

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

INTRODUCED

LLS NO. 09-0341.02 Julie Pelegrin

SENATE BILL 09-163

SENATE SPONSORSHIP

Hudak and King K.,

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Middleton and Massey,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE EDUCATION ACCOUNTABILITY SYSTEM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Repeals and reenacts, with amendments, the "Educational Accreditation Act of 1998" to align accountability and accreditation measures and procedures.

State accountability duties and procedures. Assigns to the state board of education (state board) the following duties with regard to accountability:

- ! Reviewing the performance of the statewide public education system and setting, reaffirming, or revising statewide targets for measuring the performance of each

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

public school, each school district, the institute, and the state in the areas of student longitudinal academic growth, student achievement levels on the statewide assessments, postsecondary and workforce readiness, and progress made in closing the achievement and growth gaps (the performance indicators);

- ! Adopting the Colorado growth model (growth model) for measuring student longitudinal academic growth;
- ! Entering annually into an accreditation contract with each school district and the state charter school institute (institute), and accrediting each school district and the institute based on its performance under the contract, including performance on the performance indicators, implementation of its plan, implementation of its system for accrediting its public schools, and compliance with statutory and regulatory requirements;
- ! Removing a school district's or the institute's accreditation if it remains at or below a certain accreditation category for 5 consecutive school years, and directing the school district or the institute to take certain restructuring actions;
- ! Based on the recommendations of the department of education (department), annually directing each public school in the state to adopt a performance, improvement, priority improvement, or turnaround plan, based on the public school's performance; and
- ! Directing a school district or the institute to restructure one of its public schools if the school remains at a specified plan type or below for 5 consecutive school years.

Assigns to the commissioner of education (commissioner) and the department specified tasks to support the state board, school districts, the institute, and public schools in fulfilling their duties with regard to accountability, including:

- ! Calculating annually what will constitute adequate academic growth for each student, based on the growth model;
- ! Providing student academic growth information to the appropriate public school and school district or the institute;
- ! Measuring the performance indicators of each public school, each school district, the institute, and the state;
- ! Creating a state review panel to critically evaluate and provide recommendations concerning the improvement, priority improvement, or turnaround plans for certain public schools, school districts, or the institute and making recommendations concerning removing accreditation and

- restructuring a school district or the institute or restructuring a public school;
- ! Performing an annual accreditation review for each school district and the institute and, based on criteria established by state board rule, assigning an accreditation category to each school district and the institute;
- ! Annually reviewing each public school's performance and, based on the criteria established by state board rule, recommending to the state board that the public school adopt a performance, improvement, priority improvement, or turnaround plan;
- ! Providing technical assistance and support, subject to available resources, to public schools, school districts, and the institute if accredited at a low accreditation category or directed to adopt an improvement, priority improvement, or turnaround plan; and
- ! Creating and maintaining the education data and growth exchange portal (data portal) for publishing school, school district, institute, and state performance reports; the accreditation category for each school district and the institute; the performance, improvement, priority improvement, or turnaround plan for each public school, each school district, and the institute; and supporting data.

School district and institute accountability duties and procedures. Assigns to each school district board of education (local school board) and the institute the following duties with regard to accountability:

- ! For each local school board, appointing or electing a school district accountability committee, with specified membership;
- ! Based on the school district's or institute's accreditation category, annually adopting a performance, improvement, priority improvement, or turnaround plan, each with specified contents that include attainment targets for the performance indicators;
- ! If the school district or the institute adopts a turnaround plan, submitting the plan to the commissioner for review and approval;
- ! Submitting the final version of the performance, improvement, priority improvement, or turnaround plan to the department for publication on the data portal, and implementing the plan;
- ! Adopting policies for accreditation of the district public schools or the institute charter schools, which policies are comparable to and at least as rigorous as the state-level

accreditation procedures;

- ! Annually assigning an accreditation category to each district public school or institute charter school that corresponds to the type of plan the public school is required by the state board to adopt;
- ! Restructuring a district public school or institute charter school based on the directions from the state board;
- ! Submitting the final version of each district public school's or each institute charter school's performance, improvement, priority improvement, or turnaround plan to the department for publication on the data portal; and
- ! Reporting data to the department as required for measuring the level of attainment on the performance indicators and preparing the school district, institute, and school performance reports.

Assigns to each school district accountability committee specified tasks to support the local school board in fulfilling its duties with regard to accountability, including:

- ! Recommending to the local school board priorities for spending school district moneys;
- ! Preparing and submitting to the local school board recommendations for the performance, improvement, priority improvement, or turnaround plan for approval and adoption by the local school board;
- ! Compiling the performance, improvement, priority improvement, and turnaround plans received from the district public schools and taking them into account in preparing the draft school district plan.

School accountability duties and procedures. Assigns to each public school the following duties with regard to accountability:

- ! Establishing a school accountability committee, with specified membership; and
- ! Annually implementing a performance, improvement, priority improvement, or turnaround plan, as directed by the state board.

Assigns to each school accountability committee specified tasks to support the public school and the school district or the institute in fulfilling its duties with regard to accountability, including:

- ! Recommending to the school principal priorities for spending school moneys;
- ! Based on the direction of the state board, creating and adopting a school performance, improvement, or priority improvement plan, with specified contents that include attainment targets for the performance indicators, and submitting the plan to the school district accountability

committee or the institute;

- ! If directed to adopt a turnaround plan, preparing recommendations for a turnaround plan and submitting it to the local school board or the institute for approval; and
- ! Meeting at least quarterly to discuss whether school district leadership, personnel, and infrastructure are advancing or impeding implementation of the school district's plan and to discuss safety issues related to the school environment.

School performance reports. Changes the term "school accountability report" to "school performance report", and requires the department to publish a school performance report for each public school, a school district performance report for each school, an institute performance report, and a state performance report. Specifies the contents of the performance report, and directs the department to update the contents of each report within 60 days after receiving the necessary data.

Recreates the Colorado school awards program without substantive change.

Makes conforming amendments.

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

2 **SECTION 1.** Article 11 of title 22, Colorado Revised Statutes, is
3 REPEALED AND REENACTED, WITH AMENDMENTS, to read:

4 **ARTICLE 11**

5 **Education Accountability**

6 **PART 1**

7 **GENERAL PROVISIONS**

8 **22-11-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY
9 BE CITED AS THE "EDUCATION ACCOUNTABILITY ACT OF 2009".

10 **22-11-102. Legislative declaration.** (1) THE GENERAL
11 ASSEMBLY HEREBY FINDS THAT AN EFFECTIVE SYSTEM OF STATEWIDE
12 EDUCATION ACCOUNTABILITY IS ONE THAT:

13 (a) FOCUSES THE ATTENTION OF EDUCATORS, PARENTS, STUDENTS,
14 AND OTHER MEMBERS OF THE COMMUNITY ON MAXIMIZING EVERY

1 STUDENT'S PROGRESS TOWARD POSTSECONDARY AND WORKFORCE
2 READINESS AND POSTGRADUATION SUCCESS;

3 (b) REPORTS INFORMATION CONCERNING PERFORMANCE AT THE
4 STATE LEVEL, SCHOOL DISTRICT OR INSTITUTE LEVEL, AND INDIVIDUAL
5 PUBLIC SCHOOL LEVEL, THAT IS PERCEIVED BY EDUCATORS, PARENTS, AND
6 STUDENTS AS FAIR, BALANCED, CUMULATIVE, CREDIBLE, AND USEFUL;

7 (c) PROVIDES MORE ACADEMIC PERFORMANCE INFORMATION, AND
8 FEWER LABELS, TO MOVE FROM A NEGATIVE ACCOUNTABILITY SYSTEM TO
9 ONE THAT IS POSITIVE AND FOCUSED ON LEARNING AND ACHIEVING HIGH
10 LEVELS OF ACADEMIC PERFORMANCE; AND

11 (d) HOLDS THE STATE, SCHOOL DISTRICTS, THE INSTITUTE, AND
12 INDIVIDUAL PUBLIC SCHOOLS ACCOUNTABLE FOR PERFORMANCE ON THE
13 SAME SET OF INDICATORS AND RELATED MEASURES STATEWIDE, ENSURES
14 THAT THOSE INDICATORS AND MEASURES ARE ALIGNED THROUGH A SINGLE
15 ACCOUNTABILITY SYSTEM THAT OBJECTIVELY EVALUATES THE
16 PERFORMANCE OF THE THOROUGH AND UNIFORM STATEWIDE SYSTEM OF
17 PUBLIC EDUCATION AT THE STATE, SCHOOL DISTRICT OR INSTITUTE, AND
18 INDIVIDUAL PUBLIC SCHOOL LEVELS, AND, AS APPROPRIATE, REWARDS
19 SUCCESS AND PROVIDES SUPPORT FOR IMPROVEMENT AT EACH LEVEL.

20 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT AN EFFECTIVE
21 EDUCATION ACCOUNTABILITY SYSTEM WILL BE BUILT AROUND
22 IMPLEMENTATION OF THE COLORADO GROWTH MODEL THAT:

23 (a) USES A COMMON MEASURE TO DESCRIBE IN PLAIN LANGUAGE
24 HOW MUCH ACADEMIC GROWTH EACH STUDENT NEEDS TO MAKE AND HOW
25 MUCH GROWTH THE STUDENT ACTUALLY MAKES IN ONE YEAR TOWARD
26 PROFICIENCY ON STATE CONTENT STANDARDS;

27 (b) INCORPORATES A COMPLETE HISTORY OF EACH STUDENT'S

1 ASSESSMENT SCORES IN CALCULATING THE STUDENT'S NEEDED AND
2 ACHIEVED ACADEMIC GROWTH;

3 (c) FOCUSES THE ATTENTION OF EDUCATORS, PARENTS, AND
4 STUDENTS ON MAXIMIZING STUDENTS' ACADEMIC GROWTH AND
5 ACHIEVEMENT OVER TIME AND REVEALS WHERE, AND AMONG WHICH
6 GROUPS OF STUDENTS, THE STRONGEST ACADEMIC GROWTH IS OCCURRING
7 AND WHERE IT IS NOT;

8 (d) ASSISTS THE STATE IN CLOSING THE ACHIEVEMENT GAPS THAT
9 PLAGUE THE PUBLIC EDUCATION SYSTEM BY SPOTLIGHTING THE GAPS IN
10 STUDENTS' ACADEMIC GROWTH RATES AND ENSURING THAT EDUCATORS
11 HAVE THE DATA NECESSARY TO ASSIST THE NEEDIEST STUDENTS IN
12 MAKING MORE THAN A YEAR'S ACADEMIC GROWTH IN A YEAR'S TIME SO
13 THAT THESE STUDENTS CAN CATCH UP TO THE ACADEMIC PERFORMANCE
14 LEVELS OF THEIR PEERS; AND

15 (e) PROVIDES DATA THAT ARE RECOGNIZED BY EDUCATORS,
16 PARENTS, STUDENTS, THE HIGHER EDUCATION COMMUNITY, THE BUSINESS
17 COMMUNITY, AND OTHER STAKEHOLDERS AS FAIR, BALANCED, OBJECTIVE,
18 AND TRANSPARENT TO SUPPORT INDIVIDUAL SCHOOL, SCHOOL DISTRICT,
19 INSTITUTE, STATE, AND FEDERAL EDUCATION ACCOUNTABILITY PURPOSES.

20 (3) THE GENERAL ASSEMBLY CONCLUDES, THEREFORE, THAT IT IS
21 IN THE BEST INTERESTS OF THE STATE TO ADOPT AN ALIGNED EDUCATION
22 ACCOUNTABILITY SYSTEM FOR PUBLIC EDUCATION IN THIS STATE THAT:

23 (a) HOLDS THE STATE, SCHOOL DISTRICTS, THE INSTITUTE, AND
24 PUBLIC SCHOOLS ACCOUNTABLE ON STATEWIDE PERFORMANCE
25 INDICATORS SUPPORTED BY CONSISTENT, OBJECTIVE MEASURES;

26 (b) INCORPORATES INPUT FROM PARENTS, EDUCATORS,
27 ADMINISTRATORS, AND THE COMMUNITY IN ESTABLISHING CLEARLY

- 1 DEFINED STATEWIDE ACADEMIC PERFORMANCE OBJECTIVES;
- 2 (c) REPORTS PERFORMANCE IN CLEAR, READILY UNDERSTANDABLE
- 3 TERMS;
- 4 (d) RECOGNIZES AND REWARDS AREAS OF SUCCESS, WHILE ALSO
- 5 IDENTIFYING AND COMPELLING EFFECTIVE CHANGE FOR AREAS IN NEED OF
- 6 IMPROVEMENT; AND
- 7 (e) ENSURES THE AVAILABILITY OF TECHNICAL ASSISTANCE,
- 8 SERVICES, AND SUPPORT FOR PUBLIC SCHOOLS, SCHOOL DISTRICTS, AND
- 9 THE INSTITUTE TO IMPROVE STUDENTS' ACADEMIC PERFORMANCE.

10 **22-11-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE

11 CONTEXT OTHERWISE REQUIRES:

12 (1) "ACCREDITATION" MEANS CERTIFICATION BY THE STATE

13 BOARD THAT A SCHOOL DISTRICT AND THE PUBLIC SCHOOLS OF THE

14 SCHOOL DISTRICT, OR THE INSTITUTE AND THE INSTITUTE CHARTER

15 SCHOOLS, MEET THE REQUIREMENTS ESTABLISHED BY THIS ARTICLE AND

16 THE RULES PROMULGATED PURSUANT TO THIS ARTICLE.

17 "ACCREDITATION" INCLUDES THE PROCESS FOR ACCREDITING SCHOOL

18 DISTRICTS AND THE INSTITUTE AND REVIEWING THE PERFORMANCE OF

19 PUBLIC SCHOOLS AS PROVIDED IN PART 2 OF THIS ARTICLE AND THE RULES

20 PROMULGATED PURSUANT TO THIS ARTICLE.

21 (2) "ACCREDITATION CONTRACT" MEANS:

22 (a) THE CONTRACT BETWEEN THE STATE BOARD AND A SCHOOL

23 DISTRICT, AS DESCRIBED IN SECTION 22-11-206, THAT INCLUDES, BUT IS

24 NOT LIMITED TO, THE SCHOOL DISTRICT'S OBLIGATION TO MANAGE THE

25 ACCREDITATION OF THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT

26 CONSISTENT WITH THE PROVISIONS OF THIS ARTICLE; OR

27 (b) THE CONTRACT BETWEEN THE STATE BOARD AND THE

1 INSTITUTE, AS DESCRIBED IN SECTION 22-11-206, THAT INCLUDES, BUT IS
2 NOT LIMITED TO, THE INSTITUTE'S OBLIGATION TO MANAGE THE
3 ACCREDITATION OF THE INSTITUTE CHARTER SCHOOLS CONSISTENT WITH
4 THE PROVISIONS OF THIS ARTICLE.

5 (3) "ACHIEVEMENT AND GROWTH GAPS" MEANS DIFFERENCES
6 AMONG STUDENT GROUPS IN THE LEVELS OF ACADEMIC ACHIEVEMENT
7 ATTAINED BY THE STUDENT GROUPS ON THE STATEWIDE ASSESSMENTS
8 AND DIFFERENCES AMONG STUDENT GROUPS IN THE LEVELS OF ACADEMIC
9 GROWTH ATTAINED BY THE STUDENT GROUPS.

10 (4) "ACHIEVEMENT LEVEL" MEANS THE LEVEL OF PROFICIENCY A
11 STUDENT DEMONSTRATES ON A STATEWIDE ASSESSMENT, DEFINED BY
12 RULE OF THE STATE BOARD AS "UNSATISFACTORY", "PARTIALLY
13 PROFICIENT", "PROFICIENT", OR "ADVANCED".

14 (5) "ALTERNATIVE EDUCATION CAMPUS" MEANS A PUBLIC SCHOOL
15 THAT RECEIVES A DESIGNATION PURSUANT TO SECTION 22-7-604.5.

16 (6) "BASIC SKILLS COURSES" SHALL HAVE THE SAME MEANING AS
17 PROVIDED IN SECTION 23-1-113 (1) (b) (II) (A.7), C.R.S.

18 (7) "CATCH-UP GROWTH" MEANS, FOR A STUDENT WHO SCORES AT
19 THE ACHIEVEMENT LEVEL OF UNSATISFACTORY OR PARTIALLY PROFICIENT
20 ON THE STATEWIDE ASSESSMENTS, THE AMOUNT OF ACADEMIC GROWTH
21 THE STUDENT MUST ATTAIN TO SCORE AT THE PROFICIENT ACHIEVEMENT
22 LEVEL ON THE STATEWIDE ASSESSMENTS WITHIN THREE YEARS OR BY
23 TENTH GRADE, WHICHEVER IS SOONER.

24 (8) "COLORADO GROWTH MODEL" MEANS A SCIENTIFICALLY
25 RIGOROUS STATISTICAL MODEL THAT THE DEPARTMENT USES TO
26 CALCULATE STUDENTS' ANNUAL ACADEMIC GROWTH IN THE SUBJECTS
27 INCLUDED IN THE STATEWIDE ASSESSMENTS BASED ON STUDENTS' SCORES

1 ON THE ANNUAL STATEWIDE ASSESSMENTS, WHICH MODEL IS ADOPTED BY
2 THE STATE BOARD PURSUANT TO SECTION 22-11-202.

3 (9) "COMMISSIONER" MEANS THE OFFICE OF THE COMMISSIONER
4 OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF
5 ARTICLE IX OF THE STATE CONSTITUTION.

6 (10) "DATA PORTAL" MEANS THE EDUCATION DATA AND GROWTH
7 EXCHANGE PORTAL CREATED BY THE DEPARTMENT PURSUANT TO SECTION
8 22-11-502.

9 (11) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
10 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

11 (12) "DISTRICT CHARTER SCHOOL" MEANS A CHARTER SCHOOL
12 THAT IS AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO THE
13 PROVISIONS OF PART 1 OF ARTICLE 30.5 OF THIS TITLE.

14 (13) "DISTRICT PUBLIC SCHOOL" MEANS A PUBLIC SCHOOL OF A
15 SCHOOL DISTRICT, INCLUDING BUT NOT LIMITED TO A DISTRICT CHARTER
16 SCHOOL.

17 (14) "IMPROVEMENT PLAN" MEANS:

18 (a) THE PLAN DESCRIBED IN AND ADOPTED BY A SCHOOL DISTRICT
19 PURSUANT TO SECTION 22-11-304, IN WHICH CASE IT MAY ALSO BE
20 REFERRED TO MORE SPECIFICALLY AS A "DISTRICT IMPROVEMENT PLAN";

21 (b) THE PLAN DESCRIBED IN AND ADOPTED BY THE INSTITUTE
22 PURSUANT TO SECTION 22-11-304, IN WHICH CASE IT MAY ALSO BE
23 REFERRED TO MORE SPECIFICALLY AS AN "INSTITUTE IMPROVEMENT
24 PLAN"; OR

25 (c) THE PLAN DESCRIBED IN AND ADOPTED BY A PUBLIC SCHOOL
26 PURSUANT TO SECTION 22-11-404, IN WHICH CASE IT MAY ALSO BE
27 REFERRED TO MORE SPECIFICALLY AS A "SCHOOL IMPROVEMENT PLAN".

1 (15) "INSTITUTE" MEANS THE STATE CHARTER SCHOOL INSTITUTE
2 CREATED PURSUANT TO SECTION 22-30.5-503.

3 (16) "INSTITUTE BOARD" MEANS THE GOVERNING BOARD OF THE
4 STATE CHARTER SCHOOL INSTITUTE APPOINTED PURSUANT TO SECTION
5 22-30.5-505 (2).

6 (17) "INSTITUTE CHARTER SCHOOL" MEANS A CHARTER SCHOOL
7 THAT IS AUTHORIZED BY THE INSTITUTE PURSUANT TO THE PROVISIONS OF
8 PART 5 OF ARTICLE 30.5 OF THIS TITLE.

9 (18) "KEEP-UP GROWTH" MEANS, FOR A STUDENT WHO SCORES AT
10 THE ACHIEVEMENT LEVEL OF PROFICIENT OR ADVANCED ON THE
11 STATEWIDE ASSESSMENTS, THE AMOUNT OF ACADEMIC GROWTH THE
12 STUDENT MUST ATTAIN TO SCORE AT THE PROFICIENT ACHIEVEMENT
13 LEVEL OR HIGHER ON THE STATEWIDE ASSESSMENTS FOR THE SUCCEEDING
14 THREE YEARS OR UNTIL TENTH GRADE, WHICHEVER IS SOONER.

15 (19) "LOCAL SCHOOL BOARD" MEANS THE BOARD OF EDUCATION
16 OF A SCHOOL DISTRICT.

17 (20) "MEASURE" MEANS A METHOD OF ASSESSING OR A MEANS TO
18 ASSESS THE LEVEL OF ATTAINMENT ON A PERFORMANCE INDICATOR.

19 (21) "MEDIAN STUDENT GROWTH" MEANS, IN A RANKING OF
20 INDIVIDUAL STUDENT GROWTH SCORES FROM HIGHEST TO LOWEST, THE
21 MIDDLE STUDENT GROWTH SCORE ATTAINED.

22 (22) "MOVE-UP GROWTH" MEANS, FOR A STUDENT WHO SCORES AT
23 THE ACHIEVEMENT LEVEL OF PROFICIENT ON THE STATEWIDE
24 ASSESSMENTS, THE AMOUNT OF ACADEMIC GROWTH THE STUDENT MUST
25 ATTAIN TO SCORE AT THE ADVANCED PERFORMANCE LEVEL ON THE
26 STATEWIDE ASSESSMENTS WITHIN THREE YEARS OR BY TENTH GRADE,
27 WHICHEVER IS SOONER.

1 (23) "PERFORMANCE INDICATORS" MEANS THE INDICATORS
2 SPECIFIED IN SECTION 22-11-204 FOR MEASURING THE PERFORMANCE OF
3 THE STATE PUBLIC EDUCATION SYSTEM, INCLUDING EACH PUBLIC SCHOOL,
4 EACH SCHOOL DISTRICT, THE INSTITUTE, AND THE STATE AS A WHOLE.

5 (24) "PERFORMANCE PLAN" MEANS:

6 (a) THE PLAN DESCRIBED IN AND ADOPTED BY A SCHOOL DISTRICT
7 PURSUANT TO SECTION 22-11-303, IN WHICH CASE IT MAY ALSO BE
8 REFERRED TO MORE SPECIFICALLY AS A "DISTRICT PERFORMANCE PLAN";

9 (b) THE PLAN DESCRIBED IN AND ADOPTED BY THE INSTITUTE
10 PURSUANT TO SECTION 22-11-303, IN WHICH CASE IT MAY ALSO BE
11 REFERRED TO MORE SPECIFICALLY AS AN "INSTITUTE PERFORMANCE
12 PLAN"; OR

13 (c) THE PLAN DESCRIBED IN AND ADOPTED BY A PUBLIC SCHOOL
14 PURSUANT TO SECTION 22-11-403, IN WHICH CASE IT MAY ALSO BE
15 REFERRED TO MORE SPECIFICALLY AS A "SCHOOL PERFORMANCE PLAN".

16 (25) "POSTSECONDARY AND WORKFORCE READINESS" SHALL HAVE
17 THE SAME MEANING AS PROVIDED IN SECTION 22-7-1003 (15).

18 (26) "POSTSECONDARY AND WORKFORCE READINESS ASSESSMENT"
19 SHALL HAVE THE SAME MEANING AS PROVIDED IN SECTION 22-7-1003 (16).

20 (27) "PRIORITY IMPROVEMENT PLAN" MEANS:

21 (a) THE PLAN DESCRIBED IN AND ADOPTED BY A SCHOOL DISTRICT
22 PURSUANT TO SECTION 22-11-305, IN WHICH CASE IT MAY ALSO BE
23 REFERRED TO MORE SPECIFICALLY AS A "DISTRICT PRIORITY IMPROVEMENT
24 PLAN";

25 (b) THE PLAN DESCRIBED IN AND ADOPTED BY THE INSTITUTE
26 PURSUANT TO SECTION 22-11-305, IN WHICH CASE IT MAY ALSO BE
27 REFERRED TO MORE SPECIFICALLY AS AN "INSTITUTE PRIORITY

1 IMPROVEMENT PLAN"; OR

2 (c) THE PLAN DESCRIBED IN AND ADOPTED BY A PUBLIC SCHOOL
3 PURSUANT TO SECTION 22-11-405, IN WHICH CASE IT MAY ALSO BE
4 REFERRED TO MORE SPECIFICALLY AS A " SCHOOL PRIORITY IMPROVEMENT
5 PLAN".

6 (28) "PUBLIC SCHOOL" SHALL HAVE THE SAME MEANING AS
7 PROVIDED IN SECTION 22-1-101, AND INCLUDES, BUT IS NOT LIMITED TO,
8 A DISTRICT CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, AND AN
9 ON-LINE PROGRAM, AS DEFINED IN SECTION 22-30.7-103 (9).

10 (29) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT AUTHORIZED
11 BY SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION AND
12 ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE.

13 (30) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
14 ESTABLISHED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE
15 CONSTITUTION.

16 (31) "STATE REVIEW PANEL" MEANS THE PANEL OF EDUCATION
17 EXPERTS APPOINTED BY THE COMMISSIONER PURSUANT TO SECTION
18 22-11-205 TO ASSIST THE DEPARTMENT AND THE STATE BOARD IN
19 IMPLEMENTING THE PROVISIONS OF THIS ARTICLE.

20 (32) "STATEWIDE ASSESSMENTS" MEANS THE ASSESSMENTS
21 ADMINISTERED PURSUANT TO THE COLORADO STUDENT ASSESSMENT
22 PROGRAM CREATED IN SECTION 22-7-409 OR AS PART OF THE SYSTEM OF
23 ASSESSMENTS ADOPTED BY THE STATE BOARD PURSUANT TO SECTION
24 22-7-1006.

25 (33) "STUDENT GROUPS" MEANS THE GROUPING OF STUDENTS
26 BASED ON SOCIOECONOMIC STATUS, RACE AND ETHNICITY, DISABILITY,
27 ENGLISH LANGUAGE PROFICIENCY, AND GIFTED AND TALENTED STATUS,

1 AS SAID GROUPS ARE DESCRIBED BY STATE BOARD RULE AND FEDERAL
2 REQUIREMENTS.

3 (34) "TARGET" MEANS A SPECIFIC, QUANTIFIABLE OUTCOME THAT
4 ESTABLISHES THE DESIRED LEVEL OF ATTAINMENT ON A MEASURE.

5 (35) "TECHNICAL ADVISORY PANEL" MEANS THE PANEL OF STATE
6 AND NATIONAL EXPERTS ON THE LONGITUDINAL MEASUREMENT OF
7 ACADEMIC GROWTH FOR ACCOUNTABILITY PURPOSES APPOINTED BY THE
8 COMMISSIONER PURSUANT TO SECTION 22-11-202 (2).

9 (36) "TURNAROUND PLAN" MEANS:

10 (a) THE PLAN DESCRIBED IN AND ADOPTED BY A SCHOOL DISTRICT
11 PURSUANT TO SECTION 22-11-306, IN WHICH CASE IT MAY ALSO BE
12 REFERRED TO MORE SPECIFICALLY AS A "DISTRICT TURNAROUND PLAN";

13 (b) THE PLAN DESCRIBED IN AND ADOPTED BY THE INSTITUTE
14 PURSUANT TO SECTION 22-11-306, IN WHICH CASE IT MAY ALSO BE
15 REFERRED TO MORE SPECIFICALLY AS AN "INSTITUTE TURNAROUND PLAN";

16 OR

17 (c) THE PLAN DESCRIBED IN AND ADOPTED BY A PUBLIC SCHOOL
18 PURSUANT TO SECTION 22-11-406, IN WHICH CASE IT MAY ALSO BE
19 REFERRED TO MORE SPECIFICALLY AS A "SCHOOL TURNAROUND PLAN".

20 **22-11-104. Rules.** THE STATE BOARD SHALL PROMULGATE RULES
21 PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE
22 4 OF TITLE 24, C.R.S., AS REQUIRED IN THIS ARTICLE AND MAY
23 PROMULGATE SUCH ADDITIONAL RULES AS IT FINDS NECESSARY FOR THE
24 IMPLEMENTATION OF THIS ARTICLE.

25 PART 2

26 STATE ACCOUNTABILITY

27 **22-11-201. State public education system - annual**

1 **performance review - targets for improvement.** (1) (a) THE STATE
2 BOARD SHALL ANNUALLY REVIEW THE PERFORMANCE OF THE STATEWIDE
3 PUBLIC EDUCATION SYSTEM, INCLUDING BUT NOT LIMITED TO REVIEWING
4 THE LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS
5 DEMONSTRATED BY EACH PUBLIC SCHOOL, EACH SCHOOL DISTRICT, AND
6 THE INSTITUTE. FOLLOWING SAID REVIEW, THE STATE BOARD SHALL SET,
7 REAFFIRM, OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE
8 STATEWIDE TARGETS FOR THE MEASURES USED TO DETERMINE THE LEVELS
9 OF ATTAINMENT OF THE PERFORMANCE INDICATORS FOR THE COMING
10 ACADEMIC YEAR WITH THE GOAL OF RAISING THE LEVEL OF ACADEMIC
11 PERFORMANCE IN THE PUBLIC SCHOOLS THROUGHOUT THE STATE. IN
12 SETTING THE TARGETS, THE STATE BOARD SHALL, TO THE EXTENT
13 POSSIBLE, ENSURE THAT THE TARGETS MEET FEDERAL LAW
14 REQUIREMENTS.

15 (b) IN ADOPTING THE TARGETS REQUIRED BY PARAGRAPH (a) OF
16 THIS SUBSECTION (1), THE STATE BOARD SHALL ADOPT A SET OF TARGETS
17 FOR GRADES THREE THROUGH TWELVE.

18 (2) IN ADOPTING THE TARGETS REQUIRED BY SUBSECTION (1) OF
19 THIS SECTION, THE STATE BOARD SHALL CONSIDER ANY INFORMATION
20 PROVIDED BY PUBLIC SCHOOLS, LOCAL SCHOOL BOARDS, THE INSTITUTE,
21 SCHOOL ADMINISTRATORS, TEACHERS AND TEACHERS' ASSOCIATIONS,
22 PARENTS AND PARENTS' ASSOCIATIONS, AND INSTITUTIONS OF HIGHER
23 EDUCATION RELATED TO THE ACADEMIC PERFORMANCE OF THE PUBLIC
24 EDUCATION SYSTEM IN COLORADO.

