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2001



SENATE BILL 01-098

BY SENATOR(S) Pascoe, Thiebaut, Matsunaka, Dyer (Durango), Evans, Fitz-Gerald, Hagedorn, Hanna, Hernandez, Linkhart, Perlmutter, Tupa, and Windels;

also REPRESENTATIVE(S) King, Alexander, Borodkin, Boyd, Cadman, Chavez, Cloer, Coleman, Crane, Daniel, Dean, Decker, Fairbank, Fritz, Groff, Grossman, Hefley, Hodge, Hoppe, Jahn, Kester, Lawrence, Lee, Mace, Madden, Marshall, Miller, Paschall, Plant, Ragsdale, Rhodes, Romanoff, Sanchez, Schultheis, Scott, Sinclair, Snook, Spence, Stafford, Stengel, Swenson, Tapia, Tochtrop, Veiga, Vigil, Webster, Weddig, White, Williams, S., Williams, T., and Young.

CONCERNING SCHOOL IMPROVEMENT, AND MAKING AN APPROPRIATION THEREFOR.

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

**SECTION 1.** 22-7-601 (1) (e), (1) (f), and (2), Colorado Revised Statutes, are amended to read:

**22-7-601. Legislative declaration.** (1) The general assembly hereby finds that:

(e) Giving each public school a ~~report card grading~~ AN

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*Capital letters indicate new material added to existing statute; dashes through the words indicate deletions from existing statutes and such material not part of act.*

ACCOUNTABILITY REPORT ON its performance and improvement in academic achievement will assist the general assembly, parents, and taxpayers in identifying those public schools that are providing students with an opportunity for a quality education; and

(f) By requiring annual ~~school report cards~~ ACCOUNTABILITY REPORTS, the general assembly, parents, and taxpayers will be able to monitor the progress that schools make toward providing students with an opportunity for a quality education in a safe learning environment.

(2) The general assembly recognizes that the ~~grading~~ RATING of public schools will be controversial. Therefore, the general assembly finds that it is important that objective indicators be used in a manner that will ensure consistent application throughout the state IN RATING PUBLIC SCHOOLS. It is the intent of the general assembly that, in calculating a school's academic performance ~~grade~~ RATING, the department of education shall use, except for limited statutory exceptions, the scores and other objective indicators of all students enrolled in the school.

**SECTION 2.** 22-7-602 (1), (7), and (8), Colorado Revised Statutes, are amended to read:

**22-7-602. Definitions.** As used in this part 6, unless the context otherwise requires:

(1) "Baseline assessment year" means the 2000-01 school year for all CSAP assessments ~~and the curriculum-based, achievement college entrance examinations~~ required to be administered during that school year and means the 2001-02 school year for all assessments required to be administered for the first time during the 2001-02 school year AND FOR THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAMINATIONS REQUIRED BY SECTION 22-7-409 (1.5).

(7) "Public school" means a school that ~~received~~ RECEIVES a majority of its funding from moneys raised by a general state, county, or district tax and whose property is ~~owned and~~ operated by a political subdivision of the state OR A CHARTER SCHOOL ESTABLISHED PURSUANT TO ARTICLE 30.5 OF THIS TITLE.

(8) "School level" means the level of a public school as either elementary, middle, or high school. Schools that cover grades one through

five or one through six shall be considered elementary schools. Schools that cover grades six through eight or seven through nine shall be considered middle schools. Schools that cover grades nine through twelve or ten through twelve shall be considered high schools. Schools that cover other combinations of grades shall be considered elementary, middle, or high school as determined by the state board by rule; except that, if a school covers two or three complete school levels, as defined in this subsection (8), it shall be considered as two or three separate schools for purposes of assigning of academic performance and improvement ~~grades RATINGS~~ pursuant to section 22-7-604 and issuing school ~~report-cards~~ ACCOUNTABILITY REPORTS pursuant to section 22-7-605.

**SECTION 3.** 22-7-603 (1), Colorado Revised Statutes, is amended to read:

**22-7-603. State data reporting system.** (1) The department shall develop and implement a comprehensive data collection and reporting system for collecting and reporting performance indicators from each public school. On or before September 1, 2000, the department shall contract out for the development of the state data reporting system. The department shall award the contract based upon a competitive bid; except that the provisions of the "Procurement Code", articles 101 to 112 of title 24, C.R.S., shall not apply to this contract. The state data reporting system shall be designed to collect, through electronic transfer where possible, all student and public school performance data required to ascertain the degree to which public schools and school districts are meeting state performance standards and shall be capable of producing data for decision-making and for the comprehensive annual ~~report-cards~~ SCHOOL ACCOUNTABILITY REPORTS on public school and district performance pursuant to sections 22-7-604 and 22-7-605. The state data reporting system shall be designed to protect the privacy of individual students and individually identifying data. In addition, the state data reporting system shall be designed to include all the information and data elements needed for measuring student and school performance, including fiscal, student, program, personnel, facility, community, evaluation, and other relevant data and shall allow for the analysis of the relationship between school district and public school expenditures and effectiveness. Data elements collected and provided by the department, school districts, and individual public schools shall be compatible. The state data reporting system shall be managed and administered by the department. Each school district that has a unique information management system shall assure that compatibility exists

between its unique system and the data elements of the state data reporting system so that all data required to be input into the state data reporting system is made available through electronic transfer and in the appropriate input format.

**SECTION 4.** 22-7-604 (1), (2), (5), (6), (7), and (8), Colorado Revised Statutes, are amended to read:

**22-7-604. Academic performance - academic improvement - measurement - designation and methodology.** (1) Beginning with the 2000-01 school year and for each school year thereafter, the department shall assign to each public school a ~~letter grade of "A", "B", "C", "D", or "F"~~ RATING OF "EXCELLENT", "HIGH", "AVERAGE", "LOW", OR "UNSATISFACTORY" for the public school's overall academic performance as calculated pursuant to this section. The ~~grades~~ RATINGS shall correspond to the following categories:

- (a) ~~"A"~~ "EXCELLENT": Excellent academic performance;
- (b) ~~"B"~~ "HIGH": Above average academic performance;
- (c) ~~"C"~~ "AVERAGE": Average academic performance;
- (d) ~~"D"~~ "LOW": Below average academic performance; and
- (e) ~~"F"~~ "UNSATISFACTORY": Failing academic performance.

(2) ~~Grades~~ RATINGS assigned to public schools pursuant to this section shall be determined by the levels of student achievement and improvement on all CSAP assessments and curriculum-based, achievement college entrance exams administered by the public school in each school year pursuant to section 22-7-409. Each new CSAP assessment area and grade level shall enter the calculations of ~~grades~~ RATINGS pursuant to this section at a weight equivalent to that assigned to existing assessment areas and grade levels.

(5) **Overall academic performance measurement.** (a) The department shall average each public school's CSAP-area standardized, weighted total scores calculated pursuant to subsection (3) of this section and, in the case of a public high school, STARTING WITH THE 2001-02

SCHOOL YEAR, shall average its CSAP-area standardized, weighted total score calculated pursuant to subsection (3) of this section and its standardized mean scores for the same academic area calculated pursuant to subsection (4) of this section. The average shall be weighted to control for differences in school size and differences in the number of students with valid scores across academic areas. The number of students with valid scores within an academic area ~~will~~ SHALL be multiplied by the CSAP-area or curriculum-based, achievement college entrance exam standard mean score for that academic area. This product ~~will~~ SHALL be summed with all other products for academic areas and divided by the sum of the number of students with valid scores across all academic areas. The department shall use the resulting overall standardized, weighted total score to assign an academic performance ~~grade~~ RATING to each public school.

(b) (I) In the baseline performance year, the department shall assign an academic performance ~~grade~~ RATING to each public school at each school level based on a public school's overall standardized, weighted total score as follows:

(A) An academic performance ~~grade~~ RATING of "~~A~~" "EXCELLENT" shall be assigned to public schools whose overall standardized, weighted total scores are in the highest eight percent of scores received by public schools at the same school level in the state, including public schools that tie at the lowest eligible score;

(B) An academic performance ~~grade~~ RATING of "~~B~~" "HIGH" shall be assigned to public schools whose overall standardized, weighted total scores are below the highest eight percent and above the lowest sixty-seven percent of scores received by public schools at the same school level in the state, including schools that tie at the lowest eligible score;

(C) An academic performance ~~grade~~ RATING of "~~C~~" "AVERAGE" shall be assigned to public schools whose overall standardized, weighted total scores are below the highest thirty-three percent and above the lowest twenty-seven percent of scores received by public schools at the same school level in the state, including schools that tie at the lowest eligible score;

(D) An academic performance ~~grade~~ RATING of "~~D~~" "LOW" shall be assigned to public schools whose overall standardized, weighted total scores are below the highest seventy-three percent and above the lowest two

percent of scores received by public schools at the same school level in the state, including schools that tie at the lowest eligible score;

(E) An academic performance ~~grade~~ RATING of "F" "UNSATISFACTORY" shall be assigned to public schools whose overall standardized, weighted total scores are in the lowest two percent of scores received by public schools at the same school level in the state.

(II) The ~~grades~~ RATINGS assigned in the baseline performance year pursuant to subparagraph (I) of this paragraph (b) shall establish which overall standardized, weighted total scores are assigned to which ~~grades~~ RATINGS for subsequent years, subject to paragraph (c) of this subsection (5). The conversion tables established in the baseline performance year for converting weighted totals to standardized, weighted totals shall be used in future years until such time as a new baseline year is established. In addition, the conversion tables established in the baseline performance year for converting standardized, weighted totals to ~~letter grades~~ RATINGS shall be used in future years until such time as a new baseline year is established.

(c) As student performance improves, the standard for assessing academic performance ~~grades~~ RATINGS shall be raised. The department shall evaluate this standard annually by reporting to the state board on the overall academic performance ~~grades~~ RATINGS and changes in such ~~grades~~ RATINGS as described in subsections (6) and (7) of this section. In February, 2005, and in February every three years thereafter, the state board shall report to the education committees of the senate and the house of representatives and to the governor on whether it believes that a new year should be used as the baseline performance year to recalculate the overall standardized, weighted total scores assigned to each academic performance ~~grade~~ RATING. The state board shall not establish a new year as the baseline performance year unless it notifies the education committees of the senate and the house of representatives and the governor on or before February 1 of the year in which school ~~report cards~~ ACCOUNTABILITY REPORTS would reflect the new baseline performance year.

(d) For public schools that exclude from any CSAP assessment at any grade level more than ten percent of the students enrolled in that grade level or exclude from any curriculum-based, achievement college entrance exam more than ten percent of the students required to take such exam, any representation of that public school's overall academic performance ~~grade~~ RATING shall be qualified and followed by the words "participation noted".

(6) **School improvement measurement.** (a) Beginning with the 2001-02 school year, the department shall annually assign a ~~letter grade~~ RATING for academic improvement to each public school ~~that in the immediately preceding school year received an academic performance grade of "C" or below as calculated pursuant to subsection (5) of this section.~~ The academic improvement grades shall correspond to the categories described in subsection (1) of this section: OF "SIGNIFICANT IMPROVEMENT", "IMPROVEMENT", "STABLE", "DECLINE", OR "SIGNIFICANT DECLINE". The academic improvement ~~grade~~ RATING shall be based upon the change in the school's standardized, weighted total score calculated pursuant to subsection (5) of this section.

(b) For each public school, ~~described in paragraph (a) of this subsection (6),~~ the department shall assign an academic improvement ~~grade~~ RATING as follows:

(I) An academic improvement ~~grade~~ RATING of "A" "SIGNIFICANT IMPROVEMENT" shall be assigned to each ~~such~~ public school that shows an improvement of 0.5 of a point or greater from the standard deviation over the immediately preceding year's standardized, weighted total score;

(II) An academic improvement ~~grade~~ RATING of "B" "IMPROVEMENT" shall be assigned to each ~~such~~ public school that shows an improvement of less than 0.5 of a point but 0.3 of a point or greater from the standard deviation over the immediately preceding year's standardized, weighted total score;

(III) An academic improvement ~~grade~~ RATING of "C" "STABLE" shall be assigned to each ~~such~~ public school that shows an improvement of less than 0.3 of a point from the standard deviation over the immediately preceding year's standardized, weighted total score or that ~~show~~ SHOWS a decline of less than -0.3 of a point from the standard deviation over the immediately preceding year's standardized, weighted total score;

(IV) An academic improvement ~~grade~~ RATING of "D" "DECLINE" shall be assigned to each ~~such~~ public school that shows a decline of -0.3 of a point or more but less than -0.5 of a point from the standard deviation over the immediately preceding year's standardized, weighted total score; and

(V) An academic improvement ~~grade~~ RATING of "F" "SIGNIFICANT

DECLINE" shall be assigned to each such public school that shows a decline of -0.5 of a point or more from the standard deviation over the immediately preceding year's standardized, weighted total score.

