

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 22-0483.01 Jacob Baus x2173

SENATE BILL 22-137

SENATE SPONSORSHIP

Zenzinger and Coram, Bridges, Buckner, Fenberg, Fields, Gardner, Ginal, Kolker, Lundeen, Moreno, Rankin, Rodriguez, Smallwood, Sonnenberg, Story

HOUSE SPONSORSHIP

McLachlan and Young,

Senate Committees
Education

House Committees
Education

A BILL FOR AN ACT

101 **CONCERNING MEASURES RELATED TO THE TRANSITIONAL RETURN TO**
102 **STANDARD EDUCATION ACCOUNTABILITY.**

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>.)

In reporting levels of attainment on the performance indicators by each public school, school district, the charter school institute (institute), and the state as a whole, the bill requires the department of education (department) to include for the 2021-22 school year data concerning the percentage of students who contributed to the state longitudinal academic growth indicator.

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

HOUSE
2nd Reading Unamended
March 28, 2022

SENATE
3rd Reading Unamended
March 1, 2022

SENATE
2nd Reading Unamended
February 28, 2022

Under current law, the department is required to annually determine the levels of attainment on various performance indicators for each public school, school district, the institute, and the state as a whole. Furthermore, under current law, the department was not required to determine the levels of attainment of each public school, school district, the institute, or the state as a whole for the 2019-20 and 2020-21 school years. For the 2021-22 school year, the bill requires the department to determine the level of attainment for each public school, school district, the institute, and the state as a whole, based on the statewide targets required for the 2018-19 school year.

Under current law, for purposes of calculating a school district's or the institute's consecutive years on performance watch, the department is required to count the school district's accreditation rating for the 2022-23 school year as if it were consecutive to the 2019-20 school year. The bill suspends counting a school district's accreditation rating until the 2023-24 school year.

Under current law, so long as a school district or the institute performs at a level consistent with being accredited with priority improvement plan or lower, a state review panel is required to consider various criteria in evaluating performance and recommending actions. The bill adds to these criteria consideration of a school district's or the institute's 2022-23 accreditation category or the public school's 2022-23 plan type.

Under current law, the school transformation grant program generally provides funding to school districts, the institute, and charter schools that are implementing priority improvement or turnaround plans. For grants awarded in the 2022-23 budget year, the bill extends grant eligibility to school districts, the institute, and charter schools that are implementing improvement plans.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-11-204, **amend**
3 (7); and **add** (9) as follows:

4 **22-11-204. Performance indicators - measures - repeal.**

5 (7) (a) The department shall report on the data portal the levels of
6 attainment on the performance indicators, as measured pursuant to this
7 section, for each public school in the state, each school district, the
8 institute, and the state as a whole; except that, in reporting data

1 disaggregated by student groups, the department shall not report data for
2 any student group that is smaller than the minimum number of students
3 necessary to protect student privacy, as determined by the department.

4 (b) (I) FOR THE REPORTING REQUIRED BY THIS SUBSECTION (7) FOR
5 THE 2021-22 SCHOOL YEAR, THE DEPARTMENT SHALL INCLUDE DATA
6 CONCERNING THE PERCENTAGE OF STUDENTS WHO CONTRIBUTED TO THE
7 STATE LONGITUDINAL ACADEMIC GROWTH INDICATOR.

8 (II) THIS SUBSECTION (7)(b) IS REPEALED, EFFECTIVE JULY 1, 2023.

9 (9) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION TO
10 THE CONTRARY, FOR THE 2021-22 SCHOOL YEAR, THE DEPARTMENT SHALL
11 DETERMINE THE LEVEL OF ATTAINMENT ON THE PERFORMANCE
12 INDICATORS ACHIEVED BY EACH PUBLIC SCHOOL, SCHOOL DISTRICT, THE
13 INSTITUTE, AND THE STATE AS A WHOLE, BASED ON THE STATEWIDE
14 TARGETS REQUIRED FOR THE 2018-19 SCHOOL YEAR.

15 (b) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2023.

16 **SECTION 2.** In Colorado Revised Statutes, 22-11-207, **amend**
17 (4)(c) as follows:

18 **22-11-207. Accreditation categories - criteria - rules.**

19 (4) (c) Notwithstanding the provisions of subsection (4)(a) of this section
20 or section 22-11-209 (3.5), the department shall exclude consideration of
21 the school district's or institute's accreditation rating for the 2020-21, ~~and~~
22 2021-22, AND 2022-23 school years from calculating consecutive years
23 for purposes of subsection (4)(a) of this section and section 22-11-209
24 (3.5) and shall count the school district's or institute's accreditation rating
25 for the ~~2022-23~~ 2023-24 school year as if it were consecutive to the
26 2019-20 school year. HOWEVER, A CHANGE IN A SCHOOL DISTRICT'S OR
27 THE INSTITUTE'S ACCREDITATION RATING FOR THE 2022-23 SCHOOL YEAR

1 PURSUANT TO SUBSECTION (2.5)(a) OF THIS SECTION MAY BE FACTORED
2 INTO THE CALCULATION OF YEARS FOR PURPOSES OF SUBSECTION (4)(a) OF
3 THIS SECTION.

4 **SECTION 3.** In Colorado Revised Statutes, 22-11-209, **add**
5 (3.5)(a.5) as follows:

6 **22-11-209. Removal of accreditation - recommended actions**
7 **- review - appeal - rules - repeal.** (3.5) (a.5) (I) IN ADDITION TO THE
8 CONSIDERATIONS IN SUBSECTION (3.5)(a) OF THIS SECTION, THE STATE
9 BOARD MAY CONSIDER A SCHOOL DISTRICT'S OR THE INSTITUTE'S 2022-23
10 ACCREDITATION CATEGORY AS A FACTOR IN DETERMINING WHETHER TO
11 REQUIRE THE SCHOOL DISTRICT OR THE INSTITUTE TO CONTINUE THE
12 PREVIOUSLY DIRECTED ACTIONS OR DIRECT ADDITIONAL OR DIFFERENT
13 ACTIONS.

14 (II) THIS SUBSECTION (3.5)(a.5) IS REPEALED, EFFECTIVE
15 DECEMBER 31, 2023.

16 **SECTION 4.** In Colorado Revised Statutes, 22-11-210, **amend**
17 (1)(d)(III); and **add** (5.5)(a.5) as follows:

18 **22-11-210. Public schools - annual review - plans - supports**
19 **and interventions - rules - repeal.** (1) (d) (III) Notwithstanding the
20 provisions of subsection (1)(d)(I) of this section, the department shall
21 exclude the consideration of the school's plan type assigned for the
22 2020-21, ~~and~~ 2021-22, AND 2022-23 school years from the calculations
23 required in subsections (1)(d)(I) and (5.5) of this section and shall count
24 the school's plan type for the ~~2022-23~~ 2023-24 school year as if it were
25 consecutive to the 2019-20 school year. HOWEVER, A CHANGE IN THE
26 TYPE OF PLAN A PUBLIC SCHOOL MUST ADOPT FOR THE 2022-23 SCHOOL
27 YEAR PURSUANT TO SUBSECTION (1)(a.5) OF THIS SECTION MAY BE

1 FACTORED INTO THE CALCULATION OF YEARS FOR PURPOSES OF
2 SUBSECTION (1)(d)(I) OF THIS SECTION.

3 (5.5) (a.5) (I) IN ADDITION TO THE CONSIDERATIONS IN
4 SUBSECTION (5.5)(a) OF THIS SECTION, THE STATE BOARD MAY CONSIDER
5 THE PUBLIC SCHOOL'S 2022-23 PLAN TYPE AS A FACTOR IN DETERMINING
6 WHETHER TO REQUIRE THE SCHOOL DISTRICT OR THE INSTITUTE TO
7 CONTINUE THE PREVIOUSLY DIRECTED ACTIONS OR DIRECT ADDITIONAL OR
8 DIFFERENT ACTIONS WITH REGARD TO THE PUBLIC SCHOOL.

9 (II) THIS SUBSECTION (5.5)(a.5) IS REPEALED, EFFECTIVE
10 DECEMBER 31, 2023.

11 **SECTION 5.** In Colorado Revised Statutes, 22-13-103, **add** (3)
12 as follows:

13 **22-13-103. School transformation grant program - created -**
14 **rules - repeal.** (3) (a) NOTWITHSTANDING ANY PROVISION OF THIS
15 SECTION TO THE CONTRARY, DURING THE 2022-23 BUDGET YEAR, THE
16 STATE BOARD MAY AWARD SCHOOL TRANSFORMATION GRANTS PURSUANT
17 TO SECTION 22-13-105, WHICH MAY CONTINUE FOR UP TO THREE BUDGET
18 YEARS, TO SCHOOL DISTRICTS THAT ARE ACCREDITED WITH IMPROVEMENT
19 PLAN, THE INSTITUTE IF IT IS ACCREDITED WITH IMPROVEMENT PLAN, AND
20 CHARTER SCHOOLS THAT ARE REQUIRED TO ADOPT AN IMPROVEMENT
21 PLAN.

22 (b) THE STATE BOARD SHALL PROMULGATE RULES AS NECESSARY
23 TO IMPLEMENT THIS SUBSECTION (3).

24 (c) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2026.

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