

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 11-0095.03 Julie Pelegrin

SENATE BILL 11-111

SENATE SPONSORSHIP

King K., Heath, Johnston, Nicholson, Renfroe, Spence

HOUSE SPONSORSHIP

Massey,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING CREATION OF A TASK FORCE TO ADDRESS THE PROVISION**
102 **OF EDUCATIONAL SERVICES TO SUPPORT STUDENTS' ACADEMIC**
103 **SUCCESS.**

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://www.leg.state.co.us/billsummaries>.)

The bill creates the educational success task force (task force). The task force will include legislative members appointed by leadership in the senate and the house of representatives and members from the education sector appointed jointly by the state board of education (state

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

board) and the Colorado commission on higher education (commission). In addition to members of the general assembly, the task force will consist of experts in education, especially in intervention strategies and remedial education, parents, teachers, and other representatives of school districts, public schools, and institutions of higher education.

The task force will review the junctures within a student's academic career at which intervention education services are critical to the student's success; best practices and strategies for providing intervention education services at the elementary and secondary education levels and remedial education at the postsecondary level; the use of the individual career and academic plans; alternative strategies to social promotion; and potential changes to rules, guidelines, and statutes to improve the use of intervention education services to ensure students graduate from high school, demonstrating postsecondary and workforce readiness, and to improve remedial education at the postsecondary level. In fulfilling its duties, the task force will work with the education leadership council created by the governor.

The task force will submit a first report of its findings and recommendations to the state board and the commission by July 1, 2012, and may submit a second report prior to July 1, 2013. The state board and the commission will publish the reports on their respective web sites and publicize the reports to the school districts, public schools, and institutions of higher education in the state. The task force will report to the education committees prior to March 1 in both the 2012 and the 2013 regular legislative sessions.

The task force is repealed, effective July 1, 2013.

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

2 **SECTION 1.** Article 7 of title 22, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 11**

5 **EDUCATIONAL SUCCESS TASK FORCE**

6 **22-7-1101. Legislative declaration.** (1) THE GENERAL
7 ASSEMBLY HEREBY FINDS THAT:

8 (a) STUDIES INDICATE THERE ARE SEVERAL SIGNIFICANT
9 TRANSITION POINTS IN A STUDENT'S EDUCATIONAL CAREER AT WHICH IT IS
10 ESPECIALLY IMPORTANT TO ENSURE THAT THE STUDENT IS PERFORMING AT

1 GRADE LEVEL OR HIGHER. A STUDENT WHO IS NOT PERFORMING AT GRADE
2 LEVEL AT THESE POINTS IS MORE LIKELY TO CONTINUE TO EXPERIENCE
3 ACADEMIC DIFFICULTIES AND IS LESS LIKELY TO DEMONSTRATE
4 POSTSECONDARY AND WORKFORCE READINESS WHEN HE OR SHE
5 GRADUATES FROM HIGH SCHOOL, IF THE STUDENT GRADUATES FROM HIGH
6 SCHOOL AT ALL.

7 (b) DATA COLLECTED IN THE POSTSECONDARY EDUCATION SYSTEM
8 SHOWS THAT A STUDENT WHO GRADUATES FROM HIGH SCHOOL AND
9 ENTERS POSTSECONDARY EDUCATION IN NEED OF REMEDIATION WILL TAKE
10 SIGNIFICANTLY LONGER TO COMPLETE HIS OR HER DEGREE, IF THE
11 STUDENT COMPLETES A DEGREE AT ALL;

12 (c) MORE THAN FIFTY-TWO PERCENT OF THE FIRST-TIME,
13 DEGREE-SEEKING STUDENTS WHO ENROLLED IN A COMMUNITY COLLEGE
14 IN THE 2008-09 ACADEMIC YEAR REQUIRED REMEDIATION IN AT LEAST ONE
15 SUBJECT;

16 (d) DATA COLLECTED OVER TIME SHOWS THAT, OF THE STUDENTS
17 ENROLLED IN A REMEDIAL COURSE, FORTY TO FIFTY PERCENT WILL NOT
18 COMPLETE THE COURSE AND ONLY TWENTY-NINE PERCENT WILL
19 ULTIMATELY EARN A BACHELOR'S DEGREE. THIS LEADS TO THE
20 CONCLUSION THAT, OVERALL, A STUDENT WHO PLACES INTO
21 DEVELOPMENTAL EDUCATION HAS ONLY A THIRTEEN PERCENT CHANCE OF
22 EVENTUALLY RECEIVING A BACHELOR'S DEGREE.

