

# An Act

HOUSE BILL 12-1013

BY REPRESENTATIVE(S) Fields and Holbert, Massey, Casso, Court, Fischer, Gerou, Hamner, Kerr A., Labuda, Miklosi, Murray, Pace, Schafer S., Singer, Solano, Stephens, Summers, Todd, Tyler, Vigil, Williams A., Young;  
also SENATOR(S) Hudak and King K., Bacon, Aguilar, Boyd, Foster, Heath, Johnston, Newell, Nicholson, Roberts, Steadman.

CONCERNING INTERVENTION SERVICES FOR MIDDLE-GRADE STUDENTS.

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

**SECTION 1.** In Colorado Revised Statutes, **add** 22-32-118.5 as follows:

**22-32-118.5. Intervention strategies - students at risk of dropping out - legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT RESEARCH SHOWS THERE ARE CERTAIN BEHAVIORS SUCH AS TRUANCY, LOW ACADEMIC ACHIEVEMENT, AND MISBEHAVIOR THAT RESULTS IN SUSPENSION OR EXPULSION THAT, WHEN EXHIBITED BY A STUDENT, ARE CLEAR INDICATIONS THAT THE STUDENT IS AT INCREASED RISK OF DROPPING OUT OF SCHOOL BEFORE GRADUATION. THESE BEHAVIORS ARE OFTEN NOTICEABLE AS EARLY AS GRADES SIX THROUGH NINE AND, EVEN AT THIS RELATIVELY EARLY STAGE OF A STUDENT'S ACADEMIC CAREER, ARE

ACCURATE PREDICTORS OF WHETHER THE STUDENT WILL GRADUATE OR DROP OUT OF HIGH SCHOOL. THE GENERAL ASSEMBLY FURTHER FINDS THAT INTERVENTIONS WITH STUDENTS WHO DEMONSTRATE THESE BEHAVIORS IN THESE MIDDLE GRADES CAN BE VERY SUCCESSFUL IN ENABLING THE STUDENT TO REFOCUS HIS OR HER EFFORTS, IMPROVE IN ACADEMIC ACHIEVEMENT, AND SUCCESSFULLY GRADUATE FROM HIGH SCHOOL. THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT SCHOOL DISTRICTS AND PUBLIC SCHOOLS FOCUS ATTENTION ON THE DATA COLLECTED FOR STUDENTS IN THESE MIDDLE GRADES, IDENTIFY STUDENTS WHO REQUIRE INTERVENTIONS, AND PROVIDE THE APPROPRIATE INTERVENTIONS TO ASSIST STUDENTS IN GRADUATING FROM HIGH SCHOOL.

(2) (a) EACH SCHOOL DISTRICT BOARD OF EDUCATION SHALL CONSIDER ADOPTING PROCEDURES BY WHICH THE SCHOOLS OF THE SCHOOL DISTRICT, INCLUDING CHARTER SCHOOLS, THAT INCLUDE ANY OF GRADES SIX THROUGH NINE SHALL REVIEW THE RELEVANT DATA FOR STUDENTS IN THOSE GRADES AND IDENTIFY STUDENTS WHO ARE DEMONSTRATING BEHAVIORS THAT INDICATE THE STUDENT IS AT GREATER RISK OF DROPPING OUT OF SCHOOL. THE BEHAVIORS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, LOW ACADEMIC ACHIEVEMENT, TRUANCY, INSUBORDINATE BEHAVIOR, AND DISENGAGEMENT.

(b) THE PROCEDURES MAY SPECIFY THAT, AFTER A SCHOOL IDENTIFIES A STUDENT AS BEING AT INCREASED RISK OF DROPPING OUT OF SCHOOL, THE SCHOOL SHALL PROVIDE APPROPRIATE INTERVENTIONS THAT ARE DESIGNED TO ASSIST THE STUDENT IN IMPROVING HIS OR HER ACADEMIC PERFORMANCE AND BEHAVIOR AND IN INCREASING HIS OR HER OVERALL LEVEL OF ENGAGEMENT IN SCHOOL. INTERVENTIONS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, COUNSELING, TUTORING, PARENT ENGAGEMENT, AND DEVELOPMENTAL EDUCATION SERVICES.

