

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 09-0341.02 Julie Pelegrin

**SENATE BILL 09-163**

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**SENATE SPONSORSHIP**

**Hudak and King K.,**

**HOUSE SPONSORSHIP**

**Middleton and Massey,**

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**Senate Committees**

Education  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE EDUCATION ACCOUNTABILITY SYSTEM, AND MAKING**  
102 **AN APPROPRIATION THEREFOR.**

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**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

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.*

education system and setting, reaffirming, or revising statewide targets for measuring the performance of each 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.

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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,

1 AND OTHER MEMBERS OF THE COMMUNITY ON MAXIMIZING EVERY  
2 STUDENT'S PROGRESS TOWARD POSTSECONDARY AND WORKFORCE  
3 READINESS AND POSTGRADUATION SUCCESS;

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

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

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

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

25 (a) USES A COMMON MEASURE TO DESCRIBE IN PLAIN LANGUAGE  
26 HOW MUCH ACADEMIC GROWTH EACH STUDENT NEEDS TO MAKE AND HOW  
27 MUCH GROWTH THE STUDENT ACTUALLY MAKES IN ONE YEAR TOWARD

1 PROFICIENCY ON STATE CONTENT STANDARDS;

2 (b) INCORPORATES A COMPLETE HISTORY OF EACH STUDENT'S  
3 ASSESSMENT SCORES IN CALCULATING THE STUDENT'S NEEDED AND  
4 ACHIEVED ACADEMIC GROWTH;

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

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

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

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

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

1 (b) INCORPORATES INPUT FROM PARENTS, EDUCATORS,  
2 ADMINISTRATORS, AND THE COMMUNITY IN ESTABLISHING CLEARLY  
3 DEFINED STATEWIDE ACADEMIC PERFORMANCE OBJECTIVES;

4 (c) REPORTS PERFORMANCE IN CLEAR, READILY UNDERSTANDABLE  
5 TERMS;

6 (d) IS ADAPTABLE TO ACCOMMODATE AND INCLUDE ADDITIONAL  
7 DATA THAT BECOME AVAILABLE AS THE STATE IMPLEMENTS THE  
8 "PRESCHOOL TO POSTSECONDARY EDUCATION ALIGNMENT ACT", PART  
9 10 OF ARTICLE 7 OF THIS TITLE, INCLUDING BUT NOT LIMITED TO DATA  
10 CONCERNING SCHOOL READINESS AND POSTSECONDARY SUCCESS;

11 (e) RECOGNIZES AND REWARDS AREAS OF SUCCESS, WHILE ALSO  
12 IDENTIFYING AND COMPELLING EFFECTIVE CHANGE FOR AREAS IN NEED OF  
13 IMPROVEMENT; AND

14 (f) ENSURES THE AVAILABILITY OF TECHNICAL ASSISTANCE,  
15 SERVICES, AND SUPPORT FOR PUBLIC SCHOOLS, SCHOOL DISTRICTS, AND  
16 THE INSTITUTE TO IMPROVE STUDENTS' ACADEMIC PERFORMANCE.

17 **22-11-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
18 CONTEXT OTHERWISE REQUIRES:

19 (1) "ACCREDITATION" MEANS CERTIFICATION BY THE STATE  
20 BOARD THAT A SCHOOL DISTRICT AND THE PUBLIC SCHOOLS OF THE  
21 SCHOOL DISTRICT, OR THE INSTITUTE AND THE INSTITUTE CHARTER  
22 SCHOOLS, MEET THE REQUIREMENTS ESTABLISHED BY THIS ARTICLE AND  
23 THE RULES PROMULGATED PURSUANT TO THIS ARTICLE.  
24 "ACCREDITATION" INCLUDES THE PROCESS FOR ACCREDITING SCHOOL  
25 DISTRICTS AND THE INSTITUTE AND REVIEWING THE PERFORMANCE OF  
26 PUBLIC SCHOOLS AS PROVIDED IN PART 2 OF THIS ARTICLE AND THE RULES  
27 PROMULGATED PURSUANT TO THIS ARTICLE.

1 (2) "ACCREDITATION CONTRACT" MEANS:

2 (a) THE CONTRACT BETWEEN THE STATE BOARD AND A SCHOOL  
3 DISTRICT, AS DESCRIBED IN SECTION 22-11-206, THAT INCLUDES, BUT IS  
4 NOT LIMITED TO, THE SCHOOL DISTRICT'S OBLIGATION TO MANAGE THE  
5 ACCREDITATION OF THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT  
6 CONSISTENT WITH THE PROVISIONS OF THIS ARTICLE; OR

7 (b) THE CONTRACT BETWEEN THE STATE BOARD AND THE  
8 INSTITUTE, AS DESCRIBED IN SECTION 22-11-206, THAT INCLUDES, BUT IS  
9 NOT LIMITED TO, THE INSTITUTE'S OBLIGATION TO MANAGE THE  
10 ACCREDITATION OF THE INSTITUTE CHARTER SCHOOLS CONSISTENT WITH  
11 THE PROVISIONS OF THIS ARTICLE.

12 (3) "ACHIEVEMENT AND GROWTH GAPS" MEANS DIFFERENCES  
13 AMONG STUDENT GROUPS IN THE LEVELS OF ACADEMIC ACHIEVEMENT  
14 ATTAINED BY THE STUDENT GROUPS ON THE STATEWIDE ASSESSMENTS  
15 AND DIFFERENCES AMONG STUDENT GROUPS IN THE LEVELS OF ACADEMIC  
16 GROWTH ATTAINED BY THE STUDENT GROUPS.

17 (4) "ACHIEVEMENT LEVEL" MEANS THE LEVEL OF PROFICIENCY A  
18 STUDENT DEMONSTRATES ON A STATEWIDE ASSESSMENT.

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

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

23 (7) "CATCH-UP GROWTH" MEANS, FOR A STUDENT WHO SCORES AT  
24 THE ACHIEVEMENT LEVEL OF UNSATISFACTORY OR PARTIALLY PROFICIENT  
25 ON STATEWIDE ASSESSMENTS, THE AMOUNT OF ACADEMIC GROWTH THE  
26 STUDENT MUST ATTAIN TO SCORE AT THE PROFICIENT ACHIEVEMENT  
27 LEVEL ON STATEWIDE ASSESSMENTS WITHIN THREE YEARS OR BY TENTH

1 GRADE, WHICHEVER IS SOONER.

2 (8) "COLORADO GROWTH MODEL" MEANS A SCIENTIFICALLY  
3 RIGOROUS STATISTICAL MODEL THAT THE DEPARTMENT USES TO  
4 CALCULATE STUDENTS' ANNUAL ACADEMIC GROWTH IN THE SUBJECTS  
5 INCLUDED IN THE STATEWIDE ASSESSMENTS BASED ON STUDENTS' SCORES  
6 ON THE ANNUAL STATEWIDE ASSESSMENTS, WHICH MODEL IS ADOPTED BY  
7 THE STATE BOARD PURSUANT TO SECTION 22-11-202.

8 (9) "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 (10) "DATA PORTAL" MEANS THE EDUCATION DATA AND GROWTH  
12 EXCHANGE PORTAL CREATED BY THE DEPARTMENT PURSUANT TO SECTION  
13 22-11-502.

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

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

19 (13) "DISTRICT PUBLIC SCHOOL" MEANS A PUBLIC SCHOOL OF A  
20 SCHOOL DISTRICT, INCLUDING BUT NOT LIMITED TO A DISTRICT CHARTER  
21 SCHOOL.

22 (14) "IMPROVEMENT PLAN" MEANS:

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

26 (b) THE PLAN DESCRIBED IN AND ADOPTED BY THE INSTITUTE  
27 PURSUANT TO SECTION 22-11-304, IN WHICH CASE IT MAY ALSO BE

1 REFERRED TO MORE SPECIFICALLY AS AN "INSTITUTE IMPROVEMENT  
2 PLAN"; OR

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

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

8 (16) "INSTITUTE BOARD" MEANS THE GOVERNING BOARD OF THE  
9 STATE CHARTER SCHOOL INSTITUTE APPOINTED PURSUANT TO SECTION  
10 22-30.5-505 (2).

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

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

20 (19) "LOCAL SCHOOL BOARD" MEANS THE BOARD OF EDUCATION  
21 OF A SCHOOL DISTRICT. "LOCAL SCHOOL BOARD" ALSO INCLUDES THE  
22 GOVERNING BOARD OF A BOARD OF COOPERATIVE SERVICES CREATED  
23 PURSUANT TO ARTICLE 5 OF THIS TITLE IF THE BOARD OF COOPERATIVE  
24 SERVICES IS OPERATING A PUBLIC SCHOOL.

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

27 (21) "MEDIAN STUDENT GROWTH" MEANS, IN A RANKING OF

1 INDIVIDUAL STUDENT GROWTH SCORES FROM HIGHEST TO LOWEST, THE  
2 MIDDLE STUDENT GROWTH SCORE ATTAINED.

3 (22) "MOVE-UP GROWTH" MEANS, FOR A STUDENT WHO SCORES AT  
4 THE ACHIEVEMENT LEVEL OF PROFICIENT ON   STATEWIDE ASSESSMENTS,  
5 THE AMOUNT OF ACADEMIC GROWTH THE STUDENT MUST ATTAIN TO  
6 SCORE AT THE ADVANCED PERFORMANCE LEVEL ON   STATEWIDE  
7 ASSESSMENTS WITHIN THREE YEARS OR BY TENTH GRADE, WHICHEVER IS  
8 SOONER.

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

13 (24) "PERFORMANCE PLAN" MEANS:

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

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

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

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

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

1 (27) "PRIORITY IMPROVEMENT PLAN" MEANS:

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

6 (b) THE PLAN DESCRIBED IN AND ADOPTED BY THE INSTITUTE  
7 PURSUANT TO SECTION 22-11-305, IN WHICH CASE IT MAY ALSO BE  
8 REFERRED TO MORE SPECIFICALLY AS AN "INSTITUTE PRIORITY  
9 IMPROVEMENT PLAN"; OR

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

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

18 (29) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT AUTHORIZED  
19 BY SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION AND  
20 ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE. "SCHOOL DISTRICT"  
21 ALSO INCLUDES A BOARD OF COOPERATIVE SERVICES CREATED PURSUANT  
22 TO ARTICLE 5 OF THIS TITLE IF IT IS OPERATING A PUBLIC SCHOOL.

23 (30) "SCHOOL READINESS" SHALL HAVE THE SAME MEANING AS  
24 PROVIDED IN SECTION 22-7-1003 (21).

25 (31) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION  
26 ESTABLISHED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE  
27 CONSTITUTION.

1           (32) "STATE REVIEW PANEL" MEANS THE PANEL OF EDUCATION  
2 EXPERTS APPOINTED BY THE COMMISSIONER PURSUANT TO SECTION  
3 22-11-205 TO ASSIST THE DEPARTMENT AND THE STATE BOARD IN  
4 IMPLEMENTING THE PROVISIONS OF THIS ARTICLE.

5           (33) "STATEWIDE ASSESSMENTS" MEANS THE ASSESSMENTS  
6 ADMINISTERED PURSUANT TO THE COLORADO STUDENT ASSESSMENT  
7 PROGRAM CREATED IN SECTION 22-7-409 OR AS PART OF THE SYSTEM OF  
8 ASSESSMENTS ADOPTED BY THE STATE BOARD PURSUANT TO SECTION  
9 22-7-1006.

10           (34) "STUDENT GROUPS" MEANS THE GROUPING OF STUDENTS  
11 BASED ON SEX, SOCIOECONOMIC STATUS, RACE AND ETHNICITY,  
12 DISABILITY, ENGLISH LANGUAGE PROFICIENCY, AND GIFTED AND  
13 TALENTED STATUS, AS SAID GROUPS ARE DESCRIBED BY STATE BOARD  
14 RULE AND FEDERAL REQUIREMENTS, AND ANY ADDITIONAL STUDENT  
15 GROUPS THAT THE STATE BOARD MAY DESCRIBE BY RULE TO ALIGN WITH  
16 CHANGES TO FEDERAL REQUIREMENTS OR TO PROVIDE ADDITIONAL DATA  
17 FOR ANALYSIS OF STUDENT LEARNING.

18           (35) "TARGET" MEANS A SPECIFIC, QUANTIFIABLE OUTCOME THAT  
19 ESTABLISHES THE DESIRED LEVEL OF ATTAINMENT ON A MEASURE.

20           (36) "TECHNICAL ADVISORY PANEL" MEANS THE PANEL OF STATE  
21 AND NATIONAL EXPERTS ON THE LONGITUDINAL MEASUREMENT OF  
22 ACADEMIC GROWTH FOR ACCOUNTABILITY PURPOSES APPOINTED BY THE  
23 COMMISSIONER PURSUANT TO SECTION 22-11-202 (2).

24           (37) "TURNAROUND PLAN" MEANS:

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

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

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

8 **22-11-104. Rules.** THE STATE BOARD SHALL PROMULGATE RULES  
9 PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE  
10 4 OF TITLE 24, C.R.S., AS REQUIRED IN THIS ARTICLE AND MAY  
11 PROMULGATE SUCH ADDITIONAL RULES AS IT FINDS NECESSARY FOR THE  
12 IMPLEMENTATION OF THIS ARTICLE, INCLUDING BUT NOT LIMITED TO  
13 RULES ESTABLISHING A NUMBERING SYSTEM TO UNIQUELY IDENTIFY  
14 INDIVIDUAL STUDENTS, INCLUDING STUDENTS ENROLLED IN THE  
15 COLORADO PRESCHOOL AND KINDERGARTEN PROGRAM, CREATED  
16 PURSUANT TO SECTION 22-28-104.

17 **22-11-105. Contracting for services.** THE DEPARTMENT IS  
18 AUTHORIZED TO CONTRACT FOR SERVICES FOR THE IMPLEMENTATION OF  
19 THIS ARTICLE, INCLUDING BUT NOT LIMITED TO IMPLEMENTATION AND  
20 REVISION, WHEN NECESSARY, OF THE COLORADO GROWTH MODEL,  
21 MAINTENANCE OF THE STATE DATA REPORTING SYSTEM, AND CREATION  
22 AND MAINTENANCE OF THE DATA PORTAL. NOTWITHSTANDING ANY  
23 PROVISION OF LAW TO THE CONTRARY, THE PROVISIONS OF THE  
24 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, C.R.S., SHALL  
25 NOT APPLY TO CONTRACTS ENTERED INTO PURSUANT TO THIS SECTION.

26 **22-11-106. Funding.** (1) THE DEPARTMENT IS AUTHORIZED TO  
27 SEEK AND ACCEPT PUBLIC AND PRIVATE GIFTS, GRANTS, AND DONATIONS

1 FOR THE IMPLEMENTATION OF THIS ARTICLE; EXCEPT THAT THE  
2 DEPARTMENT SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION IF IT IS  
3 SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS ARTICLE OR  
4 ANY OTHER LAW OF THE STATE.

5 (2) THE GENERAL ASSEMBLY HEREBY DECLARES THAT, FOR  
6 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,  
7 IMPLEMENTATION OF AN ALIGNED EDUCATION ACCOUNTABILITY SYSTEM  
8 FOR PUBLIC EDUCATION PURSUANT TO THIS SECTION IS AN IMPORTANT  
9 ELEMENT IN IMPLEMENTING ACCOUNTABLE EDUCATION REFORM AND  
10 ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND  
11 MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND  
12 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

13 (3) THE GENERAL ASSEMBLY ANTICIPATES THAT THE DEPARTMENT  
14 MAY RECEIVE SIGNIFICANT AMOUNTS OF FEDERAL MONEYS THAT MAY  
15 APPROPRIATELY BE USED TO IMPLEMENT THIS ARTICLE AND STRONGLY  
16 ENCOURAGES THE DEPARTMENT TO APPLY SAID FEDERAL MONEYS TO THE  
17 GREATEST EXTENT POSSIBLE IN IMPLEMENTING THIS ARTICLE.

18 PART 2

19 STATE ACCOUNTABILITY

20 **22-11-201. State public education system - annual**  
21 **performance review - targets for improvement.** (1) (a) THE STATE  
22 BOARD SHALL ANNUALLY REVIEW THE PERFORMANCE OF THE STATEWIDE  
23 PUBLIC EDUCATION SYSTEM, INCLUDING BUT NOT LIMITED TO REVIEWING  
24 THE LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS  
25 DEMONSTRATED BY EACH PUBLIC SCHOOL, EACH SCHOOL DISTRICT, AND  
26 THE INSTITUTE. FOLLOWING SAID REVIEW, THE STATE BOARD SHALL SET,  
27 REAFFIRM, OR REVISE, AS APPROPRIATE, AMBITIOUS BUT ATTAINABLE

1 STATEWIDE TARGETS FOR THE MEASURES USED TO DETERMINE THE LEVELS  
2 OF ATTAINMENT OF THE PERFORMANCE INDICATORS FOR THE COMING  
3 ACADEMIC YEAR WITH THE GOAL OF RAISING THE LEVEL OF ACADEMIC  
4 PERFORMANCE IN THE PUBLIC SCHOOLS THROUGHOUT THE STATE. IN  
5 SETTING THE TARGETS, THE STATE BOARD SHALL, TO THE EXTENT  
6 POSSIBLE, ENSURE THAT THE TARGETS MEET FEDERAL LAW  
7 REQUIREMENTS.

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

11 (2) IN ADOPTING THE TARGETS REQUIRED BY SUBSECTION (1) OF  
12 THIS SECTION, THE STATE BOARD SHALL CONSIDER ANY INFORMATION  
13 PROVIDED BY PUBLIC SCHOOLS, LOCAL SCHOOL BOARDS, THE INSTITUTE,  
14 SCHOOL ADMINISTRATORS, TEACHERS AND TEACHERS' ASSOCIATIONS,  
15 PARENTS AND PARENTS' ASSOCIATIONS, AND INSTITUTIONS OF HIGHER  
16 EDUCATION RELATED TO THE ACADEMIC PERFORMANCE OF THE PUBLIC  
17 EDUCATION SYSTEM IN COLORADO.

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

21 **22-11-202. Colorado growth model - technical advisory panel**  
22 **- rules.** (1) (a) THE STATE BOARD, BY RULE, SHALL ADOPT, AND REVISE  
23 AS NECESSARY, THE COLORADO GROWTH MODEL, WHICH SHALL BE A  
24 STUDENT LONGITUDINAL ACADEMIC GROWTH MODEL THAT IS AVAILABLE  
25 IN THE PUBLIC DOMAIN. IN ADOPTING AND REVISING THE COLORADO  
26 GROWTH MODEL, THE STATE BOARD SHALL CONSIDER RECOMMENDATIONS  
27 FROM THE TECHNICAL ADVISORY PANEL CONVENED PURSUANT TO

1 SUBSECTION (2) OF THIS SECTION.

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

4 (I) REFLECTS BEST PRACTICES, AS ACKNOWLEDGED IN THE  
5 SCIENTIFIC LITERATURE, IN MEASURING STUDENT LONGITUDINAL  
6 ACADEMIC GROWTH WITH HIGH PRECISION;

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

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

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

15 (V) PROVIDES RESULTS THAT ARE MEANINGFUL, RELIABLE, AND  
16 VALID, GIVEN THEIR INTENDED PURPOSES, TO ENABLE PARENTS,  
17 TEACHERS, AND ADMINISTRATORS TO IDENTIFY INDIVIDUAL STUDENTS OR  
18 GROUPS OF STUDENTS WHO ARE OR ARE NOT MAKING ADEQUATE  
19 ACADEMIC GROWTH;

20 (VI) RECOGNIZES THE IMPROVEMENT OF A STUDENT WHOSE  
21 SCORES ON THE STATEWIDE ASSESSMENTS INCREASE EVEN IF THE  
22 INCREASE IS NOT SUFFICIENT FOR THE STUDENT TO ATTAIN A HIGHER  
23 ACHIEVEMENT LEVEL;

24 (VII) USES INDIVIDUAL STUDENT SCORES ACHIEVED ON THE  
25 STATEWIDE ASSESSMENTS;

26 (VIII) IS DESCRIBED IN A PUBLICLY AVAILABLE DOCUMENT THAT  
27 SETS FORTH THE MATHEMATICAL EQUATIONS USED IN THE MODEL AND

1 THAT FULLY AND ACCURATELY EXPLAINS THE METHODS USED TO  
2 COMPLETE THE RECORDS FOR STUDENTS WITH INCOMPLETE DATA; AND

3 (IX) CAN TREAT THE ANALYSIS AND REPORTING OF DATA  
4 ELECTRONICALLY AND PRODUCES STUDENT, PUBLIC SCHOOL, SCHOOL  
5 DISTRICT, INSTITUTE, AND STATE REPORTS THAT THE DEPARTMENT  
6 PROVIDES TO SCHOOL DISTRICTS, THE INSTITUTE, PUBLIC SCHOOLS, AND  
7 THE PUBLIC THROUGH THE DATA PORTAL.

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

21 (2) (a) TO ASSIST THE DEPARTMENT IN IMPLEMENTING THE  
22 COLORADO GROWTH MODEL, THE COMMISSIONER SHALL APPOINT A  
23 TECHNICAL ADVISORY PANEL OF STATE AND NATIONAL EXPERTS ON THE  
24 LONGITUDINAL MEASUREMENT OF ACADEMIC GROWTH FOR  
25 ACCOUNTABILITY PURPOSES. THE MEMBERS OF THE TECHNICAL ADVISORY  
26 PANEL SHALL SERVE AT THE WILL OF THE COMMISSIONER AND SHALL NOT  
27 RECEIVE COMPENSATION OR REIMBURSEMENT FOR EXPENSES.

1 (b) THE DEPARTMENT SHALL CONVENE MEETINGS OF THE  
2 TECHNICAL ADVISORY PANEL AS NECESSARY AND WITHIN EXISTING  
3 APPROPRIATIONS TO REVIEW THE COLORADO GROWTH MODEL AND MAKE  
4 RECOMMENDATIONS TO THE STATE BOARD. ALL MEETINGS OF THE  
5 TECHNICAL ADVISORY PANEL SHALL BE OPEN.

6 **22-11-203. Student longitudinal academic growth - calculation**  
7 **- data - research.** (1) (a) EACH SCHOOL YEAR BY A DATE ESTABLISHED  
8 IN STATE BOARD RULES, THE DEPARTMENT SHALL CALCULATE, TO THE  
9 EXTENT PRACTICABLE, WHAT WILL CONSTITUTE ADEQUATE LONGITUDINAL  
10 ACADEMIC GROWTH FOR EACH STUDENT FOR THAT SCHOOL YEAR IN EACH  
11 SUBJECT THAT IS INCLUDED IN THE STATEWIDE ASSESSMENTS. THE  
12 DEPARTMENT SHALL FORMULATE THE CALCULATION IN SUCH A WAY THAT  
13 ADEQUATE LONGITUDINAL ACADEMIC GROWTH MEANS:

14 (I) CATCH-UP GROWTH FOR A STUDENT WHO SCORED AT THE  
15 UNSATISFACTORY OR PARTIALLY PROFICIENT ACHIEVEMENT LEVEL ON THE  
16 STATEWIDE ASSESSMENTS IN THE PREVIOUS ACADEMIC YEAR, WHICH IS  
17 THE AMOUNT OF ACADEMIC GROWTH NECESSARY TO SCORE AT THE  
18 PROFICIENT ACHIEVEMENT LEVEL WITHIN THREE YEARS OR BY THE TENTH  
19 GRADE, WHICHEVER COMES SOONER; AND

20 (II) KEEP-UP GROWTH FOR A STUDENT WHO SCORED AT THE  
21 PROFICIENT OR ADVANCED ACHIEVEMENT LEVEL ON THE STATEWIDE  
22 ASSESSMENTS IN THE PREVIOUS ACADEMIC YEAR, WHICH IS THE AMOUNT  
23 OF ACADEMIC GROWTH NECESSARY TO SCORE AT THE PROFICIENT  
24 ACHIEVEMENT LEVEL OR HIGHER FOR THE SUCCEEDING THREE YEARS OR  
25 UNTIL THE TENTH GRADE, WHICHEVER IS SOONER.

26 ==

27 (b) THE DEPARTMENT SHALL USE DATA AVAILABLE FOR

1 LONGITUDINAL ANALYSIS TO REVIEW AND REVISE THE CALCULATION OF  
2 ADEQUATE LONGITUDINAL ACADEMIC GROWTH AS NECESSARY.

3 (c) BY THE SAME DATE ESTABLISHED FOR PURPOSES OF  
4 PARAGRAPH (a) OF THIS SUBSECTION (1), THE DEPARTMENT SHALL  
5 CALCULATE, TO THE EXTENT PRACTICABLE, FOR EACH STUDENT WHO  
6 SCORED AT THE PROFICIENT ACHIEVEMENT LEVEL ON THE STATEWIDE  
7 ASSESSMENTS IN THE PREVIOUS ACADEMIC YEAR, WHAT WILL CONSTITUTE  
8 MOVE-UP GROWTH FOR THE COMING SCHOOL YEAR IN EACH SUBJECT THAT  
9 IS INCLUDED IN STATEWIDE ASSESSMENTS.

10 (d) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF  
11 THIS SUBSECTION (1), THE DEPARTMENT MAY REVISE, AS NECESSARY, THE  
12 DEFINITION OF ADEQUATE LONGITUDINAL GROWTH TO INCORPORATE THE  
13 CONCEPT OF MOVE-UP GROWTH OR TO MEET THE REQUIREMENTS OF  
14 FEDERAL LAW.

