

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 14-0761.01 Julie Pelegrin x2700

SENATE BILL 14-167

SENATE SPONSORSHIP

Zenzinger,

HOUSE SPONSORSHIP

Fields,

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING AN INITIATIVE TO SUPPORT INNOVATION AMONG**
102 **ALTERNATIVE EDUCATION CAMPUSES IN SERVING HIGH-RISK**
103 **STUDENTS, AND, IN CONNECTION THEREWITH, MAKING AN**
104 **APPROPRIATION.**

Bill Summary

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

The bill creates the opportunity schools pilot initiative (initiative) in the department of education (department). The goal of the initiative is

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.

to provide additional funding and support for alternative education campuses that serve populations of 95% high-risk students to enable the campuses to implement research-based, transformative school models that will improve students' postsecondary and career success. The initiative will also result in identification of best practices and models that other schools may replicate.

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

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

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

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

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

post the report on its web site.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 15 to title
3 22 as follows:

4 **ARTICLE 15**

5 **Opportunity Schools Pilot Initiative**

6 **22-15-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
7 FINDS THAT:

8 (a) THERE ARE SIGNIFICANT NUMBERS OF HIGH SCHOOL STUDENTS
9 IN THE STATE WHO ARE AT HIGH RISK FOR ACADEMIC FAILURE. MANY,
10 DESPITE HAVING ATTENDED HIGH SCHOOL FOR FOUR YEARS OR MORE, ARE
11 UNABLE TO GRADUATE BECAUSE THEY LACK THE NECESSARY NUMBER OF
12 CREDITS. OTHERS HAVE DROPPED OUT OF SCHOOL OR BEEN EXPELLED AND
13 DO NOT HAVE A PLAN FOR OBTAINING A HIGH SCHOOL DIPLOMA OR ITS
14 EQUIVALENT.

15 (b) RESEARCH DEMONSTRATES THAT YOUNG ADULTS AGES
16 SIXTEEN THROUGH TWENTY-ONE WHO ARE NEITHER IN SCHOOL NOR
17 WORKING IN STABLE EMPLOYMENT FACE MANY OBSTACLES THAT PREVENT
18 THEM FROM PURSUING A DIRECT PATH TO POSTSECONDARY EDUCATION
19 AND CAREERS. HOWEVER, THERE ARE SOME INNOVATIVE HIGH SCHOOL
20 MODELS THAT HAVE BEEN SUCCESSFUL WITH THIS AGE GROUP, ENABLING
21 THESE STUDENTS TO FIND INCREASED SUCCESS IN ATTAINING HIGH SCHOOL
22 CREDENTIALS AND IN ENROLLING AND PERSISTING IN POSTSECONDARY
23 INSTITUTIONS.

24 (c) THERE ARE NOT ENOUGH HIGH-QUALITY HIGH SCHOOL OPTIONS
25 AVAILABLE IN THE STATE TO SERVE THESE HIGH-RISK STUDENTS,

1 RESULTING IN A SERIOUS LOSS IN HUMAN CAPITAL FOR THE STATE'S
2 WORKFORCE AND A GREATER LOSS IN THE POTENTIAL FOR EARNINGS,
3 QUALITY OF LIFE, AND ACCOMPLISHMENT FOR THESE STUDENTS;

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

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

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

25 (3) THE GENERAL ASSEMBLY DECLARES THAT, FOR PURPOSES OF
26 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE
27 OPPORTUNITY SCHOOLS PILOT INITIATIVE CREATED IN THIS ARTICLE IS A

1 PROGRAM OF ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE
2 RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION
3 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

4 **22-15-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "ADVISORY COMMITTEE" MEANS THE COMMITTEE CONVENED
7 BY THE COMMISSIONER PURSUANT TO SECTION 22-15-103 (2) TO ASSIST
8 THE DEPARTMENT IN IMPLEMENTING THE INITIATIVE.

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

12 (3) "AUTHORIZER" MEANS A SCHOOL DISTRICT OR BOARD OF
13 COOPERATIVE SERVICES OR THE STATE CHARTER SCHOOL INSTITUTE THAT
14 OPERATES OR AUTHORIZES A PUBLIC SCHOOL.

