

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 13-0007.01 Julie Pelegrin x2700

HOUSE BILL 13-1172

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House Committees
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A BILL FOR AN ACT

101 **CONCERNING ACCOUNTABILITY MEASURES TO INCREASE PARENT**
102 **INVOLVEMENT IN THE PUBLIC SCHOOLS IN THE ELEMENTARY**
103 **AND SECONDARY EDUCATION SYSTEM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Under existing law, if a public school fails to improve under a turnaround plan or operates under a priority improvement or turnaround plan for more than 5 consecutive school years, the state board of education (state board) directs the board of education of the school

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

district (local school board) or the state charter school institute (institute) to take action to reconfigure the public school. The bill authorizes the parents of students enrolled in a public school that has operated under a priority improvement or turnaround plan for at least 2 consecutive years to submit a petition to the state board requesting the state board to direct the local school board or the institute to select an action to reform the public school immediately. The petition must be signed by at least 60% of the families of students enrolled in the public school if the school has been on a turnaround or priority improvement plan for 2 years and by more than 50% of the families of the students enrolled in the public school if the public school has been on a turnaround or priority improvement plan for more than 2 years. The parents must submit the petition by November 1 of the year preceding the year in which the public school would be reformed or by January 15 of the same year in which it would be reformed if the local school board or the institute appeals the public school's plan designation. The parents must submit a copy of the petition to the public school and the local school board when they submit it to the state board. Each petition must identify the public school to which it applies and include language concerning the effect of a person's signature on the petition.

If the state board receives a petition, it must place consideration of the request on the agenda of the next regularly scheduled public state board meeting. The state board may choose to deny the petition, direct an action to take effect in the next school year, or reconsider the petition in the next school year. In reviewing the petition, the state board must consider whether the public school has improved its achievement in the preceding 2 years. If the state board chooses to direct the local school board or the institute to take an action to reform the public school, it may ask the commissioner of education to convene the state review panel to evaluate the public school and make recommendations, or it may recommend a specific action to the local school board or the institute.

Within 30 days after receiving from the state board a direction to reform a public school, the local school board or the institute must hold a public meeting to select the action or actions it will implement. The local school board or the institute must implement the action by the following school year unless it receives an extension of time from the state board.

The bill changes the accreditation categories for school districts and the institute from "accredited with distinction", "accredited", "accredited with improvement plan", "accredited with priority improvement plan", and "accredited with turnaround plan" to "A", "B", "C", "D", and "F".

Under current law, the department reviews the performance of each public school and recommends the type of school plan that the school must adopt. The local school board or the institute then assigns the

public school to an accreditation level that correlates to the type of plan. Under the bill, the department will review each public school's performance and recommend to the state board the accreditation category to which the school will be assigned, and the state board will assign the school to an accreditation category. The accreditation categories are "A", "B", "C", "D", and "F". The local school board or the institute will ensure that the public school adopts a school plan that meets statutory requirements. A public school that has an "A" accreditation must adopt a plan that was previously labeled a "performance plan"; a public school that has a "B" or "C" accreditation must adopt a plan that was previously labeled an "improvement plan"; a public school that has a "D" accreditation must adopt a plan that was previously labeled a "priority improvement plan"; and a public school that has an "F" accreditation must adopt a plan that was previously labeled a "turnaround plan".

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-11-210 as
3 follows:

4 **22-11-211. Public schools - parent request for reform.**

5 (1) (a) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE
6 CONTRARY, THE PARENTS OF STUDENTS ENROLLED IN A PUBLIC SCHOOL
7 THAT HAS A "D" OR "F" ACCREDITATION FOR A COMBINED TOTAL OF AT
8 LEAST TWO CONSECUTIVE SCHOOL YEARS MAY REQUEST THAT THE STATE
9 BOARD DIRECT THE LOCAL SCHOOL BOARD, FOR A DISTRICT PUBLIC
10 SCHOOL, OR THE INSTITUTE, FOR AN INSTITUTE CHARTER SCHOOL, TO
11 REFORM THE PUBLIC SCHOOL BY IMPLEMENTING AN ACTION SELECTED BY
12 THE LOCAL SCHOOL BOARD OR THE INSTITUTE FROM AMONG THE ACTIONS
13 SPECIFIED IN SECTION 22-11-210 (6) (a).

14 (b) TO REQUEST THAT THE STATE BOARD DIRECT THE LOCAL
15 SCHOOL BOARD OR THE INSTITUTE REFORM THE PUBLIC SCHOOL, THE
16 PARENTS MUST SUBMIT TO THE STATE BOARD A PETITION SIGNED BY AT
17 LEAST SIXTY PERCENT OF THE FAMILIES OF THE STUDENTS ENROLLED IN