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

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

1 INSTITUTE CHARTER SCHOOL.

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

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

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

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

14 (d) THE AMOUNT OF GROWTH FOR EACH STUDENT THAT WOULD  
15 RESULT IN THE STUDENT SCORING AT THE PARTIALLY PROFICIENT,  
16 PROFICIENT, AND ADVANCED ACHIEVEMENT LEVELS WITHIN ONE, TWO,  
17 AND THREE YEARS.

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

24 (5) THE SCHOOL DISTRICT OR THE DISTRICT CHARTER SCHOOL OR  
25 INSTITUTE CHARTER SCHOOL IN WHICH A STUDENT IS ENROLLED SHALL  
26 MAINTAIN THE ACADEMIC GROWTH INFORMATION RECEIVED FROM THE  
27 DEPARTMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION IN THE

1 STUDENT'S INDIVIDUAL STUDENT RECORD MAINTAINED BY THE SCHOOL  
2 DISTRICT OR BY THE DISTRICT CHARTER SCHOOL OR INSTITUTE CHARTER  
3 SCHOOL.

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

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

1 AND PRIVACY ACT OF 1974", 20 U.S.C. SEC. 1232g, AND ALL FEDERAL  
2 REGULATIONS AND APPLICABLE GUIDELINES ADOPTED IN ACCORDANCE  
3 THEREWITH.

4 **22-11-204. Performance indicators - measures.** (1) (a) THE  
5 DEPARTMENT SHALL ANNUALLY DETERMINE THE LEVEL OF ATTAINMENT  
6 OF EACH PUBLIC SCHOOL, EACH SCHOOL DISTRICT, THE INSTITUTE, AND  
7 THE STATE AS A WHOLE ON EACH OF THE FOLLOWING PERFORMANCE  
8 INDICATORS:

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

11 (II) STUDENT ACHIEVEMENT LEVELS ON THE STATEWIDE  
12 ASSESSMENTS, BASED ON THE MEASURES SPECIFIED IN SUBSECTION (3) OF  
13 THIS SECTION; AND

14 (III) PROGRESS MADE IN CLOSING THE ACHIEVEMENT AND GROWTH  
15 GAPS, BASED ON THE MEASURES SPECIFIED IN SUBSECTION (5) OF THIS  
16 SECTION.

17 (b) IN ADDITION, THE DEPARTMENT SHALL ANNUALLY DETERMINE  
18 THE LEVEL OF ATTAINMENT OF EACH PUBLIC HIGH SCHOOL, EACH SCHOOL  
19 DISTRICT, THE INSTITUTE, AND THE STATE AS A WHOLE ON THE  
20 POSTSECONDARY AND WORKFORCE READINESS PERFORMANCE INDICATOR,  
21 BASED ON THE MEASURES SPECIFIED IN SUBSECTION (4) OF THIS SECTION.

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

26 (a) FOR STUDENTS, THE DEPARTMENT SHALL CALCULATE THE  
27 STUDENT ACADEMIC GROWTH PERCENTILES USING THE COLORADO

1 GROWTH MODEL.

2 (b) FOR EACH PUBLIC SCHOOL, THE DEPARTMENT SHALL  
3 CALCULATE:

4 (I) THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC  
5 SCHOOL:

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

10 (B) WHO ATTAIN MOVE-UP GROWTH; AND

11 (C) WHO ATTAIN STATEWIDE MEDIAN GROWTH; AND

12 (II) THE MEDIAN STUDENT GROWTH AMONG STUDENTS ENROLLED  
13 IN THE PUBLIC SCHOOL.

14 (c) FOR EACH SCHOOL DISTRICT AND THE INSTITUTE, THE  
15 DEPARTMENT SHALL CALCULATE:

16 (I) THE PERCENTAGE OF ALL STUDENTS ENROLLED IN THE DISTRICT  
17 PUBLIC SCHOOLS OR IN THE INSTITUTE CHARTER SCHOOLS:

18 (A) WHO ATTAIN ADEQUATE LONGITUDINAL ACADEMIC GROWTH,  
19 AS CALCULATED PURSUANT TO SECTION 22-11-203 (1), INCLUDING THE  
20 PERCENTAGES OF STUDENTS WHO ATTAIN CATCH-UP GROWTH AND  
21 KEEP-UP GROWTH;

22 (B) WHO ATTAIN MOVE-UP GROWTH; AND

23 (C) WHO ATTAIN STATEWIDE MEDIAN GROWTH; AND

24 (II) THE MEDIAN STUDENT GROWTH AMONG STUDENTS ENROLLED  
25 IN THE DISTRICT PUBLIC SCHOOLS OR IN THE INSTITUTE CHARTER SCHOOLS.

26 (d) FOR THE STATE, THE DEPARTMENT SHALL CALCULATE:

27 (I) THE PERCENTAGE OF ALL STUDENTS ENROLLED IN THE PUBLIC

1 SCHOOLS IN THE STATE:

2 (A) WHO ATTAIN ADEQUATE LONGITUDINAL ACADEMIC GROWTH,  
3 AS CALCULATED PURSUANT TO SECTION 22-11-203 (1), INCLUDING THE  
4 PERCENTAGES OF STUDENTS WHO ATTAIN CATCH-UP GROWTH AND  
5 KEEP-UP GROWTH;

6 (B) WHO ATTAIN MOVE-UP GROWTH; AND

7 (C) WHO ATTAIN STATEWIDE MEDIAN GROWTH; AND

8 (II) THE MEDIAN STUDENT GROWTH AMONG STUDENTS ENROLLED  
9 IN THE PUBLIC SCHOOLS IN THE STATE. \_\_\_

10 (3) THE DEPARTMENT SHALL DETERMINE THE LEVEL OF  
11 ATTAINMENT OF EACH PUBLIC SCHOOL, EACH SCHOOL DISTRICT, THE  
12 INSTITUTE, AND THE STATE AS A WHOLE ON THE PERFORMANCE INDICATOR  
13 THAT CONCERNS STUDENT ACHIEVEMENT LEVELS ON THE STATEWIDE  
14 ASSESSMENTS BY USING THE FOLLOWING MEASURES:

15 (a) FOR EACH STUDENT ENROLLED IN A PUBLIC SCHOOL IN THE  
16 STATE, THE DEPARTMENT SHALL DETERMINE THE STUDENT'S  
17 ACHIEVEMENT LEVEL IN THE SUBJECTS INCLUDED IN THE STATEWIDE  
18 ASSESSMENTS, AS DEMONSTRATED BY THE SCORE ACHIEVED BY THE  
19 STUDENT ON THE STATEWIDE ASSESSMENTS. THE COMMISSIONER SHALL  
20 SPECIFY THE SCORE RANGES THAT CONSTITUTE EACH OF THE  
21 ACHIEVEMENT LEVELS.

22 (b) FOR EACH PUBLIC SCHOOL, THE DEPARTMENT SHALL  
23 CALCULATE THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC  
24 SCHOOL AT EACH GRADE LEVEL WHO SCORE AT EACH OF THE  
25 ACHIEVEMENT LEVELS ON THE STATEWIDE ASSESSMENTS IN EACH OF THE  
26 SUBJECTS INCLUDED IN THE STATEWIDE ASSESSMENTS.

27 (c) FOR EACH SCHOOL DISTRICT AND THE INSTITUTE, THE

1 DEPARTMENT SHALL CALCULATE THE PERCENTAGE OF ALL STUDENTS  
2 ENROLLED IN THE DISTRICT PUBLIC SCHOOLS OR IN THE INSTITUTE  
3 CHARTER SCHOOLS WHO SCORE AT EACH OF THE ACHIEVEMENT LEVELS IN  
4 THE SUBJECTS INCLUDED IN THE STATEWIDE ASSESSMENTS.

5 (d) FOR THE STATE, THE DEPARTMENT SHALL CALCULATE THE  
6 PERCENTAGE OF ALL STUDENTS ENROLLED IN THE PUBLIC SCHOOLS IN THE  
7 STATE WHO SCORE AT EACH OF THE ACHIEVEMENT LEVELS IN THE  
8 SUBJECTS INCLUDED IN THE STATEWIDE ASSESSMENTS.

9 (4) THE DEPARTMENT SHALL DETERMINE THE LEVEL OF  
10 ATTAINMENT OF EACH PUBLIC HIGH SCHOOL, EACH SCHOOL DISTRICT, THE  
11 INSTITUTE, AND THE STATE AS A WHOLE ON THE POSTSECONDARY AND  
12 WORKFORCE READINESS INDICATOR BY USING, AT A MINIMUM, THE  
13 FOLLOWING MEASURES:

14 (a) FOR EACH PUBLIC HIGH SCHOOL, THE DEPARTMENT SHALL  
15 CALCULATE:

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

22 (II) BEGINNING WITH THE 2011-12 SCHOOL YEAR AND FOR EACH  
23 SCHOOL YEAR THEREAFTER, THE PERCENTAGE OF STUDENTS ENROLLED IN  
24 THE PUBLIC HIGH SCHOOL WHO RECEIVE A DIPLOMA THAT INCLUDES A  
25 POSTSECONDARY AND WORKFORCE READINESS ENDORSEMENT AS  
26 DESCRIBED IN SECTION 22-7-1009 (1) AND THE PERCENTAGE WHO RECEIVE  
27 A DIPLOMA THAT INCLUDES AN ENDORSEMENT FOR EXEMPLARY

1 DEMONSTRATION OF POSTSECONDARY AND WORKFORCE READINESS AS  
2 DESCRIBED IN SECTION 22-7-1009 (2); AND

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

5 (b) FOR EACH SCHOOL DISTRICT AND THE INSTITUTE, THE  
6 DEPARTMENT SHALL CALCULATE:

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

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

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

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

27 (I) THE PERCENTAGES OF STUDENTS ENROLLED IN PUBLIC HIGH

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

6 (II) BEGINNING WITH THE 2011-12 SCHOOL YEAR AND FOR EACH  
7 SCHOOL YEAR THEREAFTER, THE OVERALL PERCENTAGE OF ALL STUDENTS  
8 ENROLLED IN THE PUBLIC HIGH SCHOOLS IN THE STATE WHO RECEIVE  
9 DIPLOMAS THAT ARE ENDORSED FOR POSTSECONDARY AND WORKFORCE  
10 READINESS AS DESCRIBED IN SECTION 22-7-1009 (1) AND THE PERCENTAGE  
11 WHO RECEIVE DIPLOMAS THAT ARE ENDORSED FOR EXEMPLARY  
12 DEMONSTRATION OF POSTSECONDARY AND WORKFORCE READINESS AS  
13 DESCRIBED IN SECTION 22-7-1009 (2); AND

14 (III) THE STATEWIDE GRADUATION AND DROPOUT RATES, AS  
15 DEFINED BY RULE OF THE STATE BOARD, FOR THE PUBLIC HIGH SCHOOLS IN  
16 THE STATE.

17 (5) 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 PERFORMANCE INDICATOR  
20 THAT CONCERNS THE PROGRESS MADE IN CLOSING THE ACHIEVEMENT AND  
21 GROWTH GAPS BY USING THE FOLLOWING MEASURES:

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

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

1           (B) THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC  
2           SCHOOL WHO ATTAIN MOVE-UP GROWTH;

3           (C) THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC  
4           SCHOOL WHO ATTAIN STATEWIDE MEDIAN GROWTH;

5           (D) THE MEDIAN STUDENT GROWTH ATTAINED BY STUDENTS  
6           ENROLLED IN THE PUBLIC SCHOOL;

7           (E) THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC  
8           SCHOOL AT EACH GRADE LEVEL WHO SCORE AT EACH OF THE  
9           ACHIEVEMENT LEVELS IN EACH OF THE SUBJECTS INCLUDED IN THE  
10          STATEWIDE ASSESSMENTS; AND

11          (F) FOR EACH PUBLIC HIGH SCHOOL, THE PERCENTAGE OF  
12          STUDENTS ENROLLED IN THE PUBLIC HIGH SCHOOL WHO SCORE AT EACH  
13          ACHIEVEMENT LEVEL OF THE STANDARDIZED, CURRICULUM-BASED,  
14          ACHIEVEMENT, COLLEGE ENTRANCE EXAMINATION OR AT EACH  
15          ACHIEVEMENT LEVEL ON THE POSTSECONDARY AND WORKFORCE  
16          READINESS ASSESSMENTS ADMINISTERED BY THE PUBLIC HIGH SCHOOL;  
17          THE PERCENTAGES OF STUDENTS WHO RECEIVE A DIPLOMA THAT INCLUDES  
18          A POSTSECONDARY AND WORKFORCE READINESS ENDORSEMENT OR AN  
19          ENDORSEMENT FOR EXEMPLARY DEMONSTRATION OF POSTSECONDARY  
20          AND WORKFORCE READINESS; AND THE GRADUATION AND DROPOUT  
21          RATES.

22          (II) THE DEPARTMENT SHALL COMPARE THE PERCENTAGES AND  
23          ASSESSMENT ACHIEVEMENT LEVELS ACROSS STUDENT GROUPS TO  
24          DETERMINE THE PROGRESS MADE BY THE PUBLIC SCHOOL IN INCREASING  
25          OVER TIME EACH STUDENT GROUP'S LONGITUDINAL ACADEMIC GROWTH,  
26          ACADEMIC ACHIEVEMENT, POSTSECONDARY AND WORKFORCE READINESS,  
27          AND GRADUATION RATE, AND IN DECREASING EACH STUDENT GROUP'S

1 DROPOUT RATE, ESPECIALLY FOR THOSE STUDENT GROUPS WHO ARE  
2 UNDERPERFORMING IN COMPARISON TO OTHER GROUPS.

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

5 (A) THE PERCENTAGES OF STUDENTS ENROLLED IN THE DISTRICT  
6 PUBLIC SCHOOLS OR IN THE INSTITUTE CHARTER SCHOOLS WHO ATTAIN  
7 ADEQUATE LONGITUDINAL GROWTH AS CALCULATED PURSUANT TO  
8 SECTION 22-11-203 (1), INCLUDING THE PERCENTAGES OF STUDENTS WHO  
9 ATTAIN CATCH-UP GROWTH AND KEEP-UP GROWTH;

10 (B) THE PERCENTAGE OF STUDENTS ENROLLED IN THE DISTRICT  
11 PUBLIC SCHOOLS OR IN THE INSTITUTE CHARTER SCHOOLS WHO ATTAIN  
12 MOVE-UP GROWTH;

13 (C) THE PERCENTAGE OF STUDENTS ENROLLED IN THE DISTRICT  
14 PUBLIC SCHOOLS OR IN THE INSTITUTE CHARTER SCHOOLS WHO ATTAIN  
15 STATEWIDE MEDIAN GROWTH;

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

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

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

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

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

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

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

26 (B) THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC  
27 SCHOOLS IN THE STATE WHO ATTAIN MOVE-UP GROWTH;

1                   (C) THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC  
2                   SCHOOLS IN THE STATE WHO ATTAIN STATEWIDE MEDIAN GROWTH;

3                   (D) THE MEDIAN STUDENT GROWTH ATTAINED BY STUDENTS  
4                   ENROLLED IN THE PUBLIC SCHOOLS IN THE STATE;

5                   (E) THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC  
6                   SCHOOLS IN THE STATE AT EACH GRADE LEVEL WHO SCORE AT EACH OF  
7                   THE ACHIEVEMENT LEVELS IN EACH OF THE SUBJECTS INCLUDED IN THE  
8                   STATEWIDE ASSESSMENTS; AND

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

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

1 GROUPS WHO ARE UNDERPERFORMING IN COMPARISON TO OTHER GROUPS.

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

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

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

- 20 (I) SCHOOL DISTRICT OR SCHOOL LEADERSHIP OR GOVERNANCE;
- 21 (II) STANDARDS-BASED ELEMENTARY OR SECONDARY  
22 CURRICULUM INSTRUCTION AND ASSESSMENT;
- 23 (III) INSTRUCTIONAL DATA MANAGEMENT AND ANALYSIS;
- 24 (IV) SCHOOL DISTRICT, SCHOOL, OR PROGRAM EVALUATION;
- 25 (V) EDUCATIONAL PROGRAM MANAGEMENT;
- 26 (VI) TEACHER LEADERSHIP;
- 27 (VII) ORGANIZATIONAL MANAGEMENT OR SCHOOL DISTRICT AND

1 PUBLIC SCHOOL GOVERNANCE;

2 (VIII) SCHOOL DISTRICT OR SCHOOL BUDGETING AND FINANCE;

3 (IX) ANY OTHER FIELD THAT THE COMMISSIONER DEEMS TO BE  
4 RELEVANT TO THE REVIEW AND EVALUATION OF SCHOOL DISTRICT,  
5 INSTITUTE, OR PUBLIC SCHOOL PERFORMANCE OR IMPROVEMENT  
6 PLANNING.

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

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

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

24 (2) THE STATE BOARD SHALL ENTER INTO AN ACCREDITATION  
25 CONTRACT WITH EACH LOCAL SCHOOL BOARD AND WITH THE INSTITUTE.  
26 EACH ACCREDITATION CONTRACT SHALL HAVE A TERM OF ONE YEAR AND  
27 SHALL BE AUTOMATICALLY RENEWED EACH YEAR SO LONG AS THE SCHOOL

1 DISTRICT OR THE INSTITUTE REMAINS IN THE ACCREDITATION CATEGORY  
2 OF ACCREDITED OR HIGHER. THE PARTIES TO EACH ACCREDITATION  
3 CONTRACT MAY RENEGOTIATE THE CONTRACT AT ANY TIME DURING THE  
4 TERM OF THE CONTRACT, BASED ON APPROPRIATE AND REASONABLE  
5 CHANGES IN THE CIRCUMSTANCES UPON WHICH THE ORIGINAL CONTRACT  
6 TERMS WERE BASED. THE STATE BOARD SHALL PROMULGATE RULES  
7 SPECIFYING THE CONTENTS AND TERMS OF THE ACCREDITATION CONTRACT  
8 IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

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

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

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

19 (c) THE SCHOOL DISTRICT'S IMPLEMENTATION OF ITS SYSTEM FOR  
20 ACCREDITING THE DISTRICT PUBLIC SCHOOLS OR THE INSTITUTE'S  
21 IMPLEMENTATION OF ITS SYSTEM FOR ACCREDITING THE INSTITUTE  
22 CHARTER SCHOOLS; AND

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

27 (4) (a) FOR PURPOSES OF MONITORING A SCHOOL DISTRICT'S OR

1 THE INSTITUTE'S SUBSTANTIAL AND GOOD-FAITH COMPLIANCE WITH THE  
2 PROVISIONS OF THIS TITLE AND OTHER STATUTORY AND REGULATORY  
3 REQUIREMENTS, THE DEPARTMENT SHALL OBTAIN ASSURANCES FROM THE  
4 SCHOOL DISTRICT OR THE INSTITUTE THAT IT IS IN COMPLIANCE WITH:

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

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

9 (III) IF THE ACCREDITATION CONTRACT INVOLVES A SCHOOL  
10 DISTRICT, THE PROVISIONS OF SECTION 22-32-109.1 CONCERNING SCHOOL  
11 SAFETY.

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

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

17           **22-11-207. Accreditation categories - criteria - rules.** (1) THE  
18 STATE BOARD SHALL PROMULGATE RULES TO ESTABLISH ACCREDITATION  
19 CATEGORIES THAT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

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

26           (b) "ACCREDITED", MEANING A SCHOOL DISTRICT OR THE  
27 INSTITUTE MEETS STATEWIDE ATTAINMENT ON THE PERFORMANCE

1 INDICATORS AND IS REQUIRED TO ADOPT AND IMPLEMENT A PERFORMANCE  
2 PLAN AS DESCRIBED IN SECTION 22-11-303;

3 (c) "ACCREDITED WITH IMPROVEMENT PLAN", MEANING THE  
4 SCHOOL DISTRICT OR THE INSTITUTE IS REQUIRED TO ADOPT AND  
5 IMPLEMENT AN IMPROVEMENT PLAN AS PROVIDED IN SECTION 22-11-304;

6 (d) "ACCREDITED WITH PRIORITY IMPROVEMENT PLAN", MEANING  
7 THE SCHOOL DISTRICT OR THE INSTITUTE IS REQUIRED TO ADOPT AND  
8 IMPLEMENT A PRIORITY IMPROVEMENT PLAN AS PROVIDED IN SECTION  
9 22-11-305; OR

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

14 (2) THE STATE BOARD SHALL PROMULGATE RULES ESTABLISHING  
15 OBJECTIVE, MEASURABLE CRITERIA THAT THE DEPARTMENT SHALL APPLY  
16 IN DETERMINING THE APPROPRIATE ACCREDITATION CATEGORY FOR EACH  
17 SCHOOL DISTRICT AND THE INSTITUTE, PLACING THE GREATEST EMPHASIS  
18 ON ATTAINMENT OF THE PERFORMANCE INDICATORS. AT A MINIMUM, THE  
19 RULES SHALL TAKE INTO CONSIDERATION:

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

26 (b) A SCHOOL DISTRICT'S OR THE INSTITUTE'S LEVEL OF  
27 ATTAINMENT OF THE PERFORMANCE INDICATORS COMPARED WITH

1 STATEWIDE ATTAINMENT OF THE PERFORMANCE INDICATORS;

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

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

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

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

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

18 (3) IN PROMULGATING RULES PURSUANT TO THIS SECTION, THE  
19 STATE BOARD SHALL USE CLEAR, UNDERSTANDABLE LANGUAGE TO  
20 DESCRIBE THE ACCREDITATION CATEGORIES AND THE LEVELS OF  
21 ATTAINMENT OF THE PERFORMANCE INDICATORS, WITH THE GOAL OF  
22 PROVIDING A HIGH DEGREE OF TRANSPARENCY IN THE ACCREDITATION  
23 PROCESS.

24 (4) THE STATE BOARD BY RULE SHALL SPECIFY HOW LONG A  
25 SCHOOL DISTRICT OR THE INSTITUTE MAY REMAIN IN AN ACCREDITATION  
26 CATEGORY THAT IS BELOW ACCREDITED; EXCEPT THAT THE STATE BOARD  
27 SHALL NOT ALLOW A SCHOOL DISTRICT OR THE INSTITUTE TO REMAIN AT

1 ACCREDITED WITH PRIORITY IMPROVEMENT PLAN OR BELOW FOR LONGER  
2 THAN A TOTAL OF FIVE CONSECUTIVE SCHOOL YEARS BEFORE REMOVING  
3 THE SCHOOL DISTRICT'S OR THE INSTITUTE'S ACCREDITATION AS PROVIDED  
4 IN SECTION 22-11-209.

5 **22-11-208. Accreditation - annual review - supports and**  
6 **interventions - rules.** (1) (a) THE DEPARTMENT SHALL ANNUALLY  
7 REVIEW EACH SCHOOL DISTRICT'S AND THE INSTITUTE'S PERFORMANCE  
8 AND, BASED ON THE RULES OF THE STATE BOARD, DETERMINE THE  
9 APPROPRIATE ACCREDITATION CATEGORY FOR THE SCHOOL DISTRICT OR  
10 INSTITUTE. THE DEPARTMENT SHALL NOTIFY EACH SCHOOL DISTRICT AND  
11 THE INSTITUTE OF ITS ACCREDITATION CATEGORY AND SHALL PUBLISH  
12 EACH SCHOOL DISTRICT'S AND THE INSTITUTE'S ACCREDITATION  
13 CATEGORY, WITH SUPPORTING DATA, ON THE DATA PORTAL. THE  
14 DEPARTMENT SHALL ALSO PUBLISH EACH SCHOOL DISTRICT'S AND THE  
15 INSTITUTE'S PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR  
16 TURNAROUND PLAN, WHICHEVER IS APPLICABLE, ON THE DATA PORTAL  
17 FOLLOWING ADOPTION OF THE PLAN.

18 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF  
19 THIS SUBSECTION (1), THE DEPARTMENT MAY CHANGE A SCHOOL  
20 DISTRICT'S OR THE INSTITUTE'S ACCREDITATION CATEGORY PRIOR TO  
21 CONCLUSION OF THE ANNUAL PERFORMANCE REVIEW IF THE DEPARTMENT  
22 DETERMINES THAT THE SCHOOL DISTRICT OR THE INSTITUTE HAS  
23 SUBSTANTIALLY FAILED TO MEET A REQUIREMENT SPECIFIED IN THE  
24 ACCREDITATION CONTRACT AND THAT IMMEDIATE ACTION IS REQUIRED TO  
25 PROTECT THE INTERESTS OF THE STUDENTS AND PARENTS OF STUDENTS  
26 ENROLLED IN THE DISTRICT PUBLIC SCHOOLS OR THE INSTITUTE CHARTER  
27 SCHOOLS.

1 (c) IN REVIEWING SCHOOL DISTRICTS' AND THE INSTITUTE'S  
2 PERFORMANCE, THE DEPARTMENT, TO THE EXTENT POSSIBLE, SHALL  
3 EVALUATE THE COST EFFECTIVENESS OF INTERVENTION STRATEGIES  
4 IMPLEMENTED BY THE STATE, SCHOOL DISTRICTS, AND THE INSTITUTE IN  
5 ATTEMPTING TO IMPROVE PERFORMANCE IN SCHOOL DISTRICTS THAT ARE  
6 IN AN ACCREDITATION CATEGORY THAT IS LOWER THAN ACCREDITED OR  
7 IN THE INSTITUTE IF IT IS IN AN ACCREDITATION CATEGORY THAT IS LOWER  
8 THAN ACCREDITED.

