

#### Colorado Legislative Council Staff

#### MEMORANDUM

December 6, 2012

**TO:** Senator Evie Hudak

**FROM:** Kristen Johnson, Researcher, 303-866-4918

**SUBJECT:** Parental Involvement Requirements in Public Education

#### Summary

This memorandum responds to your request for information related to parental involvement in public education. Specifically, you asked for all Colorado state statutes related to this topic. At your request, Table 1, a version of which you received in a Legislative Council Staff memorandum dated November 2, 2011, has been updated to identify all current state statutes concerning parental involvement in public education, including legislation enacted during the 2012 legislative session, and provides a brief explanation of the statutes' requirements relating to parental involvement. In addition to state requirements and recommendations for parental involvement in public education, the federal No Child Left Behind Act (NCLB) requires that schools receiving Title I funds have a written school-level parental involvement policy. The policy is developed with, approved by, and distributed to parents and the community.<sup>1</sup>

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<sup>&</sup>lt;sup>1</sup>20 U.S.C. § 6318

Table 1
Parental Involvement Requirements in Public Education

Statute	Description of Parental Involvement
Parental Involvement in K-12 Education	on Act
Leave for Involvement in Academic Activities Section 8-13.3-101, et seq., C.R.S.	Employees are entitled to take leave, not to exceed 6 hours in any one-month period and not to exceed 18 hours in any academic year, for the purpose of attending an academic activity for or with the employee's child. Academic activities include parent-teacher conferences and/or meetings related to special education services, response to intervention, dropout prevention, attendance, truancy, or discipline issues.
General Provisions	
Education Regarding Human Sexuality - Prior Written Notice to Parents Section 22-1-110.5, C.R.S.	Except under certain circumstances, each school district that offers a planned curriculum that includes the discussion of or instruction concerning human sexuality must provide to the parent or guardian of each student prior written notification which includes the ability to excuse a student from the instruction and a detailed outline of the information to be presented.
Protection of Student Data - Parental or Legal Guardian Consent for	Written parental consent is required for the release of the educational records of a student to any person, agency, or organization.
Surveys Section 22-1-123 (3) and (5), C.R.S.  Amended through Senate Bill 12-036	A school or school district employee who requires participation in a survey, assessment, analysis, or evaluation in a public school's curriculum or other official school activity must have the written consent of a student's parent or legal guardian before giving the student any survey, assessment, analysis, or evaluation intended to reveal certain information concerning the student or the student's parents or legal guardians. Parental written consent is only valid if the school district has given parents written notice of the survey, assessment, analysis, or evaluation, and has made a copy of the document available for viewing at convenient locations and times.  Parental consent for student participation in the state-required Colorado
	Student Assessment Program (CSAP) assessments is not required.
Department - Commissioner	
State Board of Education - Teacher Standards Section 22-2-109 (3)(e), C.R.S.	A candidate for initial teacher licensure must be able to demonstrate that he or she has the ability to engage parents as learning partners to promote student learning.
Family Literacy Education Grant Program Section 22-2-124, C.R.S.	The Family Literacy Education Grant Program provides services to eligible parents of students who are enrolled in a public elementary or secondary school in the state. Services are provided to eligible parents who lack a high school diploma, are in need of English language instruction, or lack sufficient mastery of basic educational skills necessary to enable them to function effectively as a partner in the educational development of their children.
Individual Career and Academic Plan Standards Section 22-2-136, C.R.S.	The State Board of Education is responsible for promulgating rules to establish standards for individual career and academic plans for students enrolled in the public schools of the state. At a minimum, the state board must ensure that individual career and academic plans are accessible to educators, students, and parents. The plans must be designed to assist a student and his or her parents in exploring the postsecondary and educational opportunities available to the student, aligning course work and curriculum, applying to postsecondary educational institutions, securing financial aid, and entering the workforce.

