

CHAPTER 303

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 99-1375

BY REPRESENTATIVES King, Bacon, Decker, Fairbank, Lee, May, Scott, Spence, Stengel, Swenson, and Vigil;
also SENATORS Anderson, Blickensderfer, Congrove, Dyer, Epps, Evans, Hernandez, Hillman, Martinez, Matsunaka, Nichol,
Pascoe, Phillips, Reeves, Sullivant, Tebedo, Teck, and Weddig.

AN ACT

CONCERNING CREATION OF THE EXCELLENT SCHOOLS PROGRAM, AND, IN CONNECTION THEREWITH,
SPECIFYING CRITERIA FOR ELIGIBILITY FOR SCHOOL AWARDS.

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

SECTION 1. Article 11 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 3
EXCELLENT SCHOOLS PROGRAM**

22-11-301. Excellent schools program - created - rules. (1) THERE IS HEREBY ESTABLISHED THE EXCELLENT SCHOOLS PROGRAM, REFERRED TO IN THIS PART 3 AS THE "PROGRAM", TO BE ADMINISTERED BY THE DEPARTMENT. THE STATE BOARD SHALL PROMULGATE REASONABLE RULES FOR THE ADMINISTRATION OF THIS PART 3 AND THE PROGRAM. SUCH RULES SHALL INCLUDE BUT NEED NOT BE LIMITED TO PROCEDURES FOR APPLYING FOR THE FINANCIAL AWARDS TO SCHOOLS THAT DEMONSTRATE OUTSTANDING PERFORMANCE AS INDICATED BY STUDENT ACHIEVEMENT AND OTHER FACTORS AS SET FORTH IN THIS PART 3.

(2) FOR PURPOSES OF THIS PART 3, "SCHOOL" MEANS A PUBLIC SCHOOL OF A SCHOOL DISTRICT IN THIS STATE.

22-11-302. Excellent schools program - index - goals. (1) THE STATE BOARD SHALL ANNUALLY PRESENT FINANCIAL AWARDS TO THE HIGHEST PERFORMING SCHOOLS IN THE STATE BASED ON SCORES ACHIEVED ON THE INDEX DEVELOPED BY THE DEPARTMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(2) THE DEPARTMENT SHALL DEVELOP AN INDEX TO BE USED TO MEASURE SCHOOL

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

PERFORMANCE FOR THE PURPOSE OF MAKING FINANCIAL AWARDS TO THE HIGHEST PERFORMING SCHOOLS. THE INDEX SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, AT LEAST ONE OF THE FOLLOWING:

(a) THE DEGREE TO WHICH THE SCHOOL HAS ACHIEVED THE FOLLOWING GOALS:

(I) AT LEAST EIGHTY PERCENT OF THE SCHOOL'S STUDENTS HAVE SCORED AT THE PROFICIENT LEVEL OR HIGHER ON A COMPOSITE OF THE MOST RECENTLY ADMINISTERED STATEWIDE ASSESSMENTS;

(II) AN INCREASE OVER THE PREVIOUS ACADEMIC YEAR OF AT LEAST SEVEN AND ONE-HALF PERCENT IN THE PERCENTAGE OF THE SCHOOL'S STUDENTS SCORING AT THE PROFICIENT LEVEL OR HIGHER ON A COMPOSITE OF THE MOST RECENTLY ADMINISTERED STATEWIDE ASSESSMENTS IF THE SCHOOL'S PREVIOUS RESULTS SHOWED MORE THAN FIFTY PERCENT BUT FEWER THAN EIGHTY PERCENT OF ITS STUDENTS SCORING AT THE PROFICIENT LEVEL OR HIGHER;

(III) AN INCREASE OVER THE PREVIOUS ACADEMIC YEAR OF AT LEAST FIFTEEN PERCENT IN THE PERCENTAGE OF THE SCHOOL'S STUDENTS SCORING AT THE PROFICIENT LEVEL OR HIGHER ON A COMPOSITE OF THE MOST RECENTLY ADMINISTERED STATEWIDE ASSESSMENTS IF THE SCHOOL'S PREVIOUS RESULTS SHOWED FIFTY PERCENT OR FEWER OF ITS STUDENTS SCORING AT THE PROFICIENT LEVEL OR HIGHER;

(b) DATA ON LITERACY EDUCATION AS REQUIRED BY SECTION 22-7-505 (1);