9 (d) THE STATE BOARD BY RULE SHALL ESTABLISH THE TIME  
10 FRAMES IN WHICH THE DEPARTMENT SHALL REVIEW SCHOOL DISTRICT AND  
11 INSTITUTE PERFORMANCE AND DETERMINE AND REPORT EACH SCHOOL  
12 DISTRICT'S AND THE INSTITUTE'S APPROPRIATE ACCREDITATION  
13 CATEGORY, AND THE TIME FRAMES IN WHICH THE SCHOOL DISTRICTS AND  
14 THE INSTITUTE SHALL ADOPT THEIR RESPECTIVE PLANS AND SUBMIT THEM  
15 FOR REVIEW AND PUBLICATION ON THE DATA PORTAL.

16 (e) THE STATE BOARD SHALL PROMULGATE RULES TO ENSURE A  
17 SCHOOL DISTRICT'S OR THE INSTITUTE'S RIGHT TO A HEARING BEFORE THE  
18 STATE BOARD TO APPEAL PLACEMENT IN THE ACCREDITED WITH  
19 TURNAROUND PLAN CATEGORY OR REMOVAL OF ACCREDITATION  
20 PURSUANT TO SECTION 22-11-209.

21 (2) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE AND  
22 SUPPORT TO SCHOOL DISTRICTS THAT ARE ACCREDITED WITH  
23 IMPROVEMENT PLAN, ACCREDITED WITH PRIORITY IMPROVEMENT PLAN, OR  
24 ACCREDITED WITH TURNAROUND PLAN AND TO THE INSTITUTE IF IT IS  
25 ACCREDITED AT ANY OF THOSE CATEGORIES. THE DEPARTMENT SHALL  
26 BASE THE AMOUNT OF TECHNICAL ASSISTANCE AND SUPPORT PROVIDED TO  
27 A SCHOOL DISTRICT OR THE INSTITUTE ON THE SCHOOL DISTRICT'S OR

1 INSTITUTE'S DEGREE OF NEED FOR ASSISTANCE AND THE DEPARTMENT'S  
2 AVAILABLE RESOURCES. TECHNICAL ASSISTANCE AND SUPPORT MAY  
3 INCLUDE, BUT NEED NOT BE LIMITED TO:

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

6 (b) CONSULTATIVE SERVICES ON BEST PRACTICES FOR  
7 IMPROVEMENT AND IMPLEMENTATION OF INTERVENTION STRATEGIES,  
8 INCLUDING, WHERE APPROPRIATE, STRATEGIES THAT ADDRESS EARLY  
9 CHILDHOOD EDUCATION AND STUDENT ENGAGEMENT AND  
10 RE-ENGAGEMENT; AND

11 (c) EVALUATION AND FEEDBACK ON THE SCHOOL DISTRICT'S OR  
12 THE INSTITUTE'S IMPROVEMENT, PRIORITY IMPROVEMENT, OR  
13 TURNAROUND PLAN, WHICHEVER IS APPLICABLE.

14 (3) THE COMMISSIONER MAY ASSIGN THE STATE REVIEW PANEL TO  
15 CRITICALLY EVALUATE A SCHOOL DISTRICT'S PRIORITY IMPROVEMENT  
16 PLAN OR THE INSTITUTE'S PRIORITY IMPROVEMENT PLAN. THE  
17 COMMISSIONER SHALL ASSIGN THE STATE REVIEW PANEL TO CRITICALLY  
18 EVALUATE A SCHOOL DISTRICT'S TURNAROUND PLAN OR THE INSTITUTE'S  
19 TURNAROUND PLAN. BASED ON ITS EVALUATION, THE STATE REVIEW  
20 PANEL SHALL REPORT TO THE COMMISSIONER AND THE STATE BOARD  
21 RECOMMENDATIONS CONCERNING:

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

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

26 (c) THE READINESS AND APPARENT CAPACITY OF PUBLIC SCHOOL  
27 AND SCHOOL DISTRICT OR INSTITUTE PERSONNEL TO PLAN EFFECTIVELY

1 AND LEAD THE IMPLEMENTATION OF APPROPRIATE ACTIONS TO IMPROVE  
2 STUDENT ACADEMIC PERFORMANCE WITHIN THE DISTRICT PUBLIC SCHOOLS  
3 OR THE INSTITUTE CHARTER SCHOOLS;

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

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

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

14 **22-11-209. Removal of accreditation - recommendation -**  
15 **review - appeal - rules.** (1) THE DEPARTMENT MAY RECOMMEND TO THE  
16 COMMISSIONER AND THE STATE BOARD THAT THE STATE BOARD REMOVE  
17 A SCHOOL DISTRICT'S OR THE INSTITUTE'S ACCREDITATION IF:

18 (a) THE SCHOOL DISTRICT OR THE INSTITUTE IS ACCREDITED WITH  
19 TURNAROUND PLAN AND THE DEPARTMENT DETERMINES THAT THE  
20 SCHOOL DISTRICT OR THE INSTITUTE HAS FAILED TO MAKE SUBSTANTIAL  
21 PROGRESS UNDER ITS TURNAROUND PLAN; OR

22 (b) THE SCHOOL DISTRICT OR THE INSTITUTE HAS BEEN IN THE  
23 ACCREDITED WITH PRIORITY IMPROVEMENT PLAN CATEGORY OR LOWER  
24 FOR FIVE CONSECUTIVE SCHOOL YEARS; OR

25 (c) (I) THE SCHOOL DISTRICT OR THE INSTITUTE HAS  
26 SUBSTANTIALLY FAILED TO COMPLY WITH THE PROVISIONS OF ARTICLE 44  
27 OF THIS TITLE, CONCERNING BUDGET AND FINANCIAL POLICIES AND

1 PROCEDURES, OR ARTICLE 45 OF THIS TITLE, CONCERNING ACCOUNTING  
2 AND FINANCIAL REPORTING; AND

3 (II) THE SCHOOL DISTRICT OR INSTITUTE HAS NOT REMEDIED THE  
4 NONCOMPLIANCE WITHIN NINETY DAYS AFTER RECEIPT OF NOTICE FROM  
5 THE DEPARTMENT; AND

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

9 (2) (a) IF THE DEPARTMENT RECOMMENDS REMOVING  
10 ACCREDITATION PURSUANT TO THIS SECTION, THE COMMISSIONER SHALL  
11 ASSIGN THE STATE REVIEW PANEL TO CRITICALLY EVALUATE THE SCHOOL  
12 DISTRICT'S OR THE INSTITUTE'S PERFORMANCE AND TO RECOMMEND ONE  
13 OR MORE OF THE FOLLOWING ACTIONS:

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

15 (A) THAT THE SCHOOL DISTRICT BE REORGANIZED PURSUANT TO  
16 ARTICLE 30 OF THIS TITLE, WHICH REORGANIZATION MAY INCLUDE  
17 CONSOLIDATION;

18 (B) THAT A PRIVATE OR PUBLIC ENTITY, WITH THE AGREEMENT OF  
19 THE SCHOOL DISTRICT, TAKE OVER MANAGEMENT OF THE SCHOOL  
20 DISTRICT OR MANAGEMENT OF ONE OR MORE OF THE DISTRICT PUBLIC  
21 SCHOOLS;

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

24 (D) THAT ONE OR MORE OF THE DISTRICT PUBLIC SCHOOLS BE  
25 CLOSED; OR

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

27 (A) THAT THE INSTITUTE BOARD BE ABOLISHED AND THAT THE

1 GOVERNOR APPOINT A NEW INSTITUTE BOARD PURSUANT TO SECTION  
2 22-30.5-505;

3 (B) THAT A PUBLIC OR PRIVATE ENTITY TAKE OVER MANAGEMENT  
4 OF THE INSTITUTE OR MANAGEMENT OF ONE OR MORE OF THE INSTITUTE  
5 CHARTER SCHOOLS; OR

6 (C) THAT ONE OR MORE OF THE INSTITUTE CHARTER SCHOOLS BE  
7 CLOSED.

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

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

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

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

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

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

27 (VI) THE NECESSITY THAT THE SCHOOL DISTRICT OR INSTITUTE

1       REMAIN IN OPERATION TO SERVE STUDENTS.

2           (3) BASED ON THE RECOMMENDATIONS OF THE DEPARTMENT, THE  
3       COMMISSIONER, AND THE STATE REVIEW PANEL, THE STATE BOARD SHALL  
4       DETERMINE WHETHER TO REMOVE A SCHOOL DISTRICT'S OR THE  
5       INSTITUTE'S ACCREDITATION. IF THE STATE BOARD REMOVES A SCHOOL  
6       DISTRICT'S OR THE INSTITUTE'S ACCREDITATION, THE STATE BOARD SHALL  
7       NOTIFY THE SCHOOL DISTRICT OR THE INSTITUTE OF THE ACTIONS THE  
8       SCHOOL DISTRICT OR THE INSTITUTE IS REQUIRED TO TAKE. AFTER THE  
9       SCHOOL DISTRICT OR THE INSTITUTE TAKES THE REQUIRED ACTIONS, THE  
10      STATE BOARD SHALL REINSTATE THE SCHOOL DISTRICT'S OR THE  
11      INSTITUTE'S ACCREDITATION AT THE ACCREDITATION CATEGORY DEEMED  
12      APPROPRIATE BY THE STATE BOARD.

13          (4) THE STATE BOARD SHALL PROMULGATE RULES FOR THE  
14      IMPLEMENTATION OF THIS SECTION, INCLUDING BUT NOT LIMITED TO  
15      PROCEDURES TO ENSURE A SCHOOL DISTRICT'S OR THE INSTITUTE'S RIGHT  
16      TO APPEAL TO THE STATE BOARD BEFORE THE STATE BOARD TAKES FINAL  
17      ACTION TO REMOVE THE SCHOOL DISTRICT'S OR THE INSTITUTE'S  
18      ACCREDITATION PURSUANT TO THIS SECTION.

19           **22-11-210. Public schools - annual review - plans - supports**  
20      **and interventions - rules.** (1) (a) THE STATE BOARD SHALL  
21      PROMULGATE RULES ESTABLISHING OBJECTIVE, MEASURABLE CRITERIA  
22      THAT THE DEPARTMENT SHALL APPLY IN RECOMMENDING TO THE STATE  
23      BOARD THAT A PUBLIC SCHOOL SHALL ADOPT AND IMPLEMENT A  
24      PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND  
25      PLAN OR THAT A PUBLIC SCHOOL SHALL BE SUBJECT TO RESTRUCTURING.  
26      IN PROMULGATING THE RULES, THE STATE BOARD SHALL PLACE THE  
27      GREATEST EMPHASIS ON ATTAINMENT OF THE PERFORMANCE INDICATORS.

1 IN ADDITION, THE RULES SHALL, AT A MINIMUM, TAKE INTO  
2 CONSIDERATION:

3 (I) A PUBLIC SCHOOL'S LEVEL OF ATTAINMENT OF THE STATEWIDE  
4 AND SCHOOL DISTRICT OR INSTITUTE TARGETS ON THE PERFORMANCE  
5 INDICATORS AND THE PUBLIC SCHOOL'S LEVEL OF ATTAINMENT OF ITS OWN  
6 ANNUAL TARGETS;

7 (II) A PUBLIC SCHOOL'S LEVEL OF ATTAINMENT OF THE  
8 PERFORMANCE INDICATORS COMPARED WITH STATEWIDE ATTAINMENT OF  
9 THE PERFORMANCE INDICATORS;

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

13 (IV) THE IMPROVEMENTS, CHANGES, AND INTERVENTIONS A  
14 PUBLIC SCHOOL IMPLEMENTS TO IMPROVE ITS PERFORMANCE IF IT IS NOT  
15 MEETING THE STATEWIDE TARGETS, THE SCHOOL DISTRICT OR INSTITUTE  
16 TARGETS, OR ITS OWN TARGETS; AND

17 (V) THE PROGRESS A PUBLIC SCHOOL MAKES IN IMPROVING ITS  
18 PERFORMANCE AND IN MOVING CLOSER TO MEETING THE STATEWIDE  
19 TARGETS, THE SCHOOL DISTRICT OR INSTITUTE TARGETS, AND ITS OWN  
20 TARGETS.

21 (b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS  
22 SUBSECTION (1) TO THE CONTRARY, THE STATE BOARD SHALL  
23 PROMULGATE RULES ESTABLISHING OBJECTIVE, MEASURABLE CRITERIA  
24 THAT THE DEPARTMENT SHALL APPLY IN RECOMMENDING TO THE STATE  
25 BOARD THAT AN ALTERNATIVE EDUCATION CAMPUS ADOPT AND  
26 IMPLEMENT A PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR  
27 TURNAROUND PLAN OR THAT AN ALTERNATIVE EDUCATION CAMPUS SHALL

1 BE SUBJECT TO RESTRUCTURING. THE STATE BOARD, IN ADOPTING THE  
2 CRITERIA FOR EVALUATING THE PERFORMANCE OF AN ALTERNATIVE  
3 EDUCATION CAMPUS, AND THE DEPARTMENT, IN APPLYING THE CRITERIA,  
4 SHALL TAKE INTO ACCOUNT THE UNIQUE PURPOSES OF THE CAMPUSES AND  
5 THE UNIQUE CIRCUMSTANCES OF AND CHALLENGES POSED BY THE  
6 STUDENTS ENROLLED IN THE CAMPUSES.

7 (c) IN PROMULGATING RULES PURSUANT TO THIS SUBSECTION (1),  
8 THE STATE BOARD SHALL USE CLEAR, UNDERSTANDABLE LANGUAGE TO  
9 DESCRIBE THE CRITERIA FOR DETERMINING THE TYPE OF PLAN THAT A  
10 PUBLIC SCHOOL SHALL ADOPT AND THE LEVELS OF ATTAINMENT OF THE  
11 PERFORMANCE INDICATORS, WITH THE GOAL OF PROVIDING A HIGH DEGREE  
12 OF TRANSPARENCY IN THE PUBLIC SCHOOL PERFORMANCE REVIEW  
13 PROCESS.

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

22 (e) THE STATE BOARD BY RULE SHALL ESTABLISH THE TIME  
23 FRAMES WITHIN WHICH THE DEPARTMENT SHALL REVIEW EACH PUBLIC  
24 SCHOOL'S PERFORMANCE, SUBMIT RECOMMENDATIONS TO THE STATE  
25 BOARD, AND REPORT TO THE PUBLIC SCHOOL AND TO THE SCHOOL'S LOCAL  
26 SCHOOL BOARD OR THE INSTITUTE THE STATE BOARD'S DETERMINATION  
27 REGARDING THE TYPE OF PLAN THE PUBLIC SCHOOL SHALL ADOPT AND

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

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

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

27 (3) AT THE REQUEST OF A DISTRICT PUBLIC SCHOOL'S LOCAL

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

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

12 (b) CONSULTATIVE SERVICES ON BEST PRACTICES FOR  
13 IMPROVEMENT AND IMPLEMENTATION OF INTERVENTION STRATEGIES,  
14 INCLUDING, WHERE APPROPRIATE, STRATEGIES THAT ADDRESS EARLY  
15 CHILDHOOD EDUCATION AND STUDENT ENGAGEMENT AND  
16 RE-ENGAGEMENT; 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 IS NOT A  
21 CHARTER SCHOOL, THAT THE DISTRICT PUBLIC SCHOOL SHOULD BE  
22 MANAGED BY A PRIVATE OR PUBLIC ENTITY OTHER THAN THE SCHOOL  
23 DISTRICT;

24 (II) WITH REGARD TO A DISTRICT OR INSTITUTE CHARTER SCHOOL,  
25 THAT THE PUBLIC OR PRIVATE ENTITY OPERATING THE CHARTER SCHOOL  
26 OR THE GOVERNING BOARD OF THE CHARTER SCHOOL SHOULD BE  
27 REPLACED BY A DIFFERENT PUBLIC OR PRIVATE ENTITY OR GOVERNING



1                   **22-11-301. School district accountability committees - creation**

2                   **- membership.** (1) EACH LOCAL SCHOOL BOARD SHALL APPOINT OR  
3                   CREATE A PROCESS FOR THE ELECTION OF A SCHOOL DISTRICT  
4                   ACCOUNTABILITY COMMITTEE THAT SHALL CONSIST OF:

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

7                   (b) AT LEAST ONE TEACHER WHO IS EMPLOYED BY THE SCHOOL  
8                   DISTRICT;

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

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

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

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

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

27                  SAID STUDENT POPULATIONS MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

- 1 (a) STUDENTS WHO ARE MEMBERS OF NON-CAUCASIAN RACES;
- 2 (b) STUDENTS WHO ARE ELIGIBLE FOR FREE OR REDUCED-COST
- 3 LUNCH THROUGH THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42
- 4 U.S.C. SEC. 1751 ET SEQ.;
- 5 (c) STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH, AS
- 6 DEFINED IN SECTION 22-24-103 (4);
- 7 (d) STUDENTS WHO ARE MIGRANT CHILDREN, AS DEFINED IN
- 8 SECTION 22-23-103 (2);
- 9 (e) STUDENTS WHO ARE IDENTIFIED AS CHILDREN WITH
- 10 DISABILITIES PURSUANT TO SECTION 22-20-108; AND
- 11 (f) STUDENTS WHO ARE IDENTIFIED AS GIFTED CHILDREN AS
- 12 DEFINED IN SECTION 22-20-103 (13).

13 (4)      IF A LOCAL SCHOOL BOARD APPOINTS THE MEMBERS OF THE

14 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE, THE LOCAL SCHOOL

15 BOARD, TO THE EXTENT PRACTICABLE, SHALL ENSURE THAT:

16 (a) AT LEAST ONE OF THE PARENTS APPOINTED TO THE COMMITTEE

17 IS THE PARENT OF A STUDENT ENROLLED IN A CHARTER SCHOOL

18 AUTHORIZED BY THE LOCAL SCHOOL BOARD, IF THE LOCAL SCHOOL BOARD

19 HAS AUTHORIZED ANY CHARTER SCHOOLS; AND

20 (b) AT LEAST ONE OF THE PERSONS APPOINTED TO THE COMMITTEE

21 HAS A DEMONSTRATED KNOWLEDGE OF CHARTER SCHOOLS.

22     

23 (5) THE MEMBERS OF EACH SCHOOL DISTRICT ACCOUNTABILITY

24 COMMITTEE SHALL SELECT FROM AMONG THE PARENT REPRESENTATIVES

25 SERVING ON THE COMMITTEE A MEMBER TO SERVE AS CHAIR OR CO-CHAIR

26 OF THE COMMITTEE. THE LOCAL SCHOOL BOARD SHALL ESTABLISH THE

27 LENGTH OF TERM FOR WHICH THE COMMITTEE CHAIR OR CO-CHAIR SHALL

1 SERVE.

2 **22-11-302. School district accountability committees - powers**  
3 **and duties.** (1) EACH SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE  
4 SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

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

14 (b) TO PREPARE AND SUBMIT ANNUALLY TO ITS LOCAL SCHOOL  
15 BOARD RECOMMENDATIONS FOR A DISTRICT PERFORMANCE,  
16 IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLAN,  
17 WHICHEVER IS REQUIRED BASED ON THE SCHOOL DISTRICT'S  
18 ACCREDITATION CATEGORY. IN PREPARING THE RECOMMENDATIONS, THE  
19 SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE SHALL MAKE  
20 REASONABLE EFFORTS TO CONSULT IN A SUBSTANTIVE MANNER WITH THE  
21 SCHOOL ACCOUNTABILITY COMMITTEES OF THE SCHOOL DISTRICT AND  
22 SHALL COMPILE AND SUBMIT TO THE LOCAL SCHOOL BOARD THE SCHOOL  
23 PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, AND  
24 TURNAROUND PLANS SUBMITTED BY THE SCHOOL ACCOUNTABILITY  
25 COMMITTEES PURSUANT TO SECTIONS 22-11-403 TO 22-11-406.

26 (c) IF THE LOCAL SCHOOL BOARD RECEIVES A CHARTER SCHOOL  
27 APPLICATION, TO REVIEW THE CHARTER APPLICATION PRIOR TO

1 CONSIDERATION BY THE LOCAL SCHOOL BOARD AS PROVIDED IN SECTION  
2 22-30.5-107 (1).

3 (2) THE LOCAL SCHOOL BOARD AND THE SCHOOL DISTRICT  
4 ACCOUNTABILITY COMMITTEE SHALL, AT LEAST ANNUALLY,  
5 COOPERATIVELY DETERMINE THE AREAS AND ISSUES, IN ADDITION TO  
6 BUDGET ISSUES, THAT THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE  
7 SHALL STUDY AND CONCERNING WHICH THE COMMITTEE MAY MAKE  
8 RECOMMENDATIONS TO THE LOCAL SCHOOL BOARD.

9 **22-11-303. Accredited or accredited with distinction -**  
10 **performance plan - school district or institute - contents - adoption.**

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

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

26 (c) THE LOCAL SCHOOL BOARD SHALL SUBMIT THE ADOPTED  
27 DISTRICT PERFORMANCE PLAN TO THE DEPARTMENT FOR PUBLICATION ON

1 THE DATA PORTAL AND SHALL ENSURE THAT THE DISTRICT PERFORMANCE  
2 PLAN IS IN EFFECT FOR THE SCHOOL DISTRICT AND THE DISTRICT PUBLIC  
3 SCHOOLS WITHIN THE TIME FRAMES SPECIFIED IN STATE BOARD RULE. THE  
4 LOCAL SCHOOL BOARD SHALL ALSO MAKE COPIES OF THE DISTRICT  
5 PERFORMANCE PLAN AVAILABLE TO MEMBERS OF THE PUBLIC UPON  
6 REQUEST.

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

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

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

26 (3) A DISTRICT OR INSTITUTE PERFORMANCE PLAN SHALL BE  
27 DESIGNED TO RAISE THE ACADEMIC PERFORMANCE OF STUDENTS

1 ENROLLED IN THE SCHOOL DISTRICT OR IN THE INSTITUTE CHARTER  
2 SCHOOLS AND TO ENSURE THAT THE SCHOOL DISTRICT OR THE INSTITUTE,  
3 FOLLOWING THE NEXT ANNUAL ACCREDITATION REVIEW, ATTAINS A  
4 HIGHER ACCREDITATION CATEGORY OR REMAINS IN THE SAME  
5 ACCREDITATION CATEGORY IF THE SCHOOL DISTRICT OR INSTITUTE IS  
6 ACCREDITED WITH DISTINCTION. AT A MINIMUM, EACH DISTRICT AND  
7 INSTITUTE PERFORMANCE PLAN SHALL:

8 (a) SET, REAFFIRM, OR REVISE, AS APPROPRIATE, AMBITIOUS BUT  
9 ATTAINABLE TARGETS THAT THE SCHOOL DISTRICT, INCLUDING THE  
10 DISTRICT PUBLIC SCHOOLS, OR THE INSTITUTE, INCLUDING THE INSTITUTE  
11 CHARTER SCHOOLS, SHALL ATTAIN ON THE PERFORMANCE INDICATORS.  
12 THE LOCAL SCHOOL BOARD OR THE INSTITUTE SHALL ENSURE THAT THE  
13 TARGETS ARE ALIGNED WITH THE STATEWIDE TARGETS SET BY THE STATE  
14 BOARD 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 FOR THE  
21 SCHOOL DISTRICT AND FOR THE INDIVIDUAL DISTRICT PUBLIC SCHOOLS OR  
22 FOR THE INSTITUTE AND FOR THE INDIVIDUAL INSTITUTE CHARTER  
23 SCHOOLS THAT MUST BE ADDRESSED TO RAISE THE LEVELS OF  
24 ATTAINMENT ON THE PERFORMANCE INDICATORS BY \_\_\_ THE DISTRICT  
25 PUBLIC SCHOOLS OR THE INSTITUTE CHARTER SCHOOLS AND TO IMPROVE  
26 SCHOOL READINESS IN DISTRICT PUBLIC SCHOOLS OR INSTITUTE CHARTER  
27 SCHOOLS THAT SERVE STUDENTS IN PRESCHOOL AND KINDERGARTEN;

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

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

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

10 **22-11-304. Accredited with improvement plan - school district**  
11 **or institute - plan contents - adoption.** (1) (a) IN ACCORDANCE WITH  
12 THE TIME FRAMES SPECIFIED IN STATE BOARD RULE, EACH SCHOOL  
13 DISTRICT THAT IS ACCREDITED WITH IMPROVEMENT PLAN SHALL  
14 ANNUALLY ADOPT AND IMPLEMENT A DISTRICT IMPROVEMENT PLAN AS  
15 DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

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

27 (c) THE LOCAL SCHOOL BOARD SHALL SUBMIT THE ADOPTED

1 DISTRICT IMPROVEMENT PLAN TO THE DEPARTMENT FOR PUBLICATION ON  
2 THE DATA PORTAL AND SHALL ENSURE THAT THE DISTRICT IMPROVEMENT  
3 PLAN IS IN EFFECT FOR THE SCHOOL DISTRICT AND THE DISTRICT PUBLIC  
4 SCHOOLS WITHIN THE TIME FRAMES SPECIFIED IN STATE BOARD RULE. THE  
5 LOCAL SCHOOL BOARD SHALL ALSO MAKE COPIES OF THE DISTRICT  
6 IMPROVEMENT PLAN AVAILABLE TO MEMBERS OF THE PUBLIC UPON  
7 REQUEST.