25 (3) THE STATE BOARD SHALL ADOPT AND PUBLISH ON THE DATA
26 PORTAL THE ANNUAL STATEMENT OF TARGETS IN ACCORDANCE WITH TIME
27 FRAMES SET BY STATE BOARD RULE.

1 **22-11-202. Colorado growth model - technical advisory panel**

2 **- rules.** (1) (a) THE STATE BOARD, BY RULE, SHALL ADOPT, AND REVISE
3 AS NECESSARY, THE COLORADO GROWTH MODEL, WHICH SHALL BE A
4 STUDENT LONGITUDINAL ACADEMIC GROWTH MODEL THAT IS AVAILABLE
5 IN THE PUBLIC DOMAIN. IN ADOPTING AND REVISING THE COLORADO
6 GROWTH MODEL, THE STATE BOARD SHALL CONSIDER RECOMMENDATIONS
7 FROM THE TECHNICAL ADVISORY PANEL CONVENED PURSUANT TO
8 SUBSECTION (2) OF THIS SECTION.

9 (b) IN ADOPTING AND REVISING THE COLORADO GROWTH MODEL,
10 THE STATE BOARD SHALL ENSURE THAT THE MODEL:

11 (I) REFLECTS BEST PRACTICES, AS ACKNOWLEDGED IN THE
12 SCIENTIFIC LITERATURE, IN MEASURING STUDENT LONGITUDINAL
13 ACADEMIC GROWTH WITH HIGH PRECISION;

14 (II) TO THE GREATEST EXTENT POSSIBLE, USES A METHOD THAT
15 WILL SUPPORT THE ACADEMIC IMPROVEMENT OF PUBLIC SCHOOLS, SCHOOL
16 DISTRICTS, AND THE INSTITUTE;

17 (III) CAN MEASURE A STUDENT'S PROGRESS TOWARD MEETING THE
18 ACHIEVEMENT LEVEL OF "PARTIALLY PROFICIENT", "PROFICIENT", OR
19 "ADVANCED" ON STATEWIDE ASSESSMENTS;

20 (IV) CAN GAUGE EACH STUDENT'S SUCCESS IN MAKING ONE YEAR'S
21 ACADEMIC GROWTH OR MORE IN ONE YEAR'S TIME;

22 (V) PROVIDES RESULTS THAT ARE MEANINGFUL, RELIABLE, AND
23 VALID, GIVEN THEIR INTENDED PURPOSES, TO ENABLE PARENTS,
24 TEACHERS, AND ADMINISTRATORS TO IDENTIFY INDIVIDUAL STUDENTS OR
25 GROUPS OF STUDENTS WHO ARE OR ARE NOT MAKING ADEQUATE
26 ACADEMIC GROWTH;

27 (VI) RECOGNIZES THE IMPROVEMENT OF A STUDENT WHOSE

1 SCORES ON THE STATEWIDE ASSESSMENTS INCREASE EVEN IF THE
2 INCREASE IS NOT SUFFICIENT FOR THE STUDENT TO ATTAIN A HIGHER
3 ACHIEVEMENT LEVEL;

4 (VII) USES INDIVIDUAL STUDENT SCORES ACHIEVED ON THE
5 STATEWIDE ASSESSMENTS;

6 (VIII) IS DESCRIBED IN A PUBLICLY AVAILABLE DOCUMENT THAT
7 SETS FORTH THE MATHEMATICAL EQUATIONS USED IN THE MODEL AND
8 THAT FULLY AND ACCURATELY EXPLAINS THE METHODS USED TO
9 COMPLETE THE RECORDS FOR STUDENTS WITH INCOMPLETE DATA; AND

10 (IX) CAN TREAT THE ANALYSIS AND REPORTING OF DATA
11 ELECTRONICALLY AND PRODUCES STUDENT, PUBLIC SCHOOL, SCHOOL
12 DISTRICT, INSTITUTE, AND STATE REPORTS THAT THE DEPARTMENT
13 PROVIDES TO SCHOOL DISTRICTS, THE INSTITUTE, PUBLIC SCHOOLS, AND
14 THE PUBLIC THROUGH THE DATA PORTAL.

15 (c) WITHIN NINETY DAYS AFTER RECEIVING THE INFORMATION
16 FROM THE 2009-10 ADMINISTRATION OF THE POSTSECONDARY AND
17 WORKFORCE PLANNING, PREPARATION, AND READINESS ASSESSMENTS
18 PURSUANT TO SECTION 22-7-1007, THE DEPARTMENT SHALL RECOMMEND
19 TO THE STATE BOARD FOR ADOPTION BY RULE ANY NECESSARY
20 ADJUSTMENTS TO THE COLORADO GROWTH MODEL TO ENSURE THAT IT
21 MEASURES STUDENT ACADEMIC GROWTH OVER TIME TOWARD
22 ATTAINMENT OF THE STANDARDS ADOPTED PURSUANT TO SECTION
23 22-7-1005 AND ATTAINMENT OF POSTSECONDARY AND WORKFORCE
24 READINESS AS DESCRIBED PURSUANT TO SECTION 22-7-1008. IN
25 RECOMMENDING ADJUSTMENTS TO THE COLORADO GROWTH MODEL, THE
26 DEPARTMENT SHALL CONSULT WITH THE TECHNICAL ADVISORY PANEL
27 APPOINTED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

1 (2) (a) TO ASSIST THE DEPARTMENT IN IMPLEMENTING THE
2 COLORADO GROWTH MODEL, THE COMMISSIONER SHALL APPOINT A
3 TECHNICAL ADVISORY PANEL OF STATE AND NATIONAL EXPERTS ON THE
4 LONGITUDINAL MEASUREMENT OF ACADEMIC GROWTH FOR
5 ACCOUNTABILITY PURPOSES. THE MEMBERS OF THE TECHNICAL ADVISORY
6 PANEL SHALL SERVE AT THE WILL OF THE COMMISSIONER AND SHALL NOT
7 RECEIVE COMPENSATION OR REIMBURSEMENT FOR EXPENSES.

8 (b) THE DEPARTMENT SHALL CONVENE MEETINGS OF THE
9 TECHNICAL ADVISORY PANEL AS NECESSARY AND WITHIN EXISTING
10 APPROPRIATIONS TO REVIEW THE COLORADO GROWTH MODEL AND MAKE
11 RECOMMENDATIONS TO THE STATE BOARD. ALL MEETINGS OF THE
12 TECHNICAL ADVISORY PANEL SHALL BE OPEN.

13 **22-11-203. Student longitudinal academic growth - calculation**
14 **- data - research.** (1) (a) EACH SCHOOL YEAR BY A DATE ESTABLISHED
15 IN STATE BOARD RULES, THE DEPARTMENT SHALL CALCULATE, TO THE
16 EXTENT PRACTICABLE, WHAT WILL CONSTITUTE ADEQUATE LONGITUDINAL
17 ACADEMIC GROWTH FOR EACH STUDENT FOR THAT SCHOOL YEAR IN EACH
18 SUBJECT THAT IS INCLUDED IN THE STATEWIDE ASSESSMENTS. THE
19 DEPARTMENT SHALL FORMULATE THE CALCULATION IN SUCH A WAY THAT
20 ADEQUATE LONGITUDINAL ACADEMIC GROWTH MEANS:

21 (I) CATCH-UP GROWTH FOR A STUDENT WHO SCORED AT THE
22 UNSATISFACTORY OR PARTIALLY PROFICIENT ACHIEVEMENT LEVEL ON THE
23 STATEWIDE ASSESSMENTS IN THE PREVIOUS ACADEMIC YEAR, WHICH IS
24 THE AMOUNT OF ACADEMIC GROWTH NECESSARY TO SCORE AT THE
25 PROFICIENT ACHIEVEMENT LEVEL WITHIN THREE YEARS OR BY THE TENTH
26 GRADE, WHICHEVER COMES SOONER;

27 (II) KEEP-UP GROWTH FOR A STUDENT WHO SCORED AT THE

1 PROFICIENT OR ADVANCED ACHIEVEMENT LEVEL ON THE STATEWIDE
2 ASSESSMENTS IN THE PREVIOUS ACADEMIC YEAR, WHICH IS THE AMOUNT
3 OF ACADEMIC GROWTH NECESSARY TO SCORE AT THE PROFICIENT
4 ACHIEVEMENT LEVEL OR HIGHER FOR THE SUCCEEDING THREE YEARS OR
5 UNTIL THE TENTH GRADE, WHICHEVER IS SOONER; AND

6 (III) MOVE-UP GROWTH FOR A STUDENT WHO SCORED AT THE
7 PROFICIENT ACHIEVEMENT LEVEL ON THE STATEWIDE ASSESSMENTS IN THE
8 PREVIOUS ACADEMIC YEAR, WHICH IS THE AMOUNT OF ACADEMIC GROWTH
9 NECESSARY TO SCORE AT THE ADVANCED ACHIEVEMENT LEVEL WITHIN
10 THREE YEARS OR BY THE TENTH GRADE, WHICHEVER IS SOONER.

11 (b) THE DEPARTMENT SHALL USE DATA AVAILABLE FOR
12 LONGITUDINAL ANALYSIS TO REVIEW AND REVISE THE CALCULATION OF
13 ADEQUATE LONGITUDINAL ACADEMIC GROWTH AS NECESSARY.

14 (2)(a) FOR EACH SCHOOL YEAR, THE DEPARTMENT SHALL PROVIDE
15 TO EACH SCHOOL DISTRICT IN THE STATE ACADEMIC GROWTH
16 INFORMATION FOR EACH STUDENT ENROLLED IN THE DISTRICT PUBLIC
17 SCHOOLS, BASED ON THE STATEWIDE ASSESSMENT RESULTS FOR THE
18 PRECEDING SCHOOL YEARS. THE DEPARTMENT SHALL ALSO PROVIDE THE
19 GROWTH INFORMATION TO EACH DISTRICT PUBLIC SCHOOL FOR THE
20 STUDENTS ENROLLED IN THE DISTRICT PUBLIC SCHOOL.

21 (b) FOR EACH SCHOOL YEAR, THE DEPARTMENT SHALL PROVIDE TO
22 THE INSTITUTE ACADEMIC GROWTH INFORMATION FOR EACH STUDENT
23 ENROLLED IN THE INSTITUTE CHARTER SCHOOLS, BASED ON THE
24 STATEWIDE ASSESSMENT RESULTS FOR THE PRECEDING SCHOOL YEARS.
25 THE DEPARTMENT SHALL ALSO PROVIDE THE GROWTH INFORMATION TO
26 EACH INSTITUTE CHARTER SCHOOL FOR THE STUDENTS ENROLLED IN THE
27 INSTITUTE CHARTER SCHOOL.

1 (3) THE ACADEMIC GROWTH INFORMATION REQUIRED BY
2 SUBSECTION (2) OF THIS SECTION SHALL INCLUDE, BUT NEED NOT BE
3 LIMITED TO:

4 (a) INFORMATION ON WHETHER EACH STUDENT MADE AT LEAST
5 ONE YEAR'S ACADEMIC GROWTH IN ONE YEAR'S TIME IN THE PRECEDING
6 SCHOOL YEAR;

7 (b) WHETHER THE STUDENT MADE ADEQUATE ACADEMIC GROWTH
8 FOR THE PRECEDING SCHOOL YEAR AS CALCULATED FOR THE STUDENT
9 PURSUANT TO SUBSECTION (1) OF THIS SECTION; AND

10 (c) THE ADEQUATE LONGITUDINAL ACADEMIC GROWTH
11 CALCULATED FOR EACH STUDENT TO ATTAIN CATCH-UP, KEEP-UP, OR
12 MOVE-UP GROWTH, AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION.

13 (4) THE DEPARTMENT, SCHOOL DISTRICTS, THE INSTITUTE, AND
14 PUBLIC SCHOOLS SHALL MAINTAIN THE CONFIDENTIALITY OF EACH
15 STUDENT'S STATEWIDE ASSESSMENT SCORES CONSISTENT WITH THE
16 FEDERAL "FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", 20
17 U.S.C. SEC. 1232g, AND ALL FEDERAL REGULATIONS AND APPLICABLE
18 GUIDELINES ADOPTED IN ACCORDANCE THEREWITH.

19 (5) THE SCHOOL DISTRICT OR THE DISTRICT CHARTER SCHOOL OR
20 INSTITUTE CHARTER SCHOOL IN WHICH A STUDENT IS ENROLLED SHALL
21 MAINTAIN THE ACADEMIC GROWTH INFORMATION RECEIVED FROM THE
22 DEPARTMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION IN THE
23 STUDENT'S INDIVIDUAL STUDENT RECORD MAINTAINED BY THE SCHOOL
24 DISTRICT OR BY THE DISTRICT CHARTER SCHOOL OR INSTITUTE CHARTER
25 SCHOOL.

26 (6) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE AND
27 TRAINING TO SCHOOL DISTRICTS, THE INSTITUTE, AND PUBLIC SCHOOLS TO

1 ASSIST SCHOOL DISTRICT, INSTITUTE, AND PUBLIC SCHOOL PERSONNEL IN
2 INTERPRETING, USING, AND COMMUNICATING TO PARENTS THE ACADEMIC
3 GROWTH INFORMATION PROVIDED PURSUANT TO SUBSECTION (2) OF THIS
4 SECTION. THE DEPARTMENT SHALL PAY THE COSTS OF PROVIDING
5 TECHNICAL ASSISTANCE AND TRAINING PURSUANT TO THIS SUBSECTION (6)
6 WITHIN EXISTING APPROPRIATIONS OR FROM ANY GIFTS, GRANTS, OR
7 DONATIONS RECEIVED FOR IMPLEMENTING THIS SECTION.

8 (7) THE DEPARTMENT, UPON REQUEST, SHALL MAKE AVAILABLE TO
9 QUALIFIED RESEARCHERS THE ENTIRE LONGITUDINALLY LINKED DATASET
10 CREATED PURSUANT TO SECTION 22-11-202 AND USED FOR GENERATING
11 ACADEMIC GROWTH INFORMATION PURSUANT TO THIS SECTION AND FOR
12 AWARDING THE GOVERNOR'S DISTINGUISHED IMPROVEMENT AWARDS. FOR
13 PURPOSES OF THIS SUBSECTION (7), QUALIFIED RESEARCHERS SHALL
14 INCLUDE, BUT NEED NOT BE LIMITED TO, INSTITUTIONS OF HIGHER
15 EDUCATION, SCHOOL DISTRICTS, AND PUBLIC POLICY RESEARCH AND
16 ADVOCACY ORGANIZATIONS. THE DEPARTMENT SHALL PROVIDE THE DATA
17 IN A FORMAT THAT ALLOWS THE DATA TO BE LINKED WITH OTHER
18 PUBLICLY AVAILABLE DATA IN THE STATE AND SHALL INCLUDE ALL
19 AVAILABLE DATA REGARDING STUDENT DEMOGRAPHICS, THE STATE'S
20 SCHOOL IDENTIFICATION NUMBERS, AND STUDENT-LEVEL PERFORMANCE
21 DATA, WHILE PROTECTING THE PRIVACY OF INDIVIDUAL STUDENTS IN A
22 MANNER CONSISTENT WITH THE FEDERAL "FAMILY EDUCATIONAL RIGHTS
23 AND PRIVACY ACT OF 1974", 20 U.S.C. SEC. 1232g, AND ALL FEDERAL
24 REGULATIONS AND APPLICABLE GUIDELINES ADOPTED IN ACCORDANCE
25 THEREWITH.

26 **22-11-204. Performance indicators - measures.** (1) (a) THE
27 DEPARTMENT SHALL ANNUALLY DETERMINE THE LEVEL OF ATTAINMENT

1 OF EACH PUBLIC SCHOOL, EACH SCHOOL DISTRICT, THE INSTITUTE, AND
2 THE STATE AS A WHOLE ON EACH OF THE FOLLOWING PERFORMANCE
3 INDICATORS:

4 (I) STUDENT LONGITUDINAL ACADEMIC GROWTH, BASED ON THE
5 MEASURES SPECIFIED IN SUBSECTION (2) OF THIS SECTION;

6 (II) STUDENT ACHIEVEMENT LEVELS ON THE STATEWIDE
7 ASSESSMENTS, BASED ON THE MEASURES SPECIFIED IN SUBSECTION (3) OF
8 THIS SECTION; AND

9 (III) PROGRESS MADE IN CLOSING THE ACHIEVEMENT AND GROWTH
10 GAPS, BASED ON THE MEASURES SPECIFIED IN SUBSECTION (5) OF THIS
11 SECTION.

12 (b) IN ADDITION, THE DEPARTMENT SHALL ANNUALLY DETERMINE
13 THE LEVEL OF ATTAINMENT OF EACH PUBLIC HIGH SCHOOL, EACH SCHOOL
14 DISTRICT, THE INSTITUTE, AND THE STATE AS A WHOLE ON THE
15 POSTSECONDARY AND WORKFORCE READINESS PERFORMANCE INDICATOR,
16 BASED ON THE MEASURES SPECIFIED IN SUBSECTION (4) OF THIS SECTION.

17 (2) THE DEPARTMENT SHALL DETERMINE THE LEVEL OF
18 ATTAINMENT OF EACH PUBLIC SCHOOL, EACH SCHOOL DISTRICT, THE
19 INSTITUTE, AND THE STATE AS A WHOLE ON THE STUDENT LONGITUDINAL
20 ACADEMIC GROWTH INDICATOR BY USING THE FOLLOWING MEASURES:

21 (a) FOR STUDENTS, THE DEPARTMENT SHALL CALCULATE THE
22 STUDENT ACADEMIC GROWTH PERCENTILES USING THE COLORADO
23 GROWTH MODEL.

24 (b) FOR EACH PUBLIC SCHOOL, THE DEPARTMENT SHALL
25 CALCULATE THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC
26 SCHOOL WHO ATTAIN ADEQUATE LONGITUDINAL GROWTH AS CALCULATED
27 PURSUANT TO SECTION 22-11-203 (1), INCLUDING THE PERCENTAGES OF

1 STUDENTS WHO ATTAIN CATCH-UP GROWTH, KEEP-UP GROWTH, AND
2 MOVE-UP GROWTH, AND CALCULATE THE MEDIAN STUDENT GROWTH
3 AMONG STUDENTS ENROLLED IN THE PUBLIC SCHOOL.

4 (c) FOR EACH SCHOOL DISTRICT AND THE INSTITUTE, THE
5 DEPARTMENT SHALL CALCULATE THE PERCENTAGE OF ALL STUDENTS
6 ENROLLED IN THE DISTRICT PUBLIC SCHOOLS OR IN THE INSTITUTE
7 CHARTER SCHOOLS WHO ATTAIN ADEQUATE LONGITUDINAL ACADEMIC
8 GROWTH, AS CALCULATED PURSUANT TO SECTION 22-11-203 (1),
9 INCLUDING THE PERCENTAGES OF STUDENTS WHO ATTAIN CATCH-UP
10 GROWTH, KEEP-UP GROWTH, AND MOVE-UP GROWTH, AND CALCULATE THE
11 MEDIAN STUDENT GROWTH AMONG STUDENTS ENROLLED IN THE DISTRICT
12 PUBLIC SCHOOLS OR IN THE INSTITUTE CHARTER SCHOOLS.

13 (d) FOR THE STATE, THE DEPARTMENT SHALL CALCULATE THE
14 PERCENTAGE OF ALL STUDENTS ENROLLED IN THE PUBLIC SCHOOLS IN THE
15 STATE WHO ATTAIN ADEQUATE LONGITUDINAL ACADEMIC GROWTH, AS
16 CALCULATED PURSUANT TO SECTION 22-11-203 (1), INCLUDING THE
17 PERCENTAGES OF STUDENTS WHO ATTAIN CATCH-UP GROWTH, KEEP-UP
18 GROWTH, AND MOVE-UP GROWTH, AND CALCULATE THE MEDIAN STUDENT
19 GROWTH AMONG STUDENTS ENROLLED IN THE PUBLIC SCHOOLS IN THE
20 STATE.

21 (3) THE DEPARTMENT SHALL DETERMINE THE LEVEL OF
22 ATTAINMENT OF EACH PUBLIC SCHOOL, EACH SCHOOL DISTRICT, THE
23 INSTITUTE, AND THE STATE AS A WHOLE ON THE PERFORMANCE INDICATOR
24 THAT CONCERNS STUDENT ACHIEVEMENT LEVELS ON THE STATEWIDE
25 ASSESSMENTS BY USING THE FOLLOWING MEASURES:

26 (a) FOR EACH STUDENT ENROLLED IN A PUBLIC SCHOOL IN THE
27 STATE, THE DEPARTMENT SHALL DETERMINE THE STUDENT'S

1 ACHIEVEMENT LEVEL IN THE SUBJECTS INCLUDED IN THE STATEWIDE
2 ASSESSMENTS, AS DEMONSTRATED BY THE SCORE ACHIEVED BY THE
3 STUDENT ON THE STATEWIDE ASSESSMENTS. THE STATE BOARD, BY RULE,
4 SHALL SPECIFY THE SCORE RANGES THAT CONSTITUTE EACH OF THE
5 ACHIEVEMENT LEVELS.

6 (b) FOR EACH PUBLIC SCHOOL, THE DEPARTMENT SHALL
7 CALCULATE THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC
8 SCHOOL AT EACH GRADE LEVEL WHO SCORE AT EACH OF THE
9 ACHIEVEMENT LEVELS ON THE STATEWIDE ASSESSMENTS IN EACH OF THE
10 SUBJECTS INCLUDED IN THE STATEWIDE ASSESSMENTS.

11 (c) FOR EACH SCHOOL DISTRICT AND THE INSTITUTE, THE
12 DEPARTMENT SHALL CALCULATE THE PERCENTAGE OF ALL STUDENTS
13 ENROLLED IN THE DISTRICT PUBLIC SCHOOLS OR IN THE INSTITUTE
14 CHARTER SCHOOLS WHO SCORE AT EACH OF THE ACHIEVEMENT LEVELS IN
15 THE SUBJECTS INCLUDED IN THE STATEWIDE ASSESSMENTS.

16 (d) FOR THE STATE, THE DEPARTMENT SHALL CALCULATE THE
17 PERCENTAGE OF ALL STUDENTS ENROLLED IN THE PUBLIC SCHOOLS IN THE
18 STATE WHO SCORE AT EACH OF THE ACHIEVEMENT LEVELS IN THE
19 SUBJECTS INCLUDED IN THE STATEWIDE ASSESSMENTS.

20 (4) THE DEPARTMENT SHALL DETERMINE THE LEVEL OF
21 ATTAINMENT OF EACH PUBLIC HIGH SCHOOL, EACH SCHOOL DISTRICT, THE
22 INSTITUTE, AND THE STATE AS A WHOLE ON THE POSTSECONDARY AND
23 WORKFORCE READINESS INDICATOR BY USING THE FOLLOWING MEASURES:

24 (a) FOR EACH PUBLIC HIGH SCHOOL, THE DEPARTMENT SHALL
25 CALCULATE:

26 (I) THE PERCENTAGES OF STUDENTS ENROLLED IN THE PUBLIC HIGH
27 SCHOOL WHO SCORE AT EACH ACHIEVEMENT LEVEL ON THE

1 STANDARDIZED, CURRICULUM-BASED, ACHIEVEMENT, COLLEGE ENTRANCE
2 EXAMINATION ADMINISTERED AS A STATEWIDE ASSESSMENT OR AT EACH
3 ACHIEVEMENT LEVEL ON THE POSTSECONDARY AND WORKFORCE
4 READINESS ASSESSMENTS ADMINISTERED BY THE PUBLIC HIGH SCHOOL;

5 (II) BEGINNING WITH THE 2011-12 SCHOOL YEAR AND FOR EACH
6 SCHOOL YEAR THEREAFTER, THE PERCENTAGE OF STUDENTS ENROLLED IN
7 THE PUBLIC HIGH SCHOOL WHO RECEIVE A DIPLOMA THAT INCLUDES A
8 POSTSECONDARY AND WORKFORCE READINESS ENDORSEMENT AS
9 DESCRIBED IN SECTION 22-7-1009 (1) AND THE PERCENTAGE WHO RECEIVE
10 A DIPLOMA THAT INCLUDES AN ENDORSEMENT FOR EXEMPLARY
11 DEMONSTRATION OF POSTSECONDARY AND WORKFORCE READINESS AS
12 DESCRIBED IN SECTION 22-7-1009 (2); AND

13 (III) THE GRADUATION AND DROPOUT RATES, AS DEFINED BY RULE
14 OF THE STATE BOARD.

15 (b) FOR EACH SCHOOL DISTRICT AND THE INSTITUTE, THE
16 DEPARTMENT SHALL CALCULATE:

17 (I) THE OVERALL PERCENTAGES OF STUDENTS ENROLLED IN ALL OF
18 THE DISTRICT PUBLIC HIGH SCHOOLS OR ALL INSTITUTE CHARTER HIGH
19 SCHOOLS WHO SCORE AT EACH ACHIEVEMENT LEVEL ON THE
20 STANDARDIZED, CURRICULUM-BASED, ACHIEVEMENT, COLLEGE ENTRANCE
21 EXAMINATION ADMINISTERED AS A STATEWIDE ASSESSMENT OR AT EACH
22 ACHIEVEMENT LEVEL ON THE POSTSECONDARY AND WORKFORCE
23 READINESS ASSESSMENTS ADMINISTERED BY THE PUBLIC HIGH SCHOOLS;

24 (II) BEGINNING WITH THE 2011-12 SCHOOL YEAR AND FOR EACH
25 SCHOOL YEAR THEREAFTER, THE OVERALL PERCENTAGE OF ALL STUDENTS
26 ENROLLED IN THE DISTRICT PUBLIC HIGH SCHOOLS OR IN THE INSTITUTE
27 CHARTER HIGH SCHOOLS WHO RECEIVE DIPLOMAS THAT ARE ENDORSED

1 FOR POSTSECONDARY AND WORKFORCE READINESS AS DESCRIBED IN
2 SECTION 22-7-1009 (1) AND THE PERCENTAGE WHO RECEIVE DIPLOMAS
3 THAT ARE ENDORSED FOR EXEMPLARY DEMONSTRATION OF
4 POSTSECONDARY AND WORKFORCE READINESS AS DESCRIBED IN SECTION
5 22-7-1009 (2); AND

6 (III) THE OVERALL GRADUATION AND DROPOUT RATES, AS DEFINED
7 BY RULE OF THE STATE BOARD, FOR THE DISTRICT PUBLIC HIGH SCHOOLS
8 OR THE INSTITUTE CHARTER HIGH SCHOOLS.

9 (c) FOR THE STATE, THE DEPARTMENT SHALL CALCULATE:

10 (I) THE PERCENTAGES OF STUDENTS ENROLLED IN PUBLIC HIGH
11 SCHOOLS STATEWIDE WHO SCORE AT EACH ACHIEVEMENT LEVEL ON THE
12 STANDARDIZED, CURRICULUM-BASED, ACHIEVEMENT, COLLEGE ENTRANCE
13 EXAMINATION ADMINISTERED AS A STATEWIDE ASSESSMENT OR AT EACH
14 ACHIEVEMENT LEVEL ON THE POSTSECONDARY AND WORKFORCE
15 READINESS ASSESSMENTS ADMINISTERED BY THE PUBLIC HIGH SCHOOLS;

16 (II) BEGINNING WITH THE 2011-12 SCHOOL YEAR AND FOR EACH
17 SCHOOL YEAR THEREAFTER, THE OVERALL PERCENTAGE OF ALL STUDENTS
18 ENROLLED IN THE PUBLIC HIGH SCHOOLS IN THE STATE WHO RECEIVE
19 DIPLOMAS THAT ARE ENDORSED FOR POSTSECONDARY AND WORKFORCE
20 READINESS AS DESCRIBED IN SECTION 22-7-1009 (1) AND THE PERCENTAGE
21 WHO RECEIVE DIPLOMAS THAT ARE ENDORSED FOR EXEMPLARY
22 DEMONSTRATION OF POSTSECONDARY AND WORKFORCE READINESS AS
23 DESCRIBED IN SECTION 22-7-1009 (2); AND

24 (III) THE STATEWIDE GRADUATION AND DROPOUT RATES, AS
25 DEFINED BY RULE OF THE STATE BOARD, FOR THE PUBLIC HIGH SCHOOLS IN
26 THE STATE.

27 (5) THE DEPARTMENT SHALL DETERMINE THE LEVEL OF

1 ATTAINMENT OF EACH PUBLIC SCHOOL, EACH SCHOOL DISTRICT, THE
2 INSTITUTE, AND THE STATE AS A WHOLE ON THE PERFORMANCE INDICATOR
3 THAT CONCERNS THE PROGRESS MADE IN CLOSING THE ACHIEVEMENT AND
4 GROWTH GAPS BY USING THE FOLLOWING MEASURES:

5 (a) (I) FOR EACH PUBLIC SCHOOL, THE DEPARTMENT SHALL
6 DISAGGREGATE BY STUDENT GROUP:

7 (A) THE PERCENTAGES OF STUDENTS ENROLLED IN THE PUBLIC
8 SCHOOL WHO ATTAIN ADEQUATE LONGITUDINAL GROWTH AS CALCULATED
9 PURSUANT TO SECTION 22-11-203 (1), INCLUDING THE PERCENTAGES OF
10 STUDENTS WHO ATTAIN CATCH-UP GROWTH, KEEP-UP GROWTH, AND
11 MOVE-UP GROWTH;

12 (B) THE MEDIAN STUDENT GROWTH ATTAINED BY STUDENTS
13 ENROLLED IN THE PUBLIC SCHOOL;

14 (C) THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC
15 SCHOOL AT EACH GRADE LEVEL WHO SCORE AT EACH OF THE
16 ACHIEVEMENT LEVELS IN EACH OF THE SUBJECTS INCLUDED IN THE
17 STATEWIDE ASSESSMENTS; AND

18 (D) FOR EACH PUBLIC HIGH SCHOOL, THE PERCENTAGE OF
19 STUDENTS ENROLLED IN THE PUBLIC HIGH SCHOOL WHO SCORE AT EACH
20 ACHIEVEMENT LEVEL OF THE STANDARDIZED, CURRICULUM-BASED,
21 ACHIEVEMENT, COLLEGE ENTRANCE EXAMINATION OR AT EACH
22 ACHIEVEMENT LEVEL ON THE POSTSECONDARY AND WORKFORCE
23 READINESS ASSESSMENTS ADMINISTERED BY THE PUBLIC HIGH SCHOOL;
24 THE PERCENTAGES OF STUDENTS WHO RECEIVE A DIPLOMA THAT INCLUDES
25 A POSTSECONDARY AND WORKFORCE READINESS ENDORSEMENT OR AN
26 ENDORSEMENT FOR EXEMPLARY DEMONSTRATION OF POSTSECONDARY
27 AND WORKFORCE READINESS; AND THE GRADUATION AND DROPOUT

1 RATES.

2 (II) THE DEPARTMENT SHALL COMPARE THE PERCENTAGES AND
3 ASSESSMENT ACHIEVEMENT LEVELS ACROSS STUDENT GROUPS TO
4 DETERMINE THE PROGRESS MADE BY THE PUBLIC SCHOOL IN INCREASING
5 OVER TIME EACH STUDENT GROUP'S LONGITUDINAL ACADEMIC GROWTH,
6 ACADEMIC ACHIEVEMENT, POSTSECONDARY AND WORKFORCE READINESS,
7 AND GRADUATION RATE, AND IN DECREASING EACH STUDENT GROUP'S
8 DROPOUT RATE, ESPECIALLY FOR THOSE STUDENT GROUPS WHO ARE
9 UNDERPERFORMING IN COMPARISON TO OTHER GROUPS.

