

HB1017\_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

HB19-1017 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, add article 99 to  
4 title 22 as follows:

5 **ARTICLE 99**

6 **Colorado K-5 Social and Emotional Health Act**

7 **22-99-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 99 IS  
8 THE "COLORADO K-5 SOCIAL AND EMOTIONAL HEALTH ACT".

9 **22-99-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
10 FINDS THAT:

11 (a) SCHOOL MENTAL HEALTH PROFESSIONALS, INCLUDING SCHOOL  
12 SOCIAL WORKERS, POSITIVELY IMPACT THE SCHOOL ENVIRONMENT BY  
13 WORKING WITH YOUNG STUDENTS AND THEIR FAMILIES TO IDENTIFY  
14 SAFETY NET INSECURITIES, SOCIAL AND EMOTIONAL SKILLS DEFICITS,  
15 INSTANCES OF ABUSE AND NEGLECT, AND MENTAL HEALTH CHALLENGES;

16 (b) IDENTIFYING THESE STUDENT ISSUES AS EARLY AS POSSIBLE  
17 INCREASES THE LIKELIHOOD THAT PROBLEMS CAN BE RESOLVED  
18 SUCCESSFULLY AND IN A MANNER THAT DECREASES LONG-TERM  
19 PROBLEMS WITH LEARNING AND OTHER BARRIERS TO STUDENT SUCCESS IN  
20 THE FUTURE;

21 (c) A PILOT PROGRAM THAT PLACES A TEAM OF SCHOOL MENTAL  
22 HEALTH PROFESSIONALS IN EVERY PILOT PROGRAM SCHOOL WILL ALLOW  
23 THE TEAM, IN PARTNERSHIP WITH CLASSROOM TEACHERS, TO PROVIDE  
24 NEEDED SUPPORT FOR YOUNG STUDENTS AND THEIR FAMILIES AT A  
25 CRITICAL TIME IN THEIR EDUCATION;

26 (d) A SIGNIFICANT GOAL OF THE PILOT PROGRAM IS TO ENSURE  
27 THAT STUDENTS OF ELEMENTARY AGE RECEIVE THE RIGHT LEVEL OF  
28 NECESSARY SERVICES, IN THE RIGHT PLACE, AND AT THE RIGHT TIME; AND

29 (e) RECEIVING THE RIGHT LEVEL OF SERVICES, IN THE RIGHT PLACE,  
30 AND AT THE RIGHT TIME HELPS REMOVE THE BURDEN PLACED ON  
31 TEACHERS TO BE EVERYTHING TO A STUDENT, FROM THERAPIST TO FAMILY  
32 COUNSELOR, AND INSTEAD ALLOWS TEACHERS TO RETURN TO THEIR  
33 PRIMARY TASK: TEACHING.

34 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE  
35 CREATION AND SUCCESSFUL IMPLEMENTATION OF A COLORADO K-5  
36 SOCIAL AND EMOTIONAL HEALTH PILOT PROGRAM COULD HAVE A  
37 PROFOUND IMPACT ON THE EARLY EDUCATIONAL AND SOCIAL  
38 EXPERIENCES OF KINDERGARTEN THROUGH FIFTH-GRADE STUDENTS,  
39 RESULTING IN THOSE STUDENTS GRADUATING TO MIDDLE AND HIGH  
40 SCHOOL PROGRAMS WITH FEWER SOCIAL, EMOTIONAL, AND BEHAVIORAL  
41 ISSUES; ADVERSE CHILDHOOD EXPERIENCES; DISCIPLINARY REFERRALS

1 AND DELINQUENT CONDUCT; SCHOOL ABSENCES AND TRUANCY; AND  
2 INCIDENCES OF SELF-HARM.

3 **22-99-103. Definitions.** AS USED IN THIS ARTICLE 99, UNLESS THE  
4 CONTEXT OTHERWISE REQUIRES:

5 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
6 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

7 (2) "PILOT PROGRAM" MEANS THE K-5 SOCIAL AND EMOTIONAL  
8 HEALTH PILOT PROGRAM, CREATED IN SECTION 22-99-104.