(c) IF A SCHOOL DISTRICT BOARD OF EDUCATION ADOPTS PROCEDURES PURSUANT TO THIS SUBSECTION (2), THE SCHOOL DISTRICT SHALL NOTIFY A STUDENT'S PARENTS AS SOON AS POSSIBLE AFTER THE SCHOOL DISTRICT IDENTIFIES THE STUDENT AS BEING AT GREATER RISK OF DROPPING OUT OF SCHOOL. THE SCHOOL DISTRICT SHALL PROVIDE TO THE STUDENT'S PARENTS A DESCRIPTION OF THE INTERVENTIONS THAT THE SCHOOL DISTRICT INTENDS TO IMPLEMENT FOR THE STUDENT, IF ANY. THE PARENT MAY APPROVE OR REJECT THE DESCRIBED INTERVENTIONS. IF THE PARENT REJECTS THE INTERVENTIONS, THE SCHOOL DISTRICT SHALL NOT

IMPLEMENT THE INTERVENTIONS. THE PARENT MAY TERMINATE THE INTERVENTIONS AT ANY TIME AFTER THE SCHOOL DISTRICT BEGINS PROVIDING THE INTERVENTIONS.

(d) A PARENT MAY CONTACT THE SCHOOL DISTRICT IN WHICH HIS OR HER STUDENT IS ENROLLED TO REQUEST INTERVENTIONS PURSUANT TO THIS SUBSECTION (2) IF THE PARENT DETERMINES THAT THE STUDENT IS AT GREATER RISK OF DROPPING OUT OF SCHOOL.

**SECTION 2.** In Colorado Revised Statutes, **add** 22-30.5-523 as follows:

**22-30.5-523. Intervention strategies - students at risk of dropping out.** (1) EACH INSTITUTE CHARTER SCHOOL THAT INCLUDES ANY OF GRADES SIX THROUGH NINE SHALL CONSIDER ADOPTING PROCEDURES TO REVIEW THE RELEVANT DATA FOR STUDENTS IN THOSE GRADES AND IDENTIFY STUDENTS WHO ARE DEMONSTRATING BEHAVIORS THAT INDICATE THE STUDENT IS AT GREATER RISK OF DROPPING OUT OF SCHOOL. THE BEHAVIORS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, LOW ACADEMIC ACHIEVEMENT, TRUANCY, INSUBORDINATE BEHAVIOR, AND DISENGAGEMENT.

(2) THE PROCEDURES MAY SPECIFY THAT, AFTER AN INSTITUTE CHARTER SCHOOL IDENTIFIES A STUDENT AS BEING AT INCREASED RISK OF DROPPING OUT OF SCHOOL, THE SCHOOL SHALL PROVIDE APPROPRIATE INTERVENTIONS THAT ARE DESIGNED TO ASSIST THE STUDENT IN IMPROVING HIS OR HER ACADEMIC PERFORMANCE AND BEHAVIOR AND IN INCREASING HIS OR HER OVERALL LEVEL OF ENGAGEMENT IN SCHOOL. INTERVENTIONS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, COUNSELING, TUTORING, PARENT ENGAGEMENT, AND DEVELOPMENTAL EDUCATION SERVICES.

(3) IF AN INSTITUTE CHARTER SCHOOL ADOPTS PROCEDURES PURSUANT TO THIS SECTION, THE INSTITUTE CHARTER SCHOOL SHALL NOTIFY A STUDENT'S PARENTS AS SOON AS POSSIBLE AFTER THE INSTITUTE CHARTER SCHOOL IDENTIFIES THE STUDENT AS BEING AT GREATER RISK OF DROPPING OUT OF SCHOOL. THE INSTITUTE CHARTER SCHOOL SHALL PROVIDE TO THE STUDENT'S PARENTS A DESCRIPTION OF THE INTERVENTIONS THAT THE INSTITUTE CHARTER SCHOOL INTENDS TO IMPLEMENT FOR THE STUDENT, IF ANY. THE PARENT MAY APPROVE OR REJECT THE DESCRIBED INTERVENTIONS. IF THE PARENT REJECTS THE INTERVENTIONS, THE INSTITUTE CHARTER

SCHOOL SHALL NOT IMPLEMENT THE INTERVENTIONS. THE PARENT MAY TERMINATE THE INTERVENTIONS AT ANY TIME AFTER THE INSTITUTE CHARTER SCHOOL BEGINS PROVIDING THE INTERVENTIONS.

(4) A PARENT MAY CONTACT THE INSTITUTE CHARTER SCHOOL IN WHICH HIS OR HER STUDENT IS ENROLLED TO REQUEST INTERVENTIONS PURSUANT TO THIS SECTION IF THE PARENT DETERMINES THAT THE STUDENT IS AT GREATER RISK OF DROPPING OUT OF SCHOOL.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO