



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**FISCAL NOTE**

<b>Drafting Number:</b>	LLS 18-0360	<b>Date:</b>	April 6, 2018
<b>Prime Sponsors:</b>	Rep. Pettersen; Sias Sen. Gardner; Moreno	<b>Bill Status:</b>	House Education
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**Bill Topic:** PUBLIC EDUCATION ACCOUNTABILITY SYSTEM

**Summary of Fiscal Impact:**

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure ( <i>workload change</i> )	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill modifies the Public School Accountability Act of 2009. The bill impacts state workload beginning with FY 2018-19 and in future years.

**Appropriation Summary:** No appropriation is required

**Fiscal Note Status:** This fiscal note reflects the introduced bill.

**Summary of Legislation**

The bill makes several changes to the Education Accountability Act of 2009 (Senate Bill 09-193), including changes to the criteria used by the Colorado Department of Education (CDE) to assign accreditation categories to public schools, school districts, and the Charter School Institute (local education providers or LEPs), modifications to the timeline for improved performance, and changes to the way the state responds to schools and districts that experience multiple years of low performance.

**Performance indicators.** The bill modifies the performance indicators used to measure the performance of LEPs and the state as a whole, and to assign accreditation categories. The bill:

- repeals the specific details for calculating performance indicators and directs the State Board of Education (SBE) to specify calculations in rule;
- specifies a performance indicator that measures the academic growth of students relative to student peers across school years toward meeting state academic standards;
- changes the terminology for describing a student's performance on the statewide assessments;
- removes the performance indicator concerning closing the achievement gaps;

- requires that the CDE disaggregate performance indicators by student group, and separately account for the performance of each student group in determining overall performance; and
- requires that annual performance reports specify the percentage of enrolled students who score at each of the performance levels on the statewide assessments.

**The five year accountability clock.** Under current law, if an LEP is accredited with priority improvement plan or lower for five consecutive years, the CDE may recommend that the SBE take specific actions, including removing the LEP's accreditation. This is referred to as the five year accountability clock.

Under this bill, if an LEP is accredited in one of the two lowest categories for two consecutive years, followed by three additional years, either consecutive or nonconsecutive, for a total of five years, then the SBE must require that certain corrective actions be taken; however, if the school district or CSI improves its accreditation category for two consecutive years following the first two years of low accreditation, then the five year clock stops progressing.

During the five year accountability clock, LEPs accredited in either of the two lowest categories are designated as being on "performance watch." In the fourth year of a performance watch, improvement plans for these LEPs must describe the way corrective actions will be implemented should the SBE require those actions after the fifth year.

For LEPs that remain in the lowest accreditation categories for five years, the commissioner is required to assign the State Review Panel to evaluate performance and recommend one or more of several specified actions, including removal of accreditation. After considering these recommendations, the SBE must determine appropriate actions and direct the LEP accordingly. This initiates a two year cycle of evaluation by the State Review Panel, which may result in additional directions from the SBE. The LEP remains subject to the two year review cycle until it achieves accreditation with improvement plan or higher for two consecutive years.

The bill requires LEPs in their third year of accreditation with a priority improvement plan or lower hold a parent and community meeting and include personnel from CDE. The bill specifies the information that must be provided at the meeting and the requirements for public notification.

**State response to low performance.** Under current law, when a school district is required to implement a turnaround plan, the Commissioner of Education is required to use the State Review Panel to evaluate the district's turnaround plan. This bill allows, rather than require that the commissioner assign the State Review Panel to evaluate a plan, and allows the panel to also conduct one or more on-site visits as part of the evaluation. Additionally, the bill identifies innovations that a public school may adopt if the SBE requires a school or district to become a school of innovation.

The CDE is required to provide training in governance and turnaround best practices to schools and districts that have been accredited with an improvement plan or lower. Finally, the bill changes the School Turnaround Leaders Development grant program as the School Transformation grant program and allows the SBE to issue grants for the development of school turnaround leaders, for educator professional development, and to implement instructional transformation in public schools.

## **Background**

The CDE has approximately 7.0 FTE dedicated to managing accountability and improvement planning, including support for the SBE and the State Review Panel. The Accountability and Data Analysis team at the CDE consists of 3.0 FTE dedicated to calculating and reporting the accountability performance frameworks, providing technical assistance, and facilitating the request to reconsider process at the SBE. Information Management Services receives funding for 3.0 FTE to implement the state accountability and reporting work. The department is funded with 1.0 FTE to administer the School Turnaround Leadership Development Grant.

## **State Expenditures**

Although the bill rearranges workload for current staff at the CDE, no new appropriations are required. Adjustments to the performance indicators will not require significant changes to the existing calculations and performance frameworks. Many of the requirements and duties necessary to implement the bill already exist or will replace current workload. The current program staff is sufficient to implement the modified provisions of this bill within existing appropriations.

## **School District Impact**

Schools, school districts, and the Charter School Institute may be required to adjust their improvement planning and arrange for public meetings should their accreditation be subject to a performance watch. Similar to changing workload impacts for the state department, local education providers are likely to rearrange work priorities and specific work tasks to accommodate changes to the accountability system.

## **Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## **State and Local Government Contacts**

Education