

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0761.01 Julie Pelegrin x2700

SENATE BILL 14-167

SENATE SPONSORSHIP

Zenzinger,

HOUSE SPONSORSHIP

Fields,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 CONCERNING AN INITIATIVE TO SUPPORT INNOVATION AMONG
102 ALTERNATIVE EDUCATION CAMPUSES IN SERVING HIGH-RISK
103 STUDENTS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill creates the opportunity schools pilot initiative (initiative) in the department of education (department). The goal of the initiative is to provide additional funding and support for alternative education campuses that serve populations of 95% high-risk students to enable the

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.

campuses to implement research-based, transformative school models that will improve students' postsecondary and career success. The initiative will also result in identification of best practices and models that other schools may replicate.

The commissioner of education must appoint an advisory committee to assist the department in implementing the initiative. Based on recommendations from the department and the advisory committee, the state board of education (state board) must adopt rules to implement the initiative.

Beginning in the 2015-16 school year, the state board will select 2 cohorts of alternative education campuses, for a total of 3 or more alternative education campuses that serve no more than 600 students, to participate in the initiative. The applicants and the school designs that they propose to implement must meet several criteria. Applicants that the state board selects to participate in the initiative are called opportunity schools.

In addition to the funding an opportunity school normally receives, each opportunity school receives an amount equal to 30% of the statewide average per pupil revenues multiplied by the school's pupil enrollment in each budget year in which it participates in the initiative. The extra funding is paid from the opportunity schools pilot initiative fund (fund) created in the bill. The fund consists of a one-time appropriation of moneys and such gifts, grants, and donations as the advisory committee may solicit and receive.

Each opportunity school is subject to the same accountability requirements as other alternative education campuses. In addition, the department must annually collect and publish data concerning the support services that the opportunity schools provide, and the department and the advisory committee will regularly review each opportunity school's performance focusing on indicators that demonstrate that students are successfully obtaining skills needed to achieve postsecondary and workforce success. After at least 2 school years of performance data are available, the department and the advisory committee must determine whether the opportunity school is making adequate progress and, if it is not, may recommend that the state board reduce or discontinue the amount of additional funding the opportunity school receives.

The department and the advisory committee must develop clear measures to evaluate the success of the initiative. After the initiative has been operating for 3 years, and every 3 years thereafter, the department will hire an independent entity to perform a review of the initiative, using the measures, and prepare a report to assist the general assembly in deciding whether to continue funding the initiative. The department will submit the report to the education committees of the general assembly and post the report on its web site.

1 WORKFORCE AND A GREATER LOSS IN THE POTENTIAL FOR EARNINGS,
2 QUALITY OF LIFE, AND ACCOMPLISHMENT FOR THESE STUDENTS;

3 (d) CREATING AN INITIATIVE WITHIN THE DEPARTMENT OF
4 EDUCATION TO ENCOURAGE AND SUPPORT THE CREATION AND
5 IMPLEMENTATION OF INNOVATIVE SCHOOL MODELS THAT SERVE THIS
6 POPULATION OF HIGH-RISK STUDENTS AND PREPARE THEM FOR
7 POSTSECONDARY AND CAREER SUCCESS WILL ESTABLISH MODELS OF
8 SUCCESS FOR THE STATE THAT CAN BE REPLICATED AND USED TO IDENTIFY
9 AND PUBLISH PROMISING BEST PRACTICES THAT TRANSFORM SERVICES FOR
10 HIGH-RISK STUDENTS ACROSS EDUCATIONAL SETTINGS; AND

11 (e) TO BE SUCCESSFUL, THESE INNOVATIVE SCHOOL MODELS
12 REQUIRE FAVORABLE OPERATING CONDITIONS, INCLUDING INCREASED
13 LEVELS OF PER PUPIL FUNDING, CLEAR SCHOOL DESIGNS, AND APPROPRIATE
14 AND RIGOROUS ACCOUNTABILITY REQUIREMENTS.