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

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

24 (3) A DISTRICT IMPROVEMENT PLAN OR AN INSTITUTE  
25 IMPROVEMENT PLAN SHALL BE DESIGNED TO ENSURE THAT THE SCHOOL  
26 DISTRICT OR THE INSTITUTE IMPROVES ITS PERFORMANCE TO THE EXTENT  
27 THAT, FOLLOWING COMPLETION OF ITS NEXT ANNUAL ACCREDITATION

1 REVIEW, THE SCHOOL DISTRICT OR THE INSTITUTE ATTAINS A HIGHER  
2 ACCREDITATION CATEGORY. AT A MINIMUM, A DISTRICT IMPROVEMENT  
3 PLAN OR AN INSTITUTE IMPROVEMENT PLAN SHALL:

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

11 (b) IDENTIFY POSITIVE AND NEGATIVE TRENDS FOR DISTRICT  
12 PUBLIC SCHOOLS AS A GROUP AND INDIVIDUALLY OR FOR INSTITUTE  
13 CHARTER SCHOOLS AS A GROUP AND INDIVIDUALLY IN THE LEVELS OF  
14 ATTAINMENT BY THE PUBLIC SCHOOLS AS A GROUP AND INDIVIDUALLY ON  
15 THE PERFORMANCE INDICATORS;

16 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS OF THE  
17 DISTRICT OR INSTITUTE AND OF THE DISTRICT PUBLIC SCHOOLS OR  
18 INSTITUTE CHARTER SCHOOLS THAT MUST BE ADDRESSED TO RAISE THE  
19 LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS BY THE  
20 DISTRICT PUBLIC SCHOOLS OR INSTITUTE CHARTER SCHOOLS AND TO  
21 IMPROVE SCHOOL READINESS IN DISTRICT PUBLIC SCHOOLS OR INSTITUTE  
22 CHARTER SCHOOLS THAT SERVE STUDENTS IN PRESCHOOL AND  
23 KINDERGARTEN;

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

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

1 THE SCHOOL DISTRICT OR THE INSTITUTE WILL USE TO IMPLEMENT THE  
2 IDENTIFIED STRATEGIES WITH FIDELITY; AND

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

6 **22-11-305. Accredited with priority improvement plan - school**  
7 **district or institute - plan contents - adoption.** (1) (a) IN ACCORDANCE  
8 WITH THE TIME FRAMES SPECIFIED IN STATE BOARD RULE, EACH SCHOOL  
9 DISTRICT THAT IS ACCREDITED WITH PRIORITY IMPROVEMENT PLAN SHALL  
10 ANNUALLY ADOPT AND IMPLEMENT A DISTRICT PRIORITY IMPROVEMENT  
11 PLAN AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

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

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

1 DISTRICT PRIORITY IMPROVEMENT PLAN, TAKING INTO CONSIDERATION  
2 ANY RECOMMENDATIONS OF THE STATE REVIEW PANEL.

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

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

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

27 (c) THE INSTITUTE SHALL SUBMIT THE ADOPTED INSTITUTE

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

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

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

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

1 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS OF THE  
2 DISTRICT OR INSTITUTE AND OF THE DISTRICT PUBLIC SCHOOLS OR  
3 INSTITUTE CHARTER SCHOOLS THAT MUST BE ADDRESSED TO RAISE THE  
4 LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS BY \_\_\_ THE  
5 DISTRICT PUBLIC SCHOOLS OR INSTITUTE CHARTER SCHOOLS AND TO  
6 IMPROVE SCHOOL READINESS IN DISTRICT PUBLIC SCHOOLS OR INSTITUTE  
7 CHARTER SCHOOLS THAT SERVE STUDENTS IN PRESCHOOL AND  
8 KINDERGARTEN;

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

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

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

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

24 (b) THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE FOR THE  
25 SCHOOL DISTRICT SHALL MAKE RECOMMENDATIONS TO THE LOCAL  
26 SCHOOL BOARD CONCERNING THE CONTENTS OF THE DISTRICT  
27 TURNAROUND PLAN. IN MAKING ITS RECOMMENDATIONS, THE SCHOOL

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

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

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

1 AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

2 (2) (a) IF THE INSTITUTE IS ACCREDITED WITH TURNAROUND PLAN,  
3 THE INSTITUTE BOARD SHALL, IN ACCORDANCE WITH THE TIME FRAMES  
4 SPECIFIED IN STATE BOARD RULE, ADOPT AND IMPLEMENT AN INSTITUTE  
5 TURNAROUND PLAN AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION. IN  
6 PREPARING THE INSTITUTE TURNAROUND PLAN, THE INSTITUTE BOARD  
7 SHALL TAKE INTO ACCOUNT AND INCORPORATE ANY INSTITUTE CHARTER  
8 SCHOOL PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, AND  
9 TURNAROUND PLANS RECEIVED PURSUANT TO SECTIONS 22-11-403 TO  
10 22-11-406.

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

24 (c) THE INSTITUTE SHALL SUBMIT THE FINAL, APPROVED INSTITUTE  
25 TURNAROUND PLAN TO THE DEPARTMENT FOR PUBLICATION ON THE DATA  
26 PORTAL AND SHALL ENSURE THAT THE FINAL, APPROVED INSTITUTE  
27 TURNAROUND PLAN IS IN EFFECT FOR THE INSTITUTE AND THE INSTITUTE

1 CHARTER SCHOOLS WITHIN THE TIME FRAMES SPECIFIED BY STATE BOARD  
2 RULE. THE INSTITUTE SHALL ALSO MAKE COPIES OF THE FINAL, APPROVED  
3 INSTITUTE TURNAROUND PLAN AVAILABLE TO MEMBERS OF THE PUBLIC  
4 UPON REQUEST.

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

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

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

24 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS OF THE  
25 DISTRICT OR INSTITUTE AND OF THE DISTRICT PUBLIC SCHOOLS OR  
26 INSTITUTE CHARTER SCHOOLS THAT MUST BE ADDRESSED TO RAISE THE  
27 LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS BY      THE

1 DISTRICT PUBLIC SCHOOLS OR INSTITUTE CHARTER SCHOOLS AND TO  
2 IMPROVE SCHOOL READINESS IN DISTRICT PUBLIC SCHOOLS OR INSTITUTE  
3 CHARTER SCHOOLS THAT SERVE STUDENTS IN PRESCHOOL AND  
4 KINDERGARTEN;

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

10 (I) EMPLOYING A LEAD TURNAROUND PARTNER THAT USES  
11 RESEARCH-BASED STRATEGIES AND HAS A PROVEN RECORD OF SUCCESS  
12 WORKING WITH SCHOOLS UNDER SIMILAR CIRCUMSTANCES, WHICH  
13 TURNAROUND PARTNER SHALL BE IMMERSSED IN ALL ASPECTS OF  
14 DEVELOPING AND COLLABORATIVELY EXECUTING THE TURNAROUND PLAN  
15 AND SHALL SERVE AS A LIAISON TO OTHER SCHOOL PARTNERS;

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

19 (III) FOR A SCHOOL DISTRICT, RECOGNIZING INDIVIDUAL DISTRICT  
20 PUBLIC SCHOOLS AS INNOVATION SCHOOLS OR CLUSTERING DISTRICT  
21 PUBLIC SCHOOLS WITH SIMILAR GOVERNANCE OR MANAGEMENT  
22 STRUCTURES INTO ONE OR MORE INNOVATION SCHOOL ZONES AND  
23 SEEKING DESIGNATION AS A DISTRICT OF INNOVATION PURSUANT TO  
24 ARTICLE 32.5 OF THIS TITLE;

25 (IV) HIRING AN ENTITY THAT USES RESEARCH-BASED STRATEGIES  
26 AND HAS A PROVEN RECORD OF SUCCESS WORKING WITH SCHOOLS UNDER  
27 SIMILAR CIRCUMSTANCES TO OPERATE ONE OR MORE DISTRICT PUBLIC

1 SCHOOLS OR INSTITUTE CHARTER SCHOOLS PURSUANT TO A CONTRACT  
2 WITH THE LOCAL SCHOOL BOARD OR THE INSTITUTE;

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

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

7 (VII) CLOSING DISTRICT PUBLIC SCHOOLS OR INSTITUTE CHARTER  
8 SCHOOLS; AND

9 (VIII) OTHER ACTIONS OF COMPARABLE OR GREATER  
10 SIGNIFICANCE OR EFFECT;

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

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

17 **22-11-307. Accreditation of public schools.** (1) THE LOCAL  
18 SCHOOL BOARD FOR EACH SCHOOL DISTRICT SHALL ADOPT POLICIES FOR  
19 ACCREDITATION OF THE DISTRICT PUBLIC SCHOOLS. THE INSTITUTE BOARD  
20 SHALL ADOPT POLICIES FOR ACCREDITATION OF THE INSTITUTE CHARTER  
21 SCHOOLS. EACH SCHOOL DISTRICT'S AND THE INSTITUTE'S SCHOOL  
22 ACCREDITATION POLICIES, AT A MINIMUM, SHALL INCLUDE:

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

27 (b) ACCREDITATION CATEGORIES THAT ARE COMPARABLE TO THE

1 ACCREDITATION CATEGORIES FOR SCHOOL DISTRICTS AND THE INSTITUTE  
2 SPECIFIED IN SECTION 22-11-207;

3 (c) DETERMINATION OF A PUBLIC SCHOOL'S ACCREDITATION  
4 CATEGORY BASED ON THE PUBLIC SCHOOL'S LEVEL OF ATTAINMENT OF THE  
5 PERFORMANCE INDICATORS; AND

6 (d) ADOPTION AND IMPLEMENTATION OF SCHOOL PERFORMANCE,  
7 IMPROVEMENT, PRIORITY IMPROVEMENT, AND TURNAROUND PLANS AS  
8 REQUIRED BY THE STATE BOARD PURSUANT TO SECTION 22-11-210(1) AND  
9 AS DESCRIBED IN SECTIONS 22-11-403 TO 22-11-406.

10 (2) IN ADOPTING ITS SCHOOL ACCREDITATION POLICIES, A LOCAL  
11 SCHOOL BOARD OR THE INSTITUTE BOARD MAY CHOOSE TO BE MORE  
12 RIGOROUS IN EXPECTATIONS AND IN THE IMPOSITION OF REMEDIAL  
13 ACTIONS THAN THE SYSTEM FOR ACCREDITATION OF SCHOOL DISTRICTS  
14 AND THE INSTITUTE SPECIFIED IN THE PROVISIONS OF PART 2 OF THIS  
15 ARTICLE AND THE RULES ADOPTED PURSUANT TO SAID PART 2.

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

25 (4) IF, PURSUANT TO SECTION 22-11-210 (5), THE STATE BOARD  
26 DIRECTS A LOCAL SCHOOL BOARD OR THE INSTITUTE TO RESTRUCTURE OR  
27 CLOSE A PUBLIC SCHOOL, THE LOCAL SCHOOL BOARD OR THE INSTITUTE

1 SHALL WORK WITH THE DEPARTMENT TO IMPLEMENT THE STATE BOARD'S  
2 DIRECTIONS.

3 PART 4

4 SCHOOL ACCOUNTABILITY

5 **22-11-401. School accountability committee - creation -**  
6 **qualifications - elections.** (1) (a) EACH DISTRICT PUBLIC SCHOOL AND  
7 EACH INSTITUTE CHARTER SCHOOL SHALL ESTABLISH A SCHOOL  
8 ACCOUNTABILITY COMMITTEE. EACH SCHOOL ACCOUNTABILITY  
9 COMMITTEE SHALL CONSIST OF AT LEAST SEVEN MEMBERS AS FOLLOWS:

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

11 (II) AT LEAST ONE TEACHER WHO PROVIDES INSTRUCTION AT THE  
12 SCHOOL;

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

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

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

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

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

4 (d) IF THE LOCAL SCHOOL BOARD OR THE INSTITUTE DETERMINES  
5 THAT THE MEMBERS OF A SCHOOL ACCOUNTABILITY COMMITTEE SHOULD  
6 BE APPOINTED, THE APPOINTING AUTHORITY SHALL, TO THE EXTENT  
7 PRACTICABLE, APPOINT PERSONS TO SERVE ON THE SCHOOL  
8 ACCOUNTABILITY COMMITTEE WHO REFLECT THE STUDENT POPULATIONS  
9 THAT ARE SIGNIFICANTLY REPRESENTED WITHIN THE SCHOOL. IF THE  
10 LOCAL SCHOOL BOARD OR THE INSTITUTE DETERMINES THAT PERSONS  
11 SHALL BE ELECTED TO SERVE ON THE SCHOOL ACCOUNTABILITY  
12 COMMITTEE, THE SCHOOL PRINCIPAL SHALL ENCOURAGE PERSONS WHO  
13 REFLECT THE STUDENT POPULATIONS THAT ARE SIGNIFICANTLY  
14 REPRESENTED WITHIN THE SCHOOL TO SEEK ELECTION TO THE COMMITTEE.  
15 SAID STUDENT POPULATIONS MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

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

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(2) THE MEMBERS OF EACH SCHOOL ACCOUNTABILITY COMMITTEE SHALL ANNUALLY SELECT FROM AMONG THE PARENT REPRESENTATIVES ELECTED TO THE COMMITTEE A MEMBER TO SERVE AS CHAIR OR CO-CHAIR OF THE COMMITTEE.

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

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

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

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

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

1 THE DISTRICT ACCOUNTABILITY COMMITTEE MAY SERVE AS A SCHOOL  
2 ACCOUNTABILITY COMMITTEE.

3 **22-11-402. School accountability committee - powers and**  
4 **duties - meetings.** (1) EACH SCHOOL ACCOUNTABILITY COMMITTEE  
5 SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

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

19 (b) TO ADVISE THE PRINCIPAL OF THE PUBLIC SCHOOL AND, IN THE  
20 CASE OF A DISTRICT PUBLIC SCHOOL, THE SUPERINTENDENT OF THE  
21 SCHOOL DISTRICT CONCERNING THE PREPARATION OF A SCHOOL  
22 PERFORMANCE OR IMPROVEMENT PLAN, IF EITHER IS REQUIRED PURSUANT  
23 TO SECTION 22-11-210, AND TO SUBMIT RECOMMENDATIONS TO THE  
24 PRINCIPAL, AND SUPERINTENDENT IF APPLICABLE, CONCERNING THE  
25 CONTENTS OF THE PERFORMANCE OR IMPROVEMENT PLAN;

26 (c) TO ADVISE THE LOCAL SCHOOL BOARD OR THE INSTITUTE  
27 CONCERNING THE PREPARATION OF A SCHOOL PRIORITY IMPROVEMENT OR

1 TURNAROUND PLAN, IF EITHER IS REQUIRED PURSUANT TO SECTION  
2 22-11-210, AND TO SUBMIT RECOMMENDATIONS TO THE LOCAL SCHOOL  
3 BOARD OR THE INSTITUTE CONCERNING THE CONTENTS OF THE PRIORITY  
4 IMPROVEMENT OR TURNAROUND PLAN;

5 (d) TO MEET AT LEAST QUARTERLY TO DISCUSS WHETHER SCHOOL  
6 LEADERSHIP, PERSONNEL, AND INFRASTRUCTURE ARE ADVANCING OR  
7 IMPEDING IMPLEMENTATION OF THE PUBLIC SCHOOL'S PERFORMANCE,  
8 IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND PLAN,  
9 WHICHEVER IS APPLICABLE, OR OTHER PROGRESS PERTINENT TO THE  
10 PUBLIC SCHOOL'S ACCREDITATION CONTRACT WITH THE LOCAL SCHOOL  
11 BOARD OR THE INSTITUTE.

12 **22-11-403. School performance plan - contents.** (1) (a) IF THE  
13 STATE BOARD, PURSUANT TO SECTION 22-11-210, DIRECTS A DISTRICT  
14 PUBLIC SCHOOL TO ADOPT A PERFORMANCE PLAN, THE SCHOOL PRINCIPAL  
15 AND THE SCHOOL DISTRICT SUPERINTENDENT, OR HIS OR HER DESIGNEE, IN  
16 ACCORDANCE WITH TIME FRAMES SPECIFIED IN STATE BOARD RULES,  
17 SHALL ADOPT A SCHOOL PERFORMANCE PLAN, AS DESCRIBED IN  
18 SUBSECTION (3) OF THIS SECTION, FOR THE DISTRICT PUBLIC SCHOOL.

19 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE DISTRICT  
20 PUBLIC SCHOOL SHALL ADVISE THE PRINCIPAL CONCERNING PREPARATION  
21 OF THE PERFORMANCE PLAN AND MAKE RECOMMENDATIONS TO THE  
22 PRINCIPAL CONCERNING THE CONTENTS OF THE SCHOOL PERFORMANCE  
23 PLAN. THE PRINCIPAL, WITH THE APPROVAL OF THE SUPERINTENDENT OR  
24 HIS OR HER DESIGNEE, SHALL CREATE AND ADOPT THE SCHOOL  
25 PERFORMANCE PLAN, TAKING INTO ACCOUNT THE ADVICE AND  
26 RECOMMENDATIONS OF THE SCHOOL ACCOUNTABILITY COMMITTEE.

27 (c) THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE SHALL

1 INCLUDE THE ADOPTED SCHOOL PERFORMANCE PLAN IN THE COMPILATION  
2 PREPARED PURSUANT TO SECTION 22-11-302 (1), AND THE LOCAL SCHOOL  
3 BOARD SHALL CONSIDER THE ADOPTED SCHOOL PERFORMANCE PLAN IN  
4 DEVELOPING THE BUDGET REQUIRED BY SECTION 22-44-108. THE  
5 PRINCIPAL AND THE SUPERINTENDENT OR HIS OR HER DESIGNEE SHALL  
6 ENSURE THAT THE SCHOOL PERFORMANCE PLAN IS IN EFFECT FOR THE  
7 DISTRICT PUBLIC SCHOOL WITHIN THE TIME FRAMES ESTABLISHED IN STATE  
8 BOARD RULES.

9 (2) (a) IF THE STATE BOARD, PURSUANT TO SECTION 22-11-210,  
10 DIRECTS AN INSTITUTE CHARTER SCHOOL TO ADOPT A PERFORMANCE  
11 PLAN, THE SCHOOL PRINCIPAL, IN ACCORDANCE WITH TIME FRAMES  
12 SPECIFIED IN STATE BOARD RULES, SHALL ADOPT A SCHOOL PERFORMANCE  
13 PLAN, AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION, FOR THE  
14 INSTITUTE CHARTER SCHOOL.

15 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE INSTITUTE  
16 CHARTER SCHOOL SHALL ADVISE THE PRINCIPAL CONCERNING  
17 PREPARATION OF THE PERFORMANCE PLAN AND MAKE RECOMMENDATIONS  
18 TO THE PRINCIPAL CONCERNING THE CONTENTS OF THE SCHOOL  
19 PERFORMANCE PLAN. THE PRINCIPAL SHALL CREATE AND ADOPT THE  
20 SCHOOL PERFORMANCE PLAN, TAKING INTO ACCOUNT THE ADVICE AND  
21 RECOMMENDATIONS OF THE SCHOOL ACCOUNTABILITY COMMITTEE.

22 (c) THE INSTITUTE SHALL INCLUDE THE ADOPTED SCHOOL  
23 PERFORMANCE PLAN IN THE COMPILATION PREPARED PURSUANT TO  
24 SECTION 22-11-303 (2) (b). THE PRINCIPAL SHALL ENSURE THAT THE  
25 SCHOOL PERFORMANCE PLAN IS IN EFFECT FOR THE INSTITUTE CHARTER  
26 SCHOOL WITHIN THE TIME FRAMES ESTABLISHED IN STATE BOARD RULES.

27 (3) A SCHOOL PERFORMANCE PLAN SHALL BE DESIGNED TO RAISE

1 THE ACADEMIC PERFORMANCE OF STUDENTS ENROLLED IN THE PUBLIC  
2 SCHOOL AND TO ENSURE THAT THE PUBLIC SCHOOL, FOLLOWING THE NEXT  
3 ANNUAL PERFORMANCE REVIEW, ATTAINS A HIGHER ACCREDITATION  
4 CATEGORY OR REMAINS IN THE SAME ACCREDITATION CATEGORY IF THE  
5 PUBLIC SCHOOL IS ALREADY ACCREDITED BY THE SCHOOL DISTRICT OR THE  
6 INSTITUTE AT THE HIGHEST LEVEL. AT A MINIMUM, EACH SCHOOL  
7 PERFORMANCE PLAN SHALL:

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

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

15 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS AT THE PUBLIC  
16 SCHOOL THAT MUST BE ADDRESSED TO RAISE THE LEVELS OF ATTAINMENT  
17 ON THE PERFORMANCE INDICATORS BY THE PUBLIC SCHOOL AND TO  
18 IMPROVE SCHOOL READINESS, IF THE PUBLIC SCHOOL SERVES STUDENTS IN  
19 PRESCHOOL OR KINDERGARTEN;

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

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

26 (f) ADDRESS ANY OTHER ISSUES REQUIRED BY RULE OF THE STATE  
27 BOARD OR RAISED BY THE DEPARTMENT THROUGH THE PERFORMANCE

1 REVIEW PURSUANT TO SECTION 22-11-210.

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

8 **22-11-404. School improvement plan - contents.** (1) (a) IF THE  
9 STATE BOARD, PURSUANT TO SECTION 22-11-210, DIRECTS A DISTRICT  
10 PUBLIC SCHOOL TO ADOPT AN IMPROVEMENT PLAN, THE SCHOOL PRINCIPAL  
11 AND THE SCHOOL DISTRICT SUPERINTENDENT, OR HIS OR HER DESIGNEE, IN  
12 ACCORDANCE WITH TIME FRAMES SPECIFIED IN STATE BOARD RULES,  
13 SHALL ADOPT A SCHOOL IMPROVEMENT PLAN, AS DESCRIBED IN  
14 SUBSECTION (3) OF THIS SECTION, FOR THE DISTRICT PUBLIC SCHOOL.

15 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE DISTRICT  
16 PUBLIC SCHOOL ADVISE THE PRINCIPAL CONCERNING PREPARATION OF THE  
17 SCHOOL IMPROVEMENT PLAN AND SHALL MAKE RECOMMENDATIONS TO  
18 THE PRINCIPAL CONCERNING THE CONTENTS OF THE SCHOOL  
19 IMPROVEMENT PLAN. THE PRINCIPAL, WITH THE APPROVAL OF THE  
20 SUPERINTENDENT OR HIS OR HER DESIGNEE, SHALL CREATE AND ADOPT  
21 THE SCHOOL IMPROVEMENT PLAN, TAKING INTO ACCOUNT THE ADVICE  
22 AND RECOMMENDATIONS OF THE SCHOOL ACCOUNTABILITY COMMITTEE.

23 (c) THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE SHALL  
24 INCLUDE THE ADOPTED SCHOOL IMPROVEMENT PLAN IN THE COMPILATION  
25 PREPARED PURSUANT TO SECTION 22-11-302 (1), AND THE LOCAL SCHOOL  
26 BOARD SHALL CONSIDER THE ADOPTED SCHOOL IMPROVEMENT PLAN IN  
27 DEVELOPING THE BUDGET REQUIRED BY SECTION 22-44-108. THE

1 PRINCIPAL AND THE SUPERINTENDENT, OR HIS OR HER DESIGNEE, SHALL  
2 ENSURE THAT THE SCHOOL IMPROVEMENT PLAN IS IN EFFECT FOR THE  
3 DISTRICT PUBLIC SCHOOL WITHIN THE TIME FRAMES ESTABLISHED IN STATE  
4 BOARD RULES.

5 (2) (a) IF THE STATE BOARD, PURSUANT TO SECTION 22-11-210,  
6 DIRECTS AN INSTITUTE CHARTER SCHOOL TO ADOPT AN IMPROVEMENT  
7 PLAN, THE SCHOOL PRINCIPAL, IN ACCORDANCE WITH TIME FRAMES  
8 SPECIFIED IN STATE BOARD RULES, SHALL ADOPT A SCHOOL IMPROVEMENT  
9 PLAN, AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION, FOR THE  
10 INSTITUTE CHARTER SCHOOL.

11 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE INSTITUTE  
12 CHARTER SCHOOL SHALL ADVISE THE PRINCIPAL CONCERNING  
13 PREPARATION OF THE SCHOOL IMPROVEMENT PLAN AND SHALL MAKE  
14 RECOMMENDATIONS TO THE PRINCIPAL CONCERNING THE CONTENTS OF  
15 THE SCHOOL IMPROVEMENT PLAN. THE PRINCIPAL SHALL CREATE AND  
16 ADOPT THE SCHOOL IMPROVEMENT PLAN, TAKING INTO ACCOUNT THE  
17 ADVICE AND RECOMMENDATIONS OF THE SCHOOL ACCOUNTABILITY  
18 COMMITTEE.

19 (c) THE INSTITUTE SHALL INCLUDE THE ADOPTED SCHOOL  
20 IMPROVEMENT PLAN IN THE COMPILATION PREPARED PURSUANT TO  
21 SECTION 22-11-303 (2) (b). THE PRINCIPAL SHALL ENSURE THAT THE  
22 SCHOOL IMPROVEMENT PLAN IS IN EFFECT FOR THE INSTITUTE CHARTER  
23 SCHOOL WITHIN THE TIME FRAMES ESTABLISHED IN STATE BOARD RULES.