(c) INFORMATION RELATING TO THE SCHOOL'S ACHIEVEMENT OF THE ACCREDITATION INDICATORS LISTED IN SECTION 22-11-104(2); EXCEPT THAT, RATHER THAN CONSIDERING THE PERCENTAGE OF STUDENTS DESCRIBED IN SECTION 22-11-104 (2) (e), THE DEPARTMENT SHALL CONSIDER THE PERCENTAGE OF STUDENTS SUCCESSFULLY COMPLETING ADVANCED PLACEMENT COURSES OR OBTAINING A PASSING GRADE ON AN ADVANCED PLACEMENT EXAM; AND

(d) SUBSTANTIAL EVIDENCE OF COMMUNITY SATISFACTION WITH THE SCHOOL'S PERFORMANCE AND OF PARENTAL INVOLVEMENT WITH THE PERFORMANCE OF THE SCHOOL AND WITH ITS STUDENTS.

(3) THE DEPARTMENT SHALL GIVE GREAT WEIGHT TO THE MEASUREMENTS OF STUDENT ACHIEVEMENT SET FORTH IN PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION WHEN APPLYING THE INDEX DEVELOPED PURSUANT TO SAID SUBSECTION (2).

(4) THE STATE BOARD SHALL ANNUALLY REVIEW THE INDEX DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION AND THE APPROPRIATENESS OF THE PERCENTAGE GOALS SPECIFIED IN PARAGRAPH (a) OF SAID SUBSECTION (2). NOTWITHSTANDING THE PERCENTAGES SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION, THE STATE BOARD BY RULE MAY RAISE SUCH PERCENTAGES AS IT DEEMS NECESSARY TO ENCOURAGE HIGHER LEVELS OF STUDENT ACHIEVEMENT.

22-11-303. Excellent schools program - distribution of award. (1) ANY AWARD PRESENTED BY THE STATE BOARD PURSUANT TO SECTION 22-11-302 SHALL BE SPENT OR DISTRIBUTED AS THE ADVISORY ACCOUNTABILITY COMMITTEE FOR THE

SCHOOL DEEMS APPROPRIATE.

(2) ANY MONEYS MADE AVAILABLE TO A SCHOOL IN THE FORM OF AN AWARD PURSUANT TO THE PROVISIONS OF THIS PART 3 SHALL NOT SUPPLANT MONEYS MADE AVAILABLE TO SUCH SCHOOL FROM FUNDING RECEIVED BY THE SCHOOL DISTRICT PURSUANT TO ARTICLE 54 OF THIS TITLE OR PURSUANT TO THE TAXING AUTHORITY OF THE SCHOOL DISTRICT.

22-11-304. Excellent schools program fund - creation - contributions. THE DEPARTMENT IS HEREBY AUTHORIZED TO RECEIVE GRANTS, GIFTS, AND DONATIONS FROM ANY SOURCE, PUBLIC OR PRIVATE, TO FUND FINANCIAL AWARDS TO SCHOOLS PURSUANT TO THE PROGRAM ESTABLISHED IN THIS PART 3. ALL PUBLIC AND PRIVATE GRANTS, GIFTS, AND DONATIONS RECEIVED BY THE DEPARTMENT PURSUANT TO THIS SECTION SHALL BE TRANSMITTED TO THE STATE TREASURER WHO SHALL CREDIT THE SAME, IN ADDITION TO ANY APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY, TO THE EXCELLENT SCHOOLS PROGRAM FUND, WHICH IS HEREBY CREATED IN THE STATE TREASURY. MONEYS IN THE EXCELLENT SCHOOLS PROGRAM FUND SHALL BE SUBJECT TO APPROPRIATIONS BY THE GENERAL ASSEMBLY TO THE DEPARTMENT OF EDUCATION FOR PURPOSES OF MAKING FINANCIAL AWARDS PURSUANT TO THE PROVISIONS OF THIS PART 3. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE EXCELLENT SCHOOLS PROGRAM FUND SHALL REMAIN THEREIN AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND. HOWEVER, IN ACCORDANCE WITH SECTION 24-36-114, C.R.S., ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE GENERAL FUND. ANY MONEYS CREDITED TO THE EXCELLENT SCHOOLS PROGRAM FUND SHALL BE USED EXCLUSIVELY FOR AWARDS AND SHALL NOT BE USED TO PAY FOR THE EXPENSES OF THE DEPARTMENT IN ADMINISTERING THE PROGRAM ESTABLISHED IN THIS PART 3.

SECTION 2. Effective date. This act shall take effect July 1, 1999.

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.

Approved: June 2, 1999