**(7) School improvement designation - "A" and "B" schools - determination.** ~~(a) Beginning with the 2001-02 school year, the department shall annually designate the improvement of each public school that received an academic performance grade of "A" or "B", calculated pursuant to subsection (5) of this section. The designations shall be "significant improvement in school performance", "decline in school performance", or "significant decline in school performance". Each such public school shall be assigned such designation based on its CSAP-area standardized, weighted total score calculated pursuant to subsection (5) of this section.~~

~~(b) The department shall assign designations for each public school described in paragraph (a) of this subsection (7) according to its demonstration of the following:~~

~~(I) A school improvement designation of "significant improvement in school performance" shall be assigned to each such public school that shows an improvement of 0.5 of a point or greater from the standard deviation over the immediately preceding year's standardized, weighted total score;~~

~~(II) A school improvement designation of "decline in school performance" shall be assigned to each such public school that shows a decline of -0.3 of a point or more but less than -0.5 of a point from the standard deviation over the immediately preceding year's standardized, weighted total score; and~~

~~(III) A school improvement designation of "significant decline in school performance" shall be assigned to each such public school that shows a decline of -0.5 or more of a point from the standard deviation over the immediately preceding year's standardized, weighted total score.~~

(8) The state board shall have the authority to issue any rules necessary to calculate and assign academic performance grades RATINGS and designations pursuant to this section.



**SECTION 5.** 22-7-605 (1), (2) (a), (2) (b), (2) (c), and (3) (a), the introductory portion to 22-7-605 (3) (b), 22-7-605 (3) (c) and (4), the introductory portion to 22-7-605 (5), 22-7-605 (5) (e), the introductory portion to 22-7-605 (6), and 22-7-605 (6) (a) (III), (6) (d) (IV), (7) (a), (7) (b) (I), (7) (d) (II), (7) (d) (III), (7) (d) (V), (7) (d) (VI), (8), (9) (a), (9) (d), and (10), Colorado Revised Statutes, are amended to read:

**22-7-605. School accountability reports - format.** (1) Starting in the academic year 2000-01, and for each academic year thereafter, the department shall issue a AN ACCOUNTABILITY report card for each public school in the state. The ACCOUNTABILITY report card shall be issued in an easy-to-read format and shall include the public school's overall academic performance grade RATING. The department shall utilize the methodology described in section 22-7-604 and the state data reporting system established pursuant to section 22-7-603 to prepare a AN ACCOUNTABILITY report card for every public school.

(2) (a) (I) TERMS AND DATA ELEMENTS USED IN THE STATE SCHOOL ACCOUNTABILITY REPORTS SHALL BE AS DEFINED IN THE CHART OF ACCOUNTS AND PERSONNEL CLASSIFICATION SYSTEM DEVELOPED PURSUANT TO SECTION 22-44-105 (4) (a).

(II) On or before September 1, 2000, the state board by rule shall define, consistent with the provisions of this part 6, any ADDITIONAL data elements included on the school report cards ACCOUNTABILITY REPORTS and the information that shall be collected and reported to ensure the existence, accuracy, and relevancy of the data elements reported on the school report cards ACCOUNTABILITY REPORTS developed pursuant to this section.

(b) Each public school and school district shall report accurately any data required to produce a school ACCOUNTABILITY report card for each public school, using whenever possible the state data reporting system described in section 22-7-603. The state board shall seek to minimize and eliminate the duplication of data reporting required under this section and that required by other state or federal statutes or rules so that school districts may satisfy multiple reporting requirements within a single reporting framework. The state board in particular shall note the data collection and reporting already required and conducted by the department, public schools, and school districts in sections 22-2-112, 22-7-105, 22-11-104, 22-11-201, 22-30.5-110, 22-32-109, 22-32-110, 22-33-105, 22-44-105, 22-44-111, and 22-54-112.

(c) Each public school and each school district shall meet data submission timetables adopted by rule of the state board in order to comply with the schedule required by this section to produce ~~report cards~~ THE ACCOUNTABILITY REPORTS. If, after a reasonable period of time, the department determines that a public school or a school district has failed to comply fully and accurately with the data reporting and collection requirements of this section, the state board shall rescind the accreditation of the school district pursuant to article 11 of this title.

(3) (a) The ACCOUNTABILITY report ~~card~~ produced for each public school pursuant to this section shall not contain any information other than the information specified in this section. The information specified in this section shall be arranged on the ACCOUNTABILITY report ~~card~~ in the order it appears in this section.

(b) Each ACCOUNTABILITY report ~~card~~ shall be printed double-sided on paper eleven inches by seventeen inches. The two sides shall contain the following:

(c) The ACCOUNTABILITY report ~~card~~ shall be folded in such a way that the eleven-by-seventeen-inch paper has two folds to comprise six panels, corresponding to the above divisions and that after folding only the title page and the "Taxpayers' Report" page appear.

(4) **Title page.** Information described in paragraphs (a) to (d) of this subsection (4) shall appear on the front of the ACCOUNTABILITY report: ~~card~~:

(a) **Title.** The ACCOUNTABILITY report ~~card~~ shall include in large font, superimposed on a faint rendition of the state seal, the name of the public school. Immediately underneath shall be the words "School ACCOUNTABILITY Report" ~~Card~~" and "[year]-[year] school year" on which the information in the ACCOUNTABILITY report ~~card~~ is based.

(b) **Ratings.** (I) The ACCOUNTABILITY report ~~card~~ shall contain a heading "School Performance Summary" immediately followed in large font by the words, "Overall Academic Performance" followed directly by the ~~letter grade~~ RATING corresponding to this category calculated pursuant to section 22-7-604 for the public school.

~~(II) (A) If the school received an overall academic performance grade of "C", "D", or "F" for the immediately preceding school year, Immediately below the words "Overall Academic Performance" shall appear in smaller type "Academic Improvement: letter grade RATING calculated pursuant to section 22-7-604 (6)". The letter grade RATING shall be in the same size type as the words "Academic Improvement".~~

~~(B) If the school received an overall academic performance grade of "A" or "B" for the immediately preceding school year and qualified for a designation pursuant to section 22-7-604 (7), immediately below the words "Overall Academic Performance" shall appear in smaller type "Academic Improvement: [designation pursuant to section 22-7-604 (7)]".~~

(C) If the school qualifies for an award pursuant to part 3 of article 11 of this title, immediately below the words ~~"Overall Academic Performance"~~ or, if applicable, "Academic Improvement", shall appear the words: "Winner of a John Irwin School of Excellence Award for the [year - year] school year." or "Winner of a Governor's Distinguished Improvement Award for the [year - year] school year.", whichever is appropriate.

(c) **Comparison.** The ACCOUNTABILITY report card shall contain the following subtitle, "How [name of the public school] Compares To Nearby [school level] Schools". Below this subtitle, the ACCOUNTABILITY report card shall contain a list of the ten schools, whether public or private, of the same school level as the subject school that are closest geographically to the subject public school and that received a AN ACCOUNTABILITY report card pursuant to this part 6; except that no school shall be listed if it is located more than seventy-five miles from the subject public school. Immediately following the name of each school shall be the overall academic performance ~~grade~~ RATING for each school as calculated pursuant to section ~~22-7-604~~ 22-7-604 (5). The names of the ten schools and the overall academic performance ~~grades~~ RATINGS shall form two columns, titled "School" and "Academic". If any of the ten schools used for comparison for this paragraph (c) are from a different school district or are nonpublic schools, a footnote number shall be inserted after the name of each such school and a footnote shall follow the listing of the ten schools identifying the other school district or nonpublic schools.

(d) **Preparation and verification information.** The ACCOUNTABILITY report card shall contain the following statement: "School

~~Report Cards~~ ACCOUNTABILITY REPORTS prepared by the Colorado Department of Education are independently audited and verified by [name of the consulting firm whose services are procured pursuant to section 22-7-606 (4)]." At the bottom of the title page of the ACCOUNTABILITY report ~~card~~ shall appear the following statement: "For more information on additional schools, visit [www.state.co.us/schools](http://www.state.co.us/schools)".

(5) **Safety and school environment.** The ACCOUNTABILITY report ~~card~~ shall contain a page clearly marked as the "Safety and School Environment" page containing the following:

(e) **Ratings description.** Directly below the information contained in paragraph (d) of this subsection (5) shall appear a chart containing the following ~~lines~~ TWO COLUMNS:

(I) ~~"Key: Academic Performance Letter Grades:"~~; THE FIRST COLUMN SHALL BE ENTITLED "OVERALL ACADEMIC PERFORMANCE RATINGS" IN BOLD FONT AND CAPITAL LETTERS. IMMEDIATELY FOLLOWING THIS TITLE SHALL BE THE FOLLOWING WORDS LISTED IN A COLUMN, EACH PRECEDED BY A BULLET POINT: "EXCELLENT"; "HIGH"; "AVERAGE"; "LOW"; AND "UNSATISFACTORY".

(II) ~~"A – Excellent Academic Performance"~~; THE SECOND COLUMN SHALL BE ENTITLED "SCHOOL IMPROVEMENT RATINGS" IN BOLD FONT AND CAPITAL LETTERS. IMMEDIATELY FOLLOWING THIS TITLE SHALL BE THE FOLLOWING WORDS LISTED IN A COLUMN, EACH PRECEDED BY A BULLET POINT: "SIGNIFICANT IMPROVEMENT"; "IMPROVEMENT"; "STABLE"; "DECLINE"; AND "SIGNIFICANT DECLINE".

~~(III) "B – Above Average Academic Performance";~~

~~(IV) "C – Average Academic Performance";~~

~~(V) "D – Below Average Academic Performance"; and~~

~~(VI) "F – Failing Academic Performance".~~

(6) **Staff information.** The ACCOUNTABILITY report ~~card~~ shall contain a page clearly marked as the "About Our Staff" page in large font which shall contain the following information:

(a) This page shall contain the subtitle, "School Employment" and the following explanation: "Each year, your school reports to the Colorado Department of Education on the number of adults who work in your school, as well as the type of work they do. Last year, your school employed:". Immediately underneath this subtitle shall be a table with three columns:

(III) Directly below this table shall appear: "\*Full-time and part-time teachers permanently assigned to this school.". Immediately underneath this explanation shall appear the following sentence: "\*\*School counselors AND LIBRARIANS are included in the Other Professionals category. Your school employed [number] counselor(s)AND [NUMBER] LIBRARIAN(S) last year."

(d) **Salaries.** The "About Our Staff" page shall also include the subtitle, "Salaries". Directly below this subtitle shall be a table with four columns:

(IV) Immediately following shall be the name, address, and telephone number of the school on which the ACCOUNTABILITY report is prepared. Following this, at the bottom of the page shall be: "For more information and further details about this report, visit: [www.state.co.us/schools](http://www.state.co.us/schools)". The last line of the page shall be: "Colorado Department of Education [address]".

(7) **Student performance.** (a) The ACCOUNTABILITY report card shall contain a page clearly marked in large font as the "Student Performance" page. This page shall contain the following statement immediately under the title: "Colorado students are assessed once a year in order to measure their performance on state academic content standards, using the Colorado Student Assessment Program (CSAP). The chart below shows the results for grades [grade]-[grade] in the subject areas of reading, writing, and math FOR ALL STUDENTS TESTED."

(b) (I) Following the text specified in paragraph (a) of this subsection (7), a solid line shall appear followed by "CSAP [year] Spring". Under this heading shall appear the correct number of columns corresponding to each grade level in the public school that took at least one test through the CSAP program. Each column shall be clearly marked as to the corresponding grade level. Underneath each grade level, three rows of pie charts shall appear. The first row shall be clearly marked underneath each pie chart as "Reading", the second row shall be clearly marked

underneath each pie chart as "Writing", and the third row shall be clearly marked underneath each pie chart as "Math". Such pie charts shall report information collected pursuant to section 22-7-409 INCLUDING, BEGINNING WITH THE 2001-02 SCHOOL YEAR, THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM. On each pie chart shall be printed the corresponding percentages. Pie charts shall be printed in color and shall clearly delineate student scores on assessments.