24 (3) A SCHOOL IMPROVEMENT PLAN SHALL BE DESIGNED TO RAISE  
25 THE ACADEMIC PERFORMANCE OF STUDENTS ENROLLED IN THE PUBLIC  
26 SCHOOL AND TO ENSURE THAT THE PUBLIC SCHOOL, FOLLOWING THE NEXT  
27 ANNUAL PERFORMANCE REVIEW, ATTAINS A HIGHER ACCREDITATION

1 CATEGORY. AT A MINIMUM, EACH SCHOOL IMPROVEMENT PLAN SHALL:

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

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

9 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS AT THE PUBLIC  
10 SCHOOL THAT MUST BE ADDRESSED TO RAISE THE LEVELS OF ATTAINMENT  
11 ON THE PERFORMANCE INDICATORS BY THE PUBLIC SCHOOL AND TO  
12 IMPROVE SCHOOL READINESS, IF THE PUBLIC SCHOOL SERVES STUDENTS IN  
13 PRESCHOOL OR KINDERGARTEN;

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

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 (4) 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 IMPROVEMENT PLAN TO THE  
26 DEPARTMENT FOR PUBLICATION ON THE DATA PORTAL. THE PUBLIC  
27 SCHOOL SHALL MAKE COPIES OF THE SCHOOL IMPROVEMENT PLAN

1 AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

2 **22-11-405. School priority improvement plan - contents.**

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

9 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE DISTRICT  
10 PUBLIC SCHOOL SHALL ADVISE THE LOCAL SCHOOL BOARD CONCERNING  
11 PREPARATION OF THE SCHOOL PRIORITY IMPROVEMENT PLAN AND SHALL  
12 MAKE RECOMMENDATIONS TO THE LOCAL SCHOOL BOARD CONCERNING  
13 THE CONTENTS OF THE SCHOOL PRIORITY IMPROVEMENT PLAN. THE LOCAL  
14 SCHOOL BOARD SHALL CREATE AND ADOPT THE SCHOOL PRIORITY  
15 IMPROVEMENT PLAN, TAKING INTO ACCOUNT THE ADVICE AND  
16 RECOMMENDATIONS OF THE SCHOOL ACCOUNTABILITY COMMITTEE.

17 (c) THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE SHALL  
18 INCLUDE THE ADOPTED SCHOOL PRIORITY IMPROVEMENT PLAN IN THE  
19 COMPILATION PREPARED PURSUANT TO SECTION 22-11-302 (1), AND THE  
20 LOCAL SCHOOL BOARD SHALL CONSIDER THE ADOPTED SCHOOL PRIORITY  
21 IMPROVEMENT PLAN IN DEVELOPING THE BUDGET REQUIRED BY SECTION  
22 22-44-108. THE LOCAL SCHOOL BOARD SHALL ENSURE THAT THE SCHOOL  
23 PRIORITY IMPROVEMENT PLAN IS IN EFFECT FOR THE DISTRICT PUBLIC  
24 SCHOOL WITHIN THE TIME FRAMES ESTABLISHED IN STATE BOARD RULES.

25 (2) (a) IF THE STATE BOARD, PURSUANT TO SECTION 22-11-210,  
26 DIRECTS AN INSTITUTE CHARTER SCHOOL TO ADOPT A PRIORITY  
27 IMPROVEMENT PLAN, THE INSTITUTE, IN ACCORDANCE WITH TIME FRAMES

1 SPECIFIED IN STATE BOARD RULES, SHALL ADOPT A SCHOOL PRIORITY  
2 IMPROVEMENT PLAN, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION,  
3 FOR THE INSTITUTE CHARTER SCHOOL.

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

12 (c) THE INSTITUTE SHALL INCLUDE THE ADOPTED SCHOOL PRIORITY  
13 IMPROVEMENT PLAN IN THE COMPILATION PREPARED PURSUANT TO  
14 SECTION 22-11-303 (2) (b). THE INSTITUTE SHALL ENSURE THAT THE  
15 SCHOOL PRIORITY IMPROVEMENT PLAN IS IN EFFECT FOR THE INSTITUTE  
16 CHARTER SCHOOL WITHIN THE TIME FRAMES ESTABLISHED IN STATE  
17 BOARD RULES.

18 (3) THE COMMISSIONER, SUBJECT TO AVAILABLE APPROPRIATIONS,  
19 MAY ASSIGN THE STATE REVIEW PANEL TO CRITICALLY EVALUATE A  
20 PUBLIC SCHOOL'S PRIORITY IMPROVEMENT PLAN AND REPORT TO THE  
21 COMMISSIONER ANY RECOMMENDED MODIFICATIONS TO THE PLAN. THE  
22 COMMISSIONER MAY RECOMMEND TO THE LOCAL SCHOOL BOARD OR  
23 THE INSTITUTE MODIFICATIONS TO THE SCHOOL PRIORITY IMPROVEMENT  
24 PLAN, TAKING INTO CONSIDERATION ANY RECOMMENDATIONS OF THE  
25 STATE REVIEW PANEL.

26 (4) A SCHOOL PRIORITY IMPROVEMENT PLAN SHALL BE DESIGNED  
27 TO ENSURE THAT THE PUBLIC SCHOOL IMPROVES ITS PERFORMANCE TO THE

1 EXTENT THAT, FOLLOWING COMPLETION OF THE PUBLIC SCHOOL'S NEXT  
2 ANNUAL PERFORMANCE REVIEW, THE PUBLIC SCHOOL ATTAINS A HIGHER  
3 ACCREDITATION CATEGORY. AT A MINIMUM, A SCHOOL PRIORITY  
4 IMPROVEMENT PLAN SHALL:

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

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

12 (c) ASSESS AND PRIORITIZE THE ISSUES AND NEEDS AT THE PUBLIC  
13 SCHOOL THAT MUST BE ADDRESSED TO RAISE THE LEVELS OF ATTAINMENT  
14 ON THE PERFORMANCE INDICATORS BY THE PUBLIC SCHOOL AND TO  
15 IMPROVE SCHOOL READINESS, IF THE PUBLIC SCHOOL SERVES STUDENTS IN  
16 PRESCHOOL OR KINDERGARTEN;

17 (d) IDENTIFY SPECIFIC, RESEARCH-BASED STRATEGIES THAT ARE  
18 APPROPRIATE IN SCOPE, INTENSITY, AND TYPE TO ADDRESS THE NEEDS AND  
19 ISSUES IDENTIFIED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (4);

20 (e) IDENTIFY THE LOCAL, STATE, AND FEDERAL RESOURCES THAT  
21 THE PUBLIC SCHOOL WILL USE TO IMPLEMENT THE IDENTIFIED STRATEGIES  
22 WITH FIDELITY; AND

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

26 (5) THE LOCAL SCHOOL BOARD, ON BEHALF OF A DISTRICT PUBLIC  
27 SCHOOL, OR THE INSTITUTE, ON BEHALF OF AN INSTITUTE CHARTER

1 SCHOOL, SHALL SUBMIT THE SCHOOL PRIORITY IMPROVEMENT PLAN TO THE  
2 DEPARTMENT FOR PUBLICATION ON THE DATA PORTAL. THE PUBLIC  
3 SCHOOL SHALL MAKE COPIES OF THE SCHOOL PRIORITY IMPROVEMENT  
4 PLAN AVAILABLE TO MEMBERS OF THE PUBLIC UPON REQUEST.

5 **22-11-406. School turnaround plan - contents.** (1) (a) IF THE  
6 STATE BOARD, PURSUANT TO SECTION 22-11-210, DIRECTS A DISTRICT  
7 PUBLIC SCHOOL TO ADOPT A TURNAROUND PLAN, THE LOCAL SCHOOL  
8 BOARD, IN ACCORDANCE WITH TIME FRAMES SPECIFIED IN STATE BOARD  
9 RULES, SHALL ADOPT A SCHOOL TURNAROUND PLAN, AS DESCRIBED IN  
10 SUBSECTION (3) OF THIS SECTION, FOR THE DISTRICT PUBLIC SCHOOL.  
11 EACH DISTRICT PUBLIC SCHOOL TURNAROUND PLAN SHALL ALSO BE  
12 SUBJECT TO EVALUATION BY THE STATE REVIEW PANEL AND APPROVAL BY  
13 THE COMMISSIONER AS PROVIDED IN THIS SUBSECTION (1).

14 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE DISTRICT  
15 PUBLIC SCHOOL SHALL ADVISE THE LOCAL SCHOOL BOARD CONCERNING  
16 PREPARATION OF THE SCHOOL TURNAROUND PLAN AND SHALL MAKE  
17 RECOMMENDATIONS TO THE LOCAL SCHOOL BOARD CONCERNING THE  
18 CONTENTS OF THE SCHOOL TURNAROUND PLAN. THE LOCAL SCHOOL  
19 BOARD SHALL CREATE AND ADOPT THE SCHOOL TURNAROUND PLAN,  
20 TAKING INTO ACCOUNT THE ADVICE AND RECOMMENDATIONS OF THE  
21 SCHOOL ACCOUNTABILITY COMMITTEE.

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

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

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

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

22 (2) (a) IF THE STATE BOARD, PURSUANT TO SECTION 22-11-210,  
23 DIRECTS AN INSTITUTE CHARTER SCHOOL TO ADOPT A TURNAROUND PLAN,  
24 THE INSTITUTE, IN ACCORDANCE WITH TIME FRAMES SPECIFIED IN STATE  
25 BOARD RULES, SHALL ADOPT A SCHOOL TURNAROUND PLAN, AS DESCRIBED  
26 IN SUBSECTION (3) OF THIS SECTION, FOR THE INSTITUTE CHARTER SCHOOL.  
27 EACH INSTITUTE CHARTER SCHOOL TURNAROUND PLAN SHALL ALSO BE

1 SUBJECT TO EVALUATION BY THE STATE REVIEW PANEL AND APPROVAL BY  
2 THE COMMISSIONER AS PROVIDED IN THIS SUBSECTION (2).

3 (b) THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE INSTITUTE  
4 CHARTER SCHOOL SHALL ADVISE THE INSTITUTE CONCERNING  
5 PREPARATION OF THE SCHOOL TURNAROUND PLAN AND SHALL MAKE  
6 RECOMMENDATIONS TO THE INSTITUTE CONCERNING THE CONTENTS OF  
7 THE SCHOOL TURNAROUND PLAN. THE INSTITUTE SHALL CREATE AND  
8 ADOPT THE SCHOOL TURNAROUND PLAN, TAKING INTO ACCOUNT THE  
9 ADVICE AND RECOMMENDATIONS OF THE SCHOOL ACCOUNTABILITY  
10 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 == APPROVE THE  
18 SCHOOL TURNAROUND PLAN OR SUGGEST MODIFICATIONS TO THE PLAN,  
19 TAKING INTO CONSIDERATION ANY RECOMMENDATIONS OF THE STATE  
20 REVIEW PANEL. THE INSTITUTE SHALL REVISE THE SCHOOL TURNAROUND  
21 PLAN, IF NECESSARY, AND RESUBMIT THE PLAN FOR APPROVAL WITHIN THE  
22 TIME FRAMES SPECIFIED IN STATE BOARD RULE. THE INSTITUTE SHALL  
23 ENSURE THAT THE FINAL, APPROVED SCHOOL TURNAROUND PLAN IS IN  
24 EFFECT FOR THE INSTITUTE CHARTER SCHOOL WITHIN THE TIME FRAMES  
25 SPECIFIED IN STATE 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 RAISE THE LEVELS OF ATTAINMENT  
21 ON THE PERFORMANCE INDICATORS BY THE PUBLIC SCHOOL AND TO  
22 IMPROVE SCHOOL READINESS, IF THE PUBLIC SCHOOL SERVES STUDENTS IN  
23 PRESCHOOL OR KINDERGARTEN;

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

1 FOLLOWING:

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

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

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

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

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

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

26

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27 (VII) OTHER ACTIONS OF COMPARABLE OR GREATER SIGNIFICANCE

1 OR EFFECT;

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

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

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

15 PART 5

16 PERFORMANCE REPORTING

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

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

1 PERFORMANCE INDICATORS;

2 (b) PRODUCING DATA TO SUPPORT DECISION-MAKING AND  
3 LEARNING AND TO PREPARE THE REPORTS ON PUBLIC SCHOOL, SCHOOL  
4 DISTRICT, INSTITUTE, AND STATE PERFORMANCE DESCRIBED IN SECTION  
5 22-11-503;

6 (c) PROTECTING THE PRIVACY OF STUDENTS;

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

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

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

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

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

1 DATA REPORTING SYSTEM;

2 (b) TO PROVIDE OPERATIONAL DEFINITIONS FOR THE STATE DATA  
3 REPORTING SYSTEM THROUGH THE DATA DICTIONARY CREATED PURSUANT  
4 TO SECTION 22-2-305;

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

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

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

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

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

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

1 ENVIRONMENT DECISIONS AT ALL PUBLIC SCHOOLS;

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

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

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

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

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

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

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

1 (d) ELECTRONICALLY TRANSMITTING REQUIRED DATA ELEMENTS  
2 AND AN ACCOUNTING AS REQUIRED BY SECTION 22-55-108 TO THE  
3 APPROPRIATE PROCESSING LOCATIONS IN ACCORDANCE WITH GUIDELINES  
4 ESTABLISHED BY THE DEPARTMENT;

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

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

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

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

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

26 (b) THE ACCREDITATION CATEGORY, WITH SUPPORTING DATA,  
27 DETERMINED PURSUANT TO PART 2 OF THIS ARTICLE, FOR EACH SCHOOL

1 DISTRICT IN THE STATE AND FOR THE INSTITUTE;

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

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

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

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

17 (3) IN PUBLISHING SUPPORTING DATA FOR THE SCHOOL DISTRICT,  
18 INSTITUTE, AND PUBLIC SCHOOL ACCREDITATION CATEGORIES, THE  
19 DEPARTMENT SHALL INCLUDE DATA PERTAINING TO THE GRADUATION  
20 RATES THAT DESCRIBES THE PROGRESS MADE BY STUDENT GROUPS  
21 DISAGGREGATED FOR GENDER BY RACE AND INCOME.

22 **22-11-503. Performance reports - contents - rules.** (1) THE  
23 DEPARTMENT SHALL PUBLISH ON THE DATA PORTAL A SCHOOL  
24 PERFORMANCE REPORT FOR EACH PUBLIC SCHOOL IN THE STATE, A SCHOOL  
25 DISTRICT PERFORMANCE REPORT FOR EACH SCHOOL DISTRICT IN THE  
26 STATE, A PERFORMANCE REPORT FOR THE INSTITUTE, AND A PERFORMANCE  
27 REPORT FOR THE STATE AS A WHOLE. THE DEPARTMENT SHALL

1 CONTINUOUSLY UPDATE THE DATA INCLUDED IN THE PERFORMANCE  
2 REPORTS AS SOON AS PRACTICABLE, BUT NOT LATER THAN SIXTY DAYS,  
3 AFTER THE DATA BECOMES AVAILABLE.

4 (2) THE STATE BOARD SHALL ADOPT RULES SPECIFYING THE  
5 INFORMATION TO BE INCLUDED IN THE SCHOOL PERFORMANCE REPORTS,  
6 THE SCHOOL DISTRICT AND INSTITUTE PERFORMANCE REPORTS, AND THE  
7 STATE PERFORMANCE REPORT. THE INFORMATION SHALL BE CONSISTENT  
8 FOR EACH TYPE OF REPORT AND, AT A MINIMUM, SHALL INCLUDE THE  
9 FOLLOWING:

10 (a) THE REPORT SUBJECT'S LEVEL OF ATTAINMENT ON EACH OF THE  
11 PERFORMANCE INDICATORS AS DETERMINED PURSUANT TO SECTION  
12 22-11-204, INCLUDING WHETHER THE REPORT SUBJECT MET THE TARGETS  
13 SET FOR THE APPLICABLE SCHOOL YEAR;

14 (b) FOR SCHOOL PERFORMANCE REPORTS, A COMPARISON OF THE  
15 REPORT SUBJECT'S LEVELS OF ATTAINMENT ON THE PERFORMANCE  
16 INDICATORS WITH THE LEVELS OF ATTAINMENT OF THE OTHER PUBLIC  
17 SCHOOLS OF THE SCHOOL DISTRICT AND IN THE STATE;

18 (c) FOR SCHOOL DISTRICT PERFORMANCE REPORTS AND THE  
19 INSTITUTE PERFORMANCE REPORT, A COMPARISON OF THE REPORT  
20 SUBJECT'S LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS  
21 WITH OTHER SCHOOL DISTRICTS IN THE STATE AND THE INSTITUTE;

22 (d) INFORMATION CONCERNING COMPARISONS OF STUDENT  
23 PERFORMANCE OVER TIME AND AMONG STUDENT GROUPS;     

24 (e) THE REPORT SUBJECT'S RATES OF COMPLETION, MOBILITY, AND  
25 TRUANCY AS CALCULATED PURSUANT TO RULES ADOPTED BY THE STATE  
26 BOARD; AND

27 (f) ANY ADDITIONAL INFORMATION THAT MAY BE REQUIRED BY

1 FEDERAL LAW.

2 (3) EACH PUBLIC SCHOOL SHALL NOTIFY THE PARENT OR LEGAL  
3 GUARDIAN OF EACH STUDENT ENROLLED IN THE PUBLIC SCHOOL OF THE  
4 AVAILABILITY ON THE DATA PORTAL OF ITS PERFORMANCE REPORT AND  
5 THE PERFORMANCE REPORT FOR THE SCHOOL DISTRICT OR THE INSTITUTE  
6 AND FOR THE STATE. UPON REQUEST, EACH PUBLIC SCHOOL SHALL  
7 PROVIDE TO THE PARENT OR LEGAL GUARDIAN OF A STUDENT ENROLLED  
8 IN THE SCHOOL OR TO A MEMBER OF THE PUBLIC, A PRINTED COPY OF THE  
9 SCHOOL, SCHOOL DISTRICT, INSTITUTE, OR STATE PERFORMANCE REPORT.

10 **22-11-504. School district and institute reporting**  
11 **requirements.** (1) EACH SCHOOL DISTRICT SHALL ANNUALLY REPORT TO  
12 THE DEPARTMENT FOR EACH OF THE DISTRICT PUBLIC SCHOOLS:

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

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

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

21 (d) ANY ADDITIONAL INFORMATION REQUIRED FOR THE  
22 DEPARTMENT TO IMPLEMENT THE ACCREDITATION PROCESS DESCRIBED IN  
23 PART 2 OF THIS ARTICLE.

24 (2) THE INSTITUTE SHALL ANNUALLY REPORT TO THE DEPARTMENT  
25 FOR EACH INSTITUTE CHARTER SCHOOL:

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

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

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

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

9 (3) EACH LOCAL SCHOOL BOARD AND THE INSTITUTE SHALL ADOPT  
10 POLICIES TO ENSURE THAT APPROPRIATE PERSONNEL WITHIN THE SCHOOL  
11 DISTRICT AND EACH INSTITUTE CHARTER SCHOOL SHARE WITH AND  
12 EXPLAIN TO THE PARENT OR LEGAL GUARDIAN OF EACH STUDENT  
13 ENROLLED IN THE SCHOOL DISTRICT OR THE INSTITUTE CHARTER SCHOOL  
14 THE STUDENT'S STATEWIDE ASSESSMENT RESULTS AND THE STUDENT'S  
15 LONGITUDINAL ACADEMIC GROWTH INFORMATION PROVIDED BY THE  
16 DEPARTMENT PURSUANT TO SECTION 22-11-203.

17 PART 6

18 SCHOOL AWARDS PROGRAM

19 **22-11-601. Colorado school awards program - created - rules.**

20 (1) THERE IS HEREBY ESTABLISHED THE COLORADO SCHOOL AWARDS  
21 PROGRAM, REFERRED TO IN THIS PART 6 AS THE "PROGRAM", TO BE  
22 ADMINISTERED BY THE DEPARTMENT. THE STATE BOARD SHALL  
23 PROMULGATE RULES FOR THE ADMINISTRATION OF THIS PART 6 AND THE  
24 PROGRAM. THE RULES SHALL INCLUDE BUT NEED NOT BE LIMITED TO  
25 PROCEDURES FOR TRANSMITTING THE FINANCIAL AWARDS TO PUBLIC  
26 SCHOOLS OF SCHOOL DISTRICTS AND INSTITUTE CHARTER SCHOOLS THAT  
27 DEMONSTRATE OUTSTANDING PERFORMANCE.

1           (2) IN ADDITION TO THE MONETARY AWARDS MADE AND  
2           DISTRIBUTED PURSUANT TO SECTIONS 22-11-602, 22-11-603, AND  
3           22-11-605, THE STATE BOARD MAY ANNUALLY APPLY ANY AMOUNT  
4           REMAINING FROM THE AMOUNT ANNUALLY APPROPRIATED FOR  
5           IMPLEMENTATION OF SECTION 22-11-202 TO PROVIDE TANGIBLE ITEMS OF  
6           RECOGNITION, SUCH AS BANNERS OR TROPHIES, TO SCHOOLS THAT RECEIVE  
7           THE JOHN IRWIN SCHOOLS OF EXCELLENCE AWARDS AND THE GOVERNOR'S  
8           DISTINGUISHED IMPROVEMENT AWARDS.

9           **22-11-602. Colorado school awards program - John Irwin**  
10          **schools of excellence awards - rules.** (1) THE STATE BOARD SHALL  
11          ANNUALLY PRESENT FINANCIAL AWARDS TO THE HIGHEST PERFORMING  
12          PUBLIC SCHOOLS IN THE STATE BASED ON THE SCHOOLS' LEVELS OF  
13          ATTAINMENT ON THE PERFORMANCE INDICATOR CONCERNING STUDENT  
14          ACHIEVEMENT LEVELS ON THE STATEWIDE ASSESSMENTS.

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

23          (3) SUBJECT TO AVAILABLE APPROPRIATIONS, THE AMOUNT OF  
24          EACH AWARD ISSUED PURSUANT TO THIS SECTION SHALL BE FIVE  
25          THOUSAND, TEN THOUSAND, OR FIFTEEN THOUSAND DOLLARS, DEPENDING  
26          ON THE NUMBER OF PUPILS ATTENDING THE PUBLIC SCHOOL RECEIVING  
27          THE AWARD. IF THE AVAILABLE APPROPRIATIONS ARE INSUFFICIENT TO

1 AWARD EACH SCHOOL THE AMOUNT SPECIFIED IN THIS SUBSECTION (3),  
2 THE DEPARTMENT SHALL REDUCE ALL AWARDS FOR THAT YEAR  
3 PROPORTIONATELY. THE STATE BOARD SHALL ESTABLISH BY RULE THE  
4 PUPIL SIZE OF THE PUBLIC SCHOOL FOR EACH AWARD AMOUNT.

5 **22-11-603. Governor's distinguished improvement awards -**  
6 **rules - repeal.** (1) THE STATE BOARD SHALL ANNUALLY PRESENT  
7 FINANCIAL AWARDS TO THE PUBLIC SCHOOLS IN THE STATE  
8 DEMONSTRATING THE HIGHEST RATES OF STUDENT LONGITUDINAL  
9 GROWTH AS MEASURED BY THE COLORADO GROWTH MODEL. THE  
10 TECHNICAL ADVISORY PANEL CONVENED PURSUANT TO SECTION  
11 22-11-202 SHALL RECOMMEND TO THE STATE BOARD, AND THE STATE  
12 BOARD SHALL ESTABLISH BY RULE, THE METHOD BY WHICH TO IDENTIFY  
13 SCHOOLS THAT DEMONSTRATE THE HIGHEST RATE OF STUDENT  
14 LONGITUDINAL GROWTH IN A SCHOOL YEAR, AS MEASURED BY THE  
15 COLORADO GROWTH MODEL. THE TECHNICAL ADVISORY PANEL SHALL  
16 TAKE SCHOOL SIZE INTO ACCOUNT IN PREPARING ITS RECOMMENDATIONS.

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

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

21 **22-11-604. Colorado school awards program - distribution of**  
22 **award.** (1) ANY AWARD PRESENTED BY THE STATE BOARD PURSUANT TO  
23 THIS PART 6 SHALL BE SPENT OR DISTRIBUTED FOR USE WITHIN THE PUBLIC  
24 SCHOOL AS THE PRINCIPAL OF THE PUBLIC SCHOOL, AFTER CONSULTATION  
25 WITH THE SCHOOL ACCOUNTABILITY COMMITTEE FOR THE PUBLIC SCHOOL,  
26 DEEMS APPROPRIATE.

27 (2) ANY MONEYS MADE AVAILABLE TO A DISTRICT PUBLIC SCHOOL

1 IN THE FORM OF AN AWARD PURSUANT TO THE PROVISIONS OF THIS PART  
2 6 SHALL NOT SUPPLANT MONEYS MADE AVAILABLE TO THE PUBLIC SCHOOL  
3 FROM FUNDING RECEIVED BY THE SCHOOL DISTRICT PURSUANT TO ARTICLE  
4 54 OF THIS TITLE OR PURSUANT TO THE TAXING AUTHORITY OF THE  
5 SCHOOL DISTRICT. ANY MONEYS MADE AVAILABLE TO AN INSTITUTE  
6 CHARTER SCHOOL IN THE FORM OF AN AWARD PURSUANT TO THE  
7 PROVISIONS OF THIS PART 6 SHALL NOT SUPPLANT MONEYS PAYABLE TO  
8 THE INSTITUTE CHARTER SCHOOL PURSUANT TO PART 5 OF ARTICLE 30.5  
9 OF THIS TITLE.

