



Disproportionate Discipline Task Force

FINAL REPORT

AUGUST 2024

SUBMITTED TO:

Colorado Department of Education
Colorado State Board of Education
House Education Committee
Senate Education Committee
Governor Jared Polis

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Letter from the Co-Chairs

Dear State of Colorado Legislators & Colorado Citizens:

Under Senate Bill 23-029, the Colorado General Assembly created the Disproportionate School Discipline Task Force “to study and make recommendations regarding school district discipline policies and practices, state and local discipline reporting requirements, and local engagement.”¹ In creating this task force, the General Assembly paid particular attention to how detrimental suspension and expulsion can be to academic success, how suspension and expulsion dramatically increases a young person’s likelihood of legal system involvement, and how suspension and expulsion are used disproportionately against students of color.² Shortly after convening for initial conversations, this Task Force identified how school discipline disproportionately targets and impacts other groups of students based on their identities and statuses. For example, students with disabilities receive a disproportionate number of suspension and expulsions when compared with non-disabled peers.

Given how devastating the school to prison pipeline can be and how it disproportionately impacts students with specific identities, the Task Force took its mission seriously. We are pleased to present the following report and recommendations.

This report provides details on how the Task Force was assembled, how and when the Task Force convened, and what topics the Task Force discussed over the course of several months of meeting. To provide context, this report also describes the laws that impact school discipline and reporting of school discipline—including a brief discussion of special education laws as well as laws, regulations, and policies regarding school safety practices in

Colorado. This report ultimately provides several recommendations for the Colorado State Legislature and the Colorado Department of Education, and the Task Force frames those recommendations with general values statements and principles that we used as guideposts for our conversations.

At no point during the course of this Task Force’s work was there disagreement on this point: Colorado is struggling with disproportionate school discipline. This report and its accompanying recommendations are just one next step in a crucial process to rectify inequity and injustice. Herein are several ideas for law makers, state administrators, and local stakeholders; each idea is offered with the intention of supporting our education system while promoting healthier and safer outcomes for each and every student in our state. Now, it is up to those law makers, administrators, and stakeholders to take the next step in ensuring each and every student in Colorado has a chance to make their dreams come to fruition through education.

Thank you to all Task Force members for their thoughtfulness, commitment to navigating hard conversations, and hours of volunteer labor and time. Each and every voice was invaluable to this process.

We look forward to taking the next step towards a more equitable education system.

Sincerely,

Zoe O’Donnell (Co-Chair)

Elie Zwiebel (Co-Chair)

¹ Colo. Rev. Stat. § 22-33-112(3)

² Colo. Rev. Stat. § 22-33-112(1)(a)(I)-(IV).

Executive Summary

Background & History

The purpose of SB23-029—Disproportionate Discipline in Public Schools establishing the Disproportionate Discipline Task Force was to bring together experts and stakeholders who care about discipline practice in schools to study and make recommendations regarding school district discipline policies and practices, state and local discipline reporting requirements, and local engagement.

The impetus for this legislation stemmed from concerns that students of color and students with disabilities were significantly more likely to be suspended from Colorado’s public schools than their white or non-disabled peers. Exclusionary discipline can lead to various negative outcomes, including leaving students unsupervised during suspension or expulsion periods, causing them to fall behind in coursework, and increasing the likelihood of being arrested—suspended and expelled students are fifty-one percent more likely to be arrested two or more times than their peers who are not suspended or expelled from school. Additionally, data from the Federal Department of Education’s Office for Civil Rights shows that students with disabilities are also overrepresented in national school discipline data. Recognizing the substantial impact of exclusionary discipline practices, such as suspension and expulsion, on educational attainment and their contribution to the school-to-prison pipeline, the Task Force met for nine months to learn about and research discipline and to develop recommendations aimed at mitigating disproportionate discipline in schools and promoting alternatives that support a positive school culture where all students can thrive.

Task Force Membership, Responsibilities & Timeline

The legislation required the appointment of an 18 member Task Force with appointments that cross sectors and disciplines, including representing schools districts, rural school districts, charter schools, teachers, mental health and substance use, special education, criminal justice and more.³ The Task Force was required to conduct a minimum of eight meetings between October 15, 2023 and June 30, 2024, and write and submit a final report detailing its recommendations due to the legislature by August 1, 2024.

The Task Force was responsible for completing the following review, analysis, and actions, pursuant to the mandate established in SB23-09:

- Define “disproportionate discipline” with considerations for size, location, and demographics of the local education provider
- Review CDE’s plan and progress in standardizing discipline data
- Review CDE’s plan for creating district profile reports

³ A list of the Task Force members and support personnel can be found in the appendix.

- Determine whether CDE’s plan and progress in standardizing discipline data should include reports of alternative disciplinary measures taken prior to a student’s suspension or expulsion
- Recommend processes and provide resources for public engagement in a local school district board of education’s discussions of discipline data
- Review existing public engagement processes
- Review best practices identified by the department concerning dropout prevention and student re-engagement
- Identify alternative approaches to discipline and address concerns around workforce and other resource shortages in school districts in relation to school discipline practices and reporting
- Recommend legislative and administrative changes and analyze the costs and time frames required to implement the changes

Voting Process & Recommendations

Guided by extensive analysis, study and discussion over the course of 12 meetings, the Task Force successfully fulfilled their legislative charge set forth in SB23-029, ultimately approving nine values statements, ten recommendations, and establishing a definition of disproportionate discipline. The Task Force’s work was also informed by subject matter experts, stakeholder input, state department officials, and public comment. Finally, the Task Force recommendations were developed in consideration of the relevant state and federal laws governing school discipline and recent discipline policy changes made at the state level.

Task Force Recommendations *at a Glance*

Based on the research and discussions of the group, the task force made recommendations in a variety of areas including:

- **Definition:** Creating a definition of Disproportionate Discipline
- **Values statements:** Creating a list of nine values statements that helped the task force focus their recommendations and are intended to help others who are working to develop and implement solutions to addressing disproportionate discipline.
- **Administrative Recommendations:** Creating one recommendation that could be completed without legislative mandates, funding, or changes. For some of the components of this recommendation, capacity at CDE or local education agencies may limit ability to implement and legislative action may provide direction, mandate, or funding to accomplish these tasks.
- **Legislative Recommendations:** Creating a list of ten recommendations that would require legislative action.

These values statements and recommendations cover topics ranging from clarifications for reasons for expulsion, categories for data collection, to compiling best practices and providing training for school and district staff.

Students with disabilities and other historically marginalized groups are disproportionately subjected to school discipline practices, and the work of this taskforce is incredibly important to helping change this. When children miss school, they fall behind and miss critical opportunities to learn and to practice behaviors. Parents are also greatly affected when students miss school as it makes it difficult for them to hold jobs and provide for their families. This taskforce brought together stakeholders from all sides of the issue and we were able to talk through every nuance that arose and learn from each other. I am hopeful that the recommendations from this taskforce will help put an end to disproportionality in discipline and help kids focus on what is really important - learning and growing.