15 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE
16 BEST INTERESTS OF THE STATE TO ESTABLISH THE OPPORTUNITY SCHOOLS
17 INITIATIVE IN THE DEPARTMENT OF EDUCATION TO IDENTIFY, SUPPORT,
18 AND HOLD ACCOUNTABLE INNOVATIVE DESIGNS FOR HIGH SCHOOLS TO
19 TRANSFORM EDUCATION FOR HIGH-RISK STUDENTS AND PREPARE THEM
20 FOR POSTSECONDARY AND CAREER SUCCESS. IN ADDITION, THESE NEW
21 SCHOOL DESIGNS WILL CREATE MODELS OF SUCCESS THAT CAN BE
22 REPLICATED ACROSS THE STATE AND WILL DEMONSTRATE BEST PRACTICES
23 THAT EDUCATORS CAN APPLY IN DIVERSE EDUCATIONAL SETTINGS.

24 **22-15-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
25 CONTEXT OTHERWISE REQUIRES:

26 (1) "ADVISORY COMMITTEE" MEANS THE COMMITTEE CONVENED
27 BY THE COMMISSIONER PURSUANT TO SECTION 22-15-103 (2) TO ASSIST

1 THE DEPARTMENT IN IMPLEMENTING THE INITIATIVE.

2 (2) "ALTERNATIVE EDUCATION CAMPUS" MEANS A PUBLIC SCHOOL
3 THAT THE STATE BOARD DESIGNATES AS AN ALTERNATIVE EDUCATION
4 CAMPUS PURSUANT TO SECTION 22-7-604.5.

5 (3) "AUTHORIZER" MEANS A SCHOOL DISTRICT OR BOARD OF
6 COOPERATIVE SERVICES OR THE STATE CHARTER SCHOOL INSTITUTE THAT
7 OPERATES OR AUTHORIZES A PUBLIC SCHOOL.

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

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

13 (6) "FUND" MEANS THE OPPORTUNITY SCHOOLS PILOT INITIATIVE
14 FUND CREATED IN SECTION 22-15-105.

15 (7) "HIGH-RISK STUDENT" HAS THE SAME MEANING AS PROVIDED
16 IN SECTION 22-7-604.5 (1.5).

17 (8) "INITIATIVE" MEANS THE OPPORTUNITY SCHOOLS PILOT
18 INITIATIVE CREATED IN SECTION 22-15-103.

19 (9) "OPPORTUNITY SCHOOL" MEANS A PUBLIC SCHOOL THAT IS
20 SELECTED TO PARTICIPATE IN THE INITIATIVE.

21 (10) "PUBLIC SCHOOL" MEANS A SCHOOL THAT DERIVES ITS
22 SUPPORT, IN WHOLE OR IN PART, FROM MONEYS RAISED BY A GENERAL
23 STATE, COUNTY, OR SCHOOL DISTRICT TAX, INCLUDING A CHARTER SCHOOL
24 AUTHORIZED PURSUANT TO ARTICLE 30.5 OF THIS TITLE.

25 (11) "PUPIL ENROLLMENT" HAS THE SAME MEANING AS PROVIDED
26 IN SECTION 22-54-103 (10).

27 (12) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION

1 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

2 (13) "STATEWIDE AVERAGE PER PUPIL REVENUES" HAS THE SAME
3 MEANING AS PROVIDED IN SECTION 22-54-103 (12).

4 **22-15-103. Opportunity schools pilot initiative - created -**
5 **advisory committee - rules.** (1) THERE IS CREATED IN THE DEPARTMENT
6 THE OPPORTUNITY SCHOOLS PILOT INITIATIVE TO IDENTIFY AND SUPPORT
7 TRANSFORMATIVE DESIGN MODELS FOR HIGH SCHOOLS TO SERVE
8 HIGH-RISK STUDENTS. THE STATE BOARD, BASED ON RECOMMENDATIONS
9 FROM THE DEPARTMENT AND THE ADVISORY COMMITTEE AND SUBJECT TO
10 AVAILABLE APPROPRIATIONS, SHALL SELECT TWO COHORTS OF PUBLIC
11 SCHOOLS TO PARTICIPATE IN THE INITIATIVE, WHICH COHORTS IN TOTAL
12 CONSIST OF THREE OR MORE PUBLIC SCHOOLS SERVING NO MORE THAN SIX
13 HUNDRED STUDENTS IN TOTAL. THE FIRST COHORT OF PUBLIC SCHOOLS
14 MUST BEGIN PARTICIPATING IN THE INITIATIVE IN THE 2015-16 SCHOOL
15 YEAR, AND THE SECOND COHORT OF PUBLIC SCHOOLS MUST BEGIN
16 PARTICIPATING IN THE INITIATIVE IN THE 2016-17 SCHOOL YEAR. A PUBLIC
17 SCHOOL THAT THE STATE BOARD SELECTS TO PARTICIPATE IN THE
18 INITIATIVE RECEIVES FUNDING AS PROVIDED IN SECTION 22-15-105 AND
19 MUST MEET THE ACCOUNTABILITY REQUIREMENTS SPECIFIED IN SECTION
20 22-15-106.