Statute	Description of Parental Involvement
Colorado READ Act	
READ Plan Creation - Parental Involvement Section 22-7-1205, C.R.S.  Added through House Bill 12-1238	Upon finding that a student has a significant reading deficiency, local education providers must ensure that the student receives a READ plan that is created jointly with the student's parent, when possible. A written copy of the READ plan must be provided to the student's parent and the teacher must communicate with the parent concerning the plan's goals, the nature of the student's reading deficiency, and the importance of reading skills. Parents of students on a READ plan are entitled to ongoing, regular updates from the student's teacher concerning the results of the intervention and the student's progress toward achieving reading competency.  Parents are strongly encouraged to work with the student's teacher in implementing the READ plan and to supplement the reading instruction the
Advancement - Parental Involvement Section 22-7-1207, C.R.S.  Added through House Bill 12-1238	If a student continues to have reading difficulties prior to entering the fourth grade, the student's parent and teacher are required to meet to consider retention as an intervention strategy. If the parent and teacher do not agree on whether the student should move forward to the next grade level, the parent must make the decision unless otherwise specified in the policy adopted by the local education provider.
Local Education Providers Section 22-7-1208 (4), C.R.S.  Added through House Bill 12-1238	Local education providers are encouraged to provide parents opportunities to participate in parent reading workshops throughout the school year to assist parents in developing their own reading skills and in developing the skills necessary to assist their children in reading.
Educational Accountability	
Colorado State Advisory Council for Parent Involvement in Education  Section 22-7-301, et seq., C.R.S.  Amended through Senate Bill 12-160	Membership requirements state that the council have five parents of children enrolled in the state-supported P-16 education system who reflect student populations that are significantly represented in the state. Council membership must also include, among others: two representatives from state-based nonprofit organizations specializing in promoting the involvement of parents of traditionally underserved populations; and one representative from a nonprofit organization specializing in promoting the involvement of parents of students with disabilities.
	The council will make recommendations concerning best practices and strategies for promoting family-school partnerships and for increasing parent involvement in public education.
	The council also assists the Department of Education in implementing the Parent Involvement in Education Grant Program, which provides money to assist public schools in creating and implementing programs to support greater parental involvement in the schools.
Assessments Section 22-7-409, C.R.S.	The Department of Education must ensure that test results generated from assessments administered to students in public schools in the state are in a form that will enable students, parents or legal guardians, teachers, schools, and school districts to use the results as diagnostic tools to assist in preparing strategies for student academic improvement in specific areas.
Pupil Assessments - Individual Literacy Plans Section 22-7-504, C.R.S.	If a student's reading readiness or literacy and reading comprehension is below the level established by the State Board of Education for students at that grade, the teacher and school administration must work with the student's parents or legal guardian to formulate an individual literacy plan for the student.

Statute	Description of Parental Involvement
Educational Accountability (Cont.)	
State Board - Commission - Public Input Section 22-7-1010, C.R.S.	In fulfilling their statutory duties, the State Board of Education and the Colorado Commission on Higher Education must meet with parents and students, among other groups throughout the state, to seek input and recommendations related to the alignment of preschool through
	postsecondary education standards.
Educational Success Task Force Section 22-7-1103, C.R.S.	Task force membership must include parents of students who have received or may receive intervention services or remedial education, and parents of students enrolled in public schools in the state, including parents who serve on the State Advisory Council for Parent Involvement in Education.
State Public Education System - Annual Performance Review -Targets for Improvement	The State Board of Education shall consider any information provided by parents and parent associations, among other groups, when adopting targets for improvement for the state education system.
Section 22-11-201 (2), C.R.S.	
Colorado Growth Model Sections 22-11-202 (1)(b)(V) and 22-11-203 (6), C.R.S.	In adopting and revising the Colorado Growth Model, the State Board of Education must ensure that the model provides results that are meaningful, reliable, and valid, given their intended purpose, to enable parents, teachers, and administrators to identify individual students or groups of students who are or are not making adequate academic growth. In addition, the Department of Education must provide technical assistance and training to personnel of school districts, the Charter School Institute, and public schools to assist in interpreting, using, and communicating to parents the academic growth information provided by the model.
School District Accountability Committees	Each local school board shall appoint or create a process for the election of a school district accountability committee that includes at least three parents of students who are enrolled in the district public schools.
Section 22-11-301 (1)(a), C.R.S.	
School Accountability Committee  Section 22-11-401 (1)(a)(III), C.R.S.	Each district public school and each institute charter school shall establish a school accountability committee that includes at least three parents or legal guardians of students enrolled in the school.
Performance Reports Section 22-11-503 (7), C.R.S.	The Department of Education is required to publish a school performance report for each public school, school district, the Charter School Institute, and for the state as a whole. Each public school is required to notify the parent or legal guardian of each student enrolled in the public school of the availability of the data online and must furnish a hard copy of the report upon request by the parent or guardian.
Licensed Personnel Evaluations	
State Council for Educator Effectiveness Section 22-9-105.5, C.R.S.	In January 2010, the Governor created the State Council for Educator Effectiveness for the purposes of considering options and providing recommendations concerning educator effectiveness and developing recommendations for definitions of principal and teacher effectiveness. The council must include one parent of a public school student, selected with the advice of a state parent and teachers association.
School Leadership Academy Program	
School Leadership Academy Board Section 22-13-103 (1)(k), C.R.S.	Statute requires that the Commissioner of Education appoint at least one parent of a student enrolled in a public school of the state to serve on the School Leadership Academy Board.

