

CHAPTER 257

**EDUCATION - PUBLIC SCHOOLS**

**HOUSE BILL 98-1267**

BY REPRESENTATIVES Allen, Anderson, Dean, and Tupa;  
also SENATORS B. Alexander and Arnold.

**AN ACT**

CONCERNING EDUCATIONAL REFORMS.

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

**SECTION 1.** Title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 11  
Educational Accreditation**

**PART 1  
GENERAL PROVISIONS**

**22-11-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "EDUCATIONAL ACCREDITATION ACT OF 1998".

**22-11-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DETERMINES THAT THE STATE BOARD OF EDUCATION CAN PROMOTE HIGH STANDARDS FOR ACADEMIC ACHIEVEMENT FOR ALL STUDENTS THROUGH ENHANCED SUPERVISION OF THE PUBLIC SCHOOLS OF THE STATE. STATEWIDE TEST SCORE RESULTS PUBLISHED IN THE FALL OF 1997 INDICATE THAT THE STATE NEEDS TO ENCOURAGE AND PROMOTE A HIGHER LEVEL OF ACHIEVEMENT AMONG THE PUBLIC SCHOOLS OF THIS STATE. TO THIS END, THE STATE BOARD OF EDUCATION SHALL DEVELOP AND MAINTAIN A SCHOOL AND COMMUNITY PARTNERSHIP FOR THE ONGOING IMPROVEMENT OF PUBLIC EDUCATION. MOREOVER, THE STATE BOARD OF EDUCATION SHALL SUPPORT LOCAL EFFORTS TO REFORM AND RESTRUCTURE THE SYSTEM OF

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

PUBLIC EDUCATION IN THE STATE, INCLUDING ENCOURAGEMENT OF THE INCREASED USE OF LOCAL ADVISORY COMMITTEES.

(2) THE GENERAL ASSEMBLY FINDS AND DETERMINES THAT GREATER EMPHASIS SHOULD BE PLACED ON STANDARDS-BASED EDUCATION AND TESTING. STANDARDS-BASED TESTING WILL BETTER DEMONSTRATE INDIVIDUAL STUDENT PROGRESS OVER TIME AND PROVIDE AN ACCURATE INDICATOR OF HOW WELL THE PUBLIC SCHOOLS AND SCHOOL DISTRICTS OF THE STATE ARE EDUCATING THE CHILDREN OF THE STATE.

(3) THE GENERAL ASSEMBLY RECOGNIZES THAT UNDER THE STATE CONSTITUTION THE STATE BOARD OF EDUCATION IS VESTED WITH THE POWER TO PROVIDE GENERAL SUPERVISION OVER THE PUBLIC SCHOOLS OF THE STATE, AND THE LOCAL BOARDS OF EDUCATION HAVE THE POWER TO CONTROL INSTRUCTION IN THE PUBLIC SCHOOLS OF THE STATE. CONSISTENT WITH THESE POWERS, THE GENERAL ASSEMBLY RECOMMENDS THAT THE STATE BOARD OF EDUCATION ENCOURAGE AND PROMOTE THE ADOPTION OF TEACHING METHODS AND ENVIRONMENTS IN THE PUBLIC SCHOOLS OF THE STATE THAT WILL ENHANCE THE READING SKILLS OF THE CHILDREN IN SUCH SCHOOLS. TO THAT END, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE USE OF RECOGNIZED INSTRUCTIONAL STRATEGIES, INCLUDING PHONICS, AND EMPHASIS ON READING, WRITING, AND MATHEMATICS WILL ENHANCE THE BASIC SKILLS OF THE CHILDREN IN THE PUBLIC SCHOOLS OF THE STATE.

(4) (a) CONSISTENT WITH THE GOAL OF ENHANCED SUPERVISION OF THE PUBLIC SCHOOLS IN THE STATE, THE STATE BOARD OF EDUCATION SHALL IMPLEMENT A PUBLIC SCHOOL ACCREDITATION PROCESS PURSUANT TO THE PROVISIONS OF THIS ARTICLE THAT FOCUSES ON STUDENT ACHIEVEMENT RESULTS ON STANDARDS-BASED TESTS. THE PUBLIC SCHOOL ACCREDITATION PROCESS SHALL BE DESIGNED TO ENCOURAGE EXCELLENCE BASED UPON STUDENT PERFORMANCE RESULTS ON STANDARDS-BASED STATEWIDE AND LOCAL ASSESSMENTS.

(b) THE GENERAL ASSEMBLY FINDS THAT THE USE OF AN ACCREDITATION PROCESS WILL FOSTER GREATER ACCOUNTABILITY FROM PUBLIC SCHOOLS AND SCHOOL DISTRICTS AND WILL ENHANCE IMPROVEMENT OF PUBLIC SCHOOLS AND SCHOOL DISTRICTS BY SETTING BENCHMARKS AND MEASURING IMPROVEMENT IN ATTAINING THOSE BENCHMARKS.

**22-11-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ACCREDITATION" MEANS CERTIFICATION BY THE STATE BOARD OF EDUCATION THAT PUBLIC SCHOOLS AND SCHOOL DISTRICTS MEET THE REQUIREMENTS ESTABLISHED BY THIS ARTICLE AND THE RULES PROMULGATED PURSUANT TO THIS ARTICLE AND INCLUDES THE PROCESS FOR ACCREDITING PUBLIC SCHOOLS AND SCHOOL DISTRICTS PURSUANT TO THE PROVISIONS OF THIS ARTICLE.