10 **22-11-605. School awards program fund - creation -**

11 **contributions.** (1) THE DEPARTMENT IS HEREBY AUTHORIZED TO  
12 RECEIVE GIFTS, GRANTS, AND DONATIONS FROM ANY SOURCE, PUBLIC OR  
13 PRIVATE, TO FUND FINANCIAL AWARDS TO PUBLIC SCHOOLS PURSUANT TO  
14 THE PROGRAM ESTABLISHED IN THIS PART 6. THE DEPARTMENT SHALL  
15 TRANSMIT ALL PUBLIC AND PRIVATE GIFTS, GRANTS, AND DONATIONS  
16 RECEIVED PURSUANT TO THIS SECTION TO THE STATE TREASURER WHO  
17 SHALL CREDIT THE SAME, IN ADDITION TO ANY APPROPRIATIONS MADE BY  
18 THE GENERAL ASSEMBLY, TO THE SCHOOL AWARDS PROGRAM FUND,  
19 WHICH IS HEREBY CREATED IN THE STATE TREASURY AND REFERRED TO IN  
20 THIS SECTION AS THE "FUND".

21 (2) MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL  
22 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR  
23 PURPOSES OF MAKING FINANCIAL AWARDS PURSUANT TO THE PROVISIONS  
24 OF THIS PART 6. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND  
25 UNENCUMBERED MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND  
26 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY  
27 OTHER FUND. HOWEVER, IN ACCORDANCE WITH SECTION 24-36-114,

1 C.R.S., ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF  
2 MONEYS IN THE FUND SHALL BE CREDITED TO THE GENERAL FUND. ANY  
3 MONEYS CREDITED TO THE FUND SHALL BE USED EXCLUSIVELY FOR  
4 AWARDS AND SHALL NOT BE USED TO PAY FOR THE EXPENSES OF THE  
5 DEPARTMENT IN ADMINISTERING THE PROGRAM ESTABLISHED IN THIS PART  
6 6.

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

9 **22-7-604.5. Alternative education campuses - criteria -**  
10 **application - rule-making.** (1) ~~On or before September 1, 2002, and on~~  
11 ~~or before July 1, 2004, for schools qualifying under sub-subparagraph (D)~~  
12 ~~of subparagraph (VI) of paragraph (a) of this subsection (1);~~ A PUBLIC  
13 SCHOOL MAY APPLY TO THE STATE BOARD FOR DESIGNATION AS AN  
14 ALTERNATIVE EDUCATION CAMPUS. The state board shall adopt rules  
15 specifying the criteria and application process for a PUBLIC school to be  
16 designated an alternative education campus. ~~Such~~ THE rules shall include  
17 but need not be limited to:

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

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

22 (II) Being an autonomous PUBLIC school;

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

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

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

27 (VI) (A) Serving students who have severe limitations that

1 preclude appropriate administration of the assessments administered  
2 pursuant to section 22-7-409;

3 (B) Serving a student population, more than ninety-five percent  
4 of whom have an individual education program pursuant to section  
5 22-20-108; ~~except that such school shall establish a public process that~~  
6 ~~will provide for accountability;~~

7 (C) Serving students who attend on a part-time basis and who  
8 come from other PUBLIC schools where ~~such~~ THE part-time students are  
9 counted in the enrollment of the other PUBLIC school; except that the  
10 results of the assessments administered pursuant to section 22-7-409 of  
11 all part-time students and high-risk students as defined in subsection (1.5)  
12 of this section shall be used in ~~calculating the academic performance and~~  
13 ~~academic improvement ratings of~~ DETERMINING THE LEVELS OF  
14 ATTAINMENT ON THE PERFORMANCE INDICATORS FOR the PUBLIC school  
15 for which the student is counted for enrollment purposes; or

16 (D) Serving a student population in which more than ninety-five  
17 percent of the students meet the definition of a high-risk student  
18 contained in subsection (1.5) of this section; ~~except that the request for~~  
19 ~~designation for such a school shall also include accountability measures~~  
20 ~~meeting the standards established in paragraph (a) of subsection (2.5) of~~  
21 ~~this section.~~

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

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

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

4 (1.5) As used in this section, unless the context otherwise requires,  
5 a "high-risk student" means a student enrolled in a secondary PUBLIC  
6 school who:

7 (a) Has been committed to the department of human services  
8 following adjudication as a juvenile delinquent or is in detention awaiting  
9 disposition of charges that may result in commitment to the department  
10 of human services;

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

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

16 (d) Has a documented history of personal drug or alcohol use or  
17 has a parent or guardian with a documented dependence on drugs or  
18 alcohol;

19 (e) Has a documented history of personal street gang involvement  
20 or has an immediate family member with a documented history of street  
21 gang involvement;

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

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

24 (h) Has a documented history of domestic violence in the  
25 immediate family;

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

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

1           (2) (a) On or before October 1, 2002, and on or before October 1  
2 each year thereafter, the district school board for ~~any~~ A public school that  
3 desires to be considered an alternative education campus pursuant to this  
4 section shall file with the state board a request for designation as an  
5 alternative education campus. ~~Such~~ THE request shall be in a form  
6 approved by the state board and shall contain sufficient information to  
7 establish that the public school meets the requirements of the rules  
8 adopted pursuant to paragraph (a) of subsection (1) of this section. On or  
9 before November 15, 2002, and on or before November 15 each year  
10 thereafter, the state board shall approve the designation of alternative  
11 education campus for any public school for which a request is filed  
12 pursuant to this subsection (2) that is found by the state board to meet the  
13 requirements of the rules adopted pursuant to paragraph (a) of subsection  
14 (1) of this section.

15           (b) Repealed.

16           (2.5) (a) ~~In addition to the requirements established pursuant to~~  
17 ~~paragraph (a) of subsection (1) of this section, an application for~~  
18 ~~designation as an alternative education campus for a school qualifying~~  
19 ~~under sub-subparagraph (D) of subparagraph (VI) of paragraph (a) of~~  
20 ~~subsection (1) of this section shall include an agreement to demonstrate~~  
21 ~~initial baseline levels of and measurable annual benchmarks on:~~ THE  
22 DEPARTMENT SHALL ANNUALLY REVIEW THE PERFORMANCE OF EACH  
23 ALTERNATIVE EDUCATION CAMPUS BASED ON THE CRITERIA SPECIFIED BY  
24 RULE OF THE STATE BOARD PURSUANT TO SECTION 22-11-210 (1) (b) AND  
25 SHALL RECOMMEND TO THE COMMISSIONER AND THE STATE BOARD  
26 WHETHER THE ALTERNATIVE EDUCATION CAMPUS SHALL ADOPT A  
27 PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, OR TURNAROUND

1 PLAN, AS SAID PLANS ARE DESCRIBED IN SECTIONS 22-11-403 TO  
2 22-11-406. BASED ON THE RECOMMENDATIONS, THE STATE BOARD,  
3 PURSUANT TO SECTION 22-11-210 (2), SHALL NOTIFY EACH ALTERNATIVE  
4 EDUCATION CAMPUS AND ITS DISTRICT SCHOOL BOARD, OR THE INSTITUTE  
5 IF THE ALTERNATIVE EDUCATION CAMPUS IS AN INSTITUTE CHARTER  
6 SCHOOL, OF THE TYPE OF PLAN THE ALTERNATIVE EDUCATION CAMPUS  
7 SHALL ADOPT. IN ADOPTING ITS PLAN, EACH ALTERNATIVE EDUCATION  
8 CAMPUS SHALL COMPLY WITH THE PROVISIONS OF SECTIONS 22-11-403 TO  
9 22-11-406, AS APPLICABLE.

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

13 ~~(A) Academic progress of individual students or groups of~~  
14 ~~students on the assessments administered pursuant to section 22-7-409,~~  
15 ~~if applicable; and~~

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

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

24 ~~(HH) Measures of nonacademic or behavioral improvement~~  
25 ~~appropriate for the purposes of each particular school, including but not~~  
26 ~~limited to average daily attendance, student post-matriculation rates of~~  
27 ~~enrollment, enlistment, or employment, rates of stability or retention;~~

1 ~~reduced rates of suspension or other discipline, or attendance rates.~~

2 (b) ~~As a condition to receiving a designation as an alternative~~  
3 ~~education campus under subparagraph (VI) of paragraph (a) of subsection~~  
4 ~~(1) of this section, the state board and the school shall agree to a date by~~  
5 ~~which, if the school has not demonstrated accomplishment of the annual~~  
6 ~~benchmarks agreed to in the application for designation, the school~~  
7 ~~district in which such school is located shall be required to submit a~~  
8 ~~school improvement plan pursuant to section 22-7-609. THE DISTRICT~~  
9 ~~SCHOOL BOARD FOR AN ALTERNATIVE EDUCATION CAMPUS OR THE~~  
10 ~~INSTITUTE, IF THE ALTERNATIVE EDUCATION CAMPUS IS AN INSTITUTE~~  
11 ~~CHARTER SCHOOL, SHALL SPECIFY THE ACCREDITATION CATEGORY FOR~~  
12 ~~THE ALTERNATIVE EDUCATION CAMPUS IN ACCORDANCE WITH THE~~  
13 ~~ACCREDITATION PROCESS ADOPTED BY THE DISTRICT SCHOOL BOARD OR~~  
14 ~~THE INSTITUTE PURSUANT TO SECTION 22-11-307.~~

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

25 (f) ~~Shall include, following the words "Overall Academic~~  
26 ~~Performance" and following the words "Academic Growth of Students",~~  
27 ~~in place of both ratings required under section 22-7-605(4)(b), the words~~

1 "Alternative Education Campus";

2 (H) ~~Shall not include the comparison required by section 22-7-605~~  
3 ~~(4) (c); and~~

4 (HH) ~~Shall not include the ratings required by section 22-7-605 (8)~~  
5 ~~(a) and (8) (b) and shall not include the language specified in section~~  
6 ~~22-7-605 (8) (d).~~

7 (d) ~~For an alternative education campus qualifying under~~  
8 ~~sub-subparagraph (D) of subparagraph (VI) of paragraph (a) of subsection~~  
9 ~~(1) of this section, the measure or measures adopted pursuant to~~  
10 ~~subparagraph (I) of paragraph (a) of this subsection (2.5) shall be used as~~  
11 ~~an accreditation indicator in place of the indicator otherwise required~~  
12 ~~pursuant to section 22-11-104 (2) (h).~~

13 (3) (a) Except as excluded pursuant to section 22-7-409, the  
14 results of the assessments administered pursuant to section 22-7-409 for  
15 all part-time students attending a school or a program that is designated  
16 an alternative education campus pursuant to this section shall be included  
17 in the academic performance and academic improvement ratings assigned  
18 pursuant to section 22-7-604 for DETERMINING THE LEVELS OF  
19 ATTAINMENT ON THE PERFORMANCE INDICATORS ACHIEVED BY the school  
20 to which the student is assigned for enrollment purposes.

21 (b) Notwithstanding the provisions of paragraph (a) of this  
22 subsection (3), for a part-time student with an individual educational  
23 program pursuant to section 22-20-108, the school district in which the  
24 student is enrolled, or, in the case of a board of cooperative services, the  
25 administrative unit, may designate either the school of residency or the  
26 school of attendance as the school to which the student's scores shall be  
27 assigned to calculate academic performance ratings DETERMINE LEVELS

1 OF ATTAINMENT ON THE PERFORMANCE INDICATORS.

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

4 **22-7-611. Closing the achievement gap program - strategies -**  
5 **assistance - criteria - rule-making.** (1) As used in this section, unless  
6 the context otherwise requires, "eligible school" means a public school  
7 that HAS BEEN IDENTIFIED BY RULE OF THE STATE BOARD AS HAVING A  
8 SIGNIFICANT ACHIEVEMENT GAP.

9 ~~(a) Has received an academic performance rating of~~  
10 ~~"unsatisfactory" pursuant to section 22-7-604 (5); or~~

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

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

18 (3) The department shall prepare and distribute to each eligible  
19 school an outline of different strategies the school may implement to  
20 improve academic achievement. The department shall provide the outline  
21 by April 1 of the school year preceding the school year in which the  
22 eligible school intends to participate in the program. The outline may  
23 include, but need not be limited to, the following strategies:

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

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

1           **22-7-613. Closing the achievement gap cash fund - creation.**

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

10           **SECTION 5. Repeal.** Parts 1 and 2 of article 7 of title 22,  
11           22-7-601, 22-7-602 (1.5), (2), (3), (4), (8), and (10), 22-7-603,  
12           22-7-603.5, 22-7-604, 22-7-604.3, 22-7-605, 22-7-606, 22-7-607,  
13           22-7-609, 22-7-609.3, 22-7-609.4, 22-7-609.6, and 22-7-610, Colorado  
14           Revised Statutes, are repealed.

15           **SECTION 6.** 22-1-122 (1) (a), (2) (b) (III), (2) (b) (IV), (4), and  
16           (6) (a) (I), Colorado Revised Statutes, are amended to read:

17           **22-1-122. Transportation token program - legislative**  
18           **declaration - eligibility - fund.** (1) (a) It is the intent of the general  
19           assembly in enacting this section to improve opportunities for students to  
20           gain the knowledge and skills necessary for a successful experience in  
21           postsecondary education or as members of the work force. The general  
22           assembly finds that a student should not be compelled by the lack of  
23           transportation to remain in a school that receives an overall academic  
24           performance rating of "low" or "unsatisfactory" issued pursuant to section  
25           22-7-604 (5) IS REQUIRED TO IMPLEMENT A PRIORITY IMPROVEMENT OR  
26           TURNAROUND PLAN PURSUANT TO SECTION 22-11-405 OR 22-11-406,  
27           RESPECTIVELY, OR IS SUBJECT TO RESTRUCTURING PURSUANT TO SECTION

1 22-11-210. It is therefore in the best interests of the citizens of the state  
2 to make transportation tokens available to eligible students to enable them  
3 to attend a public school that is performing satisfactorily.

4 (2) As used in this section, unless the context otherwise requires:

5 (b) "Eligible student" means a student:

6 (III) (A) Who is enrolled in a neighborhood school that received  
7 an academic performance rating of "low" or "unsatisfactory", pursuant to  
8 section 22-7-604 (5), for the preceding school year IS REQUIRED TO  
9 IMPLEMENT A PRIORITY IMPROVEMENT OR TURNAROUND PLAN PURSUANT  
10 TO SECTION 22-11-405 OR 22-11-406, RESPECTIVELY, OR IS SUBJECT TO  
11 RESTRUCTURING PURSUANT TO SECTION 22-11-210; or

12 (B) Who has been in attendance elsewhere in the public school  
13 system or who is entering first grade and whose parent or legal guardian  
14 has been notified that the student has been assigned to a school that has  
15 received an academic performance rating of "low" or "unsatisfactory",  
16 pursuant to section 22-7-604 (5), for the preceding school year IS  
17 REQUIRED TO IMPLEMENT A PRIORITY IMPROVEMENT OR TURNAROUND  
18 PLAN PURSUANT TO SECTION 22-11-405 OR 22-11-406, RESPECTIVELY, OR  
19 IS SUBJECT TO RESTRUCTURING PURSUANT TO SECTION 22-11-210; and

20 (IV) Who, while enrolled in the neighborhood school that  
21 received an academic performance rating of "low" or "unsatisfactory",  
22 pursuant to section 22-7-604 (5) IS REQUIRED TO IMPLEMENT A PRIORITY  
23 IMPROVEMENT OR TURNAROUND PLAN PURSUANT TO SECTION 22-11-405  
24 OR 22-11-406, RESPECTIVELY, OR IS SUBJECT TO RESTRUCTURING  
25 PURSUANT TO SECTION 22-11-210 met the attendance policies of the  
26 school district of the neighborhood school, adopted pursuant to section  
27 22-33-104 (4).

1           (4) The state board shall determine a monetary value for the  
2 transportation token issued at each public school that receives an  
3 academic performance rating of "low" or "unsatisfactory", pursuant to  
4 section 22-7-604 (5) IS REQUIRED TO IMPLEMENT A PRIORITY  
5 IMPROVEMENT OR TURNAROUND PLAN PURSUANT TO SECTION 22-11-405  
6 OR 22-11-406, RESPECTIVELY, OR IS SUBJECT TO RESTRUCTURING  
7 PURSUANT TO SECTION 22-11-210. The monetary value may cover a  
8 portion of the transportation costs. The transportation token may take the  
9 form of, but is not limited to, subsidized tokens, passes, or fares for buses,  
10 taxis, or other forms of transportation approved by the state board. In  
11 determining the value of a transportation token, the state board shall take  
12 into account the various transportation options available to the eligible  
13 student and the distance to be traveled by the eligible student to attend a  
14 public school outside of the student's neighborhood. The transportation  
15 token used by an eligible student shall be redeemable by a transportation  
16 provider through the department.

17           (6) (a) The department shall ensure that for each eligible student  
18 the school district of the neighborhood school shall:

19           (I) Timely notify the eligible student's parent or legal guardian of  
20 all options available pursuant to this section as soon as the neighborhood  
21 school receives an academic performance rating of "low" or  
22 "unsatisfactory", pursuant to section 22-7-604 (5) IS REQUIRED TO  
23 IMPLEMENT A PRIORITY IMPROVEMENT OR TURNAROUND PLAN PURSUANT  
24 TO SECTION 22-11-405 OR 22-11-406, RESPECTIVELY, OR IS SUBJECT TO  
25 RESTRUCTURING PURSUANT TO SECTION 22-11-210; and

26           **SECTION 7.** 22-2-106 (1) (c), (2), and (3), Colorado Revised  
27 Statutes, are amended to read:

1           22-2-106. State board - duties. (1) It is the duty of the state  
2 board:

3           (c) To appraise and accredit the public schools and school districts  
4 in this state AND THE STATE CHARTER SCHOOL INSTITUTE pursuant to the  
5 provisions of article 11 of this title, and to submit recommendations to the  
6 governor and general assembly for improvements in education;

7           ~~(2) (a) The state board shall withhold its accreditation of any~~  
8 ~~school district under paragraph (c) of subsection (1) of this section if it~~  
9 ~~determines that the school district has not discharged its responsibilities~~  
10 ~~under article 7 of this title as required in article 11 of this title.~~

11           ~~(b) The state board shall withhold its accreditation of any school~~  
12 ~~district under paragraph (c) of subsection (1) of this section if it~~  
13 ~~determines that the school district has not adopted content standards and~~  
14 ~~a plan for implementation pursuant to the provisions of section 22-7-407.~~

15           ~~(3) The state board shall annually submit a report to the governor~~  
16 ~~and the education committees of the house of representatives and the~~  
17 ~~senate on the accreditation status of all school districts pursuant to the~~  
18 ~~provisions of article 11 of this title.~~

19           SECTION 8. 22-2-107 (1) (g.5), Colorado Revised Statutes, is  
20 amended to read:

21           22-2-107. State board - power. (1) The state board has the  
22 power:

23           (g.5) To revoke or withhold accreditation of any school district  
24 under section 22-2-106 (1) (c) if it determines that the school district has  
25 not complied with the provisions of the "Public School Finance Act of  
26 1994", as set forth in article 54 of this title, or that the school district has  
27 not complied with a specific written directive or order of the state board

1 to the school district. Action against a school district's accreditation may  
2 be taken only after at least sixty days' notice to the district and an  
3 opportunity for the district to be heard at a hearing held in accordance  
4 with rules promulgated by the state board.

5 SECTION 9. 22-2-112 (1) (h), Colorado Revised Statutes, is  
6 amended to read:

7 22-2-112. Commissioner - duties. (1) Subject to the supervision  
8 of the state board, the commissioner has the following duties:

9 (h) To establish and maintain adequate statistical, academic  
10 performance, safety environment, and financial records of school  
11 districts, including records required by sections 22-7-604 and 22-7-605

12 ARTICLE 11 OF THIS TITLE;

13 SECTION 10. 22-2-117 (1) (b) (III) and (1.5), Colorado Revised  
14 Statutes, are amended to read:

15 22-2-117. Additional power - state board - waiver of  
16 requirements - rules. (1) (b) The state board shall not waive any of the  
17 requirements specified in any of the following statutory provisions:

18 (III) Any provision of ~~part 6 of article 7~~ PART 5 OF ARTICLE 11 of  
19 this title pertaining to the data necessary for ~~school accountability~~  
20 PERFORMANCE reports;

21 (1.5) Notwithstanding any provision of this section or any other  
22 provision of law, the state board shall not waive requirements contained  
23 in ~~part 6 of article 7~~ ARTICLE 11 of this title or sections 22-7-409,  
24 22-32-105, 22-32-109 (1) (bb) (I) and (2), 22-32-109.1 (2) (a), and  
25 22-33-104 (4).

26 SECTION 11. 22-2-401 (1) (d), Colorado Revised Statutes, is  
27 amended to read:

1           **22-2-401. Legislative declaration.** (1) The general assembly  
2 hereby finds that:

3           (d) Each student who receives an educational program through a  
4 facility participates in the Colorado student assessment program.  
5 However, the student's scores are usually not included in calculating a  
6 school's academic performance rating LEVELS OF ATTAINMENT OF THE  
7 PERFORMANCE INDICATORS, and the transitory nature of the student's  
8 educational career makes it difficult, if not impossible, for an education  
9 provider to longitudinally track the student's academic growth.

10           **SECTION 12.** 22-2-405 (1) (e), Colorado Revised Statutes, is  
11 amended to read:

12           **22-2-405. Facility schools unit - duties.** (1) In addition to any  
13 other duties that may be required by law, the unit shall:

14           (e) Ensure that each student who receives educational services  
15 from an approved facility school and who, upon leaving the facility, will  
16 reside in Colorado receives a unique identifying number, as provided in  
17 rules adopted pursuant to ~~section 22-7-603.5 (4)~~ SECTION 22-11-104, if  
18 the student has not already been assigned a number by the department;  
19 and

20           **SECTION 13.** 22-2-504 (2), Colorado Revised Statutes, is  
21 amended to read:

22           **22-2-504. National board for professional teaching standards**  
23 **certification compensation - study.** (2) Beginning with the 2008-2009  
24 school year and ending with the 2010-2011 school year, an additional  
25 annual stipend of three thousand two hundred dollars shall be awarded to  
26 any teacher who meets the criteria set forth in subsection (1) of this  
27 section and who is employed as of May 1 in a given school year in a

1 school that received a low or unsatisfactory rating on the previous year's  
2 school accountability report IS REQUIRED TO IMPLEMENT A PRIORITY  
3 IMPROVEMENT OR TURNAROUND PLAN PURSUANT TO SECTION 22-11-405  
4 OR 22-11-406, RESPECTIVELY. A teacher shall continue to receive the  
5 additional stipend award pursuant to this subsection (2) if he or she  
6 remains employed in a school that was previously rated as low or  
7 unsatisfactory but receives a higher rating in a subsequent school  
8 accountability report REQUIRED TO IMPLEMENT A PRIORITY IMPROVEMENT  
9 OR TURNAROUND PLAN BUT IMPROVES SUFFICIENTLY TO IMPLEMENT AN  
10 IMPROVEMENT OR PERFORMANCE PLAN PURSUANT TO SECTION 22-11-404  
11 OR 22-11-403, RESPECTIVELY. The additional stipend for such teachers  
12 shall be subject to the same restrictions and requirements as set forth in  
13 subsection (1) of this section.

14 **SECTION 14.** 22-7-407 (1), (4) (a), and (5), Colorado Revised  
15 Statutes, are amended to read:

16 **22-7-407. Adoption of content standards by districts.** (1) In  
17 accordance with timelines adopted by the board pursuant to section  
18 22-7-406 (2), but not later than January 1, 1997, each district shall adopt  
19 first priority content standards in the areas of reading, writing,  
20 mathematics, science, history, and geography which meet or exceed the  
21 state model content standards adopted pursuant to section 22-7-406 (1).  
22 In accordance with timelines adopted by the state board, districts shall  
23 also adopt second priority content standards in the areas of art, music,  
24 physical education, foreign languages, economics, and civics. Content  
25 standards may be adopted for each grade level or may be adopted for  
26 groupings of grade levels. In adopting content standards, each district  
27 shall seek input from and shall work in cooperation with educators,

1 parents, students, business persons, members of the general community  
2 who are representative of the cultural diversity of the district, and the  
3 district's accountability committee created pursuant to ~~section 22-7-104~~  
4 SECTION 22-11-301.

5 (4) (a) Following adoption of content standards pursuant to this  
6 section, each district shall review and revise the content standards as  
7 necessary to maintain maximum effectiveness. In revising the content  
8 standards, each district shall seek recommendations from and shall work  
9 in cooperation with educators, parents, students, business persons,  
10 members of the general community who are representative of the cultural  
11 diversity of the district, and the district's accountability committee created  
12 pursuant to ~~section 22-7-104~~ SECTION 22-11-301.

13 (5) Following adoption of content standards, each school district  
14 shall, through written materials and public meetings, inform parents of  
15 students enrolled in such district of the application and effect of such  
16 content standards and standards-based education, including how students'  
17 progress in achieving content standards will be measured and how parents  
18 will be informed of such progress. Such information shall also be  
19 provided to the district accountability committee and the school advisory  
20 councils ACCOUNTABILITY COMMITTEES within such district.