1 THE SCHOOL; EXCEPT THAT, IF THE PARENTS SUBMIT THE PETITION AFTER
2 THE PUBLIC SCHOOL HAS A "D" OR "F" ACCREDITATION FOR A COMBINED
3 TOTAL OF MORE THAN TWO CONSECUTIVE SCHOOL YEARS, THE PETITION
4 MUST BE SIGNED BY MORE THAN FIFTY PERCENT OF THE FAMILIES OF THE
5 STUDENTS ENROLLED IN THE SCHOOL. A PETITION MAY INCLUDE THE
6 SIGNATURE OF NO MORE THAN ONE BIOLOGICAL OR ADOPTIVE PARENT OR
7 LEGAL GUARDIAN FROM EACH STUDENT'S HOUSEHOLD. IF A PETITION
8 INCLUDES THE SIGNATURE OF MORE THAN ONE BIOLOGICAL OR ADOPTIVE
9 PARENT OR LEGAL GUARDIAN FROM A STUDENT'S HOUSEHOLD, THE
10 PETITION IS VALID, BUT ONLY ONE SIGNATURE FROM A HOUSEHOLD WILL
11 BE COUNTED IN DETERMINING WHETHER THE PETITION MEETS THE
12 REQUIREMENTS FOR THE NUMBER OF SIGNATURES SPECIFIED IN THIS
13 PARAGRAPH (b).

14 (c) WHEN SUBMITTING A PETITION TO THE STATE BOARD, THE
15 PARENTS MUST SIMULTANEOUSLY PROVIDE A COPY OF THE PETITION TO
16 THE AFFECTED PUBLIC SCHOOL AND TO THE APPROPRIATE LOCAL SCHOOL
17 BOARD IF THE AFFECTED PUBLIC SCHOOL IS A SCHOOL OF A SCHOOL
18 DISTRICT OR TO THE INSTITUTE IF THE AFFECTED SCHOOL IS AN INSTITUTE
19 CHARTER SCHOOL. THE PARENTS MUST SUBMIT THE PETITION BY
20 NOVEMBER 1 OF THE CALENDAR YEAR PRIOR TO THE CALENDAR YEAR IN
21 WHICH THE ACTION TO REFORM THE PUBLIC SCHOOL WOULD TAKE EFFECT,
22 OR BY JANUARY 15 OF THE CALENDAR YEAR IN WHICH THE DIRECTED
23 ACTION WOULD TAKE EFFECT IF THE SCHOOL DISTRICT OR THE INSTITUTE
24 APPEALS THE ASSIGNMENT OF THE PUBLIC SCHOOL'S ACCREDITATION
25 CATEGORY.

26 (d) EACH PETITION MUST IDENTIFY THE PUBLIC SCHOOL TO WHICH
27 IT APPLIES AND INCLUDE THE FOLLOWING STATEMENT AT THE TOP OF EACH

1 PAGE: "BY SIGNING THIS PETITION, A PERSON AFFIRMS THAT HE OR SHE IS
2 THE PARENT OR LEGAL GUARDIAN OF A STUDENT CURRENTLY ENROLLED
3 IN THE PUBLIC SCHOOL IDENTIFIED ON THIS PETITION AND THAT HE OR SHE
4 UNDERSTANDS THAT ONLY ONE SIGNATURE PER FAMILY IS ALLOWED ON
5 THIS PETITION AND DUPLICATE SIGNATURES WILL NOT BE COUNTED."

6 (2) UPON RECEIVING A PETITION PURSUANT TO THIS SECTION, THE
7 STATE BOARD SHALL PLACE CONSIDERATION OF THE PETITION ON THE
8 AGENDA FOR ITS NEXT REGULARLY SCHEDULED PUBLIC BOARD MEETING.
9 FOLLOWING CONSIDERATION AT THE PUBLIC MEETING, THE STATE BOARD
10 MAY ACCEPT OR REJECT THE PETITION REQUEST OR MAY CHOOSE TO
11 RECONSIDER THE PETITION REQUEST IN THE NEXT SCHOOL YEAR. IN
12 CONSIDERING THE PETITION, THE STATE BOARD SHALL CONSIDER WHETHER
13 THE PUBLIC SCHOOL HAS DEMONSTRATED IMPROVEMENT IN ITS LEVEL OF
14 ACHIEVEMENT ON THE PERFORMANCE INDICATORS IN THE PRECEDING TWO
15 YEARS. IF IT ACCEPTS THE REQUEST, THE STATE BOARD MUST EITHER
16 DIRECT THE COMMISSIONER TO ASSIGN THE STATE REVIEW PANEL TO
17 EVALUATE THE PUBLIC SCHOOL'S PERFORMANCE AND MAKE
18 RECOMMENDATIONS AS PROVIDED IN SECTION 22-11-210 (6) OR DIRECT
19 THE LOCAL SCHOOL BOARD OR THE INSTITUTE TO REFORM THE PUBLIC
20 SCHOOL BY IMPLEMENTING ONE OF THE ACTIONS SPECIFIED IN SECTION
21 22-11-210 (6) (a). THE STATE BOARD MAY RECOMMEND THAT THE LOCAL
22 SCHOOL BOARD OR THE INSTITUTE IMPLEMENT A PARTICULAR ACTION
23 SPECIFIED IN SECTION 22-11-210 (6) (a).