(2) "ACCREDITATION CONTRACT" MEANS THE AGREEMENT BETWEEN THE STATE BOARD OF EDUCATION AND A SCHOOL DISTRICT THAT BINDS THE SCHOOL DISTRICT TO MANAGE THE ACCREDITATION OF PUBLIC SCHOOLS WITHIN SUCH SCHOOL DISTRICT, CONSISTENT WITH THE STANDARDS AND GOALS TO BE MET ACCORDING TO THE ACCREDITATION INDICATORS.

(3) "ACCREDITATION INDICATORS" MEANS THE ACHIEVEMENT INDICATORS THAT DETERMINE THE ACCREDITATION CATEGORY OF A PUBLIC SCHOOL AND SCHOOL DISTRICT PURSUANT TO THE PROVISIONS OF THIS ARTICLE.

(4) "COMMISSIONER" MEANS THE STATE COMMISSIONER OF EDUCATION.

(5) "CORRECTIVE ACTION CYCLE" MEANS THE CORRECTIVE ACTIONS DESCRIBED IN SECTION 22-11-204 TO WHICH A SCHOOL DISTRICT SHALL BE SUBJECT IN THE EVENT THAT IT FAILS TO COMPLY WITH PROVISIONS OF THE ACCREDITATION CONTRACT.

(6) "DEPARTMENT" MEANS THE STATE DEPARTMENT OF EDUCATION.

(7) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT ORGANIZED AND AUTHORIZED PURSUANT TO ARTICLE 32 OF THIS TITLE.

(8) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION ESTABLISHED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

**22-11-104. Accreditation indicators.** (1) **Accreditation indicators.** (a) NO LATER THAN DECEMBER 31, 1998, THE STATE BOARD SHALL ESTABLISH BY RULE ACCREDITATION INDICATORS FOR ASSESSING THE QUALITY OF EDUCATION AND LEARNING IN THE PUBLIC SCHOOLS AND SCHOOL DISTRICTS OF THE STATE.

(b) THE STATE BOARD SHALL ANNUALLY REVIEW THE ACCREDITATION INDICATORS ESTABLISHED PURSUANT TO THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (1) AND MAY REVISE SUCH ACCREDITATION INDICATORS AS NECESSARY.

(2) **Contents.** THE ACCREDITATION INDICATORS SHALL INCLUDE BUT SHALL NOT BE LIMITED TO THE FOLLOWING:

(a) RESULTS ON STATEWIDE ASSESSMENT INSTRUMENTS ADMINISTERED PURSUANT TO SECTION 22-7-409, INCLUDING BUT NOT LIMITED TO THE READING ASSESSMENTS IMPLEMENTED PURSUANT TO PART 5 OF ARTICLE 7 OF THIS TITLE, AND THE ASSESSMENT ADMINISTERED PURSUANT TO SECTION 22-7-409(1.5). ALL ASSESSMENT RESULTS SHALL BE AGGREGATED BY GRADE LEVEL AND SUBJECT AREA.

(b) DROPOUT RATES;

(c) STUDENT ATTENDANCE RATES, INCLUDING THE NUMBERS OF EXPELLED AND SUSPENDED STUDENTS;

(d) GRADUATION RATES;

(e) THE PERCENTAGE OF STUDENTS TAKING ADVANCED PLACEMENT COURSES;

(f) THE PERCENTAGE OF STUDENTS TAKING STATEWIDE ASSESSMENTS;

(g) THE PERCENTAGE OF STUDENTS WHO ARE EXEMPT FROM THE ASSESSMENT PROGRAM;

(h) RESULTS OF THE SCHOOL DISTRICT TESTS ADMINISTERED PURSUANT TO SECTION

22-7-407.

(3) **Rules.** (a) THE STATE BOARD SHALL PROMULGATE RULES CONCERNING HOW THE SCHOOL DISTRICTS SHALL MEASURE DATA RELATING TO THE ACCREDITATION INDICATORS AND THE FORM IN WHICH THE SCHOOL DISTRICTS SHALL PROVIDE SUCH DATA TO THE STATE BOARD.

(b) THE RULES SHALL INCLUDE PROCEDURES BY AND THE FORMAT IN WHICH PUBLIC SCHOOLS AND SCHOOL DISTRICTS SHALL SUBMIT TO THE DEPARTMENT THE INFORMATION DEMONSTRATING ACHIEVEMENT OF THE ACCREDITATION INDICATORS.

(4) **Achievement levels.** THE STATE BOARD SHALL USE THE INFORMATION DEMONSTRATING ACHIEVEMENT OF THE ACCREDITATION INDICATORS DESCRIBED IN SUBSECTION (3) OF THIS SECTION TO DETERMINE ACCREDITATION CATEGORIES PURSUANT TO THE PROVISIONS OF SECTION 22-11-202.

(5) **Measurements.** ACHIEVEMENT OF THE ACCREDITATION INDICATORS SHALL BE REPORTED AND DISAGGREGATED BY SCHOOL ACCORDING TO RULES PROMULGATED BY THE STATE BOARD.

**22-11-105. Reports on accreditation indicators.** (1) **Annual reports.** THE DEPARTMENT SHALL PREPARE ANNUAL REPORTS ON ACHIEVEMENT OF THE ACCREDITATION INDICATORS BY PUBLIC SCHOOLS AND SCHOOL DISTRICTS.

(2) **Form of reports.** (a) THE STATE BOARD SHALL ADOPT RULES SPECIFYING THE PREPARATION, FORMAT, AND DISSEMINATION OF THE ANNUAL REPORTS REQUIRED PURSUANT TO THIS SECTION. THE RULES, AT A MINIMUM, SHALL REQUIRE THAT THE REPORTS SHALL BE AVAILABLE TO THE GENERAL ASSEMBLY AND THE GOVERNOR.