(d) Directly below the "CSAP" key shall appear a table entitled "Percent of Students Scoring Proficient and Advanced". This table shall contain four columns and a pie chart:

(II) The second column shall be entitled "Your School", the third column shall be entitled "District", and the fourth column shall be entitled "State". The pie chart shall be entitled "~~Percent of Student Test Scores Counted~~ USED FOR CALCULATING OVERALL ACADEMIC PERFORMANCE".

(III) The pie chart shall have an answer key directly to the right containing the following information:

(A) "Test Scores ~~Counted~~ USED....[percentage]\_%";

(B) "Test scores not ~~counted~~ USED due to Language... [percentage]\_%";

(C) "Test scores not ~~counted~~ USED due to Special Ed.... [percentage]\_%"; and

(D) "Test scores not ~~counted~~ USED due to New Student... [percentage]\_%".

(V) Immediately underneath the table and chart described in this paragraph (d), the ACCOUNTABILITY report ~~card~~ shall contain the following explanation in a small point size: "Each school in the State received a ~~letter grade, A, B, C, D, or F~~, RATING OF "EXCELLENT", "HIGH", "AVERAGE", "LOW", OR "UNSATISFACTORY" for student academic performance in school year [year]-[year] using the CSAP results printed above. Every student in this school who took these tests was included in the calculation used to assign a ~~letter grade~~ RATING, except for students who do not speak English, whose special needs require that they spend less than 45% of their time in a regular classroom, or who enrolled in the ~~Colorado~~ public school system

after ~~October~~ FEBRUARY 1 of this school year. Your school's ~~grade~~ RATING was determined by the percentage of students performing in each of the Advanced, Proficient, Partially Proficient, and Unsatisfactory levels. These percentages were weighted and combined across grade levels and academic areas. These weights reward performance at the Advanced and Proficient levels over performance at the Partially Proficient and Unsatisfactory levels. The ~~letter grades~~ RATINGS were assigned after calculating the weighted total for each academic area and grade level for each school and comparing this school to all other [school level] schools for the [year]-[year] school year."

(VI) Below this explanation shall appear in a bold, large font, clearly outstanding: "Overall Academic Performance for the [year]-[year] school year", followed directly by the ~~letter grade~~ RATING corresponding to this category calculated pursuant to section 22-7-604 (5) for the school.

(8) **School history.** (a) The ACCOUNTABILITY report ~~card~~ shall contain a page clearly marked in large font as the "School History" page. Below the title "School History" shall appear the words "Overall Academic Performance" followed by the ~~grades~~ RATINGS received by the school pursuant to section 22-7-604 (5) in the current year, the immediately preceding year, and the year before the immediately preceding year. The three ~~grades~~ RATINGS shall form three columns. The columns shall be labeled by the appropriate school year.

(b) ~~If the public school has received in the current year or the two preceding years a grade for school improvement pursuant to section 22-7-604 (6), there shall appear a second row entitled IMMEDIATELY BELOW THE WORDS "OVERALL ACADEMIC PERFORMANCE" SHALL APPEAR THE WORDS "School Improvement".~~ The words "School Improvement" shall be followed by the ~~grade~~ RATING the public school received pursuant to section 22-7-604 (6) ~~when applicable~~, in the current year, the immediately preceding year, and the year before the immediately preceding year.

(c) ~~If the public school received a designation in the current year pursuant to section 22-7-604 (7), then immediately below the one or two rows described in paragraphs (a) and (b) of this subsection (8), whichever is applicable, the following words shall appear: "During the [current school year] [name of school] was noted for ["Improvement in School Performance", "Decline in School Performance", or "Significant Decline in School Performance", whichever is applicable pursuant to section 22-7-604 (7)]."~~

(d) Directly below the information contained in paragraphs (a) to (c) AND (b) of this subsection (8) shall appear a paragraph in small point size that states: "~~A EACH school that received a grade of "C", "D", or "F" for academic performance is graded for~~ RECEIVES A school improvement RATING OF "SIGNIFICANT IMPROVEMENT", "IMPROVEMENT", "STABLE", "DECLINE", OR "SIGNIFICANT DECLINE". THIS RATING IS BASED UPON THE CHANGE IN STUDENT ACADEMIC PERFORMANCE from the previous year. ~~A school that received a grade of "A" or "B" for academic performance may be designated for improvement or decline in performance if its overall academic performance improves or declines notably.~~ Each school receiving a grade of either "B", "C", "D", or "F" can improve its letter grade RATING next year by improving student performance on the [year]-[year] [next academic year] CSAP."

(e) Below the paragraph specified in paragraph (d) of this subsection (8) shall appear three charts. Each of the three charts shall represent one of the three subject areas tested by the CSAP, "Reading", "Writing", and "Math". Each chart shall contain on the left the following lines: "[Subject Matter Tested] Proficiency Levels Grades \_\_-\_\_ Percent Proficient and Advanced". It shall then list on separate lines the three most recent years and the combined advanced and proficient scores as a percentage for each year on the assessment given pursuant to section 22-7-409. To the right of this text shall be graphs with three bars that show averages, figured pursuant to section 22-7-409, in ~~100%~~ ONE HUNDRED PERCENT stacked columns for each of the immediately preceding three years. Such years shall appear on the horizontal axis of the chart. The charts shall be clearly delineated by color or shading. From top to bottom, the charts shall show the area representing "Advanced", "Proficient", "Partially Proficient", and "Unsatisfactory", respectively.

(9) **Taxpayers' report.** (a) The ACCOUNTABILITY report card shall contain a page clearly marked in large-size font as the "Taxpayers' Report" page. Financial data from this page shall be from the most recently audited fiscal year.

(d) The bottom of the page described in this subsection (9) shall list in bold font the name of the public school that the school ACCOUNTABILITY report card is detailing and its address. The second from last line of the page shall state: "For more information and further details about this report, visit: [www.state.co.us/schools](http://www.state.co.us/schools)". The last line of the page shall state: "Colorado Department of Education [address]".



(10) The department shall make only the necessary modifications to the ACCOUNTABILITY report ~~card~~ to ensure that a public school's ACCOUNTABILITY report ~~card~~ is formatted with the appropriate information for elementary schools, middle schools, junior high schools, and senior high schools. The department shall employ such layout, design, color, and graphical elements necessary for the ACCOUNTABILITY report ~~card~~ to be parent-friendly and easy to read and to enhance rather than detract from the data to be reported. IF A SCHOOL FAILS TO REPORT DATA, THE DEPARTMENT SHALL CLEARLY NOTE ON THE SCHOOL ACCOUNTABILITY REPORT: "DATA NOT REPORTED TO STATE".

**SECTION 6.** 22-7-606, Colorado Revised Statutes, is amended to read:

**22-7-606. School accountability reports - delivery website - repeal.** (1) (a) The department shall deliver each public school's annual ACCOUNTABILITY report ~~card~~ to the public school by ~~August~~ SEPTEMBER 15, 2001, and by ~~August~~ SEPTEMBER 15 each year thereafter. The department shall print and provide to the public school copies of the ~~report cards~~ ACCOUNTABILITY REPORTS in the amount of: Total pupil enrollment at last annual count, plus the total number of teachers as listed on the school ACCOUNTABILITY report, ~~card~~; plus an additional twenty-five percent.

(b) On or before January 1, 2001, the department shall enter into a contract for the production of the school ~~report cards~~ ACCOUNTABILITY REPORTS. The department shall award the contract based upon a competitive bid; except that the provisions of the "Procurement Code", articles 101 to 112 of title 24, C.R.S., shall not apply to this contract.

(2) The public school shall distribute its annual ACCOUNTABILITY report ~~card~~ to the parent or legal guardian of each student enrolled in the public school and to any members of the public who request a copy.

(3) The department shall develop an internet website, which homepage address shall be "www.state.co.us/schools", specifically to place each public school's ACCOUNTABILITY report ~~card~~ on the internet. The department shall design the website so that users may search for a particular school's ACCOUNTABILITY report ~~card~~ through a number of sorting functions, including but not limited to school district, county, city, and zip code. The department shall annually update the website to include each

school ACCOUNTABILITY report ~~card~~ prepared by the department and shall maintain at the website an archive accessible by internet users of the three previous years' school ~~report cards~~ ACCOUNTABILITY REPORTS. The website shall allow users to easily compare schools' overall academic performance ~~grades~~ RATINGS as determined pursuant to section 22-7-604. Such comparison shall be facilitated by search tools that allow a user, at a minimum, to find schools within different geographic ranges of another school and to find schools within different geographic areas and zip codes. On or before January 1, 2001, the state board shall contract with a private entity for the design, including the search and sort functions, of the school ACCOUNTABILITY report ~~card~~ website. The department shall award the contract based upon a competitive bid; except that ~~but~~ the provisions of the "Procurement Code", articles 101 to 112 of title 24, C.R.S., shall not apply to this contract.

(4) On or before January 1, 2001, and on or before each January 1 thereafter, the state board shall contract with a nationally recognized, independent auditing firm to annually audit the process of preparing the ~~report cards~~ ACCOUNTABILITY REPORTS developed pursuant to section 22-7-605 to ensure data and reporting integrity and quality control. The department shall award the contract based upon a competitive bid; except that the provisions of the "Procurement Code", articles 101 to 112 of title 24, C.R.S., shall not apply to this contract. The name of the independent auditing firm shall appear on all ~~report cards~~ ACCOUNTABILITY REPORTS printed pursuant to this section.

(5) (a) During February 2005, the state board shall report to the education committees of the senate and the house of representatives on all aspects of the school ~~report cards~~ ACCOUNTABILITY REPORTS issued pursuant to this part 6. Such report shall include but not be limited to:

(I) Whether the scores of students have improved since the ~~report cards~~ ACCOUNTABILITY REPORTS were issued;

(II) Data on safety incidents involving students;

(III) Whether the format of the school ~~report cards~~ ACCOUNTABILITY REPORTS could be improved;

(IV) Whether the state board or department has been informed of problems with the ~~report cards~~ ACCOUNTABILITY REPORTS; and

(V) Whether the state board recommends that the school ~~report cards~~ ACCOUNTABILITY REPORTS should be continued.

(b) This subsection (5) is repealed, effective July 1, 2005.

**SECTION 7.** 22-7-607, Colorado Revised Statutes, is amended to read:

**22-7-607. School accountability reports - nonpublic schools.** The state board shall promulgate rules and procedures by which any nonpublic school in Colorado may opt to have the state complete a school ACCOUNTABILITY report ~~card~~ on its school. The state board shall ensure that the nonpublic school reports the assessment and safety data necessary to prepare the ACCOUNTABILITY report ~~card~~ pursuant to this part 6. Furthermore, the state board shall charge a fee to the nonpublic school for the cost of preparing and printing the school ACCOUNTABILITY report. ~~card~~. Any ACCOUNTABILITY report ~~card~~ prepared for a nonpublic school shall be included in all listings and comparisons of school performance and shall be made available to the general public. The information shall be placed on the school ACCOUNTABILITY report ~~card~~ website along with all other public school ~~report cards~~ ACCOUNTABILITY REPORTS and shall be integrated into the search and sort functions of the website.

**SECTION 8. Repeal.** 22-7-608, Colorado Revised Statutes, is repealed.

**SECTION 9.** 22-7-609 (3) (c) and (5), Colorado Revised Statutes, are amended, and the said 22-7-609 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**22-7-609. School improvement plans.** (3) (c) ~~Within forty-five days after the state board's receipt of a school improvement plan under this section;~~ The department shall ~~forward back~~ RETURN to the local board of education comments and suggestions on the plan. The comments and suggestions of the department shall be advisory. If the local board of education adopts any of the suggestions and comments, the local board of education shall submit to the state board an amended school improvement plan adopted by the local board of education after a public hearing on the proposed amended plan.

(5) (a) If, upon completion of the first school year of operation under a school improvement plan pursuant to this section, a public school receives an overall academic performance ~~grade~~ RATING of "F" "UNSATISFACTORY" pursuant to section 22-7-604 (5), the state board shall proceed with the recommendation for the conversion to an independent charter school pursuant to part 3 of article 30.5 of this title; except that the state board shall not proceed with the recommendation if the public school had an improvement of 0.5 of a point or greater from the standard deviation over the immediately preceding year's overall standardized, weighted total score pursuant to ~~22-7-604(6)~~ SECTION 22-7-604 (5), and the school district shall be allowed to continue to operate that school under the school improvement plan for another year.

