A BILL FOR AN ACT

CONCERNING PROVIDING FINANCIAL SUPPORT FOR COMPREHENSIVE

PROGRAMS TO ASSIST NINTH-GRADE STUDENTS IN COMPLETING

HIGH SCHOOL, AND, IN CONNECTION THEREWITH, CREATING THE

NINTH GRADE SUCCESS GRANT PROGRAM, AND MAKING AN

APPROPRIATION.

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 establishes the ninth grade success grant program (grant program) to provide money for school districts, boards of cooperative

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.
services (local education providers), and charter schools to implement a
ninth grade success program to assist ninth-grade students in developing
the skills they need to graduate from high school and be successful
postgraduation. The grant program is funded through the student
re-engagement grant program fund.

The bill specifies the minimum application requirements for a
local education provider or charter school that chooses to apply for a
grant. The department of education (department) shall administer the
grant program by reviewing applications and making recommendations
to the state board of education (state board), which will award the grants.
In making recommendations and awarding grants, the department and the
state board shall prioritize those applying local education providers and
charter schools that have 4-year high school graduation rates that rank in
the bottom 20% of the 4-year high school graduation rates statewide. The
bill includes additional criteria that the department and the state board
must consider. A local education provider or charter school that receives
a grant must provide matching money or in-kind contributions in amounts
set by the state board, not to exceed specified percentages.

Each local education provider and charter school that receives a
grant must use the money to implement a ninth grade success program
that meets the requirements specified in the bill. Each grant recipient must
report information concerning its ninth grade success program, including
evaluation data for several specified outcome measures. The department
must submit a report concerning the implementation of the grant program
to the state board and to the education committees of the general
assembly.

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

SECTION 1. In Colorado Revised Statutes, add 22-14-109.5 as
follows:

22-14-109.5. Ninth grade success grant program - created -
criteria - use of grant money - report - rules - definitions. (1) As used
in this section, unless the context otherwise requires:

(a) "Charter school" means a charter school authorized
by a school district pursuant to part 1 of article 30.5 of this
title 22 or an institute charter school authorized by the state
charter school institute pursuant to part 5 of article 30.5 of
THIS TITLE 22.

(b) "Program" means the ninth grade success grant program created in this section.

(c) "Small rural school district" means a school district in Colorado that the department determines is rural based on the geographic size of the school district and the distance of the school district from the nearest large, urbanized area, and that enrolls fewer than one thousand students in kindergarten through twelfth grade.

(d) "Student group" has the same meaning as provided in section 22-11-103.

(e) "Success team" means a cross-disciplinary team of ninth-grade teachers and support staff as described in subsection (5) of this section.

(2) (a) There is created in the department the ninth grade success grant program to provide funding to local education providers and charter schools to implement a ninth grade success program, as described in subsection (5) of this section, to assist students enrolled in ninth grade to develop the skills they need to successfully persist to high school graduation and succeed in their education and professional careers.

(b) Notwithstanding any provision of this section to the contrary, an alternative education campus designated pursuant to section 22-7-604.5 may not apply for or receive money or services through a grant awarded pursuant to this section.

(3) (a) A local education provider or charter school that serves students enrolled in grades nine through twelve and
THAT CHOOSES TO APPLY FOR A GRANT THROUGH THE PROGRAM MUST SUBMIT A GRANT APPLICATION TO THE DEPARTMENT IN ACCORDANCE WITH RULES ADOPTED BY THE STATE BOARD. A LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL THAT IS SELECTED TO RECEIVE A GRANT MUST, AS A CONDITION OF ACCEPTING THE GRANT, PROVIDE A GRANT MATCH, WHICH MAY INCLUDE IN-KIND CONTRIBUTIONS, IN AN AMOUNT SET BY THE STATE BOARD, WHICH AMOUNT MUST NOT EXCEED:

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

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

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

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

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

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

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

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

(4) THE DEPARTMENT SHALL REVIEW EACH OF THE APPLICATIONS
RECEIVED PURSUANT TO THIS SECTION AND RECOMMEND TO THE STATE
BOARD APPLICANTS TO RECEIVE GRANTS AND THE AMOUNT, DURATION,
AND GRANT MATCH AMOUNT OF EACH RECOMMENDED GRANT. BEGINNING
IN THE 2019-20 BUDGET YEAR, THE STATE BOARD, SUBJECT TO AVAILABLE
APPROPRIATIONS, SHALL AWARD THE GRANTS, TAKING INTO
CONSIDERATION THE RECOMMENDATIONS OF THE DEPARTMENT. IN
AWARDING A GRANT, THE STATE BOARD SHALL SPECIFY THE AMOUNT AND
DURATION OF THE GRANT AND THE AMOUNT OF THE GRANT MATCH,
INCLUDING ANY TYPE OF IN-KIND CONTRIBUTION, THAT THE GRANT
RECIPIENT MUST PROVIDE. THE DEPARTMENT AND THE STATE BOARD IN
RECOMMENDING AND AWARDING GRANTS SHALL PRIORITIZE APPLICANTS
THAT HAVE A FOUR-YEAR GRADUATION RATE THAT, OVER THE PRECEDING
THREE SCHOOL YEARS, HAS CONSISTENTLY RANKED WITHIN THE LOWEST
TWENTY PERCENT OF THE FOUR-YEAR GRADUATION RATES FOR PUBLIC
HIGH SCHOOLS IN THE STATE. TO THE EXTENT PRACTICABLE, THE STATE
BOARD SHALL ALSO ENSURE THAT THE GRANT RECIPIENTS VARY IN
STUDENT POPULATION SIZE AND ARE LOCATED IN URBAN, SUBURBAN, AND
RURAL AREAS THROUGHOUT THE STATE.