10 (b) (I) FOR EACH SCHOOL DISTRICT AND THE INSTITUTE, THE
11 DEPARTMENT SHALL DISAGGREGATE BY STUDENT GROUP:

12 (A) THE PERCENTAGES OF STUDENTS ENROLLED IN THE DISTRICT
13 PUBLIC SCHOOLS OR IN THE INSTITUTE CHARTER SCHOOLS WHO ATTAIN
14 ADEQUATE LONGITUDINAL GROWTH AS CALCULATED PURSUANT TO
15 SECTION 22-11-203 (1), INCLUDING THE PERCENTAGES OF STUDENTS WHO
16 ATTAIN CATCH-UP GROWTH, KEEP-UP GROWTH, AND MOVE-UP GROWTH;

17 (B) THE MEDIAN STUDENT GROWTH ATTAINED BY STUDENTS
18 ENROLLED IN THE DISTRICT PUBLIC SCHOOLS OR IN THE INSTITUTE
19 CHARTER SCHOOLS;

20 (C) THE PERCENTAGE OF STUDENTS ENROLLED IN THE DISTRICT
21 PUBLIC SCHOOLS OR IN THE INSTITUTE CHARTER SCHOOLS AT EACH GRADE
22 LEVEL WHO SCORE AT EACH OF THE ACHIEVEMENT LEVELS IN EACH OF THE
23 SUBJECTS INCLUDED IN THE STATEWIDE ASSESSMENTS; AND

24 (D) THE OVERALL PERCENTAGE OF STUDENTS ENROLLED IN THE
25 DISTRICT PUBLIC HIGH SCHOOLS OR IN THE INSTITUTE CHARTER HIGH
26 SCHOOLS WHO SCORE AT EACH ACHIEVEMENT LEVEL OF THE
27 STANDARDIZED, CURRICULUM-BASED, ACHIEVEMENT, COLLEGE ENTRANCE

1 EXAMINATION OR AT EACH ACHIEVEMENT LEVEL ON THE POSTSECONDARY
2 AND WORKFORCE READINESS ASSESSMENTS ADMINISTERED BY THE PUBLIC
3 HIGH SCHOOLS; THE OVERALL PERCENTAGES OF STUDENTS ENROLLED IN
4 THE DISTRICT PUBLIC HIGH SCHOOLS, OR IN THE INSTITUTE CHARTER HIGH
5 SCHOOLS, WHO RECEIVE A DIPLOMA THAT INCLUDES A POSTSECONDARY
6 AND WORKFORCE READINESS ENDORSEMENT OR AN ENDORSEMENT FOR
7 EXEMPLARY DEMONSTRATION OF POSTSECONDARY AND WORKFORCE
8 READINESS; AND THE OVERALL GRADUATION AND DROPOUT RATES FOR
9 THE DISTRICT PUBLIC HIGH SCHOOLS OR THE INSTITUTE CHARTER HIGH
10 SCHOOLS.

11 (II) THE DEPARTMENT SHALL COMPARE THE PERCENTAGES AND
12 ASSESSMENT ACHIEVEMENT LEVELS ACROSS STUDENT GROUPS TO
13 DETERMINE THE PROGRESS MADE BY THE DISTRICT PUBLIC SCHOOLS OR
14 THE INSTITUTE CHARTER SCHOOLS IN INCREASING OVER TIME EACH
15 STUDENT GROUP'S LONGITUDINAL ACADEMIC GROWTH, ACADEMIC
16 ACHIEVEMENT, POSTSECONDARY AND WORKFORCE READINESS, AND
17 GRADUATION RATE, AND IN DECREASING EACH STUDENT GROUP'S
18 DROPOUT RATE, ESPECIALLY FOR THOSE STUDENT GROUPS WHO ARE
19 UNDERPERFORMING IN COMPARISON TO OTHER GROUPS.

20 (c) (I) FOR THE STATE, THE DEPARTMENT SHALL DISAGGREGATE
21 BY STUDENT GROUP:

22 (A) THE PERCENTAGES OF STUDENTS ENROLLED IN THE PUBLIC
23 SCHOOLS IN THE STATE WHO ATTAIN ADEQUATE LONGITUDINAL GROWTH
24 AS CALCULATED PURSUANT TO SECTION 22-11-203 (1), INCLUDING THE
25 PERCENTAGES OF STUDENTS WHO ATTAIN CATCH-UP GROWTH, KEEP-UP
26 GROWTH, AND MOVE-UP GROWTH;

27 (B) THE MEDIAN STUDENT GROWTH ATTAINED BY STUDENTS

1 ENROLLED IN THE PUBLIC SCHOOLS IN THE STATE;

2 (C) THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC
3 SCHOOLS IN THE STATE AT EACH GRADE LEVEL WHO SCORE AT EACH OF
4 THE ACHIEVEMENT LEVELS IN EACH OF THE SUBJECTS INCLUDED IN THE
5 STATEWIDE ASSESSMENTS; AND

6 (D) THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC
7 HIGH SCHOOLS IN THE STATE WHO SCORE AT EACH ACHIEVEMENT LEVEL
8 OF THE STANDARDIZED, CURRICULUM-BASED, ACHIEVEMENT, COLLEGE
9 ENTRANCE EXAMINATION OR AT EACH ACHIEVEMENT LEVEL ON THE
10 POSTSECONDARY AND WORKFORCE READINESS ASSESSMENTS
11 ADMINISTERED BY THE PUBLIC HIGH SCHOOLS; THE OVERALL
12 PERCENTAGES OF STUDENTS ENROLLED IN THE PUBLIC HIGH SCHOOLS IN
13 THE STATE WHO RECEIVE DIPLOMAS THAT INCLUDE POSTSECONDARY AND
14 WORKFORCE READINESS ENDORSEMENTS OR ENDORSEMENTS FOR
15 EXEMPLARY DEMONSTRATION OF POSTSECONDARY AND WORKFORCE
16 READINESS; AND THE OVERALL GRADUATION AND DROPOUT RATES FOR
17 THE PUBLIC HIGH SCHOOLS IN THE STATE.

18 (II) THE DEPARTMENT SHALL COMPARE THE PERCENTAGES AND
19 ASSESSMENT ACHIEVEMENT LEVELS ACROSS STUDENT GROUPS TO
20 DETERMINE THE PROGRESS MADE BY THE PUBLIC SCHOOLS IN THE STATE
21 IN INCREASING OVER TIME EACH STUDENT GROUP'S LONGITUDINAL
22 ACADEMIC GROWTH, ACADEMIC ACHIEVEMENT, POSTSECONDARY AND
23 WORKFORCE READINESS, AND GRADUATION RATE, AND IN DECREASING
24 EACH STUDENT GROUP'S DROPOUT RATE, ESPECIALLY THOSE STUDENT
25 GROUPS WHO ARE UNDERPERFORMING IN COMPARISON TO OTHER GROUPS.

26 (6) THE DEPARTMENT SHALL REPORT ON THE DATA PORTAL THE
27 LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS, AS

1 MEASURED PURSUANT TO THIS SECTION, FOR EACH PUBLIC SCHOOL IN THE
2 STATE, EACH SCHOOL DISTRICT, THE INSTITUTE, AND THE STATE AS A
3 WHOLE; EXCEPT THAT, IN REPORTING DATA DISAGGREGATED BY STUDENT
4 GROUPS, THE DEPARTMENT SHALL NOT REPORT DATA FOR ANY STUDENT
5 GROUP THAT IS SMALLER THAN THE MINIMUM NUMBER OF STUDENTS
6 NECESSARY TO PROTECT STUDENT PRIVACY, AS DETERMINED BY THE
7 DEPARTMENT.

8 **22-11-205. State review panel - creation.** (1) (a) THE
9 COMMISSIONER SHALL RECRUIT AN APPROPRIATE NUMBER OF HIGHLY
10 QUALIFIED PERSONS TO SERVE WHEN NEEDED AS A STATE REVIEW PANEL.
11 THE COMMISSIONER, WITH THE APPROVAL OF THE STATE BOARD, SHALL
12 APPOINT THE MEMBERS OF THE STATE REVIEW PANEL TO ASSIST THE
13 DEPARTMENT AND THE STATE BOARD AS PROVIDED IN THIS ARTICLE.

14 (b) IN APPOINTING THE MEMBERS OF THE STATE REVIEW PANEL,
15 THE COMMISSIONER SHALL SELECT PERSONS ON THE BASIS OF
16 DEMONSTRATED EXPERTISE IN ONE OR MORE OF THE FOLLOWING FIELDS:

- 17 (I) SCHOOL DISTRICT OR SCHOOL LEADERSHIP OR GOVERNANCE;
- 18 (II) STANDARDS-BASED ELEMENTARY OR SECONDARY
19 CURRICULUM INSTRUCTION AND ASSESSMENT;
- 20 (III) INSTRUCTIONAL DATA MANAGEMENT AND ANALYSIS;
- 21 (IV) SCHOOL DISTRICT, SCHOOL, OR PROGRAM EVALUATION;
- 22 (V) EDUCATIONAL PROGRAM MANAGEMENT;
- 23 (VI) TEACHER LEADERSHIP;
- 24 (VII) ORGANIZATIONAL MANAGEMENT OR SCHOOL DISTRICT AND
25 PUBLIC SCHOOL GOVERNANCE;
- 26 (VIII) SCHOOL DISTRICT OR SCHOOL BUDGETING AND FINANCE;
- 27 (IX) ANY OTHER FIELD THAT THE COMMISSIONER DEEMS TO BE

1 RELEVANT TO THE REVIEW AND EVALUATION OF SCHOOL DISTRICT,
2 INSTITUTE, OR PUBLIC SCHOOL PERFORMANCE OR IMPROVEMENT
3 PLANNING.

4 (2) THE COMMISSIONER SHALL CONVENE ALL OR A PORTION OF THE
5 STATE REVIEW PANEL AS NECESSARY TO CARRY OUT THE DUTIES SPECIFIED
6 IN THIS ARTICLE.

7 (3) THE DEPARTMENT MAY ACCEPT AND EXPEND MONEYS
8 RECEIVED FROM GIFTS, GRANTS, OR DONATIONS TO COMPENSATE MEMBERS
9 OF THE STATE REVIEW PANEL OR REIMBURSE THEM FOR EXPENSES
10 INCURRED IN PERFORMING THEIR DUTIES PURSUANT TO THIS ARTICLE. THE
11 DEPARTMENT SHALL NOT PAY COMPENSATION OR REIMBURSEMENTS IF
12 SUFFICIENT MONEYS ARE NOT AVAILABLE.

13 **22-11-206. Accreditation of school districts and institute -**
14 **contracts - rules.** (1) PURSUANT TO THE AUTHORITY VESTED IN THE
15 STATE BOARD BY SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION
16 TO EXERCISE GENERAL SUPERVISION OVER THE PUBLIC SCHOOLS IN THE
17 STATE, THE STATE BOARD SHALL ANNUALLY ACCREDIT THE SCHOOL
18 DISTRICTS AND THE INSTITUTE AS PROVIDED IN THIS ARTICLE AND
19 PURSUANT TO RULES ADOPTED BY THE STATE BOARD IN ACCORDANCE
20 WITH THIS ARTICLE.

21 (2) THE STATE BOARD SHALL ENTER INTO AN ACCREDITATION
22 CONTRACT WITH EACH LOCAL SCHOOL BOARD AND WITH THE INSTITUTE.
23 EACH ACCREDITATION CONTRACT SHALL HAVE A TERM OF ONE YEAR AND
24 SHALL BE AUTOMATICALLY RENEWED EACH YEAR SO LONG AS THE SCHOOL
25 DISTRICT OR THE INSTITUTE REMAINS IN THE ACCREDITATION CATEGORY
26 OF ACCREDITED OR HIGHER. THE PARTIES TO EACH ACCREDITATION
27 CONTRACT MAY RENEGOTIATE THE CONTRACT AT ANY TIME DURING THE

1 TERM OF THE CONTRACT, BASED ON APPROPRIATE AND REASONABLE
2 CHANGES IN THE CIRCUMSTANCES UPON WHICH THE ORIGINAL CONTRACT
3 TERMS WERE BASED. THE STATE BOARD SHALL PROMULGATE RULES
4 SPECIFYING THE CONTENTS AND TERMS OF THE ACCREDITATION CONTRACT
5 IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

6 (3) EACH ACCREDITATION CONTRACT SHALL, AT A MINIMUM,
7 ADDRESS THE FOLLOWING ELEMENTS:

8 (a) THE SCHOOL DISTRICT'S OR INSTITUTE'S LEVEL OF ATTAINMENT
9 ON THE PERFORMANCE INDICATORS, AS DETERMINED PURSUANT TO
10 SECTION 22-11-204;

11 (b) THE SCHOOL DISTRICT'S OR THE INSTITUTE'S ADOPTION AND
12 IMPLEMENTATION OF ITS PERFORMANCE, IMPROVEMENT, PRIORITY
13 IMPROVEMENT, OR TURNAROUND PLAN, WHICHEVER IS APPROPRIATE
14 BASED ON THE SCHOOL DISTRICT'S OR INSTITUTE'S ACCREDITATION
15 CATEGORY;

16 (c) THE SCHOOL DISTRICT'S IMPLEMENTATION OF ITS SYSTEM FOR
17 ACCREDITING THE DISTRICT PUBLIC SCHOOLS OR THE INSTITUTE'S
18 IMPLEMENTATION OF ITS SYSTEM FOR ACCREDITING THE INSTITUTE
19 CHARTER SCHOOLS; AND

20 (d) THE SCHOOL DISTRICT'S OR INSTITUTE'S SUBSTANTIAL,
21 GOOD-FAITH COMPLIANCE WITH THE PROVISIONS OF THIS TITLE AND OTHER
22 STATUTORY AND REGULATORY REQUIREMENTS APPLICABLE TO SCHOOL
23 DISTRICTS AND THE INSTITUTE.

24 (4) (a) FOR PURPOSES OF MONITORING A SCHOOL DISTRICT'S OR
25 THE INSTITUTE'S SUBSTANTIAL AND GOOD-FAITH COMPLIANCE WITH THE
26 PROVISIONS OF THIS TITLE AND OTHER STATUTORY AND REGULATORY
27 REQUIREMENTS, THE DEPARTMENT SHALL OBTAIN ASSURANCES FROM THE

1 SCHOOL DISTRICT OR THE INSTITUTE THAT IT IS IN COMPLIANCE WITH:

2 (I) THE PROVISIONS OF ARTICLE 44 OF THIS TITLE CONCERNING
3 BUDGET AND FINANCIAL POLICIES AND PROCEDURES;

4 (II) THE PROVISIONS OF ARTICLE 45 OF THIS TITLE CONCERNING
5 ACCOUNTING AND FINANCIAL REPORTING; AND

6 (III) IF THE ACCREDITATION CONTRACT INVOLVES A SCHOOL
7 DISTRICT, THE PROVISIONS OF SECTION 22-32-109.1 CONCERNING SCHOOL
8 SAFETY.

9 (b) WITH REGARD TO STATUTORY AND REGULATORY
10 REQUIREMENTS, OTHER THAN THOSE SPECIFIED IN PARAGRAPH (a) OF THIS
11 SUBSECTION (4), THAT ARE APPLICABLE TO SCHOOL DISTRICTS, THE
12 SUPERINTENDENT OF THE SCHOOL DISTRICT AND THE LOCAL SCHOOL
13 BOARD MEMBERS SHALL AFFIRM THAT THE SCHOOL DISTRICT AND THE
14 DISTRICT PUBLIC SCHOOLS ARE IN SUBSTANTIAL, GOOD-FAITH COMPLIANCE
15 WITH THE STATUTORY AND REGULATORY REQUIREMENTS. IF THE
16 DEPARTMENT HAS REASON TO BELIEVE THAT THE SCHOOL DISTRICT IS NOT
17 IN SUBSTANTIAL COMPLIANCE WITH ONE OR MORE OF THE STATUTORY OR
18 REGULATORY REQUIREMENTS, THE DEPARTMENT SHALL NOTIFY THE
19 LOCAL SCHOOL BOARD THAT IT HAS NINETY DAYS AFTER THE DATE OF
20 NOTICE TO COME INTO COMPLIANCE. IF, AT THE END OF THE NINETY-DAY
21 PERIOD, THE DEPARTMENT FINDS THAT THE SCHOOL DISTRICT IS NOT
22 SUBSTANTIALLY IN COMPLIANCE WITH THE STATUTORY OR REGULATORY
23 REQUIREMENTS, THE SCHOOL DISTRICT MAY BE SUBJECT TO THE
24 INTERVENTIONS SPECIFIED IN THIS ARTICLE.

25 (c) WITH REGARD TO STATUTORY AND REGULATORY
26 REQUIREMENTS, OTHER THAN THOSE SPECIFIED IN PARAGRAPH (a) OF THIS
27 SUBSECTION (4), THAT ARE APPLICABLE TO THE INSTITUTE, THE MEMBERS

1 OF THE INSTITUTE BOARD AND THE EXECUTIVE DIRECTOR OF THE
2 INSTITUTE SHALL AFFIRM THAT THE INSTITUTE AND THE INSTITUTE
3 CHARTER SCHOOLS ARE IN SUBSTANTIAL, GOOD-FAITH COMPLIANCE WITH
4 THE STATUTORY AND REGULATORY REQUIREMENTS. IF THE DEPARTMENT
5 HAS REASON TO BELIEVE THAT THE INSTITUTE IS NOT IN SUBSTANTIAL
6 COMPLIANCE WITH ONE OR MORE OF THE STATUTORY OR REGULATORY
7 REQUIREMENTS, THE DEPARTMENT SHALL NOTIFY THE INSTITUTE THAT IT
8 HAS NINETY DAYS AFTER THE DATE OF NOTICE TO COME INTO
9 COMPLIANCE. IF, AT THE END OF THE NINETY-DAY PERIOD, THE
10 DEPARTMENT FINDS THAT THE INSTITUTE IS NOT IN SUBSTANTIAL
11 COMPLIANCE WITH THE STATUTORY OR REGULATORY REQUIREMENTS, THE
12 INSTITUTE MAY BE SUBJECT TO THE INTERVENTIONS SPECIFIED IN THIS
13 ARTICLE.

14 **22-11-207. Accreditation categories - criteria - rules.** (1) THE
15 STATE BOARD SHALL PROMULGATE RULES TO ESTABLISH ACCREDITATION
16 CATEGORIES THAT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

17 (a) "ACCREDITED WITH DISTINCTION", MEANING A SCHOOL
18 DISTRICT OR THE INSTITUTE MEETS OR EXCEEDS THE STATEWIDE TARGETS
19 OR TARGETS ANNUALLY SET BY THE SCHOOL DISTRICT OR THE INSTITUTE
20 OR EXCEEDS STATEWIDE ATTAINMENT ON THE PERFORMANCE INDICATORS
21 AND IS REQUIRED TO ADOPT AND IMPLEMENT A PERFORMANCE PLAN AS
22 DESCRIBED IN SECTION 22-11-303;

23 (b) "ACCREDITED", MEANING A SCHOOL DISTRICT OR THE
24 INSTITUTE MEETS STATEWIDE ATTAINMENT ON THE PERFORMANCE
25 INDICATORS AND IS REQUIRED TO ADOPT AND IMPLEMENT A PERFORMANCE
26 PLAN AS DESCRIBED IN SECTION 22-11-303;

27 (c) "ACCREDITED WITH IMPROVEMENT PLAN", MEANING THE

1 SCHOOL DISTRICT OR THE INSTITUTE IS REQUIRED TO ADOPT AND
2 IMPLEMENT AN IMPROVEMENT PLAN AS PROVIDED IN SECTION 22-11-304;

3 (d) "ACCREDITED WITH PRIORITY IMPROVEMENT PLAN", MEANING
4 THE SCHOOL DISTRICT OR THE INSTITUTE IS REQUIRED TO ADOPT AND
5 IMPLEMENT A PRIORITY IMPROVEMENT PLAN AS PROVIDED IN SECTION
6 22-11-305; OR

7 (e) "ACCREDITED WITH TURNAROUND PLAN", MEANING THE
8 SCHOOL DISTRICT OR THE INSTITUTE IS REQUIRED TO ADOPT, WITH THE
9 COMMISSIONER'S APPROVAL, AND IMPLEMENT A TURNAROUND PLAN AS
10 PROVIDED IN SECTION 22-11-306.

11 (2) THE STATE BOARD SHALL PROMULGATE RULES ESTABLISHING
12 OBJECTIVE, MEASURABLE CRITERIA THAT THE DEPARTMENT SHALL APPLY
13 IN DETERMINING THE APPROPRIATE ACCREDITATION CATEGORY FOR EACH
14 SCHOOL DISTRICT AND THE INSTITUTE. AT A MINIMUM, THE RULES SHALL
15 TAKE INTO CONSIDERATION:

16 (a) A SCHOOL DISTRICT'S OR THE INSTITUTE'S LEVEL OF
17 ATTAINMENT OF THE STATEWIDE TARGETS ON THE PERFORMANCE
18 INDICATORS AND THE TARGETS ANNUALLY ESTABLISHED BY THE SCHOOL
19 DISTRICT OR THE INSTITUTE, INCLUDING THE LEVELS OF ATTAINMENT OF
20 THE INDIVIDUAL DISTRICT PUBLIC SCHOOLS OR THE INSTITUTE CHARTER
21 SCHOOLS IN MEETING THEIR ANNUAL TARGETS;

22 (b) A SCHOOL DISTRICT'S OR THE INSTITUTE'S LEVEL OF
23 ATTAINMENT OF THE PERFORMANCE INDICATORS COMPARED WITH
24 STATEWIDE ATTAINMENT OF THE PERFORMANCE INDICATORS;

25 (c) THE LENGTH OF TIME DURING WHICH A SCHOOL DISTRICT OR
26 THE INSTITUTE HAS BEEN UNABLE TO MEET THE STATEWIDE TARGETS OR
27 ITS OWN TARGETS;

1 (d) THE IMPROVEMENTS, CHANGES, AND INTERVENTIONS A SCHOOL
2 DISTRICT OR THE INSTITUTE IMPLEMENTS TO IMPROVE ITS PERFORMANCE
3 IF IT IS NOT MEETING THE STATEWIDE TARGETS OR ITS OWN TARGETS;

4 (e) THE IMPROVEMENTS, CHANGES, AND INTERVENTIONS A SCHOOL
5 DISTRICT OR THE INSTITUTE IMPLEMENTS IN ANY PUBLIC SCHOOL OF THE
6 DISTRICT OR INSTITUTE CHARTER SCHOOL THAT IS REQUIRED TO ADOPT AN
7 IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLAN
8 PURSUANT TO SECTION 22-11-210;

9 (f) THE PROGRESS A SCHOOL DISTRICT OR THE INSTITUTE MAKES
10 IN IMPROVING ITS PERFORMANCE AND IN MOVING CLOSER TO MEETING THE
11 STATEWIDE TARGETS AND ITS OWN TARGETS; AND

12 (g) THE SCHOOL DISTRICT'S OR THE INSTITUTE'S COMPLIANCE WITH
13 THE OTHER REQUIREMENTS SPECIFIED IN THE ACCREDITATION CONTRACT.

14 (3) THE STATE BOARD BY RULE SHALL SPECIFY HOW LONG A
15 SCHOOL DISTRICT OR THE INSTITUTE MAY REMAIN IN AN ACCREDITATION
16 CATEGORY THAT IS BELOW ACCREDITED; EXCEPT THAT THE STATE BOARD
17 SHALL NOT ALLOW A SCHOOL DISTRICT OR THE INSTITUTE TO REMAIN AT
18 ACCREDITED WITH PRIORITY IMPROVEMENT PLAN OR BELOW FOR LONGER
19 THAN A TOTAL OF FIVE CONSECUTIVE SCHOOL YEARS BEFORE REMOVING
20 THE SCHOOL DISTRICT'S OR THE INSTITUTE'S ACCREDITATION AS PROVIDED
21 IN SECTION 22-11-209.

22 **22-11-208. Accreditation - annual review - supports and**
23 **interventions - rules.** (1) (a) THE DEPARTMENT SHALL ANNUALLY
24 REVIEW EACH SCHOOL DISTRICT'S AND THE INSTITUTE'S PERFORMANCE
25 AND, BASED ON THE RULES OF THE STATE BOARD, DETERMINE THE
26 APPROPRIATE ACCREDITATION CATEGORY FOR THE SCHOOL DISTRICT OR
27 INSTITUTE. THE DEPARTMENT SHALL NOTIFY EACH SCHOOL DISTRICT AND

1 THE INSTITUTE OF ITS ACCREDITATION CATEGORY AND SHALL PUBLISH
2 EACH SCHOOL DISTRICT'S AND THE INSTITUTE'S ACCREDITATION
3 CATEGORY, WITH SUPPORTING DATA, ON THE DATA PORTAL. THE
4 DEPARTMENT SHALL ALSO PUBLISH EACH SCHOOL DISTRICT'S AND THE
5 INSTITUTE'S PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR
6 TURNAROUND PLAN, WHICHEVER IS APPLICABLE, ON THE DATA PORTAL
7 FOLLOWING ADOPTION OF THE PLAN.

8 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
9 THIS SUBSECTION (1), THE DEPARTMENT MAY CHANGE A SCHOOL
10 DISTRICT'S OR THE INSTITUTE'S ACCREDITATION CATEGORY PRIOR TO
11 CONCLUSION OF THE ANNUAL PERFORMANCE REVIEW IF THE DEPARTMENT
12 DETERMINES THAT THE SCHOOL DISTRICT OR THE INSTITUTE HAS
13 SUBSTANTIALLY FAILED TO MEET A REQUIREMENT SPECIFIED IN THE
14 ACCREDITATION CONTRACT AND THAT IMMEDIATE ACTION IS REQUIRED TO
15 PROTECT THE INTERESTS OF THE STUDENTS AND PARENTS OF STUDENTS
16 ENROLLED IN THE DISTRICT PUBLIC SCHOOLS OR THE INSTITUTE CHARTER
17 SCHOOLS.

18 (c) IN REVIEWING SCHOOL DISTRICTS' AND THE INSTITUTE'S
19 PERFORMANCE, THE DEPARTMENT, TO THE EXTENT POSSIBLE, SHALL
20 EVALUATE THE COST EFFECTIVENESS OF INTERVENTION STRATEGIES
21 IMPLEMENTED BY THE STATE, SCHOOL DISTRICTS, AND THE INSTITUTE IN
22 ATTEMPTING TO IMPROVE PERFORMANCE IN SCHOOL DISTRICTS THAT ARE
23 IN AN ACCREDITATION CATEGORY THAT IS LOWER THAN ACCREDITED OR
24 IN THE INSTITUTE IF IT IS IN AN ACCREDITATION CATEGORY THAT IS LOWER
25 THAN ACCREDITED.

26 (d) THE STATE BOARD BY RULE SHALL ESTABLISH THE TIME
27 FRAMES IN WHICH THE DEPARTMENT SHALL REVIEW SCHOOL DISTRICT AND

1 INSTITUTE PERFORMANCE AND DETERMINE AND REPORT EACH SCHOOL
2 DISTRICT'S AND THE INSTITUTE'S APPROPRIATE ACCREDITATION
3 CATEGORY, AND THE TIME FRAMES IN WHICH THE SCHOOL DISTRICTS AND
4 THE INSTITUTE SHALL ADOPT THEIR RESPECTIVE PLANS AND SUBMIT THEM
5 FOR REVIEW AND PUBLICATION ON THE DATA PORTAL.

6 (e) THE STATE BOARD SHALL PROMULGATE RULES TO ENSURE A
7 SCHOOL DISTRICT'S OR THE INSTITUTE'S RIGHT TO A HEARING BEFORE THE
8 STATE BOARD TO APPEAL PLACEMENT IN THE ACCREDITED WITH
9 TURNAROUND PLAN CATEGORY OR REMOVAL OF ACCREDITATION
10 PURSUANT TO SECTION 22-11-209.

11 (2) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE AND
12 SUPPORT TO SCHOOL DISTRICTS THAT ARE ACCREDITED WITH
13 IMPROVEMENT PLAN, ACCREDITED WITH PRIORITY IMPROVEMENT PLAN, OR
14 ACCREDITED WITH TURNAROUND PLAN AND TO THE INSTITUTE IF IT IS
15 ACCREDITED AT ANY OF THOSE CATEGORIES. THE DEPARTMENT SHALL
16 BASE THE AMOUNT OF TECHNICAL ASSISTANCE AND SUPPORT PROVIDED TO
17 A SCHOOL DISTRICT OR THE INSTITUTE ON THE SCHOOL DISTRICT'S OR
18 INSTITUTE'S DEGREE OF NEED FOR ASSISTANCE AND THE DEPARTMENT'S
19 AVAILABLE RESOURCES. TECHNICAL ASSISTANCE AND SUPPORT MAY
20 INCLUDE, BUT NEED NOT BE LIMITED TO:

21 (a) ACCESS TO DATA AND RESEARCH TO SUPPORT INTERPRETATION
22 OF STUDENT DATA, DECISION-MAKING, AND LEARNING;

23 (b) CONSULTATIVE SERVICES ON BEST PRACTICES FOR
24 IMPROVEMENT AND IMPLEMENTATION; AND

25 (c) EVALUATION AND FEEDBACK ON THE SCHOOL DISTRICT'S OR
26 THE INSTITUTE'S IMPROVEMENT, PRIORITY IMPROVEMENT, OR
27 TURNAROUND PLAN, WHICHEVER IS APPLICABLE.