15 (4) "COMMISSIONER" MEANS THE OFFICE OF THE COMMISSIONER
16 OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF
17 ARTICLE IX OF THE STATE CONSTITUTION.

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

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

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

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

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

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

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

7 (12) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
8 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

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

11 **22-15-103. Opportunity schools pilot initiative - created -**
12 **advisory committee - rules.** (1) THERE IS CREATED IN THE DEPARTMENT
13 THE OPPORTUNITY SCHOOLS PILOT INITIATIVE TO IDENTIFY AND SUPPORT
14 TRANSFORMATIVE DESIGN MODELS FOR HIGH SCHOOLS TO SERVE
15 HIGH-RISK STUDENTS. THE STATE BOARD, BASED ON RECOMMENDATIONS
16 FROM THE DEPARTMENT AND THE ADVISORY COMMITTEE AND SUBJECT TO
17 AVAILABLE APPROPRIATIONS, SHALL SELECT TWO COHORTS OF PUBLIC
18 SCHOOLS TO PARTICIPATE IN THE INITIATIVE, WHICH COHORTS IN TOTAL
19 CONSIST OF THREE OR MORE PUBLIC SCHOOLS SERVING NO MORE THAN SIX
20 HUNDRED STUDENTS IN TOTAL. THE FIRST COHORT OF PUBLIC SCHOOLS
21 MUST BEGIN PARTICIPATING IN THE INITIATIVE IN THE 2015-16 SCHOOL
22 YEAR, AND THE SECOND COHORT OF PUBLIC SCHOOLS MUST BEGIN
23 PARTICIPATING IN THE INITIATIVE IN THE 2016-17 SCHOOL YEAR. A PUBLIC
24 SCHOOL THAT THE STATE BOARD SELECTS TO PARTICIPATE IN THE
25 INITIATIVE RECEIVES FUNDING AS PROVIDED IN SECTION 22-15-105 AND
26 MUST MEET THE ACCOUNTABILITY REQUIREMENTS SPECIFIED IN SECTION
27 22-15-106.

1 (2) THE COMMISSIONER SHALL CONVENE AN ADVISORY
2 COMMITTEE NO LATER THAN JULY 1, 2014, TO ASSIST THE DEPARTMENT IN
3 IMPLEMENTING THE INITIATIVE. THE MEMBERS OF THE ADVISORY
4 COMMITTEE MAY INCLUDE, BUT NEED NOT BE LIMITED TO, SCHOOL
5 LEADERS AND TEACHERS, REPRESENTATIVES OF CHARTER SCHOOLS,
6 REPRESENTATIVES OF NONPROFIT EDUCATION ADVOCACY GROUPS,
7 REPRESENTATIVES FROM COUNTY HUMAN SERVICES OR SOCIAL SERVICES
8 AGENCIES, NATIONALLY RECOGNIZED EXPERTS IN SERVING HIGH-RISK
9 STUDENTS AND IN MEASURING POSTSECONDARY AND WORKFORCE
10 READINESS, AND PHILANTHROPIC LEADERS. THE MEMBERS OF THE
11 ADVISORY COMMITTEE SERVE WITHOUT COMPENSATION AND WITHOUT
12 REIMBURSEMENT FOR EXPENSES.

13 (3) BEGINNING JULY 1, 2014, THE ADVISORY COMMITTEE AND THE
14 DEPARTMENT SHALL CREATE AND RECOMMEND TO THE STATE BOARD THE
15 PARAMETERS FOR THE INITIATIVE IN ACCORDANCE WITH THIS ARTICLE,
16 INCLUDING APPLICATION PROCEDURES AND REQUIREMENTS, MINIMUM
17 SCHOOL DESIGN REQUIREMENTS, CRITERIA FOR SELECTING INITIATIVE
18 PARTICIPANTS, REPORTING AND ACCOUNTABILITY REQUIREMENTS, AND
19 THE METHODS AND INDICATORS FOR MEASURING THE SUCCESS OF THE
20 INITIATIVE. THE ADVISORY COMMITTEE SHALL SOLICIT GIFTS, GRANTS,
21 AND DONATIONS TO PROVIDE FUNDING FOR THE INITIATIVE, WHICH GIFTS,
22 GRANTS, AND DONATIONS THE STATE TREASURER SHALL CREDIT TO THE
23 OPPORTUNITY SCHOOLS PILOT INITIATIVE FUND CREATED IN SECTION
24 22-15-105.

