

SENATE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chairman of Committee

April 20, 2011  
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB11-080 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3           **"SECTION 1. Legislative declaration.** (1) The general  
4 assembly hereby declares that it recognizes the importance of evaluating  
5 the success of strategies used to improve academic performance in  
6 schools that are in need of improvement.

7           (2) The general assembly further declares that some public  
8 schools of the state are receiving grants for improvement under Title I of  
9 the federal "Elementary and Secondary Education Act of 1965", 20  
10 U.S.C. sec. 6301 et seq.; therefore, the state has an interest in monitoring  
11 the progress of the recipient schools and ensuring that their improvement  
12 plans satisfy the requirements of article 11 of title 22, Colorado Revised  
13 Statutes, in order to align strategies for school improvement.

14           (3) (a) The general assembly further declares that it recognizes the  
15 importance of assessing the performance of school turnaround plans,  
16 especially for recipients of Title I grants designed to provide interventions  
17 for the persistently lowest performing schools, and the need to look at  
18 leading and lagging indicators.

19           (b) As used in this subsection (3):

20           (I) "Leading indicators" means timely benchmarked indicators that  
21 provide early signals of progress toward academic achievement, such as  
22 improved school attendance, reduced disciplinary incidents, and increased  
23 numbers and percentages of students completing advanced course work.

1 (II) "Lagging indicators" means indicators that show the results  
2 of successful strategies, such as achievement gains, increased course  
3 passage rates, and higher graduation rates.

4 **SECTION 2.** 22-11-210 (1), Colorado Revised Statutes, is  
5 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

6 **22-11-210. Public schools - annual review - plans - supports**  
7 **and interventions - rules.** (1) (a.5) IN IMPLEMENTING THE PROVISIONS  
8 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE DEPARTMENT  
9 SHALL ENSURE THAT SCHOOLS RECEIVING GRANTS UNDER TITLE I OF THE  
10 FEDERAL "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20  
11 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING INTERVENTIONS  
12 FOR THE PERSISTENTLY LOWEST PERFORMING SCHOOLS, INCORPORATE  
13 INTO THE SCHOOL IMPROVEMENT PLANS ASSOCIATED WITH SUCH GRANTS  
14 THE REQUIREMENTS FOR THE PERFORMANCE INDICATORS, TARGETS, AND  
15 IMPROVEMENT STRATEGIES REQUIRED PURSUANT TO THIS SECTION. THE  
16 DEPARTMENT SHALL ALSO ENSURE THAT WHEN IT PUBLISHES THE  
17 SCHOOLS' PLANS ON THE DEPARTMENT'S DATA PORTAL, OR OTHERWISE  
18 MAKES THE PLANS AVAILABLE TO MEMBERS OF THE PUBLIC, THE  
19 DEPARTMENT CLEARLY INDICATES WHICH SCHOOLS HAVE ALIGNED PLANS.

20 **SECTION 3.** The introductory portion to 22-11-210 (4), Colorado  
21 Revised Statutes, is amended, and the said 22-11-210 is further amended  
22 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS,  
23 to read:

24 **22-11-210. Public schools - annual review - plans - supports**  
25 **and interventions - rules.** (1.5) THE ADMINISTRATION OF EACH PUBLIC  
26 SCHOOL THAT IS RECEIVING A GRANT UNDER TITLE I OF THE FEDERAL  
27 "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C.  
28 SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING INTERVENTIONS FOR  
29 THE PERSISTENTLY LOWEST PERFORMING SCHOOLS, IS ENCOURAGED TO  
30 INFORM THE STAFF OF THE SCHOOL OF THE CONTENTS OF THE GRANT, ANY  
31 CHANGES TO THE SCHOOL'S IMPROVEMENT STRATEGIES THAT WILL BE  
32 MADE AS A RESULT OF THE GRANT, AND ANY REPORTS THAT THE  
33 DEPARTMENT IS REQUIRED TO PREPARE AND SUBMIT PURSUANT TO THE  
34 GRANT PROCESS.

35 (4) The commissioner may assign the state review panel to  
36 critically evaluate a public school's priority improvement plan and shall  
37 assign the state review panel to critically evaluate a public school's  
38 turnaround plan. FOR ANY PUBLIC SCHOOL THAT IS RECEIVING A GRANT  
39 UNDER TITLE I OF THE FEDERAL "ELEMENTARY AND SECONDARY  
40 EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE  
41 OF PROVIDING INTERVENTIONS FOR THE PERSISTENTLY LOWEST