23 (e) IF A STUDENT WHO IS PERFORMING BELOW EXPECTATIONS
24 ACADEMICALLY AT THE SIGNIFICANT TRANSITION POINTS IN HIS OR
25 EDUCATIONAL CAREER RECEIVES ADDITIONAL ASSISTANCE, ESPECIALLY AT
26 THE EARLIER TRANSITION POINTS, THE STUDENT IS MORE LIKELY TO CATCH
27 UP TO WHERE HE OR SHE NEEDS TO BE AND TO CONTINUE TO BE

1 ACADEMICALLY SUCCESSFUL THROUGH HIGH SCHOOL AND
2 POSTSECONDARY EDUCATION;

3 (f) THERE IS A GREAT DEAL OF DATA AVAILABLE CONCERNING
4 SUCCESSFUL STRATEGIES FOR IDENTIFYING AND REMEDIATING STUDENTS
5 AT THESE SIGNIFICANT TRANSITION POINTS THAT, IF COLLECTED AND MADE
6 MORE ACCESSIBLE, COULD ASSIST SCHOOL DISTRICTS, SCHOOLS, AND
7 INSTITUTIONS OF HIGHER EDUCATION IN ENSURING THAT THEY IDENTIFY
8 STUDENTS WHO NEED ADDITIONAL EDUCATION SERVICES AND ASSISTANCE
9 AND THAT THEY PROVIDE THOSE SERVICES AT THE APPROPRIATE
10 JUNCTURES.

11 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE
12 BEST INTERESTS OF THE STATE PUBLIC EDUCATION SYSTEM AND THE
13 STUDENTS OF THE STATE TO CREATE A TASK FORCE TO REVIEW THE
14 RELEVANT DATA AND STUDIES AND RECOMMEND TO SCHOOL DISTRICTS,
15 SCHOOLS, AND INSTITUTIONS OF HIGHER EDUCATION BEST PRACTICES AND
16 STRATEGIES FOR IDENTIFYING AND ASSISTING STUDENTS TO ENSURE THAT
17 THEY ARE SUCCESSFUL THROUGHOUT THEIR ACADEMIC CAREERS AND
18 DEMONSTRATE POSTSECONDARY AND WORKFORCE READINESS WHEN THEY
19 GRADUATE FROM HIGH SCHOOL. THE TASK FORCE SHALL ALSO
20 RECOMMEND TO THE GENERAL ASSEMBLY, THE STATE BOARD OF
21 EDUCATION, AND THE COLORADO COMMISSION ON HIGHER EDUCATION
22 CHANGES TO STATUTES, RULES, OR GUIDELINES THAT MAY STRENGTHEN
23 THE ABILITY OF SCHOOL DISTRICTS, SCHOOLS, AND INSTITUTIONS OF
24 HIGHER EDUCATION TO IDENTIFY AND ASSIST STUDENTS IN ACHIEVING
25 ACADEMIC SUCCESS AND DEMONSTRATING POSTSECONDARY AND
26 WORKFORCE READINESS.

27 **22-7-1102. Definitions.** AS USED IN THIS PART 11 UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 (1) "COMMISSION" MEANS THE COLORADO COMMISSION ON
3 HIGHER EDUCATION ESTABLISHED IN SECTION 23-1-102, C.R.S.

4 (2) "INDIVIDUAL CAREER AND ACADEMIC PLAN" OR "ICAP" MEANS
5 THE PLAN DESCRIBED IN SECTION 22-2-136 AND REQUIRED PURSUANT TO
6 SECTIONS 22-30.5-505 (3) (f) AND 22-32-109 (1) (nn) NO LATER THAN
7 NINTH GRADE FOR EACH STUDENT ENROLLED IN A PUBLIC SCHOOL IN THE
8 STATE.

9 (3) "INTERVENTION EDUCATION SERVICES" MEANS EDUCATIONAL
10 SERVICES AND SUPPORT PROVIDED TO A STUDENT TO ACCELERATE THE
11 STUDENT'S LEARNING AND ASSIST THE STUDENT IN ACHIEVING THE LEVEL
12 OF ACADEMIC PERFORMANCE THAT IS APPROPRIATE FOR HIS OR HER GRADE
13 LEVEL.