(b) THE RULES SHALL ALSO ADDRESS DISSEMINATION OF THE REPORTS BY THE PUBLIC SCHOOLS AND THE SCHOOL DISTRICTS TO MEMBERS OF THE PUBLIC FOR THE PURPOSE OF ENSURING COMMUNITY UNDERSTANDING OF THE ACCREDITATION PROCESS AND THE ACHIEVEMENT OF ACCREDITATION INDICATORS BY PUBLIC SCHOOLS AND SCHOOL DISTRICTS.

## PART 2 ACCREDITATION PROCESS

**22-11-201. Accreditation contract.** (1) **Authority.** PURSUANT TO THE STATE BOARD'S AUTHORITY TO ACCREDIT PUBLIC SCHOOLS AND SCHOOL DISTRICTS UNDER SECTION 22-2-106, THE STATE BOARD SHALL ACCREDIT THE PUBLIC SCHOOLS AND SCHOOL DISTRICTS OF THE STATE IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

(2) **Parties.** (a) EACH SCHOOL BOARD SHALL ENTER INTO AN ACCREDITATION CONTRACT WITH THE STATE BOARD OF EDUCATION.

(b) THE ACCREDITATION CONTRACT MAY INCLUDE A SUBCONTRACT WITH A BOARD OF COOPERATIVE SERVICES FOR THE ADMINISTRATION OF THE SCHOOL DISTRICT'S ACCREDITATION PROCESS.

(3) **Goals.** THE ACCREDITATION CONTRACT SHALL DEFINE THE STANDARDS, GOALS, AND REQUIREMENTS TO BE MET BY THE SCHOOL DISTRICT OVER THE TERM OF THE CONTRACT. FAILURE TO ACHIEVE THE STANDARDS, GOALS, AND REQUIREMENTS SET FORTH IN THE ACCREDITATION CONTRACT MAY RESULT IN THE SANCTIONS AND CORRECTIVE ACTIONS SET FORTH IN THIS ARTICLE.

(4) **Contract requirements - management.** (a) THE ACCREDITATION CONTRACT SHALL CONTAIN, AT A MINIMUM, THE FOLLOWING TERMS:

(I) PROVISIONS RELATING TO THE TERM OF THE CONTRACT;

(II) ADOPTION OF CONTENT STANDARDS FOR STUDENT LEARNING;

(III) ADOPTION OF ACHIEVEMENT PERFORMANCE LEVELS;

(IV) SYSTEMS FOR MEASURING STUDENT ACHIEVEMENT, INCLUDING METHODS FOR IMPROVING THE SCORES OF STUDENTS WHO SCORE BELOW PROFICIENT IN STATEWIDE ASSESSMENT TESTS AS INDICATED BY THE RETESTING OF SUCH STUDENTS;

(V) PROVISIONS FOR ALLOWING ANNUAL COMPARISONS BETWEEN THE SCHOOL BOARD ASSESSMENT RESULTS AND THE STATEWIDE ASSESSMENT RESULTS.

(b) THE ACCREDITATION CONTRACT, AT A MINIMUM, SHALL BIND A SCHOOL DISTRICT TO ADMINISTER THE FOLLOWING SCHOOL DISTRICT POLICY AND MANAGEMENT FUNCTIONS:

(I) COMMUNITY INVOLVEMENT, INCLUDING PROCESSES FOR INVOLVING PARENTS, THE BUSINESS COMMUNITY, AND OTHER INTERESTED CITIZENS;

(II) PUBLIC DISCLOSURE OF NONIDENTIFYING STUDENT ACHIEVEMENT RESULTS FOR EACH PUBLIC SCHOOL IN THE SCHOOL DISTRICT;

(III) RECOGNITION FOR PUBLIC SCHOOLS THAT MEET OR EXCEED ACCREDITATION INDICATORS AND ASSISTANCE FOR PUBLIC SCHOOLS THAT FAIL TO MEET SUCH INDICATORS.

(5) **Student performance.** THE ACCREDITATION CONTRACT SHALL BIND THE SCHOOL BOARD TO IMPROVE EACH PUBLIC SCHOOL'S PERFORMANCE RELATING TO THE FOLLOWING:

(a) PARENTAL AND FAMILIAL INVOLVEMENT;

(b) ATTAINMENT OF LOCAL ACHIEVEMENT GOALS THAT MEET OR EXCEED THE REQUIREMENTS OF THE ACCREDITATION CATEGORIES ESTABLISHED PURSUANT TO SECTION 22-11-104;

(c) IMPLEMENTATION OF CONTENT STANDARDS FOR STUDENT LEARNING;

(d) ATTAINMENT OF ACHIEVEMENT AND PROFICIENCY LEVELS;

(e) IMPLEMENTATION OF SYSTEMS OF MEASURING STUDENT ACHIEVEMENT, INCLUDING METHODS FOR IMPROVING THE SCORES OF STUDENTS WHO SCORE BELOW PROFICIENT IN STATEWIDE ASSESSMENT TESTS AS INDICATED BY THE RETESTING OF SUCH STUDENTS;

(f) REDUCTION OF CONSISTENT PATTERNS OF ACADEMIC ACHIEVEMENT DISCREPANCIES IN STUDENT PERFORMANCE RELATED TO ETHNICITY, GENDER, DISABILITY, AND LIMITED ENGLISH PROFICIENCY.

(6) **Term.** (a) THE TERM OF THE ACCREDITATION CONTRACT SHALL BE SIX YEARS.

(b) THE ACCREDITATION CONTRACT MAY BE RENEGOTIATED AT ANY TIME BY THE PARTIES BASED UPON SIGNIFICANT CHANGES IN CIRCUMSTANCES UPON WHICH THE ORIGINAL TERMS AND CONDITIONS OF THE ACCREDITATION CONTRACT WERE BASED.