9 (3) "PILOT SCHOOL" MEANS A SCHOOL SELECTED BY THE  
10 DEPARTMENT TO PARTICIPATE IN THE PILOT PROGRAM CREATED IN  
11 SECTION 22-99-104 FOR STUDENTS IN KINDERGARTEN THROUGH FIFTH  
12 GRADE.

13 (4) "SCHOOL COUNSELOR" MEANS A COUNSELOR HOLDING A  
14 MASTER'S DEGREE IN EDUCATIONAL COUNSELING AND A PROFESSIONAL  
15 SPECIAL SERVICES LICENSE IN COLORADO WITH AN ENDORSEMENT IN  
16 SCHOOL COUNSELING, INCLUDING BUT NOT LIMITED TO THE COMPLETION  
17 OF COURSE WORK IN THE AREAS OF ACADEMIC AND SOCIAL EMOTIONAL  
18 DEVELOPMENT; ASSESSMENT FOR SOCIAL AND EMOTIONAL CONCERNS,  
19 INCLUDING SUICIDE PREVENTION AND INTERVENTION; CRISIS  
20 INTERVENTION; SOCIAL EMOTIONAL PREVENTION PROGRAMS, INCLUDING  
21 CHARACTER EDUCATION AND VIOLENCE PREVENTION; MENTAL HEALTH,  
22 PROTECTIVE FACTORS FOR AT-RISK STUDENTS, AND CAREER AWARENESS,  
23 EXPLORATION, AND PLANNING.

24 (5) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT ORGANIZED  
25 AND EXISTING PURSUANT TO LAW BUT DOES NOT INCLUDE A LOCAL  
26 COLLEGE DISTRICT.

27 (6) "SCHOOL MENTAL HEALTH PROFESSIONAL" MEANS A SCHOOL  
28 COUNSELOR, A SCHOOL PSYCHOLOGIST, OR A SCHOOL SOCIAL WORKER.

29 (7) "SCHOOL PSYCHOLOGIST" MEANS A PSYCHOLOGIST HOLDING  
30 A MASTER'S DEGREE AND A PROFESSIONAL SPECIAL SERVICES LICENSE IN  
31 COLORADO WITH A SCHOOL PSYCHOLOGIST ENDORSEMENT.

32 (8) "SCHOOL SOCIAL WORKER" MEANS A SOCIAL WORKER HOLDING  
33 A MASTER'S DEGREE AND A PROFESSIONAL SPECIAL SERVICES LICENSE IN  
34 COLORADO WITH AN ENDORSEMENT IN SCHOOL SOCIAL WORK, INCLUDING  
35 BUT NOT LIMITED TO THE COMPLETION OF COURSE WORK IN THE AREAS OF  
36 SCHOOL AND SPECIAL EDUCATION LAW, INCLUDING CONTENT COVERING  
37 FUNCTIONAL BEHAVIOR ASSESSMENT AND THE DEVELOPMENT OF  
38 BEHAVIOR INTERVENTION PLANS.

39 **22-99-104. K-5 social and emotional health pilot program -**  
40 **creation - selection of pilot schools - rules.** (1) THERE IS CREATED THE  
41 K-5 SOCIAL AND EMOTIONAL HEALTH PILOT PROGRAM IN THE  
42 DEPARTMENT TO DETERMINE THE IMPACT OF DEDICATED SCHOOL MENTAL  
43 HEALTH PROFESSIONALS IN KINDERGARTEN THROUGH FIFTH GRADE IN