(b) If, upon completion of the second school year of operation under a school improvement plan pursuant to this section, a public school receives an overall academic performance ~~grade~~ RATING of "F" "UNSATISFACTORY" pursuant to section 22-7-604 (5), the state board shall proceed with the recommendation for the conversion to an independent charter school pursuant to part 3 of article 30.5 of this title.

(6) IF, UPON THE COMPLETION OF THE THIRD YEAR OF THE SCHOOL IMPROVEMENT PLAN, A SCHOOL'S CSAP SCORES HAVE NOT IMPROVED SIGNIFICANTLY OVER THE SCORES RECEIVED DURING THE FIRST YEAR OF THE SCHOOL IMPROVEMENT PLAN, THE STATE BOARD MAY REMOVE THE SCHOOL DISTRICT'S ACCREDITATION IN ACCORDANCE WITH A PLAN ADOPTED BY RULE OF THE STATE BOARD. SUCH PLAN SHALL PROVIDE THAT THE STATE BOARD SHALL CONSIDER THE AMOUNT OF TIME NECESSARY TO SIGNIFICANTLY IMPROVE SUCH SCORES BEFORE REMOVAL OF THE SCHOOL DISTRICT'S ACCREDITATION.

**SECTION 10.** 22-7-610, Colorado Revised Statutes, is amended to read:

**22-7-610. High-measured or improved school.** (1) The general assembly recognizes that if some public schools are singled out for poor performance, other public schools that receive academic performance ~~grades~~ RATINGS pursuant to section ~~22-7-604~~ 22-7-604 (5) of "A" "EXCELLENT" or that show substantial improvement in their academic performance ~~grade~~ RATING should be acknowledged and rewarded.

(2) At the time that the academic performance ~~grades~~ RATINGS are

given to public schools pursuant to section 22-7-604, the state board shall provide notice to each district school board of each public school within the school district that is eligible for a monetary award pursuant to part 3 of article 11 of this title.

**SECTION 11.** 16-11-311 (3.4) (d), Colorado Revised Statutes, is amended to read:

**16-11-311. Sentences - youthful offenders - legislative declaration - powers and duties of district court - authorization for youthful offender system - powers and duties of department of corrections - repeal.** (3.4) In addition to the powers granted to the department of corrections in subsection (3.3) of this section, the department of corrections may:

(d) Contract with any public or private entity, including but not limited to a school district, for provision or certification of educational services. Offenders receiving educational services or diplomas from a school district under an agreement entered into pursuant to this paragraph (d) shall not be included in computing the school district's student performance on statewide assessments pursuant to section 22-7-409, C.R.S., or the school district's overall academic performance ~~grade~~ RATING or school improvement ~~grade~~ RATING pursuant to part 6 of article 7 of title 22, C.R.S.

**SECTION 12.** 22-1-122 (1) (a), (2) (b) (III), (2) (b) (IV), (3) (b), (4), and (6) (a) (I), Colorado Revised Statutes, are amended to read:

**22-1-122. Transportation token program - legislative declaration - eligibility - fund.** (1) (a) It is the intent of the general assembly in enacting this section to improve opportunities for students to gain the knowledge and skills necessary for a successful experience in postsecondary education or as members of the work force. The general assembly finds that a student should not be compelled by the lack of transportation to remain in a school that receives an overall academic performance ~~grade~~ RATING of "~~D~~" "LOW" or "~~F~~" "UNSATISFACTORY" issued pursuant to section ~~22-7-604~~ 22-7-604 (5). It is therefore in the best interests of the citizens of the state to make transportation tokens available to eligible students to enable them to attend a public school that is performing satisfactorily.

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

(b) "Eligible student" means a student:

(III) (A) Who is enrolled in a neighborhood school that received an academic performance ~~grade~~ RATING of "~~D~~" "LOW" or "~~F~~" "UNSATISFACTORY", pursuant to section ~~22-7-604~~ 22-7-604 (5), for the preceding school year; or

(B) Who has been in attendance elsewhere in the public school system or who is entering first grade and whose parent or legal guardian has been notified that the student has been assigned to a school that has received an academic performance ~~grade~~ RATING of "~~D~~" "LOW" or "~~F~~" "UNSATISFACTORY", pursuant to section ~~22-7-604~~ 22-7-604 (5), for the preceding school year; and

(IV) Who, while enrolled in the neighborhood school that received an academic performance ~~grade~~ RATING of "~~D~~" "LOW" or "~~F~~" "UNSATISFACTORY", pursuant to section ~~22-7-604~~ 22-7-604 (5), met the attendance policies of the school district of the neighborhood school, adopted pursuant to section 22-33-104 (4).

(3) (b) An eligible student shall continue receiving transportation tokens pursuant to this section so long as he or she continues to meet the requirements specified for an eligible student in paragraph (b) of subsection (2) of this section; except that, after the first year in which an eligible student receives transportation tokens, the requirement specified in subparagraph (III) of paragraph (b) of subsection (2) of this section shall no longer apply. An eligible student shall no longer receive transportation tokens pursuant to this section if he or she moves to another residence, the neighborhood school for which received an academic performance ~~grade~~ RATING of "~~C~~" "AVERAGE" or higher during the school year preceding the year in which the student initially enrolls; except that the eligible student may receive transportation tokens in school years following initial enrollment in the new neighborhood school if he or she again meets the requirements specified for an eligible student in paragraph (b) of subsection (2) of this section.

(4) The state board shall determine a monetary value for the transportation token issued at each public school that receives an academic performance ~~grade~~ RATING of "~~D~~" "LOW" or "~~F~~" "UNSATISFACTORY",

pursuant to section ~~22-7-604~~ 22-7-604 (5). The monetary value may cover a portion of the transportation costs. The transportation token may take the form of, but is not limited to, subsidized tokens, passes, or fares for buses, taxis, or other forms of transportation approved by the state board. In determining the value of a transportation token, the state board shall take into account the various transportation options available to the eligible student and the distance to be traveled by the eligible student to attend a public school outside of the student's neighborhood. The transportation token used by an eligible student shall be redeemable by a transportation provider through the department.

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

(I) Timely notify the eligible student's parent or legal guardian of all options available pursuant to this section as soon as the neighborhood school receives an academic performance ~~grade~~ RATING of "~~D~~" "LOW" or "~~F~~" "UNSATISFACTORY", pursuant to section ~~22-7-604~~ 22-7-604 (5); and

**SECTION 13.** The introductory portion to 22-7-409 (1.2) (d) (I), and 22-7-409 (1.2) (d) (I) (B), (1.2) (d) (I) (C), (1.2) (d) (III), (1.5), and (1.9), Colorado Revised Statutes, are amended, and the said 22-7-409 (1.2) (d) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

**22-7-409. Assessments - repeal.** (1.2) (d) (I) Every student enrolled in a public school shall be required to take the assessments administered pursuant to subsection (1) of this section; except that the students described in sub-subparagraph (A) of this subparagraph (I) shall be required only to take the assessments required by said sub-subparagraph. However, the scores of the following students shall not be used by the state for purposes of calculating school academic performance ~~grades~~ RATINGS pursuant to section ~~22-7-604~~ 22-7-604 (5) or for accreditation pursuant to article 11 of this title:

(B) Any student who transfers into the school ~~from another state~~ after ~~October~~ FEBRUARY 1 of the school year in which the assessment is administered; and

(C) Any student who at the time that he or she enrolls in any public school of the state is defined as a student whose dominant language is not

English pursuant to section 22-24-103 (4) (a) or (4) (b). However, if such student is enrolled in third grade, that student's scores shall be used for calculating academic performance and improvement ~~grades~~ RATINGS and for accreditation purposes after the student has been enrolled in any public school in the state for two years. In addition, if such student is enrolled in one of grades four through ten, that student's scores shall be used for calculating academic performance and improvement ~~grades~~ RATINGS and for accreditation purposes after the student has been enrolled in any public school in the state for three years. THE PROVISIONS OF THIS SUB-SUBPARAGRAPH (C) SHALL APPLY REGARDLESS OF WHETHER SUCH STUDENT TAKES THE ASSESSMENT IN ENGLISH OR IN ANY OTHER LANGUAGE.

(I.5) NOTWITHSTANDING THE EXCEPTIONS SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d), THE ACADEMIC PERFORMANCE RATINGS CALCULATED FOR THE 2000-01 SCHOOL YEAR SHALL INCLUDE THE SCORES OF ALL STUDENTS WHO TOOK THE ASSESSMENT IN A LANGUAGE OTHER THAN ENGLISH. THIS SUBPARAGRAPH (I.5) IS REPEALED, EFFECTIVE JULY 1, 2002.

(III) Nothing in this section shall be construed as requiring a child ENROLLED IN A NONPUBLIC SCHOOL OR participating in a nonpublic home-based educational program pursuant to section 22-33-104.5 to take an assessment or exam administered pursuant to this section, EVEN THOUGH THE CHILD MAY ALSO BE ATTENDING A PUBLIC SCHOOL FOR A PORTION OF THE SCHOOL DAY AND THEREFORE INCLUDED IN THE PUPIL ENROLLMENT OF A DISTRICT.

(1.5) (a) Beginning in the spring semester 2001, and each spring semester thereafter, all students enrolled in the eleventh grade in public schools throughout the state shall be required to take a standardized, curriculum-based, achievement, college entrance examination selected by the department, administered throughout the United States, and relied upon by institutions of higher education that, at a minimum, tests in the areas of reading, writing, mathematics, and science, referred to in this section as the "curriculum-based, achievement college entrance exam". The department shall pay all costs associated with administering the curriculum-based, achievement college entrance exam. ~~and~~

(b) (I) THE DEPARTMENT shall schedule a day during which the curriculum-based, achievement college entrance exam shall be administered to all eleventh grade students enrolled in public schools throughout the



state.

(II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), ANY STUDENT WHO CAN SHOW A NEED TO TAKE THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM ON A DATE ON WHICH THE EXAM IS ADMINISTERED THROUGHOUT THE COUNTRY MAY TAKE THE EXAM ON SUCH A DATE, PRIOR TO THE DATE ESTABLISHED BY THE DEPARTMENT PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b). THE DEPARTMENT SHALL PAY ALL COSTS ASSOCIATED WITH A STUDENT TAKING THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM PURSUANT TO THIS SUBPARAGRAPH (II).

(c) The state board shall adopt rules to ensure that any requirements of the administrator of the curriculum-based, achievement college entrance exam, such as a secure environment, are met AND TO IDENTIFY THE STUDENTS WHOSE NEED TO TAKE THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM ON A DATE ON WHICH THE EXAM IS ADMINISTERED THROUGHOUT THE COUNTRY JUSTIFIES THEM TAKING IT ON SUCH A DATE.

(1.9) The results of the assessments required by subsection (1) of this section shall be included on each student's final report card for that school year and shall be part of the student's permanent academic record. The results of the curriculum-based, achievement college entrance exam conducted OR PAID FOR pursuant to subsection (1.5) of this section shall be included on each student's transcript; except that, if the student retakes the curriculum-based, achievement college entrance exam at a later time at the student's expense, the student may request that the later results be placed on the student's transcript instead of the results of the curriculum-based, achievement college entrance exam administered OR PAID FOR pursuant to subsection (1.5) of this section.

**SECTION 14.** 22-11-104 (2) (a) (II), Colorado Revised Statutes, is amended to read:

**22-11-104. Accreditation indicators.** (2) **Contents.** The accreditation indicators shall include but shall not be limited to the following:

(a) (II) All accreditation indicators relating to the statewide assessments shall be consistent with the methodology for determining academic performance ~~grades~~ RATINGS pursuant to section 22-7-604. The

baseline year for the accreditation indicators shall be the 2000 - 2001 school year.

**SECTION 15.** 22-11-301 (1), Colorado Revised Statutes, is amended to read:

**22-11-301. Colorado school awards program - created - rules.**

(1) There is hereby established the Colorado school awards program, referred to in this part 3 as the "program", to be administered by the department. The state board shall promulgate reasonable rules for the administration of this part 3 and the program. Such rules shall include but need not be limited to procedures for transmitting the financial awards to schools that demonstrate outstanding performance or improvement as indicated by the academic performance ~~grades~~ RATINGS issued to public schools pursuant to section 22-7-604.

