

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

DRAFT  
4.28.20

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LLS NO. 20-1219.02 Brita Darling x2241

COMMITTEE BILL

Joint Budget Committee

**BILL TOPIC: "K-5 Social Emotional Health Pilot Program"**

**A BILL FOR AN ACT**

101 **CONCERNING THE K-5 SOCIAL AND EMOTIONAL HEALTH PILOT**  
102 **PROGRAM.**

**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/>.)*

**Joint Budget Committee.** The bill extends the implementation date for the K-5 social and emotional health pilot program (pilot program) and makes conforming changes to the dates for selecting pilot program participants, maintenance of effort requirements for the pilot districts, and the initial and final pilot program evaluations.

The bill removes any requirement that the general assembly

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

appropriate money for the pilot program for the 2020-21 state fiscal year.

The bill authorizes the general assembly to appropriate marijuana tax cash fund money for the pilot program in subsequent years, but only if those appropriations are matched with gifts, grants, or donations.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-102-104, **amend**  
3 (1) and (2)(a) as follows:

4 **22-102-104. K-5 social and emotional health pilot program -**  
5 **creation - selection of pilot schools - rules.** (1) There is created the K-5  
6 social and emotional health pilot program in the department to determine  
7 the impact of dedicated school mental health professionals in  
8 kindergarten through fifth grade in elementary schools that have  
9 high-poverty, high-need students. The pilot program is implemented  
10 within the selected pilot schools and administered by the department.  
11 Operation of the pilot program begins in the ~~2020-21~~ 2021-22 school year  
12 and continues through the conclusion of the ~~2022-23~~ 2023-24 school  
13 year, <*Do you want to extend the implementation by 1 year, 2 years, or*  
14 *more? If you extend by 1 year, the department would select the pilot*  
15 *district or districts (or confirm current selection) by January 2021, and*  
16 *mental health professionals would presumably be hired in July 2021.*>  
17 unless the repeal of the pilot program is extended by the general  
18 assembly. Pursuant to section 22-102-106, the department shall employ  
19 or contract with a pilot program coordinator and contract for preliminary  
20 and final program evaluations of the pilot program. The department shall  
21 promulgate any rules necessary for the administration of the pilot  
22 program.

23 (2) (a) No later than ~~THE~~ January ~~15, 2020~~ 15 IMMEDIATELY

1 PRECEDING THE IMPLEMENTATION YEAR, the department shall select up to  
2 ten pilot schools to participate in the pilot program. If available  
3 appropriations and gifts, grants, or donations are insufficient to fully fund  
4 the pilot program, the department may select fewer than ten pilot schools  
5 to participate in the pilot program. The department shall select pilot  
6 schools that exhibit the characteristics set forth in subsection (2)(b) of this  
7 section and that are appropriate test schools to evaluate the impact and  
8 effectiveness of the pilot program. The pilot schools must demonstrate a  
9 willingness to participate in the pilot program and to collect the data and  
10 information necessary for the evaluation of the pilot program.

11 **SECTION 2.** In Colorado Revised Statutes, 22-102-105, **amend**  
12 (3) as follows:

13 **22-102-105. Implementation of pilot program.** (3) For purposes  
14 ~~of implementing this pilot program, the general assembly shall~~  
15 ~~appropriate to the department for distribution to the pilot schools, or to~~  
16 ~~the governing body for the pilot school, the amount of money necessary~~  
17 ~~for the pilot schools to employ or contract with the number of additional~~  
18 ~~school mental health professionals necessary to implement the pilot~~  
19 ~~program, as described in subsection (1) of this section. Throughout the~~  
20 ~~duration of the pilot program, the pilot school must employ or contract~~  
21 ~~with, at the pilot school's expense, the same number of school mental~~  
22 ~~health professionals employed by or contracted with the pilot school~~  
23 ~~during the 2019-20 school year~~ <{***Keep the same benchmark year for***  
24 ***maintenance of effort or update to first year before pilot resumes?***}> so  
25 that ~~the appropriation to the pilot school~~ ADDITIONAL MONEY for the pilot  
26 program supplements, but does not supplant, the pilot school's existing  
27 expenditures for school mental health professional positions prior to the

1 operation of the pilot program.

2 **SECTION 3.** In Colorado Revised Statutes, 22-102-106, **amend**  
3 (2)(a) as follows:

4 **22-102-106. Pilot program coordinator - evaluation of pilot**  
5 **program - student impacts and outcomes.** (2) (a) The department shall  
6 select a professional program evaluator to complete a preliminary  
7 evaluation of the pilot program on or before ~~September 1, 2022~~  
8 SEPTEMBER 1 OF THE SECOND FULL YEAR OF IMPLEMENTATION, and a final  
9 evaluation of the pilot program to be completed on or before ~~September~~  
10 ~~1, 2023~~ SEPTEMBER 1 IMMEDIATELY FOLLOWING THE CONCLUSION OF THE  
11 FINAL YEAR OF THE PILOT PROGRAM. The department shall contract with  
12 the evaluator IN THE YEAR prior to the implementation of the pilot  
13 program in the pilot schools ~~during the 2020-21 school year~~ to create a  
14 process for the collection and transmission of data and information to the  
15 evaluator to ensure that the evaluator has the data and information  
16 necessary to complete the preliminary and final reports concerning the  
17 impact and outcomes of the pilot program. The pilot program evaluator,  
18 in conjunction with the department, shall select a group of control schools  
19 that have school characteristics and student demographics similar to those  
20 of the pilot schools to serve as a control group for purposes of evaluating  
21 the impacts and outcomes of the pilot program on participating students  
22 and pilot schools. Data collected for pilot schools and control group  
23 schools must include data from school climate and healthy schools  
24 surveys for any grade in which such surveys have been created.

25 **SECTION 4.** In Colorado Revised Statutes, 22-102-107, **amend**  
26 (1) as follows:

27 **22-102-107. Appropriations for this article - gifts, grants, or**

1 **donations.** (1) For the 2019-20 ~~and 2020-21~~ state fiscal ~~years~~ YEAR, the  
2 general assembly may appropriate money from the marijuana tax cash  
3 fund, created in section 39-28.8-501, to the department to be used for the  
4 pilot program established in this article 102. THE GENERAL ASSEMBLY  
5 MAY ALSO APPROPRIATE MONEY FROM THE MARIJUANA TAX CASH FUND  
6 FOR THE PILOT PROGRAM; except that ~~the~~ AN appropriation from the  
7 marijuana tax cash fund ~~for the 2020-21 state fiscal year shall not exceed~~  
8 ~~two million five hundred thousand dollars, with the remaining~~ IN A  
9 SUBSEQUENT STATE FISCAL YEAR MUST BE MATCHED BY pilot program  
10 funding from gifts, grants, or donations. <{*Do you want to allow for*  
11 *MTCF money for the pilot program in future years? If so, do you want*  
12 *to specify a limit on the amount, number of years, or require matching*  
13 *of gifts, grants, or donations received for the program? Do you want to*  
14 *require gifts, grants, or donations to be received by a certain date and*  
15 *for the full duration of the pilot program in order for pilot program to*  
16 *go forward in July of any given year?*>

17 **SECTION 5. Safety clause.** The general assembly hereby finds,  
18 determines, and declares that this act is necessary for the immediate  
19 preservation of the public peace, health, or safety.