

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

**INTRODUCED**

LLS NO. 01-0819.01 Jerry Barry

**HOUSE BILL 01-1311**

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**House Committees**  
Education

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**A BILL FOR AN ACT**

101     **CONCERNING THE IMPLEMENTATION OF LONGITUDINAL TESTING FOR**  
102             **THE PURPOSE OF ASSIGNING PERFORMANCE RATINGS TO PUBLIC**  
103             **SCHOOLS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Changes school academic performance grades to school academic performance improvement ratings. Directs the department of education to establish a methodology of assigning each public school a score based upon the improvement on the Colorado student assessment program (CSAP) examinations of the students enrolled in the school. Makes conforming amendments.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

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

2 **SECTION 1.** 22-7-604, Colorado Revised Statutes, is  
3 REPEALED AND REENACTED, WITH AMENDMENTS, to read:

4 **22-7-604. Academic performance - academic improvement -**  
5 **rating - designation and methodology.** (1) BEGINNING WITH THE  
6 2001-02 SCHOOL YEAR AND FOR EACH SCHOOL YEAR THEREAFTER, THE  
7 DEPARTMENT SHALL ASSIGN TO EACH PUBLIC SCHOOL A RATING OF  
8 "EXCELLENT", "HIGH", "MODERATE", "LOW", OR "UNSATISFACTORY" FOR  
9 THE PUBLIC SCHOOL'S OVERALL ACADEMIC PERFORMANCE IMPROVEMENT  
10 RATING AS CALCULATED PURSUANT TO THIS SECTION.

11 (2) THE RATING ASSIGNED TO A PUBLIC SCHOOL PURSUANT TO THIS  
12 SECTION SHALL BE DETERMINED BY THE LEVELS OF INDIVIDUAL STUDENT  
13 IMPROVEMENT ON ALL CSAP ASSESSMENTS ADMINISTERED BY THE PUBLIC  
14 SCHOOL IN EACH SCHOOL YEAR PURSUANT TO SECTION 22-7-409. EACH  
15 NEW CSAP ASSESSMENT AREA AND GRADE LEVEL SHALL ENTER THE  
16 CALCULATIONS OF RATINGS PURSUANT TO THIS SECTION AT A WEIGHT  
17 EQUIVALENT TO THAT ASSIGNED TO EXISTING ASSESSMENT AREAS AND  
18 GRADE LEVELS.

19 (3) (a) THE DEPARTMENT SHALL DEVELOP AND THE STATE BOARD  
20 BY RULE SHALL ADOPT A METHODOLOGY WHEREBY EACH SCHOOL SHALL  
21 BE ASSIGNED A SCORE BASED UPON THE IMPROVED PERFORMANCE OF THE  
22 SCHOOL'S STUDENTS ON THE CSAP ASSESSMENTS AND ANY OTHER  
23 STANDARDIZED EXAMINATION ADMINISTERED TO ALL STUDENTS  
24 THROUGHOUT THE STATE.

25 (b) BEGINNING WITH THE 2001-02 SCHOOL YEAR AND FOR EACH  
26 SCHOOL YEAR THEREAFTER, THE DEPARTMENT SHALL ASSIGN AN ACADEMIC

1 PERFORMANCE IMPROVEMENT RATING TO EACH PUBLIC SCHOOL BASED ON  
2 A PUBLIC SCHOOL'S SCORE AS FOLLOWS:

3 (I) AN ACADEMIC PERFORMANCE IMPROVEMENT RATING OF  
4 "EXCELLENT" SHALL BE ASSIGNED TO PUBLIC SCHOOLS WHOSE SCORES ARE  
5 IN THE HIGHEST EIGHT PERCENT OF SCORES RECEIVED BY PUBLIC SCHOOLS  
6 AT THE SAME SCHOOL LEVEL IN THE STATE, INCLUDING PUBLIC SCHOOLS  
7 THAT TIE AT THE LOWEST ELIGIBLE SCORE;

8 (II) AN ACADEMIC PERFORMANCE IMPROVEMENT RATING OF "HIGH"  
9 SHALL BE ASSIGNED TO PUBLIC SCHOOLS WHOSE SCORES ARE BELOW THE  
10 HIGHEST EIGHT PERCENT AND ABOVE THE LOWEST SIXTY-SEVEN PERCENT  
11 OF SCORES RECEIVED BY PUBLIC SCHOOLS AT THE SAME SCHOOL LEVEL IN  
12 THE STATE, INCLUDING PUBLIC SCHOOLS THAT TIE AT THE LOWEST ELIGIBLE  
13 SCORE;