**SECTION 16.** 22-11-302 (1), (2) (b) (I), and (3) (b), Colorado Revised Statutes, are amended to read:

**22-11-302. Colorado school awards program - John Irwin schools of excellence awards - governor's distinguished improvement awards - repeal.** (1) The state board shall annually present financial awards to the highest performing and to the most improved public schools in the state based on the academic performance ~~grades~~ RATINGS pursuant to section 22-7-604.

(2) (b) (I) Notwithstanding the provisions of paragraph (a) of this subsection (2) and subsection (3) of this section, for the first school year that school performance ~~grades~~ RATINGS are issued, all of the moneys available for awards under this part 3 shall be awarded to the public schools that receive an academic performance ~~grade~~ RATING of "A" "EXCELLENT" issued pursuant to section ~~22-7-604~~ 22-7-604 (5).

(3) (b) Of the moneys available for awards pursuant to this subsection (3), awards shall first be made to schools that in the previous school year received an academic performance ~~grade~~ RATING of "D" "LOW" or "F" "UNSATISFACTORY" pursuant to section ~~22-7-604~~ 22-7-604 (5) and that received an academic improvement ~~grade~~ RATING of "A" "SIGNIFICANT IMPROVEMENT", pursuant to section 22-7-604 (6).

**SECTION 17.** 22-33-104.5 (3) (b), (3) (f), (4), and (6) (b) (I), Colorado Revised Statutes, are amended to read:

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

(b) A child who is participating in a nonpublic home-based educational program shall not be subject to compulsory school attendance as provided in this article; except that any child who is habitually truant, as defined in section 22-33-107 (3), at any time during the last six months that the child attended school before proposed enrollment in a nonpublic home-based educational program may not be enrolled in the program unless the child's parents first submit a written description of the curricula to be used in the program along with the written notification of establishment of the program required in paragraph (e) of ~~subsection (2) of this section~~ THIS SUBSECTION (3) to ~~the superintendent of a~~ ANY school district within the state.

(f) Each child participating in a nonpublic home-based educational program shall be evaluated when such child reaches grades three, five, seven, nine, and eleven. Each child shall be given a nationally standardized achievement test to evaluate the child's academic progress, or a qualified person shall evaluate the child's academic progress. The test or evaluation results, whichever is appropriate, shall be submitted to the school district that received the notification required by paragraph (e) of this subsection (3) or an independent or parochial school within the state of Colorado. If the test or evaluation results are submitted to an independent or parochial school, the name of such school shall be provided to the school district that received the notification required by paragraph (e) of this subsection (3). The purpose of such tests or evaluations shall be to evaluate the educational progress of each child. No scores for a child participating in a nonpublic home-based educational program shall be considered for awarding academic performance ~~grades~~ RATINGS pursuant to section 22-7-604 or for accreditation pursuant to article 11 of this title.

(4) Any child who has participated in a nonpublic home-based educational program and who subsequently enrolls in the public school system may be tested by the school district IN WHICH THE CHILD HAS ENROLLED for the purpose of placing the child in the proper grade and shall

then be placed at the grade level deemed most appropriate by the SAID school district, with the consent of the child's parent or legal guardian. The school district shall accept the transcripts FOR CREDIT from the non-public home-based educational program for any such child; EXCEPT THAT THE SCHOOL DISTRICT MAY REJECT SUCH TRANSCRIPTS IF THE SCHOOL DISTRICT ADMINISTERS TESTING TO SUCH CHILD AND THE TESTING DOES NOT VERIFY THE ACCURACY OF SUCH TRANSCRIPTS.

(6) (b) (I) For purposes of this subsection (6), a child who is participating in a nonpublic home-based educational program shall have the same rights as a student enrolled in a public ~~or private~~ school OF THE SCHOOL DISTRICT IN WHICH THE CHILD RESIDES OR IS ENROLLED ~~to~~ AND MAY participate on an equal basis in any extracurricular or interscholastic activity offered by a public school or offered by a private school, at the private school's discretion, as provided in section 22-32-116.5 and is subject to the same rules of any interscholastic organization or association of which the student's school of participation is a member.

**SECTION 18.** 22-7-605, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**22-7-605. School accountability reports - format.** (11) NOTHING IN THIS SECTION SHALL PROHIBIT A SCHOOL DISTRICT, AT ITS OWN EXPENSE, FROM INCLUDING WITH A SCHOOL ACCOUNTABILITY REPORT ADDITIONAL INFORMATION CONCERNING THE PERFORMANCE OF A SCHOOL NOT CONTAINED IN THE SCHOOL ACCOUNTABILITY REPORT DESCRIBED IN THIS SECTION. THE ADDITIONAL INFORMATION AUTHORIZED BY THIS SUBSECTION (11) MAY NOT REFUTE THE RATINGS OR STATEMENTS MADE IN THE REPORT.

**SECTION 19.** Part 6 of article 7 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**22-7-607.5. Teacher pay incentive program - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ELIGIBLE SCHOOL" MEANS A PUBLIC SCHOOL THAT RECEIVES AN ACADEMIC PERFORMANCE RATING OF "LOW" OR "UNSATISFACTORY", PURSUANT TO SECTION 22-7-604, FOR THE 2000-01 SCHOOL YEAR.

(b) "PROGRAM" MEANS THE TEACHER PAY INCENTIVE PROGRAM

ESTABLISHED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(c) "TEACHER" MEANS A PERSON WHO IS LICENSED PURSUANT TO ARTICLE 60.5 OF THIS TITLE, OR AUTHORIZED BY A LETTER OF AUTHORIZATION ISSUED PURSUANT TO SECTION 22-60.5-111, TO TEACH AND IS PRIMARILY ENGAGED IN TEACHING DURING THE MAJORITY OF A SCHOOL DAY.

(2) (a) THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT THE TEACHER PAY INCENTIVE PROGRAM TO PROVIDE MONEYS TO SCHOOL DISTRICTS WITH POORLY PERFORMING SCHOOLS TO RECRUIT AND MAINTAIN QUALITY TEACHERS. IN THE FIRST SCHOOL YEAR FOLLOWING THE YEAR THAT A PUBLIC SCHOOL BECOMES AN ELIGIBLE SCHOOL, AND FOR EACH OF THE THREE SUBSEQUENT SCHOOL YEARS, AN ELIGIBLE SCHOOL SHALL RECEIVE A GRANT FROM THE PROGRAM IN AN AMOUNT EQUAL TO THE PER PUPIL GRANT AMOUNT CALCULATED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (2), MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN THE ELIGIBLE SCHOOL. IF, IN ANY SCHOOL YEAR DURING THE PERIOD IN WHICH THE ELIGIBLE SCHOOL RECEIVES GRANTS, THE ELIGIBLE SCHOOL RECEIVES A SCHOOL IMPROVEMENT RATING OF "SIGNIFICANT IMPROVEMENT", THE ELIGIBLE SCHOOL SHALL RECEIVE AN ADDITIONAL AWARD IN AN AMOUNT EQUAL TO THE SIGNIFICANT IMPROVEMENT BONUS PER PUPIL AMOUNT CALCULATED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (2), MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN THE ELIGIBLE SCHOOL. IF, IN ANY SCHOOL YEAR DURING THE PERIOD IN WHICH THE ELIGIBLE SCHOOL RECEIVES GRANTS, THE ELIGIBLE SCHOOL RECEIVES A SCHOOL IMPROVEMENT RATING OF "IMPROVEMENT", THE ELIGIBLE SCHOOL SHALL RECEIVE AN ADDITIONAL AWARD IN AN AMOUNT EQUAL TO THE IMPROVEMENT BONUS PER PUPIL AMOUNT CALCULATED PURSUANT TO PARAGRAPH (d) OF THIS SUBSECTION (2), MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN THE ELIGIBLE SCHOOL.

(b) THE PER PUPIL GRANT AMOUNT SHALL BE AN AMOUNT EQUAL TO TWELVE MILLION SIX HUNDRED THIRTY THOUSAND DOLLARS DIVIDED BY THE TOTAL NUMBER OF STUDENTS ENROLLED IN ALL ELIGIBLE SCHOOLS.

(c) THE SIGNIFICANT IMPROVEMENT BONUS PER PUPIL AMOUNT SHALL BE AN AMOUNT EQUAL TO FOUR HUNDRED TWENTY THOUSAND DOLLARS DIVIDED BY THE TOTAL NUMBER OF STUDENTS ENROLLED IN ALL ELIGIBLE SCHOOLS THAT RECEIVE A SCHOOL IMPROVEMENT RATING OF "SIGNIFICANT IMPROVEMENT".

(d) THE IMPROVEMENT BONUS PER PUPIL AMOUNT SHALL BE AN AMOUNT EQUAL TO TWO HUNDRED TEN THOUSAND DOLLARS DIVIDED BY THE TOTAL NUMBER OF STUDENTS ENROLLED IN ALL ELIGIBLE SCHOOLS THAT RECEIVE A SCHOOL IMPROVEMENT RATING OF "IMPROVEMENT".

(3) (a) MONEYS RECEIVED FROM AN AWARD UNDER THIS SECTION SHALL BE PAID ONLY AS BONUSES TO TEACHERS OR FOR THE PAYMENT OF THE COSTS OF OTHER BENEFITS ASSOCIATED WITH A BONUS PAID TO A TEACHER. THE DISTRICT SCHOOL BOARD OF ANY SCHOOL DISTRICT WITH AN ELIGIBLE SCHOOL SHALL DETERMINE IN ACCORDANCE WITH THIS SECTION THE POLICIES AND PROCEDURES BY WHICH TEACHERS SHALL RECEIVE A BONUS AND THE AMOUNT OF THE BONUS; EXCEPT THAT THE MINIMUM AMOUNT OF A YEARLY BONUS TO A TEACHER SHALL BE ONE THOUSAND DOLLARS. THE BONUSES MAY ONLY BE USED TO:

(I) REWARD OUTSTANDING TEACHER PERFORMANCE;

(II) OFFER A RECRUITMENT BONUS TO ENCOURAGE A TEACHER WHO HOLDS A MASTER CERTIFICATE PURSUANT TO SECTION 22-60.5-202 TO TEACH AT THE ELIGIBLE SCHOOL OR A RETENTION BONUS TO SUCH A TEACHER WHO HAS TAUGHT AT THE SCHOOL FOR AT LEAST ONE SCHOOL YEAR;

(III) OFFER A RECRUITMENT BONUS TO ENCOURAGE A TEACHER IN A HARD-TO-RECRUIT SUBJECT OR A RETENTION BONUS TO SUCH A TEACHER WHO HAS TAUGHT AT THE SCHOOL FOR AT LEAST ONE SCHOOL YEAR; OR

(IV) DEFRAY HOUSING AND LIVING EXPENSES IF AN ELIGIBLE SCHOOL IS LOCATED IN A COMMUNITY WITH A LACK OF ADEQUATE AFFORDABLE HOUSING.

(b) (I) TO GIVE A BONUS UNDER SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (3), THE DISTRICT SCHOOL BOARD OR DISTRICT SUPERINTENDENT MUST SPECIFICALLY IDENTIFY A DATA-DRIVEN EVALUATION BASED UPON THE RESULTS OF STUDENT PERFORMANCE ON THE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-409 THAT WAS USED TO DETERMINE WHICH TEACHERS SHOULD RECEIVE THE BONUS.

(II) TO GIVE A RECRUITMENT BONUS UNDER SUBPARAGRAPH (II) OR (III) OF PARAGRAPH (a) OF THIS SUBSECTION (3), THE DISTRICT SCHOOL BOARD OR DISTRICT SUPERINTENDENT MUST IDENTIFY AN OPEN TEACHING POSITION THAT IS FILLED BY A NEW TEACHER.

(III) THE STATE BOARD SHALL DETERMINE BY RULE WHAT SUBJECTS CONSTITUTE HARD-TO-RECRUIT SUBJECTS FOR PURPOSES OF SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (3).

(c) ANY MONEYS RECEIVED BY A TEACHER AS A BONUS PURSUANT TO THIS SECTION SHALL BE IN ADDITION TO ANY OTHER SALARY DUE SUCH TEACHER PURSUANT TO THE SALARY SCHEDULE OR POLICY ADOPTED PURSUANT TO SECTION 22-63-401.