**22-11-202. Accreditation levels.** (1) **Rules.** THE STATE BOARD SHALL ADOPT RULES TO EVALUATE THE PERFORMANCE OF PUBLIC SCHOOLS AND SCHOOL DISTRICTS TO DETERMINE THE ACCREDITATION CATEGORIES FOR SUCH PUBLIC SCHOOLS AND SCHOOL DISTRICTS.

(2) **Ratings.** (a) THE RULES SHALL DEFINE RATINGS THAT DETERMINE THE ACCREDITATION CATEGORIES OF PUBLIC SCHOOLS AND SCHOOL DISTRICTS BASED UPON AN EVALUATION OF THE PUBLIC SCHOOLS AND SCHOOL DISTRICTS FOR THE PURPOSE OF ACCREDITATION.

(b) THE RATINGS SHALL BE BASED UPON STUDENT ACHIEVEMENT ON SCHOOL DISTRICT STANDARDS, SHALL BE CONSISTENT WITH THE RATINGS FOR STUDENT ACHIEVEMENT ON THE STATE ASSESSMENTS, AND SHALL INDICATE THE PUBLIC SCHOOLS' AND SCHOOL DISTRICTS' PERFORMANCE ON THE ACCREDITATION INDICATORS.

**22-11-203. Monitoring of accreditation contracts.** (1) THE DEPARTMENT SHALL MONITOR THE ACCREDITATION CONTRACTS EXECUTED PURSUANT TO THE PROVISIONS OF THIS ARTICLE.

(2) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO ANY SCHOOL DISTRICT OF THE STATE THAT REQUESTS SUCH ASSISTANCE IN ORDER TO IMPROVE ITS PERFORMANCE ON THE ACCREDITATION INDICATORS.

**22-11-204. Corrective action cycle.** (1) **Level one: Notice.** (a) AT ANY TIME DURING THE TERM OF THE ACCREDITATION CONTRACT, IF A SCHOOL DISTRICT FAILS TO COMPLY WITH ANY OF THE PROVISIONS OF THE ACCREDITATION CONTRACT, THE DEPARTMENT SHALL NOTIFY THE SCHOOL DISTRICT OF THE NATURE OF THE SCHOOL DISTRICT'S LACK OF COMPLIANCE. THIS NOTICE SHALL CONSTITUTE LEVEL ONE IN THE CORRECTIVE ACTION CYCLE.

(b) AFTER RECEIPT OF THE NOTICE PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1), A SCHOOL DISTRICT SHALL SUBMIT A PLAN TO REMEDY ITS LACK OF COMPLIANCE TO THE DEPARTMENT. THE PLAN SHALL BE SUBMITTED WITHIN A SPECIFIC TIME PERIOD COMMENCING IMMEDIATELY AFTER THE SCHOOL DISTRICT'S RECEIPT OF THE NOTICE WHICH SHALL BE ESTABLISHED IN STATE BOARD RULES. THE

DEPARTMENT SHALL APPROVE OR DENY THE SCHOOL DISTRICT'S PLAN TO REMEDY ITS LACK OF COMPLIANCE WITHIN A TIME PERIOD FROM THE DATE OF THE PLAN'S SUBMISSION THAT SHALL BE ESTABLISHED IN RULES PROMULGATED BY THE STATE BOARD.

(c) UPON A SCHOOL DISTRICT'S REQUEST, THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO THE SCHOOL DISTRICT IN CONNECTION WITH THE AREAS IN WHICH THE SCHOOL DISTRICT IS OUT OF COMPLIANCE.

(2) **Level two: Probation.** (a) PURSUANT TO RULES ESTABLISHED BY THE STATE BOARD, THE STATE BOARD SHALL PLACE A SCHOOL DISTRICT ON PROBATIONARY STATUS IF THE SCHOOL DISTRICT FAILS TO IMPLEMENT THE PLAN SUBMITTED PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION. PROBATION SHALL CONSTITUTE LEVEL TWO IN THE CORRECTIVE ACTION CYCLE. THE RULES OF THE STATE BOARD SHALL INCLUDE A PROCESS FOR A SCHOOL DISTRICT'S RIGHT TO A HEARING BEFORE THE BOARD IN ORDER TO DETERMINE WHETHER THE SCHOOL DISTRICT HAD IMPLEMENTED THE PLAN PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION.

(b) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO A SCHOOL DISTRICT THAT IS ON PROBATIONARY STATUS UPON THE REQUEST OF THE SCHOOL DISTRICT.

(3) **Level three: Nonaccreditation status.** PURSUANT TO RULES ESTABLISHED BY THE STATE BOARD, THE STATE BOARD MAY REMOVE A SCHOOL DISTRICT'S ACCREDITATION IF THE SCHOOL DISTRICT FAILS TO REMEDY ITS LACK OF COMPLIANCE. THE RULES OF THE STATE BOARD SHALL INCLUDE A PROCESS FOR A SCHOOL DISTRICT'S RIGHT TO A HEARING BEFORE THE BOARD IN ORDER TO DETERMINE WHETHER THE SCHOOL DISTRICT HAD REMEDIED ITS LACK OF COMPLIANCE. REMOVAL OF ACCREDITATION MAY RESULT IN REORGANIZATION OF THE SCHOOL DISTRICT AS PROVIDED IN SECTION 22-30-105.