21 (2) THE COMMISSIONER SHALL CONVENE AN ADVISORY
22 COMMITTEE NO LATER THAN JULY 1, 2014, TO ASSIST THE DEPARTMENT IN
23 IMPLEMENTING THE INITIATIVE. THE MEMBERS OF THE ADVISORY
24 COMMITTEE MAY INCLUDE, BUT NEED NOT BE LIMITED TO, SCHOOL
25 LEADERS AND TEACHERS, REPRESENTATIVES OF CHARTER SCHOOLS,
26 REPRESENTATIVES OF NONPROFIT EDUCATION ADVOCACY GROUPS,
27 REPRESENTATIVES FROM COUNTY HUMAN SERVICES OR SOCIAL SERVICES

1 AGENCIES, NATIONALLY RECOGNIZED EXPERTS IN SERVING HIGH-RISK
2 STUDENTS AND IN MEASURING POSTSECONDARY AND WORKFORCE
3 READINESS, AND PHILANTHROPIC LEADERS. THE MEMBERS OF THE
4 ADVISORY COMMITTEE SERVE WITHOUT COMPENSATION AND WITHOUT
5 REIMBURSEMENT FOR EXPENSES.

6 (3) BEGINNING JULY 1, 2014, THE ADVISORY COMMITTEE AND THE
7 DEPARTMENT SHALL CREATE AND RECOMMEND TO THE STATE BOARD THE
8 PARAMETERS FOR THE INITIATIVE IN ACCORDANCE WITH THIS ARTICLE,
9 INCLUDING APPLICATION PROCEDURES AND REQUIREMENTS, MINIMUM
10 SCHOOL DESIGN REQUIREMENTS, CRITERIA FOR SELECTING INITIATIVE
11 PARTICIPANTS, REPORTING AND ACCOUNTABILITY REQUIREMENTS, AND
12 THE METHODS AND INDICATORS FOR MEASURING THE SUCCESS OF THE
13 INITIATIVE. THE ADVISORY COMMITTEE SHALL SOLICIT GIFTS, GRANTS,
14 AND DONATIONS TO PROVIDE FUNDING FOR THE INITIATIVE, WHICH GIFTS,
15 GRANTS, AND DONATIONS THE STATE TREASURER SHALL CREDIT TO THE
16 OPPORTUNITY SCHOOLS PILOT INITIATIVE FUND CREATED IN SECTION
17 22-15-105.

18 (4) THE STATE BOARD SHALL PROMULGATE RULES PURSUANT TO
19 THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
20 C.R.S., TO IMPLEMENT THE INITIATIVE. THE STATE BOARD SHALL BASE
21 THE RULES ON THE RECOMMENDATIONS OF THE DEPARTMENT AND THE
22 ADVISORY COMMITTEE.

23 **22-15-104. Opportunity schools pilot initiative - applications**
24 **- eligibility - program design requirements.** (1) THE DEPARTMENT,
25 WITH ADVICE FROM THE ADVISORY COMMITTEE, SHALL ISSUE A REQUEST
26 FOR APPLICANTS TO PARTICIPATE IN THE INITIATIVE. A PUBLIC SCHOOL
27 THAT MEETS THE REQUIREMENTS SPECIFIED IN SUBSECTION (2) OF THIS