(4) DURING FEBRUARY, 2005, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND TO THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON THE PROGRAM. SUCH REPORT SHALL INCLUDE BUT NEED NOT BE LIMITED TO:

(a) WHETHER THE PROGRAM HAD AN IMPACT ON TEACHER RECRUITMENT, RETENTION, AND QUALITY;

(b) HOW THE CHANGES IN THE OVERALL STANDARDIZED, WEIGHTED SCORES FOR PUBLIC SCHOOLS RECEIVING AWARDS COMPARED TO PUBLIC SCHOOLS THAT DID NOT RECEIVE THE AWARDS;

(c) WHETHER THERE WAS ANY DIFFERENCE IN THE OVERALL STANDARDIZED, WEIGHTED SCORES FOR ELIGIBLE SCHOOLS THAT USED MONEYS MOSTLY FOR RECRUITMENT AND RETENTION RATHER THAN BONUSES; AND

(d) WHETHER THE DEPARTMENT RECOMMENDS THAT THE PROGRAM SHOULD BE CONTINUED.

(5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2005.

**SECTION 20.** 22-2-117 (1) (b) (III), Colorado Revised Statutes, is amended to read:

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

(III) Any provision of part 6 of article 7 of this title pertaining to the data necessary for school ~~report cards~~ ACCOUNTABILITY REPORTS.

**SECTION 21.** 22-11-104 (2) (a) (II), Colorado Revised Statutes, is amended to read:

**22-11-104. Accreditation indicators. (2) Contents.** The accreditation indicators shall include but shall not be limited to the following:

(a) (II) All accreditation indicators relating to the statewide assessments shall be consistent with the methodology for determining academic performance ~~grades~~ RATINGS pursuant to section 22-7-604. The baseline year for the accreditation indicators shall be the 2000 - 2001 school year.

**SECTION 22.** 22-30.5-104 (6), Colorado Revised Statutes, is amended to read:

**22-30.5-104. Charter school - requirements - authority.** (6) Pursuant to contract, a charter school may operate free from specified school district policies and state regulations. Pursuant to contract, a local board of education may waive locally imposed school district requirements, without seeking approval of the state board. The state board may waive state statutory requirements or rules promulgated by the state board; except that the state board may not waive any statute or rule relating to the assessments required to be administered pursuant to section 22-7-409 or necessary to prepare the school ~~report cards~~ ACCOUNTABILITY REPORTS pursuant to part 6 of article 7 of this title. Upon request of the charter applicant, the state board and the local board of education shall provide summaries of such regulations and policies to use in preparing a charter school application. The department of education shall prepare the summary of state regulations within existing appropriations. Any waiver of state or local school district regulations made pursuant to this subsection (6) shall be for the term of the charter for which the waiver is made; except that a waiver of state statutes or regulations by the state board shall be subject to review every two years and may be revoked if the waiver is deemed no longer necessary by the state board.

**SECTION 23.** 22-30.5-204 (1.5), Colorado Revised Statutes, is amended to read:

**22-30.5-204. Charter school districts - creation - requirements.**



(1.5) Notwithstanding the provisions of subsection (1) of this section, all charter school districts shall be subject to the Colorado statewide assessment program established in part 4 of article 7 of this title and shall supply to the department all information required to prepare the school report cards ACCOUNTABILITY REPORTS pursuant to part 6 of article 7 of this title.

**SECTION 24.** 22-30.5-304 (1) (e) (II) and (1) (f) (II), Colorado Revised Statutes, are amended to read:

**22-30.5-304. Review committee - membership - recommendations.** (1) Whenever an independent charter school is to be organized pursuant to this part 3, on or before January 15 of the year in which the independent charter school is to open, the commissioner shall cause a review committee to be formed. The review committee shall consist of:

(e) (II) In appointing a principal pursuant to this paragraph (e), the governor shall appoint a principal of a public school that received an academic performance ~~grade~~ RATING of "A" "EXCELLENT", pursuant to section ~~22-7-604~~ 22-7-604 (5), for the immediately preceding school year.

(f) (II) In appointing a teacher pursuant to this paragraph (f), the governor shall appoint a teacher from a public school that received an academic performance ~~grade~~ RATING of "A" "EXCELLENT", pursuant to section ~~22-7-604~~ 22-7-604 (5); and

**SECTION 25.** 22-30.5-306 (2) (a), (3) (b), and (5), Colorado Revised Statutes, are amended to read:

**22-30.5-306. Independent charter schools - charter - term.** (2) With the assistance from the commissioner or the commissioner's designee, the selected applicant and the local board of education shall negotiate the terms of the independent charter, which may be different from or in addition to the terms of the response to the request for proposals; except that:

(a) The independent charter school shall be entitled to use the school building in which the public school that received an academic performance ~~grade~~ RATING of "F" "UNSATISFACTORY" was operated. The

independent charter school and the local board of education shall negotiate an amount of rent to be paid, which shall be not more than twelve dollars per year, and all other costs for the operation and maintenance of the building and related facilities; and

(3) (b) Notwithstanding the provisions of paragraph (a) of this subsection (3), if, during the year prior to the year in which the independent charter school is to open, the school receives an academic performance ~~grade~~ RATING of "~~D~~" "LOW" or better, the local board of education and the applicant may jointly agree to allow the school to remain under the administration of the local board of education.

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

(b) If, during the first two years of the independent charter, the independent charter school receives an academic performance ~~grade~~ RATING of "~~D~~" "LOW" pursuant to section ~~22-7-604~~ 22-7-604 (5), the independent charter school shall not be subject to the provisions of section 22-7-608 that require appointment of an assessment team for low-performing schools.

**SECTION 26.** 22-30.5-307 (1) and (2), Colorado Revised Statutes, are amended to read:

**22-30.5-307. Independent charter schools - expiration - renewal - conversion.** (1) If the academic performance ~~grade~~ RATING of an independent charter school is a "~~D~~" "LOW" or an "~~F~~" "UNSATISFACTORY", as determined pursuant to section ~~22-7-604~~ 22-7-604 (5), during the third year of the school's independent charter, the state board shall issue a new request for proposals pursuant to section 22-30.5-303 (2), and a new independent charter school application process shall commence.

(2) If the academic performance ~~grade~~ RATING of an independent charter school is higher than a "~~D~~" "LOW", as determined pursuant to section ~~22-7-604~~ 22-7-604 (5), during the third year of the school's independent charter, the parents and legal guardians of the students enrolled

at the independent charter school shall decide by majority vote whether, at the expiration of the independent charter school's charter, the school shall apply for a renewal of the independent charter or shall seek to become a regular school of the school district in which the independent charter school is located.

**SECTION 27.** Part 4 of article 7 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**22-7-411. Student assessments - study - students whose dominant language is not English - report - repeal.** (1) THE DEPARTMENT, IN CONJUNCTION WITH THE STUDY COMMITTEE APPOINTED PURSUANT TO SUBSECTION (2) OF THIS SECTION, SHALL CONDUCT A STUDY OF THE ADMINISTRATION OF ASSESSMENTS FOR STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH. THE STUDY SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, AN EXAMINATION AND EVALUATION OF:

(a) A CATALOGUE OF THE NUMBER AND TYPES OF LANGUAGES OTHER THAN ENGLISH THAT ARE SPOKEN AS THE DOMINANT LANGUAGE BY SIGNIFICANT POPULATIONS OF STUDENTS IN COLORADO PUBLIC SCHOOLS, WITH A BREAKDOWN BY SCHOOL DISTRICT FOR EACH LANGUAGE;

(b) THE EFFECT ON STUDENT ACADEMIC ACHIEVEMENT OF ASSESSMENTS ADMINISTERED IN A LANGUAGE OTHER THAN ENGLISH FOR STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH AND WHOSE ASSESSMENT SCORES ARE NOT USED TO CALCULATE SCHOOL ACADEMIC PERFORMANCE RATINGS PURSUANT TO SECTION 22-7-409 (1.2) (d) (I) (C);

(c) THE NEED FOR SCHOOL DISTRICTS TO BE HELD ACCOUNTABLE FOR TEACHING STATE CONTENT STANDARDS TO STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH AT THE TIME OF ENROLLMENT AND FOR MOVING STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH TO PROFICIENCY IN ENGLISH LANGUAGE LITERACY AND COMPREHENSION;

(d) THE EFFECT OF BOTH INCLUDING AND NOT INCLUDING THE SCORES OF STUDENTS WHO ARE GIVEN ASSESSMENTS IN LANGUAGES OTHER THAN ENGLISH IN THE CALCULATIONS OF SCHOOL PERFORMANCE RATINGS PURSUANT TO SECTION 22-7-604;

(e) A SURVEY OF THE TYPES OF ASSESSMENTS USED BY OTHER STATES

IN ASSESSING STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH AND WHETHER OTHER STATES USE THOSE ASSESSMENT SCORES IN CALCULATING SCHOOL PERFORMANCE RATINGS; AND

(f) FEDERAL CONSTITUTIONAL, LEGAL, AND REGULATORY ISSUES SURROUNDING THE ASSESSMENT OF STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH AND HOW FEDERAL FUNDING OF PUBLIC SCHOOLS MAY BE IMPACTED BY ADMINISTERING SUCH ASSESSMENTS.

(2) (a) THERE IS HEREBY CREATED A STUDY COMMITTEE TO WORK WITH THE DEPARTMENT IN CONDUCTING THE STUDY REQUIRED BY THIS SECTION. THE STUDY COMMITTEE SHALL CONSIST OF MEMBERS APPOINTED AS PROVIDED IN PARAGRAPHS (b) AND (c) OF THIS SUBSECTION (2). NOTWITHSTANDING THE PROVISIONS OF SECTION 2-2-307 (3) AND (5), C.R.S., ALL MEMBERS OF THE STUDY COMMITTEE, INCLUDING LEGISLATIVE MEMBERS, SHALL SERVE WITHOUT COMPENSATION, INCLUDING PER DIEM AND COMPENSATION FOR EXPENSES.

(b) EIGHT MEMBERS OF THE STUDY COMMITTEE SHALL BE APPOINTED AS FOLLOWS:

(I) FOUR REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, NO MORE THAN TWO OF WHOM ARE MEMBERS OF THE SAME POLITICAL PARTY;

(II) FOUR SENATORS APPOINTED BY THE PRESIDENT OF THE SENATE, NO MORE THAN TWO OF WHOM ARE MEMBERS OF THE SAME POLITICAL PARTY.

(c) SEVEN MEMBERS OF THE STUDY COMMITTEE SHALL BE APPOINTED BY THE GOVERNOR. NO MORE THAN FOUR OF THE MEMBERS APPOINTED BY THE GOVERNOR SHALL BE FROM THE SAME POLITICAL PARTY. THE MEMBERS SHALL BE APPOINTED AS FOLLOWS:

(I) ONE MEMBER WHO IS A REPRESENTATIVE OF A COMMUNITY-BASED ORGANIZATION THAT FOCUSES ON STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH;

(II) ONE MEMBER WHO IS A REPRESENTATIVE OF AN ASSOCIATION OF EDUCATORS WHO WORK WITH STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH;

(III) ONE MEMBER WHO IS EMPLOYED BY AN INSTITUTION OF HIGHER EDUCATION IN THIS STATE AND WHO SPECIALIZES IN RESEARCH REGARDING STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH;

(IV) ONE MEMBER WHO IS A MEMBER OF A SCHOOL DISTRICT BOARD OF EDUCATION IN A SCHOOL DISTRICT THAT ENROLLS A SIGNIFICANT NUMBER OF STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH;

(V) ONE MEMBER WHO IS EMPLOYED AS A SCHOOL ADMINISTRATOR IN A SCHOOL DISTRICT THAT ENROLLS A SIGNIFICANT NUMBER OF STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH;

(VI) ONE MEMBER WHO IS A CLASSROOM TEACHER WHO SPENDS A SIGNIFICANT AMOUNT OF TIME TEACHING STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH; AND

(VII) ONE MEMBER WHO IS A REPRESENTATIVE OF THE DEPARTMENT OF EDUCATION.

(3) NO LATER THAN DECEMBER 31, 2001, THE DEPARTMENT SHALL PRESENT ITS FINDINGS AND RECOMMENDATIONS REGARDING THE ASSESSMENT OF STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH IN A REPORT TO THE STATE BOARD OF EDUCATION AND THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

(4) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE IMPLEMENTATION OF THE STUDY OF ASSESSMENTS ADMINISTERED TO STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH IS AN IMPORTANT ELEMENT OF ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

(5) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2002.