**SECTION 2.** 22-2-106 (1) (c), (2), and (3), Colorado Revised Statutes, are amended to read:

**22-2-106. State board - duties.** (1) It is the duty of the state board:

(c) To appraise and accredit the public SCHOOLS AND school districts in this state PURSUANT TO THE PROVISIONS OF ARTICLE 11 OF THIS TITLE, and to submit recommendations to the governor and general assembly for improvements in education;

(2) (a) The state board shall withhold its accreditation of any school district under paragraph (c) of subsection (1) of this section if it determines that the school district has not discharged its responsibilities under article 7 of this title AS REQUIRED IN ARTICLE 11 OF THIS TITLE.

(b) The state board shall withhold its accreditation of any school district under paragraph (c) of subsection (1) of this section if it determines that the school district has not adopted content standards and a plan for implementation pursuant to the provisions of section 22-7-407.

(3) The state board shall annually submit a report to the governor and the general assembly on the accreditation status of all school districts PURSUANT TO THE PROVISIONS OF ARTICLE 11 OF THIS TITLE.

**SECTION 3.** 22-2-112 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**22-2-112. Commissioner - duties.** (1) Subject to the supervision of the state board, the commissioner has the following duties:

(o) TO COMPLY WITH THE DUTIES SET FORTH IN ARTICLE 11 OF THIS TITLE.

**SECTION 4. Repeal.** 22-7-203, Colorado Revised Statutes, is repealed as follows:

~~**22-7-203. Achievement testing.** The state board of education shall provide for the administration by the department of education of state assessments to a statistically valid random sample of pupils in selected grades at a time to be specified by the state board. Test scores and other information derived from the administration of such test or tests shall be reported to the state board and the general assembly in accordance with reporting procedures adopted by the state board.~~

**SECTION 5.** 22-7-205, Colorado Revised Statutes, is amended as follows:

**22-7-205. Local goals and objectives and plans to improve educational achievement and graduation rates.** (1) No later than June 15, 1989, and then no later than September 1, 1990, and September 1 of each year thereafter, the advisory accountability committee for each school building in the state shall adopt high, but achievable, goals and objectives for the improvement of education in its building ~~consistent with the state board's goals and objectives~~; and shall adopt a plan to improve educational achievement in the school, ~~and~~ to implement methods of maximizing graduation rates from the secondary schools of the district, AND TO INCREASE THE RATINGS FOR THE SCHOOL'S ACCREDITATION CATEGORY ESTABLISHED PURSUANT TO SECTION 22-11-202. Each building's goals and objectives and plan shall be reviewed by the district advisory accountability committee before its submission to the board of education of the district. Procedures for the implementation of the plan shall be included in the budget submitted to the board of education pursuant to section 22-44-108.

(2) After consultation with the district advisory accountability committee and review of its recommendations, the board of education shall compile school building goals and objectives and plans and shall ~~submit~~ REPORT a district's high, but achievable, goals and objectives for the improvement of education in the district ~~consistent with the state board's goals and objectives~~; and a district plan to improve educational achievement, ~~and~~ maximize graduation rates, ~~to the state board of education~~ AND INCREASE THE RATINGS FOR THE SCHOOL'S ACCREDITATION CATEGORY ESTABLISHED PURSUANT TO SECTION 22-11-202. SUCH REPORT SHALL BE MADE AVAILABLE TO THE PUBLIC no later than October 1, 1989, and October 1 of each year thereafter.

(3) ~~Each district plan shall specify how the district intends to measure educational~~

achievement in its schools. ~~The state board shall adopt rules and regulations for district measurements of educational achievement which will assure that measurements from various districts are capable of being compared and that data from such measurements shall be available in a consistent form from year to year. Such data shall be reported in accordance with subsection (5) of this section. Each district plan shall also provide for the measurement of graduation rates as set forth in this subsection (3). For purposes of this part 2, "graduation rate" means the percent of pupils who do not drop out of school. A pupil who leaves school before receiving a high school diploma or its equivalent is a dropout unless the school can document that the pupil has transferred to another public or private school or approved program of studies through a transcript request or through information provided by the pupil's parent or legal guardian.~~

~~(4) (a) The state board shall review the goals and objectives adopted by each district to determine whether said goals and objectives are high but achievable and whether they are consistent with the goals and objectives set by the state board. The district shall be allowed to modify its goals and objectives to meet any objections raised by the state board.~~

~~(b) The department of education shall review the plans submitted and shall verify that the plans are appropriately related to the educational needs of the schools and the district. The department shall advise the board of education of any school district whose plan needs revision, and the board shall make such revisions as the department deems necessary to accomplish the intent of subsection (1) of this section.~~

~~(5) No later than September 1, 1990, and September 1 of each year thereafter, each school building shall report to the board of education of the district, and the district shall report to the state board of education no later than October 1, 1990, and October 1 of each year thereafter, on the achievement of its goals and objectives and on its educational achievement and graduation rates, as measured according to its plan. All data required by this subsection (5) to be reported by school buildings to the board of education of the district shall also be reported to the public. Data shall be made available in such form that building and district measurements can be compared to national norms and to statewide Colorado norms. Data concerning a specific school building shall be sent to parents of pupils in that building and shall be reported to parents disaggregated by grade.~~

**SECTION 6.** 22-7-409, Colorado Revised Statutes, is amended to read:

**22-7-409. Assessments.** (1) Beginning in the spring semester 1997, the department shall implement the Colorado student assessment program under which the department shall administer statewide assessments adopted by the board pursuant to section 22-7-406 in the first priority areas of reading, writing, mathematics, and science according to the following implementation schedule:

(a) Beginning in the spring semester 1997, and each spring semester thereafter, the department shall administer a statewide assessment in reading and writing to all students enrolled in fourth grade in public schools throughout the state.

(b) Beginning in the spring semester 1998, and each spring semester thereafter, the department shall administer a statewide assessment in reading to all students enrolled

in the third grade in public schools throughout the state.