1 ELEMENTARY SCHOOLS THAT HAVE HIGH-POVERTY, HIGH-NEED STUDENTS.  
2 THE PILOT PROGRAM IS IMPLEMENTED WITHIN THE SELECTED PILOT  
3 SCHOOLS AND ADMINISTERED BY THE DEPARTMENT. OPERATION OF THE  
4 PILOT PROGRAM BEGINS IN THE 2020-21 SCHOOL YEAR AND CONTINUES  
5 THROUGH THE CONCLUSION OF THE 2022-23 SCHOOL YEAR, UNLESS THE  
6 REPEAL OF THE PILOT PROGRAM IS EXTENDED BY THE GENERAL ASSEMBLY.  
7 PURSUANT TO SECTION 22-99-106, THE DEPARTMENT SHALL EMPLOY OR  
8 CONTRACT WITH A PILOT PROGRAM COORDINATOR AND CONTRACT FOR  
9 PRELIMINARY AND FINAL PROGRAM EVALUATIONS OF THE PILOT PROGRAM.  
10 THE DEPARTMENT SHALL PROMULGATE ANY RULES NECESSARY FOR THE  
11 ADMINISTRATION OF THE PILOT PROGRAM.

12 (2) (a) NO LATER THAN JANUARY 15, 2020, THE DEPARTMENT  
13 SHALL SELECT UP TO TEN PILOT SCHOOLS TO PARTICIPATE IN THE PILOT  
14 PROGRAM. THE DEPARTMENT SHALL SELECT PILOT SCHOOLS THAT EXHIBIT  
15 THE CHARACTERISTICS SET FORTH IN SUBSECTION (2)(b) OF THIS SECTION  
16 AND THAT ARE APPROPRIATE TEST SCHOOLS TO EVALUATE THE IMPACT  
17 AND EFFECTIVENESS OF THE PILOT PROGRAM. THE PILOT SCHOOLS MUST  
18 DEMONSTRATE A WILLINGNESS TO PARTICIPATE IN THE PILOT PROGRAM  
19 AND TO COLLECT THE DATA AND INFORMATION NECESSARY FOR THE  
20 EVALUATION OF THE PILOT PROGRAM.

21 (b) THE DEPARTMENT SHALL SELECT PILOT SCHOOLS, INCLUDING  
22 RURAL, SMALL, AND GEOGRAPHICALLY DIVERSE SCHOOLS, WHICH SCHOOLS  
23 SHALL HAVE A HIGH-POVERTY STUDENT POPULATION AND A HIGH  
24 PERCENTAGE OF STUDENTS WHO EXPERIENCE OR MAY EXPERIENCE FOOD  
25 INSECURITY, AS EVIDENCED BY THE NUMBER OR PERCENTAGE OF  
26 STUDENTS IN THE SCHOOL WHO ARE ELIGIBLE FOR FREE AND  
27 REDUCED-PRICED MEALS; AND MAY INCLUDE SCHOOLS:

28 (I) IN LARGE, METROPOLITAN SCHOOL DISTRICTS;

29 (II) THAT HAVE SIGNIFICANT ETHNIC, CULTURAL, AND LANGUAGE  
30 DIVERSITY WITHIN THEIR STUDENT POPULATIONS, WHICH MAY INCLUDE  
31 STUDENTS FROM REFUGEE POPULATIONS;

32 (III) THAT HAVE A HIGH NUMBER OR DENSITY OF YOUTH WHO ARE  
33 STUDENTS IN OUT-OF-HOME PLACEMENT, AS DEFINED IN SECTION  
34 22-32-138;

35 (VI) THAT ARE IN A SCHOOL DISTRICT THAT HAS A HIGH  
36 PERCENTAGE OF STUDENTS WHO ARE ADJUDICATED DELINQUENT; AND

37 (VII) THAT ARE IN A SCHOOL DISTRICT THAT HAS A HIGH RATE OF  
38 YOUTH SUICIDE, ATTEMPTED SUICIDE, OR SUICIDAL IDEATION.

39 **22-99-105. Implementation of pilot program.** (1) IN THE FIRST  
40 AND SUBSEQUENT YEARS OF OPERATION OF THE PILOT PROGRAM, EACH  
41 PILOT SCHOOL SHALL EMPLOY OR CONTRACT WITH ADDITIONAL SCHOOL  
42 MENTAL HEALTH PROFESSIONALS SO THAT EACH OF GRADES ONE THROUGH  
43 FIVE AND THE KINDERGARTEN PROGRAM IN EACH PILOT SCHOOL HAS A