1 SECTION MAY SUBMIT AN APPLICATION IN ACCORDANCE WITH THE RULES
2 OF THE STATE BOARD. THE DEPARTMENT, WORKING WITH THE ADVISORY
3 COMMITTEE, SHALL REVIEW THE APPLICATIONS AND RECOMMEND TO THE
4 STATE BOARD THE PUBLIC SCHOOLS THAT SHOULD PARTICIPATE IN THE
5 INITIATIVE, TAKING INTO ACCOUNT THE PRIORITIES SPECIFIED IN
6 SUBSECTION (4) OF THIS SECTION AND THE CRITERIA SPECIFIED IN RULES
7 OF THE STATE BOARD. NO LATER THAN JANUARY 15, 2015, THE STATE
8 BOARD SHALL SELECT THE FIRST COHORT OF PUBLIC SCHOOLS THAT
9 PARTICIPATE IN THE INITIATIVE, AND NO LATER THAN JANUARY 15, 2016,
10 THE STATE BOARD SHALL SELECT THE SECOND COHORT OF PUBLIC
11 SCHOOLS THAT PARTICIPATE IN THE INITIATIVE.

12 (2) A PUBLIC SCHOOL MAY APPLY TO PARTICIPATE IN THE
13 INITIATIVE IF THE PUBLIC SCHOOL:

14 (a) IS OPERATING AS OF THE EFFECTIVE DATE OF THIS ARTICLE OR
15 IS A NEW SCHOOL AND SERVES OR WILL SERVE STUDENTS WHO ARE AT
16 LEAST SIXTEEN BUT LESS THAN TWENTY-ONE YEARS OF AGE;

17 (b) IS DESIGNATED BY JULY 1, 2015, FOR THE FIRST COHORT OR
18 JULY 1, 2016, FOR THE SECOND COHORT AS AN ALTERNATIVE EDUCATION
19 CAMPUS BECAUSE AT LEAST NINETY-FIVE PERCENT OF THE STUDENTS IT
20 SERVES OR WILL SERVE MEET THE DEFINITION OF A HIGH-RISK STUDENT
21 AND THE PUBLIC SCHOOL MEETS THE OTHER CRITERIA FOR DESIGNATION
22 AS AN ALTERNATIVE EDUCATION CAMPUS SPECIFIED IN SECTION
23 22-7-604.5 (1) (a) (I) TO (1) (a) (V);

24 (c) IS AUTHORIZED TO GRANT HIGH SCHOOL DIPLOMAS THROUGH
25 ITS AUTHORIZER OR OFFERS A GENERAL EDUCATION DEVELOPMENT
26 PROGRAM THAT INCLUDES ADDITIONAL SKILLS TRAINING TO ENSURE A
27 STUDENT ACHIEVES POSTSECONDARY AND WORKFORCE READINESS, AS

1 DEFINED IN SECTION 22-7-1003 (15);

2 (d) DEMONSTRATES THAT THE PUBLIC SCHOOL'S AUTHORIZER HAS
3 NOTICE OF THE PUBLIC SCHOOL'S PARTICIPATION IN THE INITIATIVE; AND

4 (e) IS NOT AN ON-LINE SCHOOL AS DEFINED IN SECTION
5 22-30.7-102 (9.5).

6 (3) A PUBLIC SCHOOL THAT APPLIES TO PARTICIPATE IN THE
7 INITIATIVE MUST DESCRIBE THE TRANSFORMATIVE, RESEARCH-BASED
8 MODEL THAT IT WILL IMPLEMENT TO SERVE HIGH-RISK STUDENTS. IN ITS
9 APPLICATION, THE PUBLIC SCHOOL MUST DEMONSTRATE THAT THE MODEL
10 IS REPLICABLE, SCALABLE, MEASURABLE, AND SUSTAINABLE. IN ADDITION,
11 THE MODEL MUST INCLUDE AT LEAST TWO OF THE FOLLOWING THREE
12 ELEMENTS:

13 (a) HIGH-QUALITY COLLEGE AND CAREER-READY INSTRUCTION
14 THAT INCLUDES STRONG ACADEMIC AND SOCIAL SUPPORT SERVICES;

15 (b) PROGRAMS TO BUILD COLLEGE AND CAREER-READY SKILLS
16 AND TO PROVIDE INFORMED COUNSELING TO ASSIST STUDENTS IN THE
17 TRANSITION FROM HIGH SCHOOL TO POSTSECONDARY ENROLLMENT; AND

18 (c) APPROPRIATE SUPPORTS FOR STUDENTS IN THE FIRST YEAR OF
19 POSTSECONDARY ENROLLMENT TO ENSURE POSTSECONDARY PERSISTENCE
20 AND SUCCESS.