(c) Beginning in the ~~spring~~ FALL semester 1999, and each ~~spring~~ FALL semester thereafter, the department shall administer a statewide assessment in mathematics to all students enrolled in the fifth grade in public schools throughout the state.

(d) Beginning in the spring semester 1999, and each spring semester thereafter, the department shall administer a statewide assessment in ~~mathematics~~ READING AND WRITING ~~mathematics~~ to all students enrolled in the ~~eighth~~ SEVENTH grade in public schools throughout the state.

(d.5) BEGINNING IN THE SPRING SEMESTER 2000, AND EACH SPRING SEMESTER THEREAFTER, THE DEPARTMENT SHALL ADMINISTER A STATEWIDE ASSESSMENT IN MATHEMATICS AND SCIENCE TO ALL STUDENTS ENROLLED IN THE EIGHTH GRADE IN PUBLIC SCHOOLS THROUGHOUT THE STATE.

(e) Beginning in the spring semester 2001, and each spring semester thereafter, the department shall administer a statewide assessment in ~~science~~ READING, WRITING, AND MATHEMATICS to all students enrolled in the ~~eighth~~ TENTH grade in public schools throughout the state.

(1.5) BEGINNING IN THE SPRING SEMESTER 2003, AND EACH SPRING SEMESTER THEREAFTER, ALL STUDENTS ENROLLED IN THE TWELFTH GRADE IN PUBLIC SCHOOLS THROUGHOUT THE STATE WHO SCORED BELOW PROFICIENT IN THE STATEWIDE ASSESSMENT ADMINISTERED PURSUANT TO PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION SHALL BE REQUIRED TO TAKE THE ASSESSMENT ADMINISTERED PURSUANT TO PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION. THE DEPARTMENT SHALL MAINTAIN THE RESULTS OF THE ASSESSMENTS ADMINISTERED PURSUANT TO THE PROVISIONS OF THIS SUBSECTION (1.5) AND SHALL CONSIDER SUCH RESULTS AS ACCREDITATION INDICATORS PURSUANT TO THE PROVISIONS OF SECTION 22-11-104 (2) (a).

(2) The department shall prepare an annual report of the results of the statewide assessments ~~which~~ THAT shall be submitted no later than January 1, 1998, and no later than each January 1 thereafter, to the education committees of the house of representatives and the senate and to the governor and ~~which~~ THAT shall be made available upon request to members of the public. In the report, the department shall present the percentage of students achieving each of the performance levels specified by the board, calculated for the state as a whole, for each district and by district size. The department shall also report the percentage of students in the state achieving each of the performance levels by gender, race, separate disabling condition, and ethnicity. The department shall also report said percentages by school, categorizing the schools by socioeconomic status determined by the number of students eligible for free or reduced-cost lunch.

(3) Beginning fiscal year 1998-99 and for fiscal years thereafter, as provided in section 22-54-121, the department may fund the Colorado student assessment program using a portion of the moneys annually appropriated to public school finance, total program, pursuant to article 54 of this title, subject to the limitation specified in a footnote to the annual general appropriations bill.

**SECTION 7.** 22-30-105 (1) (c), Colorado Revised Statutes, is amended to read:

**22-30-105. Activation of the school district organization planning process.**

(1) The appointment of a school organization planning committee charged to study school district organization shall occur when the commissioner is notified that any of the following conditions exist:

(c) The state board declares a school district is no longer accredited PURSUANT TO THE PROVISIONS OF SECTION 22-11-204. Such declaration shall indicate the school districts to be involved in the organization study.

**SECTION 8.** 22-30-114 (1) (d), Colorado Revised Statutes, is amended, and the said 22-30-114 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**22-30-114. Requirements for plan of organization.** (1) The plan of organization shall include, but shall not be limited to, consideration of the following:

(d) The efficiency and effectiveness of the various educational organization options being studied AND THE EXTENT TO WHICH SUCH EDUCATIONAL ORGANIZATION OPTIONS WILL CAUSE THE SCHOOL DISTRICT TO REMEDY THE LACK OF COMPLIANCE UNDER THE TERMS OF ITS ACCREDITATION CONTRACT ENTERED INTO PURSUANT TO THE PROVISIONS OF SECTION 22-11-201;

(d.5) THE REASONS FOR WHICH THE SCHOOL DISTRICT WAS UNABLE TO REMEDY THE DEFICIENCIES THAT LEAD TO ITS LACK OF COMPLIANCE WITH THE TERMS OF ITS ACCREDITATION CONTRACT UNDER ARTICLE 11 OF THIS TITLE;

**SECTION 9.** 22-30.5-204 (1), Colorado Revised Statutes, is amended to read:

**22-30.5-204. Charter school districts - creation - requirements.** (1) Beginning with the 1997-98 school year, the state board shall initiate a pilot program to test the effectiveness of charter school districts. As part of this pilot program, the state board may approve up to five school districts in the state to operate as charter school districts; except that the state board shall approve only those applications that meet the qualifications specified in section 22-30.5-205. To be approved as a charter school district, the local board of education shall submit an application to the state board as prescribed in section 22-30.5-205. Any school district that is approved to operate as a charter school district shall operate under the provisions of its charter and shall be subject to the provisions of this part 2, part 4 of article 7, and articles 20, 30, 31, 36, 40 to 43, 54, and 60 to 64 of this title and the reporting requirements contained in sections ~~22-7-205~~, 22-33-105 and 22-44-105 (4) and shall not otherwise be subject to state statutes or regulations concerning school districts except as may be provided in the charter or in this part 2.

