

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 01-0640.01 Jerry Barry

HOUSE BILL 01-1131

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A BILL FOR AN ACT

101 **CONCERNING CHANGES TO THE TERMINOLOGY DESCRIBING**
102 **INFORMATION ON SCHOOL PERFORMANCE, AND, IN CONNECTION**
103 **THEREWITH, CHANGING THE NAME OF SCHOOL REPORT CARDS**
104 **TO SCHOOL ACCOUNTABILITY REPORTS, REPLACING LETTER**
105 **GRADES WITH DESCRIPTIVE MEASUREMENTS, AND APPLYING THE**
106 **SAME DESCRIPTIVE MEASUREMENTS FOR SCHOOL IMPROVEMENT**
107 **TO ALL SCHOOLS.**

Bill Summary

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

Changes the name of the school report cards to accountability

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.

SENATE
Amended 2nd Reading
May 8, 2001

HOUSE
3rd Reading Unamended
January 29, 2001

HOUSE
Amended 2nd Reading
January 26, 2001

reports. Changes the measurements of academic performance and academic improvement from letter grades to descriptive measurements. Uses the same descriptive measurements for academic improvement for all schools.

Makes conforming amendments.

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

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

4 **22-7-601. Legislative declaration.** (1) The general assembly
5 hereby finds that:

6 (e) Giving each public school a ~~report card grading~~ A STATE
7 ACCOUNTABILITY REPORT ON its performance and improvement in
8 academic achievement will assist the general assembly, parents, and
9 taxpayers in identifying those public schools that are providing students
10 with an opportunity for a quality education; and

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

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

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

3 **22-7-602. Definitions.** As used in this part 6, unless the context
4 otherwise requires:

5 (8) "School level" means the level of a public school as either
6 elementary, middle, or high school. Schools that cover grades one
7 through five or one through six shall be considered elementary schools.
8 Schools that cover grades six through eight or seven through nine shall be
9 considered middle schools. Schools that cover grades nine through twelve
10 or ten through twelve shall be considered high schools. Schools that cover
11 other combinations of grades shall be considered elementary, middle, or
12 high school as determined by the state board by rule; except that, if a
13 school covers two or three complete school levels, as defined in this
14 subsection (8), it shall be considered as two or three separate schools for
15 purposes of assigning of academic performance and improvement ~~grades~~
16 MEASUREMENTS pursuant to section 22-7-604 and issuing STATE school
17 ~~report cards~~ ACCOUNTABILITY REPORTS pursuant to section 22-7-605.

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

20 **22-7-603. State data reporting system.** (1) The department shall
21 develop and implement a comprehensive data collection and reporting
22 system for collecting and reporting performance indicators from each
23 public school. On or before September 1, 2000, the department shall
24 contract out for the development of the state data reporting system. The
25 department shall award the contract based upon a competitive bid; except
26 that the provisions of the "Procurement Code", articles 101 to 112 of title
27 24, C.R.S., shall not apply to this contract. The state data reporting

1 system shall be designed to collect, through electronic transfer where
2 possible, all student and public school performance data required to
3 ascertain the degree to which public schools and school districts are
4 meeting state performance standards and shall be capable of producing
5 data for decision-making and for the comprehensive annual ~~report cards~~
6 STATE ACCOUNTABILITY REPORTS on public school and district
7 performance pursuant to sections 22-7-604 and 22-7-605. The state data
8 reporting system shall be designed to protect the privacy of individual
9 students and individually identifying data. In addition, the state data
10 reporting system shall be designed to include all the information and data
11 elements needed for measuring student and school performance, including
12 fiscal, student, program, personnel, facility, community, evaluation, and
13 other relevant data and shall allow for the analysis of the relationship
14 between school district and public school expenditures and effectiveness.
15 Data elements collected and provided by the department, school districts,
16 and individual public schools shall be compatible. The state data
17 reporting system shall be managed and administered by the department.
18 Each school district that has a unique information management system
19 shall assure that compatibility exists between its unique system and the
20 data elements of the state data reporting system so that all data required
21 to be input into the state data reporting system is made available through
22 electronic transfer and in the appropriate input format.