14 (4) "POSTSECONDARY AND WORKFORCE READINESS" MEANS THE
15 LEVEL OF ACADEMIC ACHIEVEMENT DESCRIBED BY THE STATE BOARD AND
16 THE COMMISSION PURSUANT TO SECTION 22-7-1008.

17 (5) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
18 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

19 (6) "TASK FORCE" MEANS THE EDUCATIONAL SUCCESS TASK FORCE
20 CREATED IN SECTION 22-7-1103.

21 **22-7-1103. Educational success task force - created -**
22 **membership.** (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF
23 EDUCATION THE EDUCATIONAL SUCCESS TASK FORCE TO STUDY AND
24 REVIEW THE DATA ON INTERVENTION EDUCATION SERVICES IN
25 ELEMENTARY AND SECONDARY EDUCATION AND REMEDIAL EDUCATION IN
26 POSTSECONDARY EDUCATION, TO RECOMMEND BEST PRACTICES AND
27 STRATEGIES TO SCHOOL DISTRICTS AND PUBLIC SCHOOLS, AND TO

1 RECOMMEND STATUTORY AND REGULATORY CHANGES, AS IT DEEMS
2 APPROPRIATE, TO THE GENERAL ASSEMBLY, THE STATE BOARD, AND THE
3 COMMISSION.

4 (2) (a) THE STATE BOARD AND THE COMMISSION SHALL JOINTLY
5 APPOINT MEMBERS OF THE TASK FORCE IN SUCH NUMBERS AS THEY DEEM
6 APPROPRIATE. THE MEMBERSHIP OF THE TASK FORCE SHALL INCLUDE
7 PERSONS WHO HAVE EXPERIENCE IN INTERVENTION EDUCATION SERVICES
8 AND REMEDIAL EDUCATION AS RESEARCHERS, PRACTITIONERS, AND
9 PARENTS OF STUDENTS WHO HAVE RECEIVED OR MAY RECEIVE
10 INTERVENTION EDUCATION SERVICES OR REMEDIAL EDUCATION. AT A
11 MINIMUM, THE STATE BOARD AND THE COMMISSION SHALL APPOINT TO
12 THE TASK FORCE:

13 (I) PERSONS WHO ARE EXPERTS IN ONE OR MORE OF THE AREAS OF
14 EARLY CHILDHOOD EDUCATION; ELEMENTARY AND SECONDARY
15 EDUCATION; CHILDHOOD AND ADOLESCENT LEARNING THEORY;
16 CURRICULUM DEVELOPMENT, ESPECIALLY WITH REGARD TO INTERVENTION
17 EDUCATION SERVICES AND PROGRAMS AND INTERVENTION STRATEGIES;
18 AND POSTSECONDARY EDUCATION, ESPECIALLY WITH REGARD TO
19 REMEDIATION PROGRAMS AND STRATEGIES;

20 (II) PARENTS OF STUDENTS ENROLLED IN PUBLIC SCHOOLS IN THE
21 STATE;

22 (III) ELEMENTARY AND SECONDARY TEACHERS FROM URBAN AND
23 RURAL SCHOOL DISTRICTS OR PUBLIC SCHOOLS;

24 (IV) REPRESENTATIVES OF URBAN AND RURAL SCHOOL DISTRICTS;
25 AND

26 (V) REPRESENTATIVES OF INSTITUTIONS OF HIGHER EDUCATION,
27 INCLUDING AT A MINIMUM REPRESENTATIVES OF TWO-YEAR INSTITUTIONS

1 AND OF FOUR-YEAR INSTITUTIONS.

2 (b) IN ADDITION TO THE MEMBERS APPOINTED PURSUANT TO
3 PARAGRAPH (a) OF THIS SUBSECTION (2), THE TASK FORCE SHALL INCLUDE
4 THE FOLLOWING LEGISLATIVE MEMBERS:

5 (I) THREE MEMBERS FROM THE SENATE, TWO OF WHOM ARE
6 APPOINTED BY THE PRESIDENT OF THE SENATE AND ONE OF WHOM IS
7 APPOINTED BY THE MINORITY LEADER OF THE SENATE; AND

8 (II) THREE MEMBERS FROM THE HOUSE OF REPRESENTATIVES, TWO
9 OF WHOM ARE APPOINTED BY THE SPEAKER OF THE HOUSE OF
10 REPRESENTATIVES AND ONE OF WHOM IS APPOINTED BY THE MINORITY
11 LEADER OF THE HOUSE OF REPRESENTATIVES.