21 (4) IN RECOMMENDING APPLICANTS TO THE STATE BOARD, THE
22 DEPARTMENT AND THE ADVISORY COMMITTEE SHALL GIVE PRIORITY TO
23 APPLICANTS THAT:

24 (a) DESIGN A PROGRAM TO SERVE SPECIFIC SEGMENTS OF THE
25 STUDENT POPULATION;

26 (b) DEMONSTRATE A RECORD OF ACHIEVING ACADEMIC GROWTH
27 WITH STUDENTS IF THE APPLICANT HAS BEEN OPERATING FOR AT LEAST

1 TWO SCHOOL YEARS, ESPECIALLY WITH REGARD TO RE-ENGAGING
2 STUDENTS WHO HAVE DROPPED OUT OF SCHOOL OR BEEN EXPELLED;

3 (c) PRESENT PROGRAMS THAT ARE BASED ON CLEAR DESIGN
4 PRINCIPLES THAT MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

5 (I) A STUDENT-CENTERED FOCUS IN WHICH EDUCATIONAL
6 SERVICES ARE DESIGNED SPECIFICALLY TO MEET THE NEEDS OF INDIVIDUAL
7 STUDENTS, INCLUDING FLEXIBLE PROGRAMMING, COMPETENCY-BASED
8 AND APPLIED-LEARNING APPROACHES, AND THE USE OF ACCOUNTABILITY
9 INDICATORS THAT TAKE INTO ACCOUNT STUDENT ACADEMIC PROGRESS
10 OVER TIME AND RELATIVE ACADEMIC GAINS;

11 (II) A COLLEGE AND CAREER READINESS FOCUS THAT INCLUDES
12 MULTIPLE PATHWAYS TO POSTSECONDARY ENROLLMENT, TRANSITION
13 SERVICES TO SUPPORT STUDENTS WHO ARE MOVING FROM HIGH SCHOOL TO
14 POSTSECONDARY ENROLLMENT, WORK-BASED LEARNING, CONCURRENT
15 ENROLLMENT INCLUDING FIFTH-YEAR CONCURRENT ENROLLMENT
16 PROGRAMS, AND OTHER ACCELERATED LEARNING OPTIONS; AND

17 (III) A FOCUS ON PROVIDING WRAPAROUND SUPPORT SERVICES FOR
18 STUDENTS THROUGH PARTNERSHIPS WITH MULTIPLE PUBLIC AGENCIES AND
19 PRIVATE ENTITIES. SUPPORT SERVICES MAY INCLUDE, BUT NEED NOT BE
20 LIMITED TO, DRUG AND ALCOHOL TREATMENT, HEALTH CARE, MENTAL
21 HEALTH CARE, CHILD CARE, BEHAVIORAL SUPPORTS, AND CAREER
22 OPPORTUNITIES;

23 (d) IMPLEMENT EFFECTIVE ENROLLMENT STABILIZATION POLICIES;

24 (e) ENROLL A SUFFICIENTLY LARGE NUMBER OF STUDENTS TO BE
25 ABLE TO REPORT, AND TO ENABLE THE DEPARTMENT TO EFFECTIVELY
26 ANALYZE, ACCOUNTABILITY MEASURES; AND

27 (f) DEMONSTRATE EFFECTIVE STRATEGIES FOR SUSTAINING THE

1 MODEL BEYOND THE DURATION OF THE INITIATIVE.

2 **22-15-105. Opportunity school pilot initiative fund - created**

3 **- funding for opportunity schools.** (1) (a) THERE IS CREATED IN THE
4 STATE TREASURY THE OPPORTUNITY SCHOOL PILOT INITIATIVE FUND TO
5 PROVIDE ADDITIONAL MONEYS FOR OPPORTUNITY SCHOOLS AND TO OFFSET
6 THE COSTS INCURRED BY THE DEPARTMENT IN IMPLEMENTING THIS
7 ARTICLE. THE FUND CONSISTS OF THE MONEYS THE GENERAL ASSEMBLY
8 APPROPRIATES DURING THE 2014 REGULAR LEGISLATIVE SESSION TO THE
9 FUND AND ANY AMOUNTS CREDITED TO THE FUND PURSUANT TO SECTION
10 22-15-103 (3).