1 PERFORMING SCHOOLS, THE COMMISSIONER SHALL ASSIGN THE STATE  
2 REVIEW PANEL TO CRITICALLY EVALUATE BOTH THE IMPROVEMENT PLAN  
3 REQUIRED BY THE TITLE I GRANT AND THE PUBLIC SCHOOL'S  
4 IMPROVEMENT PLAN, PRIORITY IMPROVEMENT PLAN, OR TURNAROUND  
5 PLAN REQUIRED BY SECTION 22-11-404, 22-11-405, OR 22-11-406 IN  
6 ORDER TO ENSURE THE ALIGNMENT OF BOTH PLANS. Based on its  
7 evaluation, the state review panel shall report to the commissioner and the  
8 state board recommendations concerning:

9 (7) (a) THE DEPARTMENT SHALL ENSURE THAT EACH EVALUATION  
10 PERFORMED BY THE STATE REVIEW PANEL PURSUANT TO THIS SECTION IS  
11 MADE AVAILABLE ON THE DEPARTMENT'S DATA PORTAL AND PROVIDED TO  
12 MEMBERS OF THE PUBLIC UPON REQUEST.

13 (b) THE DEPARTMENT SHALL ENSURE THAT ANY REPORTS  
14 PRODUCED TO MONITOR THE PROGRESS OR REPORT THE OUTCOME OF ANY  
15 GRANT UNDER TITLE I OF THE FEDERAL "ELEMENTARY AND SECONDARY  
16 EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE  
17 OF PROVIDING INTERVENTIONS FOR THE PERSISTENTLY LOWEST  
18 PERFORMING SCHOOLS, SHALL BE MADE AVAILABLE ON THE DEPARTMENT'S  
19 DATA PORTAL AND TO MEMBERS OF THE PUBLIC UPON REQUEST.

20 **SECTION 4.** 22-11-405 (1) (b), (2) (b), and (3), Colorado  
21 Revised Statutes, are amended to read:

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

23 (1) (b) The school accountability committee for the district public school  
24 shall advise the local school board concerning preparation of the school  
25 priority improvement plan and shall make recommendations to the local  
26 school board concerning the contents of the school priority improvement  
27 plan. The local school board shall create and adopt the school priority  
28 improvement plan, taking into account the advice and recommendations  
29 of the school accountability committee. PRIOR TO ADOPTING THE SCHOOL  
30 PRIORITY IMPROVEMENT PLAN, THE LOCAL SCHOOL BOARD SHALL HOLD A  
31 PUBLIC HEARING TO REVIEW THE PLAN. THE PUBLIC HEARING SHALL  
32 ALLOW MEMBERS OF THE PUBLIC TO PROVIDE INPUT CONCERNING THE  
33 CONTENTS OF THE SCHOOL PRIORITY IMPROVEMENT PLAN, INCLUDING ANY  
34 PROVISIONS FOR THE USE OF GRANTS UNDER TITLE I OF THE FEDERAL  
35 "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C.  
36 SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING INTERVENTIONS FOR  
37 THE PERSISTENTLY LOWEST PERFORMING SCHOOLS.

38 (2) (b) The school accountability committee for the institute  
39 charter school shall advise the institute concerning preparation of the  
40 school priority improvement plan and shall make recommendations to the  
41 institute concerning the contents of the school priority improvement plan.

1 The institute shall create and adopt the school priority improvement plan,  
2 taking into account the advice and recommendations of the school  
3 accountability committee. PRIOR TO ADOPTING THE SCHOOL PRIORITY  
4 IMPROVEMENT PLAN, THE INSTITUTE SHALL HOLD A PUBLIC HEARING TO  
5 REVIEW THE PLAN, ALLOWING MEMBERS OF THE PUBLIC TO PROVIDE INPUT  
6 CONCERNING THE CONTENTS OF THE SCHOOL PRIORITY IMPROVEMENT  
7 PLAN, INCLUDING ANY PROVISIONS FOR THE USE OF GRANTS UNDER TITLE  
8 I OF THE FEDERAL "ELEMENTARY AND SECONDARY EDUCATION ACT OF  
9 1965", 20 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING  
10 INTERVENTIONS FOR THE PERSISTENTLY LOWEST PERFORMING SCHOOLS.

11 (3) The commissioner, subject to available appropriations, may  
12 assign the state review panel to critically evaluate a public school's  
13 priority improvement plan and report to the commissioner any  
14 recommended modifications to the plan. IF THE COMMISSIONER ASSIGNS  
15 THE STATE REVIEW PANEL TO CRITICALLY EVALUATE THE PRIORITY  
16 IMPROVEMENT PLAN OF A PUBLIC SCHOOL RECEIVING A GRANT UNDER  
17 TITLE I OF THE FEDERAL "ELEMENTARY AND SECONDARY EDUCATION  
18 ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE OF  
19 PROVIDING INTERVENTIONS FOR THE PERSISTENTLY LOWEST PERFORMING  
20 SCHOOLS, THE LOCAL SCHOOL BOARD SHALL MAKE AVAILABLE TO THE  
21 STATE REVIEW PANEL A SUMMARY OF THE INPUT RECEIVED AT THE PUBLIC  
22 MEETING DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (1) OF THIS  
23 SECTION. The commissioner may recommend to the local school board  
24 or the institute modifications to the school priority improvement plan,  
25 taking into consideration any recommendations of the state review panel.