Statute	Description of Parental Involvement
Dropout Prevention and Student Re-engagement	
Local Education Provider - Notice to Parent of Dropout Status	Local education providers and public schools must adopt and implement policies and procedures to notify the student's parents if he or she drops out of school.
Section 22-14-108 (1), C.R.S.	
Education of Exceptional Children	
Administration	The Department of Education is required to develop recommendations for the State Board of Education relating to requirements for parental consent,
Section 22-20-104, C.R.S.	including parental consent for the evaluation of children with disabilities and the initial provision of special education services.
Determination of Disability	The determination that a child has a disability and is eligible for special
Section 22-20-108, C.R.S.	education services must be made by a multidisciplinary team that includes the child's parents. The child's parents must also be included in the creation of the child's individual education plan (IEP).
Plan for Academic Excellence - Inclusion of Gifted Children	The State Board of Education is required to promulgate rules relating to the education of gifted children that include a process for determining the timeline according to which a child's parents may apply for advanced
Section 22-20-204 (6)(c)(I), C.R.S.	placement for the child.
Colorado Comprehensive Health Edu	cation Act
Local Comprehensive Health Education Programs	Each school district that establishes a local comprehensive health education program is encouraged to include instruction in its program that promotes parental involvement, among other items.
Section 22-25-106 (3)(a), C.R.S.	promotes parental involvement, among other items.
Colorado Preschool Program Act	
Establishment of Public Preschool Programs	One of the purposes of the public preschool programs identified in statute is to encourage parents to participate with their children in district preschool programs.
Section 22-28-104 (1)(d), C.R.S.	prescribor programs.
District Preschool Program Advisory Council	The appointed members of any district preschool program advisory council must include two parents of children in the district preschool program.
Section 22-28-105 (1)(b)(I), C.R.S.	
Eligibility of School Districts for Participation in Colorado Preschool Program	As part of the application process to participate in the Colorado Preschool Program, the school district must include the plan for involving the parent or parents of each child enrolled in the district preschool program in participation in the program.
Section 22-28-107 (1)(f.4), C.R.S.	participation in the program.
Criteria for District Preschool Programs	Statute requires that district preschool program classes be supplemented by teaching activities in the home between the student and the student's
Section 22-28-108 (1)(b)(IV), C.R.S.	parents. After the individual teaching plan is created for the student by his or her preschool teacher, the school district will provide the parent with the books and materials needed to carry out the teaching plan.
Parental Involvement in District Preschool Programs	In establishing criteria for district preschool programs, the State Board of Education must include guidelines for a school district to follow in establishing the responsibilities of parents in the district preschool
Section 22-28-110, C.R.S.	program. No child will be accepted in the district preschool program unless one or both of the parents agree to assume the responsibilities, and failure of the parent or parents to fulfill the responsibilities will result in the child being dismissed from the program.