24 (3) WITHIN THIRTY DAYS AFTER RECEIVING A DIRECTION FROM THE
25 STATE BOARD PURSUANT TO THIS SECTION TO REFORM A PUBLIC SCHOOL,
26 THE LOCAL SCHOOL BOARD OR THE INSTITUTE SHALL SELECT FROM AMONG
27 THE ACTIONS SPECIFIED IN SECTION 22-11-210 (6) (a) THE ACTION OR

1 ACTIONS IT WILL IMPLEMENT TO REFORM THE PUBLIC SCHOOL. AT THE
2 PUBLIC MEETING AT WHICH IT MAKES THE SELECTION, THE LOCAL SCHOOL
3 BOARD OR THE INSTITUTE SHALL, UPON REQUEST, TAKE TESTIMONY FROM
4 THE PARENTS OF STUDENTS ENROLLED IN THE PUBLIC SCHOOL THAT IS THE
5 SUBJECT OF THE ACTION. THE LOCAL SCHOOL BOARD OR THE INSTITUTE
6 SHALL IMPLEMENT THE ACTION TO TAKE EFFECT IN THE FOLLOWING
7 SCHOOL YEAR; EXCEPT THAT THE STATE BOARD MAY GRANT AN
8 EXTENSION OF TIME OF UP TO ONE FULL SCHOOL YEAR TO IMPLEMENT THE
9 REFORM ACTION BASED ON A SHOWING BY THE LOCAL SCHOOL BOARD OR
10 THE INSTITUTE THAT IT IS NOT FEASIBLE TO IMPLEMENT THE ACTION IN THE
11 NEXT SCHOOL YEAR WITH THE LEVEL OF INTEGRITY NECESSARY TO MAKE
12 THE REFORM ACTION SUCCESSFUL.

13 **SECTION 2.** In Colorado Revised Statutes, 22-11-103, **repeal**
14 (14), (24), (27), and (37) as follows:

15 **22-11-103. Definitions.** As used in this article, unless the context
16 otherwise requires:

17 (14) "~~Improvement plan~~" means:

18 (a) ~~The plan described in and adopted by a school district pursuant~~
19 ~~to section 22-11-304, in which case it may also be referred to more~~
20 ~~specifically as a "district improvement plan";~~

21 (b) ~~The plan described in and adopted by the institute pursuant to~~
22 ~~section 22-11-304, in which case it may also be referred to more~~
23 ~~specifically as an "institute improvement plan"; or~~

24 (c) ~~The plan described in and adopted by a public school pursuant~~
25 ~~to section 22-11-404, in which case it may also be referred to more~~
26 ~~specifically as a "school improvement plan".~~

27 (24) "~~Performance plan~~" means:

1 (a) The plan described in and adopted by a school district pursuant
2 to section 22-11-303, in which case it may also be referred to more
3 specifically as a "district performance plan";

4 (b) The plan described in and adopted by the institute pursuant to
5 section 22-11-303, in which case it may also be referred to more
6 specifically as an "institute performance plan"; or

7 (c) The plan described in and adopted by a public school pursuant
8 to section 22-11-403, in which case it may also be referred to more
9 specifically as a "school performance plan".

10 (27) "Priority improvement plan" means:

11 (a) The plan described in and adopted by a school district pursuant
12 to section 22-11-305, in which case it may also be referred to more
13 specifically as a "district priority improvement plan";

14 (b) The plan described in and adopted by the institute pursuant to
15 section 22-11-305, in which case it may also be referred to more
16 specifically as an "institute priority improvement plan"; or

17 (c) The plan described in and adopted by a public school pursuant
18 to section 22-11-405, in which case it may also be referred to more
19 specifically as a "school priority improvement plan".

20 (37) "Turnaround plan" means:

21 (a) The plan described in and adopted by a school district pursuant
22 to section 22-11-306, in which case it may also be referred to more
23 specifically as a "district turnaround plan";

24 (b) The plan described in and adopted by the institute pursuant to
25 section 22-11-306, in which case it may also be referred to more
26 specifically as an "institute turnaround plan"; or

27 (c) The plan described in and adopted by a public school pursuant

1 to section 22-11-406, in which case it may also be referred to more
2 specifically as a "school turnaround plan".

3 **SECTION 3.** In Colorado Revised Statutes, 22-11-206, **amend**
4 (3) (b) as follows:

5 **22-11-206. Accreditation of school districts and institute -**
6 **contracts - rules.** (3) Each accreditation contract shall, at a minimum,
7 address the following elements:

8 (b) The school district's or the institute's adoption and
9 implementation of ~~its performance, improvement, priority improvement,~~
10 ~~or turnaround plan, whichever is appropriate~~ THE PLAN THAT THE SCHOOL
11 DISTRICT OR INSTITUTE IS REQUIRED TO ADOPT based on the school
12 district's or institute's accreditation category;

13 **SECTION 4.** In Colorado Revised Statutes, 22-11-207, **amend**
14 (1), (2) (e), (3), and (4) as follows:

15 **22-11-207. Accreditation categories - criteria - rules.** (1) The
16 state board shall promulgate rules to establish THE FOLLOWING
17 accreditation categories ~~that shall include, but need not be limited to~~ FOR
18 SCHOOL DISTRICTS AND FOR THE INSTITUTE:

19 (a) ~~"Accredited with distinction"~~ "A", meaning a school district
20 or the institute IS MAKING EXCELLENT PROGRESS AND meets or exceeds the
21 statewide targets or targets annually set by the school district or the
22 institute or exceeds statewide attainment on the performance indicators
23 and is required to adopt and implement a ~~performance~~ plan as ~~described~~
24 PROVIDED in section 22-11-303;

