

## CHAPTER 415

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**EDUCATION - PUBLIC SCHOOLS**


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**SENATE BILL 19-204**

BY SENATOR(S) Story, Todd, Danielson, Gonzales, Rodriguez, Bridges, Fields, Ginal, Moreno, Pettersen, Sonnenberg, Tate;  
also REPRESENTATIVE(S) Arndt and Bird, Cutter, Froelich, Kipp, Bockenfeld, Buckner, Buentello, Duran, Exum, Gray,  
Hooton, Jackson, Kennedy, McCluskie, McLachlan, Michaelson Jenet, Valdez D.

**AN ACT**

**CONCERNING IMPLEMENTATION OF SUPPLEMENTAL ACCOUNTABILITY SYSTEMS BY LOCAL EDUCATION PROVIDERS FOR MEASURING PUBLIC SCHOOL PERFORMANCE, AND, IN CONNECTION THEREWITH, CREATING THE LOCAL ACCOUNTABILITY SYSTEM GRANT PROGRAM AND MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, **add** part 7 to article 11 of title 22 as follows:

**PART 7  
LOCAL ACCOUNTABILITY SYSTEMS**

**22-11-701. Legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) THE STATEWIDE ACCOUNTABILITY SYSTEM RELIES SUBSTANTIALLY ON LARGE-SCALE, STATE-ADMINISTERED ASSESSMENT RESULTS TO MEASURE PUBLIC SCHOOL AND SCHOOL DISTRICT PERFORMANCE. USING THESE RESULTS PROVIDES A LIMITED PICTURE OF THE SUCCESSES OF AND CHALLENGES FACED BY PUBLIC SCHOOLS AND SCHOOL DISTRICTS AND MAY NOT FULLY REFLECT THE PRIORITIES AND VALUES OF LOCAL COMMUNITIES.

(b) SEVERAL PUBLIC SCHOOLS AND SCHOOL DISTRICTS IN COLORADO AND IN OTHER STATES HAVE BEGUN EXPERIMENTING WITH ACCOUNTABILITY STRUCTURES THAT MEASURE A BROADER RANGE OF STUDENT COMPETENCIES AND SYSTEM EFFECTIVENESS, WHICH PROVIDES AN OPPORTUNITY FOR THE STATE TO LEARN FROM DIFFERENT APPROACHES TO MEASURING PUBLIC SCHOOL AND SCHOOL DISTRICT PERFORMANCE;

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(c) PUBLIC SCHOOLS AND SCHOOL DISTRICTS IN COLORADO HAVE ALSO BEGUN EXPERIMENTING WITH ADDITIONAL MEASURES OF COLLEGE AND CAREER READINESS; AND

(d) A BROADER-BASED ACCOUNTABILITY SYSTEM IS CONSISTENT WITH THE VISION AND FRAMEWORK ADOPTED BY THE STATE EDUCATION LEADERSHIP COUNCIL, CREATED BY EXECUTIVE ORDER B 2017 001, AND MAY PROVIDE THE INFORMATION NECESSARY TO MOVE TOWARD THE COUNCIL'S GOALS CONCERNING STUDENT COMPETENCIES AND LEARNING ENVIRONMENT CHARACTERISTICS. SPECIFICALLY, THE COUNCIL'S REPORT RECOMMENDS THE FOLLOWING WITH REGARD TO ACCOUNTABILITY:

(I) CONTINUOUS EVALUATION OF STATE-LEVEL ACCOUNTABILITY AND ASSESSMENT POLICIES, TAKING INTO CONSIDERATION THE VIEWPOINTS OF MULTIPLE STAKEHOLDERS;

(II) SUPPORT FOR ONGOING RESEARCH AND EVALUATION OF STATE ASSESSMENT SYSTEMS;

(III) ALLOWANCE FOR THE EXPERIMENTATION NECESSARY TO EFFECTIVELY ELIMINATE PERFORMANCE GAPS, GIVE LOCAL VALUE TO ACCOUNTABILITY, AND DRIVE MEANINGFUL, CONTINUOUS IMPROVEMENT EFFORTS; AND

(IV) DEFINITION AND INCLUSION OF LOCALLY IMPORTANT MEASURES, SUCH AS ENGAGEMENT, EMPLOYMENT, AND HIGHER EDUCATION ATTAINMENT OUTCOMES, AND INCORPORATION OF THESE MEASURES INTO ACCOUNTABILITY POLICIES.