1 SCHOOL MENTAL HEALTH PROFESSIONAL DEDICATED TO EACH GRADE AND  
2 THE KINDERGARTEN PROGRAM. IF A SINGLE GRADE OR THE KINDERGARTEN  
3 PROGRAM HAS MORE THAN ONE HUNDRED STUDENTS, ADDITIONAL SCHOOL  
4 MENTAL HEALTH PROFESSIONALS MUST BE ADDED TO THE GRADE OR  
5 KINDERGARTEN PROGRAM TO MAINTAIN A RATIO OF APPROXIMATELY ONE  
6 SCHOOL MENTAL HEALTH PROFESSIONAL PER ONE HUNDRED STUDENTS, AS  
7 DETERMINED BY THE PILOT SCHOOL. A SMALL PILOT SCHOOL SHALL  
8 MAINTAIN A RATIO OF APPROXIMATELY ONE SCHOOL MENTAL HEALTH  
9 PROFESSIONAL PER ONE HUNDRED STUDENTS, AS DETERMINED BY THE  
10 PILOT SCHOOL. AT LEAST ONE OF THE SCHOOL MENTAL HEALTH  
11 PROFESSIONALS AT EACH PILOT SCHOOL MUST BE A SCHOOL SOCIAL  
12 WORKER.

13 (2) THE GOAL OF THE PILOT PROGRAM IS FOR A SCHOOL MENTAL  
14 HEALTH PROFESSIONAL TO DEVELOP AN ONGOING RELATIONSHIP WITH  
15 PILOT SCHOOL STUDENTS AND TO FOLLOW THOSE STUDENTS, TO THE  
16 EXTENT POSSIBLE, AS THE STUDENTS ADVANCE THROUGH THE GRADES AT  
17 THE PILOT SCHOOL. THIS WILL ALLOW THE SCHOOL MENTAL HEALTH  
18 PROFESSIONAL TO UNDERSTAND THE NEEDS OF THE STUDENTS AND THEIR  
19 FAMILIES OVER TIME AND TO HELP ADDRESS THOSE NEEDS OVER TIME, IF  
20 NECESSARY. TO ACHIEVE THIS GOAL, SCHOOL MENTAL HEALTH  
21 PROFESSIONALS MAY BE ASSIGNED TO A COHORT OF STUDENTS BY GRADE  
22 OR, IN A SMALLER SCHOOL, BY MULTIPLE GRADES. SCHOOL MENTAL  
23 HEALTH PROFESSIONALS IN EACH PILOT SCHOOL SHALL WORK AS A TEAM  
24 TO ADDRESS THE ACADEMIC AND SOCIAL EMOTIONAL NEEDS OF THE PILOT  
25 SCHOOL'S STUDENTS.

26 (3) FOR PURPOSES OF IMPLEMENTING THIS PILOT PROGRAM, THE  
27 GENERAL ASSEMBLY SHALL APPROPRIATE TO THE DEPARTMENT FOR  
28 DISTRIBUTION TO THE PILOT SCHOOLS, OR TO THE GOVERNING BODY FOR  
29 THE PILOT SCHOOL, THE AMOUNT OF MONEY NECESSARY FOR THE PILOT  
30 SCHOOLS TO EMPLOY OR CONTRACT WITH THE NUMBER OF ADDITIONAL  
31 SCHOOL MENTAL HEALTH PROFESSIONALS NECESSARY TO IMPLEMENT THE  
32 PILOT PROGRAM, AS DESCRIBED SUBSECTION (1) OF THIS SECTION.  
33 THROUGHOUT THE DURATION OF THE PILOT PROGRAM, THE PILOT SCHOOL  
34 MUST EMPLOY OR CONTRACT WITH, AT THE PILOT SCHOOL'S EXPENSE, THE  
35 SAME NUMBER OF SCHOOL MENTAL HEALTH PROFESSIONALS EMPLOYED BY  
36 OR CONTRACTED WITH THE PILOT SCHOOL DURING THE 2019-20 SCHOOL  
37 YEAR, SO THAT THE APPROPRIATION TO THE PILOT SCHOOL FOR THE PILOT  
38 PROGRAM SUPPLEMENTS, BUT DOES NOT SUPPLANT, THE PILOT SCHOOL'S  
39 EXISTING EXPENDITURES FOR SCHOOL MENTAL HEALTH PROFESSIONAL  
40 POSITIONS PRIOR TO THE OPERATION OF THE PILOT PROGRAM.

