A BILL FOR AN ACT

CONCERNING AUTHORIZING LOCAL EDUCATION PROVIDERS TO OPERATE STUDENT-CENTERED ACCOUNTABILITY SYSTEM PILOT PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Bill Summary

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

The bill authorizes a school district, board of cooperative services, or charter school (local education provider) or group of local education providers to create local, student-centered pilot accountability systems...
(pilot accountability system) for measuring the performance of the public school systems operated by the participating local education providers. A pilot accountability system must be designed to assess student learning, professional culture, and resource allocation within a participating local education provider. The bill describes the minimum requirements for a pilot accountability system proposal, including the manner in which the participating local education providers will determine whether the pilot accountability system is successful. A local education provider that participates in a pilot accountability system must continue to comply with the accountability and accreditation statutes.

A local education provider or group of local education providers may receive a grant to operate the pilot accountability system by submitting the proposal to the department of education (department), agreeing to allow the department to monitor implementation of the pilot accountability system, and agreeing to submit to the department its evaluations of the success of the pilot accountability system. Subject to available appropriations, the participating local education provider or group of local education providers will receive an annual grant so long as they comply with the monitoring and reporting requirements. For each year in which the department distributes a grant, the department must prepare a report of the implementation of the pilot accountability systems; submit it to the governor, the state board of education, and the education committees of the general assembly; and post it on the department website.

The authorization for the pilot accountability system grants repeals in 5 years.

Under existing law, at least 50% of a teacher's or principal's performance evaluation must be based on student growth measures. The bill amends the percentage requirement to at least 20% but not more than 50%. The school district, in collaboration with the licensed educators employed by the school district, will determine the specific percentage.

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

SECTION 1. In Colorado Revised Statutes, add 22-7-1006.7 as follows:

22-7-1006.7. Student-centered pilot accountability systems - grant program - report - legislative declaration - repeal.

(1) (a) THE GENERAL ASSEMBLY FINDS THAT:

(I) THE FUNDAMENTAL PURPOSE OF THE PUBLIC SCHOOL
ACCOUNTABILITY SYSTEM MUST BE TO ENSURE THE BEST POSSIBLE EDUCATION FOR EVERY INDIVIDUAL STUDENT, AND EVERY ASPECT OF THE ACCOUNTABILITY SYSTEM MUST FOCUS ON IMPROVING EACH STUDENT’S ACADEMIC ACHIEVEMENT;

(II) THE EXISTING ACCOUNTABILITY SYSTEM'S OVER-RELIANCE ON A SMALL NUMBER OF STANDARDIZED, STATEWIDE ASSESSMENTS IS TOO LIMITED TO PROVIDE A COMPLETE, ACCURATE PICTURE OF EACH STUDENT'S LEVEL OF ACADEMIC ACHIEVEMENT; AND

(III) THE EXISTING ACCOUNTABILITY SYSTEM, RATHER THAN FOCUSING ON STUDENT ACHIEVEMENT, IDENTIFYING THE NEEDS OF INDIVIDUAL STUDENTS, AND CLOSING ACHIEVEMENT GAPS AMONG STUDENTS, ACTUALLY FOCUSES ON EVALUATING THE EFFORTS OF LOCAL EDUCATION PROVIDERS IN A MANNER THAT IS MORE LIKELY TO RESULT IN PUNITIVE MEASURES THAN IN CREATING A POSITIVE CULTURE OF CONTINUOUS IMPROVEMENT.

(b) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS APPROPRIATE TO PROVIDE GRANTS TO ENCOURAGE LOCAL EDUCATION PROVIDERS TO DESIGN AND PILOT LOCAL, STUDENT-CENTERED ACCOUNTABILITY SYSTEMS THAT FOCUS ON MEASURING AND IMPROVING STUDENT ACADEMIC ACHIEVEMENT BY USING MULTIPLE INPUTS AND MEASURES OF STUDENT SUCCESS FOR EVALUATING THE QUALITY OF, AND IDENTIFYING WAYS TO IMPROVE, THE SYSTEM SUPPORTS FOR STUDENT SUCCESS.