- Task Force Member Sara Pielstecker

Definition of Disproportionate Discipline:

Disproportionate discipline is when a group of students (based on any personal characteristic) is represented at a significantly higher or lower rate within discipline actions than their representation in the student population.

Personal Characteristics — These personal characteristics should include racial and ethnic categories, gender, grade level, individual program service type (homeless, foster care, multilingual learners, student with disabilities, migrant populations) even if they are not specifically connected.

Values Statements:

Values Statement 1

We believe the implementation of the Task Force recommendations needs to align with the Task Force guiding principles including:

- centering equity;
- preserving the civil rights of students and families;
- being developmentally appropriate; and
- reflecting the rights and considerations governed under the Federal Individuals with Disabilities Education Act (IDEA)/504 regulations and guidelines.

Values Statement 2

We believe that every district is committed to positive educational outcomes and safe learning environments for all students, families, and staff. We also acknowledge that to ensure these intended outcomes, each district and their staff must examine their own personal biases, engage in ongoing, targeted professional development, and address the root of systemic inequities that cause harm and undermine this core commitment through the use of disproportionate disciplinary action.

Values Statement 3

We believe students have the right to an education that is free from disproportionate discipline and its adverse impacts.

Values Statement 4

We believe for our educational system to be successful for all students, we need additional funding for our schools

Values Statement 5

We believe that discipline needs to be restorative and districts should look for alternatives to exclusion as appropriate and available.

Values Statement 6

We believe that any calculations of significant disproportionality should be accurate for all districts and student groups, regardless of size.

Values Statement 7

We believe that districts need to develop methods for tracking student level data that indicate bias and help promote educator and staff accountability.

Values Statement 8

We believe that every district needs to have a discipline matrix for the purpose of eliminating bias and ensuring consistency.

Values Statement 9

We believe the legislature should create language indicating the foundation of a successful system to manage student behavior is the implementation of a positive behavior intervention system and Multi-Tiered Systems of Support (MTSS) or Response to Intervention (RTI) approaches.

Background

The Problem

The enabling legislation for the Colorado Disproportionate Discipline Task Force describes disturbing disparities in K-12 school discipline across Colorado. The legislation highlights a 2018-19 school year wherein Black students were 3.2 times more likely to be suspended from school and Hispanic students were 1.7 times more likely to be suspended from school, all compared to their White counterparts.⁴ Dr. Kathryn Wiley further emphasized this point when she was quoted in a Colorado Sun/Colorado Trust article profiling disproportionate discipline practices found throughout Colorado. In the article, Dr. Wiley reports that Black students are disciplined at a rate 3-5 times higher than their White peers—a statistic she says has changed very little in the past 50 years.⁵ The article further illustrates the issue using 2022-23 Colorado Department of Education (CDE) data that shows in Denver, 81% of the students disciplined were Black/African American or Hispanic/Latino though only 51.7% of the district student body is Hispanic and only 13.7% is Black.⁶ Statewide, discipline data also demonstrates disproportionate racial disparities with 45% of Hispanic/Latinos representing students disciplined statewide, and 9% of Black/African American students disciplined statewide. For reference, during this period, the overall Hispanic/Latino proportion of the student population was 35% and for Black students it was 4.6%.

School discipline practices can have a significant impact on education attainment and contribute to the school-to-prison pipeline. Exclusionary discipline by way of suspension or expulsion in particular, increases the likelihood that a student will be without supervision. One report addressing research informing the school-to-prison pipeline, found that the risk of arrest doubles during a student suspension. Further, school exclusion is associated with increased interactions in the justice system over time, suggesting risk for longer term negative outcomes resulting from exclusionary discipline actions⁷.

Disproportionality is a problem that is reflected in school data by gender, race and by disability status. Specifically, data from the Office of Civil Rights showed that students with disabilities and boys to be overrepresented in national school discipline data. Those who have disabilities make up about 17% of the student enrollment but are represented at 29% for

A 2019 study found that students who attend schools with a one standard deviation higher suspension rate are 15-20% more likely to be arrested or incarcerated as adults. The report found worse educational outcomes for these students including being 1.7% more likely to drop out of school and 2.4% more less likely to attend a 4-year college. This 2019 study also demonstrated few if any gains from removing disruptive peers (through exclusionary practice).

⁴ Disproportionate Discipline in Schools Act of 2023, SB23-029, https://leg.colorado.gov/sites/default/files/2023a_029_signed.pdf.

⁵ Dahlia Singer, “School Discipline Can Lead Students Into the Justice System”, Colorado Collective, December 2023, <https://collective.coloradotrust.org/stories/school-discipline-can-lead-students-into-the-justice-system/>.

⁶ Ibid.

⁷ Kayla Crawly and Paul Hirschfield, “Examining the School-to-Pipeline Metaphor,” Oxford Research Encyclopedias, Criminology and Criminal Justice, (June 2018), <https://doi.org/10.1093/acrefore/9780190264079.013.346>.

students who received one or more out-of-school suspension and represented at 21% for those who received expulsions. Though boys are overrepresented generally in K-12 school discipline outcomes, Black boys are 2 times more likely than White boys to receive out-of-school suspensions or expulsions.⁸

Policing in schools also has adverse effects for students, particularly students of color. Policing has origins dating back to the early 20th century with significant increases since 1975 under the guise of school safety. Approximately 1% of schools in 1975 reported they had police officers on site. Today, that numbers has risen to 24% of elementary schools and 42% of high schools.⁹ Further, 51% of schools that have predominantly Black or Latino enrollment have law enforcement on campus, resulting in Black students being twice as likely as their white peers to be referred to law enforcement or arrested.¹⁰ Since the primary role of police in schools is to manage criminal behavior, many issues they handle could otherwise typically be addressed through school discipline policies. This shift leads to the criminalization of ordinary discipline matters and typical adolescent behavior. The increase in school surveillance and police presence has been associated with a rise in school-based arrests for minor infractions, contributing to the school-to-prison pipeline.¹¹

Objectives of Enabling Legislation & Disproportionate Discipline Task Force Mission

During the 2023 legislative session, the Colorado general assembly determined that it was “critical to understand discipline policies and take steps to address and prevent the progression from school to the criminal justice system from occurring”. SB23-029—Disproportionate Discipline in Public Schools—attempts to tackle this issue, establishing the School Discipline Task Force to study and make recommendations regarding school district discipline policies and practices, state and local discipline reporting requirements, and local engagement.

The legislation requires the appointment of an 18 member Task Force with positions representing schools districts, rural school districts, charter schools, teachers, mental health and substance use, special education, criminal justice and more.¹² The Task Force is required to conduct a minimum of eight meetings between October 15, 2023 and June 30, 2024, and write and submit a final report detailing its recommendations due to the legislature by August 1, 2024.