14 (III) AN ACADEMIC PERFORMANCE IMPROVEMENT RATING OF  
15 "MODERATE" SHALL BE ASSIGNED TO PUBLIC SCHOOLS WHOSE SCORES ARE  
16 BELOW THE HIGHEST THIRTY-THREE PERCENT AND ABOVE THE LOWEST  
17 TWENTY-SEVEN PERCENT OF SCORES RECEIVED BY PUBLIC SCHOOLS AT THE  
18 SAME SCHOOL LEVEL IN THE STATE, INCLUDING PUBLIC SCHOOLS THAT TIE  
19 AT THE LOWEST ELIGIBLE SCORE;

20 (IV) AN ACADEMIC PERFORMANCE IMPROVEMENT RATING OF  
21 "LOW" SHALL BE ASSIGNED TO PUBLIC SCHOOLS WHOSE SCORES ARE BELOW  
22 THE HIGHEST SEVENTY-THREE PERCENT AND ABOVE THE LOWEST TWO  
23 PERCENT OF SCORES RECEIVED BY PUBLIC SCHOOLS AT THE SAME SCHOOL  
24 LEVEL IN THE STATE, INCLUDING PUBLIC SCHOOLS THAT TIE AT THE LOWEST  
25 ELIGIBLE SCORE;

26 (V) AN ACADEMIC PERFORMANCE IMPROVEMENT RATING OF  
27 "UNSATISFACTORY" SHALL BE ASSIGNED TO PUBLIC SCHOOLS WHOSE

1 SCORES ARE IN THE LOWEST TWO PERCENT OF SCORES RECEIVED BY PUBLIC  
2 SCHOOLS AT THE SAME SCHOOL LEVEL IN THE STATE.

3 (c) FOR PUBLIC SCHOOLS THAT EXCLUDE FROM ANY CSAP  
4 ASSESSMENT AT ANY GRADE LEVEL MORE THAN TEN PERCENT OF THE  
5 STUDENTS ENROLLED IN THAT GRADE LEVEL, ANY REPRESENTATION OF  
6 THAT PUBLIC SCHOOL'S OVERALL ACADEMIC PERFORMANCE IMPROVEMENT  
7 RATING SHALL BE QUALIFIED AND FOLLOWED BY THE WORDS  
8 "PARTICIPATION NOTED".

9 (4) THE STATE BOARD MAY ADOPT ANY RULES NECESSARY TO  
10 CALCULATE AND ASSIGN ACADEMIC PERFORMANCE IMPROVEMENT RATINGS  
11 PURSUANT TO THIS SECTION.

12 **SECTION 2. Repeal.** 22-7-602 (1) and (2), Colorado Revised  
13 Statutes, are repealed as follows:

14 **22-7-602. Definitions.** As used in this part 6, unless the context  
15 otherwise requires:

16 (1) ~~"Baseline assessment year" means the 2000-01 school year for~~  
17 ~~all CSAP assessments and the curriculum-based, achievement college~~  
18 ~~entrance examinations required to be administered during that school year~~  
19 ~~and means the 2001-02 school year for all assessments required to be~~  
20 ~~administered for the first time during the 2001-02 school year.~~

21 (2) ~~"Baseline performance year" means the 2000-01 school year.~~

22 **SECTION 3.** 22-7-605 (1), the introductory portion to 22-7-605  
23 (4), 22-7-605 (4) (b) and (4) (c), the introductory portion to 22-7-605 (5),  
24 22-7-605 (5) (e), (7) (a), (7) (d) (V), (7) (d) (VI), (8) (a), (8) (b), (8) (c),  
25 and (8) (d), Colorado Revised Statutes, are amended to read:

26 **22-7-605. School accountability report - format.** (1) Starting in  
27 the academic year 2001-02, and for each academic year thereafter, the

1 department shall issue a AN ACCOUNTABILITY report card for each public  
2 school in the state. The ACCOUNTABILITY report card shall be issued in an  
3 easy-to-read format and shall include the public school's overall academic  
4 performance grade IMPROVEMENT RATING. The department shall utilize  
5 the methodology described in section 22-7-604 and the state data  
6 reporting system established pursuant to section 22-7-603 to prepare a AN  
7 ACCOUNTABILITY report card for every public school.

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

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

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

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

1 (C) If the school qualifies for an award pursuant to part 3 of article  
2 11 of this title, immediately below the words "Overall Academic  
3 Performance IMPROVEMENT" ~~or, if applicable, "Academic Improvement"~~  
4 shall appear the words: "Winner of a John Irwin School of Excellence  
5 Award for the [year - year] school year." or "Winner of a Governor's  
6 Distinguished Improvement Award for the [year - year] school year.",  
7 whichever is appropriate.