(c) THE GENERAL ASSEMBLY FURTHER DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, STUDENT-CENTERED ACCOUNTABILITY SYSTEMS ARE AN IMPORTANT ELEMENT IN IMPLEMENTING ACCOUNTABLE EDUCATION REFORM AND
ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

(2) A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS MAY SUBMIT TO THE DEPARTMENT OF EDUCATION A PROPOSAL FOR PILOTING A LOCAL, STUDENT-CENTERED ACCOUNTABILITY SYSTEM, REFERRED TO IN THIS SECTION AS A "PILOT ACCOUNTABILITY SYSTEM". THE GOAL OF EACH PILOT ACCOUNTABILITY SYSTEM MUST BE TO FAIRLY AND ACCURATELY EVALUATE STUDENT SUCCESS USING MULTIPLE MEASURES TO DEVELOP A MORE COMPREHENSIVE UNDERSTANDING OF EACH STUDENT'S PROGRESS, TO EVALUATE THE CAPACITY OF THE PUBLIC SCHOOL SYSTEMS OPERATED BY THE LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS TO SUPPORT STUDENT SUCCESS, AND TO USE THE RESULTS OBTAINED FROM MEASURING PERFORMANCE TO ESTABLISH A CYCLE OF CONTINUOUS IMPROVEMENT. A PILOT ACCOUNTABILITY SYSTEM MUST BE DESIGNED TO ASSESS:

(a) STUDENT LEARNING, TAKING INTO ACCOUNT ACADEMIC ACHIEVEMENT AND GROWTH AND CHANGES IN AND DEVELOPMENT OF STUDENT ATTITUDE AND DISPOSITION. IN EVALUATING STUDENT LEARNING, A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS MAY CHOOSE TO CONSIDER CREATION AND ATTAINMENT OF STUDENT LEARNING OBJECTIVES AND LOCAL ASSESSMENTS.

(b) THE PROFESSIONAL CULTURE WITHIN THE LOCAL EDUCATION PROVIDER, WHICH MAY INCLUDE EVALUATIONS OF CURRICULUM AND INSTRUCTION, PROFESSIONAL LEARNING, SCHOOL LEADERSHIP, AND THE
(c) Resource allocation, which may include evaluations of the existence and use of financial resources, facilities, and community resources.

(3) A proposal for a pilot accountability system, at a minimum, must:

(a) Explain the measures that the local education provider or group of local education providers will use to measure student learning, the professional culture, and resource allocation;

(b) Describe the procedure for reviewing each local education provider's performance, which reviews must occur at least annually and may include on-site reviews by other participating local education providers and the department of education;

(c) Describe the expectations for providing feedback and analysis concerning a local education provider's performance, which must include regular communications with the local school board of each participating school district and the governing board of each participating district charter school and institute charter school;

(d) Describe the manner in which each participating local education provider is expected to apply the feedback received to improve performance and student achievement;

(e) Describe the manner in which the feedback and the response to the feedback will be communicated to the parents of students enrolled in the local education provider, the
COMMUNITY SURROUNDING THE LOCAL EDUCATION PROVIDER, THE
DEPARTMENT OF EDUCATION, AND THE STATE BOARD; AND

(f) DESCRIBE THE MANNER IN WHICH THE PARTICIPATING LOCAL
EDUCATION PROVIDERS WILL DETERMINE WHETHER THE PILOT
ACCOUNTABILITY SYSTEM IS ACCURATELY MEASURING STUDENT SUCCESS
AND WHETHER IT RESULTS IN CONTINUOUS IMPROVEMENT WITHIN THE
PUBLIC SCHOOL SYSTEMS OF THE PARTICIPATING LOCAL EDUCATION
PROVIDERS.

(4) IN CREATING A PILOT ACCOUNTABILITY SYSTEM, A LOCAL
EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS SHALL,
AT A MINIMUM, WORK WITH THE EDUCATION PROFESSIONALS EMPLOYED
BY EACH PARTICIPATING LOCAL EDUCATION PROVIDER, INCLUDING THE
COLLECTIVE BARGAINING UNITS, IF ANY, FOR EMPLOYEES OF THE LOCAL
EDUCATION PROVIDERS; THE PARENTS OF STUDENTS ENROLLED IN EACH
PARTICIPATING LOCAL EDUCATION PROVIDER; AND REPRESENTATIVES OF
BUSINESSES IN THE COMMUNITY SURROUNDING EACH PARTICIPATING
LOCAL EDUCATION PROVIDER.