25 (4) THE STATE BOARD SHALL PROMULGATE RULES PURSUANT TO
26 THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
27 C.R.S., TO IMPLEMENT THE INITIATIVE. THE STATE BOARD SHALL BASE

1 THE RULES ON THE RECOMMENDATIONS OF THE DEPARTMENT AND THE
2 ADVISORY COMMITTEE.

3 **22-15-104. Opportunity schools pilot initiative - applications**

4 **- eligibility - program design requirements.** (1) THE DEPARTMENT,
5 WITH ADVICE FROM THE ADVISORY COMMITTEE, SHALL ISSUE A REQUEST
6 FOR APPLICANTS TO PARTICIPATE IN THE INITIATIVE. A PUBLIC SCHOOL
7 THAT MEETS THE REQUIREMENTS SPECIFIED IN SUBSECTION (2) OF THIS
8 SECTION MAY SUBMIT AN APPLICATION IN ACCORDANCE WITH THE RULES
9 OF THE STATE BOARD. THE DEPARTMENT, WORKING WITH THE ADVISORY
10 COMMITTEE, SHALL REVIEW THE APPLICATIONS AND RECOMMEND TO THE
11 STATE BOARD THE PUBLIC SCHOOLS THAT SHOULD PARTICIPATE IN THE
12 INITIATIVE, TAKING INTO ACCOUNT THE PRIORITIES SPECIFIED IN
13 SUBSECTION (4) OF THIS SECTION AND THE CRITERIA SPECIFIED IN RULES
14 OF THE STATE BOARD. NO LATER THAN JANUARY 15, 2015, THE STATE
15 BOARD SHALL SELECT THE FIRST COHORT OF PUBLIC SCHOOLS THAT
16 PARTICIPATE IN THE INITIATIVE, AND NO LATER THAN JANUARY 15, 2016,
17 THE STATE BOARD SHALL SELECT THE SECOND COHORT OF PUBLIC
18 SCHOOLS THAT PARTICIPATE IN THE INITIATIVE.

19 (2) A PUBLIC SCHOOL MAY APPLY TO PARTICIPATE IN THE
20 INITIATIVE IF THE PUBLIC SCHOOL:

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

24 (b) IS DESIGNATED BY JULY 1, 2015, FOR THE FIRST COHORT OR
25 JULY 1, 2016, FOR THE SECOND COHORT AS AN ALTERNATIVE EDUCATION
26 CAMPUS BECAUSE AT LEAST NINETY-FIVE PERCENT OF THE STUDENTS IT
27 SERVES OR WILL SERVE MEET THE DEFINITION OF A HIGH-RISK STUDENT

1 AND THE PUBLIC SCHOOL MEETS THE OTHER CRITERIA FOR DESIGNATION
2 AS AN ALTERNATIVE EDUCATION CAMPUS SPECIFIED IN SECTION
3 22-7-604.5 (1) (a) (I) TO (1) (a) (V);

4 (c) IS AUTHORIZED TO GRANT HIGH SCHOOL DIPLOMAS THROUGH
5 ITS AUTHORIZER OR OFFERS A GENERAL EDUCATION DEVELOPMENT
6 PROGRAM THAT INCLUDES ADDITIONAL SKILLS TRAINING TO ENSURE A
7 STUDENT ACHIEVES POSTSECONDARY AND WORKFORCE READINESS, AS
8 DEFINED IN SECTION 22-7-1003 (15);

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

11 (e) IS NOT AN ON-LINE SCHOOL AS DEFINED IN SECTION
12 22-30.7-102(9.5); EXCEPT THAT A MULTI-DISTRICT ON-LINE SCHOOL THAT
13 OPERATES ONE OR MORE LEARNING CENTERS AS PROVIDED IN SECTION
14 22-30.7-111 MAY APPLY TO PARTICIPATE IN THE INITIATIVE.