25 (b) ~~"Accredited"~~ "B", meaning a school district or the institute IS
26 MAKING ABOVE AVERAGE PROGRESS AND meets statewide attainment on
27 the performance indicators and is required to adopt and implement a

1 ~~performance plan as described~~ PROVIDED in section ~~22-11-303~~ 22-11-304;

2 (c) ~~"Accredited with improvement plan"~~ "C", meaning the school
3 district or the institute IS MAKING SATISFACTORY PROGRESS, MEETS
4 STATEWIDE ATTAINMENT ON SOME, BUT NOT ALL, PERFORMANCE
5 INDICATORS, AND is required to adopt and implement ~~an improvement~~ A
6 plan as provided in section 22-11-304;

7 (d) ~~"Accredited with priority improvement plan"~~ "D", meaning the
8 school district or the institute IS MAKING LESS THAN SATISFACTORY
9 PROGRESS, DOES NOT MEET STATEWIDE ATTAINMENT ON MOST OF THE
10 PERFORMANCE INDICATORS, AND is required to adopt and implement a
11 ~~priority improvement~~ plan as provided in section 22-11-305; or

12 (e) ~~"Accredited with turnaround plan"~~ "F", meaning the school
13 district or the institute IS FAILING TO MAKE ADEQUATE PROGRESS, DOES
14 NOT MEET STATEWIDE ATTAINMENT ON THE PERFORMANCE INDICATORS,
15 AND is required to adopt, with the commissioner's approval, and
16 implement a ~~turnaround~~ plan as provided in section 22-11-306.

17 (2) The state board shall promulgate rules establishing objective,
18 measurable criteria that the department shall apply in determining the
19 appropriate accreditation category for each school district and the
20 institute, placing the greatest emphasis on attainment of the performance
21 indicators. At a minimum, the rules shall take into consideration:

22 (e) The improvements, changes, and interventions a school district
23 or the institute implements in any public school of the district or institute
24 charter school that ~~is required to adopt an improvement, priority~~
25 ~~improvement, or turnaround plan~~ HAS A "B", "C", "D", OR "F"
26 ACCREDITATION pursuant to section 22-11-210;

27 (3) In promulgating rules pursuant to this section, the state board

1 shall use clear, understandable language to describe the accreditation
2 categories and the levels of attainment of the performance indicators, with
3 the goal of providing a high degree of transparency in the accreditation
4 process. THE STATE BOARD SHALL ENSURE THAT THE REQUIRED LEVELS OF
5 ACHIEVEMENT IDENTIFIED IN THE RULES FOR EACH ACCREDITATION
6 CATEGORY ARE RIGOROUS SO THAT A SCHOOL DISTRICT'S OR THE
7 INSTITUTE'S ACCREDITATION CATEGORY ACCURATELY REPRESENTS THE
8 LEVELS OF ACADEMIC ACHIEVEMENT AND GROWTH OBTAINED BY THE
9 SCHOOL DISTRICT'S OR INSTITUTION'S STUDENTS.

10 (4) The state board by rule shall specify how long a school district
11 or the institute may remain in an accreditation category that is below
12 ~~accredited~~ "B"; except that the state board shall not allow a school district
13 or the institute to remain at ~~accredited with priority improvement plan~~
14 THE ACCREDITATION CATEGORY OF "D" or below for longer than a total
15 of five consecutive school years before removing the school district's or
16 the institute's accreditation as provided in section 22-11-209.

17 **SECTION 5.** In Colorado Revised Statutes, 22-11-208, **amend**
18 (1) (a), (1) (c), (1) (e), (2) introductory portion, (2) (c), and (3)
19 introductory portion as follows:

20 **22-11-208. Accreditation - annual review - supports and**
21 **interventions - rules.** (1) (a) The department shall annually review each
22 school district's and the institute's performance and, based on the rules of
23 the state board, determine the appropriate accreditation category for the
24 school district or institute. The department shall notify each school district
25 and the institute of its accreditation category and shall publish each
26 school district's and the institute's accreditation category, with supporting
27 data, on the data portal. The department shall also publish each school

1 district's and the institute's ~~performance, improvement, priority~~
2 ~~improvement, or turnaround plan whichever is applicable,~~ on the data
3 portal following adoption of the plan.

4 (c) In reviewing school districts' and the institute's performance,
5 the department, to the extent possible, shall evaluate the cost
6 effectiveness of intervention strategies implemented by the state, school
7 districts, and the institute in attempting to improve performance in school
8 districts that ~~are in an accreditation category that is lower than accredited~~
9 ~~HAVE A "B" ACCREDITATION OR LOWER~~ or in the institute if it ~~is in an~~
10 ~~accreditation category that is~~ HAS A "B" ACCREDITATION OR lower. ~~than~~
11 ~~accredited.~~

12 (e) The state board shall promulgate rules to ensure a school
13 district's or the institute's right to a hearing before the state board to
14 appeal ~~placement in the accredited with turnaround plan category~~ AN "F"
15 ACCREDITATION or removal of accreditation pursuant to section
16 22-11-209.