The issues and solutions the Task Force has focused on will significantly impact Colorado's students, their health, and their well-being. We hope that these recommendations are examined further and taken up to help support the future of Coloradans, prevent harm, and ensure a strong start for all Colorado kids.

Task Force Member Bridget Anshus

⁸ U.S. Department of Education, “U.S. Education Department’s Office for Civil Rights Releases New Civil Rights Data on Students’ Access to Educational Opportunities During the Pandemic”, news release, November 15, 2023, <https://tinyurl.com/4eymmhc6>.

⁹ ACLU, “Bullies in Blue: The Origins and Consequences of School Policing”, April 2017, https://assets.aclu.org/live/uploads/publications/aclu_bullies_in_blue_4_11_17_final.pdf.

¹⁰ Ibid.

¹¹ Tyler Wittenberg & Maria Fernandez, “Ending Student Criminalization and the School-to-Prison Pipeline”, NYU: Metropolitan Center for Research on Equity and the Transformation of Schools, n.d., <https://steinhardt.nyu.edu/metrocenter/ejroc/ending-student-criminalization-and-school-prison-pipeline>.

¹² A list of the Task Force Participants and support personnel can be found in the appendix.

Colorado Legal Statute and Recent Changes

Discipline in Colorado is governed by a complex combination of state and federal laws and state and local school board policies related to discipline and school safety and are monitored through a series of data collections that are reported to and managed at the Colorado Department of Education (CDE). The intersections of law and policy that govern discipline include:

FEDERAL LAWS

- Gun-Free School Zones Act
- Individuals with Disabilities Education Act (IDEA)
- Nondiscrimination laws (i.e., ADA, Section 504, etc)
- Title IX

STATE LAWS

- | | |
|--|---|
| <ul style="list-style-type: none">● § 22-1-126 & 24-31-606 - Safe2tell● § 22-2-144 - “Ashawnty’s Law” - Bullying prevention & education● § 22-11-503, 22-32-109.1, 22-1-138 - Data reporting requirements, school performance reports● § 22-33-105 & 106 - Suspension, expulsion, denial of admission● § 22-32-109.1 -Safe school plans, codes of conduct● § 22-32-144 - Restorative justice practices (General assembly “encourages” school districts to develop RJ practices) | <ul style="list-style-type: none">● § 22-33-106.5 - Information concerning offenses committed by students (notification to schools)● § 22-32-118.5 - Drop-out prevention and intervention for at-risk students● § 22-33-201 - § 22-33-205 - Defining, supporting and reporting on at-risk students; rights of at-risk, suspended and expelled students● § 24-10-106.3 - Claire Davis School Safety Act● § 22-32-147 - Use of restraints and seclusion on students |
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¹³ Michelle Berge, “School Discipline: An Overview of Colorado Statutes”, November 14, 2023, <https://drive.google.com/file/d/1JBKcYrZmUKmUisjxa-SqyAOwIH5p7K1/view?usp=sharing>

Colorado law requires schools within their Safe School Plans to provide a “concisely written conduct and discipline code that shall be enforced uniformly, fairly, and consistently for all students”.¹⁴ Districts and schools are also required to limit exclusionary discipline practices (i.e. suspension and expulsion) by imposing “proportionate disciplinary interventions and consequences”.¹⁵ Grounds for suspension and expulsion outlined in the statute (listed in the box on the right) include a wide range of behaviors.

The law further outlines alternatives to exclusionary practice in its mandate to schools and districts to include plans for the “appropriate use of prevention, intervention, restorative justice, peer mediation, counseling, or other approaches to address student misconduct, which approaches are designed to minimize student exposure to the criminal and juvenile justice system.”¹⁶ Though the Colorado legislature has encouraged alternatives to exclusionary discipline when possible, it has also outlined in statute, the circumstance and conduct where suspension and expulsion may be used. It further delineates factors schools should consider before expelling a student (i.e., age, disability status, discipline history, etc.), and when suspending students, make time limits for both in-school and out-of-school suspensions.¹⁷

Lastly, Colorado law requires districts to collect and report annually on data discipline incidents to CDE, originally created as part of safe school plans. Doing so provides districts the opportunity to assess their ongoing progress with implementing proportionate discipline approaches while providing transparency and accountability to CDE and the public. There are three data collections to track discipline incidents reported by districts and schools: the Discipline Data collection, Special Education discipline collection, and the Civil Rights Data Collection. Within the

Grounds for suspension or expulsion (22-33-106)

- Willful disobedience;
- Willful destruction or defacing of school property;
- Behavior on or off school property that is detrimental to the welfare or safety of other pupils or of school personnel;
- Declaration as a habitually disruptive student (as defined);
- Committing certain offenses (as further delineated) on school grounds, in a school vehicle, or at a school activity or sanctioned event;
- Repeated interference with a school’s ability to provide educational opportunities to other students;
- Carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property; and
- Making a false accusation of criminal activity against an employee of an educational entity.

¹⁴ C.R.S. 22-32-109.1, <https://codes.findlaw.com/co/title-22-education/co-rev-st-sect-22-32-109-1/>.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ C.R.S. 22-33-105, <https://codes.findlaw.com/co/title-22-education/co-rev-st-sect-22-33-105/>. For more detail and guidance on school discipline and its role in creating safe environments for students in schools, see the Colorado Attorney General’s manual released in 2022 to serve as tool and resource for district and school leaders as they work to implement the framework of school statutes and policies that are meant to govern and promote safe schools.

Discipline Data collection, school districts report data to CDE based on 16 standardized categories of discipline incidents outlined in state law. While districts often maintain more detailed discipline matrices with more defined incidents and categories than what is required for reporting, they must aggregate and report their data annually to CDE, ensuring alignment with the state's 16 defined categories. This requires districts to exercise their judgment when condensing various discipline incidents into the mandated 16 categories to ensure compliance with state reporting standards. Moreover, the state only requires reporting on incidents leading to classroom or school exclusion in the following manners:

- Classroom removal
- In-school suspension
- Out-of-school suspension
- Expulsion
- Referral to law enforcement
- "Other" action is taken.¹⁸

Recent Discipline Policy Changes & Updates

In recent years, there have been several new policies that have impacted the rules, data collection and dissemination, and training related to learning environments, discipline, the rights of students and families experiencing suspension and expulsion, and to align state law with the Federal Individuals with Disabilities Education Act (IDEA) rules and regulations governing students with disabilities.