(2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE BEST INTERESTS OF THE STATE TO STRENGTHEN THE ACCOUNTABILITY SYSTEM FOR PUBLIC SCHOOLS AND SCHOOL DISTRICTS BY ENCOURAGING AND SUPPORTING THE DEVELOPMENT OF LOCAL ACCOUNTABILITY SYSTEMS THAT MAY INFORM THE CONTINUOUS IMPROVEMENT OF THE STATE'S PUBLIC SCHOOL ACCOUNTABILITY SYSTEM.

**22-11-702. Definitions.** AS USED IN THIS PART 7, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ACCOUNTABILITY SYSTEM PARTNER" MEANS A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION, OR A PRIVATE NONPROFIT ENTITY, THAT WORKS WITH LOCAL EDUCATION PROVIDERS TO IMPLEMENT EDUCATION POLICY INITIATIVES AND THAT HAS DEMONSTRATED EFFECTIVENESS IN PROVIDING SUPPORT TO LOCAL EDUCATION PROVIDERS THAT IS RELEVANT TO THE SUPPORT THE INSTITUTION OR ENTITY PROVIDES IN THE PARTNERSHIP, WHICH MAY INCLUDE SUPPORT IN DESIGNING OR EVALUATING MEASURES OF STUDENT SUCCESS OR SYSTEM EFFECTIVENESS.

(2) "GRANT PROGRAM" MEANS THE LOCAL ACCOUNTABILITY SYSTEM GRANT PROGRAM ESTABLISHED IN SECTION 22-11-703.

(3) "LOCAL ACCOUNTABILITY SYSTEM" MEANS A LOCAL ACCOUNTABILITY SYSTEM ESTABLISHED BY A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL

EDUCATION PROVIDERS TO MEASURE THE PERFORMANCE OF PUBLIC SCHOOLS AND SCHOOL DISTRICTS IN ACHIEVING STUDENT SUCCESS AND SYSTEM EFFECTIVENESS.

(4) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A BOARD OF COOPERATIVE SERVICES THAT OPERATES A SCHOOL, A DISTRICT CHARTER SCHOOL, OR AN INSTITUTE CHARTER SCHOOL. IF A GROUP OF LOCAL EDUCATION PROVIDERS WORKS TOGETHER TO ESTABLISH A LOCAL ACCOUNTABILITY SYSTEM, THE GROUP IS REFERRED TO AS A "LOCAL EDUCATION PROVIDER", BUT THE REQUIREMENTS SPECIFIED IN THIS PART 7 APPLY TO EACH LOCAL EDUCATION PROVIDER THAT PARTICIPATES IN THE GROUP.

**22-11-703. Local accountability system - grant program established.**

(1) THERE IS ESTABLISHED IN THE DEPARTMENT THE LOCAL ACCOUNTABILITY SYSTEM GRANT PROGRAM. A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS MAY ESTABLISH AND SEEK FUNDING THROUGH THE GRANT PROGRAM TO SUPPORT A LOCAL ACCOUNTABILITY SYSTEM THAT SUPPLEMENTS THE STATE ACCOUNTABILITY SYSTEM. A DISTRICT CHARTER SCHOOL MAY CHOOSE, BUT IS NOT REQUIRED, TO PARTICIPATE WITH THE AUTHORIZING SCHOOL DISTRICT IN AN APPLICATION PURSUANT TO THIS SECTION. IN DETERMINING STUDENT SUCCESS, A LOCAL ACCOUNTABILITY SYSTEM MAY SUPPLEMENT THE STATEWIDE PERFORMANCE INDICATORS BY USING ADDITIONAL MEASURES OF ACHIEVEMENT OF THE STATEWIDE PERFORMANCE INDICATORS AND BY USING ADDITIONAL INDICATORS OF STUDENT SUCCESS. ADDITIONAL INDICATORS MAY INCLUDE NONACADEMIC STUDENT OUTCOMES, WHICH MAY REFLECT CHANGES IN STUDENT ENGAGEMENT, ATTITUDES, AND MINDSETS. A LOCAL ACCOUNTABILITY SYSTEM IS SUPPLEMENTAL TO THE STATE ACCOUNTABILITY SYSTEM AND MAY BE DESIGNED TO:

(a) FAIRLY AND ACCURATELY EVALUATE STUDENT SUCCESS USING MULTIPLE MEASURES TO DEVELOP A MORE COMPREHENSIVE UNDERSTANDING OF EACH STUDENT'S SUCCESS INCLUDING ADDITIONAL PERFORMANCE INDICATORS OR MEASURES, WHICH MAY INCLUDE NONACADEMIC STUDENT OUTCOMES SUCH AS STUDENT ENGAGEMENT, ATTITUDES, AND DISPOSITIONS TOWARD LEARNING;

(b) EVALUATE THE CAPACITY OF THE PUBLIC SCHOOL SYSTEMS OPERATED BY THE LOCAL EDUCATION PROVIDER TO SUPPORT STUDENT SUCCESS; AND

(c) USE THE RESULTS OBTAINED FROM MEASURING STUDENT SUCCESS AND SYSTEM SUPPORT FOR STUDENT SUCCESS AS PART OF A CYCLE OF CONTINUOUS IMPROVEMENT.

(2) A LOCAL EDUCATION PROVIDER THAT CHOOSES TO ESTABLISH A LOCAL ACCOUNTABILITY SYSTEM MAY APPLY TO THE DEPARTMENT TO RECEIVE GRANT MONEY THROUGH THE PROGRAM TO USE IN DEVELOPING AND IMPLEMENTING THE LOCAL ACCOUNTABILITY SYSTEM. THE LOCAL EDUCATION PROVIDER MAY WORK WITH ONE OR MORE ACCOUNTABILITY SYSTEM PARTNERS TO:

(a) ESTABLISH AND IMPLEMENT THE LOCAL ACCOUNTABILITY SYSTEM;

(b) IDENTIFY AND DEVELOP APPROPRIATE MEASURES FOR THE LOCAL ACCOUNTABILITY SYSTEM;

(c) EVALUATE AND PROVIDE EVIDENCE OF THE QUALITY OF THE LOCAL ACCOUNTABILITY SYSTEM MEASURES;

(d) DESIGN ALTERNATIVE TEMPLATES AND TOOLS FOR REPORTING DATA CONCERNING PERFORMANCE;

(e) ANALYZE DATA; AND

(f) ASSIST WITH STAKEHOLDER COMMUNICATIONS.

(3) TO PARTICIPATE IN THE GRANT PROGRAM, A LOCAL EDUCATION PROVIDER SHALL SUBMIT TO THE DEPARTMENT AN APPLICATION THAT INCLUDES:

(a) THE GOALS OF THE LOCAL ACCOUNTABILITY SYSTEM THAT THE LOCAL EDUCATION PROVIDER PLANS TO IMPLEMENT OR IS IMPLEMENTING;

(b) THE NAME OF ANY ACCOUNTABILITY SYSTEM PARTNER THAT THE LOCAL EDUCATION PROVIDER INTENDS TO WORK WITH OR IS WORKING WITH IN DESIGNING AND IMPLEMENTING THE LOCAL ACCOUNTABILITY SYSTEM;

(c) IF A GROUP OF LOCAL EDUCATION PROVIDERS IS SUBMITTING THE APPLICATION, IDENTIFICATION OF EACH OF THE LOCAL EDUCATION PROVIDERS THAT HAS VOLUNTARILY CHOSEN TO PARTICIPATE IN THE APPLICATION;

(d) A DESCRIPTION OF THE INDIVIDUALS AND ENTITIES WITHIN THE LOCAL EDUCATION PROVIDER AND WITHIN THE LOCAL EDUCATION PROVIDER'S COMMUNITY, INCLUDING FAMILIES, THAT THE LOCAL EDUCATION PROVIDER IS WORKING WITH TO DESIGN AND IMPLEMENT THE LOCAL ACCOUNTABILITY SYSTEM;

(e) THE LOCAL EDUCATION PROVIDER'S EXPECTED TIMELINE FOR DESIGNING AND IMPLEMENTING THE LOCAL ACCOUNTABILITY SYSTEM;

(f) A STATEMENT CONCERNING WHETHER THE LOCAL ACCOUNTABILITY SYSTEM WILL INCLUDE A SUPPLEMENTAL REPORT OF PUBLIC SCHOOL AND SCHOOL DISTRICT PERFORMANCE, AS DESCRIBED IN SECTION 22-11-704 (1), AS A SUPPLEMENT TO THE SCHOOL AND SCHOOL DISTRICT PERFORMANCE REPORTS DESCRIBED IN SECTION 22-11-503; AND