17 (2) The department shall provide technical assistance and support
18 to school districts that ~~are accredited with improvement plan, accredited~~
19 ~~with priority improvement plan, or accredited with turnaround plan~~ HAVE
20 A "B", "C", "D", OR "F" ACCREDITATION and to the institute if it ~~is~~
21 ~~accredited at any of those categories~~ HAS A "B", "C", "D", OR "F"
22 ACCREDITATION. The department shall base the amount of technical
23 assistance and support provided to a school district or the institute on the
24 school district's or institute's degree of need for assistance and the
25 department's available resources. Technical assistance and support may
26 include, but need not be limited to:

27 (c) Evaluation and feedback on the school district's or the

1 institute's ~~improvement, priority improvement, or turnaround~~ plan.
2 ~~whichever is applicable.~~

3 (3) The commissioner may assign the state review panel to
4 critically evaluate a school district's ~~priority improvement~~ plan or the
5 institute's ~~priority improvement~~ plan IF THE SCHOOL DISTRICT OR THE
6 INSTITUTE HAS A "D" ACCREDITATION. The commissioner shall assign the
7 state review panel to critically evaluate a school district's ~~turnaround~~ plan
8 or the institute's ~~turnaround~~ plan IF THE SCHOOL DISTRICT OR THE
9 INSTITUTE HAS AN "F" ACCREDITATION. Based on its evaluation, the state
10 review panel shall report to the commissioner and the state board
11 recommendations concerning:

12 **SECTION 6.** In Colorado Revised Statutes, 22-11-209, **amend**
13 (1) (a) and (1) (b) as follows:

14 **22-11-209. Removal of accreditation - recommendation -**
15 **review - appeal - rules.** (1) The department may recommend to the
16 commissioner and the state board that the state board remove a school
17 district's or the institute's accreditation if:

18 (a) The school district or the institute ~~is accredited with~~
19 ~~turnaround plan~~ HAS AN "F" ACCREDITATION and the department
20 determines that the school district or the institute has failed to make
21 substantial progress under its ~~turnaround~~ plan; or

22 (b) The school district or the institute has ~~been in the accredited~~
23 ~~with priority improvement plan category~~ HAD A "D" ACCREDITATION or
24 lower for five consecutive school years; or

25 **SECTION 7.** In Colorado Revised Statutes, **amend** 22-11-210 as
26 follows:

27 **22-11-210. Public schools - annual review - accreditation -**

1 **supports and interventions - rules.** (1) THE STATE BOARD SHALL
2 PROMULGATE RULES TO ESTABLISH THE FOLLOWING ACCREDITATION
3 CATEGORIES FOR PUBLIC SCHOOLS:

4 (a) "A", MEANING THE PUBLIC SCHOOL IS MAKING EXCELLENT
5 PROGRESS AND MEETS OR EXCEEDS THE STATEWIDE TARGETS OR TARGETS
6 ANNUALLY SET BY THE SCHOOL DISTRICT OR THE INSTITUTE OR EXCEEDS
7 STATEWIDE ATTAINMENT ON THE PERFORMANCE INDICATORS AND IS
8 REQUIRED TO ADOPT AND IMPLEMENT A PLAN AS PROVIDED IN SECTION
9 22-11-403;

10 (b) "B", MEANING THE PUBLIC SCHOOL IS MAKING ABOVE AVERAGE
11 PROGRESS AND MEETS STATEWIDE ATTAINMENT ON THE PERFORMANCE
12 INDICATORS AND IS REQUIRED TO ADOPT AND IMPLEMENT A PLAN AS
13 PROVIDED IN SECTION 22-11-404;

14 (c) "C", MEANING THE PUBLIC SCHOOL IS MAKING SATISFACTORY
15 PROGRESS, MEETS STATEWIDE ATTAINMENT ON SOME, BUT NOT ALL,
16 PERFORMANCE INDICATORS, AND IS REQUIRED TO ADOPT AND IMPLEMENT
17 A PLAN AS PROVIDED IN SECTION 22-11-404;

18 (d) "D", MEANING THE PUBLIC SCHOOL IS MAKING LESS THAN
19 SATISFACTORY PROGRESS, DOES NOT MEET STATEWIDE ATTAINMENT ON
20 MOST OF THE PERFORMANCE INDICATORS, AND IS REQUIRED TO ADOPT AND
21 IMPLEMENT A PLAN AS PROVIDED IN SECTION 22-11-405; OR

22 (e) "F", MEANING THE PUBLIC SCHOOL IS FAILING TO MAKE
23 ADEQUATE PROGRESS, DOES NOT MEET STATEWIDE ATTAINMENT ON THE
24 PERFORMANCE INDICATORS, AND IS REQUIRED TO ADOPT, WITH THE
25 COMMISSIONER'S APPROVAL, AND IMPLEMENT A PLAN AS PROVIDED IN
26 SECTION 22-11-406.

