AND COMPLETION RATES AND DESCRIPTIONS OF THE ACTIONS TAKEN AND STRATEGIES IMPLEMENTED BY THE LOCAL EDUCATION PROVIDERS OPERATING OR APPROVING THESE SCHOOLS TO ACHIEVE THESE IMPROVEMENTS; AND

(f) AN EVALUATION OF THE OVERALL PROGRESS ACROSS THE STATE IN MEETING THE GOALS SPECIFIED IN SECTION 22-14-101 FOR REDUCING THE STUDENT DROPOUT RATE AND INCREASING THE STUDENT GRADUATION AND COMPLETION RATES.

(3) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11), C.R.S., THE REPORTING REQUIREMENTS SPECIFIED IN THIS ARTICLE SHALL NOT EXPIRE BUT SHALL CONTINUE TO BE REQUIRED UNTIL REPEALED BY THE GENERAL ASSEMBLY.

**SECTION 2.** 22-32-109.1 (2) (a) (III), Colorado Revised Statutes, is amended to read:

**22-32-109.1. Board of education - specific powers and duties - safe schools.**

(2) **Safe school plan.** In order to provide a learning environment that is safe, conducive to the learning process, and free from unnecessary disruption, following consultation with the school district accountability committee and school advisory councils, parents, teachers, administrators, students, student councils where available, and, where appropriate, the community at large, each school district board of education shall adopt and implement a safe school plan, or review and revise, if necessary, any existing plans or policies already in effect, which shall include, but not be limited to, the following:

(a) **Conduct and discipline code.** A concisely written conduct and discipline code that shall be enforced uniformly, fairly, and consistently for all students. Copies of the code shall be provided to each student upon enrollment at the elementary, middle, and high school levels and shall be posted or kept on file at each public school in the school district. The code shall include, but shall not be limited to:

(III) Provisions for the initiation of SUSPENSION OR expulsion proceedings for students who qualify as habitually disruptive by causing a disruption in the classroom, on school grounds, in school vehicles, or at school activities or sanctioned events for a third time during a single school year or calendar year;

**SECTION 3.** 22-33-104 (4) (a), Colorado Revised Statutes, is amended to read:

**22-33-104. Compulsory school attendance.** (4) (a) The board of education shall adopt a written policy setting forth the district's attendance requirements. Said policy shall provide for excused absences, including those listed as exclusions from compulsory school attendance in accordance with subsection (2) of this section. ~~except that paragraph (d) of said subsection (2), relating to suspension and expulsion, shall be considered an unexcused absence for purposes of the attendance policy.~~ An attendance policy developed pursuant to this section may include appropriate penalties for nonattendance due to unexcused absence. ~~including, but not limited to, the imposition of academic penalty for classes missed while~~

~~unexcused:~~

**SECTION 4.** 22-33-106 (1) (c.5) (I) and (1) (c.5) (III), Colorado Revised Statutes, are amended to read:

**22-33-106. Grounds for suspension, expulsion, and denial of admission.**

(1) The following shall be grounds for suspension or expulsion of a child from a public school during a school year:

(c.5) (I) Declaration as an habitually disruptive student pursuant to the provisions of this paragraph (c.5). ~~which expulsion shall be mandatory.~~

(III) The student and the parent, legal guardian, or legal custodian shall have been notified in writing of each suspension counted toward declaring the student as habitually disruptive pursuant to this paragraph (c.5) and the student and parent, legal guardian, or legal custodian shall have been notified in writing and by telephone or other means at the home or the place of employment of the parent or legal guardian of the definition of "habitually disruptive student". ~~and the mandatory expulsion of such students.~~

**SECTION 5. Repeal.** 22-33-107.1, Colorado Revised Statutes, is repealed as follows:

**22-33-107.1. Parental notice of dropout status.** ~~No later than October 1, 2005, the board of education of each school district shall adopt and implement policies and procedures requiring the school district to notify the parent or parents with custody or decision-making responsibility with respect to education or the legal guardian or the legal custodian of a high school dropout who is not subject to the compulsory attendance requirement specified in section 22-33-104. At a minimum, the notice shall include written notification. The board of education shall develop the notice with the goal of attempting to return the student to school and of conveying to the student's parent or parents with custody or decision-making responsibility with respect to education or the student's legal guardian or legal custodian the long-term ramifications to the student of dropping out of school.~~

**SECTION 6.** 22-2-103 (1) (g) and (1) (h), Colorado Revised Statutes, are amended, and the said 22-2-103 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**22-2-103. Department of education.** (1) The department of education shall include the following:

(g) The facility schools unit ~~and~~ CREATED IN SECTION 22-2-403;

(h) The facility schools board CREATED IN SECTION 22-2-404; AND

(j) THE OFFICE OF DROPOUT PREVENTION AND STUDENT RE-ENGAGEMENT CREATED IN SECTION 22-14-103.

**SECTION 7.** 24-1-115, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-1-115. Department of education - creation.** (15) THE DEPARTMENT OF EDUCATION SHALL INCLUDE THE OFFICE OF DROPOUT PREVENTION AND STUDENT RE-ENGAGEMENT ESTABLISHED IN SECTION 22-14-103, C.R.S., AND ITS POWERS, DUTIES, AND FUNCTIONS, AS IF THE OFFICE WERE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF EDUCATION.

**SECTION 8. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the student re-engagement grant program fund created in section 22-14-109 (4) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of education, assistance to public schools, grant programs, distributions, and other assistance, professional development and instructional support, for the fiscal year beginning July 1, 2009, the sum of one hundred fifty-seven thousand seven hundred seventy-two dollars (\$157,772) and 2.0 FTE, or so much thereof as may be necessary, for the implementation of this act.

**SECTION 9. 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 21, 2009