21 **SECTION 15.** The introductory portion to 22-7-409 (1.2) (d) (I)  
22 and 22-7-409 (1.2) (d) (I) (C), (1.2) (d) (I.5), and (1.2) (d) (II), Colorado  
23 Revised Statutes, are amended, and the said 22-7-409 (1.2) (d) is further  
24 amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

25 **22-7-409. Assessments.** (1.2) (d) (I) Every student enrolled in a  
26 public school shall be required to take the assessments administered  
27 pursuant to subsection (1) of this section at the grade level in which the

1 student is enrolled, as determined by the school district; except that the  
2 students described in sub-subparagraph (A) of this subparagraph (I) shall  
3 be required only to take the assessments required by said  
4 sub-subparagraph (A). However, the scores of the following students  
5 shall not be used by the state for purposes of calculating school academic  
6 performance ratings pursuant to section 22-7-604 or for accreditation  
7 pursuant to article 11 of this title MEASURING THE LEVELS OF ATTAINMENT  
8 ON THE PERFORMANCE INDICATORS SPECIFIED IN SECTION 22-11-204,  
9 DETERMINING ACCREDITATION CATEGORIES PURSUANT TO SECTION  
10 22-11-208, OR MEASURING PUBLIC SCHOOL PERFORMANCE PURSUANT TO  
11 SECTION 22-11-210:

12 (C) Any student who at the time that he or she enrolls in any  
13 public school of the state is defined as a student whose dominant  
14 language is not English pursuant to section 22-24-103 (4) (a) or (4) (b);  
15 except that such student's scores shall be used for calculating academic  
16 performance and improvement ratings and for accreditation purposes  
17 SAID PURPOSES after the student either has been enrolled in any public  
18 school in the state for three years or has achieved a score of proficient in  
19 English on each component of the entire assessment approved by the  
20 department pursuant to section 22-24-106, whichever occurs first.

21 (I.3) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH (I) OF  
22 THIS PARAGRAPH (d) TO THE CONTRARY, THE BOARD, BY RULE, MAY  
23 INCLUDE THE STUDENTS SPECIFIED IN SUBPARAGRAPH (I) OF THIS  
24 PARAGRAPH (d) IN MEASURING THE LEVELS OF ATTAINMENT ON THE  
25 PERFORMANCE INDICATORS, DETERMINING ACCREDITATION CATEGORIES,  
26 AND MEASURING PUBLIC SCHOOL PERFORMANCE, IF NECESSARY TO  
27 COMPLY WITH FEDERAL LAW AND ENSURE A SINGLE, ALIGNED SYSTEM OF

1 EDUCATION ACCOUNTABILITY WITHIN THE STATE.

2 (I.5) The academic performance ratings calculated for the 2000-01  
3 school year and each school year thereafter IN MEASURING THE LEVELS OF  
4 ATTAINMENT ON THE PERFORMANCE INDICATORS SPECIFIED IN SECTION  
5 22-11-204, DETERMINING ACCREDITATION CATEGORIES PURSUANT TO  
6 SECTION 22-11-208, AND MEASURING PUBLIC SCHOOL PERFORMANCE  
7 PURSUANT TO SECTION 22-11-210, THE DEPARTMENT, TO THE EXTENT  
8 PRACTICABLE, shall include the scores of all students who took the  
9 assessment in a language other than English.

10 (II) Any student with a disability who is not eligible for the  
11 CSAP-A or other approved assessment but who has an individual  
12 educational program pursuant to section 22-20-108 shall be assessed in  
13 each CSAP area at the grade level in which the student is enrolled. If, as  
14 part of a student's individual educational program, a student attends  
15 part-time a school or program away from the school in which the student  
16 is enrolled, the school district in which a student is enrolled, or, in the  
17 case of a board of cooperative services, the administrative unit, may  
18 designate either the school of residency or the school of attendance as the  
19 school to which the scores of the student will be assigned to calculate  
20 school academic performance ratings FOR PURPOSES OF MEASURING THE  
21 LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS SPECIFIED IN  
22 SECTION 22-11-204, DETERMINING ACCREDITATION CATEGORIES  
23 PURSUANT TO SECTION 22-11-208, AND MEASURING PUBLIC SCHOOL  
24 PERFORMANCE PURSUANT TO SECTION 22-11-210.

25 **SECTION 16.** 22-7-1007 (2), Colorado Revised Statutes, is  
26 amended to read:

27 **22-7-1007. Postsecondary and workforce readiness**

1 assessments pilot program - rules. (2) Each assessment vendor that  
2 chooses to participate in the pilot program shall provide to the department  
3 of education data concerning administration of the vendor's assessments  
4 in other states, including but not limited to test score unit records. The  
5 department shall apply the data in preparing amendments to the state plan,  
6 as described in section 22-7-1012, and in adjusting the longitudinal  
7 COLORADO growth model adopted pursuant to section 22-7-604.3  
8 SECTION 22-11-202 to ensure that the results of each assessment that is  
9 included in the pilot program can be used to measure individual student  
10 growth toward attaining postsecondary and workforce readiness.

11 SECTION 17. 22-9-104 (2) (c), (2) (d), and (2) (e), Colorado  
12 Revised Statutes, are amended to read:

13 22-9-104. State board - powers and duties. (2) The state board  
14 shall:

15 (c) Consult with the state licensed personnel performance  
16 evaluation council created in section 22-9-105 with regard to the  
17 guidelines relating to the planning, development, implementation, and  
18 assessment of licensed personnel performance evaluation systems; AND

19 (d) Review school district and board of cooperative services  
20 processes and procedures for licensed personnel performance evaluation  
21 systems to assure that such systems are professionally sound and will  
22 result in a fair, adequate, and credible evaluation. and

23 (e) Withhold or suspend the accreditation of any school district  
24 and publicize such withholding or suspension of accreditation if it  
25 determines that the school district has not complied with the provisions  
26 of this article.

27 SECTION 18. 22-20-104.5 (1), Colorado Revised Statutes, is

1 amended to read:

2 **22-20-104.5. Plan for academic excellence - inclusion of gifted**  
3 **children - cooperation - rules.** (1) Each administrative unit shall adopt  
4 and implement a program plan to identify and serve gifted children who  
5 are at least five years of age. Any program plan developed and  
6 implemented pursuant to the provisions of this section shall satisfy any  
7 criteria for accreditation which have been established by the state board  
8 and any criteria established by rules promulgated by the state board for  
9 the implementation of this article. A program plan adopted by an  
10 administrative unit pursuant to this section shall be consistent with the  
11 advanced learning plans of the gifted children who are identified by the  
12 administrative unit, and the program plan shall be implemented to the  
13 extent that funds are provided for such implementation. Nothing in this  
14 article shall be construed to require an administrative unit to implement  
15 a program plan in the event that sufficient moneys are not provided for  
16 such implementation.

17 **SECTION 19.** 22-24-105 (2), Colorado Revised Statutes, is  
18 amended to read:

19 **22-24-105. District - powers and duties.** (2) The assessment  
20 described in paragraph (b) of subsection (1) of this section and the  
21 certification described in paragraph (c) of subsection (1) of this section  
22 shall be conducted on at least an annual basis and each district, the state  
23 charter school institute, and each facility school shall present the results  
24 therefrom to the department for inclusion in the relevant annual report of  
25 achievement of accreditation indicators required by section 22-11-105  
26 USE IN THE ACCREDITATION PROCESS AND APPROPRIATE REPORTING  
27 PURSUANT TO ARTICLE 11 OF THIS TITLE.

1            SECTION 20. 22-25-106 (1) (a), Colorado Revised Statutes, is  
2            amended to read:

3            **22-25-106. Local comprehensive health education programs**  
4            **- local student wellness programs - establishment of comprehensive**  
5            **health education advisory councils.** (1) (a) Each school district and  
6            board of cooperative services may and is encouraged to establish a local  
7            comprehensive health education program. To ensure that a local  
8            comprehensive health education program reflects the health issues and  
9            values of the community, each school district or board of cooperative  
10           services may establish a comprehensive health education advisory  
11           council, or may add necessary representatives to the school district's  
12           accountability committee created pursuant to ~~section 22-7-104 (1)~~  
13           SECTION 22-11-301 or other appropriate committee, to address and make  
14           recommendations to the school district or board of cooperative services  
15           concerning the curriculum of the local comprehensive health education  
16           program.

17           SECTION 21. 22-27.5-102 (7), Colorado Revised Statutes, is  
18           amended to read:

19           **22-27.5-102. Definitions.** As used in this article, unless the  
20           context otherwise requires:

21           (7) "Qualified school" means a public school, including but not  
22           limited to a charter school, that serves any of grades six through twelve  
23           and that receives an academic rating of "low" or "unsatisfactory",  
24           calculated pursuant to section 22-7-604, for the school year preceding IS  
25           REQUIRED TO IMPLEMENT A PRIORITY IMPROVEMENT OR TURNAROUND  
26           PLAN PURSUANT TO SECTION 22-11-405 OR 22-11-406, RESPECTIVELY, OR  
27           IS SUBJECT TO RESTRUCTURING PURSUANT TO SECTION 22-11-210 FOR the

1 school year in which the public school seeks a grant through the grant  
2 program.

3 SECTION 22. 22-30-105 (1) (c), Colorado Revised Statutes, is  
4 amended to read:

5 22-30-105. Activation of the school district organization  
6 planning process. (1) The appointment of a school organization  
7 planning committee charged to study school district organization shall  
8 occur when the commissioner is notified that any of the following  
9 conditions exist:

10 (c) The state board declares a school district is no longer  
11 accredited pursuant to the provisions of ~~section 22-11-204~~ SECTION  
12 22-11-209. Such declaration shall indicate the school districts to be  
13 involved in the organization study.

14 SECTION 23. 22-30-106 (2) (a) (II), Colorado Revised Statutes,  
15 is amended to read:

16 22-30-106. School organization planning committee. (2) The  
17 committee shall consist of the following appointed members:

18 (a) (II) If a single school district is involved in the study, four  
19 members appointed by the school district board of education and three  
20 members appointed by the school district accountability committee. The  
21 members appointed by the school district accountability committee shall  
22 be parents of children attending public school in the affected area and  
23 members of school ~~advisory councils~~ ACCOUNTABILITY COMMITTEES;  
24 except that, if there are no public schools in the affected area, three of the  
25 members shall reside in the affected area and shall be parents of children  
26 attending public schools in the affected school district. If fewer than  
27 three such parents reside in the affected area, the remaining members

1 shall be persons owning land located in the affected area.

2 **SECTION 24.** 22-30-114 (1) (d) and (1) (d.5), Colorado Revised  
3 Statutes, are amended to read:

4 **22-30-114. Requirements for plan of organization.** (1) The  
5 plan of organization shall include, but shall not be limited to,  
6 consideration of the following:

7 (d) The efficiency and effectiveness of the various educational  
8 organization options being studied and the extent to which such  
9 educational organization options will cause the school district to remedy  
10 the lack of compliance under the terms of its accreditation contract  
11 entered into pursuant to the provisions of section 22-11-201  
12 IMPLEMENTATION OF THE ACTIONS REQUIRED BY THE STATE BOARD  
13 PURSUANT TO SECTION 22-11-209 (3);

14 (d.5) The reasons for which the school district was unable to  
15 remedy the deficiencies that lead to its lack of compliance with the terms  
16 of its accreditation contract under article 11 of this title IMPROVE ITS  
17 PERFORMANCE SUFFICIENTLY TO AVOID REMOVAL OF ACCREDITATION  
18 PURSUANT TO SECTION 22-11-209;

19 **SECTION 25.** 22-30.5-102 (2) (h), Colorado Revised Statutes,  
20 is amended to read:

21 **22-30.5-102. Legislative declaration.** (2) The general assembly  
22 further finds and declares that this part 1 is enacted for the following  
23 purposes:

24 (h) To hold charter schools accountable for meeting state content  
25 standards, as measured in part by the Colorado student assessment  
26 program and by longitudinal analysis of student progress, through state  
27 accreditation, and by adequate yearly progress as defined by federal law

1 PERFORMANCE THROUGH THE "EDUCATION ACCOUNTABILITY ACT OF  
2 2009", INCLUDING BUT NOT LIMITED TO MEETING STATE, SCHOOL  
3 DISTRICT, AND SCHOOL TARGETS FOR THE MEASURES USED TO DETERMINE  
4 THE LEVELS OF ATTAINMENT OF THE PERFORMANCE INDICATORS;

5 SECTION 26. 22-30.5-104 (2) (b) and (6) (b), Colorado Revised  
6 Statutes, are amended to read:

7 **22-30.5-104. Charter school - requirements - authority.**

8 (2) (b) A charter school shall be a public school of the school district that  
9 approves its charter application and enters into a charter contract with the  
10 charter school. IN ACCORDANCE WITH THE REQUIREMENT OF SECTION 15  
11 OF ARTICLE IX OF THE STATE CONSTITUTION, the charter school shall be  
12 accountable to SUBJECT TO ACCREDITATION BY the school district's local  
13 board of education for purposes of ensuring compliance with applicable  
14 laws and charter provisions and the requirement of section 15 of article  
15 IX of the state constitution PURSUANT TO THE SCHOOL DISTRICT'S POLICY  
16 FOR ACCREDITING THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT  
17 ADOPTED PURSUANT TO SECTION 22-11-307 AND SECTION 22-32-109 (1)  
18 (mm). THE CHARTER SCHOOL SHALL ALSO BE SUBJECT TO ANNUAL  
19 REVIEW BY THE DEPARTMENT PURSUANT TO SECTION 22-11-210.

20 (6) (b) The state board shall promulgate rules identifying state  
21 statutes and state rules that are automatically waived for all charter  
22 schools. A school district, on behalf of a charter school, may apply to the  
23 state board for a waiver of a state statute or state rule that is not  
24 automatically waived for charter schools by rule. Notwithstanding any  
25 provision of this subsection (6) to the contrary, the state board may not  
26 wave any statute or rule relating to the assessments required to be  
27 administered pursuant to section 22-7-409, any statute or rule necessary

1 to prepare the school ~~accountability~~ PERFORMANCE reports pursuant to  
2 ~~part 6 of article 7~~ PART 5 OF ARTICLE 11 of this title, any statute or rule  
3 necessary to implement the provisions of the "Public School Finance Act  
4 of 1994", article 54 of this title, or any statute or rule relating to the  
5 "Children's Internet Protection Act", article 87 of this title.

6 **SECTION 27.** 22-30.5-106 (1) (b), (1) (e), and (1) (f), Colorado  
7 Revised Statutes, are amended to read:

8 **22-30.5-106. Charter application - contents.** (1) The charter  
9 school application shall be a proposed agreement upon which the charter  
10 applicant and the chartering local board of education negotiate a charter  
11 contract, and, at a minimum, shall include:

12 (b) The goals, objectives, and pupil performance standards to be  
13 achieved by the charter school, including but not necessarily limited to  
14 accreditation standards and goals THE PERFORMANCE INDICATORS  
15 SPECIFIED IN SECTION 22-11-204 and applicable standards and goals  
16 specified in federal law;

17 (e) A description of the charter school's research-based  
18 educational program that has been proven to be effective, pupil  
19 performance standards, measurable annual achievement goals that are  
20 based on the state accreditation indicators specified in article 11 of this  
21 title TARGETS FOR THE MEASURES USED TO DETERMINE THE LEVELS OF  
22 ATTAINMENT OF THE PERFORMANCE INDICATORS SPECIFIED IN SECTION  
23 22-11-204, and curriculum;

24 (f) A description of the charter school's procedures for taking  
25 corrective action in the event that pupil performance at the charter school  
26 falls below the achievement goals TARGETS FOR THE MEASURES USED TO  
27 DETERMINE THE LEVELS OF ATTAINMENT OF THE PERFORMANCE

1 INDICATORS, AS SAID TARGETS WERE approved by the chartering local  
2 board of education in the charter contract;

3 **SECTION 28.** 22-30.5-110 (2) (a) and (3) (b), Colorado Revised  
4 Statutes, are amended to read:

5 **22-30.5-110. Charter schools - term - renewal of charter -**  
6 **grounds for nonrenewal or revocation.** (2) A charter school renewal  
7 application submitted to the chartering local board of education shall  
8 contain:

9 (a) A report on the progress of the charter school in achieving the  
10 goals, objectives, pupil performance standards, content standards,  
11 TARGETS FOR THE MEASURES USED TO DETERMINE THE LEVELS OF  
12 ATTAINMENT OF THE PERFORMANCE INDICATORS, and other terms of the  
13 charter contract and the results achieved by the charter school's students  
14 on the assessments administered through the Colorado student assessment  
15 program;

16 (3) A charter may be revoked or not renewed by the chartering  
17 local board of education if it determines that the charter school did any of  
18 the following:

19 (b) Failed to meet or make reasonable progress toward  
20 achievement of the goals, objectives, content standards, pupil  
21 performance standards, TARGETS FOR THE MEASURES USED TO DETERMINE  
22 THE LEVELS OF ATTAINMENT OF THE PERFORMANCE INDICATORS,  
23 applicable federal requirements, or other terms identified in the charter  
24 contract;

25 **SECTION 29.** 22-30.5-301 (1), Colorado Revised Statutes, is  
26 amended to read:

27 **22-30.5-301. Legislative declaration.** (1) The general assembly

1 hereby finds that section 2 of article IX of the state constitution requires  
2 the general assembly to provide for the establishment and maintenance of  
3 a thorough and uniform system of free public schools. The state therefore  
4 has an obligation to ensure that every student has a chance to attend a  
5 school that will provide an opportunity for a quality education. If a  
6 school is not providing a thorough and adequate education, as determined  
7 by the academic performance grading system established in section  
8 22-7-604 ANNUAL PERFORMANCE REVIEW CONDUCTED BY THE  
9 DEPARTMENT PURSUANT TO SECTION 22-11-210, the state has an  
10 obligation to the students enrolled in that school to make changes to  
11 ensure that they have an opportunity to receive a quality education  
12 comparable to students in other public schools in the state.

13 **SECTION 30.** 22-30.5-303 (1), (2) (b) (II), (2) (b) (III), and (2)  
14 (b) (IV), Colorado Revised Statutes, are amended to read:

15 **22-30.5-303. Independent charter schools - request for**  
16 **proposals - response contents.** (1) Whenever the state board determines  
17 that it is necessary to recommend conversion of a public school to an  
18 independent charter school to a local board of education pursuant to the  
19 provisions of ~~section 22-7-609 (5)~~ SECTION 22-11-210 (5), the state board  
20 shall issue a request for proposals pursuant to subsection (2) of this  
21 section and supervise the appointment of a review committee pursuant to  
22 section 22-30.5-304.

23 (2) (b) The state board shall adopt rules specifying a schedule for  
24 receipt of the responses to the request for proposals pursuant to paragraph  
25 (a) of this subsection (2), the formation of a review committee and receipt  
26 of the recommendations of said committee pursuant to section  
27 22-30.5-304, and the selection of an applicant and notification to the local

1 board of education pursuant to section 22-30.5-305. Said schedule shall  
2 ensure the completion of negotiations on the independent charter no later  
3 than May 30 of the year in which the independent charter school is to  
4 open. The rules shall also specify the information that an independent  
5 charter proposal shall include in order to be eligible for consideration.  
6 Such information shall include, but need not be limited to, the following:

7 (II) The goals, objectives, and student performance standards to  
8 be achieved by the independent charter school, INCLUDING BUT NOT  
9 LIMITED TO THE MEASURES FOR THE PERFORMANCE INDICATORS SPECIFIED  
10 IN SECTION 22-11-204;

11 (III) A description of the independent charter school's educational  
12 program, student performance standards, ANNUAL TARGETS FOR THE  
13 MEASURES USED TO DETERMINE THE LEVELS OF ATTAINMENT OF THE  
14 PERFORMANCE INDICATORS SPECIFIED IN SECTION 22-11-204, and  
15 curriculum, which shall meet or exceed the state model content standards  
16 adopted pursuant to part 4 OR PART 10 of article 7 of this title and shall be  
17 designed to enable each student to achieve such standards AND TARGETS;

18 (IV) A description of the independent charter school's plan for  
19 evaluating student performance, the types of assessments that shall be  
20 used to measure student progress toward achievement of the school's  
21 student performance standards AND THE TARGETS FOR THE MEASURES  
22 USED TO DETERMINE THE LEVELS OF ATTAINMENT OF THE PERFORMANCE  
23 INDICATORS, including but not limited to the statewide assessments  
24 administered under the Colorado student assessment program pursuant to  
25 section 22-7-409, the timeline for achievement of the school's student  
26 performance standards AND THE TARGETS, and the procedures for taking  
27 corrective action in the event that student performance at the independent

1 charter school fails to meet such standards AND TARGETS;

2 SECTION 31. 22-30.5-304 (1) (d) (I), (1) (e), and (1) (f),  
3 Colorado Revised Statutes, are amended to read:

4 22-30.5-304. Review committee - membership -  
5 recommendations. (1) Whenever an independent charter school is to be  
6 organized pursuant to this part 3, on or before the date specified by rule  
7 adopted by the state board in accordance with section 22-30.5-303 (2) (b),  
8 the commissioner shall cause a review committee to be formed. The  
9 review committee shall consist of:

10 (d) (I) Two parents of students enrolled in the school who are  
11 members of the school ~~advisory council~~ ACCOUNTABILITY COMMITTEE  
12 and are elected by a vote of the members of the school ~~advisory council~~  
13 ACCOUNTABILITY COMMITTEE.

14 (e) (I) A principal of a school at the same elementary, middle, or  
15 high school level as the independent charter school that is to be  
16 organized, appointed by the governor.

17 (II) In appointing a principal pursuant to this paragraph (e), the  
18 governor shall appoint a principal of a public school that received an  
19 academic performance rating of "excellent", pursuant to section 22-7-604  
20 ~~(5) THE HIGHEST POSSIBLE ACCREDITATION RATING PURSUANT TO THE~~  
21 ACCREDITATION POLICY IMPLEMENTED PURSUANT TO SECTION 22-11-307  
22 BY THE PUBLIC SCHOOL'S LOCAL BOARD OF EDUCATION OR BY THE STATE  
23 CHARTER SCHOOL INSTITUTE, WHICHEVER IS APPLICABLE, for the  
24 immediately preceding school year.

25 (f) (I) A teacher in a school at the same elementary, middle, or  
26 high school level as the independent charter school that is to be  
27 organized, appointed by the governor.

1           (II) In appointing a teacher pursuant to this paragraph (f), the  
2 governor shall appoint a teacher from a public school that received an  
3 academic performance rating of "excellent", pursuant to section 22-7-604  
4 (5) THE HIGHEST POSSIBLE ACCREDITATION RATING PURSUANT TO THE  
5 ACCREDITATION POLICY IMPLEMENTED PURSUANT TO SECTION 22-11-307  
6 BY THE PUBLIC SCHOOL'S LOCAL BOARD OF EDUCATION OR BY THE STATE  
7 CHARTER SCHOOL INSTITUTE, WHICHEVER IS APPLICABLE; and

8           **SECTION 32. 22-30.5-306 (2) (a), (3) (b), and (5) (a), Colorado**  
9 Revised Statutes, are amended to read:

10           **22-30.5-306. Independent charter schools - charter - term.**

11           (2) With the assistance from the commissioner or the commissioner's  
12 designee, the selected applicant and the local board of education shall  
13 negotiate the terms of the independent charter, which may be different  
14 from or in addition to the terms of the response to the request for  
15 proposals; except that:

16           (a) The independent charter school shall be entitled to use the  
17 school building in which the public school that received an academic  
18 performance rating of "unsatisfactory" IS SUBJECT TO CONVERSION was  
19 operated. The independent charter school and the local board of  
20 education shall negotiate an amount of rent to be paid, which shall be not  
21 more than twelve dollars per year, and all other costs for the operation  
22 and maintenance of the building and related facilities; and

23           (3) (b) Notwithstanding the provisions of paragraph (a) of this  
24 subsection (3), if, during the year prior to the year in which the  
25 independent charter school is to open, the school receives an academic  
26 performance rating of "low" or better IS REQUIRED TO IMPLEMENT A  
27 PRIORITY IMPROVEMENT PLAN, AN IMPROVEMENT PLAN, OR A

1 PERFORMANCE PLAN PURSUANT TO SECTION 22-11-405, 22-11-404, OR  
2 22-11-403, RESPECTIVELY, the local board of education and the applicant  
3 may jointly agree to allow the school to remain under the administration  
4 of the local board of education.

5 (5) (a) If, during the first two years of an independent charter, an  
6 independent charter school receives an academic performance rating of  
7 "unsatisfactory" pursuant to section 22-7-604 (5), the independent charter  
8 school shall not be subject to the provisions of section 22-30.5-303 that  
9 would require the establishment of a new independent charter school.

10 SECTION 33. 22-30.5-307 (1) and (2), Colorado Revised  
11 Statutes, are amended to read:

12 **22-30.5-307. Independent charter schools - expiration -**  
13 **renewal - conversion.** (1) If the academic performance rating of an  
14 independent charter school is a "low" or an "unsatisfactory", as  
15 determined pursuant to section 22-7-604 (5), REQUIRED PURSUANT TO  
16 SECTION 22-11-210 TO IMPLEMENT A TURNAROUND PLAN during the third  
17 year of the school's independent charter, the state board shall issue a new  
18 request for proposals pursuant to section 22-30.5-303 (2), and a new  
19 independent charter school application process shall commence.

20 (2) If the academic performance rating of an independent charter  
21 school is higher than a "low", as determined pursuant to section 22-7-604  
22 (5) REQUIRED TO IMPLEMENT A PRIORITY IMPROVEMENT PLAN,  
23 IMPROVEMENT PLAN, OR PERFORMANCE PLAN PURSUANT TO SECTION  
24 22-11-405, 22-11-404, OR 22-11-403, RESPECTIVELY, during the third year  
25 of the school's independent charter, the parents and legal guardians of the  
26 students enrolled at the independent charter school shall decide by  
27 majority vote whether, at the expiration of the independent charter

1 school's charter, the school shall apply for a renewal of the independent  
2 charter or shall seek to become a regular school of the school district in  
3 which the independent charter school is located.