Significant Disproportionality in Special Education

In 2016, with the goal of promoting equity, the Federal Government issued new rules and regulations to 34 CFR § 300.616 (Part B) of the IDEA requiring states to use a standardized methodology for determining significant disproportionality in their Local Education Agencies (LEAs). Federal regulations also required states to develop a definition of disproportionality with local stakeholder input.¹⁹ CDE hosted a process in the fall of 2017 to determine a definition for significant disproportionality, standard methodology for calculating disproportionality (risk ratio), and thresholds that demonstrate reasonable progress towards proportional representation. CDE used a delay of the compliance deadline from 2018 to 2020 to begin implementation of a gradual process to lower the risk ratio thresholds starting in 2018 with full implementation by July 1, 2020.²⁰

¹⁸ Andrea Pulskamp and Heather Chikoore, "HB 22-1376 Data Standardization Stakeholder Group Overview", February 2023, https://drive.google.com/file/d/1RDeEbVFpXQQ_ZyUyhsf7s2PzkGnC9HbX/view?usp=sharing.

¹⁹ Colorado Department of Education, "Significant Disproportionality in Special Education—Vol.2", n.d. https://www.cde.state.co.us/cdesped/factsheet_sigdispro_vol02.

²⁰ Ibid

District Profile Reports and Increased Restriction On Use of Restraints

In 2022, the General Assembly passed H.B.22-1376 Supportive Learning Environments for K-12 Students. This legislation increased restrictions on the use of restraints, increased requirements on parent notification, developed a state level process for investigative decisions, required the development of a model policy for selecting school resource officers, clarified when a seclusion room can be used, and required CDE to standardize the collection and create easily accessible, user-friendly reports of district discipline data.

The reports, called district profile reports must be made available to the public and the data must be provided in a way that allows people to disaggregate by gender, grade level, ethnicity, disability, English Language Learner status, free and reduced-price lunch status, and homeless status, to the maximum extent possible in accordance with the “Colorado Privacy Act”. The legislation required CDE to consult stakeholders in the development of the district profile reports and allows for a process wherein the stakeholder feedback can support recommendations to the State Board of Education and the General Assembly about any additional measures to be included in the report (included in the box to the right). CDE will begin reporting in this format in August of 2024.²¹

Data to be included on District Profile Reports

- Chronic absenteeism rates;
- The number of in-school and out-of-school suspensions;
- The number of expulsions;
- The number of students handcuffed;
- The number of referrals to law enforcement;
- The number of school-related arrests;
- The number of students physically restrained;
- The number of students placed in seclusion;
- School climate surveys or tools utilized by schools and school districts;
- The number of pupils and licensed and employed school psychologists, school counselors, school social workers, and school nurses in total for the state and disaggregated by school district;
- The number and type of disciplinary incidents and actions taken in response, at a student level; and
- Other existing district-level measures

²¹ Colorado Department of Education, “District Profile Reports: HB 22-1376, September 2023, <https://www.cde.state.co.us/dropoutprevention/dpsrhb22-1376>.

Expulsion Hearing Officers

In 2023, the General Assembly passed H.B. 23-1291 in 2023 updating procedures for the expulsion process, updated requirements to consider alternatives to expulsion, and added a requirement for training of expulsion hearing officers. Starting in January of 2025, the legislation requires initial training for Expulsion Hearing Officers within 30 days of the start of works. The training includes the following topics:

- Child and adolescent brain development;
- Trauma informed practices;
- Alternatives to expulsion;
- Restorative justice;
- Conflict and bias in school discipline; and
- Requirements and implementation of applicable federal and state laws.

The legislation further defines rights for students in the event that an expulsion hearing is requested, the rights of students and families following the determination of expulsion or denial of admission and allows only for the expulsion or denial of admission of a student if the school district has considered alternative remedies where appropriate and necessary.²²

²² Colorado Department of Education, “Expulsion Hearing Officer Updates: HB 23-1291”, July 2023, <https://www.cde.state.co.us/dropoutprevention/dpsrhb23-1291>

Task Force Background

Task Force Approach & Administrative Processes

CDE hired a public policy firm, Allied Agenda, to facilitate the Discipline Task Force. The facilitators and CDE staff supported task force members throughout the process in providing background information and presentations, accomplishing required goals, and supporting discussions.

First meeting and processes

SB 23-029 set forth requirements to be fulfilled at the first Task Force meeting, including establishing procedures to conduct meetings remotely, developing best practices for administering meetings, and creating a plan for engaging stakeholders and experts in the Task Force's work. In addition to these requirements, the first meeting's agenda included:

- Orienting the Task Force members to their statutory duties and ensuring members understood the requirements for compliance with Colorado's open meetings laws.
- Reviewed the timeline for deliverables, the in-person and virtual meeting schedule
- Established a process for identifying and engaging stakeholders and content experts as set forth by the enabling legislation.

A process for developing and vetting recommendations and for identifying priorities related to Task Force responsibilities was laid out, and Task Force members articulated decision making procedures that included defining a quorum for purposes of voting.

- The Task Force determined that two-thirds of the members must be present to constitute a quorum—necessary for making official decisions regarding Task Force business.
- Once a quorum is established, a vote to affirm an action or decision of the Task Force requires approval by a majority of the Task Force members present at the meeting in which the action or decision is considered.

Task Force Meeting Procedures

An opportunity for public comment was provided during each meeting, both in person and through submission of written comments. To facilitate adherence to the Task Force duties, and to maintain Task Force operations in the absence of the chair, the members decided to create a co-chair position to support Task Force management. A process was delineated for nominating the chair and co-chair via a self-nomination followed by a vote of the members conducted through email.

The Task Force chair and co-chair, supported by CDE staff and Task Force facilitators, coordinated in advance of the meetings to set the agenda and identify relevant speakers.²³ Meetings between these parties also took place following Task Force convenings to debrief, assess progress toward Task Force goals and legislative duties, and to determine next steps.

Meeting agendas and materials were all posted and are available at the following website: <https://www.cde.state.co.us/dropoutprevention/schoolclimatebehavioranddisciplineinitiatives>.



Task Force Meetings and Appointments

The first School Discipline Task Force meeting commenced on October 10, 2023 and subsequent meetings were held on a bi-monthly basis on the 2nd and 4th Tuesdays of each month, excluding Tuesday December 26th. Meetings taking place on the 2nd Tuesday of the month were virtual and lasted for two hours, while meetings on the 4th Tuesday of the month were three quarter-day meetings and were conducted in-person with a Zoom option for those who were unable to attend onsite. Travel expenses were reimbursed for members that incurred costs commuting to the Denver metro area for in-person meetings.

At the initial Task Force meeting on October 10th, 17 of the 18 appointments were confirmed. One of the three former Colorado student appointments remained vacant for the entirety of the Task Force

²³ The Task Force was supported by CDE staff including Johann Liljengren, Danielle Ongart, Jewel Sale, Tricia Walz, and Jennifer Gallegos. Amber Minogue and Andrea Wilkins of Allied Agenda served as the Task Force Facilitators.

as CDE staff were unable to fill the position. Furthermore, a second former student appointment was made, however that appointee never attended a Task Force meeting leaving the total seated task force members for the duration of its life at 16 members. A full list of the Task Force members and the role they fulfilled is included in Appendix B.

