

**Colorado Department of Education
From Statute to Policy
2009**

Dropout prevention bill affects student discipline and attendance policies

The Dropout Prevention and Student Re-Engagement Act, C.R.S. 22-14-101 *et seq.* (the Act) addresses Colorado’s student dropout rate. [HB 09-1243] The Act created the office of dropout prevention and student re-engagement (the Office) within the Colorado Department of Education. The Act also amended existing state law regarding student attendance and discipline and, therefore, requires school boards to revise their student discipline and attendance policies. In August 2009, the Colorado Association of School Boards (CASB) revised its sample policies to reflect the changes made by HB 09-1243. These revised CASB samples will assist local school boards in updating their own policies to reflect these changes in law.

This chart summarizes the changes to state law made by HB 09-1243 and the CASB sample policies affected. It also provides clarification of existing state law and recent revisions to State Board of Education rules.

1. Attendance

Colorado Statute	Revisions made by HB 09-1243	CASB Sample Policies Affected	Notes
C.R.S. 22-33-104(4)(a)	No longer mandates that suspensions and expulsions be considered unexcused absences for purposes of a local board’s student attendance policy.	JH, Student Absences and Excuses	
C.R.S. 22-33-104(4)(a)	No longer states that penalties for nonattendance due to unexcused absence may include the imposition of academic penalty for classes missed while unexcused.	JH, Student Absences and Excuses JHB Truancy	

2. Habitually Disruptive Students

Colorado Statute	Revisions made by HB 09-1243	CASB Sample Policies Affected	Notes
C.R.S. 22-33-106(1)(c.5)(I)	School districts are no longer mandated by state law to expel a habitually disruptive student. Districts <i>may</i> suspend or expel habitually disruptive students.	JK and JK-R, Student Discipline JKD/JKE-E, Grounds for Suspension/Expulsion	

3. Dropout Prevention and Intervention

Colorado Statute or Rule	Revisions made by HB 09-1243 or State Board of Education Rules	CASB Sample Policies Affected	Notes
C.R.S. 22-14-108(1)	School districts must notify a student's parent, guardian or legal custodian if the student drops out of school, even if the student is not of compulsory attendance age.	JFC, Student Withdrawal from School/Dropouts	
C.R.S. 22-14-108(1)	Districts must develop policies and procedures with the goal of encouraging the student to re-enroll in school and conveying to the student's parent the long-term ramifications to the student of dropping out of school.	JFC and JFC-R, Student Withdrawal from School/Dropouts	
State Board of Education Rules, 1 CCR 301-67, Rule 2.01(7)	Defines "dropout."	JFC, Student Withdrawal from School/Dropouts JH, Student Absences and Excuses JHB, Truancy	

4. Habitually Truant Students

Colorado Statute or Rule	Revisions made by HB 09-1243 or State Board of Education Rules	CASB Sample Policies Affected	Notes
State Board of Education Rules, Habitual Truant- 1 CCR 301-78, Rule 2.00 (7)	Provides standardized calculation for counting a "habitual truant" as a student who has 4 total days of unexcused absences in a month or ten total days of unexcused absences during the school year.	JH, Student Absences and Excuses JHB, Truancy	

Existing State Law on Habitually Truant Students

Colorado Statute or Rule	Existing Law	CASB Sample Policies Affected	Notes
C.R.S. 22-33-107(3)(a)	Child of age 6 (on or before August 1) and under 17 years old who has four unexcused absences from public school in any one month or ten unexcused absences during the school year is habitually truant.	JH, Student Absences and Excuses JHB, Truancy	
C.R.S. 22-33-107(3)(b)	School districts must adopt and implement policies and procedures concerning children who are habitually truant. The policies and procedures shall include provisions for development of a plan based on the reasons for the truancy and, when practicable, must be developed with parents/guardians. The plan shall be developed with the goal of assisting the child to remain in school.	JHB, Truancy	
C.R.S. 22-33-104(4)(b)	School Boards must specify the maximum number of unexcused absences a student may incur before the school district may initiate judicial proceedings.	JHB, Truancy	
C.R.S. 22-33-107(4)	On or before September 15, 2010, and on or before September 15 each year thereafter, school districts shall report to CDE the number of students identified as habitually truant for the preceding academic year. CDE shall post this information on its web site for the public to access.	JHB, Truancy	