1 (3) THE COMMISSIONER MAY ASSIGN THE STATE REVIEW PANEL TO
2 CRITICALLY EVALUATE A SCHOOL DISTRICT'S PRIORITY IMPROVEMENT
3 PLAN OR THE INSTITUTE'S PRIORITY IMPROVEMENT PLAN. THE
4 COMMISSIONER SHALL ASSIGN THE STATE REVIEW PANEL TO CRITICALLY
5 EVALUATE A SCHOOL DISTRICT'S TURNAROUND PLAN OR THE INSTITUTE'S
6 TURNAROUND PLAN. BASED ON ITS EVALUATION, THE STATE REVIEW
7 PANEL SHALL REPORT TO THE COMMISSIONER AND THE STATE BOARD
8 RECOMMENDATIONS CONCERNING:

9 (a) WHETHER THE SCHOOL DISTRICT'S OR INSTITUTE'S LEADERSHIP
10 IS ADEQUATE TO IMPLEMENT CHANGE TO IMPROVE RESULTS;

11 (b) WHETHER THE SCHOOL DISTRICT'S OR INSTITUTE'S
12 INFRASTRUCTURE IS ADEQUATE TO SUPPORT SCHOOL IMPROVEMENT;

13 (c) THE READINESS AND APPARENT CAPACITY OF PUBLIC SCHOOL
14 AND SCHOOL DISTRICT OR INSTITUTE PERSONNEL TO PLAN EFFECTIVELY
15 AND LEAD THE IMPLEMENTATION OF APPROPRIATE ACTIONS TO IMPROVE
16 STUDENT ACADEMIC PERFORMANCE WITHIN THE DISTRICT PUBLIC SCHOOLS
17 OR THE INSTITUTE CHARTER SCHOOLS;

18 (d) THE READINESS AND APPARENT CAPACITY OF PUBLIC SCHOOL
19 AND SCHOOL DISTRICT OR INSTITUTE PERSONNEL TO ENGAGE
20 PRODUCTIVELY WITH AND BENEFIT FROM THE ASSISTANCE PROVIDED BY
21 AN EXTERNAL PARTNER;

22 (e) THE LIKELIHOOD OF POSITIVE RETURNS ON STATE INVESTMENTS
23 OF ASSISTANCE AND SUPPORT TO IMPROVE THE SCHOOL DISTRICT'S OR
24 INSTITUTE'S PERFORMANCE WITHIN THE CURRENT MANAGEMENT
25 STRUCTURE AND STAFFING; AND

26 (f) THE NECESSITY THAT THE SCHOOL DISTRICT OR INSTITUTE
27 REMAIN IN OPERATION TO SERVE STUDENTS.

1 **22-11-209. Removal of accreditation - recommendation -**

2 **review - appeal - rules.** (1) THE DEPARTMENT MAY RECOMMEND TO THE
3 COMMISSIONER AND THE STATE BOARD THAT THE STATE BOARD REMOVE
4 A SCHOOL DISTRICT'S OR THE INSTITUTE'S ACCREDITATION IF:

5 (a) THE SCHOOL DISTRICT OR THE INSTITUTE IS ACCREDITED WITH
6 TURNAROUND PLAN AND THE DEPARTMENT DETERMINES THAT THE
7 SCHOOL DISTRICT OR THE INSTITUTE HAS FAILED TO MAKE SUBSTANTIAL
8 PROGRESS UNDER ITS TURNAROUND PLAN; OR

9 (b) THE SCHOOL DISTRICT OR THE INSTITUTE HAS BEEN IN THE
10 ACCREDITED WITH PRIORITY IMPROVEMENT PLAN CATEGORY OR LOWER
11 FOR FIVE CONSECUTIVE SCHOOL YEARS; OR

12 (c) (I) THE SCHOOL DISTRICT OR THE INSTITUTE HAS
13 SUBSTANTIALLY FAILED TO COMPLY WITH THE PROVISIONS OF ARTICLE 44
14 OF THIS TITLE, CONCERNING BUDGET AND FINANCIAL POLICIES AND
15 PROCEDURES, OR ARTICLE 45 OF THIS TITLE, CONCERNING ACCOUNTING
16 AND FINANCIAL REPORTING; AND

17 (II) THE SCHOOL DISTRICT OR INSTITUTE HAS NOT REMEDIED THE
18 NONCOMPLIANCE WITHIN NINETY DAYS AFTER RECEIPT OF NOTICE FROM
19 THE DEPARTMENT; AND

20 (III) LOSS OF ACCREDITATION IS REQUIRED TO PROTECT THE
21 INTERESTS OF THE STUDENTS AND PARENTS OF STUDENTS ENROLLED IN
22 THE DISTRICT PUBLIC SCHOOLS OR THE INSTITUTE CHARTER SCHOOLS.

23 (2) (a) IF THE DEPARTMENT RECOMMENDS REMOVING
24 ACCREDITATION PURSUANT TO THIS SECTION, THE COMMISSIONER SHALL
25 ASSIGN THE STATE REVIEW PANEL TO CRITICALLY EVALUATE THE SCHOOL
26 DISTRICT'S OR THE INSTITUTE'S PERFORMANCE AND TO RECOMMEND ONE
27 OR MORE OF THE FOLLOWING ACTIONS:

1 (I) IF THE RECOMMENDATION APPLIES TO A SCHOOL DISTRICT:

2 (A) THAT THE SCHOOL DISTRICT BE REORGANIZED PURSUANT TO
3 ARTICLE 30 OF THIS TITLE, WHICH REORGANIZATION MAY INCLUDE
4 CONSOLIDATION;

5 (B) THAT A PRIVATE OR PUBLIC ENTITY, WITH THE AGREEMENT OF
6 THE SCHOOL DISTRICT, TAKE OVER MANAGEMENT OF THE SCHOOL
7 DISTRICT OR MANAGEMENT OF ONE OR MORE OF THE DISTRICT PUBLIC
8 SCHOOLS;

9 (C) THAT ONE OR MORE OF THE DISTRICT PUBLIC SCHOOLS BE
10 CONVERTED TO A CHARTER SCHOOL; OR

11 (D) THAT ONE OR MORE OF THE DISTRICT PUBLIC SCHOOLS BE
12 CLOSED; OR

13 (II) IF THE RECOMMENDATION APPLIES TO THE INSTITUTE:

14 (A) THAT THE INSTITUTE BOARD BE ABOLISHED AND THAT THE
15 GOVERNOR APPOINT A NEW INSTITUTE BOARD PURSUANT TO SECTION
16 22-30.5-505;

17 (B) THAT A PUBLIC OR PRIVATE ENTITY TAKE OVER MANAGEMENT
18 OF THE INSTITUTE OR MANAGEMENT OF ONE OR MORE OF THE INSTITUTE
19 CHARTER SCHOOLS; OR

20 (C) THAT ONE OR MORE OF THE INSTITUTE CHARTER SCHOOLS BE
21 CLOSED.

22 (b) IN ITS EVALUATIONS AND RECOMMENDATIONS, THE STATE
23 REVIEW PANEL SHALL CONSIDER:

24 (I) WHETHER THE SCHOOL DISTRICT'S OR INSTITUTE'S LEADERSHIP
25 IS ADEQUATE TO IMPLEMENT CHANGE TO IMPROVE RESULTS;

26 (II) WHETHER THE SCHOOL DISTRICT'S OR INSTITUTE'S
27 INFRASTRUCTURE IS ADEQUATE TO SUPPORT SCHOOL IMPROVEMENT;

1 (III) THE READINESS AND APPARENT CAPACITY OF PUBLIC SCHOOL
2 AND SCHOOL DISTRICT OR INSTITUTE PERSONNEL TO PLAN EFFECTIVELY
3 AND LEAD THE IMPLEMENTATION OF APPROPRIATE ACTIONS TO IMPROVE
4 STUDENT ACADEMIC PERFORMANCE WITHIN THE DISTRICT PUBLIC SCHOOLS
5 OR THE INSTITUTE CHARTER SCHOOLS;

6 (IV) THE READINESS AND APPARENT CAPACITY OF PUBLIC SCHOOL
7 AND SCHOOL DISTRICT OR INSTITUTE PERSONNEL TO ENGAGE
8 PRODUCTIVELY WITH AND BENEFIT FROM THE ASSISTANCE PROVIDED BY
9 AN EXTERNAL PARTNER;

10 (V) THE LIKELIHOOD OF POSITIVE RETURNS ON STATE
11 INVESTMENTS OF ASSISTANCE AND SUPPORT TO IMPROVE THE SCHOOL
12 DISTRICT'S OR INSTITUTE'S PERFORMANCE WITHIN THE CURRENT
13 MANAGEMENT STRUCTURE AND STAFFING; AND

14 (VI) THE NECESSITY THAT THE SCHOOL DISTRICT OR INSTITUTE
15 REMAIN IN OPERATION TO SERVE STUDENTS.

16 (3) BASED ON THE RECOMMENDATIONS OF THE DEPARTMENT, THE
17 COMMISSIONER, AND THE STATE REVIEW PANEL, THE STATE BOARD SHALL
18 DETERMINE WHETHER TO REMOVE A SCHOOL DISTRICT'S OR THE
19 INSTITUTE'S ACCREDITATION. IF THE STATE BOARD REMOVES A SCHOOL
20 DISTRICT'S OR THE INSTITUTE'S ACCREDITATION, THE STATE BOARD SHALL
21 NOTIFY THE SCHOOL DISTRICT OR THE INSTITUTE OF THE ACTIONS THE
22 SCHOOL DISTRICT OR THE INSTITUTE IS REQUIRED TO TAKE. AFTER THE
23 SCHOOL DISTRICT OR THE INSTITUTE TAKES THE REQUIRED ACTIONS, THE
24 STATE BOARD SHALL REINSTATE THE SCHOOL DISTRICT'S OR THE
25 INSTITUTE'S ACCREDITATION AT THE ACCREDITATION CATEGORY DEEMED
26 APPROPRIATE BY THE STATE BOARD.

27 (4) THE STATE BOARD SHALL PROMULGATE RULES FOR THE

1 IMPLEMENTATION OF THIS SECTION, INCLUDING BUT NOT LIMITED TO
2 PROCEDURES TO ENSURE A SCHOOL DISTRICT'S OR THE INSTITUTE'S RIGHT
3 TO APPEAL TO THE STATE BOARD BEFORE THE STATE BOARD TAKES FINAL
4 ACTION TO REMOVE THE SCHOOL DISTRICT'S OR THE INSTITUTE'S
5 ACCREDITATION PURSUANT TO THIS SECTION.

6 **22-11-210. Public schools - annual review - plans - supports**
7 **and interventions - rules.** (1) (a) THE STATE BOARD SHALL
8 PROMULGATE RULES ESTABLISHING OBJECTIVE, MEASURABLE CRITERIA
9 THAT THE DEPARTMENT SHALL APPLY IN RECOMMENDING TO THE STATE
10 BOARD THAT A PUBLIC SCHOOL SHALL ADOPT AND IMPLEMENT A
11 PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND
12 PLAN OR THAT A PUBLIC SCHOOL SHALL BE SUBJECT TO RESTRUCTURING.
13 AT A MINIMUM, THE RULES SHALL TAKE INTO CONSIDERATION:

14 (I) A PUBLIC SCHOOL'S LEVEL OF ATTAINMENT OF THE STATEWIDE
15 AND SCHOOL DISTRICT OR INSTITUTE TARGETS ON THE PERFORMANCE
16 INDICATORS AND THE PUBLIC SCHOOL'S LEVEL OF ATTAINMENT OF ITS OWN
17 ANNUAL TARGETS;

18 (II) A PUBLIC SCHOOL'S LEVEL OF ATTAINMENT OF THE
19 PERFORMANCE INDICATORS COMPARED WITH STATEWIDE ATTAINMENT OF
20 THE PERFORMANCE INDICATORS;

21 (III) THE LENGTH OF TIME DURING WHICH A PUBLIC SCHOOL HAS
22 BEEN UNABLE TO MEET THE STATEWIDE TARGETS, THE SCHOOL DISTRICT
23 OR INSTITUTE TARGETS, OR ITS OWN TARGETS;

24 (IV) THE IMPROVEMENTS, CHANGES, AND INTERVENTIONS A
25 PUBLIC SCHOOL IMPLEMENTS TO IMPROVE ITS PERFORMANCE IF IT IS NOT
26 MEETING THE STATEWIDE TARGETS, THE SCHOOL DISTRICT OR INSTITUTE
27 TARGETS, OR ITS OWN TARGETS; AND

1 (V) THE PROGRESS A PUBLIC SCHOOL MAKES IN IMPROVING ITS
2 PERFORMANCE AND IN MOVING CLOSER TO MEETING THE STATEWIDE
3 TARGETS, THE SCHOOL DISTRICT OR INSTITUTE TARGETS, AND ITS OWN
4 TARGETS.

5 (b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS
6 SUBSECTION (1) TO THE CONTRARY, THE STATE BOARD SHALL
7 PROMULGATE RULES ESTABLISHING OBJECTIVE, MEASURABLE CRITERIA
8 THAT THE DEPARTMENT SHALL APPLY IN RECOMMENDING TO THE STATE
9 BOARD THAT AN ALTERNATIVE EDUCATION CAMPUS ADOPT AND
10 IMPLEMENT A PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR
11 TURNAROUND PLAN OR THAT AN ALTERNATIVE EDUCATION CAMPUS SHALL
12 BE SUBJECT TO RESTRUCTURING. THE STATE BOARD, IN ADOPTING THE
13 CRITERIA FOR EVALUATING THE PERFORMANCE OF AN ALTERNATIVE
14 EDUCATION CAMPUS, AND THE DEPARTMENT, IN APPLYING THE CRITERIA,
15 SHALL TAKE INTO ACCOUNT THE UNIQUE PURPOSES OF THE CAMPUSES AND
16 THE UNIQUE CIRCUMSTANCES OF AND CHALLENGES POSED BY THE
17 STUDENTS ENROLLED IN THE CAMPUSES.

18 (c) THE STATE BOARD BY RULE SHALL SPECIFY HOW LONG A PUBLIC
19 SCHOOL MAY IMPLEMENT AN IMPROVEMENT, PRIORITY IMPROVEMENT, OR
20 TURNAROUND PLAN; EXCEPT THAT THE STATE BOARD SHALL NOT ALLOW
21 A PUBLIC SCHOOL TO CONTINUE IMPLEMENTING A PRIORITY IMPROVEMENT
22 OR TURNAROUND PLAN FOR LONGER THAN A COMBINED TOTAL OF FIVE
23 CONSECUTIVE SCHOOL YEARS BEFORE REQUIRING THE SCHOOL DISTRICT
24 OR THE INSTITUTE TO RESTRUCTURE OR CLOSE THE PUBLIC SCHOOL.

25 (d) THE STATE BOARD BY RULE SHALL ESTABLISH THE TIME
26 FRAMES WITHIN WHICH THE DEPARTMENT SHALL REVIEW EACH PUBLIC
27 SCHOOL'S PERFORMANCE, SUBMIT RECOMMENDATIONS TO THE STATE

1 BOARD, AND REPORT TO THE PUBLIC SCHOOL AND TO THE SCHOOL'S LOCAL
2 SCHOOL BOARD OR THE INSTITUTE THE STATE BOARD'S DETERMINATION
3 REGARDING THE TYPE OF PLAN THE PUBLIC SCHOOL SHALL ADOPT AND
4 IMPLEMENT. THE STATE BOARD SHALL ALSO ESTABLISH BY RULE THE TIME
5 FRAMES WITHIN WHICH THE PUBLIC SCHOOLS SHALL ADOPT THEIR PLANS
6 AND SUBMIT THEM TO THE DEPARTMENT. THE DEPARTMENT SHALL
7 PUBLISH EACH PUBLIC SCHOOL'S PLAN ON THE DATA PORTAL WITH THE
8 PUBLIC SCHOOL'S ACCREDITATION CATEGORY, IDENTIFIED BY THE LOCAL
9 SCHOOL BOARD OR THE INSTITUTE, AND SUPPORTING DATA.

10 (e) IN REVIEWING PUBLIC SCHOOLS' PERFORMANCE, THE
11 DEPARTMENT, TO THE EXTENT POSSIBLE, SHALL EVALUATE THE COST
12 EFFECTIVENESS OF INTERVENTION STRATEGIES IMPLEMENTED BY THE
13 STATE, SCHOOL DISTRICTS, THE INSTITUTE, AND THE PUBLIC SCHOOLS IN
14 ATTEMPTING TO IMPROVE PERFORMANCE IN PUBLIC SCHOOLS THAT ARE
15 IMPLEMENTING SCHOOL IMPROVEMENT, PRIORITY IMPROVEMENT, OR
16 TURNAROUND PLANS.

17 (2) THE DEPARTMENT SHALL ANNUALLY REVIEW EACH PUBLIC
18 SCHOOL'S PERFORMANCE AND, BASED ON THE RULES OF THE STATE BOARD,
19 RECOMMEND TO THE STATE BOARD THAT THE PUBLIC SCHOOL SHALL
20 ADOPT AND IMPLEMENT A PERFORMANCE, IMPROVEMENT, PRIORITY
21 IMPROVEMENT, OR TURNAROUND PLAN FOR THE COMING SCHOOL YEAR.
22 BASED ON THE DEPARTMENT'S RECOMMENDATION, THE STATE BOARD
23 SHALL NOTIFY THE LOCAL SCHOOL BOARD FOR THE PUBLIC SCHOOL, OR
24 THE INSTITUTE IF THE PUBLIC SCHOOL IS AN INSTITUTE CHARTER SCHOOL,
25 REGARDING THE TYPE OF PLAN THE PUBLIC SCHOOL SHALL ADOPT AND
26 IMPLEMENT. THE LOCAL SCHOOL BOARD OR THE INSTITUTE SHALL PLACE
27 THE PUBLIC SCHOOL IN THE DISTRICT OR INSTITUTE ACCREDITATION

1 CATEGORY THAT CORRELATES TO THE PUBLIC SCHOOL'S PLAN, BASED ON
2 THE SCHOOL DISTRICT'S OR INSTITUTE'S SCHOOL ACCREDITATION PROCESS.

3 (3) AT THE REQUEST OF A DISTRICT PUBLIC SCHOOL'S LOCAL
4 SCHOOL BOARD, OR AT THE INSTITUTE'S REQUEST FOR AN INSTITUTE
5 CHARTER SCHOOL, THE DEPARTMENT SHALL PROVIDE TECHNICAL
6 ASSISTANCE AND SUPPORT TO THE PUBLIC SCHOOL IN PREPARING AND
7 IMPLEMENTING ITS IMPROVEMENT, PRIORITY IMPROVEMENT, OR
8 TURNAROUND PLAN. THE DEPARTMENT SHALL BASE THE AMOUNT OF
9 TECHNICAL ASSISTANCE AND SUPPORT PROVIDED TO A PUBLIC SCHOOL ON
10 THE SCHOOL'S DEGREE OF NEED FOR ASSISTANCE AND THE DEPARTMENT'S
11 AVAILABLE RESOURCES. TECHNICAL ASSISTANCE AND SUPPORT MAY
12 INCLUDE, BUT NEED NOT BE LIMITED TO:

13 (a) ACCESS TO DATA AND RESEARCH TO SUPPORT INTERPRETATION
14 OF STUDENT DATA, DECISION-MAKING, AND LEARNING;

15 (b) CONSULTATIVE SERVICES ON BEST PRACTICES FOR
16 IMPROVEMENT AND IMPLEMENTATION; AND

17 (c) EVALUATION AND FEEDBACK ON THE PUBLIC SCHOOL'S PLAN.

18 (4) THE COMMISSIONER MAY ASSIGN THE STATE REVIEW PANEL TO
19 CRITICALLY EVALUATE A PUBLIC SCHOOL'S PRIORITY IMPROVEMENT PLAN
20 AND SHALL ASSIGN THE STATE REVIEW PANEL TO CRITICALLY EVALUATE
21 A PUBLIC SCHOOL'S TURNAROUND PLAN. BASED ON ITS EVALUATION, THE
22 STATE REVIEW PANEL SHALL REPORT TO THE COMMISSIONER AND THE
23 STATE BOARD RECOMMENDATIONS CONCERNING:

24 (a) WHETHER THE PUBLIC SCHOOL'S LEADERSHIP IS ADEQUATE TO
25 IMPLEMENT CHANGE TO IMPROVE RESULTS;

26 (b) WHETHER THE PUBLIC SCHOOL'S INFRASTRUCTURE IS
27 ADEQUATE TO SUPPORT SCHOOL IMPROVEMENT;

1 (c) THE READINESS AND APPARENT CAPACITY OF THE PUBLIC
2 SCHOOL'S PERSONNEL TO PLAN EFFECTIVELY AND LEAD THE
3 IMPLEMENTATION OF APPROPRIATE ACTIONS TO IMPROVE STUDENT
4 ACADEMIC PERFORMANCE WITHIN THE SCHOOL;

5 (d) THE READINESS AND APPARENT CAPACITY OF THE PUBLIC
6 SCHOOL'S PERSONNEL TO ENGAGE PRODUCTIVELY WITH AND BENEFIT
7 FROM THE ASSISTANCE PROVIDED BY AN EXTERNAL PARTNER;

8 (e) THE LIKELIHOOD OF POSITIVE RETURNS ON STATE INVESTMENTS
9 OF ASSISTANCE AND SUPPORT TO IMPROVE THE PUBLIC SCHOOL'S
10 PERFORMANCE WITHIN THE CURRENT MANAGEMENT STRUCTURE AND
11 STAFFING; AND

12 (f) THE NECESSITY THAT THE PUBLIC SCHOOL REMAIN IN
13 OPERATION TO SERVE STUDENTS.

14 (5) (a) IF A PUBLIC SCHOOL FAILS TO MAKE ADEQUATE PROGRESS
15 UNDER ITS TURNAROUND PLAN OR CONTINUES TO OPERATE UNDER A
16 PRIORITY IMPROVEMENT OR TURNAROUND PLAN FOR A COMBINED TOTAL
17 OF FIVE CONSECUTIVE SCHOOL YEARS, THE COMMISSIONER SHALL ASSIGN
18 THE STATE REVIEW PANEL TO CRITICALLY EVALUATE THE PUBLIC SCHOOL'S
19 PERFORMANCE AND DETERMINE WHETHER TO RECOMMEND:

20 (I) WITH REGARD TO A DISTRICT PUBLIC SCHOOL, THAT THE
21 DISTRICT PUBLIC SCHOOL SHOULD BE MANAGED BY A PRIVATE OR PUBLIC
22 ENTITY OTHER THAN THE SCHOOL DISTRICT OR, WITH REGARD TO AN
23 INSTITUTE CHARTER SCHOOL, THAT THE INSTITUTE CHARTER SCHOOL
24 SHOULD BE MANAGED BY A PRIVATE OR PUBLIC ENTITY OTHER THAN THE
25 INSTITUTE;

26 (II) WITH REGARD TO A DISTRICT PUBLIC SCHOOL, THAT THE
27 DISTRICT PUBLIC SCHOOL BE CONVERTED TO A CHARTER SCHOOL IF IT IS

1 NOT ALREADY AUTHORIZED AS A CHARTER SCHOOL; OR

2 (III) THAT THE PUBLIC SCHOOL BE CLOSED OR, WITH REGARD TO A
3 DISTRICT CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL, THAT THE
4 PUBLIC SCHOOL'S CHARTER BE REVOKED.

5 (b) THE STATE REVIEW PANEL SHALL PRESENT ITS
6 RECOMMENDATIONS TO THE COMMISSIONER AND TO THE STATE BOARD.
7 TAKING THE RECOMMENDATIONS INTO ACCOUNT, THE STATE BOARD
8 SHALL DETERMINE THE ACTIONS THAT THE LOCAL SCHOOL BOARD FOR A
9 DISTRICT PUBLIC SCHOOL OR THE INSTITUTE FOR AN INSTITUTE CHARTER
10 SCHOOL SHALL TAKE REGARDING THE PUBLIC SCHOOL AND DIRECT THE
11 LOCAL SCHOOL BOARD OR INSTITUTE ACCORDINGLY.

12 (6) IF A PUBLIC SCHOOL IS RESTRUCTURED, THE DEPARTMENT, TO
13 THE EXTENT POSSIBLE, SHALL TRACK THE STUDENTS ENROLLED IN THE
14 PUBLIC SCHOOL IN THE SCHOOL YEAR PRECEDING THE RESTRUCTURING TO
15 DETERMINE WHETHER THE STUDENTS REENROLL IN THE PUBLIC SCHOOL
16 THE FOLLOWING SCHOOL YEAR OR TRANSFER TO ANOTHER PUBLIC SCHOOL
17 OF THE SCHOOL DISTRICT, AN INSTITUTE CHARTER SCHOOL, OR A PUBLIC
18 SCHOOL OF ANOTHER SCHOOL DISTRICT IN THE STATE. THE DEPARTMENT
19 SHALL PROVIDE THE STUDENT TRACKING INFORMATION, WITHOUT
20 PERSONALLY IDENTIFYING THE STUDENTS, TO THE LOCAL SCHOOL BOARD
21 OR THE INSTITUTE UPON REQUEST.

22 PART 3

23 SCHOOL DISTRICT AND INSTITUTE ACCOUNTABILITY

24 **22-11-301. School district accountability committees - creation**
25 **- membership.** (1) EXCEPT AS PROVIDED IN SUBSECTION (5) OF THIS
26 SECTION, EACH LOCAL SCHOOL BOARD SHALL APPOINT OR CREATE A
27 PROCESS FOR THE ELECTION OF A SCHOOL DISTRICT ACCOUNTABILITY

1 COMMITTEE THAT SHALL CONSIST OF:

2 (a) AT LEAST THREE PARENTS OF STUDENTS ENROLLED IN THE
3 DISTRICT PUBLIC SCHOOLS;

4 (b) AT LEAST ONE TEACHER WHO IS EMPLOYED BY THE SCHOOL
5 DISTRICT;

6 (c) AT LEAST ONE SCHOOL ADMINISTRATOR WHO IS EMPLOYED BY
7 THE SCHOOL DISTRICT; AND

8 (d) AT LEAST ONE PERSON WHO IS INVOLVED IN BUSINESS IN THE
9 COMMUNITY WITHIN THE SCHOOL DISTRICT BOUNDARIES.

10 (2) (a) A PERSON MAY NOT BE APPOINTED OR ELECTED TO FILL
11 MORE THAN ONE OF THE MEMBER POSITIONS REQUIRED IN SUBSECTION (1)
12 OF THIS SECTION IN A SINGLE TERM.

13 (b) IF A LOCAL SCHOOL BOARD CHOOSES TO INCREASE THE NUMBER
14 OF PERSONS ON THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE, IT
15 SHALL ENSURE THAT THE NUMBER OF PARENTS APPOINTED OR ELECTED TO
16 THE COMMITTEE PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS
17 SECTION EXCEEDS THE NUMBER OF REPRESENTATIVES FROM THE GROUP
18 WITH THE NEXT HIGHEST REPRESENTATION.

19 (3) IF A LOCAL SCHOOL BOARD APPOINTS THE MEMBERS OF THE
20 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE, THE LOCAL SCHOOL
21 BOARD, TO THE EXTENT PRACTICABLE, SHALL ENSURE THAT THE PARENTS
22 WHO ARE APPOINTED REFLECT THE STUDENT POPULATIONS THAT ARE
23 SIGNIFICANTLY REPRESENTED WITHIN THE SCHOOL DISTRICT. IF THE
24 MEMBERS OF THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE ARE
25 ELECTED, THE LOCAL SCHOOL BOARD SHALL ENCOURAGE PARENTS WHO
26 REFLECT THE STUDENT POPULATIONS THAT ARE SIGNIFICANTLY
27 REPRESENTED WITHIN THE SCHOOL DISTRICT TO SEEK ELECTION TO THE

1 COMMITTEE. SAID STUDENT POPULATIONS MAY INCLUDE, BUT NEED NOT
2 BE LIMITED TO:

3 (a) STUDENTS WHO ARE MEMBERS OF NON-CAUCASIAN RACES;

4 (b) STUDENTS WHO ARE ELIGIBLE FOR FREE OR REDUCED-COST
5 LUNCH THROUGH THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42
6 U.S.C. SEC. 1751 ET SEQ.;

7 (c) STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH, AS
8 DEFINED IN SECTION 22-24-103 (4);

9 (d) STUDENTS WHO ARE MIGRANT CHILDREN, AS DEFINED IN
10 SECTION 22-23-103 (2);

11 (e) STUDENTS WHO ARE IDENTIFIED AS CHILDREN WITH
12 DISABILITIES PURSUANT TO SECTION 22-20-108; AND

13 (f) STUDENTS WHO ARE IDENTIFIED AS GIFTED CHILDREN AS
14 DEFINED IN SECTION 22-20-103 (13).

15 (4) (a) IF A LOCAL SCHOOL BOARD APPOINTS THE MEMBERS OF THE
16 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE, THE LOCAL SCHOOL
17 BOARD, TO THE EXTENT PRACTICABLE, SHALL ENSURE THAT:

18 (I) AT LEAST ONE OF THE PARENTS APPOINTED TO THE COMMITTEE
19 IS THE PARENT OF A STUDENT ENROLLED IN A CHARTER SCHOOL
20 AUTHORIZED BY THE LOCAL SCHOOL BOARD, IF THE LOCAL SCHOOL BOARD
21 HAS AUTHORIZED ANY CHARTER SCHOOLS; AND

22 (II) AT LEAST ONE OF THE PERSONS APPOINTED TO THE COMMITTEE
23 HAS A DEMONSTRATED KNOWLEDGE OF CHARTER SCHOOLS.

24 (b) IF THE MEMBERS OF THE SCHOOL DISTRICT ACCOUNTABILITY
25 COMMITTEE ARE ELECTED, THE LOCAL SCHOOL BOARD SHALL ENCOURAGE
26 PERSONS WHO WOULD FULFILL THE QUALIFICATIONS SPECIFIED IN
27 PARAGRAPH (a) OF THIS SUBSECTION (4) TO SEEK ELECTION TO THE

1 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE.

2 (5) A LOCAL SCHOOL BOARD IS NOT REQUIRED TO APPOINT OR
3 ELECT A SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE PURSUANT TO
4 THIS SECTION IF THE LOCAL SCHOOL BOARD DEMONSTRATES THAT, PRIOR
5 TO JANUARY 1, 2000, THE SCHOOL DISTRICT HAD IN PLACE A COMMITTEE
6 OR COUNCIL THAT PERFORMED AT LEAST THE DUTIES SPECIFIED FOR A
7 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE IN THIS PART 3.