26 **SECTION 5.** 22-11-406 (1) (b), (1) (c), and (2) (b), Colorado  
27 Revised Statutes, are amended to read:

28 **22-11-406. School turnaround plan - contents.** (1) (b) The  
29 school accountability committee for the district public school shall advise  
30 the local school board concerning preparation of the school turnaround  
31 plan and shall make recommendations to the local school board  
32 concerning the contents of the school turnaround plan. The local school  
33 board shall create and adopt the school turnaround plan, taking into  
34 account the advice and recommendations of the school accountability  
35 committee. PRIOR TO ADOPTING THE SCHOOL TURNAROUND PLAN, THE  
36 LOCAL SCHOOL BOARD SHALL HOLD A PUBLIC HEARING TO REVIEW THE  
37 PLAN, ALLOWING MEMBERS OF THE PUBLIC TO PROVIDE INPUT CONCERNING  
38 THE CONTENTS OF THE SCHOOL TURNAROUND PLAN, INCLUDING ANY  
39 PROPOSALS FOR THE USE OF GRANTS UNDER TITLE I OF THE FEDERAL  
40 "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C.  
41 SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING INTERVENTIONS FOR  
42 THE PERSISTENTLY LOWEST PERFORMING SCHOOLS.

1 (c) Within the time frames specified in state board rule, the local  
2 school board shall submit the adopted school turnaround plan to the  
3 commissioner for evaluation by the state review panel. IN ADDITION TO  
4 THE ADOPTED SCHOOL TURNAROUND PLAN, THE LOCAL SCHOOL BOARD  
5 SHALL SUBMIT A SUMMARY OF THE INPUT RECEIVED AT THE PUBLIC  
6 HEARING DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (1) FOR ANY  
7 SCHOOL RECEIVING A GRANT UNDER TITLE I OF THE FEDERAL  
8 "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C.  
9 SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING INTERVENTIONS FOR  
10 THE PERSISTENTLY LOWEST PERFORMING SCHOOLS. The state review  
11 panel shall critically evaluate the adopted school turnaround plan and  
12 make recommendations to the commissioner and the state board  
13 concerning the issues specified in section 22-11-210 (4). The  
14 commissioner shall approve the school turnaround plan or suggest  
15 modifications to the plan, taking into consideration any recommendations  
16 of the state review panel. The local school board shall revise the school  
17 turnaround plan, if necessary, and resubmit the plan for approval within  
18 the time frames specified in state board rule. The local school board shall  
19 ensure that the final, approved school turnaround plan is in effect for the  
20 district public school within the time frames specified in state board rule.

21 (2) (b) The school accountability committee for the institute  
22 charter school shall advise the institute concerning preparation of the  
23 school turnaround plan and shall make recommendations to the institute  
24 concerning the contents of the school turnaround plan. The institute shall  
25 create and adopt the school turnaround plan, taking into account the  
26 advice and recommendations of the school accountability committee.  
27 PRIOR TO ADOPTING THE SCHOOL TURNAROUND PLAN, THE INSTITUTE  
28 SHALL HOLD A PUBLIC HEARING TO REVIEW THE PLAN. THE PUBLIC  
29 HEARING SHALL ALLOW MEMBERS OF THE PUBLIC TO PROVIDE INPUT  
30 CONCERNING THE CONTENTS OF THE SCHOOL TURNAROUND PLAN,  
31 INCLUDING ANY PROPOSALS FOR THE USE OF GRANTS UNDER TITLE I OF  
32 THE FEDERAL "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965",  
33 20 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING  
34 INTERVENTIONS FOR THE PERSISTENTLY LOWEST PERFORMING SCHOOLS.

35 **SECTION 6. Act subject to petition - effective date.** This act  
36 shall take effect at 12:01 a.m. on the day following the expiration of the  
37 ninety-day period after final adjournment of the general assembly (August  
38 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a  
39 referendum petition is filed pursuant to section 1 (3) of article V of the  
40 state constitution against this act or an item, section, or part of this act  
41 within such period, then the act, item, section, or part shall not take effect  
42 unless approved by the people at the general election to be held in

- 1 November 2012 and shall take effect on the date of the official
- 2 declaration of the vote thereon by the governor.".
  
- 3 Page 1, line 101, after "EXPANDING" insert "THE TRANSPARENCY OF".

\*\* \*\*\* \*\* \*\*\* \*\*