

CHAPTER 125

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 06-1109

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also SENATOR(S) Grossman, Boyd, Evans, Fitz-Gerald, Groff, Kester, May R., Shaffer, Teck, Tochtrop, Tupa, Veiga, Williams, and Windels.

AN ACT**CONCERNING MEASURING PUBLIC SCHOOL EFFECTIVENESS.**

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

SECTION 1. 22-11-305 (1), Colorado Revised Statutes, is amended to read:

22-11-305. Governor's distinguished improvement awards. (1) The state board shall annually present financial awards to the public schools in the state demonstrating the highest ~~degree of~~ RATE OF STUDENT academic growth. ~~of students based on the mixed-effects statistical model used to calculate academic growth of students for diagnostic purposes pursuant to section 22-7-604.3.~~ The state board shall present the awards to the schools with high percentages of students:

(a) ~~Who achieve academic growth at a sufficient rate as determined by the department pursuant to section 22-7-604.3 (4) (a) (i); or~~

(b) ~~Who maintain or enhance their achievement if the students have already reached the proficiency level of "advanced".~~ THE TECHNICAL ADVISORY PANEL CONVENED PURSUANT TO SECTION 22-7-604.3 (2) (b) SHALL RECOMMEND TO THE STATE BOARD AND THE STATE BOARD SHALL ESTABLISH BY RULE THE METHOD BY WHICH TO IDENTIFY SCHOOLS THAT DEMONSTRATE THE HIGHEST RATE OF STUDENT ACADEMIC GROWTH IN A SCHOOL YEAR TOWARD STATE STANDARDS FOR PROFICIENCY. THE TECHNICAL ADVISORY PANEL SHALL TAKE SCHOOL SIZE INTO ACCOUNT IN PREPARING ITS RECOMMENDATIONS.

SECTION 2. 22-11-301 (1), Colorado Revised Statutes, is amended, and the said 22-11-301 is further amended BY THE ADDITION OF A NEW SUBSECTION,

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

to read:

22-11-301. Colorado school awards program - created - rules. (1) There is hereby established the Colorado school awards 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 transmitting the financial awards to schools that demonstrate outstanding performance, ~~or academic growth of students~~ as indicated by the ratings issued to public schools pursuant to section 22-7-604, OR OUTSTANDING STUDENT ACADEMIC GROWTH, AS DETERMINED PURSUANT TO SECTION 22-11-305.

(3) IN ADDITION TO THE MONETARY AWARDS MADE AND DISTRIBUTED PURSUANT TO SECTIONS 22-11-302, 22-11-303, AND 22-11-305, THE STATE BOARD MAY ANNUALLY APPLY ANY AMOUNT REMAINING FROM THE AMOUNT ANNUALLY APPROPRIATED FOR IMPLEMENTATION OF SECTION 22-7-604.3 TO PROVIDE TANGIBLE ITEMS OF RECOGNITION, SUCH AS BANNERS OR TROPHIES, TO SCHOOLS THAT RECEIVE THE JOHN IRWIN SCHOOLS OF EXCELLENCE AWARDS AND THE GOVERNOR'S DISTINGUISHED IMPROVEMENT AWARDS.

SECTION 3. 22-7-604 (1.5) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

22-7-604. Academic performance - academic growth of students - rating - designation and methodology. (1.5) (a) (III) THE DEPARTMENT SHALL NOT CALCULATE AN ACADEMIC PERFORMANCE OR ACADEMIC GROWTH OF STUDENTS RATING FOR A SCHOOL THAT ENROLLS FEWER THAN A NUMBER OF STUDENTS SPECIFIED BY POLICY OF THE DEPARTMENT. THE DEPARTMENT SHALL DEVELOP A POLICY, IN CONSULTATION WITH THE TECHNICAL ADVISORY PANEL CONVENED PURSUANT TO SECTION 22-7-604.3, CONCERNING THE MINIMUM NUMBER OF STUDENTS THAT MAY BE USED WHEN CALCULATING ACADEMIC PERFORMANCE AND ACADEMIC GROWTH OF STUDENTS RATINGS PURSUANT TO THIS SECTION.

SECTION 4. 22-7-604.3 (5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-7-604.3. Diagnostic academic growth calculation - school effectiveness - models - rule-making. (5) **Diagnostic academic growth information - rule-making.** (h) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE AND TRAINING TO SCHOOL DISTRICTS AND CHARTER SCHOOLS TO ASSIST SCHOOL DISTRICT AND CHARTER SCHOOL PERSONNEL IN INTERPRETING AND USING THE DIAGNOSTIC ACADEMIC GROWTH INFORMATION PROVIDED PURSUANT TO THIS SUBSECTION (5). THE COSTS OF PROVIDING TECHNICAL ASSISTANCE AND TRAINING PURSUANT TO THIS PARAGRAPH (h) SHALL BE PAID WITHIN EXISTING APPROPRIATIONS FOR IMPLEMENTATION OF THIS SECTION.