41 (4) (a) IN IMPLEMENTING THE PILOT PROGRAM, THE SCHOOL  
42 MENTAL HEALTH PROFESSIONALS SHALL WORK AS A TEAM, WITH EACH  
43 PROFESSIONAL PROVIDING SERVICES TO STUDENTS AND OFFERING

1 TRAINING AND RESOURCES TO SCHOOL FACULTY AND ADMINISTRATORS  
2 THAT ARE AUTHORIZED UNDER THE SCHOOL MENTAL HEALTH  
3 PROFESSIONAL'S SPECIAL SERVICES LICENSE AND ENDORSEMENT. IN  
4 ADDITION, SCHOOL MENTAL HEALTH PROFESSIONALS MAY, CONSISTENT  
5 WITH THE SCHOOL MENTAL HEALTH PROFESSIONAL'S JOB DUTIES AND  
6 LICENSURE:

7 (I) ASSIST STUDENTS WITH APPLYING FOR AND OBTAINING  
8 NECESSARY PUBLIC BENEFITS FOR WHICH EACH STUDENT IS ELIGIBLE;

9 (II) PROVIDE SERVICES AND SUPPORTS TO STUDENTS WHO HAVE AN  
10 INDIVIDUALIZED EDUCATION PROGRAM, AS PROVIDED IN SECTION  
11 22-20-108;

12 (III) CONSULT AND COORDINATE WITH OTHER SCHOOL  
13 PROFESSIONALS ON BEHALF OF STUDENTS AND SUPPORT FAMILIES  
14 ACCESSING COMMUNITY-BASED RESOURCES AS NEEDED AND  
15 APPROPRIATE;

16 (IV) PROVIDE THE SCHOOL WITH RESOURCES TO DEVELOP AND  
17 IMPROVE THE SOCIAL AND EMOTIONAL HEALTH OF STUDENTS;

18 (V) PROVIDE SOCIAL AND EMOTIONAL SKILL BUILDING IN THE  
19 SCHOOL AND WITH STUDENTS IN THE CLASSROOM; AND

20 (VI) IDENTIFY FOOD INSECURITY, HOMELESSNESS, AND OTHER  
21 ISSUES AFFECTING STUDENTS AND MAKE REFERRALS TO SERVICES WITHIN  
22 THE COMMUNITY, BRINGING THOSE SERVICES INTO THE SCHOOL SETTING  
23 WHERE POSSIBLE.

24 (b) AS APPROPRIATE, AND TO THE EXTENT POSSIBLE, THE SCHOOL  
25 MENTAL HEALTH PROFESSIONAL MUST PROVIDE SERVICES OR ARRANGE  
26 FOR SERVICES TO BE PROVIDED FOR STUDENTS AT THE SCHOOL AND  
27 DURING SCHOOL HOURS OR WHEN STUDENT BUSING IS AVAILABLE.

28 (c) SERVICES PROVIDED BY THE SCHOOL MENTAL HEALTH  
29 PROFESSIONAL TO THE STUDENT MUST INCLUDE THE STUDENT'S FAMILY  
30 AND HOUSEHOLD, WHERE APPROPRIATE. THE SCHOOL MENTAL HEALTH  
31 PROFESSIONAL IS SPECIFICALLY AUTHORIZED TO MAKE HOME VISITS WHEN  
32 APPROPRIATE UNDER THE CIRCUMSTANCES AND CONSISTENT WITH  
33 LICENSURE.

34 (5) EACH PILOT SCHOOL'S TEAM OF SCHOOL MENTAL HEALTH  
35 PROFESSIONALS SHALL PARTICIPATE IN THE SCHOOL'S OR SCHOOL  
36 DISTRICT'S MULTI-TIERED SYSTEMS OF SUPPORT PROCESS TO ASSIST IN  
37 DEVELOPING APPROPRIATE PLANS FOR THE MENTAL HEALTH AND  
38 BEHAVIORAL NEEDS OF INDIVIDUAL STUDENTS.