In total, the Task Force conducted 14 meetings; 12 of which focused on information gathering, expert, stakeholder and community presentations, and issue deliberation, and two meetings focused on finalizing and approving the Task Force recommendations. The Task Force convened a final time on June 12, 2024 to review, discuss and provide feedback for the Task Force final report. A full list of the final recommendations are included below.

Meetings Overview

The Task Force meetings serve as crucial platforms for learning, collaborative discussions, and decision-making. During these sessions, members are given the opportunity to address a range of topics integral to the Task Force's mandate. The meetings provide a forum for information-sharing, deliberation, and the collective gathering of insights to shape the Task Force's work and recommendations. Over the course of the meetings, members reviewed a number of topics related to the Task Force's statutory responsibilities, gathering information to inform their work and recommendations. These included:

- Identification of member priorities and issues to be considered during the course of the Task Force's work;
- Review of:
 - Related legislation (HB22-1376 - Supportive Learning Environments for K-12 Students) and forthcoming legislation that may relate to the Task Force's work and responsibilities;
 - CDE data collection processes;
 - CDE 2022-23 school year discipline data;
 - CDE's special education definition of significant disproportionality, CDE's stakeholder process, and the timeline for implementing the definition;
 - Comparative information on other states that have defined "disproportionate discipline"; and
 - Legal framework governing school discipline to identify areas for possible improvement or areas impacting disproportionality in school discipline, specifically looking at issues of

suspension, expulsion, and school safety;

- Discussion and development of a preliminary definition of disproportionate discipline that included:
 - consideration of the scope of the definition of discipline (i.e. formal exclusion vs. informal exclusion or “being pushed out”);
 - identification of possible categories of students for inclusion in definition; and
 - consideration of which definition elements should be codified in statute, which should be addressed through the administrative rulemaking process, and which must be addressed via Task Force recommendations, guidance, or values statements.
- Presentation on and discussion of dropout prevention and student re-engagement strategies;
- Discussion of best practices and what is working in districts, including dialogue and exchange about individual district’s implementation experiences and strategies;
- Panel discussion of barriers to systemic change and alternatives to discipline/exclusionary discipline, including structural racism, implicit bias and the impacts of discrimination on students and their families as it relates to discipline;
- Task Force discussion of preliminary recommendations focusing on three key areas including (1) consistency of data collection and discipline coding, (2) alternative approaches to discipline and addressing suspension/expulsion policies, and (3) training/professional development and promoting staff and leadership accountability;
- Parent panel discussion on lived experiences with disproportionate discipline and its impacts on students and families;
- Presentation by Legislative Council staff on fiscal note development for new legislation, overview of CDE fiscal note development process, and School Finance Task Force updates (with consideration of overlapping recommendations);
- CDE presentation on discipline interchange file and review of revised draft recommendations focusing on the following categories: definition of disproportionate discipline, values statements, administrative recommendations, and legislative recommendations;
- CDE presentation on data suppression proposed rule; and
- Presentation by Assistant Attorney General Michelle Berge, K-12 Education Unit, on the intersection of school safety, school discipline, and related statutes.

Process for Finalizing and Approving Recommendations

During the February 13th meeting, the Task Force began developing and revising draft recommendations, after developing a draft definition for disproportionate discipline at the November 28, 2023 and December 12, 2023 meetings. Further review and discussion took place via email and during

the subsequent Task Force meetings. In addition, the Task Force developed subcommittees to provide for more in-depth discussion and analysis of the draft recommendations, allowing for members with special expertise and interest to consolidate ideas and refine initial recommendations for review by the larger task force during regular task force meetings. The subcommittees consisted of Task Force members who chose the categories of recommendations they wanted to work on. These subcommittees focused on developing Task Force values statements, recommendations implementable at the administrative or state department level without legislative authority, and recommendations requiring legislative or board directives or funding appropriations. A subcommittee was also convened after the May 14th meeting to develop a recommendation(s) on policing on school grounds. The subcommittees provided an overview of their work and presented their recommendations to the full Task Force. The Task Force voted on the final recommendations pertaining to the definition of disproportionate discipline, Task Force values statements, and the administrative and legislative recommendations during the April 23rd and May 14th meetings. The Task Force voted on the final recommendations relating to policing on school grounds via email which closed on June 19, 2024.

The voting process implemented by the Task Force included the following four types of votes that could be made by members:

- Advance recommendation in current form
- Refine recommendation in its current form
- Reject recommendation in its current form
- Abstain from vote

A 2/3 majority was required to advance or reject a recommendation in total. In instances of a split vote between advancing or rejecting the recommendation, Task Force members were asked to vote to determine if the recommendation in question should be included as a minority recommendation. (No minority recommendations were found to be needed by the Task Force.) Amendments to recommendations also required a 2/3 majority vote for approval.

The final votes count for each Task Force recommendation are recorded in the April 23rd and May 14th meeting minutes, linked in [Appendix D](#).

Disproportionate Discipline Task Force Recommendations

The following recommendations are the culmination of a thorough review and deliberation by task force members on all issues outlined in the statutory mandates of SB23-029. Over the course of 12 meetings and with support from the Task Force sub-committees, the task force members engaged with expert presentations and community stakeholders, testimony from Colorado families affected by disproportionate discipline, internal discussions, sub-committee work, and public comment. In accordance with legislative requirements, the task force first established a definition for disproportionate discipline with “considerations for size, location, and demographics of the local education provider”. The definition also specifies which personal characteristics should be considered when applying the concept of disproportionate discipline. Subsequently, they developed and advanced their recommendations for this report, categorized into three groups:

- **Values Statements** - These are a set of ideals agreed upon by task force members that reflect the beliefs and values of the task force while also providing a framework for how the task force members prioritized and formulated their recommendations.
- **Administrative Recommendations** - These recommendations are to be implemented by the Colorado Department of Education (CDE), based on the current authority and capacity (time and resources) of CDE staff.
- **Legislative Recommendations** - These recommendations require legislative or board policy approval to be enacted or are duplications of administrative recommendations that require additional resources.

Definition:

Disproportionate discipline is when a group of students (based on any personal characteristic) is represented at a significantly higher or lower rate within discipline actions than their representation in the student population.

Personal Characteristics — These personal characteristics should include racial and ethnic categories, gender, grade level, individual program service type (homeless, foster care, multilingual learners, student with disabilities, migrant populations) even if they are not specifically connected.

Values Statements:

The following values statements are intended to provide context and clarity regarding how the task force members formulated their recommendations. These statements, which reflect the beliefs voted on and agreed upon by the members, outline what should be present in Colorado’s education system to ensure the implementation of proportionate discipline practices, regardless of a school’s demographics, size, location, or type. The values statements recognize that creating systems free from disproportionate

discipline practices requires a positive school culture and access to effective alternatives that can be easily monitored through transparent systems of data tracking and dissemination. These statements also acknowledge that the recommendations in this report alone, are insufficient to ensure that education systems are free from bias, racism, and classism, and adequately funded to address the needs and challenges faced by all schools.