(g) A STATEMENT CONCERNING WHETHER THE LOCAL ACCOUNTABILITY SYSTEM WILL INCLUDE USING AN ALTERNATIVE FORMAT, AS DESCRIBED IN SECTION 22-11-704 (2), FOR THE TYPES OF PLANS THAT THE LOCAL EDUCATION PROVIDER, AND THE PUBLIC SCHOOLS OPERATED BY THE LOCAL EDUCATION PROVIDER, ARE REQUIRED TO IMPLEMENT AND HOW THE LOCAL EDUCATION PROVIDER EXPECTS TO SHARE KEY PLANNING ELEMENTS, INCLUDING PRIORITY PERFORMANCE CHALLENGES, ROOT CAUSES, AND MAJOR IMPROVEMENT STRATEGIES, WITH THE DEPARTMENT FOR STATEWIDE PUBLIC REPORTING ON IMPROVEMENT PLANNING EFFORTS.

(4)(a) THE DEPARTMENT SHALL REVIEW EACH APPLICATION RECEIVED TO ENSURE THAT IT INCLUDES THE ITEMS SPECIFIED IN SUBSECTION (3) OF THIS SECTION. THE DEPARTMENT SHALL REVIEW THE SERVICES PROPOSED TO BE PROVIDED BY EACH ACCOUNTABILITY SYSTEM PARTNER AND DETERMINE:

(I) WHETHER THE ACCOUNTABILITY SYSTEM PARTNER HAS A DEMONSTRATED HISTORY OF PROVIDING EFFECTIVE SUPPORT TO LOCAL EDUCATION PROVIDERS; AND

(II) IF THE ACCOUNTABILITY SYSTEM PARTNER IS DEVELOPING OR EVALUATING LOCAL ACCOUNTABILITY SYSTEM MEASURES, WHETHER IT HAS EXPERTISE IN MEASUREMENT.

(b) IF THE DEPARTMENT DETERMINES THAT AN APPLICATION IS NOT COMPLETE OR THAT A NAMED ACCOUNTABILITY SYSTEM PARTNER DOES NOT MEET THE MINIMUM REQUIREMENTS SPECIFIED IN SUBSECTION (4)(a) OF THIS SECTION, OR IF THE DEPARTMENT IDENTIFIES AN OPPORTUNITY FOR ADDITIONAL PARTNERSHIPS AMONG THE GRANT APPLICANTS, THE DEPARTMENT SHALL NOTIFY THE APPLYING LOCAL EDUCATION PROVIDER AND ALLOW THE LOCAL EDUCATION PROVIDER TO RESUBMIT THE APPLICATION.

(5) (a) BASED ON THE REVIEW OF THE APPLICATIONS, THE DEPARTMENT SHALL RECOMMEND TO THE STATE BOARD THE APPLICANTS THAT MAY RECEIVE GRANTS THROUGH THE PROGRAM AND THE AMOUNT OF EACH GRANT. TAKING INTO CONSIDERATION THE DEPARTMENT'S RECOMMENDATIONS, AND SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD SHALL SELECT THE LOCAL EDUCATION PROVIDERS THAT RECEIVE GRANTS THROUGH THE PROGRAM AND THE AMOUNT OF EACH GRANT AWARDED.

(b) THE AMOUNT OF A GRANT AWARDED PURSUANT TO THIS SECTION MUST BE AT LEAST TWENTY-FIVE THOUSAND DOLLARS PER BUDGET YEAR BUT MUST NOT EXCEED FIFTY THOUSAND DOLLARS PER BUDGET YEAR FOR A GRANT AWARDED TO A SINGLE LOCAL EDUCATION PROVIDER AND MUST NOT EXCEED SEVENTY-FIVE THOUSAND DOLLARS PER BUDGET YEAR FOR A GRANT AWARDED TO A GROUP OF LOCAL EDUCATION PROVIDERS. THE DEPARTMENT SHALL DISTRIBUTE THE AMOUNT OF EACH GRANT OVER THREE BUDGET YEARS.