Statute	Description of Parental Involvement
Character Education	
Character Education Section 22-29-103, C.R.S.	Each school district is encouraged to work with parents and legal guardians of students enrolled in the school district and the community in which the school district operates in the development of any character education program that is established.
School District Organization Act of 19	992
School Organization Planning Committee Section 22-30-106 (2)(a)(I) and (II), C.R.S.	If a school organization planning committee is created, and if multiple school districts are involved, one member serving on the committee must be a parent of a child attending school in the affected area. If only one school district is involved, three members of the committee must be parents of students attending public schools in the affected area.
Charter Schools	
Charter Application - Contents  Section 22-30.5-106 (1)(h) and (1)(k), C.R.S.  Repealed and reenacted with amendments through Senate Bill 12-061	Charter school applications must include a description of the governance and operation of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school, and the charter school's expectations and plans for ongoing parent and community involvement.
Independent Charter Schools - Review Committee Section 22-30.5-304 (1)(d)(I), C.R.S.	Whenever an independent charter school is organized, the Commissioner of Education must form a review committee, whose membership includes two parents of students enrolled in the school who are also members of the school accountability committee and are elected by a vote of the members of the school accountability committee.
Independent Charter Schools - Expiration Section 22-30.5-307 (2), C.R.S.	If an independent charter school is required to implement a priority improvement plan, improvement plan, or performance plan during the third year of the school's independent charter, the parents and legal guardians of the students enrolled at the school must decide by majority vote whether the school should apply for a renewal of the independent charter or if it should seek to become a regular school of the school district in which the independent charter school is located.
State Charter School Institute - Institute Board Section 22-30.5-505 (2), C.R.S.	The institute board membership must include at least one member who is a parent of a student who is, or who has been, enrolled in an institute charter school.
Institute Charter School Application - Contents  Sections 22-30.5-509 (1)(d) and (1)(h) and 22-30.5-510 (1)(a.3) and (7)(b), C.R.S.  Repealed and reenacted with amendments through Senate	An application for the creation of an institute charter school must include a description of the governance and operation of the institute charter school, including the nature and extent of parental, professional educator, and community involvement in the school, and show evidence that an adequate number of parents and pupils support the school's formation. Applications to convert an existing charter school authorized by the school district to an institute charter school must include evidence that an adequate number of parents, teachers, or pupils, or any combination thereof, support the conversion. If an institute charter school is to have its charter revoked or not renewed the institute must work with the parents
amendments through Senate Bill 12-061	thereof, support the conversion. If an institute charter school is to have in charter revoked or not renewed, the institute must work with the parent of the students enrolled in the school to ensure that the students are enrolled in schools that meet their educational needs.

Statute	Description of Parental Involvement
Charter Schools (Cont.)	
Parent Involvement Policy Section 22-30.5-520 (1) and (2), C.R.S.	The State Charter School Institute Board is encouraged to adopt a policy for increasing and supporting parent involvement in institute charter schools. In adopting the policy, the board may consider the best practices and strategies identified by the Colorado State Advisory Council for Parent Involvement in Education and the national standards for family-school partnerships.
	If the State Board of Education determines that an institute charter school is required to adopt and implement a school improvement plan, a school priority improvement plan, or a school turnaround plan, the institute charter school must notify the parents of the students enrolled in the school of the required plan and the issues identified by the Department of Education as giving rise to the need for the required plan.
Online Education Programs	
Program Criteria	The State Board of Education, in consultation with the Division of Online Learning within the Department of Education, must promulgate rules for
Section 22-30.7-105 (3)(b)(XII), C.R.S.	the establishment of quality standards in the area of engagement of parents and communities in online programs and online schools.
Amended through House Bill 12-1240	
Multi-District Online Schools	Multi-district online schools must adequately consider policies and procedures for facilitating communication between the multi-district online
Section 22-30.7-106 (4)(b)(XVII), C.R.S.	school, parents, and school districts in which students who are enrolled in the multi-district on-line school reside.
Amended through House Bill 12-1240	
School District Boards - Powers and	Duties
Individual Career and Academic Plans and Notification of Concurrent Enrollment Opportunity	Each public school and institute charter school is required to ensure that, in developing and maintaining each student's individual career and academic plan, the counselor or teacher explains to the student's parent
22-32-109 (1)(nn), C.R.S.	or legal guardian, by e-mail or other written form, and to the student, the requirements for and benefits of concurrently enrolling in courses with an institution of higher education under the Concurrent Enrollment Programs
Amended through House Bill 12-1043	Act.
High School Graduation Requirements	Each school district board of education must undertake a community based process to develop a blueprint for the education system in the community and to determine the skills students will need to be successful
Section 22-32-109 (1)(kk)(I), C.R.S.	after graduation. The blueprint is to be developed with input from the
Amended through House Bill 12-1240	community at large, and may include parents, business people, school districts, and students.
Individual Career and Academic Plans	Every school district board of education must adopt policies to require each school in the school district, including charter schools, to assist each
Sections 22-32-109 (1)(oo)(I), and 22-30.5-525 (1), C.R.S.	student and his or her parents in developing the student's individual career and academic plan no later than the beginning of the student's ninth grade year.
Added through House Bill 12-1345	you.