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

25 **22-7-604. Academic performance - academic improvement -**
26 **measurement - designation and methodology.** (1) Beginning with the
27 2000-01 school year and for each school year thereafter, the department

1 shall assign to each public school a ~~letter grade of "A", "B", "C", "D", or~~
2 ~~"F"~~ MEASUREMENT OF "EXCELLENT", "HIGH", "SATISFACTORY", "LOW", OR
3 "UNSATISFACTORY" for the public school's overall academic performance
4 as calculated pursuant to this section. ~~The grades shall correspond to the~~
5 ~~following categories:~~

- 6 (a) ~~"A": Excellent academic performance;~~
- 7 (b) ~~"B": Above average academic performance;~~
- 8 (c) ~~"C": Average academic performance;~~
- 9 (d) ~~"D": Below average academic performance; and~~
- 10 (e) ~~"F": Failing academic performance.~~

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

19 (5) **Overall academic performance measurement.** (a) The
20 department shall average each public school's CSAP-area standardized,
21 weighted total scores calculated pursuant to subsection (3) of this section
22 and, in the case of a public high school, shall average its CSAP-area
23 standardized, weighted total score calculated pursuant to subsection (3)
24 of this section and its standardized mean scores for the same academic
25 area calculated pursuant to subsection (4) of this section. The average
26 shall be weighted to control for differences in school size and differences
27 in the number of students with valid scores across academic areas. The

1 number of students with valid scores within an academic area will be
2 multiplied by the CSAP-area or curriculum-based, achievement college
3 entrance exam standard mean score for that academic area. This product
4 will be summed with all other products for academic areas and divided by
5 the sum of the number of students with valid scores across all academic
6 areas. The department shall use the resulting overall standardized,
7 weighted total score to assign an academic performance ~~grade~~
8 MEASUREMENT to each public school.

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

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

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

24 (C) An academic performance ~~grade~~ MEASUREMENT of "C"
25 "SATISFACTORY" shall be assigned to public schools whose overall
26 standardized, weighted total scores are below the highest thirty-three
27 percent and above the lowest twenty-seven percent of scores received by

1 public schools at the same school level in the state, including schools that
2 tie at the lowest eligible score;

3 (D) An academic performance ~~grade~~ MEASUREMENT of "~~D~~" "LOW"
4 shall be assigned to public schools whose overall standardized, weighted
5 total scores are below the highest seventy-three percent and above the
6 lowest two percent of scores received by public schools at the same
7 school level in the state, including schools that tie at the lowest eligible
8 score;

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

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

24 (c) As student performance improves, the standard for assessing
25 academic performance ~~grades~~ MEASUREMENTS shall be raised. The
26 department shall evaluate this standard annually by reporting to the state
27 board on the overall academic performance ~~grades~~ MEASUREMENTS and

1 changes in such ~~grades~~ MEASUREMENTS as described in subsections (6)
2 and (7) of this section. In February, 2005, and in February every three
3 years thereafter, the state board shall report to the education committees
4 of the senate and the house of representatives and to the governor on
5 whether it believes that a new year should be used as the baseline
6 performance year to recalculate the overall standardized, weighted total
7 scores assigned to each academic performance ~~grade~~ MEASUREMENT. The
8 state board shall not establish a new year as the baseline performance year
9 unless it notifies the education committees of the senate and the house of
10 representatives and the governor on or before February 1 of the year in
11 which STATE school ~~report cards~~ ACCOUNTABILITY REPORTS would reflect
12 the new baseline performance year.

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

20 (6) **School improvement measurement.** (a) Beginning with the
21 2001-02 school year, the department shall annually assign a ~~letter grade~~
22 MEASUREMENT for academic improvement to each public school ~~that in~~
23 ~~the immediately preceding school year received an academic performance~~
24 ~~grade of "C" or below as calculated pursuant to subsection (5) of this~~
25 ~~section. The academic improvement grades shall correspond to the~~
26 ~~categories described in subsection (1) of this section~~ OF "SIGNIFICANT
27 IMPROVEMENT", "IMPROVEMENT", "STABLE", "DECLINE", OR "SIGNIFICANT

1 DECLINE". The academic improvement ~~grade~~ MEASUREMENT shall be
2 based upon the change in the school's standardized, weighted total score
3 calculated pursuant to subsection (5) of this section.

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

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

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

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

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

1 (V) An academic improvement ~~grade~~ MEASUREMENT of "F"
2 "SIGNIFICANT DECLINE" shall be assigned to each such public school that
3 shows a decline of -0.5 of a point or more from the standard deviation
4 over the immediately preceding year's standardized, weighted total score.