SECTION 5. 22-7-604.3, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

22-7-604.3. Diagnostic academic growth calculation - model - rule-making. (7) **Diagnostic academic growth information - research.** THE DEPARTMENT,

UPON REQUEST, SHALL MAKE AVAILABLE TO QUALIFIED RESEARCHERS THE ENTIRE LONGITUDINALLY LINKED DATASET CREATED PURSUANT TO THIS SECTION AND USED FOR GENERATING DIAGNOSTIC GROWTH INFORMATION AND FOR AWARDING THE GOVERNOR'S DISTINGUISHED IMPROVEMENT AWARDS. FOR PURPOSES OF THIS SUBSECTION (7), QUALIFIED RESEARCHERS SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, INSTITUTIONS OF HIGHER EDUCATION, SCHOOL DISTRICTS, AND PUBLIC POLICY RESEARCH AND ADVOCACY ORGANIZATIONS. THE DEPARTMENT SHALL PROVIDE THE INFORMATION IN A FORMAT THAT ALLOWS IT TO BE LINKED WITH OTHER PUBLICLY AVAILABLE DATA IN THE STATE AND SHALL INCLUDE ALL AVAILABLE DATA REGARDING STUDENT DEMOGRAPHICS, THE STATE'S SCHOOL IDENTIFICATION NUMBERS, AND STUDENT-LEVEL PERFORMANCE DATA, WHILE PROTECTING THE PRIVACY OF INDIVIDUAL STUDENTS IN A MANNER CONSISTENT WITH THE FEDERAL "FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", 20 U.S.C. SEC. 1232G, AND ALL FEDERAL REGULATIONS AND APPLICABLE GUIDELINES ADOPTED IN ACCORDANCE THEREWITH.

SECTION 6. 22-11-104 (2) (a) (II), Colorado Revised Statutes, is amended to read:

22-11-104. Accreditation indicators. (2) **Contents.** The accreditation indicators shall include but shall not be limited to the following:

(a) (II) ~~All accreditation indicators relating to the statewide assessments shall be consistent with the methodology for determining academic performance ratings pursuant to section 22-7-604.~~ The baseline year for the accreditation indicators RELATING TO THE STATEWIDE ASSESSMENTS shall be the 2000-2001 school year.

SECTION 7. 22-7-604 (1.5) (b) and (6) (d), Colorado Revised Statutes, are amended to read:

22-7-604. Academic performance - academic growth of students - rating - designation and methodology. (1.5) (b) The scores of certain students specified in section 22-7-409 (1.2) (d) (I) shall not be used to calculate a school's academic performance ~~or academic improvement~~ rating OR RATING FOR ACADEMIC GROWTH OF STUDENTS pursuant to this section.

(6) **Academic growth of students measurement.** (d) The total number of scores in the "gain", "stable", and "loss" categories shall each be divided by the total number of qualified scale scores. The resulting percentage of scores in the "loss" category shall be subtracted from the percentage of scores in the "gain" category. If the resulting difference is:

(I) 10.00% or greater, the department shall assign ~~an academic improvement rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS of "significant improvement" to the public school;

(II) 5.01% to 9.99%, the department shall assign ~~an academic improvement rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS of "improvement" to the public school;

(III) -5.00% to 5.00%, the department shall assign ~~an academic improvement~~

~~rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS of "stable" to the public school;

(IV) -5.01% to -9.99%, the department shall assign ~~an academic improvement rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS of "decline" to the public school;

(V) -10.00% or lower, the department shall assign ~~an academic improvement rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS of "significant decline" to the public school.

SECTION 8. 22-7-604.5 (2.5) (c) (I), Colorado Revised Statutes, is amended to read:

22-7-604.5. Alternative education campuses - criteria - application - rule-making. (2.5) (c) Notwithstanding the provisions of section 22-7-605 (4) (b), (4) (c), (8) (a), (8) (b), and (8) (d), the school accountability report for an alternative education campus qualifying under sub-subparagraph (D) of subparagraph (VI) of paragraph (a) of subsection (1) of this section:

(I) Shall include, following the words "Overall Academic Performance" and following the words "~~Academic Improvement: Rating calculated pursuant to section 22-7-604(6)~~" "ACADEMIC GROWTH OF STUDENTS", in place of both ratings required under section 22-7-605 (4) (b), the words "Alternative Education Campus";

SECTION 9. 26-6.5-106 (2) (d) (I) (B), Colorado Revised Statutes, is amended to read:

26-6.5-106. School-readiness quality improvement program. (2) Definitions. As used in this section, unless the context otherwise requires:

(d) "Eligible elementary school" means a public elementary school that:

(I) (B) For the school year immediately preceding submission of the early childhood care and education council's application for funding, has been assigned ~~an academic improvement rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS of "decline" or "significant decline", as described in section 22-7-604, C.R.S., and, for the same school year, has an overall academic performance rating of "average", pursuant to section 22-7-604, C.R.S.; and

SECTION 10. Appropriation - adjustments to the 2006 long bill. For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2006, shall be adjusted as follows: The appropriation to the department of education, management and administration, for longitudinal analyses of student assessment results, is increased by 1.0 FTE.

SECTION 11. 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: April 13, 2006