27 (†) (2) (a) The state board shall promulgate rules establishing

1 objective, measurable criteria that the department shall apply in
2 recommending to the state board ~~that a~~ THE ACCREDITATION CATEGORY
3 FOR EACH public school ~~shall implement a performance, improvement,
4 priority improvement, or turnaround plan~~ or that a public school shall be
5 subject to restructuring. In promulgating the rules, the state board shall
6 place the greatest emphasis on attainment of the performance indicators.
7 In addition, the rules ~~shall~~ MUST, at a minimum, take into consideration:

8 (I) A public school's level of attainment of the statewide and
9 school district or institute targets on the performance indicators and the
10 public school's level of attainment of its own annual targets;

11 (II) A public school's level of attainment of the performance
12 indicators compared with statewide attainment of the performance
13 indicators;

14 (III) The length of time during which a public school has been
15 unable to meet the statewide targets, the school district or institute targets,
16 or its own targets;

17 (IV) The improvements, changes, and interventions a public
18 school implements to improve its performance if it is not meeting the
19 statewide targets, the school district or institute targets, or its own targets;
20 and

21 (V) The progress a public school makes in improving its
22 performance and in moving closer to meeting the statewide targets, the
23 school district or institute targets, and its own targets.

24 (b) Notwithstanding any provision of paragraph (a) of this
25 ~~subsection (1)~~ SUBSECTION (2) to the contrary, the state board shall
26 promulgate rules establishing objective, measurable criteria that the
27 department shall apply in recommending to the state board ~~that an~~ THE

1 ACCREDITATION CATEGORY FOR EACH alternative education campus
2 ~~implement a performance, improvement, priority improvement, or~~
3 ~~turnaround plan~~ or that an alternative education campus shall be subject
4 to restructuring. The state board, in adopting the criteria for evaluating the
5 performance of an alternative education campus, and the department, in
6 applying the criteria, shall take into account the unique purposes of the
7 campuses and the unique circumstances of and challenges posed by the
8 students enrolled in the campuses.

9 (c) In promulgating rules pursuant to this ~~subsection (1)~~
10 SUBSECTION (2), the state board shall use clear, understandable language
11 to describe the criteria for ~~determining the type of plan that~~ ASSIGNING AN
12 ACCREDITATION CATEGORY TO a public school ~~shall implement~~ and the
13 levels of attainment of the performance indicators, with the goal of
14 providing a high degree of transparency in the public school performance
15 review process. THE STATE BOARD SHALL ENSURE THAT THE REQUIRED
16 LEVELS OF ACHIEVEMENT IDENTIFIED IN THE RULES FOR EACH
17 ACCREDITATION CATEGORY ARE RIGOROUS SO THAT A PUBLIC SCHOOL'S
18 ACCREDITATION CATEGORY ACCURATELY REPRESENTS THE LEVELS OF
19 ACADEMIC ACHIEVEMENT AND GROWTH OBTAINED BY THE STUDENTS
20 ENROLLED IN THE PUBLIC SCHOOL.

21 (d) The state board by rule shall specify how long a public school
22 may ~~implement an improvement, priority improvement, or turnaround~~
23 ~~plan~~ CONTINUE WITH A "B", "C", "D", OR "F" ACCREDITATION; except that
24 the state board shall not allow a public school to continue ~~implementing~~
25 ~~a priority improvement or turnaround plan~~ WITH A "D" OR "F"
26 ACCREDITATION for longer than a combined total of five consecutive
27 school years before requiring the school district or the institute to

1 restructure or close the public school.

2 (e) The state board by rule shall establish the time frames within
3 which the department shall review each public school's performance,
4 submit recommendations to the state board, and report to the public
5 school and to the school's local school board or the institute the state
6 board's determination regarding the ~~type of plan the public school shall~~
7 ~~implement~~ PUBLIC SCHOOL'S ACCREDITATION CATEGORY. The state board
8 shall also establish by rule the time frames within which the public
9 schools, or the public schools' local school boards or the institute board
10 as appropriate, shall adopt the school plans and submit them to the
11 department. The department shall publish each public school's plan on the
12 data portal with the public school's accreditation category ~~identified by~~
13 ~~the local school board or the institute~~ and supporting data.

14 (f) In reviewing public schools' performance, the department, to
15 the extent possible, shall evaluate the cost effectiveness of intervention
16 strategies implemented by the state, school districts, the institute, and the
17 public schools in attempting to improve performance in public schools
18 that ~~are implementing school improvement, priority improvement, or~~
19 ~~turnaround plans~~ HAVE A "B", "C", "D", OR "F" ACCREDITATION.

20 ~~(2)~~ (3) (a) The department shall annually review each public
21 school's performance and, based on the rules of the state board,
22 recommend to the state board ~~that~~ THE ACCREDITATION CATEGORY FOR
23 the public school ~~shall implement a performance, improvement, priority~~
24 ~~improvement, or turnaround plan~~ for the coming school year. Based on
25 the department's recommendation, the state board shall notify the local
26 school board for the public school, or the institute if the public school is
27 an institute charter school, regarding the ~~type of plan the public school~~

1 ~~shall implement. The local school board or the institute shall place the~~
2 ~~public school in the district or institute accreditation category that~~
3 ~~correlates to the public school's plan, based on the school district's or~~
4 ~~institute's school accreditation process~~ PUBLIC SCHOOL'S ACCREDITATION
5 CATEGORY.