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

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

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

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

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

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

8 **SECTION 5.** 22-7-605 (1), (2) (a), (2) (b), (2) (c), and (3) (a), the
9 introductory portion to 22-7-605 (3) (b), 22-7-605 (3) (c), and (4), the
10 introductory portion to 22-7-605 (5), the introductory portion to 22-7-605
11 (5) (c) (I), 22-7-605 (5) (c) (III), and (5) (e), the introductory portion to
12 22-7-605 (6), 22-7-605 (6) (d) (IV), (7) (a), (7) (d) (V), (7) (d) (VI), (8)
13 (a), (8) (b), (8) (c), (8) (d), (9) (a), (9) (d), and (10), Colorado Revised
14 Statutes, are amended to read:

15 **22-7-605. School accountability report - format.** (1) Starting in
16 the academic year 2000-01, and for each academic year thereafter, the
17 department shall issue a STATE ACCOUNTABILITY report ~~card~~ for each
18 public school in the state. The STATE ACCOUNTABILITY report ~~card~~ shall
19 be issued in an easy-to-read format and shall include the public school's
20 overall academic performance ~~grade~~ MEASUREMENT. The department
21 shall utilize the methodology described in section 22-7-604 and the state
22 data reporting system established pursuant to section 22-7-603 to prepare
23 a STATE ACCOUNTABILITY report ~~card~~ for every public school.

24 (2) (a) On or before September 1, 2000, the state board by rule
25 shall define, consistent with the provisions of this part 6, any data
26 elements included on the STATE school ~~report cards~~ ACCOUNTABILITY
27 REPORTS and the information that shall be collected and reported to ensure

1 the existence, accuracy, and relevancy of the data elements reported on
2 the STATE school ~~report cards~~ ACCOUNTABILITY REPORTS developed
3 pursuant to this section.

4 (b) Each public school and school district shall report accurately
5 any data required to produce a STATE school ACCOUNTABILITY report ~~card~~
6 for each public school, using whenever possible the state data reporting
7 system described in section 22-7-603. The state board shall seek to
8 minimize and eliminate the duplication of data reporting required under
9 this section and that required by other state or federal statutes or rules so
10 that school districts may satisfy multiple reporting requirements within a
11 single reporting framework. The state board in particular shall note the
12 data collection and reporting already required and conducted by the
13 department, public schools, and school districts in sections 22-2-112,
14 22-7-105, 22-11-104, 22-11-201, 22-30.5-110, 22-32-109, 22-32-110,
15 22-33-105, 22-44-105, 22-44-111, and 22-54-112.

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

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

1 report card in the order it appears in this section.

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

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

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

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

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

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

1 "Academic Improvement".

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

7 (C) If the school qualifies for an award pursuant to part 3 of article
8 11 of this title, immediately below the words "~~Overall Academic~~
9 ~~Performance" or, if applicable, "Academic Improvement" shall appear the~~
10 words: "Winner of a John Irwin School of Excellence Award for the [year
11 - year] school year." or "Winner of a Governor's Distinguished
12 Improvement Award for the [year - year] school year.", whichever is
13 appropriate.

14 (c) **Comparison.** The STATE ACCOUNTABILITY report ~~card~~ shall
15 contain the following subtitle, "How [name of the public school]
16 Compares To Nearby [school level] Schools". Below this subtitle, the
17 STATE ACCOUNTABILITY report ~~card~~ shall contain a list of the ten schools,
18 whether public or private, of the same school level as the subject school
19 that are closest geographically to the subject public school and that
20 received a STATE ACCOUNTABILITY report ~~card~~ pursuant to this part 6;
21 except that no school shall be listed if it is located more than seventy-five
22 miles from the subject public school. Immediately following the name of
23 each school shall be the overall academic performance ~~grade~~
24 MEASUREMENT for each school as calculated pursuant to section ~~22-7-604~~
25 22-7-604 (5). The names of the ten schools and the overall academic
26 performance ~~grade~~ MEASUREMENTS shall form two columns, titled
27 "School" and "Academic". If any of the ten schools used for comparison

1 for this paragraph (c) are from a different school district or are nonpublic
2 schools, a footnote number shall be inserted after the name of each such
3 school and a footnote shall follow the listing of the ten schools identifying
4 the other school district or nonpublic schools.