(5) A LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL THAT
RECEIVES A GRANT THROUGH THE PROGRAM MUST USE THE GRANT MONEY
TO IMPLEMENT A NINTH GRADE SUCCESS PROGRAM THAT, AT A MINIMUM,
MUST INCLUDE THE FOLLOWING ELEMENTS:
(a) (I) Creating and implementing a cross-disciplinary success team of ninth-grade teachers and support staff, which must include at least one school counselor, school mental health professional, or school social worker. To the extent practicable, a success team must include all of the ninth-grade teachers who teach core courses, as defined in section 22-11-503.5. The local education provider or charter school shall designate a member of the success team to serve as the success team leader and reduce the team leader's workload to a level that allows the team leader sufficient time to complete the leadership duties, which include team logistics, preparing team meeting agendas, and facilitating team meetings.

(II) The success team must meet at least every two weeks, to the extent practicable, throughout the school year to collaborate on identifying and implementing strategies to improve outcomes for ninth-grade students who are found to be at risk of dropping out of school before graduation and to address systems-level barriers to success for all ninth-grade students. The strategies must be informed by data concerning, at a minimum, ninth-grade students' behavior, attendance, and grades across demographic categories and student groups. The local education provider or charter school shall allow success team members time during the work day for planning and collaboration or provide incentives to meet outside of the work day.

(b) Organizing the school staff to ensure that, to the extent practicable, the ninth-grade classes are taught by a
SINGLE GROUP OF TEACHERS WHO TEACH ONLY OR MOSTLY NINTH-GRADE CLASSES;

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

(d) IDENTIFYING AND PRIORITIZING SERVICES FOR NINTH-GRADE STUDENTS WHO ARE AT RISK OF ACADEMIC FAILURE IN NINTH GRADE;

(e) PROVIDING INSTRUCTIONAL SUPPORT FOR NINTH-GRADE STUDENTS INCLUDING ATTENDANCE SUPPORT, CONTENT-SPECIFIC ACADEMIC INTERVENTIONS, TUTORING, COURSE-COMPLETION PROGRAMS, SOCIAL-EMOTIONAL LEARNING, AND TRAUMA-INFORMED INSTRUCTION;

(f) ENSURING THAT SCHOOL LEADERSHIP, GUIDANCE COUNSELORS, AND KEY MEMBERS OF THE SUCCESS TEAM RECEIVE AND REVIEW DATA ON ALL INCOMING NINTH-GRADE STUDENTS AND PLAN COURSE WORK AND SUPPORTS FOR THE STUDENTS BASED ON THE DATA RECEIVED;

(g) ENSURING THAT ALL NINTH-GRADE TEACHERS RECEIVE DATA CONCERNING THE INCOMING NINTH-GRADE STUDENTS BEFORE THE START OF THE SCHOOL YEAR AND RECEIVE PROFESSIONAL DEVELOPMENT CONCERNING HOW TO USE THE DATA TO INFORM INSTRUCTION FOR THE STUDENTS. TO THE EXTENT POSSIBLE, THE LOCAL EDUCATION PROVIDER OR CHARTER SCHOOL SHALL ENSURE THAT MIDDLE SCHOOL TEACHERS PROVIDE INFORMATION TO NINTH-GRADE TEACHERS CONCERNING THE INCOMING NINTH-GRADE STUDENTS.

(h) PROVIDING SUMMER ORIENTATION FOR INCOMING NINTH-GRADE STUDENTS AND THEIR PARENTS TO INTRODUCE STUDENTS TO THE BEHAVIORAL AND ACADEMIC EXPECTATIONS OF HIGH SCHOOL; AND
(i) Evaluating with rigor the impact of the interventions provided through the Ninth Grade Success Program on student attendance, behavior, course completion, academic results, discipline rates, teacher surveys, student surveys, dropout rates, and graduation rates as the information becomes available for Ninth-grade students who receive interventions through the program.

(6) The General Assembly may annually appropriate money to the department to implement the program, including money from the marijuana tax cash fund created in section 39-28.8-501. In addition, the department may accept and expend gifts, grants, or donations from private or public sources for the purposes of the program; 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.

(7) (a) Each local education provider and charter school that receives a grant through the program shall submit to the department, in accordance with the reporting timelines specified in rules of the State Board, information concerning the implementation of the Ninth Grade Success Program and the evaluation of the impact, as described in subsection (5)(i) of this section, in total and disaggregated by student group. The department shall specify the information to be reported to enable the department to prepare the report required in subsection (7)(b) of this section.

(b) on or before March 15, 2022, and on or before March
15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL PREPARE AND
SUBMIT TO THE STATE BOARD AND TO THE EDUCATION COMMITTEES OF
THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
COMMITTEES, A REPORT OF THE NINTH GRADE SUCCESS PROGRAMS
IMPLEMENTED USING GRANTS RECEIVED THROUGH THE PROGRAM. AT A
MINIMUM, THE REPORT SHALL:

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

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

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

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

SECTION 2. In Colorado Revised Statutes, 22-14-109, amend
(1); and repeal and reenact, with amendments, (4) as follows:

22-14-109. Student re-engagement grant program - rules -
application - grants - report. (1) There is hereby created within the
department the student re-engagement grant program to provide grant
moneys money 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 money
appropriated from the student re-engagement grant program fund created in PURSUANT TO subsection (4) of this section.

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

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

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 ARTICLE 14. At a minimum, said rules shall include:

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

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

SECTION 4. Appropriation. For the 2019-20 state fiscal year, $800,000 is appropriated to the department of education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.6 FTE. To implement this act,
the department may use this appropriation for the ninth grade success
grant program.

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.