12 (3) (a) THE APPOINTING AUTHORITIES SHALL MAKE THE
13 APPOINTMENTS TO THE TASK FORCE NO LATER THAN OCTOBER 1, 2011.
14 THE MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION
15 AND WITHOUT REIMBURSEMENT FOR EXPENSES.

16 (b) THE MEMBERS OF THE TASK FORCE SHALL SERVE AT THE
17 PLEASURE OF THEIR RESPECTIVE APPOINTING AUTHORITIES.

18 (c) THE COMMISSIONER OF EDUCATION SHALL CALL THE FIRST
19 MEETING OF THE TASK FORCE, AT WHICH MEETING THE MEMBERS OF THE
20 TASK FORCE SHALL SELECT A MEMBER TO SERVE AS CHAIR OF THE TASK
21 FORCE AND A MEMBER TO SERVE AS VICE-CHAIR. THE TASK FORCE SHALL
22 MEET AT THE CALL OF THE CHAIR AS OFTEN AS NECESSARY TO CARRY OUT
23 ITS DUTIES.

24 (4) THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF
25 HIGHER EDUCATION MAY PROVIDE STAFF SUPPORT TO THE TASK FORCE AS
26 NECESSARY AND PRACTICABLE WITHIN EXISTING APPROPRIATIONS.

27 **22-7-1104. Education success task force - duties - reports.**

1 (1) IN ADDITION TO ANY OTHER DUTIES SPECIFIED IN THIS PART 11, THE
2 TASK FORCE SHALL HAVE THE FOLLOWING DUTIES:

3 (a) TO IDENTIFY THE JUNCTURES WITHIN A STUDENT'S ACADEMIC
4 CAREER AT WHICH GRADE-LEVEL ACADEMIC PERFORMANCE, OR HIGHER,
5 IS CRITICAL TO A STUDENT'S CONTINUED ACADEMIC PROGRESS AND TO
6 ENSURING THE STUDENT CAN DEMONSTRATE POSTSECONDARY AND
7 WORKFORCE READINESS NO LATER THAN HIGH SCHOOL GRADUATION;

8 (b) TO REVIEW THE DATA AND RESEARCH ON INTERVENTION
9 EDUCATION SERVICES AND REMEDIAL EDUCATION AND IDENTIFY BEST
10 PRACTICES AND STRATEGIES FOR IDENTIFYING STUDENTS IN NEED OF
11 INTERVENTION EDUCATION SERVICES, FOR PROVIDING INTERVENTION
12 EDUCATION SERVICES AT THE APPROPRIATE JUNCTURES IN THE
13 ELEMENTARY AND SECONDARY EDUCATION LEVELS, AND FOR PROVIDING
14 REMEDIAL EDUCATION AT THE POSTSECONDARY EDUCATION LEVEL. BEST
15 PRACTICES AND STRATEGIES MAY INCLUDE, BUT NEED NOT BE LIMITED TO,
16 RECOMMENDATIONS REGARDING CURRICULUM, METHODS OF DELIVERING
17 INTERVENTION EDUCATION SERVICES AT THE ELEMENTARY AND
18 SECONDARY EDUCATION LEVELS, PROFESSIONAL DEVELOPMENT, AND
19 METHODS OF DELIVERING REMEDIAL EDUCATION SERVICES IN
20 POSTSECONDARY EDUCATION, INCLUDING THE USE OF DIAGNOSTIC
21 PLACEMENT TESTING, THE USE OF MODULARIZED, SHORTER-TERM
22 COURSES, ELECTRONIC DELIVERY OF COURSE WORK, AND TUTORING;

23 (c) TO REVIEW THE USE OF STUDENTS' INDIVIDUAL CAREER AND
24 ACADEMIC PLANS AND MAKE RECOMMENDATIONS FOR DIAGNOSTICALLY
25 USING A STUDENT'S ASSESSMENT RESULTS IN CREATING AND MAINTAINING
26 THE STUDENT'S ICAP AND FOR INCLUDING INTERVENTION STRATEGIES,
27 WHERE APPROPRIATE, IN A STUDENT'S ICAP;