Statute	Description of Parental Involvement
School District Boards - Powers and Duties (Cont.)	
Safe Schools  Section 22-32-109.1 (2)(a)(I)(B), C.R.S.  Amended through House Bill 12-1345	Each school district board of education must adopt and implement a safe school plan or review and revise an existing plan or policy already in effect. The safe school plan must include a policy that after a disruptive student has been removed from a class, the teacher or school principal must contact the student's parent or guardian to request his or her attendance at a student-teacher conference regarding the removal.
Testing Requirements  Section 22-32-109.5 (2) and (4), C.R.S.  Subsection (4) added through House Bill 12-1345	If a school district board of education imposes any special proficiency test for graduation upon students beyond the regular requirements and if a student does not perform satisfactorily on the test, the child must be provided with remedial or tutorial services until the child's proficiency tests are satisfactory. The student's parent or guardian must be provided with all special proficiency test scores for their child at a minimum of once each semester.  In school districts choosing to administer basic skills placement or assessment tests, if a student's scores indicate that he or she is at risk of being unable to demonstrate postsecondary and career readiness prior to or upon graduating from high school, school personnel must work with the student and the student's parents to create an intervention plan to help the student achieve postsecondary and workforce readiness.
Intervention Strategies - Students at Risk of Dropping Out Sections 22-30.5-523 and 22-32- 118.5, C.R.S.  Added through House Bill 12-1013	For school districts and institute charter schools that adopt procedures to identify students who may be at risk of dropping out of school, the school district or institute charter school must notify the student's parents that the student is at greater risk of dropping out of school and provide the parents a description of the interventions that the school district or institute charter school plans to implement for the student. Parents may approve or reject the interventions, or terminate the interventions at any time after the interventions begin.  If a parent determines that his or her student is at greater risk of dropping out, the parent may contact the school district or institute charter school in which the child is enrolled to request that interventions be implemented for their student.
Food Services Section 22-32-120 (3), C.R.S.	Upon written request from a parent or guardian of a school-aged student, the student will not be required to participate in a food-service program or remain on the school premises during the lunch period.
Children's Nutrition Section 22-32-136 (3)(b)(I), C.R.S.	Each school district board of education is encouraged to adopt policies ensuring that every student and his or her parents or legal guardians have access to information concerning the nutritional content of food and beverages sold and available in the school or anywhere on school district property.
Parent Involvement Policy Section 22-32-142 (1), C.R.S.	Each school district board of education is encouraged to adopt a district policy for increasing and supporting parental involvement in the public schools of the school district. In adopting the policy, the board of education may take into account the best practices and strategies identified by the Colorado State Advisory Council for Parent Involvement in Education and is encouraged to work with the parent members of the district accountability committee in creating, adopting, and implementing the policy.