5 (d) **Preparation and verification information.** The STATE
6 ACCOUNTABILITY report ~~card~~ shall contain the following statement:
7 "STATE School Report Cards ACCOUNTABILITY REPORTS prepared by the
8 Colorado Department of Education are independently audited and verified
9 by [name of the consulting firm whose services are procured pursuant to
10 section 22-7-606 (4)]." At the bottom of the title page of the STATE
11 ACCOUNTABILITY report ~~card~~ shall appear the following statement: "For
12 more information on additional schools, visit www.state.co.us/schools".

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

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

20 (I) The first column shall contain the school year on which the
21 information in the STATE ACCOUNTABILITY report ~~card~~ is based and the
22 following six lines:

23 (III) Immediately to the right of the table described in this
24 paragraph (c), shall be a graph titled "Dropout Rate". The graph shall
25 have two bars, one for the previous academic year and one for the
26 academic year on which the STATE ACCOUNTABILITY report ~~card~~ is based.
27 The bars shall be labeled with the yearly dates. The graph shall show the

1 student dropout rate for said two years.

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

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

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

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

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

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

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

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

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

27 (IV) Immediately following shall be the name, address, and

1 telephone number of the school on which the STATE ACCOUNTABILITY
2 report is prepared. Following this, at the bottom of the page shall be:
3 "For more information and further details about this report, visit:
4 www.state.co.us/schools". The last line of the page shall be: "Colorado
5 Department of Education [address]".

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

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

17 (V) Immediately underneath the table and chart described in this
18 paragraph (d), the STATE ACCOUNTABILITY report ~~card~~ shall contain the
19 following explanation in a small point size: "Each school in the State
20 received a ~~letter grade, A, B, C, D, or F~~, MEASUREMENT OF "EXCELLENT",
21 "HIGH", "SATISFACTORY", "LOW", OR "UNSATISFACTORY" for student
22 academic performance in school year [year]-[year] using the CSAP results
23 printed above. Every student in this school who took these tests was
24 included in the calculation used to assign a ~~letter grade~~ MEASUREMENT,
25 except for students who do not speak English, whose special needs require
26 that they spend less than 45% of their time in a regular classroom or who
27 enrolled in the Colorado public school system after October 1 of this

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

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

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

24 (b) ~~If the public school has received in the current year or the two~~
25 ~~preceding years a grade for school improvement pursuant to section~~
26 ~~22-7-604 (6), there shall appear a second row entitled IMMEDIATELY~~
27 BELOW THE WORDS "OVERALL ACADEMIC PERFORMANCE" SHALL APPEAR

1 THE WORDS "School Improvement". The words "School Improvement"
2 shall be followed by the ~~grade~~ MEASUREMENT the public school received
3 pursuant to section 22-7-604 (6), ~~when applicable~~ in the current year, the
4 immediately preceding year, and the year before the immediately
5 preceding year.

6 (c) ~~If the public school received a designation in the current year~~
7 ~~pursuant to section 22-7-604 (7), then immediately below the one or two~~
8 ~~rows described in paragraphs (a) and (b) of this subsection (8), whichever~~
9 ~~is applicable, the following words shall appear: "During the [current~~
10 ~~school year] [name of school] was noted for ["Improvement in School~~
11 ~~Performance", "Decline in School Performance", or "Significant Decline~~
12 ~~in School Performance", whichever is applicable pursuant to section~~
13 ~~22-7-604 (7)]."~~.

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

27 (9) **Taxpayers' report.** (a) The STATE ACCOUNTABILITY report

1 card shall contain a page clearly marked in large-size font as the
2 "Taxpayers' Report" page. Financial data from this page shall be from the
3 most recently audited fiscal year.

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

10 (10) The department shall make only the necessary modifications
11 to the STATE ACCOUNTABILITY report card to ensure that a public school's
12 STATE ACCOUNTABILITY report card is formatted with the appropriate
13 information for elementary schools, middle schools, junior high schools,
14 and senior high schools. The department shall employ such layout,
15 design, color, and graphical elements necessary for the STATE
16 ACCOUNTABILITY report card to be parent-friendly and easy to read and to
17 enhance rather than detract from the data to be reported.

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

20 **22-7-606. State school accountability reports - delivery website**
21 **- repeal.** (1) (a) The department shall deliver each public school's annual
22 STATE ACCOUNTABILITY report card to the public school by August 15,
23 2001, and by August 15 each year thereafter. The department shall print
24 and provide to the public school copies of the ~~report cards~~ STATE
25 ACCOUNTABILITY REPORTS in the amount of: Total pupil enrollment at last
26 annual count, plus the total number of teachers as listed on the STATE
27 school ACCOUNTABILITY report, card plus an additional twenty-five

1 percent.