(c) IF THE NUMBER OF APPLICATIONS EXCEEDS THE AMOUNT APPROPRIATED FOR THE GRANT PROGRAM PURSUANT TO SUBSECTION (6) OF THIS SECTION, THE DEPARTMENT IN MAKING RECOMMENDATIONS AND THE STATE BOARD IN SELECTING RECIPIENTS SHALL:

(I) ENSURE THAT AT LEAST ONE RECIPIENT IS A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS THAT ARE RURAL SCHOOL DISTRICTS, AS DEFINED IN SECTION 22-7-1211, BOARDS OF COOPERATIVE SERVICES THAT CONSIST OF RURAL SCHOOL DISTRICTS, OR CHARTER SCHOOLS THAT ARE LOCATED WITHIN RURAL SCHOOL DISTRICTS;

(II) PRIORITIZE APPLICANTS THAT DEMONSTRATE A PREVIOUS COMMITMENT OF STAFF AND RESOURCES TOWARD DEVELOPMENT OF A LOCAL ACCOUNTABILITY SYSTEM;

(III) RECOMMEND AND SELECT THE GRANT RECIPIENTS SO AS TO DISTRIBUTE FUNDING TO A BROAD SCOPE OF PROJECTS LOCATED THROUGHOUT THE STATE; AND

(IV) WHEN APPROPRIATE, ENCOURAGE APPLICANTS TO WORK TOGETHER TOWARD SHARED GOALS.

(6) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE MONEY TO THE DEPARTMENT TO IMPLEMENT THE GRANT PROGRAM, INCLUDING MONEY FOR GRANTS AND FOR THE DIRECT ADMINISTRATIVE COSTS INCURRED BY THE DEPARTMENT. ANY UNEXPENDED AND UNENCUMBERED MONEY FROM AN APPROPRIATION MADE FOR THE PURPOSES OF THIS SECTION REMAINS AVAILABLE FOR EXPENDITURE BY THE DEPARTMENT FOR THE PURPOSES OF THIS SECTION IN THE FOLLOWING FISCAL YEAR WITHOUT FURTHER APPROPRIATION. IN ADDITION, THE DEPARTMENT MAY ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THIS SECTION DOES NOT REQUIRE THE DEPARTMENT TO SOLICIT MONEY FOR IMPLEMENTATION OF THIS SECTION.

**22-11-704. Local accountability systems - supplemental performance reports - alternatively formatted plans.** (1) (a) A LOCAL EDUCATION PROVIDER THAT CHOOSES TO IMPLEMENT A LOCAL ACCOUNTABILITY SYSTEM MAY SUBMIT TO THE DEPARTMENT A SUPPLEMENTAL PERFORMANCE REPORT FOR THE LOCAL EDUCATION PROVIDER AND FOR EACH PUBLIC SCHOOL OPERATED BY THE LOCAL EDUCATION PROVIDER. A DISTRICT CHARTER SCHOOL IS NOT REQUIRED TO PARTICIPATE IN THE AUTHORIZING SCHOOL DISTRICT'S SUPPLEMENTAL ACCOUNTABILITY SYSTEM OR IN RELATED REPORTING UNLESS THE CHARTER SCHOOL CHOOSES TO PARTICIPATE WITH THE AUTHORIZING SCHOOL DISTRICT IN A GRANT APPLICATION PURSUANT TO SECTION 22-11-703. THE SUPPLEMENTAL PERFORMANCE REPORT SUPPLEMENTS THE INFORMATION THAT IS SUBMITTED BY THE LOCAL EDUCATION PROVIDER AND INCLUDED ON THE PERFORMANCE REPORTS DESCRIBED IN SECTION 22-11-503. THE SUPPLEMENTAL PERFORMANCE REPORT MAY INCLUDE INFORMATION CONCERNING ACHIEVEMENT OF:

(I) THE ADDITIONAL MEASURES ADOPTED BY THE LOCAL EDUCATION PROVIDER THROUGH THE LOCAL ACCOUNTABILITY SYSTEM TO DETERMINE ACHIEVEMENT OF THE STATEWIDE PERFORMANCE INDICATORS; AND

(II) THE ADDITIONAL LOCAL PERFORMANCE INDICATORS OF STUDENT SUCCESS, INCLUDING SYSTEM SUPPORT FOR STUDENT SUCCESS MEASURED BY THE LOCAL EDUCATION PROVIDER THROUGH THE LOCAL ACCOUNTABILITY SYSTEM.

(b) THE INFORMATION PROVIDED IN A SUPPLEMENTAL PERFORMANCE REPORT DOES NOT AFFECT THE ACCREDITATION RATING ASSIGNED TO A SCHOOL DISTRICT PURSUANT TO SECTION 22-11-208 OR THE TYPE OF PLAN THAT A SCHOOL IS REQUIRED TO ADOPT PURSUANT TO SECTION 22-11-210.