**SECTION 28.** 22-11-104 (2) (h), Colorado Revised Statutes, is amended, and the said 22-11-104 (2) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**22-11-104. Accreditation indicators. (2) Contents.** The accreditation indicators shall include but shall not be limited to the

following:

(h) Results of the school district tests administered pursuant to section 22-7-407; AND

(i) THE PERCENTAGE OF STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH.

**SECTION 29.** 22-24-105, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**22-24-105. District - powers and duties.** (2) THE ASSESSMENTS DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION AND THE CERTIFICATION DESCRIBED IN PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION SHALL BE CONDUCTED ON AT LEAST AN ANNUAL BASIS AND EACH DISTRICT SHALL PRESENT THE RESULTS THEREFROM TO THE DEPARTMENT FOR INCLUSION IN THE RELEVANT ANNUAL REPORT OF ACHIEVEMENT OF ACCREDITATION INDICATORS REQUIRED BY SECTION 22-11-105.

**SECTION 30.** Title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 3.9**  
**Teacher Loan Forgiveness Program**

**23-3.9-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "APPROVED PROGRAM OF PREPARATION" MEANS A PROGRAM OF STUDY FOR PREPARATION THAT IS APPROVED BY THE COLORADO COMMISSION ON HIGHER EDUCATION PURSUANT TO SECTION 23-1-121 AND THAT UPON COMPLETION LEADS TO A RECOMMENDATION FOR LICENSURE BY AN ACCEPTED INSTITUTION OF HIGHER EDUCATION IN COLORADO.

(2) "COMMISSION" MEANS THE COLORADO COMMISSION ON HIGHER EDUCATION.

(3) "FACILITY SCHOOL" MEANS A SCHOOL THAT IS OPERATED BY A RESIDENTIAL CHILD CARE FACILITY, A RESIDENTIAL TREATMENT CENTER, OR ANOTHER FACILITY INCLUDED ON THE FACILITY LIST MAINTAINED BY THE

STATE BOARD OF EDUCATION PURSUANT TO SECTION 22-2-107 (1) (p), C.R.S., AND THAT RECEIVES A PORTION OF THE PER PUPIL OPERATING REVENUES OF ONE OR MORE SCHOOL DISTRICTS TO PROVIDE EDUCATIONAL SERVICES FOR CHILDREN WHO ARE INCLUDED ON THE ROLL OF OUT-OF-DISTRICT PLACED CHILDREN.

(4) "QUALIFIED POSITION" MEANS A TEACHING POSITION IN MATH, SCIENCE, SPECIAL EDUCATION, OR LINGUISTICALLY DIVERSE EDUCATION IN A COLORADO PUBLIC SCHOOL OR A FACILITY SCHOOL.

**23-3.9-102. Teacher loan forgiveness pilot program - administration - fund - conditions.** (1) (a) THE GENERAL ASSEMBLY HEREBY AUTHORIZES THE COMMISSION TO DEVELOP AND MAINTAIN A TEACHER LOAN FORGIVENESS PILOT PROGRAM FOR IMPLEMENTATION BEGINNING IN THE 2001-02 ACADEMIC YEAR FOR PAYMENT OF ALL OR PART OF THE PRINCIPAL AND INTEREST OF THE EDUCATIONAL LOANS OF EACH FIRST-YEAR TEACHER WHO IS HIRED FOR A QUALIFIED POSITION. REPAYMENT OF LOANS THROUGH THE TEACHER LOAN FORGIVENESS PILOT PROGRAM MAY BE MADE USING MONEYS IN THE TEACHER LOAN FORGIVENESS FUND, CREATED IN PARAGRAPH (b) OF THIS SUBSECTION (1), OR MONEYS ALLOCATED TO THE PROGRAM BY THE COLORADO STUDENT OBLIGATION BOND AUTHORITY. THE COMMISSION IS AUTHORIZED TO RECEIVE AND EXPEND GIFTS, GRANTS, AND DONATIONS FOR THE TEACHER LOAN FORGIVENESS PILOT PROGRAM. ONLY GRADUATES OF INSTITUTIONS OF HIGHER EDUCATION WHOSE LOANS HAVE COLORADO STUDENT OBLIGATION BOND AUTHORITY ELIGIBILITY MAY RECEIVE REPAYMENT OF THEIR LOANS USING MONEYS ALLOCATED TO THE PROGRAM BY THE COLORADO STUDENT OBLIGATION BOND AUTHORITY.

(b) THERE IS HEREBY CREATED THE TEACHER LOAN FORGIVENESS FUND, WHICH CONSISTS OF ALL MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE TEACHER LOAN FORGIVENESS PILOT PROGRAM AND ANY GIFTS, GRANTS, AND DONATIONS RECEIVED FOR SAID PURPOSE. MONEYS IN THE FUND ARE HEREBY CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF HIGHER EDUCATION FOR THE TEACHER LOAN FORGIVENESS PILOT PROGRAM. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND SHALL REMAIN THEREIN AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

(2) IN ADDITION TO ANY QUALIFICATIONS SPECIFIED BY THE

COMMISSION, TO QUALIFY FOR THE TEACHER LOAN FORGIVENESS PILOT PROGRAM, A TEACHER SHALL:

(a) GRADUATE FROM AN APPROVED PROGRAM OF PREPARATION;

(b) MEET LICENSURE REQUIREMENTS PURSUANT TO SECTION 22-60.5-201 (1) (b) OR (1) (c) OR 22-60.5-210, C.R.S.;

(c) (I) DEMONSTRATE PROFESSIONAL COMPETENCIES CONSISTENT WITH STATE BOARD OF EDUCATION RULES IN THE SUBJECT MATTER IN WHICH THE TEACHER OBTAINS A QUALIFIED POSITION; OR

(II) BE FULLY QUALIFIED UNDER A TRAINING PROGRAM APPROVED BY A FEDERAL COURT OR AGENCY OR THE DEPARTMENT; AND

(d) CONTRACT FOR THE TEACHER'S FIRST YEAR OF TEACHING IN A QUALIFIED POSITION NO EARLIER THAN JUNE 2001, AND NO LATER THAN THE END OF THE 2005-06 ACADEMIC YEAR.

(3) A TEACHER WHO QUALIFIES UNDER SUBSECTION (2) OF THIS SECTION MAY BE ELIGIBLE FOR UP TO TWO THOUSAND DOLLARS IN LOAN FORGIVENESS FOR THE FIRST YEAR OF TEACHING IN A QUALIFIED POSITION AND UP TO TWO THOUSAND DOLLARS IN LOAN FORGIVENESS FOR EACH OF THE NEXT THREE YEARS OF TEACHING IN A QUALIFIED POSITION.

**23-3.9-103. Reporting.** ON OR BEFORE DECEMBER 15, 2002, AND ON OR BEFORE EACH DECEMBER 15 THEREAFTER, THE COMMISSION SHALL SUBMIT AN ANNUAL REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES THAT INCLUDES, BUT IS NOT LIMITED TO, THE NUMBER OF PARTICIPANTS IN THE PROGRAM, THE AMOUNT OF FUNDS APPLIED TOWARD LOAN FORGIVENESS, AND THE SOURCES OF THOSE FUNDS.

**23-3.9-104. Repeal.** THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2008.

**SECTION 31.** 22-7-605 (7) (c), Colorado Revised Statutes, is amended to read:

**22-7-605. School accountability reports - format. (7) Student performance.** (c) At the bottom of the table entitled "CSAP" there shall



appear a key that explains the outcome of the tests portrayed in the pie chart as follows:

- (I) "[color] % Advanced";
- (II) "[color] % Proficient";
- (III) "[color] % Partially Proficient"; ~~and~~
- (IV) "[color] % Unsatisfactory"; AND
- (V) "[COLOR] % NO SCORE."

**SECTION 32.** The introductory portion to 22-7-605 (6) (c) (I) and the introductory portion to 22-7-605 (6) (c) (I.5), Colorado Revised Statutes, as amended by House Bill 01-1215, enacted at the First Regular Session of the Sixty-third General Assembly, are amended to read:

**22-7-605. School accountability report - format.** (6) **Staff information.** The report card shall contain a page clearly marked as the "About Our Staff" page in large font which shall contain the following information:

(c) **Professional experience of teachers.** The "About Our Staff" page shall also contain the subtitle, "Professional Experience of Teachers". Immediately underneath this subtitle shall be a table with three columns:

(I) For ~~report cards~~ ACCOUNTABILITY REPORTS for high schools, middle schools, and junior high schools, the first column shall contain the following seven lines:

(I.5) For ~~report cards~~ ACCOUNTABILITY REPORTS for elementary schools, the first column shall contain the following six lines:

**SECTION 33.** The introductory portion to 22-7-605 (5) (c) (I), the introductory portion to 22-7-605 (5) (c) (I.5), and 22-7-605 (5) (c) (III) and (5) (c) (IV), Colorado Revised Statutes, as amended by House Bill 01-1222, enacted at the First Regular Session of the Sixty-third General Assembly, are amended to read:

**22-7-605. School accountability report - format. (5) Safety and school environment.** The report card shall contain a page clearly marked as the "Safety and School Environment" page containing the following:

(c) **Student attendance and time spent in classroom.** The "Safety and School Environment" page shall contain the subtitle, "Student Attendance and Time Spent in Classroom". Immediately underneath this subtitle shall appear a table with two columns and a graph as follows:

(I) For ~~report cards~~ ACCOUNTABILITY REPORTS for middle, junior high, and high schools, the first column shall contain the school year on which the information in the ~~report card~~ ACCOUNTABILITY REPORT is based and the following six lines:

(I.5) For ~~report cards~~ ACCOUNTABILITY REPORTS for elementary schools, the first column shall contain the school year on which the information in the ~~report card~~ ACCOUNTABILITY REPORT is based and the following five lines:

(III) For ~~report cards~~ ACCOUNTABILITY REPORTS for middle, junior high, and high schools, immediately to the right of the table described in subparagraph (I) of this paragraph (c), shall be a graph titled "Dropout Rate". The graph shall have two bars, one for the previous academic year and one for the academic year on which the ~~report card~~ ACCOUNTABILITY REPORT is based. The bars shall be labeled with the yearly dates. The graph shall show the student dropout rate for said two years.

(IV) For ~~report cards~~ ACCOUNTABILITY REPORTS for elementary schools, immediately to the right of the table described in subparagraph (I.5) of this paragraph (c), shall be a graph titled "Average Daily Attendance". The graph shall have two bars, one for the previous academic year and one for the academic year on which the ~~report card~~ ACCOUNTABILITY REPORT is based. The bars shall be labeled with the yearly dates. The graph shall show the average daily attendance for said two years.

**SECTION 34.** 22-7-604 (1.5), Colorado Revised Statutes, as enacted by House Bill 01-1348, enacted at the First Regular Session of the Sixty-third General Assembly, is amended to read:

**22-7-604. Academic performance - academic improvement - grading - designation and methodology.** (1.5) (a) By rule, the state board may exempt from the requirement that an academic performance ~~grade~~ RATING be assigned to each public school any school in which more than ninety-five percent of students enrolled in the school have an individual educational program pursuant to section 22-20-108. Before an exemption is granted, such schools must establish a public process that will provide for accountability.

(b) The scores of certain students specified in section 22-7-409 (1.2) (d) (I) shall not be used to calculate a school's academic performance or academic improvement ~~grade~~ RATING pursuant to this section.

**SECTION 35.** 22-7-609.5 (1) (b), (5) (b), and (6), Colorado Revised Statutes, as enacted by Senate Bill 01-129, enacted at the First Regular Session of the Sixty-third General Assembly, are amended to read:

**22-7-609.5. School improvement grant program - repeal.** (1) As used in this section, unless the context otherwise requires:

(b) "Eligible school" means a public school that has received an academic performance ~~grade~~ RATING of "~~F~~" "UNSATISFACTORY" on the school ~~report card~~ ACCOUNTABILITY REPORT prepared pursuant to this part 6 for the school year 2000-01.

(5) On or before January 1, 2002, and on or before January 1, 2003, the department shall submit a report on the school improvement grant program to the governor, the education committees of the senate and the house of representatives, and the local board of education for each school district that has received a school improvement grant pursuant to this section. The report shall include, but need not be limited to:

(b) The academic performance ~~grade~~ RATING received for the immediately preceding school year by each eligible school for which grant moneys have been provided; and

(6) The general assembly hereby finds and declares that, for purposes of section 17 of article IX of the state constitution, establishing a school improvement grant program to provide funding to public schools that received an academic performance ~~grade~~ RATING of "~~F~~" "UNSATISFACTORY"

on the school ACCOUNTABILITY report card prepared pursuant to this part 6 for the school year 2000-01 is an important element of accountable education reform and therefore may receive funding from the state education fund created in section 17 (4) of article IX of the state constitution.