15 (3) A PUBLIC SCHOOL THAT APPLIES TO PARTICIPATE IN THE
16 INITIATIVE MUST DESCRIBE THE TRANSFORMATIVE, RESEARCH-BASED
17 MODEL THAT IT WILL IMPLEMENT TO SERVE HIGH-RISK STUDENTS. IN ITS
18 APPLICATION, THE PUBLIC SCHOOL MUST DEMONSTRATE THAT THE MODEL
19 IS REPLICABLE, SCALABLE, MEASURABLE, AND SUSTAINABLE. IN ADDITION,
20 THE MODEL MUST INCLUDE AT LEAST TWO OF THE FOLLOWING THREE
21 ELEMENTS:

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

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

27 (c) APPROPRIATE SUPPORTS FOR STUDENTS IN THE FIRST YEAR OF

1 POSTSECONDARY ENROLLMENT TO ENSURE POSTSECONDARY PERSISTENCE
2 AND SUCCESS.

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

6 (a) DESIGN A PROGRAM TO SERVE SPECIFIC SEGMENTS OF THE
7 STUDENT POPULATION;

8 (b) DEMONSTRATE A RECORD OF ACHIEVING ACADEMIC GROWTH
9 WITH STUDENTS IF THE APPLICANT HAS BEEN OPERATING FOR AT LEAST
10 TWO SCHOOL YEARS, ESPECIALLY WITH REGARD TO RE-ENGAGING
11 STUDENTS WHO HAVE DROPPED OUT OF SCHOOL OR BEEN EXPELLED;

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

14 (I) A STUDENT-CENTERED FOCUS IN WHICH EDUCATIONAL
15 SERVICES ARE DESIGNED SPECIFICALLY TO MEET THE NEEDS OF INDIVIDUAL
16 STUDENTS, INCLUDING FLEXIBLE PROGRAMMING, COMPETENCY-BASED
17 AND APPLIED-LEARNING APPROACHES, AND THE USE OF ACCOUNTABILITY
18 INDICATORS THAT TAKE INTO ACCOUNT STUDENT ACADEMIC PROGRESS
19 OVER TIME AND RELATIVE ACADEMIC GAINS;

20 (II) A COLLEGE AND CAREER READINESS FOCUS THAT INCLUDES
21 MULTIPLE PATHWAYS TO POSTSECONDARY ENROLLMENT, TRANSITION
22 SERVICES TO SUPPORT STUDENTS WHO ARE MOVING FROM HIGH SCHOOL TO
23 POSTSECONDARY ENROLLMENT, WORK-BASED LEARNING, CONCURRENT
24 ENROLLMENT INCLUDING FIFTH-YEAR CONCURRENT ENROLLMENT
25 PROGRAMS, AND OTHER ACCELERATED LEARNING OPTIONS; AND

26 (III) A FOCUS ON PROVIDING WRAPAROUND SUPPORT SERVICES FOR
27 STUDENTS THROUGH PARTNERSHIPS WITH MULTIPLE PUBLIC AGENCIES AND

1 PRIVATE ENTITIES. SUPPORT SERVICES MAY INCLUDE, BUT NEED NOT BE
2 LIMITED TO, DRUG AND ALCOHOL TREATMENT, HEALTH CARE, MENTAL
3 HEALTH CARE, CHILD CARE, BEHAVIORAL SUPPORTS, AND CAREER
4 OPPORTUNITIES;

5 (d) IMPLEMENT EFFECTIVE ENROLLMENT STABILIZATION POLICIES;

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

9 (f) DEMONSTRATE EFFECTIVE STRATEGIES FOR SUSTAINING THE
10 MODEL BEYOND THE DURATION OF THE INITIATIVE.

11 **22-15-105. Opportunity school pilot initiative fund - created**

12 **- funding for opportunity schools.** (1) (a) THERE IS CREATED IN THE
13 STATE TREASURY THE OPPORTUNITY SCHOOL PILOT INITIATIVE FUND TO
14 PROVIDE ADDITIONAL MONEYS FOR OPPORTUNITY SCHOOLS AND TO OFFSET
15 THE COSTS INCURRED BY THE DEPARTMENT IN IMPLEMENTING THIS
16 ARTICLE. THE FUND CONSISTS OF THE MONEYS THE GENERAL ASSEMBLY
17 APPROPRIATES DURING THE 2014 REGULAR LEGISLATIVE SESSION TO THE
18 FUND AND ANY AMOUNTS CREDITED TO THE FUND PURSUANT TO SECTION
19 22-15-103 (3).