8 (c) **Comparison.** The ACCOUNTABILITY report ~~card~~ shall contain  
9 the following subtitle, "How [name of the public school] Compares To  
10 Nearby [school level] Schools". Below this subtitle, the ACCOUNTABILITY  
11 report ~~card~~ shall contain a list of the ten schools, whether public or  
12 private, of the same school level as the subject school that are closest  
13 geographically to the subject public school and that received a AN  
14 ACCOUNTABILITY report ~~card~~ pursuant to this part 6; except that no school  
15 shall be listed if it is located more than seventy-five miles from the subject  
16 public school. Immediately following the name of each school shall be  
17 the overall academic performance ~~grade~~ IMPROVEMENT RATING for each  
18 school as calculated pursuant to section 22-7-604 (3). The names of the  
19 ten schools and the overall academic performance ~~grades~~ IMPROVEMENT  
20 RATINGS shall form two columns, titled "School" and "Academic". If any  
21 of the ten schools used for comparison for this paragraph (c) are from a  
22 different school district or are nonpublic schools, a footnote number shall  
23 be inserted after the name of each such school and a footnote shall follow  
24 the listing of the ten schools identifying the other school district or  
25 nonpublic schools.

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

1 Environment" page containing the following:

2 (e) **Rating description.** Directly below the information contained  
3 in paragraph (d) of this subsection (5) shall appear a chart containing the  
4 following lines:

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

11 (II) ~~"A – Excellent Academic Performance"~~

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

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

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

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

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

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

27 (V) Immediately underneath the table and chart described in this

1 paragraph (d), the ACCOUNTABILITY report card shall contain the  
2 following explanation in a small point size: "Each school in the State  
3 received a ~~letter grade, A, B, C, D, or F~~, RATING OF "EXCELLENT", "HIGH",  
4 "MODERATE", "LOW", OR "UNSATISFACTORY" for student academic  
5 performance IMPROVEMENT in school year [year]-[year] using ~~the CSAP~~  
6 ~~results printed above~~ INDIVIDUAL STUDENT IMPROVEMENT ON THE CSAP  
7 EXAMS. Every student in this school who took these tests AND FOR WHOM  
8 INFORMATION ON THE PREVIOUS YEAR'S CSAP WAS AVAILABLE was  
9 included in the calculation used to assign a ~~letter grade~~ RATING, except for  
10 students who do not speak English, whose special needs require that they  
11 spend less than 45% of their time in a regular classroom or who enrolled  
12 in the Colorado public school system after October 1 of this school year." .  
13 ~~Your school's grade was determined by the percentage of students~~  
14 ~~performing in each of the Advanced, Proficient, Partially Proficient, and~~  
15 ~~Unsatisfactory levels. These percentages were weighted and combined~~  
16 ~~across grade levels and academic areas. These weights reward~~  
17 ~~performance at the Advanced and Proficient levels over performance at~~  
18 ~~the Partially Proficient and Unsatisfactory levels. The letter grades were~~  
19 ~~assigned after calculating the weighted total for each academic area and~~  
20 ~~grade level for each school and comparing this school to all other [school~~  
21 ~~level] schools for the [year]-[year] school year."~~

22 (VI) Below this explanation shall appear in a bold, large font,  
23 clearly outstanding: "Overall Academic Performance IMPROVEMENT  
24 RATING for the [year]-[year] school year", followed directly by the ~~letter~~  
25 ~~grade~~ RATING corresponding to this category calculated pursuant to section  
26 ~~22-7-604 (5)~~ 22-7-604 (3) for the school.

27 (8) **School history.** (a) The ACCOUNTABILITY report card shall



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

9 (b) ~~If the public school has received in the current year or the two~~  
10 ~~preceding years a grade for school improvement pursuant to section~~  
11 ~~22-7-604 (6), there shall appear a second row entitled "School~~  
12 ~~Improvement". The words "School Improvement" shall be followed by~~  
13 ~~the grade the public school received pursuant to section 22-7-604 (6),~~  
14 ~~when applicable in the current year, the immediately preceding year, and~~  
15 ~~the year before the immediately preceding year.~~

16 (c) ~~If the public school received a designation in the current year~~  
17 ~~pursuant to section 22-7-604 (7), then immediately below the one or two~~  
18 ~~rows described in paragraphs (a) and (b) of this subsection (8), whichever~~  
19 ~~is applicable, the following words shall appear: "During the [current~~  
20 ~~school year] [name of school] was noted for ["Improvement in School~~  
21 ~~Performance", "Decline in School Performance", or "Significant Decline~~  
22 ~~in School Performance", whichever is applicable pursuant to section~~  
23 ~~22-7-604 (7)].".~~

24 (d) ~~Directly below the information contained in paragraphs (a) to~~  
25 ~~(c) of this subsection (8) shall appear a paragraph in small point size that~~  
26 ~~states: "A" school that received a grade of "C", "D", or "F" for academic~~  
27 ~~performance is graded for school improvement from the previous year.~~

