

CHAPTER 235

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 94-1359

BY REPRESENTATIVES Sullivan, Kerns, Moellenberg, Tucker, Acquafresca, Anderson, Clark, Keller, Pierson, Wright, Fleming, Kreutz, Lawrence, Morrison, Strom, and Williams;
also SENATORS Meiklejohn, Norton, Tebedo, and Traylor.

AN ACT

CONCERNING EXTENSION OF STATE-LEVEL DEADLINES PERTAINING TO IMPLEMENTATION OF EDUCATION REFORMS.

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

SECTION 1. 22-30.5-108 (3) (a) and the introductory portion to section 22-30.5-108 (4) (a) (I), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended to read:

22-30.5-108. Appeal - standard of review - procedures. (3) If the notice of appeal, or the motion to review by the state board, relates to a local board's decision to deny, refuse to renew, or revoke a charter, the appeal and review process shall be as follows:

(a) Within ~~thirty~~ SIXTY days after receipt of the notice of appeal or the making of a motion to review by the state board and after reasonable public notice, the state board, at a public hearing which may be held in the district where the proposed charter school is located, shall review the decision of the local board of education and make its findings. If the state board finds that the local board's decision was contrary to the best interests of the pupils, school district, or community, the state board shall remand such decision to the local board of education with written instructions for reconsideration thereof. Said instructions shall include specific recommendations concerning the matters requiring reconsideration.

(4) If the notice of appeal, or the motion to review by the state board, relates to a local board's decision to grant a charter, the appeal and review process shall be as follows:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(a) (I) Within ~~thirty~~ SIXTY days after receipt of the notice of appeal or the making of a motion to review by the state board and after reasonable public notice, the state board, at a public hearing which may be held in the district where the proposed charter school is located, shall review the decision of the local board of education and determine whether such decision was arbitrary and capricious or whether the establishment or operation of the proposed charter school would:

SECTION 2. 22-53-402 (11), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

22-53-402. Definitions. As used in this part 4, unless the context otherwise requires:

(11) "Standards-based education" means a system of instruction focused on student learning of content standards. This system aligns programs of instruction and assessments with the content standards. The implementation of "standards-based education" shall not require districts to abandon the use of Carnegie units, to abandon a letter grade system, to adopt outcome-based methods of teaching, or to use student portfolios in place of assessments. IN ADDITION, IMPLEMENTATION OF "STANDARDS-BASED EDUCATION" SHALL NOT REQUIRE CHANGES IN CURRENT CLASS SCHEDULES AND DOES NOT ENCOURAGE BLOCK SCHEDULING OR OTHER EXPERIMENTAL METHODS OF CLASS SCHEDULING.

SECTION 3. 22-53-405 (1) (a), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

22-53-405. Powers and duties of the state standards and assessments development and implementation council. (1) (a) On or before ~~August 1, 1994~~ APRIL 1, 1995, the council shall develop and recommend to the board for adoption first priority state model content standards in the areas of reading, writing, mathematics, science, history, and geography. As a second priority, the council shall develop and recommend to the board for adoption state model content standards in the areas of art, music, physical education, and civics.

SECTION 4. 22-53-406 (1) (a), (2), and (3), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended to read:

22-53-406. Adoption of state model content standards, state assessments, and timelines - resource bank. (1) (a) On or before ~~January 1, 1995~~ JUNE 1, 1995, the board, after careful consideration of the recommendations of the council and in consultation with the commission, shall adopt first priority state model content standards in the areas of reading, writing, mathematics, science, history, and geography. As a second priority, the board, after careful consideration of the recommendations of the council and in consultation with the commission, shall adopt state model content standards in the areas of art, music, physical education, and civics.

(2) On or before ~~January 1, 1995~~ JUNE 1, 1995, the board, after careful consideration of the recommendations of the council and in consultation with the commission and the joint budget committee, shall adopt timelines specifying the time

by which districts shall adopt first and second priority content standards and implementation plans and begin assessing students pursuant to the provisions of section 22-53-407.

(3) On or before ~~January 1, 1996~~ JUNE 1, 1996, the board, after careful consideration of the recommendations of the council, shall adopt state assessments which are aligned with the state model content standards and shall specify an acceptable performance level on each such state assessment. Such performance level shall be continuously reexamined. In addition, the board may, at its discretion, adopt additional performance levels.

SECTION 5. 22-53-409 (1) (a) and (4) (a), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended to read:

22-53-409. Assessments. (1) (a) Effective ~~January 1, 1996~~ SEPTEMBER 1, 1996, the department shall implement a Colorado student assessment program under which it shall administer statewide assessments, adopted by the board pursuant to section 22-53-406, in the first priority areas of reading, writing, mathematics, science, history, and geography on a stratified, random sampling basis to provide accurate and detailed information to the people of Colorado on student academic achievement and to corroborate the quality of the results provided by district assessments. Following adoption of state model content standards in the second priority areas of art, music, physical education, and civics, such areas shall be included in the Colorado student assessment program. Such statewide assessments shall be administered in grades four, eight, and ten. The timetable for administering such assessments shall be established by the board. The initial statewide assessment shall be considered a baseline assessment.

(4) (a) The department shall prepare an annual report of the results of statewide assessments which shall be delivered to the council, to the board, to the commission, to the education committees of the house of representatives and the senate, to the district accountability committees, and to the districts and which shall be available to the public. The first report shall be available on or before January 1, ~~1997~~ 1998. Such report shall include the percentage of students achieving each of the performance levels specified by the board and shall be reported for the state as a whole as well as by gender, race, separate handicapping condition, and ethnicity of students and by district, district size, and setting category of each district pursuant to section 22-53-105.

SECTION 6. Applicability. Section 1 of this act shall apply to charter school application appeals pending as of or filed on or after the effective date of this act.

SECTION 7. 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.

Approved: May 25, 1994