6 (b) Notwithstanding any provision of this article to the contrary,
7 a school district with one thousand students or fewer may submit a single
8 plan to satisfy the school district and school plan requirements, so long as
9 the plan meets all state and federal requirements for school and district
10 plans. A school district with more than one thousand but fewer than one
11 thousand two hundred students may, upon request and at the department's
12 discretion, submit a single plan to satisfy the school district and school
13 plan requirements, so long as the plan meets all state and federal
14 requirements for school and district plans.

15 ~~(3)~~ (4) At the request of a district public school's local school
16 board, or at the institute's request for an institute charter school, the
17 department shall provide technical assistance and support to the public
18 school, local school board, or institute in preparing and implementing the
19 public school's ~~improvement, priority improvement, or turnaround~~ plan.
20 The department shall base the amount of technical assistance and support
21 provided to a public school, the local school board, or the institute on the
22 school's degree of need for assistance and the department's available
23 resources. Technical assistance and support may include, but need not be
24 limited to:

25 (a) Access to data and research to support interpretation of student
26 data, decision-making, and learning;

27 (b) Consultative services on best practices for improvement and

1 implementation of intervention strategies, including, where appropriate,
2 strategies that address early childhood education and student engagement
3 and re-engagement; and

4 (c) Evaluation and feedback on the public school's plan.

5 ~~(4)~~ (5) The commissioner may assign the state review panel to
6 critically evaluate a public school's ~~priority improvement~~ plan IF THE
7 PUBLIC SCHOOL HAS A "D" ACCREDITATION and shall assign the state
8 review panel to critically evaluate a public school's ~~turnaround~~ plan IF THE
9 PUBLIC SCHOOL HAS AN "F" ACCREDITATION. Based on its evaluation, the
10 state review panel shall report to the commissioner and the state board
11 recommendations concerning:

12 (a) Whether the public school's leadership is adequate to
13 implement change to improve results;

14 (b) Whether the public school's infrastructure is adequate to
15 support school improvement;

16 (c) The readiness and apparent capacity of the public school's
17 personnel to plan effectively and lead the implementation of appropriate
18 actions to improve student academic performance within the school;

19 (d) The readiness and apparent capacity of the public school's
20 personnel to engage productively with and benefit from the assistance
21 provided by an external partner;

22 (e) The likelihood of positive returns on state investments of
23 assistance and support to improve the public school's performance within
24 the current management structure and staffing; and

25 (f) The necessity that the public school remain in operation to
26 serve students.

27 ~~(5)~~ (6) (a) If a public school THAT HAS AN "F" ACCREDITATION

1 fails to make adequate progress under its ~~turnaround~~ plan or continues to
2 ~~operate under a priority improvement or turnaround plan~~ HAVE A "D" OR
3 "F" ACCREDITATION for a combined total of five consecutive school years,
4 the commissioner shall assign the state review panel to critically evaluate
5 the public school's performance and determine whether to recommend:

6 (I) With regard to a district public school that is not a charter
7 school, that the district public school should be managed by a private or
8 public entity other than the school district;

9 (II) With regard to a district or institute charter school, that the
10 public or private entity operating the charter school or the governing
11 board of the charter school should be replaced by a different public or
12 private entity or governing board;

13 (III) With regard to a district public school, that the district public
14 school be converted to a charter school if it is not already authorized as
15 a charter school;

16 (IV) With regard to a district public school, that the district public
17 school be granted status as an innovation school pursuant to section
18 22-32.5-104; or

19 (V) That the public school be closed or, with regard to a district
20 charter school or an institute charter school, that the public school's
21 charter be revoked.

22 (b) The state review panel shall present its recommendations to
23 the commissioner and to the state board. Taking the recommendations
24 into account, the state board shall determine which of the actions
25 described in paragraph (a) of this ~~subsection (5)~~ SUBSECTION (6) the local
26 school board for a district public school or the institute for an institute
27 charter school shall take regarding the public school and direct the local

1 school board or institute accordingly.

2 ~~(6)~~ (7) If a public school is restructured, the department, to the
3 extent possible, shall track the students enrolled in the public school in
4 the school year preceding the restructuring to determine whether the
5 students reenroll in the public school the following school year or transfer
6 to another public school of the school district, an institute charter school,
7 or a public school of another school district in the state. The department
8 shall provide the student tracking information, without personally
9 identifying the students, to the local school board or the institute upon
10 request.

11 **SECTION 8.** In Colorado Revised Statutes, 22-11-302, **amend**
12 (1) (b) as follows:

13 **22-11-302. School district accountability committees - powers**
14 **and duties.** (1) Each school district accountability committee shall have
15 the following powers and duties:

16 (b) To advise its local school board concerning preparation of, and
17 annually submit to the local school board recommendations regarding the
18 contents of, ~~a district performance, improvement, priority improvement,~~
19 ~~or turnaround plan, whichever~~ THE DISTRICT PLAN THAT is required based
20 on the school district's accreditation category. In advising and preparing
21 the recommendations, the school district accountability committee shall
22 make reasonable efforts to consult in a substantive manner with the
23 school accountability committees of the school district and shall compile
24 and submit to the local school board the ~~school performance,~~
25 ~~improvement, priority improvement, and turnaround~~ SCHOOL plans
26 submitted by the school accountability committees pursuant to sections
27 22-11-403 to 22-11-406.