11 (b) THE MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED
12 TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS INCURRED IN
13 IMPLEMENTING THIS ARTICLE. THE STATE TREASURER MAY INVEST ANY
14 MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE
15 AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST
16 AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS
17 IN THE FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED
18 MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR MUST
19 REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO
20 THE GENERAL FUND OR ANOTHER FUND.

21 (2) FOR THE 2015-16 BUDGET YEAR AND EACH BUDGET YEAR
22 THEREAFTER, EACH OPPORTUNITY SCHOOL RECEIVES AN AMOUNT EQUAL
23 TO THIRTY PERCENT OF THE STATEWIDE AVERAGE PER PUPIL REVENUES
24 FOR THE APPLICABLE BUDGET YEAR MULTIPLIED BY THE OPPORTUNITY
25 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR. THE
26 DEPARTMENT SHALL DISTRIBUTE THE AMOUNT FOR EACH OPPORTUNITY
27 SCHOOL TO THE SCHOOL'S AUTHORIZER, AND THE AUTHORIZER SHALL

1 FORWARD THE ENTIRE AMOUNT TO THE OPPORTUNITY SCHOOL. THE
2 AMOUNT THAT THE OPPORTUNITY SCHOOL RECEIVES PURSUANT TO THIS
3 SUBSECTION (2) IS IN ADDITION TO THE AMOUNT THAT THE OPPORTUNITY
4 SCHOOL OTHERWISE RECEIVES FROM THE AUTHORIZER FOR EACH BUDGET
5 YEAR.

6 (3) THE DEPARTMENT MAY USE UP TO THREE PERCENT OF THE
7 MONEYS CREDITED AND APPROPRIATED TO THE FUND TO OFFSET THE
8 DIRECT AND INDIRECT COSTS INCURRED IN IMPLEMENTING THIS ARTICLE
9 AND TO PROVIDE TECHNICAL SUPPORT TO OPPORTUNITY SCHOOLS.

10 **22-15-106. Accountability - opportunity schools.** (1) AN
11 OPPORTUNITY SCHOOL IS SUBJECT TO THE SAME ACCOUNTABILITY
12 REQUIREMENTS THAT APPLY TO OTHER ALTERNATIVE EDUCATION
13 CAMPUSES AS SPECIFIED IN ARTICLE 11 OF THIS TITLE AND IN RULES OF THE
14 STATE BOARD. IN ADDITION, EACH OPPORTUNITY SCHOOL SHALL PROPOSE
15 ADDITIONAL PERFORMANCE MEASURES THAT ARE RELATED TO THE
16 PERFORMANCE INDICATORS SPECIFIED IN SECTION 22-11-204 AND THAT
17 ARE VALID, RELIABLE, AND MEASURABLE AND SPECIFICALLY TAILORED TO
18 MEASURE PERFORMANCE UNDER THE OPPORTUNITY SCHOOL'S UNIQUE
19 DESIGN AND MISSION. THE DEPARTMENT, WITH ADVICE FROM THE
20 ADVISORY COMMITTEE, SHALL REVIEW THE OPTIONAL MEASURES TO
21 ENSURE THEY MEET THE REQUIREMENTS OF THIS SUBSECTION (1).

22 (2) THE DEPARTMENT SHALL ANNUALLY COLLECT AND PUBLICLY
23 REPORT ON THE DEPARTMENT WEB SITE DATA CONCERNING THE SUPPORT
24 SERVICES PROVIDED THROUGH OPPORTUNITY SCHOOLS TO STUDENTS
25 ENROLLED IN THE OPPORTUNITY SCHOOLS. THE DEPARTMENT SHALL
26 COMPLY WITH FEDERAL AND STATE PRIVACY LAWS IN COLLECTING AND
27 PUBLISHING DATA PURSUANT TO THIS SUBSECTION (2).

1 (3) THE DEPARTMENT AND THE ADVISORY COMMITTEE SHALL
2 REGULARLY REVIEW THE PERFORMANCE OF EACH OPPORTUNITY SCHOOL,
3 FOCUSING ON THE SCHOOL'S LEVEL OF STUDENT ACHIEVEMENT, ACADEMIC
4 GROWTH, STUDENT ENGAGEMENT, AND OTHER INDICATORS THAT
5 DEMONSTRATE THAT STUDENTS ARE SUCCESSFULLY OBTAINING SKILLS
6 NEEDED TO ACHIEVE POSTSECONDARY AND WORKFORCE SUCCESS.