Statute	Description of Parental Involvement
School Attendance Law of 1963	
Compulsory School Attendance Section 22-33-104 (1)(d), C.R.S.	A parent of a child who began attending preschool or kindergarten at five or six years of age may notify the child's school of the parent's wish that the child not advance to first grade in the following school year, and if the school receives such notice, the child will not advance to the first grade in the following school year.
Home-based Education Section 22-33-104.5, C.R.S.	Upon notification to a school district in the state, a parent, or an adult relative designated by a parent, may provide instruction in a nonpublic home-based educational program to his or her child, which includes courses in reading, writing, speaking, mathematics, history, civics, literature, science, and regular courses of instruction in the constitution of the United States.
Suspension, Expulsion, and Denial of Admission Section 22-33-105 (6), C.R.S.  Amended through House Bill 12-1345	When a student is expelled by a school district, the student's parent or legal guardian is responsible for seeing that the student complies with the provisions of law during the expulsion period.
Disciplinary Investigations - Parental Presence Section 22-33-106.3, C.R.S.	A public school employee is prohibited from using a student's statement concerning an act alleged to have been committed by the student that results in mandatory expulsion, unless the statement is signed by the student, and a parent, guardian, or legal or physical custodian is present when the student signs the statement or admission, or a reasonable attempt has been made by the school to contact the parent, guardian, or legal custodian. After a full advisement of the student, his or her parents, guardian, or custodian as to the student's rights, the student and his or her parent, guardian, or custodian may expressly waive the requirement that the parent, guardian, or custodian be present when the student signs a statement or admission.
Enforcement of Compulsory School Attendance Sections 22-33-107 (3)(b) and 22-33-108 (6), C.R.S.	The board of education of each school district must adopt and implement policies and procedures concerning children who are habitually truant. The policies and procedures must include provisions for the development of a plan with the goal of assisting the child to remain in school, and when practicable, with the full participation of the child's parent, guardian, or legal custodian. School personnel must make all reasonable efforts to meet with the parent, guardian, or legal custodian of the child to review and evaluate the reasons for the child's truancy.  At the discretion of the court before which a proceeding to compel attendance is brought, an order may be issued against the child and the child's parent, or both compelling the child to attend school or compelling the parent to take reasonable steps to assure the child's attendance. The order may require the child or the child's parent, or both, to follow an appropriate treatment plan that addresses problems affecting the child's school attendance and that ensure the child has an opportunity to obtain a quality education.
Identification of At-risk Students Section 22-33-202 (1), C.R.S.	A school district must adopt policies to identify and provide students who are identified as at risk of suspension or expulsion with a plan to provide support services to help them avoid expulsion. The school district must work with the student's parents or guardians in providing the services.

Statute	Description of Parental Involvement
School Attendance Law of 1963 (Cont.)	
Educational Alternatives for Expelled Students  Section 22-33-203 (1) and (2)(a), C.R.S.	Upon expelling a student, the school district must provide information to the student's parent or guardian concerning the educational alternatives available to the student during the period of expulsion. The parent or guardian may choose to provide a home-based educational program for the student, in which case the school district must assist the parent in obtaining the appropriate curricula for the student, if requested by the parent or guardian.  At the request of a student or student's parent or guardian, the school district must provide, for any student who is expelled from the school district, any educational services that are deemed appropriate for the student by the school district.
Concurrent Enrollment Programs Act	·
Enrollment in an Institution of Higher Education Section 22-35-104 (1)(b), C.R.S.	Each local education provider must annually notify all student and parents or legal guardians of students enrolled in the local education provider of the opportunity for concurrent enrollment by qualified students in postsecondary courses.
Pilot School for Students Expelled from	om Sixth through Ninth Grades
Pilot School Requirements Sections 22-38-104 (6) and 22-38-105 (1)(o), C.R.S.	A pilot school may require a parent or legal guardian and the student to enter into a mutual responsibility agreement according to the terms of which a parent, legal guardian, or student provides services to the pilot school or agrees to make a financial contribution to the pilot school.
	Applications for the right to operate a pilot school must include a description of how the school will involve parents in order to enhance students' performance in the pilot school.
Second Chance Program for Problem	Students
Eligible Students Section 22-52-102 (1), C.R.S.	For a student to be eligible to participate in the Second Chance Program, a student must be referred to the program by his or her school district and the student and the student's parents or guardian must concur with the recommendation.
School for the Deaf and the Blind	
Board of Trustees Section 22-80-103 (7)(c), C.R.S.	The board of trustees of the Colorado School for the Deaf and the Blind must submit an annual report to the education committees of the Senate and the House of Representatives that includes, among other things, any parental education and parental involvement components in the school's program.
Programs for Parents	The board of trustees of the Colorado School for the Deaf and the Blind
Section 22-80-116, C.R.S.	may make bylaws to provide a program of instruction in understanding the needs, problems, and education of the deaf and the blind for parents of deaf and blind children who attend any school in Colorado.
Colorado Commission on Higher Education	
Advisory Committee to the Colorado Commission on Higher Education Section 23-1-103 (1)(b), C.R.S.	The advisory committee to the Colorado Commission on Higher Education suggests solutions for the problems and needs of higher education. One member of the advisory committee must be a parent of a student who is enrolled in a state-supported institution of higher education in Colorado, to represent the parents of students.