(c) THE DEPARTMENT SHALL PUBLISH THE SUPPLEMENTAL PERFORMANCE REPORTS SUBMITTED BY A LOCAL EDUCATION PROVIDER PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION ON THE DATA PORTAL AND PROVIDE PUBLIC ACCESS TO THE SUPPLEMENTAL PERFORMANCE REPORTS THAT IS ADJACENT TO THE PUBLIC SCHOOL AND SCHOOL DISTRICT PERFORMANCE REPORTS DESCRIBED IN SECTION 22-11-503.

(2) (a) A LOCAL EDUCATION PROVIDER THAT CHOOSES TO IMPLEMENT A LOCAL ACCOUNTABILITY SYSTEM MAY PROVIDE TO THE DEPARTMENT, AS AN ALTERNATIVE TO THE PLAN FORMAT PROVIDED BY THE DEPARTMENT, A DIFFERENT FORMAT FOR

THE TYPE OF PLAN THAT IS ASSOCIATED WITH THE LOCAL EDUCATION PROVIDER'S ACCREDITATION RATING PURSUANT TO SECTION 22-11-208, IF THE LOCAL EDUCATION PROVIDER IS A SCHOOL DISTRICT, OR THE TYPE OF PLAN THAT THE LOCAL EDUCATION PROVIDER IS REQUIRED TO IMPLEMENT PURSUANT TO SECTION 22-11-210, IF THE LOCAL EDUCATION PROVIDER IS A CHARTER SCHOOL. A PLAN PROVIDED IN AN ALTERNATIVE FORMAT MUST TAKE INTO ACCOUNT THE DATA COLLECTED THROUGH THE LOCAL ACCOUNTABILITY SYSTEM AND ANY ASSOCIATED IMPROVEMENT EFFORTS THAT THE LOCAL EDUCATION PROVIDER IMPLEMENTS. A PLAN PROVIDED IN AN ALTERNATIVE FORMAT MUST MEET THE STATE AND FEDERAL REPORTING REQUIREMENTS, AS IDENTIFIED BY THE DEPARTMENT, THAT APPLY TO THE PLAN TYPES IMPLEMENTED PURSUANT TO THIS ARTICLE 11. IF A LOCAL EDUCATION PROVIDER USES AN ALTERNATIVE FORMAT, A PUBLIC SCHOOL OPERATED BY THE LOCAL EDUCATION PROVIDER MAY ALSO USE AN ALTERNATIVE FORMAT FOR THE TYPE OF PLAN THAT THE PUBLIC SCHOOL IS REQUIRED TO IMPLEMENT, WHICH FORMAT IS COMPATIBLE WITH THAT USED BY THE LOCAL EDUCATION PROVIDER.

(b) A LOCAL EDUCATION PROVIDER THAT USES AN ALTERNATIVE PLAN FORMAT SHALL SUBMIT THE PLAN IN ACCORDANCE WITH THE DEADLINES ESTABLISHED BY THE STATE BOARD FOR PERFORMANCE, IMPROVEMENT, PRIORITY IMPROVEMENT, AND TURNAROUND PLANS, INCLUDING SUBMITTING THE PLAN ON A BIENNIAL BASIS FOR A LOCAL EDUCATION PROVIDER THAT IS A SCHOOL DISTRICT AND ACCREDITED OR ACCREDITED WITH DISTINCTION OR A LOCAL EDUCATION PROVIDER THAT IS A CHARTER SCHOOL AND REQUIRED TO IMPLEMENT A PERFORMANCE PLAN.

(c) THE DEPARTMENT SHALL PUBLISH A LOCAL EDUCATION PROVIDER'S ALTERNATIVELY FORMATTED PLAN ON THE DATA PORTAL AND PROVIDE PUBLIC ACCESS TO THE PLAN.