- (I) We believe the implementation of the Task Force recommendations needs to align with the Task Force guiding principles including:
 - centering equity;
 - preserving the civil rights of students and families;
 - being developmentally appropriate; and
 - reflecting the rights and considerations governed under the Federal Individuals with Disabilities Education Act (IDEA)/504 regulations and guidelines.
- (II) We believe that every district is committed to positive educational outcomes and safe learning environments for all students, families, and staff. We also acknowledge that to ensure these intended outcomes, each district and their staff must examine their own personal biases, engage in ongoing, targeted professional development, and address the root of systemic inequities that cause harm and undermine this core commitment through the use of disproportionate disciplinary action.
- (III) We believe students have the right to an education that is free from disproportionate discipline and its adverse impacts.
- (IV) We believe for our educational system to be successful for all students, we need additional funding for our schools.
- (V) We believe that discipline needs to be restorative and districts should look for alternatives to exclusion as appropriate and available.
- (VI) We believe that any calculations of significant disproportionality should be accurate for all districts and student groups, regardless of size.
- (VII) We believe that districts need to develop methods for tracking student level data that indicate bias and help promote educator and staff accountability.
- (VIII) We believe that every district needs to have a discipline matrix for the purpose of eliminating bias and ensuring consistency.
- (IX) We believe the legislature should create language indicating the foundation of a successful system to manage student behavior is the implementation of a positive behavior intervention system and Multi-Tiered Systems of Support (MTSS) or Response to Intervention (RTI) approaches.

Administrative Recommendations

During the drafting phase of the task force’s work, CDE staff and the CDE task force representative evaluated their capacity and available resources for implementing this recommendation. Consequently, the administrative recommendation was developed with an intent to leverage that capacity for the purpose of enhancing public and school district access to discipline resources and practices that are either in development or already established within the CDE structure. This recommendation addresses the following statutory task force duties:

- Determine whether CDE’s plan and progress in standardizing discipline data should include reports of alternative disciplinary measures taken prior to a student’s suspension or expulsion;
- Recommend processes and provide resources for public engagement in a local school district board of education’s discussions of discipline data;
- Review best practices identified by the department concerning dropout prevention and student re-engagement; and
- Identify alternative approaches to discipline and address concerns around workforce and other resource shortages in school districts in relation to school discipline practices and reporting.

Task Force Recommendation 1:

CDE will develop a web page related to discipline that includes the following. Should the Colorado Department of Education (CDE) not act per administrative recommendations, the General Assembly should direct CDE to issue resources and/or or guidance to support districts’ development of these items:

- I. Best practices and examples of alternative approaches to exclusionary disciplinary, including examples of discipline matrices that would be relevant for a variety of administrative units or districts, and actions and discipline matrices that include alternative approaches to discipline and consideration for rural school districts;
- II. Examples of discipline matrices should include alternative approaches to discipline and be inclusive of special populations (e.g., limited English proficiency, special education, early childhood, etc);
- III. Examples and guidance should be included that are relevant for a variety of administrative units and districts, including but not limited to small or rural districts, majority minority districts, and districts with limited local resources;
- IV. Events when suspension and expulsion are not appropriate in light of underlying conduct;
- V. Interplay of discipline protections for students under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act (Section 504);
- VI. Contributing factors that support students staying in school and how parents and guardians shall receive this information;

- VII. Overlap of other CDE task force recommendations (i.e. substance use task force, school finance task force, early discipline Pre-K-2 task force, etc.);
- VIII. Compilation of existing parent engagement resources; and
- IX. Resources about alternatives to discipline that prioritize connecting students and families with supports, including behavioral health supports, substance use supports, and assistance to families in navigating the discipline system and accessing broader community services. Include national and state facts related to removals and future outcomes that promote transparency for families.

**Note that these should become a legislative recommendation if the above administrative recommendation cannot be implemented without a directive or funding from the General Assembly.*

Legislative Recommendations

The Colorado framework for discipline has significant elements embedded in statute, particularly as it relates to suspension and expulsion. Furthermore, state law mandates that all school districts and charter schools must have a “concisely written conduct and discipline code that shall be enforced uniformly, fairly, and consistently for all students”. Finally, ongoing deliberation across all topics identified a need for more resources to accomplish all goals. Therefore, it was determined that many changes to procedures governing how schools do discipline would require legislative action.

Recognizing this, the task force proposed the following problem statement to describe the existing statutory issues:

Under current Colorado law, there is a disconnect between the categories for which suspension and expulsion are permitted and the categories of disciplinary events that must be submitted to the state and the Office of Civil Rights collection.

Under current Colorado law, there are broad categories for reporting discipline events that become “catch all” categories and make it difficult to analyze suspension and expulsion data. For example, in 2022-23, there were 83 expulsions and 22,231 suspensions for “other code of conduct violations.”

Under current Colorado law, the same grounds that can be used for suspension can be used for expulsion. This results in disparate treatment for students when the same conduct could lead to expulsion in one district versus five days of suspension (or less) in another district.

The reporting requirements are confusing, complicated, and not tailored to capture the data needed to understand the circumstances underlying exclusionary discipline and referrals to law enforcement.

The recommendations in this section addresses the following statutory task force duties:

- Review best practices identified by the department concerning dropout prevention and student re-engagement;

- Identify alternative approaches to discipline and address concerns around workforce and other resource shortages in school districts in relation to school discipline practices and reporting; and
- Recommend legislative and administrative changes and analyze the costs and time frames required to implement the changes.

Task Force Recommendation 2:

Recommend that CDE provide guidance and resources for districts around implementing effective systems for managing student behavior, including:

- Creating a foundational school culture through positive behavior intervention systems, multi-tiered systems of support, and/or response to intervention approaches;
- Information on best practices for creating a discipline matrix or discipline plan; and
- Examples of discipline matrices that include alternative approaches to discipline and are inclusive of special populations (e.g., limited English proficiency, special education, early childhood, etc). Should the Colorado Department of Education (CDE) not act per administrative recommendations, direct CDE to issue resources and/or or guidance to support districts' development of discipline matrices—including examples and ensuring resources and guidance are suitable for use by districts with “special circumstances.”

Task Force Recommendation 3:

Recommend that CDE develop model responses and best practice approaches to discipline incidents that districts could adopt in order to promote standardized responses across schools and districts (discipline matrices, flow chart for response), including when referral to law enforcement is or is not appropriate.

Task Force Recommendation 4:

Recommend that CDE oversee the alignment and consistent implementation of behavior codes used by districts for discipline reporting. This would include, but would not be limited to the following:

- Case studies to see how districts are coding behaviors;
- Training on selecting behavior codes after discipline incidents;
- This would also include the people responsible for implementing the discipline process and entering data.

Ensure case studies and training are inclusive of special populations as referenced above.