1 (d) TO REVIEW THE PRACTICE OF SOCIAL PROMOTION IN THE PUBLIC
2 SCHOOLS OF THE STATE AND RECOMMEND ALTERNATIVE STRATEGIES FOR
3 ENSURING STUDENTS ARE MAKING SUFFICIENT ACADEMIC PROGRESS TO
4 DEMONSTRATE POSTSECONDARY AND WORKFORCE READINESS NO LATER
5 THAN HIGH SCHOOL GRADUATION; AND

6 (e) TO REVIEW STATE STATUTES, STATE BOARD RULES, AND THE
7 GUIDELINES ADOPTED BY THE COMMISSION AND RECOMMEND ANY
8 APPROPRIATE CHANGES TO ASSIST SCHOOL DISTRICTS AND PUBLIC
9 SCHOOLS IN PROVIDING INTERVENTION EDUCATION SERVICES TO HELP
10 ENSURE THAT STUDENTS DEMONSTRATE POSTSECONDARY AND
11 WORKFORCE READINESS NO LATER THAN HIGH SCHOOL GRADUATION AND
12 TO ASSIST INSTITUTIONS OF HIGHER EDUCATION IN PROVIDING REMEDIAL
13 EDUCATION.

14 (2) IN FULFILLING ITS DUTIES, THE TASK FORCE SHALL SEEK INPUT
15 FROM AND COLLABORATE WITH THE EDUCATION LEADERSHIP COUNCIL
16 CREATED BY THE GOVERNOR IN EXECUTIVE ORDER B 2010-010.

17 (3) (a) ON OR BEFORE JULY 1, 2012, THE TASK FORCE SHALL
18 SUBMIT TO THE STATE BOARD AND THE COMMISSION A FIRST REPORT OF ITS
19 FINDINGS AND RECOMMENDATIONS WITH REGARD TO THE CRITICAL
20 JUNCTURES FOR ENSURING STUDENTS' ACADEMIC PROGRESS, BEST
21 PRACTICES AND STRATEGIES FOR PROVIDING INTERVENTION EDUCATION
22 SERVICES AND REMEDIAL EDUCATION SERVICES, THE USE OF ICAPs, AND
23 ALTERNATIVE STRATEGIES TO SOCIAL PROMOTION. THE REPORT MAY ALSO
24 INCLUDE ANY RECOMMENDATIONS REGARDING CHANGES TO STATE BOARD
25 RULES OR COMMISSION GUIDELINES. IF THE TASK FORCE MAKES
26 ADDITIONAL FINDINGS OR RECOMMENDATIONS FOLLOWING SUBMISSION OF
27 THE FIRST REPORT, IT SHALL SUBMIT A SECOND REPORT TO THE STATE

1 BOARD AND THE COMMISSION PRIOR TO JULY 1, 2013.

2 (b) THE STATE BOARD AND THE COMMISSION SHALL ENSURE THAT
3 THE FIRST REPORT AND THE SECOND REPORT, IF ANY, ARE PUBLISHED ON
4 THEIR RESPECTIVE WEB SITES AND PUBLICIZED TO THE SCHOOL DISTRICTS,
5 PUBLIC SCHOOLS, AND INSTITUTIONS OF HIGHER EDUCATION IN THE STATE.

6 (4) DURING THE 2012 REGULAR LEGISLATIVE SESSION, NO LATER
7 THAN MARCH 1, 2012, AND DURING THE 2013 REGULAR LEGISLATIVE
8 SESSION, NO LATER THAN MARCH 1, 2013, ONE OR MORE
9 REPRESENTATIVES OF THE TASK FORCE SHALL MEET WITH THE EDUCATION
10 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR
11 ANY SUCCESSOR COMMITTEES, IN A JOINT MEETING TO REPORT PROGRESS
12 IN FULFILLING THE DUTIES DESCRIBED IN SUBSECTION (1) OF THIS SECTION.
13 IF THE TASK FORCE HAS FORMULATED RECOMMENDATIONS FOR
14 STATUTORY CHANGES, IT SHALL SUBMIT THEM TO THE EDUCATION
15 COMMITTEES AT THESE MEETINGS.

16 **22-7-1105. Repeal of part.** THIS PART 11 IS REPEALED, EFFECTIVE
17 JULY 1, 2013. NOTWITHSTANDING THE PROVISIONS OF SECTION 2-3-1203,
18 C.R.S., THE TASK FORCE SHALL NOT BE SUBJECT TO REVIEW PRIOR TO
19 REPEAL.

20 **SECTION 2. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.