**SECTION 10.** 22-60.5-203, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**22-60.5-203. Assessment of professional competencies.** (4) THE STATE BOARD OF EDUCATION SHALL ANNUALLY REVIEW THE ASSESSMENT PROGRAM DEVELOPED PURSUANT TO SUBSECTION (3) OF THIS SECTION TO ASSURE THE APPROPRIATENESS OF

THE ASSESSMENTS AND THE STANDARDS ESTABLISHED TO DETERMINE A SATISFACTORY LEVEL OF PROFICIENCY.

**SECTION 11.** 22-60.5-212, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**22-60.5-212. Assessment of professional competencies.** (3) THE STATE BOARD OF EDUCATION SHALL ANNUALLY REVIEW THE ASSESSMENT PROGRAM DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION TO ASSURE THE APPROPRIATENESS OF THE ASSESSMENTS AND THE STANDARDS ESTABLISHED TO DETERMINE A SATISFACTORY LEVEL OF PROFICIENCY.

**SECTION 12.** 22-60.5-303, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**22-60.5-303. Assessment of professional competencies.** (4) THE STATE BOARD OF EDUCATION SHALL ANNUALLY REVIEW THE ASSESSMENT PROGRAM DEVELOPED PURSUANT TO SUBSECTION (3) OF THIS SECTION TO ASSURE THE APPROPRIATENESS OF THE ASSESSMENTS AND THE STANDARDS ESTABLISHED TO DETERMINE A SATISFACTORY LEVEL OF PROFICIENCY.

**SECTION 13.** 22-60.5-308, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**22-60.5-308. Assessment of professional competencies.** (4) THE STATE BOARD OF EDUCATION SHALL ANNUALLY REVIEW THE ASSESSMENT PROGRAM DEVELOPED PURSUANT TO SUBSECTION (3) OF THIS SECTION TO ASSURE THE APPROPRIATENESS OF THE ASSESSMENTS AND THE STANDARDS ESTABLISHED TO DETERMINE A SATISFACTORY LEVEL OF PROFICIENCY.

**SECTION 14.** 22-2-109 (1) (b) and (1) (c), Colorado Revised Statutes, are amended to read:

**22-2-109. State board of education - additional duties.** (1) The state board of education shall:

(b) Evaluate and determine and publish its findings as to which programs of study in Colorado institutions of higher education meet the requirements of an approved program of teacher preparation pursuant to section 22-60-103 (2) OR ARTICLE 60.5 OF THIS TITLE;

(c) Adopt rules ~~and regulations which~~ THAT prescribe standards for the evaluation of teacher preparation programs, INCLUDING THE EXTENT TO WHICH SUCH TEACHER PREPARATION PROGRAMS PREPARE TEACHERS TO TEACH IN ACCORDANCE WITH THE GOALS OF STANDARDS-BASED EDUCATION PURSUANT TO PART 4 OF ARTICLE 7 OF THIS TITLE;

**SECTION 15.** 22-60.5-110 (3) (c) (I), Colorado Revised Statutes, is amended to read:

**22-60.5-110. Renewal of licenses.** (3) (c) In selecting professional development

activities for the renewal of a professional license pursuant to this section, each licensee shall choose those activities that will aid the licensee in meeting the standards for a professional educator, including but not limited to the following goals:

(I) Knowledge of subject matter content and learning, INCLUDING KNOWLEDGE AND APPLICATION OF STANDARDS-BASED EDUCATION PURSUANT TO PART 4 OF ARTICLE 7 OF THIS TITLE;

**SECTION 16.** 22-60.5-116, Colorado Revised Statutes, is amended to read:

**22-60.5-116. Evaluation of approved programs of preparation for teachers, principals, and administrators - repeal.** (1) (a) Every two years, teachers employed by the school districts of the state who completed their preparation at accepted institutions of higher education in this state shall evaluate their program during their first and third years of teaching. SUCH EVALUATIONS SHALL INCLUDE ASSESSMENTS OF THE EXTENT TO WHICH THE TEACHER PREPARATION PROGRAMS SUFFICIENTLY ADDRESSED AND PREPARED TEACHERS TO IMPLEMENT STANDARDS-BASED EDUCATION PURSUANT TO PART 4 OF ARTICLE 7 OF THIS TITLE. For 1994 and every even year thereafter, a sample of principals and administrators employed by the school districts of the state who completed their preparation at accepted institutions of higher education in this state shall evaluate their programs. Such sample shall be selected by the department of education. Such evaluations shall be on forms prepared and distributed by the department of education. The completed forms shall be returned to the department of education for compilation, review by the appropriate professional standards board and the state board of education, and dissemination to Colorado teacher, principal, and administrator preparation institutions. THE DEPARTMENT OF EDUCATION SHALL PROVIDE COPIES OF THE COMPILED RESULTS OF SUCH COMPLETED FORMS TO THE MEMBERS OF THE COMMITTEES ON EDUCATION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

(b) This subsection (1) is repealed, effective July 1, 1999.