4 **SECTION 34.** 22-30.5-505 (3) (b) and (7), Colorado Revised  
5 Statutes, are amended to read:

6 **22-30.5-505. State charter school institute - institute board -**  
7 **appointment - powers and duties - rules.** (3) The mission of the  
8 institute board shall be to foster high-quality public school choices  
9 offered through institute charter schools, including particularly schools  
10 that are focused on closing the achievement gap for at-risk students. In  
11 discharging its duties pursuant to this part 5, the institute shall:

12 (b) Use state and federal systems for ensuring the accountability  
13 of each institute charter school in meeting the obligations and goals set  
14 forth in its contract AND SHALL ADOPT AND IMPLEMENT POLICIES FOR  
15 ACCREDITATION OF INSTITUTE CHARTER SCHOOLS AS DESCRIBED IN  
16 SECTION 22-11-307;

17 (7) The institute shall ensure that each institute charter school  
18 complies with the provisions of ~~article 7~~ ARTICLES 7 AND 11 of this title.  
19 Each institute charter school shall be responsible for gathering and  
20 submitting to the institute the data necessary to prepare a school  
21 accountability PERFORMANCE report required by ~~section 22-7-605~~  
22 SECTION 22-11-503 for the institute charter school.

23 **SECTION 35.** 22-30.5-507 (2) (c) and (7), Colorado Revised  
24 Statutes, are amended to read:

25 **22-30.5-507. Institute charter school - requirements -**  
26 **authority.** (2) An institute charter school shall be:

27 (c) Subject to accreditation by the state board pursuant to article

1 11 of this title INSTITUTE BOARD PURSUANT TO THE INSTITUTE'S POLICY  
2 FOR ACCREDITING THE INSTITUTE CHARTER SCHOOLS ADOPTED PURSUANT  
3 TO SECTION 22-11-307 AND SECTION 22-30.5-505 (3) (b). EACH INSTITUTE  
4 CHARTER SCHOOL SHALL ALSO BE SUBJECT TO ANNUAL REVIEW BY THE  
5 DEPARTMENT PURSUANT TO SECTION 22-11-210.

6 (7) Pursuant to the charter contract, an institute charter school may  
7 operate free from specified statutes and state board rules. The state board  
8 may waive state statutory requirements or rules promulgated by the state  
9 board; except that the state board may not waive any state statute or rule  
10 relating to the assessments required to be administered pursuant to section  
11 22-7-409, any state statute or rule necessary to prepare the school  
12 accountability PERFORMANCE reports pursuant to part 6 of article 7 PART  
13 5 OF ARTICLE 11 of this title, or any statute or rule necessary to implement  
14 the provisions of the "Public School Finance Act of 1994", article 54 of  
15 this title, or any state statute or rule relating to the "Children's Internet  
16 Protection Act", article 87 of this title. Any waiver of state statute or state  
17 board rule made pursuant to this subsection (7) shall be for the term of the  
18 contract for which the waiver is made. A request for a waiver may be  
19 submitted to the institute as a part of the application for an institute  
20 charter school.

21 **SECTION 36. 22-30.5-509 (1) (b), (1) (d), and (1) (e), Colorado**  
22 Revised Statutes, are amended to read:

23 **22-30.5-509. Institute charter school application - contents.**

24 (1) The institute charter school application shall be a proposed agreement  
25 and shall include:

26 (b) The goals, objectives, and pupil performance standards, in  
27 compliance with state and federal law, INCLUDING BUT NOT LIMITED TO

1 THE PERFORMANCE INDICATORS SPECIFIED IN SECTION 22-11-204, to be  
2 achieved by the institute charter school for all students who enroll;

3 (d) A description of the institute charter school's educational  
4 program, TARGETS FOR THE MEASURES USED TO DETERMINE THE LEVELS  
5 OF ATTAINMENT OF THE PERFORMANCE INDICATORS SPECIFIED IN SECTION  
6 22-11-204, and the plan for administration of the statewide assessments  
7 described in article 7 of this title;

8 (e) A description of the institute charter school's plan for  
9 evaluating pupil performance; the types of assessments that will be used  
10 to measure pupil progress towards achievement of the institute charter  
11 school's pupil performance goals for all students enrolled AND THE  
12 TARGETS FOR THE MEASURES USED TO DETERMINE THE LEVELS OF  
13 ATTAINMENT OF THE PERFORMANCE INDICATORS; the timeline for  
14 achievement of the goals AND TARGETS; and the procedures for taking  
15 corrective action in the event that pupil performance at the institute  
16 charter school falls below such goals AND TARGETS;

17 **SECTION 37. 22-30.5-511 (2), (3) (b), and (3) (c), Colorado**  
18 **Revised Statutes, are amended to read:**

19 **22-30.5-511. Institute charter schools - term - renewal of**  
20 **contract - grounds for nonrenewal or revocation - appeal. (2) An**  
21 **institute charter school shall submit an annual report to the institute on the**  
22 **institute charter school's progress in achieving the goals, objectives, pupil**  
23 **performance standards, content standards, TARGETS FOR THE MEASURES**  
24 **USED TO DETERMINE THE LEVELS OF ATTAINMENT OF THE PERFORMANCE**  
25 **INDICATORS, and other terms of the pending charter contract. The**  
26 **institute shall consider, during the review of a renewal application, the**  
27 **annual reports submitted by the institute charter school during the term of**

1 the pending charter contract.

2 (3) The institute board may revoke or deny renewal of a charter  
3 contract if the institute board determines that the institute charter school  
4 did any of the following:

5 (b) Failed to meet or make reasonable progress toward  
6 achievement of the content standards, or pupil performance standards, or  
7 TARGETS FOR THE MEASURES USED TO DETERMINE THE LEVELS OF  
8 ATTAINMENT OF THE PERFORMANCE INDICATORS identified in the charter  
9 contract of the institute charter school;

10 (c) Received an overall academic performance rating of  
11 "unsatisfactory" pursuant to section 22-7-604 (5), upon the completion of  
12 the second school year of operation under a school improvement plan  
13 pursuant to section 22-7-609; WAS REQUIRED TO ADOPT A TURNAROUND  
14 PLAN and the state board recommended PURSUANT TO SECTION 22-11-210  
15 that the institute charter school be converted to an independent charter  
16 school pursuant to section 22-7-609 (5) RESTRUCTURED;

17 **SECTION 38.** 22-30.7-105 (2), Colorado Revised Statutes, is  
18 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

19 **22-30.7-105. Program criteria - guidelines - quality standards**  
20 **- records - rules.** (2) The following guidelines shall apply to each  
21 on-line program that is created or overseen pursuant to the provisions of  
22 this article:

23 (d) THE PROVISIONS OF THE "EDUCATION ACCOUNTABILITY ACT  
24 OF 2009", ARTICLE 11 OF THIS TITLE, SHALL APPLY TO AN ON-LINE  
25 PROGRAM IMPLEMENTED PURSUANT TO THIS ARTICLE IN THE SAME  
26 MANNER AS SAID PROVISIONS APPLY TO THE OTHER PUBLIC SCHOOLS  
27 OPERATING IN THIS STATE.

1            **SECTION 39. Repeal.** 22-30.7-105 (3) (c), Colorado Revised  
2 Statutes, is repealed as follows:

3            **22-30.7-105. Program criteria - guidelines - quality standards**  
4 **- records - rules.** (3) (c) ~~On or before July 1, 2008, the state board shall~~  
5 ~~examine the feasibility of incorporating the quality standards adopted~~  
6 ~~pursuant to this subsection (3) into the provisions of the "Educational~~  
7 ~~Accreditation Act of 1998", article 11 of this title.~~

8            **SECTION 40.** 22-32-109, Colorado Revised Statutes, is amended  
9 BY THE ADDITION OF A NEW PARAGRAPH to read:

10           **22-32-109. Board of education - specific duties.** (1) In addition  
11 to any other duty required to be performed by law, each board of  
12 education shall have and perform the following specific duties:

13           (mm) TO ADOPT AND IMPLEMENT POLICIES AS DESCRIBED IN  
14 SECTION 22-11-307 FOR ACCREDITATION OF THE PUBLIC SCHOOLS OF THE  
15 SCHOOL DISTRICT.

16           **SECTION 41.** The introductory portion to 22-32-109.1 (2),  
17 Colorado Revised Statutes, is amended to read:

18           **22-32-109.1. Board of education - specific powers and duties**  
19 **- safe schools.** (2) **Safe school plan.** In order to provide a learning  
20 environment that is safe, conducive to the learning process, and free from  
21 unnecessary disruption, following consultation with the school district  
22 accountability committee and school advisory councils ACCOUNTABILITY  
23 COMMITTEES, parents, teachers, administrators, students, student councils  
24 where available, and, where appropriate, the community at large, each  
25 school district board of education shall adopt and implement a safe school  
26 plan, or review and revise, if necessary, any existing plans or policies  
27 already in effect, which shall include, but not be limited to, the following:

1            SECTION 42. 22-32-110.6 (2), Colorado Revised Statutes, is  
2            amended to read:

3            **22-32-110.6. Board of education - specific powers - "No Child**  
4            **Left Behind Act of 2001".** (2) If a school district chooses to adopt a  
5            resolution to decline federal funding sources as provided in this section,  
6            the school district's action in declining federal funds and thereby being  
7            exempt from specified federal requirements shall not affect the school  
8            district's accreditation status CATEGORY, and the department of education  
9            and the state board of education shall not impose any form of sanction on  
10           the school district for its action in declining federal funds and in not  
11           complying with the federal requirements from which it is exempt.

12           SECTION 43. 22-32-119.5 (2) (c) (IV), Colorado Revised  
13           Statutes, is amended to read:

14           **22-32-119.5. Full-day kindergarten - legislative declaration -**  
15           **phase-in plan - report.** (2) Each local board of education shall develop  
16           a plan to potentially phase in a full-day kindergarten program in the  
17           school district to be funded with state or local moneys provided  
18           specifically for such program. In developing the plan, each local board  
19           shall consider the following:

20           (c) A method to identify the children who would most benefit  
21           from attending a full day of kindergarten, including but not limited to:

22           (IV) Children who are enrolling in an elementary school that  
23           received an overall academic performance rating of low or unsatisfactory  
24           pursuant to section 22-7-604 in the academic year preceding enrollment  
25           IS REQUIRED TO IMPLEMENT A PRIORITY IMPROVEMENT OR TURNAROUND  
26           PLAN PURSUANT TO SECTION 22-11-405 OR 22-11-406, RESPECTIVELY, OR  
27           IS SUBJECT TO RESTRUCTURING PURSUANT TO SECTION 22-11-210;

1            **SECTION 44.** 22-32.5-104 (3) (f) and (4) (c), Colorado Revised  
2 Statutes, are amended to read:

3            **22-32.5-104. Innovation plans - submission - contents.**

4            (3) Each innovation plan, whether submitted by a public school or  
5 created by a local school board through collaboration between the local  
6 school board and a public school, shall include the following information:

7            (f) Evidence that a majority of the administrators employed at the  
8 public school, a majority of the teachers employed at the public school,  
9 and a majority of the school ~~advisory council~~ ACCOUNTABILITY  
10 COMMITTEE for the public school consent to designation as an innovation  
11 school;

12            (4) Each plan for creating an innovation school zone, whether  
13 submitted by a group of public schools or created by a local school board  
14 through collaboration with a group of public schools, shall include the  
15 information specified in subsection (3) of this section for each public  
16 school that would be included in the innovation school zone. A plan for  
17 creating an innovation school zone shall also include the following  
18 additional information:

19            (c) Evidence that a majority of the administrators and a majority  
20 of the teachers employed at each public school that would be included in  
21 the innovation school zone and a majority of the school ~~advisory council~~  
22 ACCOUNTABILITY COMMITTEE for each public school that would be  
23 included in the innovation school zone consent to creating the innovation  
24 school zone; and

25            **SECTION 45.** 22-32.5-108 (2) (b), Colorado Revised Statutes,  
26 is amended to read:

27            **22-32.5-108. District of innovation - waiver of statutory and**

1 **regulatory requirements.** (2) Each district of innovation shall continue  
2 to be subject to all statutes and rules that are not waived by the state board  
3 pursuant to subsection (1) of this section, including but not limited to all  
4 statutes and rules concerning implementation of:

5 (b) ~~Part 6 of article 7~~ ARTICLE 11 of this title; and

6 **SECTION 46.** 22-32.5-110 (1), Colorado Revised Statutes, is  
7 amended to read:

8 **22-32.5-110. District of innovation - review of innovation**  
9 **schools and innovation school zones.** (1) Three years after the local  
10 school board of a district of innovation approves an innovation plan or a  
11 plan for creating an innovation school zone, and every three years  
12 thereafter, the local school board shall review the level of performance of  
13 the innovation school and each public school included in the innovation  
14 school zone and determine whether the innovation school or innovation  
15 school zone is achieving or making adequate progress toward achieving  
16 the academic performance results identified in the school's or zone's  
17 innovation plan. The local school board, in collaboration with the  
18 innovation school or the innovation school zone, may revise the  
19 innovation plan, including but not limited to revising the identification of  
20 the provisions of the collective bargaining agreement that need to be  
21 waived to implement the innovations, as necessary to improve or continue  
22 to improve academic performance at the innovation school or innovation  
23 school zone. Any revisions to the innovation plan shall require the  
24 consent of a majority of the teachers and a majority of the administrators  
25 employed at and a majority of the school advisory council  
26 ACCOUNTABILITY COMMITTEE for each affected public school.

27 **SECTION 47.** 22-33-104.5 (3) (f), Colorado Revised Statutes, is

1 amended to read:

2 **22-33-104.5. Home-based education - legislative declaration -**  
3 **definitions - guidelines.** (3) The following guidelines shall apply to a  
4 nonpublic home-based educational program:

5 (f) Each child participating in a nonpublic home-based  
6 educational program shall be evaluated when such child reaches grades  
7 three, five, seven, nine, and eleven. Each child shall be given a nationally  
8 standardized achievement test to evaluate the child's academic progress,  
9 or a qualified person shall evaluate the child's academic progress. The  
10 test or evaluation results, whichever is appropriate, shall be submitted to  
11 the school district that received the notification required by paragraph (e)  
12 of this subsection (3) or an independent or parochial school within the  
13 state of Colorado. If the test or evaluation results are submitted to an  
14 independent or parochial school, the name of such school shall be  
15 provided to the school district that received the notification required by  
16 paragraph (e) of this subsection (3). The purpose of such tests or  
17 evaluations shall be to evaluate the educational progress of each child.  
18 No scores for a child participating in a nonpublic home-based educational  
19 program shall be considered for awarding academic performance ratings  
20 pursuant to section 22-7-604 or for IN MEASURING SCHOOL PERFORMANCE  
21 OR DETERMINING accreditation pursuant to article 11 of this title.

22 **SECTION 48.** 22-36-101 (2) (a), Colorado Revised Statutes, is  
23 amended to read:

24 **22-36-101. Choice of programs and schools within school**  
25 **districts.** (2) (a) Every school district shall adopt such policies and  
26 procedures as are reasonable and necessary to implement the provisions  
27 of subsection (1) of this section, including, but not limited to, timelines

1 for application to and acceptance in any program or school which may  
2 provide for enrollment of the student on or before October 1, and, while  
3 adopting policies and procedures, the school district shall consider  
4 adopting a policy establishing that an applicant with a proficiency rating  
5 of unsatisfactory in one or more academic areas who attends an  
6 unsatisfactory school, as defined by section 22-7-604 (1). A PUBLIC  
7 SCHOOL THAT IS REQUIRED TO IMPLEMENT A TURNAROUND PLAN  
8 PURSUANT TO SECTION 22-11-406 OR THAT IS SUBJECT TO RESTRUCTURING  
9 PURSUANT TO SECTION 22-11-210 shall have priority over any other  
10 applicant for enrollment purposes.

11 **SECTION 49.** 22-41-109 (6), Colorado Revised Statutes, is  
12 amended to read:

13 **22-41-109. Bond guarantee loans.** (6) After receipt of the  
14 request for the guarantee of bonds, the commissioner of education shall  
15 review the applicant school district regarding ~~the status of the school~~  
16 district's accreditation CATEGORY, the school district's financial status  
17 based on its audited financial statements for the previous three years, and  
18 the total amount of the school district's bonded indebtedness in relation  
19 to the limitation on indebtedness provided by law. If, after the  
20 investigation, the commissioner of education is satisfied that the school  
21 district's bonds should be guaranteed under this section, the commissioner  
22 of education shall endorse the request for the bond guarantee to the state  
23 treasurer.

24 **SECTION 50. Repeal.** 22-44-203 (2), Colorado Revised  
25 Statutes, is repealed as follows:

26 **22-44-203. Adoption and compatibility of handbook.** (2) ~~The~~  
27 financial policies and procedures handbook so adopted shall be

1 compatible with the provisions of the "Educational Accountability Act of  
2 1971", part 1 of article 7 of this title, but shall be limited primarily to the  
3 relating of budgeted and actual costs to designated programs:

4 **SECTION 51.** 22-54-123.5 (2), Colorado Revised Statutes, is  
5 amended to read:

6 **22-54-123.5. School breakfast program - appropriation -**  
7 **low-performing schools.** (2) As used in this section, "low-performing  
8 school" means a school that received in the preceding school year an  
9 academic performance rating of low or unsatisfactory pursuant to section  
10 22-7-604 IS REQUIRED TO IMPLEMENT A PRIORITY IMPROVEMENT OR  
11 TURNAROUND PLAN PURSUANT TO SECTION 22-11-405 OR 22-11-406,  
12 RESPECTIVELY, OR IS SUBJECT TO RESTRUCTURING PURSUANT TO SECTION  
13 22-11-210.

14 **SECTION 52.** 22-55-102 (1) and (2) (a) (I), Colorado Revised  
15 Statutes, are amended to read:

16 **22-55-102. Definitions.** As used in this article, unless the context  
17 otherwise requires:

18 (1) "Accountability reporting" means any requirement established  
19 in law that mandates public school districts to report or provide  
20 information relative to school improvement to the state board or the  
21 department, including, but not limited to:

22 (a) Data collection and reporting requirements that are required  
23 pursuant to ~~part 6 of article 7~~ PART 5 OF ARTICLE 11 of this title in  
24 connection with school ~~report cards~~ PERFORMANCE REPORTS;

25 (b) Reporting requirements in connection with the administration  
26 and implementation of the Colorado student assessment program  
27 developed pursuant to part 4 of article 7 of this title; or

1           (c) Requirements related to the education accreditation process set  
2 forth in SPECIFIED IN THE "EDUCATION ACCOUNTABILITY ACT OF 2009",  
3 article 11 of this title.

4           (2) (a) "Accountable education reform" means any program or  
5 plan for reforming preschool through twelfth-grade education in the state  
6 that complies with accountability standards imposed by law on public  
7 school districts in the state, including, but not limited to, the requirements  
8 set forth in:

9           (I) Part 6 of article 7 of this title relating to school report cards  
10 PART 5 OF ARTICLE 11 OF THIS TITLE RELATING TO SCHOOL PERFORMANCE  
11 REPORTS; and

12           SECTION 53. 22-55-108, Colorado Revised Statutes, is amended  
13 to read:

14           22-55-108. Accountability. Each school district in the state shall  
15 include in its accreditation contract entered into with the state board in  
16 accordance with section 22-11-201 ADOPT a continuous plan for the use  
17 of revenues distributed to the school district pursuant to sections  
18 22-55-106 and 22-55-107. The plan shall be annually updated by the  
19 school district to reflect any changes in the use of the revenues distributed  
20 to the school district pursuant to sections 22-55-106 and 22-55-107. The  
21 plan shall include, but need not be limited to, a statement concerning the  
22 need for lower class sizes in school districts with a total enrollment of  
23 more than six thousand pupils and the need for increased funding for  
24 textbooks in the school district as determined based on discussions in  
25 public meetings held in the school district to address the class size and  
26 textbook funding issues and whether the need will be addressed by the  
27 plan. Each school district shall also include in its electronic transmissions

1 required by section 22-7-603 (3) (d) SECTION 22-11-501 (4) (d) an  
2 accounting of the impact of such revenues on student achievement.

3 SECTION 54. 22-80-103 (7) (a), Colorado Revised Statutes, is  
4 amended to read:

5 22-80-103. Board of trustees - appointments - powers - duties  
6 - fund created. (7) The board of trustees shall transmit, on or before  
7 January 1, 2005, and on or before January 1 of each year thereafter, a  
8 report to the education committees of the senate and house of  
9 representatives that contains the following:

10 (a) All school accountability PERFORMANCE report data for the  
11 school, as specified by the department of education;

12 SECTION 55. 18-1.3-407 (3.4) (c), Colorado Revised Statutes,  
13 is amended to read:

14 18-1.3-407. Sentences - youthful offenders - legislative  
15 declaration - powers and duties of district court - authorization for  
16 youthful offender system - powers and duties of department of  
17 corrections. (3.4) In addition to the powers granted to the department  
18 of corrections in subsection (3.3) of this section, the department of  
19 corrections may:

20 (c) Contract with any public or private entity, including but not  
21 limited to a school district, for provision or certification of educational  
22 services. Offenders receiving educational services or diplomas from a  
23 school district under an agreement entered into pursuant to this paragraph  
24 (c) shall not be included in computing the school district's student  
25 performance on statewide assessments pursuant to section 22-7-409,  
26 C.R.S., or the school district's overall academic performance rating or  
27 academic growth of students rating pursuant to part 6 of article 7 of title

1 22, C.R.S. LEVELS OF ATTAINMENT OF THE PERFORMANCE INDICATORS  
2 PURSUANT TO ARTICLE 11 OF TITLE 22, C.R.S.

3 SECTION 56. 23-5-127 (4) (a), Colorado Revised Statutes, is  
4 amended to read:

5 23-5-127. Unique student identifying number - social security  
6 number - prohibition. (4) (a) Notwithstanding the provisions of  
7 paragraph (b) of subsection (3) of this section, for each student who  
8 graduates from or was enrolled in a Colorado high school, a  
9 postsecondary institution in Colorado that is eligible for the college  
10 opportunity fund program created in section 23-18-201 shall use the  
11 unique student identifier assigned, in accordance with rules adopted  
12 pursuant to section 22-7-603.5, C.R.S. SECTION 22-11-104, C.R.S., to the  
13 student while he or she was enrolled in the elementary to secondary  
14 public education system, including public pre-kindergarten programs, as  
15 an alternative student identifier at the postsecondary institution.

16 SECTION 57. 26-6.5-101.5 (7) (a), Colorado Revised Statutes,  
17 is amended to read:

18 26-6.5-101.5. Definitions. As used in this article, unless the  
19 context otherwise requires:

20 (7) "Eligible elementary school" means a public elementary school  
21 that:

22 (a) (I) For the school year immediately preceding submission of  
23 the council's application for funding pursuant to section 26-6.5-106,  
24 receives an overall academic performance rating of "low" or  
25 "unsatisfactory", pursuant to section 22-7-604, C.R.S.; or IS REQUIRED TO  
26 IMPLEMENT A PRIORITY IMPROVEMENT OR TURNAROUND PLAN AS  
27 DESCRIBED IN SECTION 22-11-405 OR 22-11-406, C.R.S., RESPECTIVELY,

1 OR IS SUBJECT TO RESTRUCTURING PURSUANT TO SECTION 22-11-210,  
2 C.R.S.; AND

3 (II) For the school year immediately preceding submission of the  
4 council's application for funding pursuant to section 26-6.5-106, receives  
5 an academic growth of students rating of "decline" or "significant  
6 decline", as described in section 22-7-604, C.R.S., and, for the same  
7 school year, receives an overall academic performance rating of  
8 "average", pursuant to section 22-7-604, C.R.S.; and

9 **SECTION 58. Appropriation - adjustments to the 2009 long**  
10 **bill.** (1) In addition to any other appropriation, there is hereby  
11 appropriated, out of any moneys in the general fund not otherwise  
12 appropriated, to the department of education, management and  
13 administration, for development of the education data and growth  
14 exchange portal and the preparation of school performance reports, for  
15 the fiscal year beginning July 1, 2009, the sum of two hundred forty-three  
16 thousand five hundred thirty-one dollars (\$243,531) and 2.7 FTE, or so  
17 much thereof as may be necessary, for the implementation of this act.

18 (2) For the implementation of this act, appropriations made in the  
19 annual general appropriation act for the fiscal year beginning July 1,  
20 2009, shall be adjusted as follows:

21 (a) The general fund appropriation to the department of education,  
22 management and administration, for legal services, is increased by seven  
23 thousand one hundred thirty-five dollars (\$7,135).

24 (b) The general fund appropriation to the department of education,  
25 management and administration, for printing and postage costs related to  
26 school accountability reports, is decreased by two hundred fifty-two  
27 thousand four hundred forty-five dollars (\$252,445).

1           (3) In addition to any other appropriation, there is hereby  
2 appropriated to the department of law, for the fiscal year beginning July  
3 1, 2009, the sum of seven thousand one hundred thirty-five dollars  
4 (\$7,135), or so much thereof as may be necessary, for the provision of  
5 legal services to the department of education related to the  
6 implementation of this act. Said sum shall be from reappropriated funds  
7 received from the department of education out of the appropriation made  
8 in subsection (2) (a) of this section.

9           **SECTION 59. Safety clause.** The general assembly hereby finds,  
10 determines, and declares that this act is necessary for the immediate  
11 preservation of the public peace, health, and safety.