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

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

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

1 codes. On or before January 1, 2001, the state board shall contract with
2 a private entity for the design, including the search and sort functions, of
3 the STATE school ACCOUNTABILITY report ~~card~~ website. The department
4 shall award the contract based upon a competitive bid; except that ~~but~~ the
5 provisions of the "Procurement Code", articles 101 to 112 of title 24,
6 C.R.S., shall not apply to this contract.

7 (4) On or before January 1, 2001, and on or before each January
8 1 thereafter, the state board shall contract with a nationally recognized,
9 independent auditing firm to annually audit the process of preparing the
10 ~~report cards~~ STATE ACCOUNTABILITY REPORTS developed pursuant to
11 section 22-7-605 to ensure data and reporting integrity and quality control.
12 The department shall award the contract based upon a competitive bid;
13 except that the provisions of the "Procurement Code", articles 101 to 112
14 of title 24, C.R.S., shall not apply to this contract. The name of the
15 independent auditing firm shall appear on all ~~report cards~~ STATE
16 ACCOUNTABILITY REPORTS printed pursuant to this section.

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

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

23 (II) Data on safety incidents involving students;

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

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

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

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

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

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

21 **SECTION 8.** 22-7-608 (1) and (3), Colorado Revised Statutes, are
22 amended to read:

23 **22-7-608. Low-measured schools.** (1) If a public school receives
24 an academic performance ~~grade~~ MEASUREMENT of "D" "LOW" on the
25 school ACCOUNTABILITY report, ~~card~~ the state board may determine that
26 the school district or public school has not taken steps sufficient for
27 students in the public school to be academically well served. The state

1 board shall instruct the commissioner to establish a voluntary assessment
2 team for each public school that receives a performance ~~grade~~
3 MEASUREMENT of "~~D~~" "LOW" to review the school performance data and
4 determine causes for the low performance. Members of the team shall not
5 be paid or reimbursed for expenses. The team shall have access to public
6 school and school district data as deemed appropriate by the
7 commissioner. The team shall make recommendations to the
8 commissioner for implementing an assistance and intervention plan that
9 will address the causes of the school's low performance. The assessment
10 team shall be appointed by the commissioner with the approval of the
11 state board and consist of: A principal and a teacher from a public school
12 that received an overall academic performance ~~grade~~ MEASUREMENT of
13 "~~A~~" "EXCELLENT" or "~~B~~" "HIGH" pursuant to section ~~22-7-604~~ 22-7-604
14 (5) and that is at the same school level as the public school that is under
15 review; a parent from the school advisory council at the public school that
16 is under review; a representative of the business community; and an expert
17 on education reform.

18 (3) In addition to any other assistance offered to public schools
19 that receive an academic performance ~~grade~~ MEASUREMENT of "~~D~~" "LOW"
20 or "~~F~~" "UNSATISFACTORY" on the STATE school ACCOUNTABILITY report,
21 ~~card~~, the department shall work with other state departments and agencies
22 to coordinate the provision of services to such schools. Such services
23 should be designed to assist low-performing students in improving their
24 basic skills in reading, writing, and mathematics and may address social,
25 economic, or other needs of the students. All state departments and
26 agencies shall cooperate and assist public schools receiving academic
27 performance ~~grades~~ MEASUREMENTS of "~~D~~" "LOW" or "~~F~~"

1 "UNSATISFACTORY" on the STATE school ACCOUNTABILITY report. ~~card~~.

2 **SECTION 9.** 22-7-609 (2) and (5), Colorado Revised Statutes, are
3 amended to read:

4 **22-7-609. School improvement plans.** (2) On or before June 15,
5 2001, and on or before each June 15 thereafter, the state board shall notify
6 a local board of education what school, if any, in its district will receive
7 an academic performance ~~grade~~ MEASUREMENT of "~~F~~" "UNSATISFACTORY",
8 pursuant to section 22-7-604 (5), on the STATE school ACCOUNTABILITY
9 report ~~card~~ being prepared for that academic year. The state board shall
10 notify the local board of education that it must submit a school
11 improvement plan pursuant to this section or the state board shall
12 recommend an independent charter school pursuant to part 3 of article
13 30.5 of this title. The local board of education shall have the option of
14 developing and implementing a school improvement plan pursuant to this
15 section or having the state board recommend an independent charter
16 school.