8 **22-11-302. School district accountability committees - powers**
9 **and duties.** (1) EACH SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE
10 SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

11 (a) TO RECOMMEND TO ITS LOCAL SCHOOL BOARD PRIORITIES FOR
12 SPENDING SCHOOL DISTRICT MONEYS. WHENEVER THE SCHOOL DISTRICT
13 ACCOUNTABILITY COMMITTEE RECOMMENDS SPENDING PRIORITIES, IT
14 SHALL MAKE REASONABLE EFFORTS TO CONSULT IN A SUBSTANTIVE
15 MANNER WITH THE SCHOOL ACCOUNTABILITY COMMITTEES OF THE
16 SCHOOL DISTRICT. THE LOCAL SCHOOL BOARD SHALL CONSIDER THE
17 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE'S RECOMMENDATIONS IN
18 ADOPTING THE SCHOOL DISTRICT BUDGET FOR EACH FISCAL YEAR
19 PURSUANT TO ARTICLE 44 OF THIS TITLE.

20 (b) TO PREPARE AND SUBMIT ANNUALLY TO ITS LOCAL SCHOOL
21 BOARD RECOMMENDATIONS FOR A DISTRICT PERFORMANCE,
22 IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLAN,
23 WHICHEVER IS REQUIRED BASED ON THE SCHOOL DISTRICT'S
24 ACCREDITATION CATEGORY. IN PREPARING THE RECOMMENDATIONS, THE
25 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE SHALL MAKE
26 REASONABLE EFFORTS TO CONSULT IN A SUBSTANTIVE MANNER WITH THE
27 SCHOOL ACCOUNTABILITY COMMITTEES OF THE SCHOOL DISTRICT AND

1 SHALL COMPILE AND SUBMIT TO THE LOCAL SCHOOL BOARD THE SCHOOL
2 PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, AND
3 TURNAROUND PLANS SUBMITTED BY THE SCHOOL ACCOUNTABILITY
4 COMMITTEES PURSUANT TO SECTIONS 22-11-403 TO 22-11-406.

5 (c) IF THE LOCAL SCHOOL BOARD RECEIVES A CHARTER SCHOOL
6 APPLICATION, TO REVIEW THE CHARTER APPLICATION PRIOR TO
7 CONSIDERATION BY THE LOCAL SCHOOL BOARD AS PROVIDED IN SECTION
8 22-30.5-107 (1).

9 (2) THE LOCAL SCHOOL BOARD AND THE SCHOOL DISTRICT
10 ACCOUNTABILITY COMMITTEE SHALL, AT LEAST ANNUALLY,
11 COOPERATIVELY DETERMINE THE AREAS AND ISSUES, IN ADDITION TO
12 BUDGET ISSUES, THAT THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE
13 SHALL STUDY AND CONCERNING WHICH THE COMMITTEE MAY MAKE
14 RECOMMENDATIONS TO THE LOCAL SCHOOL BOARD.

15 **22-11-303. Accredited or accredited with distinction -**
16 **performance plan - school district or institute - contents - adoption.**

17 (1) (a) IN ACCORDANCE WITH TIME FRAMES SPECIFIED IN STATE BOARD
18 RULES, EACH LOCAL SCHOOL BOARD THAT IS ACCREDITED OR ACCREDITED
19 WITH DISTINCTION SHALL ANNUALLY ADOPT A PERFORMANCE PLAN FOR
20 THE SCHOOL DISTRICT AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

21 (b) THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE FOR THE
22 SCHOOL DISTRICT SHALL MAKE RECOMMENDATIONS TO THE LOCAL
23 SCHOOL BOARD CONCERNING THE CONTENTS OF THE DISTRICT
24 PERFORMANCE PLAN. IN MAKING ITS RECOMMENDATIONS, THE SCHOOL
25 DISTRICT ACCOUNTABILITY COMMITTEE SHALL TAKE INTO ACCOUNT AND
26 INCORPORATE ANY DISTRICT PUBLIC SCHOOL PERFORMANCE,
27 IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLANS

1 RECEIVED PURSUANT TO SECTIONS 22-11-403 TO 22-11-406. THE LOCAL
2 SCHOOL BOARD SHALL CREATE AND ADOPT THE DISTRICT PERFORMANCE
3 PLAN, TAKING INTO ACCOUNT THE RECOMMENDATIONS OF THE SCHOOL
4 DISTRICT ACCOUNTABILITY COMMITTEE.

5 (c) THE LOCAL SCHOOL BOARD SHALL SUBMIT THE ADOPTED
6 DISTRICT PERFORMANCE PLAN TO THE DEPARTMENT FOR PUBLICATION ON
7 THE DATA PORTAL AND SHALL ENSURE THAT THE DISTRICT PERFORMANCE
8 PLAN IS IN EFFECT FOR THE SCHOOL DISTRICT AND THE DISTRICT PUBLIC
9 SCHOOLS WITHIN THE TIME FRAMES SPECIFIED IN STATE BOARD RULE. THE
10 LOCAL SCHOOL BOARD SHALL ALSO MAKE COPIES OF THE DISTRICT
11 PERFORMANCE PLAN AVAILABLE TO MEMBERS OF THE PUBLIC UPON
12 REQUEST.

13 (2) (a) IN ACCORDANCE WITH TIME FRAMES SPECIFIED IN STATE
14 BOARD RULES, THE INSTITUTE BOARD, IF IT IS ACCREDITED OR ACCREDITED
15 WITH DISTINCTION, SHALL ANNUALLY ADOPT AN INSTITUTE PERFORMANCE
16 PLAN AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

17 (b) PRIOR TO CREATING THE INSTITUTE PERFORMANCE PLAN, THE
18 INSTITUTE SHALL COMPILE THE INSTITUTE CHARTER SCHOOL
19 PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, AND
20 TURNAROUND PLANS PREPARED BY THE SCHOOL ACCOUNTABILITY
21 COMMITTEE FOR EACH INSTITUTE CHARTER SCHOOL PURSUANT TO
22 SECTIONS 22-11-403 TO 22-11-406. THE INSTITUTE SHALL TAKE THE
23 COMPILATION OF PLANS INTO ACCOUNT IN CREATING AND ADOPTING THE
24 INSTITUTE PERFORMANCE PLAN.

25 (c) THE INSTITUTE SHALL SUBMIT THE ADOPTED INSTITUTE
26 PERFORMANCE PLAN TO THE DEPARTMENT FOR PUBLICATION ON THE DATA
27 PORTAL AND SHALL ENSURE THAT THE INSTITUTE PERFORMANCE PLAN IS

1 IN EFFECT FOR THE INSTITUTE AND THE INSTITUTE CHARTER SCHOOLS
2 WITHIN THE TIME FRAMES SPECIFIED IN STATE BOARD RULE. THE
3 INSTITUTE SHALL ALSO MAKE COPIES OF THE INSTITUTE PERFORMANCE
4 PLAN AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

5 (3) A DISTRICT OR INSTITUTE PERFORMANCE PLAN SHALL BE
6 DESIGNED TO RAISE THE ACADEMIC PERFORMANCE OF STUDENTS
7 ENROLLED IN THE SCHOOL DISTRICT OR IN THE INSTITUTE CHARTER
8 SCHOOLS AND TO ENSURE THAT THE SCHOOL DISTRICT OR THE INSTITUTE,
9 FOLLOWING THE NEXT ANNUAL ACCREDITATION REVIEW, ATTAINS A
10 HIGHER ACCREDITATION CATEGORY OR REMAINS IN THE SAME
11 ACCREDITATION CATEGORY IF THE SCHOOL DISTRICT OR INSTITUTE IS
12 ACCREDITED WITH DISTINCTION. AT A MINIMUM, EACH DISTRICT AND
13 INSTITUTE PERFORMANCE PLAN SHALL:

14 (a) SET, REAFFIRM, OR REVISE, AS APPROPRIATE, AMBITIOUS BUT
15 ATTAINABLE TARGETS THAT THE SCHOOL DISTRICT, INCLUDING THE
16 DISTRICT PUBLIC SCHOOLS, OR THE INSTITUTE, INCLUDING THE INSTITUTE
17 CHARTER SCHOOLS, SHALL ATTAIN ON THE PERFORMANCE INDICATORS.
18 THE LOCAL SCHOOL BOARD OR THE INSTITUTE SHALL ENSURE THAT THE
19 TARGETS ARE ALIGNED WITH THE STATEWIDE TARGETS SET BY THE STATE
20 BOARD PURSUANT TO SECTION 22-11-201.

21 (b) IDENTIFY POSITIVE AND NEGATIVE TRENDS, FOR DISTRICT
22 PUBLIC SCHOOLS AS A GROUP AND INDIVIDUALLY OR FOR INSTITUTE
23 CHARTER SCHOOLS AS A GROUP AND INDIVIDUALLY IN THE LEVELS OF
24 ATTAINMENT BY THE PUBLIC SCHOOLS AS A GROUP AND INDIVIDUALLY ON
25 THE PERFORMANCE INDICATORS;

26 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS FOR THE
27 SCHOOL DISTRICT AND FOR THE INDIVIDUAL DISTRICT PUBLIC SCHOOLS OR

1 FOR THE INSTITUTE AND FOR THE INDIVIDUAL INSTITUTE CHARTER
2 SCHOOLS THAT MUST BE ADDRESSED TO IMPROVE STUDENT ACADEMIC
3 PERFORMANCE WITHIN THE DISTRICT PUBLIC SCHOOLS OR THE INSTITUTE
4 CHARTER SCHOOLS;

5 (d) IDENTIFY SPECIFIC, RESEARCH-BASED STRATEGIES TO ADDRESS
6 THE NEEDS AND ISSUES IDENTIFIED PURSUANT TO PARAGRAPH (c) OF THIS
7 SUBSECTION (3);

8 (e) IDENTIFY THE LOCAL, STATE, AND FEDERAL RESOURCES THAT
9 THE SCHOOL DISTRICT OR THE INSTITUTE WILL USE TO IMPLEMENT THE
10 IDENTIFIED STRATEGIES WITH FIDELITY; AND

11 (f) ADDRESS ANY OTHER ISSUES REQUIRED BY RULE OF THE STATE
12 BOARD OR RAISED BY THE DEPARTMENT THROUGH THE ACCREDITATION
13 PROCESS PURSUANT TO PART 2 OF THIS ARTICLE.

14 **22-11-304. Accredited with improvement plan - school district**
15 **or institute - plan contents - adoption.** (1) (a) IN ACCORDANCE WITH
16 THE TIME FRAMES SPECIFIED IN STATE BOARD RULE, EACH SCHOOL
17 DISTRICT THAT IS ACCREDITED WITH IMPROVEMENT PLAN SHALL
18 ANNUALLY ADOPT AND IMPLEMENT A DISTRICT IMPROVEMENT PLAN AS
19 DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

20 (b) THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE FOR THE
21 SCHOOL DISTRICT SHALL MAKE RECOMMENDATIONS TO THE LOCAL
22 SCHOOL BOARD CONCERNING THE CONTENTS OF THE DISTRICT
23 IMPROVEMENT PLAN. IN MAKING ITS RECOMMENDATIONS, THE SCHOOL
24 DISTRICT ACCOUNTABILITY COMMITTEE SHALL TAKE INTO ACCOUNT AND
25 INCORPORATE ANY DISTRICT PUBLIC SCHOOL PERFORMANCE,
26 IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLANS
27 RECEIVED PURSUANT TO SECTIONS 22-11-403 TO 22-11-406. THE LOCAL

1 SCHOOL BOARD SHALL CREATE AND ADOPT THE DISTRICT IMPROVEMENT
2 PLAN, TAKING INTO ACCOUNT THE RECOMMENDATIONS OF THE SCHOOL
3 DISTRICT ACCOUNTABILITY COMMITTEE.

4 (c) THE LOCAL SCHOOL BOARD SHALL SUBMIT THE ADOPTED
5 DISTRICT IMPROVEMENT PLAN TO THE DEPARTMENT FOR PUBLICATION ON
6 THE DATA PORTAL AND SHALL ENSURE THAT THE DISTRICT IMPROVEMENT
7 PLAN IS IN EFFECT FOR THE SCHOOL DISTRICT AND THE DISTRICT PUBLIC
8 SCHOOLS WITHIN THE TIME FRAMES SPECIFIED IN STATE BOARD RULE. THE
9 LOCAL SCHOOL BOARD SHALL ALSO MAKE COPIES OF THE DISTRICT
10 IMPROVEMENT PLAN AVAILABLE TO MEMBERS OF THE PUBLIC UPON
11 REQUEST.

12 (2) (a) IF THE INSTITUTE IS ACCREDITED WITH IMPROVEMENT PLAN,
13 THE INSTITUTE BOARD SHALL, IN ACCORDANCE WITH THE TIME FRAMES
14 SPECIFIED IN STATE BOARD RULE, ADOPT AND IMPLEMENT AN INSTITUTE
15 IMPROVEMENT PLAN AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION.
16 IN PREPARING THE INSTITUTE IMPROVEMENT PLAN, THE INSTITUTE BOARD
17 SHALL TAKE INTO ACCOUNT AND INCORPORATE ANY INSTITUTE CHARTER
18 SCHOOL PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, AND
19 TURNAROUND PLANS RECEIVED PURSUANT TO SECTIONS 22-11-403 TO
20 22-11-406.

21 (b) THE INSTITUTE SHALL SUBMIT THE ADOPTED INSTITUTE
22 IMPROVEMENT PLAN TO THE DEPARTMENT FOR PUBLICATION ON THE DATA
23 PORTAL AND SHALL ENSURE THAT THE INSTITUTE IMPROVEMENT PLAN IS
24 IN EFFECT FOR THE INSTITUTE AND THE INSTITUTE CHARTER SCHOOLS
25 WITHIN THE TIME FRAMES SPECIFIED BY STATE BOARD RULE. THE
26 INSTITUTE SHALL ALSO MAKE COPIES OF THE INSTITUTE IMPROVEMENT
27 PLAN AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

1 (3) A DISTRICT IMPROVEMENT PLAN OR AN INSTITUTE
2 IMPROVEMENT PLAN SHALL BE DESIGNED TO ENSURE THAT THE SCHOOL
3 DISTRICT OR THE INSTITUTE IMPROVES ITS PERFORMANCE TO THE EXTENT
4 THAT, FOLLOWING COMPLETION OF ITS NEXT ANNUAL ACCREDITATION
5 REVIEW, THE SCHOOL DISTRICT OR THE INSTITUTE ATTAINS A HIGHER
6 ACCREDITATION CATEGORY. AT A MINIMUM, A DISTRICT IMPROVEMENT
7 PLAN OR AN INSTITUTE IMPROVEMENT PLAN SHALL:

8 (a) SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE
9 TARGETS THAT THE SCHOOL DISTRICT, INCLUDING THE DISTRICT PUBLIC
10 SCHOOLS, OR THE INSTITUTE, INCLUDING THE INSTITUTE CHARTER
11 SCHOOLS, SHALL ATTAIN ON THE PERFORMANCE INDICATORS. THE LOCAL
12 SCHOOL BOARD OR THE INSTITUTE SHALL ENSURE THAT THE TARGETS ARE
13 ALIGNED WITH THE STATEWIDE TARGETS SET BY THE STATE BOARD
14 PURSUANT TO SECTION 22-11-201.

15 (b) IDENTIFY POSITIVE AND NEGATIVE TRENDS FOR DISTRICT
16 PUBLIC SCHOOLS AS A GROUP AND INDIVIDUALLY OR FOR INSTITUTE
17 CHARTER SCHOOLS AS A GROUP AND INDIVIDUALLY IN THE LEVELS OF
18 ATTAINMENT BY THE PUBLIC SCHOOLS AS A GROUP AND INDIVIDUALLY ON
19 THE PERFORMANCE INDICATORS;

20 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS OF THE
21 DISTRICT OR INSTITUTE AND OF THE DISTRICT PUBLIC SCHOOLS OR
22 INSTITUTE CHARTER SCHOOLS THAT MUST BE ADDRESSED TO IMPROVE
23 STUDENT ACADEMIC PERFORMANCE WITHIN THE DISTRICT PUBLIC SCHOOLS
24 OR INSTITUTE CHARTER SCHOOLS;

25 (d) IDENTIFY SPECIFIC, RESEARCH-BASED STRATEGIES THAT ARE
26 APPROPRIATE IN SCOPE, INTENSITY, AND TYPE TO ADDRESS THE NEEDS AND
27 ISSUES IDENTIFIED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (3);

1 (e) IDENTIFY THE LOCAL, STATE, AND FEDERAL RESOURCES THAT
2 THE SCHOOL DISTRICT OR THE INSTITUTE WILL USE TO IMPLEMENT THE
3 IDENTIFIED STRATEGIES WITH FIDELITY; AND

4 (f) ADDRESS ANY OTHER ISSUES REQUIRED BY RULE OF THE STATE
5 BOARD OR RAISED BY THE DEPARTMENT THROUGH THE ACCREDITATION
6 PROCESS PURSUANT TO PART 2 OF THIS ARTICLE.

7 **22-11-305. Accredited with priority improvement plan - school**
8 **district or institute - plan contents - adoption.** (1) (a) IN ACCORDANCE
9 WITH THE TIME FRAMES SPECIFIED IN STATE BOARD RULE, EACH SCHOOL
10 DISTRICT THAT IS ACCREDITED WITH PRIORITY IMPROVEMENT PLAN SHALL
11 ANNUALLY ADOPT AND IMPLEMENT A DISTRICT PRIORITY IMPROVEMENT
12 PLAN AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

13 (b) THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE FOR THE
14 SCHOOL DISTRICT SHALL MAKE RECOMMENDATIONS TO THE LOCAL
15 SCHOOL BOARD CONCERNING THE CONTENTS OF THE DISTRICT PRIORITY
16 IMPROVEMENT PLAN. IN MAKING ITS RECOMMENDATIONS, THE SCHOOL
17 DISTRICT ACCOUNTABILITY COMMITTEE SHALL TAKE INTO ACCOUNT AND
18 INCORPORATE ANY DISTRICT PUBLIC SCHOOL PERFORMANCE,
19 IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLANS
20 RECEIVED PURSUANT TO SECTIONS 22-11-403 TO 22-11-406. THE LOCAL
21 SCHOOL BOARD SHALL CREATE AND ADOPT THE DISTRICT PRIORITY
22 IMPROVEMENT PLAN, TAKING INTO ACCOUNT THE RECOMMENDATIONS OF
23 THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE.

24 (c) THE COMMISSIONER, SUBJECT TO AVAILABLE APPROPRIATIONS,
25 MAY ASSIGN THE STATE REVIEW PANEL TO CRITICALLY EVALUATE THE
26 DISTRICT PRIORITY IMPROVEMENT PLAN AND RECOMMEND TO THE
27 COMMISSIONER MODIFICATIONS TO THE PLAN. BASED ON THE

1 RECOMMENDATIONS OF THE STATE REVIEW PANEL, THE COMMISSIONER
2 MAY RECOMMEND TO THE LOCAL SCHOOL BOARD MODIFICATIONS TO THE
3 DISTRICT PRIORITY IMPROVEMENT PLAN.

4 (d) THE LOCAL SCHOOL BOARD SHALL SUBMIT THE ADOPTED
5 DISTRICT PRIORITY IMPROVEMENT PLAN TO THE DEPARTMENT FOR
6 PUBLICATION ON THE DATA PORTAL AND SHALL ENSURE THAT THE
7 DISTRICT PRIORITY IMPROVEMENT PLAN IS IN EFFECT FOR THE SCHOOL
8 DISTRICT AND THE DISTRICT PUBLIC SCHOOLS WITHIN THE TIME FRAMES
9 SPECIFIED IN STATE BOARD RULE. THE LOCAL SCHOOL BOARD SHALL ALSO
10 MAKE COPIES OF THE DISTRICT PRIORITY IMPROVEMENT PLAN AVAILABLE
11 TO MEMBERS OF THE PUBLIC UPON REQUEST.

12 (2) (a) IF THE INSTITUTE IS ACCREDITED WITH PRIORITY
13 IMPROVEMENT PLAN, THE INSTITUTE BOARD SHALL, IN ACCORDANCE WITH
14 THE TIME FRAMES SPECIFIED IN STATE BOARD RULE, ADOPT AND
15 IMPLEMENT AN INSTITUTE PRIORITY IMPROVEMENT PLAN AS DESCRIBED IN
16 SUBSECTION (3) OF THIS SECTION. IN PREPARING THE INSTITUTE PRIORITY
17 IMPROVEMENT PLAN, THE INSTITUTE BOARD SHALL TAKE INTO ACCOUNT
18 AND INCORPORATE ANY INSTITUTE CHARTER SCHOOL PERFORMANCE,
19 IMPROVEMENT, PRIORITY IMPROVEMENT, AND TURNAROUND PLANS
20 RECEIVED PURSUANT TO SECTIONS 22-11-403 TO 22-11-406.

21 (b) THE COMMISSIONER, SUBJECT TO AVAILABLE APPROPRIATIONS,
22 MAY ASSIGN THE STATE REVIEW PANEL TO CRITICALLY EVALUATE THE
23 INSTITUTE PRIORITY IMPROVEMENT PLAN AND RECOMMEND TO THE
24 COMMISSIONER MODIFICATIONS TO THE PLAN. BASED ON THE
25 RECOMMENDATIONS OF THE STATE REVIEW PANEL, THE COMMISSIONER
26 MAY RECOMMEND TO THE INSTITUTE MODIFICATIONS TO THE INSTITUTE
27 PRIORITY IMPROVEMENT PLAN.

1 (c) THE INSTITUTE SHALL SUBMIT THE ADOPTED INSTITUTE
2 PRIORITY IMPROVEMENT PLAN TO THE DEPARTMENT FOR PUBLICATION ON
3 THE DATA PORTAL AND SHALL ENSURE THAT THE INSTITUTE PRIORITY
4 IMPROVEMENT PLAN IS IN EFFECT FOR THE INSTITUTE AND THE INSTITUTE
5 CHARTER SCHOOLS WITHIN THE TIME FRAMES SPECIFIED BY STATE BOARD
6 RULE. THE INSTITUTE SHALL ALSO MAKE COPIES OF THE INSTITUTE
7 PRIORITY IMPROVEMENT PLAN AVAILABLE TO MEMBERS OF THE PUBLIC
8 UPON REQUEST.

9 (3) A DISTRICT PRIORITY IMPROVEMENT PLAN OR AN INSTITUTE
10 PRIORITY IMPROVEMENT PLAN SHALL BE DESIGNED TO ENSURE THAT THE
11 SCHOOL DISTRICT OR THE INSTITUTE IMPROVES ITS PERFORMANCE TO THE
12 EXTENT THAT, FOLLOWING COMPLETION OF ITS NEXT ANNUAL
13 ACCREDITATION REVIEW, THE SCHOOL DISTRICT OR THE INSTITUTE
14 ATTAINS A HIGHER ACCREDITATION CATEGORY. AT A MINIMUM, A
15 DISTRICT PRIORITY IMPROVEMENT PLAN OR AN INSTITUTE PRIORITY
16 IMPROVEMENT PLAN SHALL:

17 (a) SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE
18 TARGETS THAT THE SCHOOL DISTRICT, INCLUDING THE DISTRICT PUBLIC
19 SCHOOLS, OR THE INSTITUTE, INCLUDING THE INSTITUTE CHARTER
20 SCHOOLS, SHALL ATTAIN ON THE PERFORMANCE INDICATORS. THE LOCAL
21 SCHOOL BOARD OR THE INSTITUTE SHALL ENSURE THAT THE TARGETS ARE
22 ALIGNED WITH THE STATEWIDE TARGETS SET BY THE STATE BOARD
23 PURSUANT TO SECTION 22-11-201.

24 (b) IDENTIFY POSITIVE AND NEGATIVE TRENDS FOR DISTRICT
25 PUBLIC SCHOOLS AS A GROUP AND INDIVIDUALLY OR FOR INSTITUTE
26 CHARTER SCHOOLS AS A GROUP AND INDIVIDUALLY IN THE LEVELS OF
27 ATTAINMENT BY THE PUBLIC SCHOOLS AS A GROUP AND INDIVIDUALLY ON

1 THE PERFORMANCE INDICATORS;

2 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS OF THE
3 DISTRICT OR INSTITUTE AND OF THE DISTRICT PUBLIC SCHOOLS OR
4 INSTITUTE CHARTER SCHOOLS THAT MUST BE ADDRESSED TO IMPROVE
5 STUDENT ACADEMIC PERFORMANCE WITHIN THE DISTRICT PUBLIC SCHOOLS
6 OR INSTITUTE CHARTER SCHOOLS;

7 (d) IDENTIFY SPECIFIC, RESEARCH-BASED STRATEGIES THAT ARE
8 APPROPRIATE IN SCOPE, INTENSITY, AND TYPE TO ADDRESS THE NEEDS AND
9 ISSUES IDENTIFIED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (3);

10 (e) IDENTIFY THE LOCAL, STATE, AND FEDERAL RESOURCES THAT
11 THE SCHOOL DISTRICT OR THE INSTITUTE WILL USE TO IMPLEMENT THE
12 IDENTIFIED STRATEGIES WITH FIDELITY; AND

13 (f) ADDRESS ANY OTHER ISSUES REQUIRED BY RULE OF THE STATE
14 BOARD OR RAISED BY THE DEPARTMENT THROUGH THE ACCREDITATION
15 PROCESS PURSUANT TO PART 2 OF THIS ARTICLE.

16 **22-11-306. Accredited with turnaround plan - school district**
17 **or institute - plan content - adoption.** (1) (a) IN ACCORDANCE WITH
18 THE TIME FRAMES SPECIFIED IN STATE BOARD RULE, EACH SCHOOL
19 DISTRICT THAT IS ACCREDITED WITH TURNAROUND PLAN SHALL ANNUALLY
20 ADOPT AND IMPLEMENT A DISTRICT TURNAROUND PLAN AS DESCRIBED IN
21 SUBSECTION (3) OF THIS SECTION.

22 (b) THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE FOR THE
23 SCHOOL DISTRICT SHALL MAKE RECOMMENDATIONS TO THE LOCAL
24 SCHOOL BOARD CONCERNING THE CONTENTS OF THE DISTRICT
25 TURNAROUND PLAN. IN MAKING ITS RECOMMENDATIONS, THE SCHOOL
26 DISTRICT ACCOUNTABILITY COMMITTEE SHALL TAKE INTO ACCOUNT AND
27 INCORPORATE ANY DISTRICT PUBLIC SCHOOL PERFORMANCE,

1 IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLANS
2 RECEIVED PURSUANT TO SECTIONS 22-11-403 TO 22-11-406. THE LOCAL
3 SCHOOL BOARD SHALL CREATE AND ADOPT THE DISTRICT TURNAROUND
4 PLAN, TAKING INTO ACCOUNT THE RECOMMENDATIONS OF THE SCHOOL
5 DISTRICT ACCOUNTABILITY COMMITTEE.

6 (c) WITHIN THE TIME FRAMES SPECIFIED IN STATE BOARD RULE,
7 THE LOCAL SCHOOL BOARD SHALL SUBMIT THE ADOPTED DISTRICT
8 TURNAROUND PLAN TO THE COMMISSIONER FOR REVIEW BY THE STATE
9 REVIEW PANEL. THE STATE REVIEW PANEL SHALL CRITICALLY EVALUATE
10 THE ADOPTED DISTRICT TURNAROUND PLAN AND MAKE
11 RECOMMENDATIONS TO THE COMMISSIONER AND THE STATE BOARD
12 CONCERNING THE ISSUES SPECIFIED IN SECTION 22-11-208 (3). THE
13 COMMISSIONER SHALL CONSIDER THE STATE REVIEW PANEL'S
14 RECOMMENDATIONS AND APPROVE THE ADOPTED DISTRICT TURNAROUND
15 PLAN OR SUGGEST MODIFICATIONS TO THE PLAN. THE LOCAL SCHOOL
16 BOARD SHALL REVISE THE ADOPTED DISTRICT TURNAROUND PLAN, IF
17 NECESSARY, AND RESUBMIT THE PLAN FOR APPROVAL WITHIN THE TIME
18 FRAMES SPECIFIED BY STATE BOARD RULE.

19 (d) THE LOCAL SCHOOL BOARD SHALL SUBMIT THE FINAL,
20 APPROVED DISTRICT TURNAROUND PLAN TO THE DEPARTMENT FOR
21 PUBLICATION ON THE DATA PORTAL AND SHALL ENSURE THAT THE FINAL,
22 APPROVED DISTRICT TURNAROUND PLAN IS IN EFFECT FOR THE SCHOOL
23 DISTRICT AND THE DISTRICT PUBLIC SCHOOLS WITHIN THE TIME FRAMES
24 SPECIFIED IN STATE BOARD RULE. THE LOCAL SCHOOL BOARD SHALL ALSO
25 MAKE COPIES OF THE FINAL, APPROVED DISTRICT TURNAROUND PLAN
26 AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

27 (2) (a) IF THE INSTITUTE IS ACCREDITED WITH TURNAROUND PLAN,

1 THE INSTITUTE BOARD SHALL, IN ACCORDANCE WITH THE TIME FRAMES
2 SPECIFIED IN STATE BOARD RULE, ADOPT AND IMPLEMENT AN INSTITUTE
3 TURNAROUND PLAN AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION. IN
4 PREPARING THE INSTITUTE TURNAROUND PLAN, THE INSTITUTE BOARD
5 SHALL TAKE INTO ACCOUNT AND INCORPORATE ANY INSTITUTE CHARTER
6 SCHOOL PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, AND
7 TURNAROUND PLANS RECEIVED PURSUANT TO SECTIONS 22-11-403 TO
8 22-11-406.

9 (b) WITHIN THE TIME FRAMES SPECIFIED IN STATE BOARD RULE,
10 THE INSTITUTE SHALL SUBMIT THE ADOPTED INSTITUTE TURNAROUND
11 PLAN TO THE COMMISSIONER FOR REVIEW BY THE STATE REVIEW PANEL.
12 THE STATE REVIEW PANEL SHALL CRITICALLY EVALUATE THE ADOPTED
13 INSTITUTE TURNAROUND PLAN AND MAKE RECOMMENDATIONS TO THE
14 COMMISSIONER AND THE STATE BOARD CONCERNING THE ISSUES SPECIFIED
15 IN SECTION 22-11-208 (3). THE COMMISSIONER SHALL CONSIDER THE
16 STATE REVIEW PANEL'S RECOMMENDATIONS AND APPROVE THE ADOPTED
17 INSTITUTE TURNAROUND PLAN OR SUGGEST MODIFICATIONS TO THE PLAN.
18 THE INSTITUTE SHALL REVISE THE ADOPTED INSTITUTE TURNAROUND
19 PLAN, IF NECESSARY, AND RESUBMIT THE PLAN FOR APPROVAL WITHIN THE
20 TIME FRAMES SPECIFIED BY STATE BOARD RULE.