39 (6) EACH PILOT SCHOOL, OR EACH PILOT SCHOOL'S GOVERNING  
40 BODY, WHERE APPROPRIATE, SHALL COLLECT, TRANSMIT, AND RETAIN ANY  
41 DATA AND INFORMATION NECESSARY FOR THE EVALUATION OF THE PILOT  
42 PROGRAM PURSUANT TO SECTION 22-99-106. EACH PILOT SCHOOL SHALL  
43 RECORD THE UNIQUE STUDENT IDENTIFIER, AS DEFINED IN SECTION

1 22-16-103, FOR ALL STUDENTS ENROLLED IN THE PILOT SCHOOL.

2 **22-99-106. Pilot program coordinator - evaluation of pilot**  
3 **program - student impacts and outcomes.** (1) THE DEPARTMENT SHALL  
4 EMPLOY OR CONTRACT WITH A PILOT PROGRAM COORDINATOR TO OVERSEE  
5 THE IMPLEMENTATION OF THE PILOT PROGRAM ACROSS THE PILOT  
6 SCHOOLS. THE PILOT PROGRAM COORDINATOR MUST BE A SCHOOL SOCIAL  
7 WORKER WHO SHALL WORK WITH EACH PILOT SCHOOL'S TEAM OF SCHOOL  
8 MENTAL HEALTH PROFESSIONALS. THE DUTIES OF THE PILOT PROGRAM  
9 COORDINATOR INCLUDE, AT A MINIMUM:

10 (a) COORDINATING DATA COLLECTION AND PROGRAM EVALUATION  
11 REQUIREMENTS WITH THE PROFESSIONAL PROGRAM EVALUATOR RETAINED  
12 PURSUANT TO SUBSECTION (2) OF THIS SECTION;

13 (b) SERVING AS A CONTACT PERSON AND RESOURCE FOR TEAMS OF  
14 SCHOOL MENTAL HEALTH PROFESSIONALS IN THE PILOT SCHOOLS;

15 (c) SHARING BEST PRACTICES RELATING TO THE PILOT PROGRAM  
16 AND ITS IMPLEMENTATION AT THE PILOT SCHOOLS; AND

17 (d) ENSURING FIDELITY TO THE GOALS OF THE PILOT PROGRAM  
18 ACROSS THE PILOT SCHOOLS.

19 (2) (a) THE DEPARTMENT SHALL SELECT A PROFESSIONAL  
20 PROGRAM EVALUATOR TO COMPLETE A PRELIMINARY EVALUATION OF THE  
21 PILOT PROGRAM ON OR BEFORE SEPTEMBER 1, 2022, AND A FINAL  
22 EVALUATION OF THE PILOT PROGRAM TO BE COMPLETED ON OR BEFORE  
23 SEPTEMBER 1, 2023. THE DEPARTMENT SHALL CONTRACT WITH THE  
24 EVALUATOR PRIOR TO THE IMPLEMENTATION OF THE PILOT PROGRAM IN  
25 THE PILOT SCHOOLS DURING THE 2020-21 SCHOOL YEAR TO CREATE A  
26 PROCESS FOR THE COLLECTION AND TRANSMISSION OF DATA AND  
27 INFORMATION TO THE EVALUATOR TO ENSURE THAT THE EVALUATOR HAS  
28 THE DATA AND INFORMATION NECESSARY TO COMPLETE THE PRELIMINARY  
29 AND FINAL REPORTS CONCERNING THE IMPACT AND OUTCOMES OF THE  
30 PILOT PROGRAM. THE PILOT PROGRAM EVALUATOR, IN CONJUNCTION WITH  
31 THE DEPARTMENT, SHALL SELECT A GROUP OF CONTROL SCHOOLS THAT  
32 HAVE SCHOOL CHARACTERISTICS AND STUDENT DEMOGRAPHICS SIMILAR  
33 TO THOSE OF THE PILOT SCHOOLS, TO SERVE AS A CONTROL GROUP FOR  
34 PURPOSES OF EVALUATING THE IMPACTS AND OUTCOMES OF THE PILOT  
35 PROGRAM ON PARTICIPATING STUDENTS AND PILOT SCHOOLS. DATA  
36 COLLECTED FOR PILOT SCHOOLS AND CONTROL GROUP SCHOOLS MUST  
37 INCLUDE DATA FROM SCHOOL CLIMATE AND HEALTHY SCHOOLS SURVEYS  
38 FOR ANY GRADE IN WHICH SUCH SURVEYS HAVE BEEN CREATED.