20 (b) THE MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED
21 TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS INCURRED IN
22 IMPLEMENTING THIS ARTICLE. THE STATE TREASURER MAY INVEST ANY
23 MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE
24 AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST
25 AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS
26 IN THE FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED
27 MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR MUST

1 REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO
2 THE GENERAL FUND OR ANOTHER FUND.

3 (2) FOR THE 2015-16 BUDGET YEAR AND EACH BUDGET YEAR
4 THEREAFTER, EACH OPPORTUNITY SCHOOL RECEIVES AN AMOUNT EQUAL
5 TO THIRTY PERCENT OF THE STATEWIDE AVERAGE PER PUPIL REVENUES
6 FOR THE APPLICABLE BUDGET YEAR MULTIPLIED BY THE OPPORTUNITY
7 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR. THE
8 DEPARTMENT SHALL DISTRIBUTE THE AMOUNT FOR EACH OPPORTUNITY
9 SCHOOL TO THE SCHOOL'S AUTHORIZER, AND THE AUTHORIZER SHALL
10 FORWARD THE ENTIRE AMOUNT TO THE OPPORTUNITY SCHOOL. THE
11 AMOUNT THAT THE OPPORTUNITY SCHOOL RECEIVES PURSUANT TO THIS
12 SUBSECTION (2) IS IN ADDITION TO THE AMOUNT THAT THE OPPORTUNITY
13 SCHOOL OTHERWISE RECEIVES FROM THE AUTHORIZER FOR EACH BUDGET
14 YEAR.

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

19 **22-15-106. Accountability - opportunity schools.** (1) AN
20 OPPORTUNITY SCHOOL IS SUBJECT TO THE SAME ACCOUNTABILITY
21 REQUIREMENTS THAT APPLY TO OTHER ALTERNATIVE EDUCATION
22 CAMPUSES AS SPECIFIED IN ARTICLE 11 OF THIS TITLE AND IN RULES OF THE
23 STATE BOARD. IN ADDITION, EACH OPPORTUNITY SCHOOL SHALL PROPOSE
24 ADDITIONAL PERFORMANCE MEASURES THAT ARE RELATED TO THE
25 PERFORMANCE INDICATORS SPECIFIED IN SECTION 22-11-204 AND THAT
26 ARE VALID, RELIABLE, AND MEASURABLE AND SPECIFICALLY TAILORED TO
27 MEASURE PERFORMANCE UNDER THE OPPORTUNITY SCHOOL'S UNIQUE

1 DESIGN AND MISSION. THE DEPARTMENT, WITH ADVICE FROM THE
2 ADVISORY COMMITTEE, SHALL REVIEW THE OPTIONAL MEASURES TO
3 ENSURE THEY MEET THE REQUIREMENTS OF THIS SUBSECTION (1).

4 (2) THE DEPARTMENT SHALL ANNUALLY COLLECT AND PUBLICLY
5 REPORT ON THE DEPARTMENT WEB SITE DATA CONCERNING THE SUPPORT
6 SERVICES PROVIDED THROUGH OPPORTUNITY SCHOOLS TO STUDENTS
7 ENROLLED IN THE OPPORTUNITY SCHOOLS. THE DEPARTMENT SHALL
8 COMPLY WITH FEDERAL AND STATE PRIVACY LAWS IN COLLECTING AND
9 PUBLISHING DATA PURSUANT TO THIS SUBSECTION (2).

10 (3) THE DEPARTMENT AND THE ADVISORY COMMITTEE SHALL
11 REGULARLY REVIEW THE PERFORMANCE OF EACH OPPORTUNITY SCHOOL,
12 FOCUSING ON THE SCHOOL'S LEVEL OF STUDENT ACHIEVEMENT, ACADEMIC
13 GROWTH, STUDENT ENGAGEMENT, AND OTHER INDICATORS THAT
14 DEMONSTRATE THAT STUDENTS ARE SUCCESSFULLY OBTAINING SKILLS
15 NEEDED TO ACHIEVE POSTSECONDARY AND WORKFORCE SUCCESS.