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

1 under the school improvement plan for another year.

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

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

10 **22-7-610. High-measured or improved school.** (1) The general
11 assembly recognizes that if some public schools are singled out for poor
12 performance, other public schools that receive academic performance
13 ~~grades~~ MEASUREMENTS pursuant to section ~~22-7-604~~ 22-7-604 (5) of "A"
14 "EXCELLENT" or that show substantial improvement in their academic
15 performance ~~grade~~ MEASUREMENT should be acknowledged and rewarded.

16 (2) At the time that the academic performance ~~grades~~
17 MEASUREMENTS are given to public schools pursuant to section 22-7-604,
18 the state board shall provide notice to each district school board of each
19 public school within the school district that is eligible for a monetary
20 award pursuant to part 3 of article 11 of this title.

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

23 **16-11-311. Sentences - youthful offenders - legislative**
24 **declaration - powers and duties of district court - authorization for**
25 **youthful offender system - powers and duties of department of**
26 **corrections - repeal.** (3.4) In addition to the powers granted to the
27 department of corrections in subsection (3.3) of this section, the

1 department may:

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

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

13 **22-1-122. Transportation token program - legislative**
14 **declaration - eligibility - fund.** (1) (a) It is the intent of the general
15 assembly in enacting this section to improve opportunities for students to
16 gain the knowledge and skills necessary for a successful experience in
17 postsecondary education or as members of the work force. The general
18 assembly finds that a student should not be compelled by the lack of
19 transportation to remain in a school that receives an overall academic
20 performance ~~grade~~ MEASUREMENT of "~~D~~" "LOW" or "F"
21 "UNSATISFACTORY" issued pursuant to section ~~22-7-604~~ 22-7-604 (5). It
22 is therefore in the best interests of the citizens of the state to make
23 transportation tokens available to eligible students to enable them to
24 attend a public school that is performing satisfactorily.

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

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

27 (III) (A) Who is enrolled in a neighborhood school that received

1 an academic performance ~~grade~~ MEASUREMENT of "~~D~~" "LOW" or "~~F~~"
2 "UNSATISFACTORY", pursuant to section ~~22-7-604~~ 22-7-604 (5), for the
3 preceding school year; or

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

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

15 (3) (b) An eligible student shall continue receiving transportation
16 tokens pursuant to this section so long as he or she continues to meet the
17 requirements specified for an eligible student in paragraph (b) of
18 subsection (2) of this section; except that, after the first year in which an
19 eligible student receives transportation tokens, the requirement specified
20 in subparagraph (III) of paragraph (b) of subsection (2) of this section
21 shall no longer apply. An eligible student shall no longer receive
22 transportation tokens pursuant to this section if he or she moves to another
23 residence, the neighborhood school for which received an academic
24 performance ~~grade~~ MEASUREMENT of "~~C~~" "SATISFACTORY" or higher
25 during the school year preceding the year in which the student initially
26 enrolls; except that the eligible student may receive transportation tokens
27 in school years following initial enrollment in the new neighborhood

1 school if he or she again meets the requirements specified for an eligible
2 student in paragraph (b) of subsection (2) of this section.

3 (4) The state board shall determine a monetary value for the
4 transportation token issued at each public school that receives an
5 academic performance ~~grade~~ MEASUREMENT of "~~D~~" "LOW" or "~~F~~"
6 "UNSATISFACTORY", pursuant to section ~~22-7-604~~ 22-7-604 (5). The
7 monetary value may cover a portion of the transportation costs. The
8 transportation token may take the form of, but is not limited to, subsidized
9 tokens, passes, or fares for STATE buses, taxis, or other forms of
10 transportation approved by the state board. In determining the value of a
11 transportation token, the state board shall take into account the various
12 transportation options available to the eligible student and the distance to
13 be traveled by the eligible student to attend a public school outside of the
14 student's neighborhood. The transportation token used by an eligible
15 student shall be redeemable by a transportation provider through the
16 department.