Task Force Recommendation 5:

Direct CDE to create and/or coordinate a statewide training database with online modules that any school or district staff, parents or guardians, and students can access on at least the following topics:

- Data collection guidance for data respondents;
- Coding discipline incident for administrators;
- Preventative systems for reducing discipline;
- De-escalation strategies for school staff;
- Restorative approaches to discipline and other alternative to suspensions;
- Implicit bias training;
- Trauma informed care;
- Statutes on grounds for suspension/expulsion, statutes on the processes of suspension/expulsion, and definitions of key terms—“bullying,” “harassment,” etc.;
- Family rights and engagement; how to meaningfully partner with families in a culturally responsive and trauma informed manner;
- Overlay of protections of students with disabilities; and
- Education about Claire Davis Act, what it covers and how it is operationalized for school and district decision makers.

Training should consist of evidence-based practices and should include metrics for districts and schools to use to evaluate impact. CDE should develop and include a list of organizations/individuals who can provide training and consulting to all districts across the state on the topics in the database and how to implement in all settings, regardless of size or type.

Task Force Recommendation 6:

The legislature should align the grounds for suspension and expulsion with the categories required for state and federal reporting so that districts/schools do not have to do unnecessary and complicated data matching.

Task Force Recommendation 7:

The legislature should create more specific categories with sufficient detail to be clear enough for the people implementing them. When creating those categories, the legislature should eliminate broad “catch all” categories as a basis for exclusionary discipline, including:

- a. 22-33-106:
 - i. “Willful disobedience”
 - ii. “Detrimental to safety”

1. The legislature should provide clarity that off-campus conduct must have a nexus to the physical or psychological safety of the students and/or staff of the school.
2. In the wake of creating a comprehensive set of more specific definitions and clarity, the legislature should either eliminate “detrimental” conduct on school grounds because any conduct that could meet that term would be described or captured elsewhere or should recommend that any discipline imposed for “detrimental” conduct on school grounds should not result in depriving the student of access to instruction.

iii. “Interference”

b. 22-33-109.1:

i. “Willfully disobedient”

- ii. Either remove or more clearly define: “Other violations of the code of conduct and discipline that resulted in documentation of the conduct in a student’s record”

Once those terms are more clearly defined in a comprehensive manner, restrict 22-33-106(1)(c) to be just off-school grounds conduct so we have data on expulsions for conduct that did not occur at school or a school activity.

Task Force Recommendation 8:

Current statute allows anything that is grounds for suspension to also be grounds for expulsion. The legislature should identify and differentiate in statute what misconduct should not rise to the level of expulsion, if any, and is better handled through lower-level interventions or suspension (e.g., first time tobacco offense should not be grounds for expulsion).

Task Force Recommendation 9:

The legislature should commit meaningful resources to expansion of behavioral health workforce capacity and development, particularly in rural communities/regions.

Task Force Recommendation 10:

The legislature should more clearly define school and local law enforcement relationships, including that schools should not serve as the location for arrests for crimes committed off school grounds absent exigent circumstances and prior notice to the school district and that schools should not serve as the location where ankle bracelets are applied to students, regardless of the reason: a crime or because they are considered a runaway. The legislature may also consider directing districts to make recommendations as to when local law enforcement should not respond to infractions that happen at school.

Review of Task Force work in Fulfillment of Legislative Charge

The Task Force reviewed the statutory duties assigned to them at the onset of the group’s convenings in October 2023. The group continued to monitor their compliance in carrying out their statutory responsibilities over the course of this nine-month process, with support and coordination from the Task Force facilitators and CDE staff. At the conclusion of the meetings cycle, the Task Force had dedicated meeting time to discuss and act on the nine duties set forth in the Task Force’s enabling legislation. An overview of actions taken to fulfill the legislative charge are summarized below.

- **Define “disproportionate discipline” with considerations for size, location, and demographics of the local education provider.**
 - ◇ The Task Force developed a definition of disproportionate discipline and defined the personal characteristics included within that definition. (See Recommendations section below.) In doing so, the group considered several factors in their development of a definition of disproportionate discipline including:
 - CDE special education definition of disproportionality;
 - Research on national trends on disparities in discipline and state comparative information on definitions;
 - Inclusion of personal characteristics or population subgroups such as race, class, gender, ability and language;
 - Formula for measuring disproportionality including risk ratios that measure group comparison, parameters for over-representation of a discipline group compared to its representation in the larger student population, and consideration of metrics to capture the timeframe for occurrence of disproportionality and any improvements that occur;
 - Scope of definition (i.e. Focus on the entire discipline continuum from prevention to intervention, focus on only exclusionary practices, etc.); and
 - Consideration of whether definition should be codified in statute versus the administrative rulemaking process.
- **Review CDE’s plan and progress in standardizing discipline data.**
 - ◇ Task Force reviewed and discussed CDE data collection processes and efforts toward standardization, including changes forthcoming for reporting starting in August of 2024.
 - Task Force reviewed and discussed the CDE discipline interchange file.

- **Review CDE’s plan for creating district profile reports.**
 - ◇ Task Force was presented with an overview of CDE’s process for creating district profile reports. Task Force provided review and comment on the draft profile reports during the January 9th meeting. They further evaluated issues around how data may be suppressed in the reports and if that suppression would dilute the impact on identification of disproportionate discipline. These discussions were reviewed during the April 9, 2024 meeting.
- **Review existing public engagement processes.**
 - ◇ Parent panel presentation to Task Force on the impacts of disproportionate discipline on families and students.
 - ◇ Panel discussion with school administrators on engagement initiatives and other successful strategies being implemented in various districts.
 - ◇ Inclusion of public comment presentations, as needed.
- **Recommend processes and provide resources for public engagement in local school district board of education’s discussions of discipline data.**
 - ◇ Following extensive information gathering and discussion, the Task Force developed and approved a recommendation that directs CDE to develop a web page related to discipline that includes a compilation of existing parent engagement resources, resources about alternatives to discipline that prioritize connecting students and families with supports, including behavioral health supports, substance use supports, and assistance to families in navigating the discipline system and accessing broader community services. Information should also include national and state facts related to removals and future outcomes that promote transparency for families.
- **Review best practices identified by the Department concerning dropout prevention and student re-engagement.**
 - ◇ CDE panel of school administrators shared information on dropout prevention and student re-engagement strategies that can be replicated or adapted for other districts, discussion of related professional development resources.
- **Identify alternative approaches to discipline and address concerns around workforce and other resource shortages in school districts in relation to school discipline practices and reporting.**
 - ◇ The Task Force engaged in ongoing discussions over the course of multiple meetings focused on alternatives to discipline and promising practices utilized by certain Colorado districts, discussion of systemic barriers to reforming discipline practices, and strategies for implementing alternatives to discipline.