16 (4) AFTER AT LEAST TWO SCHOOL YEARS OF PERFORMANCE DATA
17 ARE AVAILABLE AFTER AN OPPORTUNITY SCHOOL BEGINS PARTICIPATING
18 IN THE INITIATIVE, IF THE OPPORTUNITY SCHOOL IS NOT MEETING THE
19 EXPECTATIONS ESTABLISHED BY THE OPPORTUNITY SCHOOL AND BY THE
20 DEPARTMENT FOR THE INITIATIVE, THE DEPARTMENT, WITH THE ADVICE OF
21 THE ADVISORY COMMITTEE, MAY RECOMMEND THAT THE STATE BOARD
22 REDUCE OR DISCONTINUE THE AMOUNT OF ADDITIONAL FUNDING THE
23 OPPORTUNITY SCHOOL RECEIVES.

24 (5) THE AUTHORIZER OF AN OPPORTUNITY SCHOOL RETAINS THE
25 AUTHORITY TO OVERSEE AND, IF DEEMED NECESSARY, CLOSE AN
26 OPPORTUNITY SCHOOL, REGARDLESS OF THE SCHOOL'S STATUS AS AN
27 OPPORTUNITY SCHOOL.

1 **22-15-107. Opportunity school pilot initiative - reporting -**

2 **evaluation.** (1) THE DEPARTMENT, WITH THE ADVICE OF THE ADVISORY
3 COMMITTEE, SHALL ESTABLISH CLEAR MEASURES TO EVALUATE THE
4 SUCCESS OF THE INITIATIVE. THE MEASURES MAY INCLUDE, BUT NEED NOT
5 BE LIMITED TO:

6 (a) OVERALL OPPORTUNITY SCHOOL PERFORMANCE, ACADEMIC
7 GROWTH OF STUDENTS ENROLLED IN OPPORTUNITY SCHOOLS, AND OTHER
8 MEASURES OF STUDENT GAINS ESTABLISHED SPECIFICALLY FOR THE
9 OPPORTUNITY SCHOOLS;

10 (b) EVIDENCE THAT THE ACCOUNTABILITY MEASURES THAT THE
11 OPPORTUNITY SCHOOLS ADOPT ARE IMPACTING THE DEPARTMENT'S
12 OVERSIGHT OF OTHER PUBLIC SCHOOLS AND IMPACTING THE
13 ACCOUNTABILITY MEASURES THAT OTHER SCHOOLS ADOPT;

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

17 (d) EVIDENCE THAT OTHER ALTERNATIVE EDUCATION CAMPUSES
18 AND OTHER PUBLIC SCHOOLS ARE REPLICATING THE MODELS AND
19 PRACTICES IMPLEMENTED BY THE OPPORTUNITY SCHOOLS.

20 (2) THE DEPARTMENT SHALL CONTRACT WITH AN INDEPENDENT
21 ENTITY TO EVALUATE THE INITIATIVE IN THE THIRD YEAR OF OPERATIONS
22 AND EVERY THIRD YEAR THEREAFTER. THE ENTITY SHALL PREPARE A
23 QUALITATIVE AND QUANTITATIVE REPORT OF THE INITIATIVE THAT THE
24 GENERAL ASSEMBLY MAY USE IN DETERMINING WHETHER TO CONTINUE
25 FUNDING THE INITIATIVE. THE QUALITATIVE REPORT MAY INCLUDE
26 RECOMMENDATIONS FOR CHANGES IN POLICY AND PRACTICE IN
27 IMPLEMENTING THE INITIATIVE. THE DEPARTMENT SHALL SUBMIT THE

1 REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF
2 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES,
3 AND PUBLISH THE REPORT ON THE DEPARTMENT'S WEB SITE.

4 **SECTION 2. Appropriation.** In addition to any other
5 appropriation, there is hereby appropriated, out of any moneys in the state
6 education fund created in section 17 (4) (a) of article IX of the state
7 constitution, not otherwise appropriated, to the opportunity school pilot
8 initiative fund created in section 22-15-105 (1) (a), Colorado Revised
9 Statutes, the sum of \$2,116,437, to be used for purposes consistent with
10 the creation of the fund.

11 **SECTION 3. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, and safety.