(5) A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL
EDUCATION PROVIDERS THAT CHOOSES TO IMPLEMENT A PILOT
ACCOUNTABILITY SYSTEM MUST CONTINUE TO COMPLY WITH THE
REQUIREMENTS OF THIS PART 10 AND ARTICLE 11 OF THIS TITLE 22 AND
THE RULES IMPLEMENTING THIS PART 10 AND ARTICLE 11 OF THIS TITLE 22
DURING THE TIME THAT IT IMPLEMENTS THE PILOT ACCOUNTABILITY
SYSTEM.

(6) TO OBTAIN A GRANT FOR IMPLEMENTING A PILOT
ACCOUNTABILITY SYSTEM, A LOCAL EDUCATION PROVIDER OR GROUP OF
LOCAL EDUCATION PROVIDERS MUST:
(a) Submit the proposal for the pilot accountability system to the Department of Education in accordance with rules promulgated by the State Board pursuant to the "State Administrative Procedure Act", article 4 of title 24;

(b) Agree to allow the Department of Education to monitor the implementation of the pilot accountability system, including submitting data to the Department upon request concerning the measures of student performance, professional culture, and resource allocation and concerning measures implemented in response to feedback received; and

(c) Agree to submit, at least annually, evaluations of the success of the pilot accountability system, measured as described in subsection (3)(f) of this section.

(7)(a) To the extent possible, the Department of Education shall allow a local education provider or group of local education providers that chooses to create a pilot accountability system to use the accreditation process established to implement Article 11 of this Title 22 to submit any data requested by the Department concerning implementation of the pilot accountability system.

(b) The Department of Education shall designate at least one employee within the departmental division that is responsible for accountability to act as a liaison for local education providers and groups of local education providers that choose to create a pilot accountability system.

(8)(a) Subject to available appropriations, the Department of Education shall distribute to each local
EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS THAT COMPLIES WITH SUBSECTION (6) OF THIS SECTION AN ANNUAL GRANT OF UP TO FIFTY THOUSAND DOLLARS FOR EACH LOCAL EDUCATION PROVIDER THAT IMPLEMENTS A PILOT ACCOUNTABILITY SYSTEM ON AN INDIVIDUAL BASIS OR UP TO ONE HUNDRED THOUSAND DOLLARS FOR EACH GROUP OF LOCAL EDUCATION PROVIDERS THAT IMPLEMENTS A PILOT ACCOUNTABILITY SYSTEM. IN ANY YEAR IN WHICH THE GENERAL ASSEMBLY DOES NOT APPROPRIATE A SUFFICIENT AMOUNT TO FULLY FUND THE GRANTS DESCRIBED IN THIS SUBSECTION (8)(a), THE DEPARTMENT SHALL REDUCE THE AMOUNT OF EACH GRANT BY THE SAME PERCENTAGE THAT THE DEFICIT BEARS TO THE AMOUNT REQUIRED TO FULLY FUND THE GRANTS.

(b) BEFORE DISTRIBUTING A GRANT IN A BUDGET YEAR TO A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS, THE DEPARTMENT OF EDUCATION SHALL CONFIRM THAT THE LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS IS IN COMPLIANCE WITH THE REQUIREMENTS SPECIFIED IN SUBSECTION (6) OF THIS SECTION BY FULLY COOPERATING WITH THE DEPARTMENT IN MONITORING IMPLEMENTATION OF THE PILOT ACCOUNTABILITY SYSTEM, AND IS SUBMITTING ANNUAL EVALUATIONS OF THE SUCCESS OF THE PILOT ACCOUNTABILITY SYSTEM. THE DEPARTMENT SHALL NOT DISTRIBUTE A GRANT TO A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS THAT IS NOT IN COMPLIANCE, AS DETERMINED BY THE STATE BOARD.

(9) FOR EACH YEAR THAT A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS RECEIVES A GRANT PURSUANT TO THIS SECTION, THE DEPARTMENT OF EDUCATION, WITH THE ASSISTANCE OF

(10) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023.

SECTION 2. Appropriation. For the 2018-19 state fiscal year, $375,155 is appropriated to the department of education. This
appropriation is from the state education fund created in section 17 (4)(a)
of article IX of the state constitution and is based on an assumption that
the department will require an additional 0.7 FTE. To implement this act,
the department may use this appropriation for the student-centered pilot
accountability systems grant program pursuant to section 22-7-1006.7,
C.R.S.

SECTION 3. 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.