- ◇ In recognition of the workforce challenges that exist across the state and districts' capacity to implement alternative approaches, the Task Force recommends the legislature commit meaningful resources to expand behavioral health workforce capacity and development, particularly in rural communities/regions.
- **Determine whether CDE's plan and progress in standardizing discipline data should include reports of alternative disciplinary measures taken prior to a student's suspension or expulsion.**
 - ◇ The Task Force engaged in ongoing discussions regarding the standardization of discipline data and potential recommendations regarding inclusion of alternative measures in reporting requirements. The Task Force did not directly recommend a change in reporting requirements to provide for the inclusion of alternative disciplinary measures previously taken, in large part out of concern over making data collection efforts more onerous on districts than it already is. Instead, the Task Force made a recommendation intended to facilitate greater use of alternative disciplinary measures by directing CDE to develop a webpage that includes information on:
 - Best practices and examples of alternative approaches to exclusionary discipline, including examples of discipline matrices that would be relevant for a variety of administrative units or districts, and actions and discipline matrices that include alternative approaches to discipline and consideration for rural school districts.
 - Examples of discipline matrices should include alternative approaches to discipline and be inclusive of special populations (e.g., limited English proficiency, special education, early childhood, etc).
 - Examples and guidance should be included that are relevant for a variety of administrative units and districts, including but not limited to small or rural districts, majority minority districts, and districts with limited local resources.
 - Events when suspension and expulsion are not appropriate in light of underlying conduct.
- **Recommend legislative and administrative changes and analyze cost and time frames required to implement changes.**
 - ◇ The Task Force developed and approved nine recommendations (one administrative action and eight actions to be taken up by the General Assembly or the state Board of Education) to address the problem of disproportionate discipline in our public schools. These actions were developed alongside consideration of their fiscal impact and in consultation with CDE staff to ensure that the capacity to implement the actions included in the administrative recommendation currently exist within the Department. The legislative recommendations were made in consideration of the need for additional funding appropriations and enabling legislation. Further, the Task Force specifically recognizes, through one of the values statements that are intended to guide future policy decisions relating to disproportionate discipline, the need for more funding for schools statewide in order for our education system to be effective. The values statement and recommendations are discussed in detail in the following section.

Conclusion & Next Steps

With the submission of these recommendations and final report, the Disproportionate Discipline Task Force has fulfilled its legislative charge, set forth in S.B. 23-029, of reviewing pertinent CDE plans and processes for standardizing discipline data reporting and developing district profile reports, reviewing existing public engagement processes, and identifying best practices for dropout prevention and student re-engagement. With this information in mind, the Task Force developed a definition of disproportionate discipline, eight values statements and ten policy recommendations to mitigate the occurrence of disproportionality and promote use of alternatives to discipline that ultimately contribute to the creation of a positive school culture and better outcomes for all students.

The Task Force was comprised of 18 members representing the General Assembly, the Department of Education, the Department of Early Childhood, school district administrators, teachers, parents, students, and various stakeholder organizations key to the passage of S.B. 23-029 and committed to addressing the issue of disproportionality in our school discipline practices.

There were a few challenges that impacted the Task Force’s ongoing work and future changes may help meet the legislative intent and goals of the Task Force.

Student Input: Ultimately, 17 of the 18 Task Force seats were appointed, with one of the three former student seats unfilled and another not attending any of the Task Force meetings. As a result, the goal of ensuring student input as part of the Task Force membership fell short of the intent of the enabling legislation. In addition, task force members shared that it was challenging to identify former students who were willing to share their experiences, especially when those experiences were negative, although a group of students did participate in a panel during one of the meetings. Other methods of seeking youth input may be necessary in any related future efforts.

Task Force Timing: The enabling legislation required that the Task Force conduct meetings between October and June. Much of this timeframe includes the five months when the General Assembly was in session, making it difficult for the legislative representative, or members who work closely with the legislature in advocacy roles, to participate consistently. In the event that the General Assembly enacts future legislation developing a task force that includes a legislative representative and members of advocacy organizations, consideration should be given to the timing of the task force’s work and the ability of members of the General Assembly to participate if the work takes place during the legislative session.

Despite these logistical challenges to participation, the Task Force membership was engaged, meeting the quorum requirements for every meeting. Task Force members were knowledgeable professionals who brought a unique and diverse perspective to this work.

Looking to the next steps in this effort, there are several implementation considerations that must be addressed.

Funding: First and foremost, a foundational consideration is the Task Force’s belief that schools throughout Colorado need more funding if they are to effectively address the problem of disproportionality in our discipline practices and ensure a positive school culture in which all students can succeed.

CDE capacity: Secondly, recommendation number one directs the Department of Education to develop a website that provides a variety of resources and information to promote the use of alternatives to discipline and provide support for school and district staff members. CDE is in the process of redirecting internal resources needed to implement this recommendation, but if it is determined that the Department lacks the authority or financial resources to comply, further action from the General Assembly or State Board of Education will be needed.

Legislative Language: Finally, recommendations six, seven, and eight require amendments to existing statutory language governing school discipline practices. The Task Force did not have sufficient meeting time under the enabling legislation or the authority to develop proposed statutory language for the statutes in question. A future legislature will need to decide what body or entity is responsible for developing the recommended amendments.

Appendices

Appendix A: Task Force Membership & Statutory Role

Representative Stephanie Vigil

Colorado State House of Representatives

Representative - District 16, Chair for the Colorado Youth Advisory Council Committee

Lisa Schlueter

Department of Early Childhood
Early Childhood Mental Health Manager

Floyd Cobb

Colorado Department of Education
Chief Academic Officer

Mike Claudio

Colorado Association of School Executives (CASE)/Harrison School District Assistant Superintendent

Anne Keke

Colorado Association of School Boards/Aurora Public Schools Board Member

Michelle Murphy

Colorado Rural School Alliance
Executive Director

Angelina Sandoval

Colorado League of Charters
Director of Governmental Affairs

Nicole Alvarado

CEA/ Fossil Ridge High School, Poudre school District
High School Counselor

Lisa Humbert

Consortium of Special Education Directors
Executive Director

Sara Pielsticker

Disability Law CO
Staff Attorney

Bridget Anshus

Mental Health Colorado
Senior Policy Advocate

Elie Zwiebel

Colorado Juvenile Defender Center
Executive Director

Laura McArthur

Resilient Futures
Founder

Dawn Fritz

CO Parent Teacher Association
Director of Legislative Engagement

Sierra Agens

Colorado Coalition Against Sexual Assault
Training and Technical Assistance Manager

Zoe O'Donnell

Former Colorado Student

Vacant

Former Colorado Student

Vacant

Former Colorado Student

CDE Staff Support

Danielle Ongart

CDE staff support

Johann Liljengren

CDE staff support

Jewel Sale

CDE staff support

Tricia Walz

CDE staff support

Amber Minogue

Facilitator Allied Agenda

Andrea Wilkins

Facilitator Allied Agenda

- [Appendix B: Enabling Legislation](#)
- [Appendix C: Toolbox](#)
- [Appendix D: Disproportionate Discipline Task Force Agendas & Meeting Minutes](#)