39 (b) THE DEPARTMENT SHALL SELECT A PROFESSIONAL PROGRAM  
40 EVALUATOR THAT HAS THE KNOWLEDGE AND SKILLS NECESSARY TO  
41 EVALUATE THE EFFECTIVENESS OF SERVICES PROVIDED BY THE PILOT  
42 PROGRAM AND THE RESULTING IMPACTS AND OUTCOMES OF THE PILOT  
43 PROGRAM ON THE STUDENT COHORTS PARTICIPATING IN THE PILOT

1 PROGRAM. THE DEPARTMENT IS ENCOURAGED, BUT IS NOT REQUIRED, TO  
2 CONTRACT WITH A STATE INSTITUTION OF HIGHER EDUCATION TO  
3 COMPLETE THE EVALUATION OF THE PILOT PROGRAM.

4 (c) THE DEPARTMENT AND THE PILOT SCHOOLS SHALL COOPERATE  
5 FULLY WITH THE PILOT PROGRAM EVALUATOR'S COLLECTION AND  
6 ANALYSIS OF DATA AND INFORMATION RELATING TO THE PILOT PROGRAM'S  
7 IMPACT AND OUTCOMES. THE DEPARTMENT, PILOT SCHOOLS, THE PILOT  
8 PROGRAM COORDINATOR, AND THE CONTRACTED EVALUATOR SHALL  
9 COMPLY WITH ALL STATE AND FEDERAL LAWS RELATING TO THE  
10 CONFIDENTIALITY OF ACADEMIC AND MEDICAL RECORDS OF STUDENTS  
11 AND SHALL PROVIDE AGGREGATED DATA WHERE APPROPRIATE.

12 (d) THE PILOT PROGRAM EVALUATOR SHALL DETERMINE THE  
13 IMPACT OF THE PILOT PROGRAM ON STUDENTS' ACADEMIC, MENTAL,  
14 SOCIAL EMOTIONAL, AND PHYSICAL HEALTH AND WELL-BEING. THE  
15 EVALUATOR SHALL COLLECT AND ANALYZE DATA RELATING TO STUDENT  
16 AND SCHOOL OUTCOMES, WHICH OUTCOMES MAY INCLUDE:

17 (I) THE INCREASE OR DECREASE IN STUDENTS' DISCIPLINARY  
18 REFERRALS, EITHER WITHIN THE PILOT SCHOOL, OR PILOT SCHOOL'S  
19 DISTRICT, IF RELEVANT, OR WITH LAW ENFORCEMENT, AND THE INCREASE  
20 OR DECREASE IN STUDENTS ADJUDICATED DELINQUENT WITHIN THE PILOT  
21 SCHOOL'S DISTRICT;

22 (II) THE INCREASE OR DECREASE IN STUDENTS' LOST INSTRUCTION  
23 TIME DUE TO DISCIPLINARY ACTION OR VISITS TO THE SCHOOL NURSE OR  
24 SCHOOL COUNSELOR;

25 (III) THE INCREASE OR DECREASE IN EXCUSED AND UNEXCUSED  
26 ABSENCES AND TRUANCY;

27 (IV) THE INCREASE OR DECREASE IN OVERALL STUDENT  
28 PERFORMANCE ON STATEWIDE ASSESSMENTS, BY GRADE;

29 (V) THE INCREASE OR DECREASE IN THE STUDENT COHORTS'  
30 GRADE POINT AVERAGE, BY GRADE;