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

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

24 **SECTION 13.** 22-2-117 (1) (b) (III), Colorado Revised Statutes,
25 is amended to read:

26 **22-2-117. Additional power - state board - waiver of**
27 **requirements - rules.** (1) (b) The state board shall not waive any of the

1 requirements specified in any of the following statutory provisions:

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

4 **SECTION 14.** 22-7-409 (1.2) (d) (I) and (1.2) (d) (II), Colorado
5 Revised Statutes, are amended to read:

6 **22-7-409. Assessments - repeal.** (1.2) (d) (I) Every student
7 enrolled in a public school shall be required to take the assessments
8 administered pursuant to subsection (1) of this section; except that the
9 students described in sub-subparagraph (A) of this subparagraph (I) shall
10 be required only to take the assessments required by said
11 sub-subparagraph. However, the scores of the following students shall not
12 be used by the state for purposes of calculating school academic
13 performance ~~grades~~ MEASUREMENTS pursuant to section ~~22-7-604~~
14 22-7-604 (5) or for accreditation pursuant to article 11 of this title:

15 (A) Any student who is eligible for the state's alternative
16 assessment for students with disabilities as stated in the student's
17 individual education program pursuant to section 22-20-108; except that
18 the results of any alternative assessment shall be reported to the
19 department;

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

23 (C) Any student who at the time that he or she enrolls in any
24 public school of the state is defined as a student whose dominant language
25 is not English pursuant to section 22-24-103 (4) (a) or (4) (b). However,
26 if such student is enrolled in third grade, that student's scores shall be used
27 for calculating academic performance and improvement ~~grades~~

1 MEASUREMENTS and for accreditation purposes after the student has been
2 enrolled in any public school in the state for two years. In addition, if
3 such student is enrolled in one of grades four through ten, that student's
4 scores shall be used for calculating academic performance and
5 improvement ~~grades~~ MEASUREMENTS and for accreditation purposes after
6 the student has been enrolled in any public school in the state for three
7 years.

8 (II) Any student with a disability who is not eligible for the state's
9 alternative assessment but who has an individual educational program
10 pursuant to section 22-20-108 shall be assessed in each CSAP area at the
11 appropriate grade level, as determined by the student's individual
12 educational program. To the extent applicable for the public school's
13 school level, as defined in section 22-7-602, the scores of assessments
14 administered pursuant to this subparagraph (II) shall be used at the grade
15 level specified in the student's individual education plan for purposes of
16 calculating academic performance and improvement ~~grades~~
17 MEASUREMENTS pursuant to section 22-7-604 and for accreditation
18 pursuant to article 11 of this title.

19 **SECTION 15.** 22-11-104 (2) (a) (II), Colorado Revised Statutes,
20 is amended to read:

21 **22-11-104. Accreditation indicators.** (2) **Contents.** The
22 accreditation indicators shall include but shall not be limited to the
23 following:

24 (a) (II) All accreditation indicators relating to the statewide
25 assessments shall be consistent with the methodology for determining
26 academic performance ~~grades~~ MEASUREMENTS pursuant to section
27 22-7-604. The baseline year for the accreditation indicators shall be the

1 2000 - 2001 school year.

2 **SECTION 16.** 22-11-301 (1), Colorado Revised Statutes, is
3 amended to read:

4 **22-11-301. Colorado school awards program - created - rules.**

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

13 **SECTION 17.** 22-11-302 (1), (2) (b) (I), and (3) (b), Colorado
14 Revised Statutes, are amended to read:

15 **22-11-302. Colorado school awards program - John Irwin**
16 **schools of excellence awards - governor's distinguished improvement**

17 **awards - repeal.** (1) The state board shall annually present financial
18 awards to the highest performing and to the most improved public schools
19 in the state based on the academic performance ~~grades~~ MEASUREMENTS
20 pursuant to section 22-7-604.

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

27 (3) (b) Of the moneys available for awards pursuant to this

1 subsection (3), awards shall first be made to schools that in the previous
2 school year received an academic performance ~~grade~~ MEASUREMENT of
3 "~~D~~" "LOW" or "~~F~~" "UNSATISFACTORY" pursuant to section ~~22-7-604~~
4 22-7-604 (5) and that received an academic improvement ~~grade~~
5 MEASUREMENT of "~~A~~" "EXCELLENT", pursuant to section 22-7-604 (6).