7 (4) AFTER AT LEAST TWO SCHOOL YEARS OF PERFORMANCE DATA
8 ARE AVAILABLE AFTER AN OPPORTUNITY SCHOOL BEGINS PARTICIPATING
9 IN THE INITIATIVE, IF THE OPPORTUNITY SCHOOL IS NOT MEETING THE
10 EXPECTATIONS ESTABLISHED BY THE OPPORTUNITY SCHOOL AND BY THE
11 DEPARTMENT FOR THE INITIATIVE, THE DEPARTMENT, WITH THE ADVICE OF
12 THE ADVISORY COMMITTEE, MAY RECOMMEND THAT THE STATE BOARD
13 REDUCE OR DISCONTINUE THE AMOUNT OF ADDITIONAL FUNDING THE
14 OPPORTUNITY SCHOOL RECEIVES.

15 (5) THE AUTHORIZER OF AN OPPORTUNITY SCHOOL RETAINS THE
16 AUTHORITY TO OVERSEE AND, IF DEEMED NECESSARY, CLOSE AN
17 OPPORTUNITY SCHOOL, REGARDLESS OF THE SCHOOL'S STATUS AS AN
18 OPPORTUNITY SCHOOL.

19 **22-15-107. Opportunity school pilot initiative - reporting -**
20 **evaluation.** (1) THE DEPARTMENT, WITH THE ADVICE OF THE ADVISORY
21 COMMITTEE, SHALL ESTABLISH CLEAR MEASURES TO EVALUATE THE
22 SUCCESS OF THE INITIATIVE. THE MEASURES MAY INCLUDE, BUT NEED NOT
23 BE LIMITED TO:

24 (a) OVERALL OPPORTUNITY SCHOOL PERFORMANCE, ACADEMIC
25 GROWTH OF STUDENTS ENROLLED IN OPPORTUNITY SCHOOLS, AND OTHER
26 MEASURES OF STUDENT GAINS ESTABLISHED SPECIFICALLY FOR THE
27 OPPORTUNITY SCHOOLS;

1 (b) EVIDENCE THAT THE ACCOUNTABILITY MEASURES THAT THE
2 OPPORTUNITY SCHOOLS ADOPT ARE IMPACTING THE DEPARTMENT'S
3 OVERSIGHT OF OTHER PUBLIC SCHOOLS AND IMPACTING THE
4 ACCOUNTABILITY MEASURES THAT OTHER SCHOOLS ADOPT;

5 (c) EVIDENCE THAT THE INCREASED LEVEL OF FUNDING THAT
6 OPPORTUNITY SCHOOLS RECEIVE PURSUANT TO SECTION 22-15-105 (2) IS
7 POSITIVELY IMPACTING THE OPPORTUNITY SCHOOLS' PERFORMANCE; AND

8 (d) EVIDENCE THAT OTHER ALTERNATIVE EDUCATION CAMPUSES
9 AND OTHER PUBLIC SCHOOLS ARE REPLICATING THE MODELS AND
10 PRACTICES IMPLEMENTED BY THE OPPORTUNITY SCHOOLS.

11 (2) THE DEPARTMENT SHALL CONTRACT WITH AN INDEPENDENT
12 ENTITY TO EVALUATE THE INITIATIVE IN THE THIRD YEAR OF OPERATIONS
13 AND EVERY THIRD YEAR THEREAFTER. THE ENTITY SHALL PREPARE A
14 QUALITATIVE AND QUANTITATIVE REPORT OF THE INITIATIVE THAT THE
15 GENERAL ASSEMBLY MAY USE IN DETERMINING WHETHER TO CONTINUE
16 FUNDING THE INITIATIVE. THE QUALITATIVE REPORT MAY INCLUDE
17 RECOMMENDATIONS FOR CHANGES IN POLICY AND PRACTICE IN
18 IMPLEMENTING THE INITIATIVE. THE DEPARTMENT SHALL SUBMIT THE
19 REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF
20 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES,
21 AND PUBLISH THE REPORT ON THE DEPARTMENT'S WEB SITE.

22 **SECTION 2. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, and safety.