**22-11-705. Local accountability systems - report.** (1) TO SUPPORT COMMUNICATION AND THE ABILITY OF THE STATE AND OF LOCAL EDUCATION PROVIDERS TO LEARN FROM THE EFFORTS OF THE LOCAL EDUCATION PROVIDERS THAT CHOOSE TO IMPLEMENT LOCAL ACCOUNTABILITY SYSTEMS, BEFORE JULY 15, 2020, AND ON OR BEFORE JULY 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL CONVENE A MEETING WITH LOCAL EDUCATION PROVIDERS THAT IMPLEMENT LOCAL ACCOUNTABILITY SYSTEMS, THEIR ACCOUNTABILITY SYSTEM PARTNERS, IF ANY, AND OTHER MEMBERS OF THE COMMUNITY WHO ARE INVOLVED IN DESIGNING AND IMPLEMENTING LOCAL ACCOUNTABILITY SYSTEMS TO REVIEW THE IMPLEMENTATION OF LOCAL ACCOUNTABILITY SYSTEMS. INDIVIDUALS MAY PARTICIPATE IN THE MEETING IN-PERSON OR ELECTRONICALLY.

(2) ON OR BEFORE JANUARY 15, 2021, AND ON OR BEFORE JANUARY 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL PREPARE AND SUBMIT TO THE STATE BOARD AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, A REPORT CONCERNING THE IMPLEMENTATION OF LOCAL ACCOUNTABILITY SYSTEMS, INCLUDING A REPORT OF THE IMPLEMENTATION OF THE GRANT PROGRAM. THE REPORT MUST INCLUDE, BUT NEED NOT BE LIMITED TO:

(a) IDENTIFICATION OF THE LOCAL EDUCATION PROVIDERS THAT ARE IMPLEMENTING LOCAL ACCOUNTABILITY SYSTEMS, INCLUDING IDENTIFICATION OF THOSE THAT RECEIVE GRANTS THROUGH THE GRANT PROGRAM AND THE AMOUNT OF

EACH GRANT AWARDED;

(b) IDENTIFICATION OF THE ACCOUNTABILITY SYSTEM PARTNERS, IF ANY, THAT THE LOCAL EDUCATION PROVIDERS WORK WITH;

(c) A DESCRIPTION OF THE MEASURES AND LOCAL PERFORMANCE INDICATORS INCLUDED IN EACH LOCAL ACCOUNTABILITY SYSTEM;

(d) EVIDENCE PROVIDED BY LOCAL EDUCATION PROVIDERS, INCLUDING INPUT SOLICITED FROM COMMUNITY MEMBERS, CONCERNING THE EFFECTIVENESS OF EACH LOCAL ACCOUNTABILITY SYSTEM IN MEASURING THE QUALITY OF THE EDUCATION PROVIDED BY THE LOCAL EDUCATION PROVIDER THAT IMPLEMENTS THE LOCAL ACCOUNTABILITY SYSTEM. TO THE EXTENT POSSIBLE FOR EACH LOCAL ACCOUNTABILITY SYSTEM, IN REPORTING PERFORMANCE ON ADDITIONAL MEASURES AND LOCAL PERFORMANCE INDICATORS, THE DEPARTMENT SHALL DISAGGREGATE THE PERFORMANCE RESULTS BY GRADE LEVEL AND BY STUDENT GROUP, APPLYING THE SAME EXCLUSIONS THAT APPLY TO REPORTING PERFORMANCE RESULTS ON THE STATE PERFORMANCE INDICATORS.

(e) IDENTIFICATION OF ELEMENTS THAT ARE USED IN ONE OR MORE LOCAL ACCOUNTABILITY SYSTEMS THAT MAY BE RECOMMENDED FOR ADOPTION BY OTHER LOCAL EDUCATION PROVIDERS; AND

(f) ANY RECOMMENDATIONS FOR CHANGES IN DEPARTMENT PROCEDURES, STATE BOARD RULES, OR STATUTE BASED ON THE IMPLEMENTATION OF THE LOCAL ACCOUNTABILITY SYSTEMS.

(3) IN PREPARING THE REPORT, THE DEPARTMENT SHALL SOLICIT INPUT FROM AND COLLABORATE WITH THE LOCAL EDUCATION PROVIDERS THAT IMPLEMENT LOCAL ACCOUNTABILITY SYSTEMS AND THE ACCOUNTABILITY SYSTEM PARTNERS, IF ANY, THAT THEY WORK WITH.

(4) THE DEPARTMENT SHALL POST THE REPORT ON ITS WEBSITE FOR PUBLIC REVIEW. UPON REQUEST BY A LOCAL EDUCATION PROVIDER, THE DEPARTMENT SHALL PROVIDE INFORMATION CONCERNING THE MEASURES AND LOCAL PERFORMANCE INDICATORS IMPLEMENTED THROUGH LOCAL ACCOUNTABILITY SYSTEMS, INCLUDING A DESCRIPTION OF THE MEASURES, EVIDENCE OF THEIR EFFECTIVENESS, AND THE MANNER IN WHICH THEY ARE USED.