1 ~~A school that received a grade of "A" or "B" for academic performance~~  
2 ~~may be designated for improvement or decline in performance if its~~  
3 ~~overall academic performance improves or declines notably. Each school~~  
4 ~~receiving a grade of either "B", "C", "D", or "F" can improve its letter~~  
5 ~~grade next year by improving student performance on the [year]-[year]~~  
6 ~~[next academic year] CSAP."~~

7 **SECTION 4.** 22-7-606 (3), Colorado Revised Statutes, is  
8 amended to read:

9 **22-7-606. School accountability reports - delivery website -**  
10 **repeal.** (3) The department shall develop an internet website, which  
11 homepage address shall be "www.state.co.us/schools", specifically to  
12 place each public school's ACCOUNTABILITY report ~~card~~ on the internet.  
13 The department shall design the website so that users may search for a  
14 particular school's ACCOUNTABILITY report ~~card~~ through a number of  
15 sorting functions, including but not limited to school district, county, city,  
16 and zip code. The department shall annually update the website to  
17 include each school ACCOUNTABILITY report ~~card~~ prepared by the  
18 department and shall maintain at the website an archive accessible by  
19 internet users of the three previous years' school ~~report cards~~  
20 ACCOUNTABILITY REPORTS. The website shall allow users to easily  
21 compare schools' overall academic performance ~~grades~~ IMPROVEMENT  
22 RATINGS as determined pursuant to section 22-7-604 (3). Such  
23 comparison shall be facilitated by search tools that allow a user, at a  
24 minimum, to find schools within different geographic ranges of another  
25 school and to find schools within different geographic areas and zip  
26 codes. On or before January 1, 2001, the state board shall contract with  
27 a private entity for the design, including the search and sort functions, of

1 the school ACCOUNTABILITY report ~~card~~ website. The department shall  
2 award the contract based upon a competitive bid; except that ~~but~~ the  
3 provisions of the "Procurement Code", articles 101 to 112 of title 24,  
4 C.R.S., shall not apply to this contract.

5 **SECTION 5.** 22-7-608 (1) and (3), Colorado Revised Statutes, are  
6 amended to read:

7 **22-7-608. Low-measured schools.** (1) If a public school receives  
8 an academic performance ~~grade~~ IMPROVEMENT RATING of "~~D~~" "LOW" on  
9 the school ACCOUNTABILITY report, ~~card~~, the state board may determine  
10 that the school district or public school has not taken steps sufficient for  
11 students in the public school to be academically well served. The state  
12 board shall instruct the commissioner to establish a voluntary assessment  
13 team for each public school that receives a AN ACADEMIC performance  
14 ~~grade~~ IMPROVEMENT RATING of "~~D~~" "LOW" to review the school  
15 performance data and determine causes for the low performance.  
16 Members of the team shall not be paid or reimbursed for expenses. The  
17 team shall have access to public school and school district data as deemed  
18 appropriate by the commissioner. The team shall make recommendations  
19 to the commissioner for implementing an assistance and intervention plan  
20 that will address the causes of the school's low performance. The  
21 assessment team shall be appointed by the commissioner with the  
22 approval of the state board and consist of: A principal and a teacher from  
23 a public school that received an overall academic performance ~~grade~~  
24 IMPROVEMENT RATING of "~~A~~" "EXCELLENT" or "~~B~~" "HIGH" pursuant to  
25 section 22-7-604 (3) and that is at the same school level as the public  
26 school that is under review; a parent from the school advisory council at  
27 the public school that is under review; a representative of the business

1 community; and an expert on education reform.

2 (3) In addition to any other assistance offered to public schools  
3 that receive an academic performance ~~grade~~ IMPROVEMENT RATING of "~~D~~"  
4 "LOW" or "~~F~~" "UNSATISFACTORY" on the school ACCOUNTABILITY report,  
5 ~~card~~; the department shall work with other state departments and agencies  
6 to coordinate the provision of services to such schools. Such services  
7 should be designed to assist low-performing students in improving their  
8 basic skills in reading, writing, and mathematics and may address social,  
9 economic, or other needs of the students. All state departments and  
10 agencies shall cooperate and assist public schools receiving academic  
11 performance ~~grades~~ IMPROVEMENT RATINGS of "~~D~~" "LOW" or "~~F~~"  
12 "UNSATISFACTORY" on the school ACCOUNTABILITY report. ~~card~~.

13 **SECTION 6. Safety clause.** The general assembly hereby finds,  
14 determines, and declares that this act is necessary for the immediate  
15 preservation of the public peace, health, and safety.