21 (c) THE INSTITUTE SHALL SUBMIT THE FINAL, APPROVED INSTITUTE
22 TURNAROUND PLAN TO THE DEPARTMENT FOR PUBLICATION ON THE DATA
23 PORTAL AND SHALL ENSURE THAT THE FINAL, APPROVED INSTITUTE
24 TURNAROUND PLAN IS IN EFFECT FOR THE INSTITUTE AND THE INSTITUTE
25 CHARTER SCHOOLS WITHIN THE TIME FRAMES SPECIFIED BY STATE BOARD
26 RULE. THE INSTITUTE SHALL ALSO MAKE COPIES OF THE FINAL, APPROVED
27 INSTITUTE TURNAROUND PLAN AVAILABLE TO MEMBERS OF THE PUBLIC

1 UPON REQUEST.

2 (3) A DISTRICT TURNAROUND PLAN OR AN INSTITUTE TURNAROUND
3 PLAN SHALL BE DESIGNED TO ENSURE THAT THE SCHOOL DISTRICT OR THE
4 INSTITUTE IMPROVES ITS PERFORMANCE TO THE EXTENT THAT, FOLLOWING
5 COMPLETION OF ITS NEXT ANNUAL ACCREDITATION REVIEW, THE SCHOOL
6 DISTRICT OR THE INSTITUTE ATTAINS A HIGHER ACCREDITATION
7 CATEGORY. AT A MINIMUM, A DISTRICT TURNAROUND PLAN OR AN
8 INSTITUTE TURNAROUND PLAN SHALL:

9 (a) SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE
10 TARGETS THAT THE SCHOOL DISTRICT, INCLUDING THE DISTRICT PUBLIC
11 SCHOOLS, OR THE INSTITUTE, INCLUDING THE INSTITUTE CHARTER
12 SCHOOLS, SHALL ATTAIN ON THE PERFORMANCE INDICATORS. THE LOCAL
13 SCHOOL BOARD OR THE INSTITUTE SHALL ENSURE THAT THE TARGETS ARE
14 ALIGNED WITH THE STATEWIDE TARGETS SET BY THE STATE BOARD
15 PURSUANT TO SECTION 22-11-201.

16 (b) IDENTIFY POSITIVE AND NEGATIVE TRENDS FOR DISTRICT
17 PUBLIC SCHOOLS AS A GROUP AND INDIVIDUALLY OR FOR INSTITUTE
18 CHARTER SCHOOLS AS A GROUP AND INDIVIDUALLY IN THE LEVELS OF
19 ATTAINMENT BY THE PUBLIC SCHOOLS AS A GROUP AND INDIVIDUALLY ON
20 THE PERFORMANCE INDICATORS;

21 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS OF THE
22 DISTRICT OR INSTITUTE AND OF THE DISTRICT PUBLIC SCHOOLS OR
23 INSTITUTE CHARTER SCHOOLS THAT MUST BE ADDRESSED TO IMPROVE
24 STUDENT ACADEMIC PERFORMANCE WITHIN THE DISTRICT PUBLIC SCHOOLS
25 OR INSTITUTE CHARTER SCHOOLS;

26 (d) IDENTIFY SPECIFIC, RESEARCH-BASED STRATEGIES THAT ARE
27 APPROPRIATE IN SCOPE, INTENSITY, AND TYPE TO ADDRESS THE NEEDS AND

1 ISSUES IDENTIFIED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (3),
2 WHICH STRATEGIES SHALL, AT A MINIMUM, INCLUDE ONE OR MORE OF THE
3 FOLLOWING:

4 (I) EMPLOYING A LEAD TURNAROUND PARTNER THAT USES
5 RESEARCH-BASED STRATEGIES AND HAS A PROVEN RECORD OF SUCCESS
6 WORKING WITH SCHOOLS UNDER SIMILAR CIRCUMSTANCES, WHICH
7 TURNAROUND PARTNER SHALL BE IMMERSSED IN ALL ASPECTS OF
8 DEVELOPING AND COLLABORATIVELY EXECUTING THE TURNAROUND PLAN
9 AND SHALL SERVE AS A LIAISON TO OTHER SCHOOL PARTNERS;

10 (II) REORGANIZING THE OVERSIGHT AND MANAGEMENT
11 STRUCTURE WITHIN THE SCHOOL DISTRICT OR THE INSTITUTE TO PROVIDE
12 GREATER, MORE EFFECTIVE SUPPORT FOR PUBLIC SCHOOLS;

13 (III) FOR A SCHOOL DISTRICT, RECOGNIZING INDIVIDUAL DISTRICT
14 PUBLIC SCHOOLS AS INNOVATION SCHOOLS OR CLUSTERING DISTRICT
15 PUBLIC SCHOOLS WITH SIMILAR GOVERNANCE OR MANAGEMENT
16 STRUCTURES INTO ONE OR MORE INNOVATION SCHOOL ZONES AND
17 SEEKING DESIGNATION AS A DISTRICT OF INNOVATION PURSUANT TO
18 ARTICLE 32.5 OF THIS TITLE;

19 (IV) HIRING AN ENTITY THAT USES RESEARCH-BASED STRATEGIES
20 AND HAS A PROVEN RECORD OF SUCCESS WORKING WITH SCHOOLS UNDER
21 SIMILAR CIRCUMSTANCES TO OPERATE ONE OR MORE DISTRICT PUBLIC
22 SCHOOLS OR INSTITUTE CHARTER SCHOOLS PURSUANT TO A CONTRACT
23 WITH THE LOCAL SCHOOL BOARD OR THE INSTITUTE;

24 (V) FOR A SCHOOL DISTRICT, CONVERTING ONE OR MORE DISTRICT
25 PUBLIC SCHOOLS TO CHARTER SCHOOLS;

26 (VI) FOR THE INSTITUTE, RENEGOTIATING AND SIGNIFICANTLY
27 RESTRUCTURING AN INSTITUTE CHARTER SCHOOL'S CHARTER CONTRACT;

1 (VII) CLOSING DISTRICT PUBLIC SCHOOLS OR INSTITUTE CHARTER
2 SCHOOLS; AND

3 (VIII) OTHER ACTIONS OF COMPARABLE OR GREATER
4 SIGNIFICANCE OR EFFECT;

5 (e) IDENTIFY THE LOCAL, STATE, AND FEDERAL RESOURCES THAT
6 THE SCHOOL DISTRICT OR THE INSTITUTE WILL USE TO IMPLEMENT THE
7 IDENTIFIED STRATEGIES WITH FIDELITY; AND

8 (f) ADDRESS ANY OTHER ISSUES REQUIRED BY RULE OF THE STATE
9 BOARD OR RAISED BY THE DEPARTMENT THROUGH THE ACCREDITATION
10 PROCESS PURSUANT TO PART 2 OF THIS ARTICLE.

11 **22-11-307. Accreditation of public schools.** (1) THE LOCAL
12 SCHOOL BOARD FOR EACH SCHOOL DISTRICT SHALL ADOPT POLICIES FOR
13 ACCREDITATION OF THE DISTRICT PUBLIC SCHOOLS. THE INSTITUTE BOARD
14 SHALL ADOPT POLICIES FOR ACCREDITATION OF THE INSTITUTE CHARTER
15 SCHOOLS. EACH SCHOOL DISTRICT'S AND THE INSTITUTE'S SCHOOL
16 ACCREDITATION POLICIES, AT A MINIMUM, SHALL INCLUDE:

17 (a) THE USE OF ACCREDITATION CONTRACTS THAT ARE
18 COMPARABLE TO THE ACCREDITATION CONTRACT BETWEEN A SCHOOL
19 DISTRICT OR THE INSTITUTE AND THE STATE BOARD, AS DESCRIBED IN
20 SECTION 22-11-206;

21 (b) ACCREDITATION CATEGORIES THAT ARE COMPARABLE TO THE
22 ACCREDITATION CATEGORIES FOR SCHOOL DISTRICTS AND THE INSTITUTE
23 SPECIFIED IN SECTION 22-11-207;

24 (c) DETERMINATION OF A PUBLIC SCHOOL'S ACCREDITATION
25 CATEGORY BASED ON THE PUBLIC SCHOOL'S LEVEL OF ATTAINMENT OF THE
26 PERFORMANCE INDICATORS; AND

27 (d) ADOPTION AND IMPLEMENTATION OF SCHOOL PERFORMANCE,

1 IMPROVEMENT, PRIORITY IMPROVEMENT, AND TURNAROUND PLANS AS
2 REQUIRED BY THE STATE BOARD PURSUANT TO SECTION 22-11-210(1) AND
3 AS DESCRIBED IN SECTIONS 22-11-403 TO 22-11-406.

4 (2) IN ADOPTING ITS SCHOOL ACCREDITATION POLICIES, A LOCAL
5 SCHOOL BOARD OR THE INSTITUTE BOARD MAY CHOOSE TO BE MORE
6 RIGOROUS IN EXPECTATIONS AND IN THE IMPOSITION OF REMEDIAL
7 ACTIONS THAN THE SYSTEM FOR ACCREDITATION OF SCHOOL DISTRICTS
8 AND THE INSTITUTE SPECIFIED IN THE PROVISIONS OF PART 2 OF THIS
9 ARTICLE AND THE RULES ADOPTED PURSUANT TO SAID PART 2.

10 (3) EACH LOCAL SCHOOL BOARD SHALL ANNUALLY ASSIGN EACH
11 OF ITS DISTRICT PUBLIC SCHOOLS TO AN ACCREDITATION CATEGORY THAT
12 CORRELATES WITH THE TYPE OF PLAN THAT THE DEPARTMENT
13 DETERMINES, PURSUANT TO SECTION 22-11-210, THE DISTRICT PUBLIC
14 SCHOOL IS REQUIRED TO ADOPT. THE INSTITUTE SHALL ANNUALLY ASSIGN
15 EACH INSTITUTE CHARTER SCHOOL TO AN ACCREDITATION CATEGORY
16 THAT CORRELATES WITH THE TYPE OF PLAN THAT THE DEPARTMENT
17 DETERMINES, PURSUANT TO SECTION 22-11-210, THE INSTITUTE CHARTER
18 SCHOOL IS REQUIRED TO ADOPT.

19 (4) IF, PURSUANT TO SECTION 22-11-210 (5), THE STATE BOARD
20 DIRECTS A LOCAL SCHOOL BOARD OR THE INSTITUTE TO RESTRUCTURE OR
21 CLOSE A PUBLIC SCHOOL, THE LOCAL SCHOOL BOARD OR THE INSTITUTE
22 SHALL WORK WITH THE DEPARTMENT TO IMPLEMENT THE STATE BOARD'S
23 DIRECTIONS.

24 PART 4

25 SCHOOL ACCOUNTABILITY

26 **22-11-401. School accountability committee - creation -**
27 **qualifications - elections.** (1) (a) EACH DISTRICT PUBLIC SCHOOL AND

1 EACH INSTITUTE CHARTER SCHOOL SHALL ESTABLISH A SCHOOL
2 ACCOUNTABILITY COMMITTEE. EACH SCHOOL ACCOUNTABILITY
3 COMMITTEE SHALL CONSIST OF AT LEAST SEVEN MEMBERS AS FOLLOWS:

4 (I) THE PRINCIPAL OF THE SCHOOL OR THE PRINCIPAL'S DESIGNEE;

5 (II) AT LEAST ONE TEACHER WHO PROVIDES INSTRUCTION AT THE
6 SCHOOL;

7 (III) AT LEAST THREE PARENTS OR LEGAL GUARDIANS OF
8 STUDENTS ENROLLED IN THE SCHOOL;

9 (IV) AT LEAST ONE ADULT MEMBER OF AN ORGANIZATION OF
10 PARENTS, TEACHERS, AND STUDENTS RECOGNIZED BY THE SCHOOL; AND

11 (V) AT LEAST ONE PERSON FROM THE COMMUNITY.

12 (b) THE LOCAL SCHOOL BOARD OR THE INSTITUTE SHALL
13 DETERMINE THE ACTUAL NUMBER OF PERSONS ON THE SCHOOL
14 ACCOUNTABILITY COMMITTEE AND THE METHOD FOR SELECTING THE
15 MEMBERS OF THE SCHOOL ACCOUNTABILITY COMMITTEE. IF THE LOCAL
16 SCHOOL BOARD OR THE INSTITUTE CHOOSES TO INCREASE THE NUMBER OF
17 PERSONS ON THE SCHOOL ACCOUNTABILITY COMMITTEE, IT SHALL ENSURE
18 THAT THE NUMBER OF PARENTS, AS DESCRIBED IN SUBPARAGRAPH (III) OF
19 PARAGRAPH (a) OF THIS SUBSECTION (1), ON THE COMMITTEE EXCEEDS
20 THE NUMBER OF REPRESENTATIVES FROM THE GROUP WITH THE NEXT
21 HIGHEST REPRESENTATION.

22 (c) A PERSON MAY NOT BE SELECTED TO FILL MORE THAN ONE OF
23 THE MEMBER POSITIONS REQUIRED IN PARAGRAPH (a) OF THIS SUBSECTION
24 (1) IN A SINGLE TERM.

25 (d) IF THE LOCAL SCHOOL BOARD OR THE INSTITUTE DETERMINES
26 THAT THE MEMBERS OF A SCHOOL ACCOUNTABILITY COMMITTEE SHOULD
27 BE APPOINTED, THE APPOINTING AUTHORITY SHALL, TO THE EXTENT

1 PRACTICABLE, APPOINT PERSONS TO SERVE ON THE SCHOOL
2 ACCOUNTABILITY COMMITTEE WHO REFLECT THE STUDENT POPULATIONS
3 THAT ARE SIGNIFICANTLY REPRESENTED WITHIN THE SCHOOL. IF THE
4 LOCAL SCHOOL BOARD OR THE INSTITUTE DETERMINES THAT PERSONS
5 SHALL BE ELECTED TO SERVE ON THE SCHOOL ACCOUNTABILITY
6 COMMITTEE, THE SCHOOL PRINCIPAL SHALL ENCOURAGE PERSONS WHO
7 REFLECT THE STUDENT POPULATIONS THAT ARE SIGNIFICANTLY
8 REPRESENTED WITHIN THE SCHOOL TO SEEK ELECTION TO THE COMMITTEE.
9 SAID STUDENT POPULATIONS MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

- 10 (I) STUDENTS WHO ARE MEMBERS OF NON-CAUCASIAN RACES;
- 11 (II) STUDENTS WHO ARE ELIGIBLE FOR FREE OR REDUCED-COST
12 LUNCH THROUGH THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42
13 U.S.C. SEC. 1751 ET SEQ.;
- 14 (III) STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH, AS
15 DEFINED IN SECTION 22-24-103 (4);
- 16 (IV) STUDENTS WHO ARE MIGRANT CHILDREN, AS DEFINED IN
17 SECTION 22-23-103 (2);
- 18 (V) STUDENTS WHO ARE IDENTIFIED AS CHILDREN WITH
19 DISABILITIES PURSUANT TO SECTION 22-20-108; AND
- 20 (VI) STUDENTS WHO ARE IDENTIFIED AS GIFTED CHILDREN, AS
21 DEFINED IN SECTION 22-20-103 (13).

22 (e) THE LOCAL SCHOOL BOARD OR THE INSTITUTE SHALL
23 DETERMINE THE LENGTH OF TERMS, IF ANY, OF MEMBERS OF THE SCHOOL
24 ACCOUNTABILITY COMMITTEE AND THE DATES ON WHICH THE TERMS, IF
25 ANY, BEGIN.

26 (2) THE MEMBERS OF EACH SCHOOL ACCOUNTABILITY COMMITTEE
27 SHALL ANNUALLY SELECT FROM AMONG THE PARENT REPRESENTATIVES

1 ELECTED TO THE COMMITTEE A MEMBER TO SERVE AS CHAIR OR CO-CHAIR
2 OF THE COMMITTEE FOR A ONE-YEAR TERM.

3 (3) IF A VACANCY ARISES ON A SCHOOL ACCOUNTABILITY
4 COMMITTEE BECAUSE OF A MEMBER'S RESIGNATION OR DISQUALIFICATION
5 OR FOR ANY OTHER REASON, THE REMAINING MEMBERS OF THE SCHOOL
6 ACCOUNTABILITY COMMITTEE SHALL FILL THE VACANCY BY MAJORITY
7 ACTION.

8 (4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
9 CONTRARY:

10 (a) IF, AFTER MAKING GOOD-FAITH EFFORTS, A PRINCIPAL OR AN
11 ORGANIZATION OF PARENTS, TEACHERS, AND STUDENTS IS UNABLE TO FIND
12 A SUFFICIENT NUMBER OF PERSONS WHO ARE WILLING TO SERVE ON THE
13 SCHOOL ACCOUNTABILITY COMMITTEE, THE PRINCIPAL, WITH ADVICE
14 FROM THE ORGANIZATION OF PARENTS, TEACHERS, AND STUDENTS, MAY
15 ESTABLISH AN ALTERNATIVE MEMBERSHIP PLAN FOR THE SCHOOL
16 ACCOUNTABILITY COMMITTEE, WHICH PLAN SHALL REFLECT THE
17 MEMBERSHIP SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS
18 SECTION AS MUCH AS PRACTICABLE;

19 (b) THE MEMBERS OF THE GOVERNING BOARD OF A DISTRICT
20 CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL MAY SERVE AS
21 MEMBERS OF THE SCHOOL ACCOUNTABILITY COMMITTEE;

22 (c) IN A SCHOOL DISTRICT WITH FIVE HUNDRED OR FEWER
23 ENROLLED STUDENTS, ONE OR MORE MEMBERS OF THE LOCAL SCHOOL
24 BOARD OR OF THE DISTRICT ACCOUNTABILITY COMMITTEE MAY ALSO
25 SERVE ON A SCHOOL ACCOUNTABILITY COMMITTEE.

26 **22-11-402. School accountability committee - powers and**
27 **duties - meetings.** (1) EACH SCHOOL ACCOUNTABILITY COMMITTEE

1 SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

2 (a) TO RECOMMEND TO THE PRINCIPAL OF ITS SCHOOL PRIORITIES
3 FOR SPENDING SCHOOL MONEYS. THE PRINCIPAL SHALL CONSIDER THE
4 SCHOOL ACCOUNTABILITY COMMITTEE'S RECOMMENDATIONS REGARDING
5 SPENDING STATE, FEDERAL, LOCAL, OR PRIVATE GRANTS AND ANY OTHER
6 DISCRETIONARY MONEYS AND TAKE THEM INTO ACCOUNT IN
7 FORMULATING BUDGET REQUESTS FOR PRESENTATION TO THE LOCAL
8 SCHOOL BOARD, IF THE SCHOOL IS A DISTRICT PUBLIC SCHOOL, OTHER
9 THAN A CHARTER SCHOOL, OR IN CREATING THE SCHOOL BUDGET IF THE
10 SCHOOL IS A DISTRICT OR INSTITUTE CHARTER SCHOOL. THE SCHOOL
11 ACCOUNTABILITY COMMITTEE FOR A DISTRICT PUBLIC SCHOOL SHALL SEND
12 A COPY OF ITS RECOMMENDED SPENDING PRIORITIES TO THE SCHOOL
13 DISTRICT ACCOUNTABILITY COMMITTEE AND TO THE LOCAL SCHOOL
14 BOARD.

15 (b) TO CREATE AND ADOPT A SCHOOL PERFORMANCE,
16 IMPROVEMENT, OR PRIORITY IMPROVEMENT PLAN, AS REQUIRED BY THE
17 STATE BOARD PURSUANT TO SECTION 22-11-210;

18 (c) TO CREATE AND SUBMIT TO THE LOCAL SCHOOL BOARD OR TO
19 THE INSTITUTE RECOMMENDATIONS FOR A SCHOOL TURNAROUND PLAN IF
20 REQUIRED BY THE STATE BOARD PURSUANT TO SECTION 22-11-210;

21 (d) TO MEET AT LEAST QUARTERLY TO DISCUSS WHETHER SCHOOL
22 LEADERSHIP, PERSONNEL, AND INFRASTRUCTURE ARE ADVANCING OR
23 IMPEDING IMPLEMENTATION OF THE PUBLIC SCHOOL'S PERFORMANCE,
24 IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLAN,
25 WHICHEVER IS APPLICABLE, OR OTHER PROGRESS PERTINENT TO THE
26 PUBLIC SCHOOL'S ACCREDITATION CONTRACT WITH THE LOCAL SCHOOL
27 BOARD OR THE INSTITUTE.

1 **22-11-403. School performance plan - contents.** (1) (a) IF THE
2 STATE BOARD, PURSUANT TO SECTION 22-11-210, DIRECTS A PUBLIC
3 SCHOOL TO ADOPT A PERFORMANCE PLAN, THE SCHOOL ACCOUNTABILITY
4 COMMITTEE, IN ACCORDANCE WITH TIME FRAMES SPECIFIED IN STATE
5 BOARD RULES, SHALL ADOPT A SCHOOL PERFORMANCE PLAN AS DESCRIBED
6 IN SUBSECTION (2) OF THIS SECTION.

7 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR A DISTRICT
8 PUBLIC SCHOOL SHALL SUBMIT ITS SCHOOL PERFORMANCE PLAN TO THE
9 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE FOR REVIEW AND
10 INCLUSION IN THE COMPILATION PREPARED PURSUANT TO SECTION
11 22-11-302 (1) AND TO THE LOCAL SCHOOL BOARD TO CONSIDER IN
12 DEVELOPING THE BUDGET REQUIRED BY SECTION 22-44-108. THE SCHOOL
13 ACCOUNTABILITY COMMITTEE SHALL ENSURE THAT THE SCHOOL
14 PERFORMANCE PLAN IS IN EFFECT FOR THE DISTRICT PUBLIC SCHOOL
15 WITHIN THE TIME FRAMES ESTABLISHED IN STATE BOARD RULES.

16 (c) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR AN INSTITUTE
17 CHARTER SCHOOL SHALL SUBMIT ITS SCHOOL PERFORMANCE PLAN TO THE
18 INSTITUTE FOR REVIEW AND INCLUSION IN THE COMPILATION PREPARED
19 PURSUANT TO SECTION 22-11-303 (2) (b). THE SCHOOL ACCOUNTABILITY
20 COMMITTEE SHALL ENSURE THAT THE SCHOOL PERFORMANCE PLAN IS IN
21 EFFECT FOR THE INSTITUTE CHARTER SCHOOL WITHIN THE TIME FRAMES
22 ESTABLISHED IN STATE BOARD RULES.

23 (2) A SCHOOL PERFORMANCE PLAN SHALL BE DESIGNED TO RAISE
24 THE ACADEMIC PERFORMANCE OF STUDENTS ENROLLED IN THE PUBLIC
25 SCHOOL AND TO ENSURE THAT THE PUBLIC SCHOOL, FOLLOWING THE NEXT
26 ANNUAL PERFORMANCE REVIEW, ATTAINS A HIGHER ACCREDITATION
27 CATEGORY OR REMAINS IN THE SAME ACCREDITATION CATEGORY IF THE

1 PUBLIC SCHOOL IS ALREADY ACCREDITED BY THE SCHOOL DISTRICT OR THE
2 INSTITUTE AT THE HIGHEST LEVEL. AT A MINIMUM, EACH SCHOOL
3 PERFORMANCE PLAN SHALL:

4 (a) SET, REAFFIRM, OR REVISE, AS APPROPRIATE, AMBITIOUS BUT
5 ATTAINABLE TARGETS THAT THE PUBLIC SCHOOL SHALL ATTAIN ON THE
6 PERFORMANCE INDICATORS. THE SCHOOL ACCOUNTABILITY COMMITTEE
7 SHALL ENSURE THAT THE TARGETS ARE ALIGNED WITH THE STATEWIDE
8 TARGETS SET BY THE STATE BOARD PURSUANT TO SECTION 22-11-201.

9 (b) IDENTIFY POSITIVE AND NEGATIVE TRENDS IN THE LEVELS OF
10 ATTAINMENT BY THE PUBLIC SCHOOL ON THE PERFORMANCE INDICATORS;

11 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS AT THE PUBLIC
12 SCHOOL THAT MUST BE ADDRESSED TO IMPROVE STUDENT ACADEMIC
13 PERFORMANCE WITHIN THE PUBLIC SCHOOL;

14 (d) IDENTIFY SPECIFIC, RESEARCH-BASED STRATEGIES TO ADDRESS
15 THE NEEDS AND ISSUES IDENTIFIED PURSUANT TO PARAGRAPH (c) OF THIS
16 SUBSECTION (2);

17 (e) IDENTIFY THE LOCAL, STATE, AND FEDERAL RESOURCES THAT
18 THE PUBLIC SCHOOL WILL USE TO IMPLEMENT THE IDENTIFIED STRATEGIES
19 WITH FIDELITY; AND

20 (f) ADDRESS ANY OTHER ISSUES REQUIRED BY RULE OF THE STATE
21 BOARD OR RAISED BY THE DEPARTMENT THROUGH THE PERFORMANCE
22 REVIEW PURSUANT TO SECTION 22-11-210.

23 (3) THE LOCAL SCHOOL BOARD, ON BEHALF OF A DISTRICT PUBLIC
24 SCHOOL, OR THE INSTITUTE, ON BEHALF OF AN INSTITUTE CHARTER
25 SCHOOL, SHALL SUBMIT THE SCHOOL PERFORMANCE PLAN TO THE
26 DEPARTMENT FOR PUBLICATION ON THE DATA PORTAL. THE PUBLIC
27 SCHOOL SHALL MAKE COPIES OF THE SCHOOL PERFORMANCE PLAN

1 AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

2 **22-11-404. School improvement plan - contents.** (1) (a) IF THE
3 STATE BOARD, PURSUANT TO SECTION 22-11-210, DIRECTS A PUBLIC
4 SCHOOL TO ADOPT AN IMPROVEMENT PLAN, THE SCHOOL ACCOUNTABILITY
5 COMMITTEE, IN ACCORDANCE WITH TIME FRAMES SPECIFIED IN STATE
6 BOARD RULES, SHALL ADOPT A SCHOOL IMPROVEMENT PLAN AS DESCRIBED
7 IN SUBSECTION (2) OF THIS SECTION.

8 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR A DISTRICT
9 PUBLIC SCHOOL SHALL SUBMIT ITS SCHOOL IMPROVEMENT PLAN TO THE
10 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE FOR REVIEW AND
11 INCLUSION IN THE COMPILATION PREPARED PURSUANT TO SECTION
12 22-11-302 (1). THE SCHOOL ACCOUNTABILITY COMMITTEE SHALL ALSO
13 SUBMIT ITS SCHOOL IMPROVEMENT PLAN TO THE LOCAL SCHOOL BOARD TO
14 CONSIDER IN DEVELOPING THE BUDGET REQUIRED BY SECTION 22-44-108.
15 THE SCHOOL ACCOUNTABILITY COMMITTEE SHALL ENSURE THAT THE
16 SCHOOL IMPROVEMENT PLAN IS IN EFFECT FOR THE DISTRICT PUBLIC
17 SCHOOL WITHIN THE TIME FRAMES ESTABLISHED IN STATE BOARD RULES.

18 (c) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR AN INSTITUTE
19 CHARTER SCHOOL SHALL SUBMIT ITS SCHOOL IMPROVEMENT PLAN TO THE
20 INSTITUTE FOR REVIEW AND INCLUSION IN THE COMPILATION PREPARED
21 PURSUANT TO SECTION 22-11-303 (2) (b). THE SCHOOL ACCOUNTABILITY
22 COMMITTEE SHALL ENSURE THAT THE SCHOOL IMPROVEMENT PLAN IS IN
23 EFFECT FOR THE INSTITUTE CHARTER SCHOOL WITHIN THE TIME PERIOD
24 ESTABLISHED BY STATE BOARD RULES.

25 (2) A SCHOOL IMPROVEMENT PLAN SHALL BE DESIGNED TO RAISE
26 THE ACADEMIC PERFORMANCE OF STUDENTS ENROLLED IN THE PUBLIC
27 SCHOOL AND TO ENSURE THAT THE PUBLIC SCHOOL, FOLLOWING THE NEXT

1 ANNUAL PERFORMANCE REVIEW, ATTAINS A HIGHER ACCREDITATION
2 CATEGORY. AT A MINIMUM, EACH SCHOOL IMPROVEMENT PLAN SHALL:

3 (a) SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE
4 TARGETS THAT THE PUBLIC SCHOOL SHALL ATTAIN ON THE PERFORMANCE
5 INDICATORS. THE SCHOOL ACCOUNTABILITY COMMITTEE SHALL ENSURE
6 THAT THE TARGETS ARE ALIGNED WITH THE STATEWIDE TARGETS SET BY
7 THE STATE BOARD PURSUANT TO SECTION 22-11-201.

8 (b) IDENTIFY POSITIVE AND NEGATIVE TRENDS IN THE LEVELS OF
9 ATTAINMENT BY THE PUBLIC SCHOOL ON THE PERFORMANCE INDICATORS;

10 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS AT THE PUBLIC
11 SCHOOL THAT MUST BE ADDRESSED TO IMPROVE STUDENT ACADEMIC
12 PERFORMANCE WITHIN THE PUBLIC SCHOOL;

13 (d) IDENTIFY SPECIFIC, RESEARCH-BASED STRATEGIES THAT ARE
14 APPROPRIATE IN SCOPE, INTENSITY, AND TYPE TO ADDRESS THE NEEDS AND
15 ISSUES IDENTIFIED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (2);

16 (e) IDENTIFY THE LOCAL, STATE, AND FEDERAL RESOURCES THAT
17 THE PUBLIC SCHOOL WILL USE TO IMPLEMENT THE IDENTIFIED STRATEGIES
18 WITH FIDELITY; AND

19 (f) ADDRESS ANY OTHER ISSUES REQUIRED BY RULE OF THE STATE
20 BOARD OR RAISED BY THE DEPARTMENT THROUGH THE PERFORMANCE
21 REVIEW PURSUANT TO SECTION 22-11-210.