(5) (a) IN THE THIRD YEAR OF THE GRANT PROGRAM, THE DEPARTMENT SHALL CONTRACT WITH AN EXTERNAL EVALUATOR, WHICH MAY BE A STATE INSTITUTION OF HIGHER EDUCATION, TO PREPARE A SUMMARY EVALUATION REPORT OF THE IMPLEMENTATION OF THE LOCAL ACCOUNTABILITY SYSTEMS THAT RECEIVE GRANTS. THE EVALUATION MUST, AT A MINIMUM, INCLUDE AN EVALUATION OF THE SUCCESS OF EACH LOCAL ACCOUNTABILITY SYSTEM IN EVALUATING STUDENT SUCCESS AND THE PROCESSES FOR ENSURING A CYCLE OF CONTINUOUS IMPROVEMENT WITHIN THE PUBLIC SCHOOLS OF THE PARTICIPATING LOCAL EDUCATION PROVIDERS. AT THE ANNUAL MEETING HELD PURSUANT TO SUBSECTION (1) OF THIS SECTION AT THE END OF THE FIRST YEAR OF THE GRANT PROGRAM, THE DEPARTMENT, PARTICIPATING LOCAL EDUCATION PROVIDERS, AND THE ACCOUNTABILITY SYSTEM PARTNERS SHALL IDENTIFY THE GOALS, TOOLS, AND MEASURES TO BE ADDRESSED BY THE SUMMARY



EVALUATION REPORT. THE DATA USED FOR THE SUMMARY EVALUATION REPORT MUST INCLUDE QUALITATIVE AND QUANTITATIVE MEASURES.

(b) FOR PURPOSES OF THE SUMMARY EVALUATION REPORT, THE DEPARTMENT SHALL PROVIDE TO THE EXTERNAL EVALUATOR INFORMATION CONCERNING THE SCORES ATTAINED BY STUDENTS ENROLLED BY THE PARTICIPATING LOCAL EDUCATION PROVIDERS ON THE STATEWIDE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1006.3 AND INFORMATION CONCERNING STUDENT LONGITUDINAL ACADEMIC GROWTH, STUDENT ACADEMIC ACHIEVEMENT, AND STUDENT ACADEMIC GROWTH TO STANDARDS FOR THE STUDENTS ENROLLED BY THE PARTICIPATING LOCAL EDUCATION PROVIDERS. THE DEPARTMENT SHALL PROVIDE THE INFORMATION IN THE AGGREGATE BY GRADE LEVEL AND DISAGGREGATED BY STUDENT GROUP, AS DEFINED IN SECTION 22-11-103, COMPARED TO SCORES ATTAINED IN PREVIOUS SCHOOL YEARS AND COMPARED TO THE STATE AVERAGE SCORES. THE DEPARTMENT SHALL PROVIDE THE INFORMATION TO THE EXTERNAL EVALUATOR ONLY TO THE EXTENT ALLOWABLE UNDER FEDERAL AND STATE LAW. EACH LOCAL EDUCATION PROVIDER THAT PARTICIPATES IN THE GRANT PROGRAM SHALL PROVIDE ANY NECESSARY DATA FOR PURPOSES OF THE SUMMARY EVALUATION REPORT DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION THAT IS NOT READILY AVAILABLE TO THE DEPARTMENT.

(c) BEGINNING WITH THE REPORT THAT IS SUBMITTED ON OR BEFORE JANUARY 15, 2023, AND FOR EACH REPORT SUBMITTED THEREAFTER, THE DEPARTMENT SHALL INCLUDE IN THE REPORT DESCRIBED IN SUBSECTION (2) OF THIS SECTION THE SUMMARY EVALUATION REPORT DESCRIBED IN THIS SUBSECTION (5).

(d) THE DEPARTMENT MAY ACCEPT AND EXPEND GIFTS, GRANTS, OR DONATIONS, TO PAY THE COSTS INCURRED IN PREPARING THE SUMMARY EVALUATION REPORT DESCRIBED IN THIS SUBSECTION (5).

(6) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT SPECIFIED IN THIS SECTION CONTINUES INDEFINITELY.

**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, \$493,097 is appropriated to the department of education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.4 FTE. To implement this act, the department may use this appropriation for the local accountability system grant program.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 3, 2019