(2) Effective July 1, 1999, every two years, teachers employed by the school districts of the state who completed their preparation at accepted institutions of higher education in this state shall evaluate their program during their first and third years of teaching. SUCH EVALUATIONS SHALL INCLUDE ASSESSMENTS OF THE EXTENT TO WHICH THE TEACHER PREPARATION PROGRAMS SUFFICIENTLY ADDRESSED AND PREPARED TEACHERS TO IMPLEMENT STANDARDS-BASED EDUCATION PURSUANT TO PART 4 OF ARTICLE 7 OF THIS TITLE. For 1999 and every year thereafter, a sample of principals and administrators employed by the school districts of the state who completed their preparation at accepted institutions of higher education in this state shall evaluate their programs. Such sample shall be selected by the department of education. Such evaluations shall be on forms prepared and distributed by the department of education. The completed forms shall be returned to the department of education for compilation, review by the educator professional standards board and the state board of education, and dissemination to Colorado teacher, principal, and administrator preparation institutions. THE DEPARTMENT OF EDUCATION SHALL PROVIDE COPIES OF THE COMPILED RESULTS OF SUCH COMPLETED FORMS TO THE MEMBERS OF THE COMMITTEES ON EDUCATION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

(3) (a) The administrative staff of the school districts of this state shall be provided forms for the evaluation of approved programs of preparation of teachers of graduates of Colorado teacher preparation institutions employed within said school districts. SUCH EVALUATIONS SHALL INCLUDE ASSESSMENTS OF THE EXTENT TO WHICH THE TEACHER PREPARATION PROGRAMS SUFFICIENTLY ADDRESSED AND PREPARED TEACHERS TO IMPLEMENT STANDARDS-BASED EDUCATION PURSUANT TO PART 4 OF ARTICLE 7 OF THIS TITLE. Evaluation shall be completed during the first and third years of teaching as specified in subsection (1) of this section or at such other times as may be deemed appropriate by the state board of education. Such forms shall be returned to the department of education for compilation, review by the teacher and special services professional standards board and the state board of education, and dissemination to Colorado teacher preparation institutions. THE DEPARTMENT OF EDUCATION SHALL PROVIDE COPIES OF THE COMPILED RESULTS OF SUCH COMPLETED FORMS TO THE MEMBERS OF THE COMMITTEES ON EDUCATION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

(b) This subsection (3) is repealed, effective July 1, 1999.

(4) Effective July 1, 1999, the administrative staff of the school districts of this state shall be provided forms for the evaluation of approved programs of preparation of teachers of graduates of Colorado teacher preparation institutions employed within said school districts. SUCH EVALUATIONS SHALL INCLUDE ASSESSMENTS OF THE EXTENT TO WHICH THE TEACHER PREPARATION PROGRAMS SUFFICIENTLY ADDRESSED AND PREPARED TEACHERS TO IMPLEMENT STANDARDS-BASED EDUCATION PURSUANT TO PART 4 OF ARTICLE 7 OF THIS TITLE. Evaluations shall be completed during the first and third years of teaching as specified in subsection (2) of this section or at such other times as may be deemed appropriate by the state board of education. Such forms shall be returned to the department of education for compilation, review by the educator professional standards board and the state board of education, and dissemination to Colorado teacher preparation institutions. THE DEPARTMENT OF EDUCATION SHALL PROVIDE COPIES OF THE COMPILED RESULTS OF SUCH COMPLETED FORMS TO THE MEMBERS OF THE COMMITTEES ON EDUCATION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

**SECTION 17.** 22-60.5-203 (1), (2) (a), (2) (b), and (3), Colorado Revised Statutes, are amended to read:

**22-60.5-203. Assessment of professional competencies.** (1) The state board of education shall, by rule, ~~and regulation~~ establish areas of knowledge in which provisional teacher licensees shall possess a satisfactory level of proficiency.

(2) The following list of areas of knowledge is a guideline to be used by the state board of education and shall not be construed as inclusive or prescriptive:

(a) Basic skills of reading, writing, and mathematics, SPECIFICALLY IN THE CONTEXT OF THE REQUIREMENTS OF STANDARDS-BASED EDUCATION PURSUANT TO THE REQUIREMENTS OF PART 4 OF ARTICLE 7 OF THIS TITLE;

(b) The subject matter area to be taught, SPECIFICALLY IN THE CONTEXT OF THE REQUIREMENTS OF STANDARDS-BASED EDUCATION PURSUANT TO THE REQUIREMENTS OF PART 4 OF ARTICLE 7 OF THIS TITLE;

(3) The department of education shall develop and administer, pursuant to the rules and regulations of the state board of education, a system for the assessment of such professional competencies of applicants for provisional teacher licenses and of applicants for professional teacher licenses who do not demonstrate professional competencies prior to obtaining a provisional teacher license.

**SECTION 18.** 23-1-121, Colorado Revised Statutes, is amended to read:

**23-1-121. Commission directive - education in standards-based education.**

(1) The general assembly hereby finds and declares that, in order to implement standards-based education in the public schools of this state pursuant to part 4 of article 7 of title 22, C.R.S., state-supported institutions of higher education must ensure that persons who are preparing to enter the education profession learn to practice their profession in accordance with the principles of standards-based education, as defined in section 22-7-402 (11), C.R.S., AND LEARN TEACHING METHODS THAT WILL ADVANCE THE GOALS OF STANDARDS-BASED EDUCATION.

(2) It is therefore the intent of the general assembly that, in consultation with the state board of education, the state standards and assessments adoption and implementation council created pursuant to section 22-7-404, C.R.S., and appropriate school district boards of education, the commission adopt the necessary policies and procedures to ensure that institutions of higher education include the precepts of standards-based education, as outlined in part 4 of article 7 of title 22, C.R.S., in the curriculum for persons who are preparing to enter the teaching profession. SUCH POLICIES AND PROCEDURES SHALL INCLUDE GUIDELINES ON PROGRAMS OF TEACHING METHODOLOGY THAT HAVE DEMONSTRABLE SUCCESS IN ADVANCING THE GOALS OF STANDARDS-BASED EDUCATION. Such policies and procedures shall not limit the authority of the state board of education to evaluate and approve the programs of teacher preparation offered at Colorado institutions of higher education pursuant to section 22-2-109, C.R.S.

**SECTION 19. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 20. Effective date.** This act shall take effect July 1, 1998.

**SECTION 21. 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 27, 1998