22 (3) THE LOCAL SCHOOL BOARD, ON BEHALF OF A DISTRICT PUBLIC
23 SCHOOL, OR THE INSTITUTE, ON BEHALF OF AN INSTITUTE CHARTER
24 SCHOOL, SHALL SUBMIT THE SCHOOL IMPROVEMENT PLAN TO THE
25 DEPARTMENT FOR PUBLICATION ON THE DATA PORTAL. THE PUBLIC
26 SCHOOL SHALL MAKE COPIES OF THE SCHOOL IMPROVEMENT PLAN
27 AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

1 **22-11-405. School priority improvement plan - contents.**

2 (1) (a) IF THE STATE BOARD, PURSUANT TO SECTION 22-11-210, DIRECTS
3 A PUBLIC SCHOOL TO ADOPT A PRIORITY IMPROVEMENT PLAN, THE SCHOOL
4 ACCOUNTABILITY COMMITTEE, IN ACCORDANCE WITH TIME FRAMES
5 SPECIFIED IN STATE BOARD RULES, SHALL ADOPT A SCHOOL PRIORITY
6 IMPROVEMENT PLAN AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

7 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR A DISTRICT
8 PUBLIC SCHOOL SHALL SUBMIT ITS SCHOOL PRIORITY IMPROVEMENT PLAN
9 TO THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE FOR REVIEW AND
10 INCLUSION IN THE COMPILATION PREPARED PURSUANT TO SECTION
11 22-11-302 (1). THE SCHOOL ACCOUNTABILITY COMMITTEE SHALL ALSO
12 SUBMIT ITS SCHOOL PRIORITY IMPROVEMENT PLAN TO THE LOCAL SCHOOL
13 BOARD TO CONSIDER IN DEVELOPING THE BUDGET REQUIRED BY SECTION
14 22-44-108. THE SCHOOL ACCOUNTABILITY COMMITTEE SHALL ENSURE
15 THAT THE SCHOOL PRIORITY IMPROVEMENT PLAN IS IN EFFECT FOR THE
16 DISTRICT PUBLIC SCHOOL WITHIN THE TIME FRAMES ESTABLISHED IN STATE
17 BOARD RULES.

18 (c) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR AN INSTITUTE
19 CHARTER SCHOOL SHALL SUBMIT ITS SCHOOL PRIORITY IMPROVEMENT
20 PLAN TO THE INSTITUTE FOR REVIEW AND INCLUSION IN THE COMPILATION
21 PREPARED PURSUANT TO SECTION 22-11-303 (2) (b). THE SCHOOL
22 ACCOUNTABILITY COMMITTEE SHALL ENSURE THAT THE SCHOOL PRIORITY
23 IMPROVEMENT PLAN IS IN EFFECT FOR THE INSTITUTE CHARTER SCHOOL
24 WITHIN THE TIME FRAMES ESTABLISHED IN STATE BOARD RULES.

25 (d) THE COMMISSIONER, SUBJECT TO AVAILABLE APPROPRIATIONS,
26 MAY ASSIGN THE STATE REVIEW PANEL TO CRITICALLY EVALUATE A
27 PUBLIC SCHOOL'S PRIORITY IMPROVEMENT PLAN AND REPORT TO THE

1 COMMISSIONER ANY RECOMMENDED MODIFICATIONS TO THE PLAN. BASED
2 ON THE RECOMMENDATIONS OF THE STATE REVIEW PANEL, THE
3 COMMISSIONER MAY RECOMMEND TO THE LOCAL SCHOOL BOARD OR THE
4 INSTITUTE MODIFICATIONS TO THE SCHOOL PRIORITY IMPROVEMENT PLAN.

5 (2) A SCHOOL PRIORITY IMPROVEMENT PLAN SHALL BE DESIGNED
6 TO ENSURE THAT THE PUBLIC SCHOOL IMPROVES ITS PERFORMANCE TO THE
7 EXTENT THAT, FOLLOWING COMPLETION OF THE PUBLIC SCHOOL'S NEXT
8 ANNUAL PERFORMANCE REVIEW, THE PUBLIC SCHOOL ATTAINS A HIGHER
9 ACCREDITATION CATEGORY. AT A MINIMUM, A SCHOOL PRIORITY
10 IMPROVEMENT PLAN SHALL:

11 (a) SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE
12 TARGETS THAT THE PUBLIC SCHOOL SHALL ATTAIN ON THE PERFORMANCE
13 INDICATORS. THE SCHOOL ACCOUNTABILITY COMMITTEE SHALL ENSURE
14 THAT THE TARGETS ARE ALIGNED WITH THE STATEWIDE TARGETS SET BY
15 THE STATE BOARD PURSUANT TO SECTION 22-11-201.

16 (b) IDENTIFY POSITIVE AND NEGATIVE TRENDS IN THE LEVELS OF
17 ATTAINMENT BY THE PUBLIC SCHOOL ON THE PERFORMANCE INDICATORS;

18 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS AT THE PUBLIC
19 SCHOOL THAT MUST BE ADDRESSED TO IMPROVE STUDENT ACADEMIC
20 PERFORMANCE WITHIN THE PUBLIC SCHOOL;

21 (d) IDENTIFY SPECIFIC, RESEARCH-BASED STRATEGIES THAT ARE
22 APPROPRIATE IN SCOPE, INTENSITY, AND TYPE TO ADDRESS THE NEEDS AND
23 ISSUES IDENTIFIED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (2);

24 (e) IDENTIFY THE LOCAL, STATE, AND FEDERAL RESOURCES THAT
25 THE PUBLIC SCHOOL WILL USE TO IMPLEMENT THE IDENTIFIED STRATEGIES
26 WITH FIDELITY; AND

27 (f) ADDRESS ANY OTHER ISSUES REQUIRED BY RULE OF THE STATE

1 BOARD OR RAISED BY THE DEPARTMENT THROUGH THE PERFORMANCE
2 REVIEW PURSUANT TO SECTION 22-11-210.

3 (3) THE LOCAL SCHOOL BOARD, ON BEHALF OF A DISTRICT PUBLIC
4 SCHOOL, OR THE INSTITUTE, ON BEHALF OF AN INSTITUTE CHARTER
5 SCHOOL, SHALL SUBMIT THE SCHOOL PRIORITY IMPROVEMENT PLAN TO THE
6 DEPARTMENT FOR PUBLICATION ON THE DATA PORTAL. THE PUBLIC
7 SCHOOL SHALL MAKE COPIES OF THE SCHOOL PRIORITY IMPROVEMENT
8 PLAN AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

9 **22-11-406. School turnaround plan - contents.** (1) (a) IF THE
10 STATE BOARD, PURSUANT TO SECTION 22-11-210, DIRECTS A DISTRICT
11 PUBLIC SCHOOL TO ADOPT A TURNAROUND PLAN, THE LOCAL SCHOOL
12 BOARD, IN ACCORDANCE WITH TIME FRAMES SPECIFIED IN STATE BOARD
13 RULES, SHALL ADOPT A SCHOOL TURNAROUND PLAN, AS DESCRIBED IN
14 SUBSECTION (3) OF THIS SECTION. EACH DISTRICT PUBLIC SCHOOL
15 TURNAROUND PLAN SHALL ALSO BE SUBJECT TO EVALUATION BY THE
16 STATE REVIEW PANEL AND APPROVAL BY THE COMMISSIONER AS PROVIDED
17 IN THIS SUBSECTION (1).

18 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE DISTRICT
19 PUBLIC SCHOOL SHALL MAKE RECOMMENDATIONS TO THE LOCAL SCHOOL
20 BOARD CONCERNING THE CONTENTS OF THE SCHOOL TURNAROUND PLAN.
21 THE LOCAL SCHOOL BOARD SHALL CREATE AND ADOPT THE SCHOOL
22 TURNAROUND PLAN, TAKING INTO ACCOUNT THE RECOMMENDATIONS OF
23 THE SCHOOL ACCOUNTABILITY COMMITTEE.

24 (c) WITHIN THE TIME FRAMES SPECIFIED IN STATE BOARD RULE,
25 THE LOCAL SCHOOL BOARD SHALL SUBMIT THE ADOPTED SCHOOL
26 TURNAROUND PLAN TO THE COMMISSIONER FOR EVALUATION BY THE
27 STATE REVIEW PANEL. THE STATE REVIEW PANEL SHALL CRITICALLY

1 EVALUATE THE ADOPTED SCHOOL TURNAROUND PLAN AND MAKE
2 RECOMMENDATIONS TO THE COMMISSIONER AND THE STATE BOARD
3 CONCERNING THE ISSUES SPECIFIED IN SECTION 22-11-210 (4). THE
4 COMMISSIONER SHALL CONSIDER THE STATE REVIEW PANEL'S
5 RECOMMENDATIONS AND APPROVE THE SCHOOL TURNAROUND PLAN OR
6 SUGGEST MODIFICATIONS TO THE PLAN. THE LOCAL SCHOOL BOARD SHALL
7 REVISE THE SCHOOL TURNAROUND PLAN, IF NECESSARY, AND RESUBMIT
8 THE PLAN FOR APPROVAL WITHIN THE TIME FRAMES SPECIFIED IN STATE
9 BOARD RULE. THE LOCAL SCHOOL BOARD SHALL ENSURE THAT THE FINAL,
10 APPROVED SCHOOL TURNAROUND PLAN IS IN EFFECT FOR THE DISTRICT
11 PUBLIC SCHOOL WITHIN THE TIME FRAMES SPECIFIED IN STATE BOARD
12 RULE.

13 (d) THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE SHALL
14 INCLUDE THE FINAL, APPROVED SCHOOL TURNAROUND PLAN IN THE
15 COMPILATION PREPARED PURSUANT TO SECTION 22-11-302 (1), AND THE
16 LOCAL SCHOOL BOARD SHALL CONSIDER THE FINAL, APPROVED SCHOOL
17 TURNAROUND PLAN IN DEVELOPING THE BUDGET REQUIRED BY SECTION
18 22-44-108.

19 (e) THE LOCAL SCHOOL BOARD SHALL SUBMIT THE FINAL,
20 APPROVED SCHOOL TURNAROUND PLAN TO THE DEPARTMENT FOR
21 PUBLICATION ON THE DATA PORTAL. THE DISTRICT PUBLIC SCHOOL SHALL
22 MAKE COPIES OF THE FINAL, APPROVED SCHOOL TURNAROUND PLAN
23 AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

24 (2) (a) IF THE STATE BOARD, PURSUANT TO SECTION 22-11-210,
25 DIRECTS AN INSTITUTE CHARTER SCHOOL TO ADOPT A TURNAROUND PLAN,
26 THE INSTITUTE, IN ACCORDANCE WITH TIME FRAMES SPECIFIED IN STATE
27 BOARD RULES, SHALL ADOPT A SCHOOL TURNAROUND PLAN, AS DESCRIBED

1 IN SUBSECTION (3) OF THIS SECTION. EACH INSTITUTE CHARTER SCHOOL
2 TURNAROUND PLAN SHALL ALSO BE SUBJECT TO EVALUATION BY THE
3 STATE REVIEW PANEL AND APPROVAL BY THE COMMISSIONER AS PROVIDED
4 IN THIS SUBSECTION (2).

5 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE INSTITUTE
6 CHARTER SCHOOL SHALL MAKE RECOMMENDATIONS TO THE INSTITUTE
7 CONCERNING THE CONTENTS OF THE SCHOOL TURNAROUND PLAN. THE
8 INSTITUTE SHALL CREATE AND ADOPT THE SCHOOL TURNAROUND PLAN,
9 TAKING INTO ACCOUNT THE RECOMMENDATIONS OF THE SCHOOL
10 ACCOUNTABILITY COMMITTEE.

11 (c) WITHIN THE TIME FRAMES SPECIFIED IN STATE BOARD RULE,
12 THE INSTITUTE SHALL SUBMIT THE ADOPTED SCHOOL TURNAROUND PLAN
13 TO THE COMMISSIONER FOR EVALUATION BY THE STATE REVIEW PANEL.
14 THE STATE REVIEW PANEL SHALL CRITICALLY EVALUATE THE ADOPTED
15 SCHOOL TURNAROUND PLAN AND MAKE RECOMMENDATIONS TO THE
16 COMMISSIONER AND THE STATE BOARD CONCERNING THE ISSUES SPECIFIED
17 IN SECTION 22-11-210 (4). THE COMMISSIONER SHALL CONSIDER THE
18 STATE REVIEW PANEL'S RECOMMENDATIONS AND APPROVE THE SCHOOL
19 TURNAROUND PLAN OR SUGGEST MODIFICATIONS TO THE PLAN. THE
20 INSTITUTE SHALL REVISE THE SCHOOL TURNAROUND PLAN, IF NECESSARY,
21 AND RESUBMIT THE PLAN FOR APPROVAL WITHIN THE TIME FRAMES
22 SPECIFIED IN STATE BOARD RULE. THE INSTITUTE SHALL ENSURE THAT THE
23 FINAL, APPROVED SCHOOL TURNAROUND PLAN IS IN EFFECT FOR THE
24 INSTITUTE CHARTER SCHOOL WITHIN THE TIME FRAMES SPECIFIED IN STATE
25 BOARD RULE.

26 (d) THE INSTITUTE SHALL INCLUDE THE FINAL, APPROVED SCHOOL
27 TURNAROUND PLAN IN THE COMPILATION PREPARED PURSUANT TO

1 SECTION 22-11-303 (2) (b). THE INSTITUTE SHALL SUBMIT THE FINAL,
2 APPROVED SCHOOL TURNAROUND PLAN TO THE DEPARTMENT FOR
3 PUBLICATION ON THE DATA PORTAL. THE INSTITUTE CHARTER SCHOOL
4 SHALL MAKE COPIES OF THE FINAL, APPROVED SCHOOL TURNAROUND PLAN
5 AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

6 (3) A SCHOOL TURNAROUND PLAN SHALL BE DESIGNED TO ENSURE
7 THAT THE PUBLIC SCHOOL IMPROVES ITS PERFORMANCE TO THE EXTENT
8 THAT, FOLLOWING COMPLETION OF THE PUBLIC SCHOOL'S NEXT ANNUAL
9 PERFORMANCE REVIEW, THE PUBLIC SCHOOL ATTAINS A HIGHER
10 ACCREDITATION CATEGORY. AT A MINIMUM, A SCHOOL TURNAROUND
11 PLAN SHALL:

12 (a) SET OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE
13 TARGETS THAT THE PUBLIC SCHOOL SHALL ATTAIN ON THE PERFORMANCE
14 INDICATORS. THE LOCAL SCHOOL BOARD OR THE INSTITUTE SHALL ENSURE
15 THAT THE TARGETS ARE ALIGNED WITH THE STATEWIDE TARGETS SET BY
16 THE STATE BOARD PURSUANT TO SECTION 22-11-201.

17 (b) IDENTIFY POSITIVE AND NEGATIVE TRENDS IN THE LEVELS OF
18 ATTAINMENT BY THE PUBLIC SCHOOL ON THE PERFORMANCE INDICATORS;

19 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS AT THE PUBLIC
20 SCHOOL THAT MUST BE ADDRESSED TO IMPROVE STUDENT ACADEMIC
21 PERFORMANCE WITHIN THE PUBLIC SCHOOL;

22 (d) IDENTIFY SPECIFIC, RESEARCH-BASED STRATEGIES THAT ARE
23 APPROPRIATE IN SCOPE, INTENSITY, AND TYPE TO ADDRESS THE NEEDS AND
24 ISSUES IDENTIFIED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (3),
25 WHICH STRATEGIES SHALL, AT A MINIMUM, INCLUDE ONE OR MORE OF THE
26 FOLLOWING:

27 (I) EMPLOYING A LEAD TURNAROUND PARTNER THAT USES

1 RESEARCH-BASED STRATEGIES AND HAS A PROVEN RECORD OF SUCCESS
2 WORKING WITH SCHOOLS UNDER SIMILAR CIRCUMSTANCES, WHICH
3 TURNAROUND PARTNER SHALL BE IMMERSSED IN ALL ASPECTS OF
4 DEVELOPING AND COLLABORATIVELY EXECUTING THE TURNAROUND PLAN
5 AND SHALL SERVE AS A LIAISON TO OTHER SCHOOL PARTNERS;

6 (II) REORGANIZING THE OVERSIGHT AND MANAGEMENT
7 STRUCTURE WITHIN THE PUBLIC SCHOOL TO PROVIDE GREATER, MORE
8 EFFECTIVE SUPPORT;

9 (III) FOR A DISTRICT PUBLIC SCHOOL, SEEKING RECOGNITION AS
10 AN INNOVATION SCHOOL OR CLUSTERING WITH OTHER DISTRICT PUBLIC
11 SCHOOLS THAT HAVE SIMILAR GOVERNANCE OR MANAGEMENT
12 STRUCTURES TO FORM AN INNOVATION SCHOOL ZONE PURSUANT TO
13 ARTICLE 32.5 OF THIS TITLE;

14 (IV) HIRING A PUBLIC OR PRIVATE ENTITY THAT USES
15 RESEARCH-BASED STRATEGIES AND HAS A PROVEN RECORD OF SUCCESS
16 WORKING WITH SCHOOLS UNDER SIMILAR CIRCUMSTANCES TO MANAGE
17 THE PUBLIC SCHOOL PURSUANT TO A CONTRACT WITH THE LOCAL SCHOOL
18 BOARD OR THE INSTITUTE;

19 (V) FOR A DISTRICT PUBLIC SCHOOL THAT IS NOT A CHARTER
20 SCHOOL, CONVERTING TO A CHARTER SCHOOL;

21 (VI) FOR A DISTRICT CHARTER SCHOOL OR AN INSTITUTE CHARTER
22 SCHOOL, RENEGOTIATING AND SIGNIFICANTLY RESTRUCTURING THE
23 CHARTER SCHOOL'S CHARTER CONTRACT;

24 (VII) CLOSING THE PUBLIC SCHOOL; AND

25 (VIII) OTHER ACTIONS OF COMPARABLE OR GREATER
26 SIGNIFICANCE OR EFFECT;

27 (e) IDENTIFY THE LOCAL, STATE, AND FEDERAL RESOURCES THAT

1 THE PUBLIC SCHOOL WILL USE TO IMPLEMENT THE IDENTIFIED STRATEGIES
2 WITH FIDELITY; AND

3 (f) ADDRESS ANY OTHER ISSUES REQUIRED BY RULE OF THE STATE
4 BOARD OR RAISED BY THE DEPARTMENT THROUGH THE PERFORMANCE
5 REVIEW PURSUANT TO SECTION 22-11-210.

6 (4) THE GENERAL ASSEMBLY MAY APPROPRIATE SUCH MONEYS AS
7 ARE AVAILABLE TO ASSIST SCHOOL DISTRICTS AND THE INSTITUTE IN
8 IMPROVING THE ACADEMIC GROWTH OF STUDENTS IN PUBLIC SCHOOLS
9 THAT ARE REQUIRED TO ADOPT SCHOOL TURNAROUND PLANS. IN
10 ADDITION, THE DEPARTMENT MAY ALLOCATE ANY MONEYS RECEIVED
11 PURSUANT TO THE FEDERAL "NO CHILD LEFT BEHIND ACT OF 2001", 20
12 U.S.C. SEC. 6301 ET SEQ., FOR SUCH PURPOSE.

13 PART 5

14 PERFORMANCE REPORTING

15 **22-11-501. State data reporting system.** (1) THE DEPARTMENT
16 SHALL ADMINISTER, MANAGE, AND MAINTAIN A COMPREHENSIVE DATA
17 COLLECTION AND REPORTING SYSTEM FOR COLLECTING AND REPORTING
18 THE DATA SPECIFIED IN AND REQUIRED TO IMPLEMENT THIS ARTICLE. THE
19 DEPARTMENT SHALL ENSURE THAT THE STATE DATA REPORTING SYSTEM
20 IS CAPABLE OF:

21 (a) COLLECTING, THROUGH ELECTRONIC TRANSFER WHERE
22 POSSIBLE, ALL STUDENT, PUBLIC SCHOOL, SCHOOL DISTRICT, AND
23 INSTITUTE PERFORMANCE DATA REQUIRED TO ASCERTAIN THE DEGREE TO
24 WHICH PUBLIC SCHOOLS, SCHOOL DISTRICTS, AND THE INSTITUTE ARE
25 MEETING THE STATEWIDE TARGETS FOR ATTAINMENT ON THE
26 PERFORMANCE INDICATORS;

27 (b) PRODUCING DATA TO SUPPORT DECISION-MAKING AND

1 LEARNING AND TO PREPARE THE REPORTS ON PUBLIC SCHOOL, SCHOOL
2 DISTRICT, INSTITUTE, AND STATE PERFORMANCE DESCRIBED IN SECTION
3 22-11-503;

4 (c) PROTECTING THE PRIVACY OF STUDENTS;

5 (d) INCLUDING ALL THE INFORMATION AND DATA ELEMENTS
6 NEEDED TO MEASURE STUDENT, PUBLIC SCHOOL, SCHOOL DISTRICT,
7 INSTITUTE, AND STATE PERFORMANCE; AND

8 (e) SUPPORTING ANALYSIS OF THE RELATIONSHIP BETWEEN
9 SCHOOL DISTRICT AND PUBLIC SCHOOL EXPENDITURES AND PROGRAM
10 CHARACTERISTICS AND EFFECTIVENESS.

11 (2) THE DATA ELEMENTS COLLECTED AND PROVIDED BY THE
12 DEPARTMENT, SCHOOL DISTRICTS, THE INSTITUTE, AND INDIVIDUAL PUBLIC
13 SCHOOLS SHALL BE COMPATIBLE AND INTEROPERABLE. EACH SCHOOL
14 DISTRICT THAT HAS A UNIQUE INFORMATION MANAGEMENT SYSTEM SHALL
15 ENSURE THAT ITS UNIQUE SYSTEM IS COMPATIBLE WITH THE DATA
16 ELEMENTS OF THE STATE DATA REPORTING SYSTEM SO THAT ALL DATA
17 REQUIRED TO BE INPUT INTO THE STATE DATA REPORTING SYSTEM IS MADE
18 AVAILABLE THROUGH ELECTRONIC TRANSFER AND IN THE APPROPRIATE
19 INPUT FORMAT.

20 (3) THE DEPARTMENT SHALL HAVE THE FOLLOWING DUTIES AND
21 RESPONSIBILITIES WITH REGARD TO THE STATE DATA REPORTING SYSTEM:

22 (a) TO CONSULT WITH SCHOOL DISTRICT REPRESENTATIVES IN THE
23 DESIGN AND MAINTENANCE OF THE DATA MODEL AND IMPLEMENTATION
24 PLANS FOR THE ELECTRONIC TRANSFER OF DATA BETWEEN SCHOOL
25 DISTRICTS, THE INSTITUTE, INDIVIDUAL PUBLIC SCHOOLS, AND THE STATE
26 DATA REPORTING SYSTEM;

27 (b) TO PROVIDE OPERATIONAL DEFINITIONS FOR THE STATE DATA

1 REPORTING SYSTEM THROUGH THE DATA DICTIONARY CREATED PURSUANT
2 TO SECTION 22-2-305;

3 (c) TO DETERMINE THE INFORMATION AND SPECIFIC DATA
4 ELEMENTS REQUIRED FOR THE PERFORMANCE DECISIONS MADE AT EACH
5 PUBLIC SCHOOL, RECOGNIZING THAT THE PRIMARY UNIT FOR INFORMATION
6 INPUT IS THE INDIVIDUAL PUBLIC SCHOOL AND RECOGNIZING THAT THE
7 TIME AND EFFORT OF INSTRUCTIONAL PERSONNEL EXPENDED IN
8 COLLECTION AND COMPILATION OF DATA SHOULD BE MINIMIZED;

9 (d) TO DEVELOP STANDARDIZED TERMS AND PROCEDURES TO BE
10 FOLLOWED AT ALL PUBLIC SCHOOLS;

11 (e) TO DEVELOP AN ELECTRONIC STANDARDIZED TRANSMITTAL
12 FORMAT TO BE USED FOR COLLECTION OF DATA FROM SCHOOL DISTRICTS,
13 THE INSTITUTE, AND PUBLIC SCHOOLS;

14 (f) TO DEVELOP APPROPRIATE COMPUTER APPLICATIONS TO
15 ENSURE THE INTEGRITY AND INTEGRATION OF THE SPECIFIC DATA
16 ELEMENTS;

17 (g) TO DEVELOP THE NECESSARY APPLICATIONS TO PROVIDE
18 STATISTICAL ANALYSIS OF THE COMPREHENSIVE INFORMATION AND
19 SUPPORTING DATA ELEMENTS PROVIDED IN PARAGRAPH (f) OF THIS
20 SUBSECTION (3) IN SUCH A WAY THAT REQUIRED REPORTS MAY BE
21 DISSEMINATED, COMPARISONS MAY BE MADE, AND RELATIONSHIPS MAY BE
22 DETERMINED IN ORDER TO PROVIDE THE NECESSARY INFORMATION FOR
23 MAKING PERFORMANCE DECISIONS AT ALL PUBLIC SCHOOLS;

24 (h) TO DEVELOP OUTPUT AND REPORTING FORMATS THAT WILL
25 PROVIDE SCHOOL DISTRICTS, THE INSTITUTE, AND PUBLIC SCHOOLS WITH
26 DIAGNOSTIC INFORMATION FOR MAKING ACADEMIC AND SAFETY
27 ENVIRONMENT DECISIONS AT ALL PUBLIC SCHOOLS;

1 (i) TO ASSIST SCHOOL DISTRICTS AND THE INSTITUTE IN
2 ESTABLISHING THEIR STANDARDIZED ELECTRONIC TRANSMITTAL
3 CAPABILITIES, INCLUDING BUT NOT LIMITED TO AWARDING GRANTS
4 PURSUANT TO RULE OF THE STATE BOARD TO PUBLIC SCHOOLS, SCHOOL
5 DISTRICTS, AND THE INSTITUTE TO ASSIST THEM IN UPGRADING THEIR
6 TRANSMITTAL CAPABILITIES;

7 (j) TO ESTABLISH PROCEDURES FOR THE ANNUAL EVALUATION OF
8 THE EFFECTIVENESS AND EASE OF USE OF THE STATE DATA REPORTING
9 SYSTEM; AND

10 (k) TO PERFORM SUCH OTHER ACTIONS AS ARE NECESSARY TO
11 CARRY OUT THE INTENT OF THE GENERAL ASSEMBLY THAT THE NEEDS OF
12 THE STATE DATA REPORTING SYSTEM FOR PERFORMANCE
13 DECISION-MAKING AND REPORTING ARE MET.

14 (4) THE SPECIFIC RESPONSIBILITIES OF EACH SCHOOL DISTRICT AND
15 THE INSTITUTE SHALL INCLUDE:

16 (a) DEVELOPING, WITH ASSISTANCE FROM THE DEPARTMENT,
17 SYSTEM COMPATIBILITY BETWEEN THE STATE DATA REPORTING SYSTEM
18 AND UNIQUE SCHOOL DISTRICT AND INDIVIDUAL PUBLIC SCHOOL DATA
19 SYSTEMS;

20 (b) PROVIDING, WITH THE ASSISTANCE OF THE DEPARTMENT,
21 IN-SERVICE TRAINING ON THE STATE DATA REPORTING SYSTEM'S PURPOSES
22 AND SCOPE, A METHOD OF ELECTRONICALLY TRANSMITTING INPUT DATA,
23 AND THE USE OF PERFORMANCE REPORTING INFORMATION;

24 (c) ADVISING THE DEPARTMENT OF ALL DISTRICT DATA
25 MANAGEMENT NEEDS AS THEY RELATE TO THE STATE DATA REPORTING
26 SYSTEM;

27 (d) ELECTRONICALLY TRANSMITTING REQUIRED DATA ELEMENTS

1 AND AN ACCOUNTING AS REQUIRED BY SECTION 22-55-108 TO THE
2 APPROPRIATE PROCESSING LOCATIONS IN ACCORDANCE WITH GUIDELINES
3 ESTABLISHED BY THE DEPARTMENT;

4 (e) DETERMINING REQUIRED DATA OUTPUT AND REPORTS,
5 COMPARISONS, AND RELATIONSHIPS TO BE PROVIDED TO THE SCHOOL
6 DISTRICT OR THE INSTITUTE BY THE STATE DATA REPORTING SYSTEM,
7 CONTINUOUSLY REVIEWING THESE REPORTS FOR USEFULNESS AND
8 MEANING, AND SUBMITTING RECOMMENDED ADDITIONS, DELETIONS, AND
9 CHANGES IN ACCORDANCE WITH THE GUIDELINES ESTABLISHED BY THE
10 DEPARTMENT; AND

11 (f) BEING RESPONSIBLE FOR MAINTAINING THE INTEGRITY AND
12 ACCURACY OF DATA ELEMENTS TRANSMITTED TO THE DEPARTMENT.

13 **22-11-502. Education data and growth exchange portal -**
14 **creation - contents.** (1) THE DEPARTMENT SHALL MAINTAIN A
15 WEB-BASED INTERFACE TO BE KNOWN AS THE EDUCATION DATA AND
16 GROWTH EXCHANGE PORTAL. THE DEPARTMENT SHALL USE THE DATA
17 PORTAL TO PROVIDE EDUCATION ACCOUNTABILITY DATA TO PUBLIC
18 SCHOOLS, SCHOOL DISTRICTS, THE INSTITUTE, PARENTS, AND OTHER
19 MEMBERS OF THE PUBLIC.

20 (2) AT A MINIMUM, THE DEPARTMENT SHALL PUBLISH ON THE
21 DATA PORTAL THE FOLLOWING ITEMS:

22 (a) THE PERFORMANCE REPORTS, AS DESCRIBED IN SECTION
23 22-11-503, FOR PUBLIC SCHOOLS, SCHOOL DISTRICTS, THE INSTITUTE, AND
24 THE STATE;

25 (b) THE ACCREDITATION CATEGORY, WITH SUPPORTING DATA,
26 DETERMINED PURSUANT TO PART 2 OF THIS ARTICLE, FOR EACH SCHOOL
27 DISTRICT IN THE STATE AND FOR THE INSTITUTE;

1 (c) THE ACCREDITATION CATEGORY, WITH SUPPORTING DATA, FOR
2 EACH PUBLIC SCHOOL IN THE STATE, AS DETERMINED BY THE LOCAL
3 SCHOOL BOARD OR THE INSTITUTE, WHICHEVER IS APPLICABLE;

4 (d) FOR EACH PUBLIC SCHOOL IN THE STATE, THE SCHOOL
5 PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND
6 PLAN, WHICHEVER IS APPROPRIATE BASED ON THE STATE BOARD'S
7 DIRECTION PURSUANT TO SECTION 22-11-210;

8 (e) FOR EACH SCHOOL DISTRICT IN THE STATE, THE DISTRICT
9 PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND
10 PLAN, WHICHEVER IS APPROPRIATE BASED ON THE SCHOOL DISTRICT'S
11 ACCREDITATION CATEGORY; AND

12 (f) FOR THE INSTITUTE, THE INSTITUTE PERFORMANCE,
13 IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLAN,
14 WHICHEVER IS APPROPRIATE BASED ON THE INSTITUTE'S ACCREDITATION
15 CATEGORY.