31 (VI) THE INCREASE IN ACCESS TO SUPPORTIVE SERVICES FOR  
32 STUDENTS AND THEIR FAMILIES, AS EVIDENCED BY:

33 (VII) AN INCREASE IN THE NUMBER OR PERCENTAGE OF STUDENTS  
34 IDENTIFIED AS ELIGIBLE FOR FREE OR REDUCED-PRICE MEALS, BY GRADE;

35 (VIII) AN INCREASE IN EMPLOYMENT OUTCOMES FOR STUDENTS'  
36 FAMILIES;

37 (IX) AN INCREASE OR DECREASE IN STUDENTS' FOOD SECURITY AS  
38 DEMONSTRATED BY AN INCREASE OR DECREASE IN THE NUMBER OR  
39 PERCENTAGE OF STUDENTS PARTICIPATING IN THE FEDERAL  
40 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;

41 (X) AN INCREASE OR DECREASE IN THE NUMBER OR PERCENTAGE  
42 OF ELIGIBLE STUDENTS ACCESSING PUBLIC BENEFITS;

43 (XI) AN INCREASE OR DECREASE IN THE PILOT SCHOOLS'

1 AWARENESS OF OR INVOLVEMENT WITH DOMESTIC VIOLENCE OR CHILD  
2 ABUSE ISSUES AFFECTING STUDENTS;  
3 (XII) CHANGES TO THE SCHOOL CLIMATE DURING THE OPERATION  
4 OF THE PILOT PROGRAM AND EVALUATION OF SCHOOL CLIMATE AND  
5 HEALTHY SCHOOLS SURVEYS;  
6 (XIII) THE REDUCTION IN ADVERSE CHILDHOOD EXPERIENCES OR  
7 THE POSITIVE RESOLUTION OF ADVERSE CHILDHOOD EXPERIENCES, IF  
8 AVAILABLE;  
9 (XIV) THE REDUCTION IN YOUTH SUICIDE AND ATTEMPTED  
10 SUICIDE; AND  
11 (XV) ANY OTHER RELEVANT DATA AND INFORMATION RELATING  
12 TO PILOT PROGRAM OUTCOMES AND IMPACTS AS DETERMINED BY THE  
13 PILOT PROGRAM EVALUATOR.

14 **22-99-107. Appropriations for this article - gifts, grants, or**  
15 **donations.** (1) THE DEPARTMENT SHALL INCLUDE IN ITS ANNUAL BUDGET  
16 REQUEST TO THE GENERAL ASSEMBLY THE AMOUNT OF APPROPRIATIONS  
17 NECESSARY TO ADMINISTER THE PILOT PROGRAM AND EMPLOY OR  
18 CONTRACT WITH THE REQUIRED NUMBER OF SCHOOL MENTAL HEALTH  
19 PROFESSIONALS AND THE AMOUNT OF APPROPRIATIONS NECESSARY FOR  
20 THE ONGOING PROGRAM EVALUATION CONTRACT AND TO EMPLOY OR  
21 CONTRACT WITH THE PILOT PROGRAM COORDINATOR.

22 (2) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE MONEY  
23 FROM THE MARIJUANA TAX CASH FUND, CREATED IN SECTION 39-28.8-501,  
24 TO THE DEPARTMENT TO BE USED FOR THE PILOT PROGRAM ESTABLISHED  
25 IN THIS ARTICLE 99.

26 (3) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,  
27 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE  
28 PURPOSES OF THIS ARTICLE 99.

29 **22-99-108. Repeal of article.** THIS ARTICLE 99 IS REPEALED,  
30 EFFECTIVE JULY 1, 2023.

31 **SECTION 2. Act subject to petition - effective date.** This act  
32 takes effect at 12:01 a.m. on the day following the expiration of the  
33 ninety-day period after final adjournment of the general assembly (August  
34 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
35 referendum petition is filed pursuant to section 1 (3) of article V of the  
36 state constitution against this act or an item, section, or part of this act  
37 within such period, then the act, item, section, or part will not take effect  
38 unless approved by the people at the general election to be held in  
39 November 2020 and, in such case, will take effect on the date of the  
40 official declaration of the vote thereon by the governor."

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