6 **SECTION 18.** 22-30.5-104 (6), Colorado Revised Statutes, is
7 amended to read:

8 **22-30.5-104. Charter school - requirements - authority.**

9 (6) Pursuant to contract, a charter school may operate free from specified
10 school district policies and state regulations. Pursuant to contract, a local
11 board of education may waive locally imposed school district
12 requirements, without seeking approval of the state board. The state
13 board may waive state statutory requirements or rules promulgated by the
14 state board; except that the state board may not waive any statute or rule
15 relating to the assessments required to be administered pursuant to section
16 22-7-409 or necessary to prepare the STATE school ~~report cards~~
17 ACCOUNTABILITY REPORTS pursuant to part 6 of article 7 of this title.
18 Upon request of the charter applicant, the state board and the local board
19 of education shall provide summaries of such regulations and policies to
20 use in preparing a charter school application. The department of
21 education shall prepare the summary of state regulations within existing
22 appropriations. Any waiver of state or local school district regulations
23 made pursuant to this subsection (6) shall be for the term of the charter for
24 which the waiver is made; except that a waiver of state statutes or
25 regulations by the state board shall be subject to review every two years
26 and may be revoked if the waiver is deemed no longer necessary by the
27 state board.

1 **SECTION 19.** 22-30.5-204 (1.5), Colorado Revised Statutes, is
2 amended to read:

3 **22-30.5-204. Charter school districts - creation - requirements.**

4 (1.5) Notwithstanding the provisions of subsection (1) of this section, all
5 charter school districts shall be subject to the Colorado statewide
6 assessment program established in part 4 of article 7 of this title and shall
7 supply to the department all information required to prepare the STATE
8 school report cards ACCOUNTABILITY REPORTS pursuant to part 6 of article
9 7 of this title.

10 **SECTION 20.** 22-30.5-304 (1) (e) (II) and (1) (f) (II), Colorado
11 Revised Statutes, are amended to read:

12 **22-30.5-304. Review committee - membership -**

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

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

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

27 **SECTION 21.** 22-30.5-306 (2) (a), (3) (b), and (5), Colorado

1 Revised Statutes, are amended to read:

2 **22-30.5-306. Independent charter schools - charter - term.**

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

8 (a) The independent charter school shall be entitled to use the
9 school building in which the public school that received an academic
10 performance ~~grade~~ MEASUREMENT of "~~F~~" "UNSATISFACTORY" was
11 operated. The independent charter school and the local board of
12 education shall negotiate an amount of rent to be paid, which shall be not
13 more than twelve dollars per year, and all other costs for the operation and
14 maintenance of the building and related facilities; and

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

21 (5) (a) If, during the first two years of an independent charter, an
22 independent charter school receives an academic performance ~~grade~~
23 MEASUREMENT of "~~F~~" "UNSATISFACTORY" pursuant to section ~~22-7-604~~
24 22-7-604 (5), the independent charter school shall not be subject to the
25 provisions of section 22-30.5-303 that would require the establishment of
26 a new independent charter school.

27 (b) If, during the first two years of the independent charter, the

1 independent charter school receives an academic performance ~~grade~~
2 MEASUREMENT of "~~D~~" "LOW" pursuant to section ~~22-7-604~~ 22-7-604 (5),
3 the independent charter school shall not be subject to the provisions of
4 section 22-7-608 that require appointment of an assessment team for
5 low-performing schools.

6 **SECTION 22.** 22-30.5-307, Colorado Revised Statutes, is
7 amended to read:

8 **22-30.5-307. Independent charter schools - expiration - renewal**
9 **- conversion.** (1) If the academic performance ~~grade~~ MEASUREMENT of
10 an independent charter school is a "~~D~~" "LOW" or an "~~F~~"
11 "UNSATISFACTORY", as determined pursuant to section ~~22-7-604~~ 22-7-604
12 (5), during the third year of the school's independent charter, the state
13 board shall issue a new request for proposals pursuant to section
14 22-30.5-303 (2), and a new independent charter school application
15 process shall commence.

16 (2) If the academic performance ~~grade~~ MEASUREMENT of an
17 independent charter school is higher than a "~~D~~" "LOW", as determined
18 pursuant to section ~~22-7-604~~ 22-7-604 (5), during the third year of the
19 school's independent charter, the parents and legal guardians of the
20 students enrolled at the independent charter school shall decide by
21 majority vote whether, at the expiration of the independent charter
22 school's charter, the school shall apply for a renewal of the independent
23 charter or shall seek to become a regular school of the school district in
24 which the independent charter school is located.

25 **SECTION 23.** 22-33-104.5 (3) (f), Colorado Revised Statutes, is
26 amended to read:

27 **22-33-104.5. Home-based education - legislative declaration -**

1 **definitions - guidelines.** (3) The following guidelines shall apply to a
2 nonpublic home-based educational program:

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

20 **SECTION 24. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.