16 **22-11-503. Performance reports - contents - rules.** (1) THE
17 DEPARTMENT SHALL PUBLISH ON THE DATA PORTAL A SCHOOL
18 PERFORMANCE REPORT FOR EACH PUBLIC SCHOOL IN THE STATE, A SCHOOL
19 DISTRICT PERFORMANCE REPORT FOR EACH SCHOOL DISTRICT IN THE
20 STATE, A PERFORMANCE REPORT FOR THE INSTITUTE, AND A PERFORMANCE
21 REPORT FOR THE STATE AS A WHOLE. THE DEPARTMENT SHALL
22 CONTINUOUSLY UPDATE THE DATA INCLUDED IN THE PERFORMANCE
23 REPORTS AS SOON AS PRACTICABLE, BUT NOT LATER THAN SIXTY DAYS,
24 AFTER THE DATA BECOMES AVAILABLE.

25 (2) THE STATE BOARD SHALL ADOPT RULES SPECIFYING THE
26 INFORMATION TO BE INCLUDED IN THE SCHOOL PERFORMANCE REPORTS,
27 THE SCHOOL DISTRICT AND INSTITUTE PERFORMANCE REPORTS, AND THE

1 STATE PERFORMANCE REPORT. THE INFORMATION SHALL BE CONSISTENT
2 FOR EACH TYPE OF REPORT AND, AT A MINIMUM, SHALL INCLUDE THE
3 FOLLOWING:

4 (a) THE REPORT SUBJECT'S LEVEL OF ATTAINMENT ON EACH OF THE
5 PERFORMANCE INDICATORS AS DETERMINED PURSUANT TO SECTION
6 22-11-204, INCLUDING WHETHER THE REPORT SUBJECT MET THE TARGETS
7 SET FOR THE APPLICABLE SCHOOL YEAR;

8 (b) FOR SCHOOL PERFORMANCE REPORTS, A COMPARISON OF THE
9 REPORT SUBJECT'S LEVELS OF ATTAINMENT ON THE PERFORMANCE
10 INDICATORS WITH THE LEVELS OF ATTAINMENT OF THE OTHER PUBLIC
11 SCHOOLS OF THE SCHOOL DISTRICT AND IN THE STATE;

12 (c) FOR SCHOOL DISTRICT PERFORMANCE REPORTS AND THE
13 INSTITUTE PERFORMANCE REPORT, A COMPARISON OF THE REPORT
14 SUBJECT'S LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS
15 WITH OTHER SCHOOL DISTRICTS IN THE STATE AND THE INSTITUTE;

16 (d) INFORMATION CONCERNING COMPARISONS OF STUDENT
17 PERFORMANCE OVER TIME AND AMONG STUDENT GROUPS; AND

18 (e) ANY ADDITIONAL INFORMATION THAT MAY BE REQUIRED BY
19 FEDERAL LAW.

20 (3) EACH PUBLIC SCHOOL SHALL NOTIFY THE PARENT OR LEGAL
21 GUARDIAN OF EACH STUDENT ENROLLED IN THE PUBLIC SCHOOL OF THE
22 AVAILABILITY ON THE DATA PORTAL OF ITS PERFORMANCE REPORT AND
23 THE PERFORMANCE REPORT FOR THE SCHOOL DISTRICT OR THE INSTITUTE
24 AND FOR THE STATE. UPON REQUEST, EACH PUBLIC SCHOOL SHALL
25 PROVIDE TO THE PARENT OR LEGAL GUARDIAN OF A STUDENT ENROLLED
26 IN THE SCHOOL OR TO A MEMBER OF THE PUBLIC, A PRINTED COPY OF THE
27 SCHOOL, SCHOOL DISTRICT, INSTITUTE, OR STATE PERFORMANCE REPORT.

1 **22-11-504. School district and institute reporting**

2 **requirements.** (1) EACH SCHOOL DISTRICT SHALL ANNUALLY REPORT TO
3 THE DEPARTMENT FOR EACH OF THE DISTRICT PUBLIC SCHOOLS:

4 (a) ANY INFORMATION NECESSARY TO PREPARE THE PERFORMANCE
5 REPORTS DESCRIBED IN SECTION 22-11-503;

6 (b) FOR EACH DISTRICT PUBLIC SCHOOL, THE SCHOOL
7 PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND
8 PLAN, WHICHEVER IS APPROPRIATE BASED ON THE DIRECTION FROM THE
9 STATE BOARD PURSUANT TO SECTION 22-11-210;

10 (c) THE ACCREDITATION CATEGORY, WITH SUPPORTING DATA, FOR
11 EACH DISTRICT PUBLIC SCHOOL; AND

12 (d) ANY ADDITIONAL INFORMATION REQUIRED FOR THE
13 DEPARTMENT TO IMPLEMENT THE ACCREDITATION PROCESS DESCRIBED IN
14 PART 2 OF THIS ARTICLE.

15 (2) THE INSTITUTE SHALL ANNUALLY REPORT TO THE DEPARTMENT
16 FOR EACH INSTITUTE CHARTER SCHOOL:

17 (a) ANY INFORMATION NECESSARY TO PREPARE THE PERFORMANCE
18 REPORTS DESCRIBED IN SECTION 22-11-503;

19 (b) FOR EACH INSTITUTE CHARTER SCHOOL, THE SCHOOL
20 PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND
21 PLAN, WHICHEVER IS APPROPRIATE BASED ON THE DIRECTION FROM THE
22 STATE BOARD PURSUANT TO SECTION 22-11-210;

23 (c) THE ACCREDITATION CATEGORY, WITH SUPPORTING DATA, FOR
24 EACH INSTITUTE CHARTER SCHOOL; AND

25 (d) ANY ADDITIONAL INFORMATION REQUIRED BY THE
26 ACCREDITATION PROCESS DESCRIBED IN PART 2 OF THIS ARTICLE.

27 (3) EACH LOCAL SCHOOL BOARD AND THE INSTITUTE SHALL ADOPT

1 POLICIES TO ENSURE THAT APPROPRIATE PERSONNEL WITHIN THE SCHOOL
2 DISTRICT AND EACH INSTITUTE CHARTER SCHOOL SHARE WITH AND
3 EXPLAIN TO THE PARENT OR LEGAL GUARDIAN OF EACH STUDENT
4 ENROLLED IN THE SCHOOL DISTRICT OR THE INSTITUTE CHARTER SCHOOL
5 THE STUDENT'S STATEWIDE ASSESSMENT RESULTS AND THE STUDENT'S
6 LONGITUDINAL ACADEMIC GROWTH INFORMATION PROVIDED BY THE
7 DEPARTMENT PURSUANT TO SECTION 22-11-203.

8 PART 6

9 SCHOOL AWARDS PROGRAM

10 **22-11-601. Colorado school awards program - created - rules.**

11 (1) THERE IS HEREBY ESTABLISHED THE COLORADO SCHOOL AWARDS
12 PROGRAM, REFERRED TO IN THIS PART 6 AS THE "PROGRAM", TO BE
13 ADMINISTERED BY THE DEPARTMENT. THE STATE BOARD SHALL
14 PROMULGATE RULES FOR THE ADMINISTRATION OF THIS PART 6 AND THE
15 PROGRAM. THE RULES SHALL INCLUDE BUT NEED NOT BE LIMITED TO
16 PROCEDURES FOR TRANSMITTING THE FINANCIAL AWARDS TO PUBLIC
17 SCHOOLS OF SCHOOL DISTRICTS AND INSTITUTE CHARTER SCHOOLS THAT
18 DEMONSTRATE OUTSTANDING PERFORMANCE.

19 (2) IN ADDITION TO THE MONETARY AWARDS MADE AND
20 DISTRIBUTED PURSUANT TO SECTIONS 22-11-602, 22-11-603, AND
21 22-11-605, THE STATE BOARD MAY ANNUALLY APPLY ANY AMOUNT
22 REMAINING FROM THE AMOUNT ANNUALLY APPROPRIATED FOR
23 IMPLEMENTATION OF SECTION 22-11-202 TO PROVIDE TANGIBLE ITEMS OF
24 RECOGNITION, SUCH AS BANNERS OR TROPHIES, TO SCHOOLS THAT RECEIVE
25 THE JOHN IRWIN SCHOOLS OF EXCELLENCE AWARDS AND THE GOVERNOR'S
26 DISTINGUISHED IMPROVEMENT AWARDS.

27 **22-11-602. Colorado school awards program - John Irwin**

1 **schools of excellence awards - rules.** (1) THE STATE BOARD SHALL
2 ANNUALLY PRESENT FINANCIAL AWARDS TO THE HIGHEST PERFORMING
3 PUBLIC SCHOOLS IN THE STATE BASED ON THE SCHOOLS' LEVELS OF
4 ATTAINMENT ON THE PERFORMANCE INDICATOR CONCERNING STUDENT
5 ACHIEVEMENT LEVELS ON THE STATEWIDE ASSESSMENTS.

6 (2) OF THE MONEYS AVAILABLE FOR THE PROGRAM PURSUANT TO
7 THIS PART 6, ONE THIRD SHALL BE AWARDED TO THE PUBLIC SCHOOLS
8 WHOSE LEVEL OF ATTAINMENT ON THE PERFORMANCE INDICATOR
9 CONCERNING STUDENT ACHIEVEMENT LEVELS, AS CALCULATED PURSUANT
10 TO SECTION 22-11-204 (3), IS WITHIN THE TOP EIGHT PERCENT OF ALL
11 PUBLIC SCHOOLS IN THE STATE. AN AWARD GRANTED PURSUANT TO THIS
12 SECTION SHALL BE KNOWN AS A "JOHN IRWIN SCHOOLS OF EXCELLENCE
13 AWARD".

14 (3) SUBJECT TO AVAILABLE APPROPRIATIONS, THE AMOUNT OF
15 EACH AWARD ISSUED PURSUANT TO THIS SECTION SHALL BE FIVE
16 THOUSAND, TEN THOUSAND, OR FIFTEEN THOUSAND DOLLARS, DEPENDING
17 ON THE NUMBER OF PUPILS ATTENDING THE PUBLIC SCHOOL RECEIVING
18 THE AWARD. IF THE AVAILABLE APPROPRIATIONS ARE INSUFFICIENT TO
19 AWARD EACH SCHOOL THE AMOUNT SPECIFIED IN THIS SUBSECTION (3),
20 THE DEPARTMENT SHALL REDUCE ALL AWARDS FOR THAT YEAR
21 PROPORTIONATELY. THE STATE BOARD SHALL ESTABLISH BY RULE THE
22 PUPIL SIZE OF THE PUBLIC SCHOOL FOR EACH AWARD AMOUNT.

23 **22-11-603. Governor's distinguished improvement awards -**
24 **rules - repeal.** (1) THE STATE BOARD SHALL ANNUALLY PRESENT
25 FINANCIAL AWARDS TO THE PUBLIC SCHOOLS IN THE STATE
26 DEMONSTRATING THE HIGHEST RATES OF STUDENT LONGITUDINAL
27 GROWTH AS MEASURED BY THE COLORADO GROWTH MODEL. THE

1 TECHNICAL ADVISORY PANEL CONVENED PURSUANT TO SECTION
2 22-11-202 SHALL RECOMMEND TO THE STATE BOARD, AND THE STATE
3 BOARD SHALL ESTABLISH BY RULE, THE METHOD BY WHICH TO IDENTIFY
4 SCHOOLS THAT DEMONSTRATE THE HIGHEST RATE OF STUDENT
5 LONGITUDINAL GROWTH IN A SCHOOL YEAR, AS MEASURED BY THE
6 COLORADO GROWTH MODEL. THE TECHNICAL ADVISORY PANEL SHALL
7 TAKE SCHOOL SIZE INTO ACCOUNT IN PREPARING ITS RECOMMENDATIONS.

8 (2) OF THE MONEYS AVAILABLE FOR AWARDS PURSUANT TO THIS
9 PART 6, TWO THIRDS SHALL BE AWARDED PURSUANT TO THIS SECTION.

10 (3) AN AWARD ISSUED PURSUANT TO THIS SECTION SHALL BE
11 KNOWN AS A "GOVERNOR'S DISTINGUISHED IMPROVEMENT AWARD".

12 **22-11-604. Colorado school awards program - distribution of**
13 **award.** (1) ANY AWARD PRESENTED BY THE STATE BOARD PURSUANT TO
14 THIS PART 6 SHALL BE SPENT OR DISTRIBUTED FOR USE WITHIN THE PUBLIC
15 SCHOOL AS THE PRINCIPAL OF THE PUBLIC SCHOOL, AFTER CONSULTATION
16 WITH THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE PUBLIC SCHOOL,
17 DEEMS APPROPRIATE.

18 (2) ANY MONEYS MADE AVAILABLE TO A DISTRICT PUBLIC SCHOOL
19 IN THE FORM OF AN AWARD PURSUANT TO THE PROVISIONS OF THIS PART
20 6 SHALL NOT SUPPLANT MONEYS MADE AVAILABLE TO THE PUBLIC SCHOOL
21 FROM FUNDING RECEIVED BY THE SCHOOL DISTRICT PURSUANT TO ARTICLE
22 54 OF THIS TITLE OR PURSUANT TO THE TAXING AUTHORITY OF THE
23 SCHOOL DISTRICT. ANY MONEYS MADE AVAILABLE TO AN INSTITUTE
24 CHARTER SCHOOL IN THE FORM OF AN AWARD PURSUANT TO THE
25 PROVISIONS OF THIS PART 6 SHALL NOT SUPPLANT MONEYS PAYABLE TO
26 THE INSTITUTE CHARTER SCHOOL PURSUANT TO PART 5 OF ARTICLE 30.5
27 OF THIS TITLE.

1 **22-11-605. School awards program fund - creation -**
2 **contributions.** (1) THE DEPARTMENT IS HEREBY AUTHORIZED TO
3 RECEIVE GIFTS, GRANTS, AND DONATIONS FROM ANY SOURCE, PUBLIC OR
4 PRIVATE, TO FUND FINANCIAL AWARDS TO PUBLIC SCHOOLS PURSUANT TO
5 THE PROGRAM ESTABLISHED IN THIS PART 6. THE DEPARTMENT SHALL
6 TRANSMIT ALL PUBLIC AND PRIVATE GIFTS, GRANTS, AND DONATIONS
7 RECEIVED PURSUANT TO THIS SECTION TO THE STATE TREASURER WHO
8 SHALL CREDIT THE SAME, IN ADDITION TO ANY APPROPRIATIONS MADE BY
9 THE GENERAL ASSEMBLY, TO THE SCHOOL AWARDS PROGRAM FUND,
10 WHICH IS HEREBY CREATED IN THE STATE TREASURY AND REFERRED TO IN
11 THIS SECTION AS THE "FUND".

12 (2) MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL
13 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR
14 PURPOSES OF MAKING FINANCIAL AWARDS PURSUANT TO THE PROVISIONS
15 OF THIS PART 6. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND
16 UNENCUMBERED MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND
17 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY
18 OTHER FUND. HOWEVER, IN ACCORDANCE WITH SECTION 24-36-114,
19 C.R.S., ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF
20 MONEYS IN THE FUND SHALL BE CREDITED TO THE GENERAL FUND. ANY
21 MONEYS CREDITED TO THE FUND SHALL BE USED EXCLUSIVELY FOR
22 AWARDS AND SHALL NOT BE USED TO PAY FOR THE EXPENSES OF THE
23 DEPARTMENT IN ADMINISTERING THE PROGRAM ESTABLISHED IN THIS PART
24 6.

25 **SECTION 2.** 22-7-604.5, Colorado Revised Statutes, is amended
26 to read:

27 **22-7-604.5. Alternative education campuses - criteria -**

1 **application - rule-making.** (1) ~~On or before September 1, 2002, and on~~
2 ~~or before July 1, 2004, for schools qualifying under sub-subparagraph (D)~~
3 ~~of subparagraph (VI) of paragraph (a) of this subsection (1);~~ A PUBLIC
4 SCHOOL MAY APPLY TO THE STATE BOARD FOR DESIGNATION AS AN
5 ALTERNATIVE EDUCATION CAMPUS. The state board shall adopt rules
6 specifying the criteria and application process for a PUBLIC school to be
7 designated an alternative education campus. ~~Such~~ THE rules shall include
8 but need not be limited to:

9 (a) Criteria that a PUBLIC school must meet to be designated an
10 alternative education campus, including but not limited to the following:

11 (I) Having a specialized mission and serving a special needs or
12 at-risk population;

13 (II) Being an autonomous PUBLIC school;

14 (III) Having an administrator who is not under the supervision of
15 an administrator at another public school;

16 (IV) Having a budget separate from any other public school;

17 (V) Having nontraditional methods of instruction delivery; and

18 (VI) (A) Serving students who have severe limitations that
19 preclude appropriate administration of the assessments administered
20 pursuant to section 22-7-409;

21 (B) Serving a student population, more than ninety-five percent
22 of whom have an individual education program pursuant to section
23 22-20-108; ~~except that such school shall establish a public process that~~
24 ~~will provide for accountability;~~

25 (C) Serving students who attend on a part-time basis and who
26 come from other PUBLIC schools where ~~such~~ THE part-time students are
27 counted in the enrollment of the other PUBLIC school; except that the

1 results of the assessments administered pursuant to section 22-7-409 of
2 all part-time students and high-risk students as defined in subsection (1.5)
3 of this section shall be used in ~~calculating the academic performance and~~
4 ~~academic improvement ratings of~~ DETERMINING THE LEVELS OF
5 ATTAINMENT ON THE PERFORMANCE INDICATORS FOR the PUBLIC school
6 for which the student is counted for enrollment purposes; or

7 (D) Serving a student population in which more than ninety-five
8 percent of the students meet the definition of a high-risk student
9 contained in subsection (1.5) of this section; ~~except that the request for~~
10 ~~designation for such a school shall also include accountability measures~~
11 ~~meeting the standards established in paragraph (a) of subsection (2.5) of~~
12 ~~this section.~~

13 (b) A procedure for a district school board to request for THAT THE
14 STATE BOARD DESIGNATE a PUBLIC school ~~within its~~ OF THE SCHOOL
15 district ~~designation~~ as an alternative education campus; AND

16 (c) ~~A procedure for a district school board to request that a school~~
17 ~~designated an alternative education campus still receive academic~~
18 ~~performance and academic improvement ratings;~~

19 (d) A procedure for a district school board to appeal TO THE STATE
20 BOARD a denial of a request for designation. ~~or an application for ratings~~
21 ~~to the state board.~~

22 (1.5) As used in this section, unless the context otherwise requires,
23 a "high-risk student" means a student enrolled in a secondary PUBLIC
24 school who:

25 (a) Has been committed to the department of human services
26 following adjudication as a juvenile delinquent or is in detention awaiting
27 disposition of charges that may result in commitment to the department

1 of human services;

2 (b) Has dropped out of school or has not been continuously
3 enrolled and regularly attending school for at least one semester prior to
4 enrolling in his or her current PUBLIC school;

5 (c) Has been expelled from school or engaged in behavior that
6 would justify expulsion;

7 (d) Has a documented history of personal drug or alcohol use or
8 has a parent or guardian with a documented dependence on drugs or
9 alcohol;

10 (e) Has a documented history of personal street gang involvement
11 or has an immediate family member with a documented history of street
12 gang involvement;

13 (f) Has a documented history of child abuse or neglect;

14 (g) Has a parent or guardian in prison or on parole or probation;

15 (h) Has a documented history of domestic violence in the
16 immediate family;

17 (i) Has a documented history of repeated school suspensions; or

18 (j) Is a parent or pregnant woman under the age of twenty years.

19 (2) (a) On or before October 1, 2002, and on or before October 1
20 each year thereafter, the district school board for ~~any~~ A public school that
21 desires to be considered an alternative education campus pursuant to this
22 section shall file with the state board a request for designation as an
23 alternative education campus. ~~Such~~ THE request shall be in a form
24 approved by the state board and shall contain sufficient information to
25 establish that the public school meets the requirements of the rules
26 adopted pursuant to paragraph (a) of subsection (1) of this section. On or
27 before November 15, 2002, and on or before November 15 each year

1 thereafter, the state board shall approve the designation of alternative
2 education campus for any public school for which a request is filed
3 pursuant to this subsection (2) that is found by the state board to meet the
4 requirements of the rules adopted pursuant to paragraph (a) of subsection
5 (1) of this section.

6 (b) Repealed.

7 (2.5) (a) ~~In addition to the requirements established pursuant to~~
8 ~~paragraph (a) of subsection (1) of this section, an application for~~
9 ~~designation as an alternative education campus for a school qualifying~~
10 ~~under sub-subparagraph (D) of subparagraph (VI) of paragraph (a) of~~
11 ~~subsection (1) of this section shall include an agreement to demonstrate~~
12 ~~initial baseline levels of and measurable annual benchmarks on:~~ THE
13 DEPARTMENT SHALL ANNUALLY REVIEW THE PERFORMANCE OF EACH
14 ALTERNATIVE EDUCATION CAMPUS BASED ON THE CRITERIA SPECIFIED BY
15 RULE OF THE STATE BOARD PURSUANT TO SECTION 22-11-210 (1) (b) AND
16 SHALL RECOMMEND TO THE COMMISSIONER AND THE STATE BOARD
17 WHETHER THE ALTERNATIVE EDUCATION CAMPUS SHALL ADOPT A
18 PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND
19 PLAN, AS SAID PLANS ARE DESCRIBED IN SECTIONS 22-11-403 TO
20 22-11-406. BASED ON THE RECOMMENDATIONS, THE STATE BOARD,
21 PURSUANT TO SECTION 22-11-210 (2), SHALL NOTIFY EACH ALTERNATIVE
22 EDUCATION CAMPUS AND ITS DISTRICT SCHOOL BOARD, OR THE INSTITUTE
23 IF THE ALTERNATIVE EDUCATION CAMPUS IS AN INSTITUTE CHARTER
24 SCHOOL, OF THE TYPE OF PLAN THE ALTERNATIVE EDUCATION CAMPUS
25 SHALL ADOPT. IN ADOPTING ITS PLAN, EACH ALTERNATIVE EDUCATION
26 CAMPUS SHALL COMPLY WITH THE PROVISIONS OF SECTIONS 22-11-403 TO
27 22-11-406, AS APPLICABLE.

1 ~~(I) At least one measure of student academic performance which~~
2 ~~measures the educational growth a student achieves during one year of~~
3 ~~enrollment in the school and which shall be based upon:~~

4 ~~(A) Academic progress of individual students or groups of~~
5 ~~students on the assessments administered pursuant to section 22-7-409;~~
6 ~~if applicable; and~~

7 ~~(B) Academic progress of individual students or groups of~~
8 ~~students on other standardized assessments proposed in the application~~
9 ~~and approved by the state board;~~

10 ~~(H) Other measures of student academic progress that shall~~
11 ~~include one or more of the following: Grade promotion; secondary~~
12 ~~school dropout rates; GED sections attempted; course or credit~~
13 ~~completion; graduation; GED completion; or other indicators proposed~~
14 ~~in the application and approved by the state board; and~~

15 ~~(HH) Measures of nonacademic or behavioral improvement~~
16 ~~appropriate for the purposes of each particular school, including but not~~
17 ~~limited to average daily attendance, student post-matriculation rates of~~
18 ~~enrollment, enlistment, or employment, rates of stability or retention;~~
19 ~~reduced rates of suspension or other discipline, or attendance rates.~~

20 ~~(b) As a condition to receiving a designation as an alternative~~
21 ~~education campus under subparagraph (VI) of paragraph (a) of subsection~~
22 ~~(1) of this section, the state board and the school shall agree to a date by~~
23 ~~which, if the school has not demonstrated accomplishment of the annual~~
24 ~~benchmarks agreed to in the application for designation, the school~~
25 ~~district in which such school is located shall be required to submit a~~
26 ~~school improvement plan pursuant to section 22-7-609. THE DISTRICT~~
27 ~~SCHOOL BOARD FOR AN ALTERNATIVE EDUCATION CAMPUS OR THE~~

1 INSTITUTE, IF THE ALTERNATIVE EDUCATION CAMPUS IS AN INSTITUTE
2 CHARTER SCHOOL, SHALL SPECIFY THE ACCREDITATION CATEGORY FOR
3 THE ALTERNATIVE EDUCATION CAMPUS IN ACCORDANCE WITH THE
4 ACCREDITATION PROCESS ADOPTED BY THE DISTRICT SCHOOL BOARD OR
5 THE INSTITUTE PURSUANT TO SECTION 22-11-307.

6 (c) Notwithstanding the provisions of section ~~22-7-605(4)(b), (4)~~
7 ~~(c), (8) (a), (8) (b), and (8) (d)~~ 22-11-503, the school accountability
8 PERFORMANCE report for an alternative education campus ~~qualifying~~
9 ~~under sub-subparagraph (D) of subparagraph (VI) of paragraph (a) of~~
10 ~~subsection (1) of this section:~~ SHALL INCLUDE THE INFORMATION
11 SPECIFIED BY RULE OF THE STATE BOARD THAT WILL EFFECTIVELY
12 COMMUNICATE TO THE PARENTS OF STUDENTS ENROLLED IN THE
13 ALTERNATIVE EDUCATION CAMPUS AND TO THE PUBLIC THE PERFORMANCE
14 OF THE ALTERNATIVE EDUCATION CAMPUS AND THE PERFORMANCE OF
15 STUDENTS ENROLLED IN THE ALTERNATIVE EDUCATION CAMPUS.

16 ~~(I) Shall include, following the words "Overall Academic~~
17 ~~Performance" and following the words "Academic Growth of Students",~~
18 ~~in place of both ratings required under section 22-7-605(4)(b), the words~~
19 ~~"Alternative Education Campus";~~

20 ~~(II) Shall not include the comparison required by section 22-7-605~~
21 ~~(4)(c); and~~

22 ~~(III) Shall not include the ratings required by section 22-7-605 (8)~~
23 ~~(a) and (8) (b) and shall not include the language specified in section~~
24 ~~22-7-605 (8) (d).~~

25 (d) ~~For an alternative education campus qualifying under~~
26 ~~sub-subparagraph (D) of subparagraph (VI) of paragraph (a) of subsection~~
27 ~~(1) of this section, the measure or measures adopted pursuant to~~

1 ~~subparagraph (I) of paragraph (a) of this subsection (2.5) shall be used as~~
2 ~~an accreditation indicator in place of the indicator otherwise required~~
3 ~~pursuant to section 22-11-104 (2) (h).~~

4 (3) (a) Except as excluded pursuant to section 22-7-409, the
5 results of the assessments administered pursuant to section 22-7-409 for
6 all part-time students attending a school or a program that is designated
7 an alternative education campus pursuant to this section shall be included
8 in the academic performance and academic improvement ratings assigned
9 ~~pursuant to section 22-7-604 for~~ DETERMINING THE LEVELS OF
10 ATTAINMENT ON THE PERFORMANCE INDICATORS ACHIEVED BY the school
11 to which the student is assigned for enrollment purposes.

12 (b) Notwithstanding the provisions of paragraph (a) of this
13 subsection (3), for a part-time student with an individual educational
14 program pursuant to section 22-20-108, the school district in which the
15 student is enrolled, or, in the case of a board of cooperative services, the
16 administrative unit, may designate either the school of residency or the
17 school of attendance as the school to which the student's scores shall be
18 assigned to ~~calculate academic performance ratings~~ DETERMINE LEVELS
19 OF ATTAINMENT ON THE PERFORMANCE INDICATORS.

20 **SECTION 3.** 22-7-611 (1), (2), and (3) (a), Colorado Revised
21 Statutes, are amended to read:

22 **22-7-611. Closing the achievement gap program - strategies -**
23 **assistance - criteria - rule-making.** (1) As used in this section, unless
24 the context otherwise requires, "eligible school" means a public school
25 that HAS BEEN IDENTIFIED BY RULE OF THE STATE BOARD AS HAVING A
26 SIGNIFICANT ACHIEVEMENT GAP.

27 (a) ~~Has received an academic performance rating of~~

1 "unsatisfactory" pursuant to section ~~22-7-604 (5)~~; or

2 (b) ~~Has been identified by rule of the state board as having a~~
3 ~~significant achievement gap.~~

4 (2) There is hereby established in the department the closing the
5 achievement gap program, referred to in this section as the "program", to
6 provide extensive assistance to an eligible school. ~~that is at risk of being~~
7 ~~converted into an independent charter school pursuant to the provisions~~
8 ~~of part 3 of article 30.5 of this title.~~

9 (3) The department shall prepare and distribute to each eligible
10 school an outline of different strategies the school may implement to
11 improve academic achievement. The department shall provide the outline
12 by April 1 of the school year preceding the school year in which the
13 eligible school intends to participate in the program. The outline may
14 include, but need not be limited to, the following strategies:

15 (a) Using disaggregated ~~school~~ STUDENT data to set academic
16 improvement targets in reading, writing, mathematics, and science;

17 **SECTION 4.** 22-7-613 (1), Colorado Revised Statutes, is
18 amended to read:

19 **22-7-613. Closing the achievement gap cash fund - creation.**

20 (1) The department is authorized to seek and accept gifts, grants, and
21 donations from private or public sources for the purposes of
22 implementing ~~sections 22-7-611 and 22-7-612~~ SECTION 22-7-611. All
23 private and public funds received through gifts, grants, or donations shall
24 be transmitted to the state treasurer, who shall credit the same to the
25 closing the achievement gap cash fund, which fund is hereby created and
26 referred to in this section as the "fund". The moneys in the fund shall be
27 continuously appropriated to the department.

1 **SECTION 5. Repeal.** Parts 1 and 2 of article 7 of title 22,
2 22-7-601, 22-7-602 (1.5), (2), (3), (4), (8), and (10), 22-7-603,
3 22-7-603.5, 22-7-604, 22-7-604.3, 22-7-605, 22-7-606, 22-7-607,
4 22-7-609, 22-7-609.3, 22-7-609.4, 22-7-609.6, and 22-7-610, Colorado
5 Revised Statutes, are repealed.

6 **SECTION 6. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.