**SECTION 36.** 22-7-609 (2), Colorado Revised Statutes, as amended by Senate Bill 01-129, enacted at the First Regular Session of the Sixty-third General Assembly, is amended to read:

**22-7-609. School improvement plans.** (2) ~~On or before June 15, 2001, and on or before each June 15 thereafter,~~ The state board shall notify a local board of education what school, if any, in its district will receive an academic performance ~~grade~~ RATING of "F" "UNSATISFACTORY", pursuant to section 22-7-604 (5), on the school ACCOUNTABILITY report card being prepared for that academic year; except that, beginning in 2003, for any school that received an academic performance ~~grade~~ RATING of "F" "UNSATISFACTORY" on the school ACCOUNTABILITY report card prepared for the immediately preceding academic year, the state board shall notify the local board of education for that school no later than May 1, 2003, and each May 1 thereafter if that school will receive an academic performance ~~grade~~ RATING of "F" "UNSATISFACTORY" on the school ACCOUNTABILITY report card prepared for that academic year. The state board shall notify the local board of education that it must submit a school improvement plan pursuant to this section.

**SECTION 37.** 22-7-409 (1.2) (a) (I), Colorado Revised Statutes, as amended by Senate Bill 01-129, enacted at the First Regular Session of the Sixty-third General Assembly, is amended to read:

**22-7-409. Assessments - repeal.** (1.2) (a) (I) The assessments required by subsection (1) of this section shall be aligned with the model content standards adopted by the state board pursuant to section 22-7-406. The assessments shall be conducted during the period beginning the second Monday in March and ending on the third Monday in April of each year. ~~No later than June 1 of each year,~~ The department shall provide to each public school results of all assessments administered. ~~except that,~~ Beginning in 2003, for purposes of notifying local boards of education pursuant to section 22-7-609 (2), the department shall provide the results of the assessments of students enrolled in schools that received an academic

performance ~~grade~~ RATING of "F" "UNSATISFACTORY" on the school ACCOUNTABILITY report ~~card~~ prepared for the immediately preceding academic year no later than May 1, 2003, and May 1 of each year thereafter. For reporting purposes only, results shall include diagnostic reporting for each student's performance on each assessment, including but not limited to content-based sub-test scores for several components of each of the standards assessed pursuant to this section.

**SECTION 38.** Part 4 of article 7 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**22-7-412. Student assessments - study - curriculum-based, achievement college entrance exam - report - repeal.** (1) THE DEPARTMENT SHALL CONTRACT FOR A STUDY OF THE USE OF THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM DESCRIBED IN SECTION 22-7-409 (1.5). THE STUDY SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, AN EXAMINATION AND EVALUATION OF:

(a) THE NUMBER OF STUDENTS STATEWIDE WHO TOOK THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM IN BOTH 1999 AND 2000, AND THE PERCENTAGE OF ALL STUDENTS ENROLLED IN ELEVENTH GRADE IN COLORADO PUBLIC SCHOOLS WHO TOOK SAID EXAM;

(b) THE PUBLIC SCHOOLS AND SCHOOL DISTRICTS THAT ADMINISTERED THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM TO ALL STUDENTS ENROLLED IN THE ELEVENTH GRADE IN SUCH PUBLIC SCHOOLS OR SCHOOL DISTRICTS IN 1998, 1999, OR 2000;

(c) THE ALIGNMENT OF EACH CONTENT AREA OF THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM TO THE STATE MODEL CONTENT STANDARDS DESCRIBED IN SECTION 22-7-406 (1);

(d) THE COMPARATIVE DIFFERENCES BETWEEN ANY STANDARDIZED COLLEGE ENTRANCE EXAMINATIONS ADMINISTERED THROUGHOUT THE UNITED STATES AND RELIED UPON BY INSTITUTIONS OF HIGHER EDUCATION;

(e) THE COST OF DEVELOPING AND ADMINISTERING A STATEWIDE ASSESSMENT IN READING, WRITING, MATHEMATICS, AND SCIENCE TO ALL STUDENTS ENROLLED IN ELEVENTH GRADE IN PUBLIC SCHOOLS THROUGHOUT THE STATE;

(f) THE RANGE OF DIAGNOSTIC REPORTING FOR EACH STUDENT'S PERFORMANCE ON THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM AS COMPARED TO THE DIAGNOSTIC REPORTING FOR EACH STUDENT'S PERFORMANCE ON STATEWIDE ASSESSMENTS; AND

(g) THE PROBABLE RATE AND APPROPRIATENESS OF TEST TAKING BY ELEVENTH GRADE STUDENTS OF BOTH THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM AND A STATEWIDE ASSESSMENT.

(2) NO LATER THAN JULY 1, 2001, THE DEPARTMENT SHALL ISSUE A REQUEST FOR PROPOSALS FOR AN INDEPENDENT, THIRD-PARTY EXPERT TO CONDUCT THE STUDY DESCRIBED IN SUBSECTION (1) OF THIS SECTION. THE DEPARTMENT SHALL CONTRACT WITH SUCH EXPERT AND SUCH CONTRACTOR SHALL HAVE EXPERIENCE WITH:

(a) STATEWIDE ASSESSMENTS, BUT NOT NECESSARILY THE STATEWIDE ASSESSMENTS USED IN COLORADO PUBLIC SCHOOLS ON THE EFFECTIVE DATE OF THIS SECTION;

(b) STANDARDIZED, CURRICULUM-BASED, ACHIEVEMENT, COLLEGE ENTRANCE EXAMINATIONS ADMINISTERED THROUGHOUT THE UNITED STATES AND RELIED UPON BY INSTITUTIONS OF HIGHER EDUCATION;

(c) THE ALIGNMENT OF STATEWIDE ASSESSMENTS WITH STATE MODEL CONTENT STANDARDS; AND

(d) ISSUES OF EQUITY REGARDING THE PREPARATION OF EXAMINATIONS.

(3) NO LATER THAN DECEMBER 1, 2001, THE DEPARTMENT SHALL PRESENT THE FINDINGS OF THE STUDY DESCRIBED IN SUBSECTION (1) OF THIS SECTION IN A REPORT TO THE GOVERNOR, THE STATE BOARD OF EDUCATION, AND THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

(4) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE IMPLEMENTATION OF THE STUDY OF THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM IS AN IMPORTANT ELEMENT OF ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE

IX OF THE STATE CONSTITUTION.

(5) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2002.

**SECTION 39.** 22-7-409, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**22-7-409. Assessments - repeal.** (4) THE DEPARTMENT SHALL REVIEW AND UPDATE ALL ASSESSMENTS ADMINISTERED PURSUANT TO THIS SECTION, INCLUDING BUT NOT LIMITED TO ANY ASSESSMENTS ADMINISTERED IN LANGUAGES OTHER THAN ENGLISH, AS NECESSARY TO MAINTAIN THE INTEGRITY OF THE ASSESSMENTS. THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, MAINTAINING THE INTEGRITY OF THE ASSESSMENTS ADMINISTERED PURSUANT TO THIS SECTION IS AN IMPORTANT ELEMENT OF AN ACCOUNTABLE PROGRAM TO MEET STATE ACADEMIC STANDARDS AND THEREFORE MAY RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

**SECTION 40.** 22-7-605 (5) (b) (I) and (5) (d), Colorado Revised Statutes, are amended to read:

**22-7-605. School accountability reports - format.** (5) **Safety and school environment.** The accountability report shall contain a page clearly marked as the "Safety and School Environment" page containing the following:

(b) **Safety and discipline.** The "Safety and School Environment" page shall contain the subtitle, "Safety and Discipline" and the following explanation: "Safe schools are a top priority for parents, teachers, and communities. Your school's safety and discipline record for the [year] - [year] school year is:". Immediately underneath this explanation shall be a table with the following seven columns:

(I) The first column, entitled "Type of Incident", shall contain the following seven lines:

(A) "Substance Abuse -- DRUGS";

(A.5) "SUBSTANCE ABUSE -- ALCOHOL";

- (B) "~~Classroom Suspensions~~ SUBSTANCE ABUSE -- TOBACCO";
- (C) "Assaults/Fights";
- (D) "Habitually Disruptive Students";
- (E) "Deadly Weapons"; AND
- (F) "~~Other Felonies as Defined by Statute~~"; and
- (G) "Other Violations of Code of Conduct".

(d) **Student information over time.** The "Safety and School Environment" page shall contain the subtitle, "Student Information Over Time". Immediately underneath this subtitle shall be a table with four columns:

- (I) The first column shall contain:
  - (A) "Student Average Daily Attendance";
  - (B) "Student Dropouts";
  - (C) "Safety and Discipline Total Incidents Reported";
  - (D) "STUDENT ENROLLMENT STABILITY";
  - (E) "STUDENTS ELIGIBLE FOR FREE LUNCH";

(II) The second and subsequent columns shall contain the year that the data was compiled, for the current year and two previous years. The items in sub-subparagraphs (A) and (B) of subparagraph (I) of this paragraph (d) shall be reported in percentages and the item in sub-subparagraph (C) of subparagraph (I) of this paragraph (d) shall be reported as a whole number.

(III) AS USED IN THIS PARAGRAPH (d), "STUDENT ENROLLMENT STABILITY" MEANS THE PERCENTAGE OF THE STUDENT ENROLLED IN THE PUBLIC SCHOOL ON OCTOBER 1 OF ANY ACADEMIC YEAR WHO ARE STILL ENROLLED IN THE PUBLIC SCHOOL ON FEBRUARY 1 OF THE SAME ACADEMIC YEAR.



**SECTION 41. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, to the department of education, for the fiscal year beginning July 1, 2001, the sum of twelve million six hundred thirty thousand dollars (\$12,630,000), or so much thereof as may be necessary, for the implementation of section 22-7-607.5, Colorado Revised Statutes. Said sum shall be from the state education fund created in section 17 (4) of article IX of the state constitution.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of education, for the fiscal year beginning July 1, 2001, the sum of fifty-thousand dollars (\$50,000), or so much thereof as may be necessary, for the implementation of section 22-7-411, Colorado Revised Statutes. Said sum shall be from the state education fund created in section 17 (4) of article IX of the state constitution.

(3) In addition to any other appropriation, there is hereby appropriated, to the department of education, for the fiscal year beginning July 1, 2001, the sum of fifty-thousand dollars (\$50,000), or so much thereof as may be necessary, for the implementation of section 22-7-412, Colorado Revised Statutes. Said sum shall be from the state education fund created in section 17 (4) of article IX of the state constitution.

(4) In addition to any other appropriation, there is hereby appropriated, to the department of education, for the fiscal year beginning July 1, 2001, the sum of four hundred eleven thousand nine hundred fifty-three dollars (\$411,953), or so much thereof as may be necessary, for the implementation of the amendments to section 22-7-409 (4), Colorado Revised Statutes. Said sum shall be from the state education fund created in section 17 (4) of article IX of the state constitution.

(5) In addition to any other appropriation, there is hereby appropriated, to the department of education, for the fiscal year beginning July 1, 2001, the sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, for the implementation of the amendments to section 22-7-409 (1.2) (d) (I.5), Colorado Revised Statutes. Said sum shall be from the state education fund created in section 17 (4) of article IX of the state constitution.

(6) In addition to any other appropriation, there is hereby appropriated, to the department of education, for the fiscal year beginning July 1, 2001, the sum of fifty thousand dollars (\$50,000), or so much

thereof as may be necessary, for the implementation of the amendments to section 22-7-605 (5) (d), Colorado Revised Statutes. Said sum shall be from the state education fund created in section 17 (4) of article IX of the state constitution.

**SECTION 42. No appropriation.** The general assembly has determined that the teacher loan forgiveness program developed pursuant to article 3.9 of title 23, Colorado Revised Statutes, contained in section 30 of this act, can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 43. Effective date.** This act shall take effect upon passage; except that section 40 of this act shall take effect July 1, 2002.

**SECTION 44. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Stan Matsunaka  
PRESIDENT OF  
THE SENATE

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Doug Dean  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

---

Karen Goldman  
SECRETARY OF  
THE SENATE

---

Judith Rodrigue  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

---

Bill Owens  
GOVERNOR OF THE STATE OF COLORADO