1 **SECTION 9.** In Colorado Revised Statutes, 22-11-303, **amend**
2 (1), (2), and (3) introductory portion as follows:

3 **22-11-303. "A" accreditation - plan - school district or**
4 **institute - contents - adoption.** (1) (a) In accordance with time frames
5 specified in state board rules, each local school board that ~~is accredited~~
6 ~~or accredited with distinction~~ HAS AN "A" ACCREDITATION shall annually
7 adopt a ~~performance~~ plan for the school district as described in subsection
8 (3) of this section.

9 (b) The school district accountability committee for the school
10 district shall advise the local school board concerning preparation of the
11 district ~~performance~~ plan and make recommendations to the local school
12 board concerning the contents of the district ~~performance~~ plan. In
13 advising and making its recommendations, the school district
14 accountability committee shall take into account and incorporate any
15 district public school ~~performance, improvement, priority improvement,~~
16 ~~or turnaround~~ plans received pursuant to sections 22-11-403 to
17 22-11-406. The local school board shall create and adopt the district
18 ~~performance~~ plan, taking into account the advice and recommendations
19 of the school district accountability committee.

20 (c) The local school board shall submit the adopted district
21 ~~performance~~ plan to the department for publication on the data portal and
22 shall ensure that the district ~~performance~~ plan is in effect for the school
23 district and the district public schools within the time frames specified in
24 state board rule. The local school board shall also make copies of the
25 district ~~performance~~ plan available to members of the public upon
26 request.

27 (2) (a) In accordance with time frames specified in state board

1 rules, the institute board, if it is ~~accredited or accredited with distinction~~
2 HAS AN "A" ACCREDITATION, shall annually adopt an institute
3 ~~performance~~ plan as described in subsection (3) of this section.

4 (b) Prior to creating the institute ~~performance~~ plan, the institute
5 shall compile the institute charter school ~~performance, improvement,~~
6 ~~priority improvement, and turnaround~~ plans prepared for each institute
7 charter school pursuant to sections 22-11-403 to 22-11-406. The institute
8 shall take the compilation of plans into account in creating and adopting
9 the institute ~~performance~~ plan.

10 (c) The institute shall submit the adopted institute ~~performance~~
11 plan to the department for publication on the data portal and shall ensure
12 that the institute ~~performance~~ plan is in effect for the institute and the
13 institute charter schools within the time frames specified in state board
14 rule. The institute shall also make copies of the institute ~~performance~~ plan
15 available to members of the public upon request.

16 (3) A district or institute ~~performance~~ plan shall MUST be designed
17 to raise the academic performance of students enrolled in the school
18 district or in the institute charter schools and to ensure that the school
19 district or the institute, following the next annual accreditation review,
20 ~~attains a higher accreditation category or~~ remains in the same
21 accreditation category. ~~if the school district or institute is accredited with~~
22 ~~distinction~~. At a minimum, each district and institute ~~performance~~ plan
23 shall:

24 **SECTION 10.** In Colorado Revised Statutes, 22-11-304, **amend**
25 (1), (2), and (3) introductory portion as follows:

26 **22-11-304. "B" or "C" accreditation - school district or**
27 **institute - plan contents - adoption.** (1) (a) In accordance with the time

1 frames specified in state board rule, each school district that ~~is accredited~~
2 ~~with improvement plan~~ HAS A "B" OR "C" ACCREDITATION shall annually
3 adopt and implement a district ~~improvement~~ plan as described in
4 subsection (3) of this section.

5 (b) The school district accountability committee for the school
6 district shall advise the local school board concerning preparation of the
7 district ~~improvement~~ plan and make recommendations to the local school
8 board concerning the contents of the district ~~improvement~~ plan. In
9 advising and making its recommendations, the school district
10 accountability committee shall take into account and incorporate any
11 district public school ~~performance, improvement, priority improvement,~~
12 ~~or turnaround~~ plans received pursuant to sections 22-11-403 to
13 22-11-406. The local school board shall create and adopt the district
14 ~~improvement~~ plan, taking into account the advice and recommendations
15 of the school district accountability committee.

16 (c) The local school board shall submit the adopted district
17 ~~improvement~~ plan to the department for publication on the data portal and
18 shall ensure that the district ~~improvement~~ plan is in effect for the school
19 district and the district public schools within the time frames specified in
20 state board rule. The local school board shall also make copies of the
21 district ~~improvement~~ plan available to members of the public upon
22 request.

23 (2) (a) If the institute ~~is accredited with improvement plan~~ HAS A
24 "B" OR "C" ACCREDITATION, the institute board shall, in accordance with
25 the time frames specified in state board rule, adopt and implement an
26 institute ~~improvement~~ plan as described in subsection (3) of this section.
27 In preparing the institute ~~improvement~~ plan, the institute board shall take

1 into account and incorporate any institute charter school ~~performance,~~
2 ~~improvement, priority improvement, and turnaround~~ plans received
3 pursuant to sections 22-11-403 to 22-11-406.

4 (b) The institute shall submit the adopted institute ~~improvement~~
5 plan to the department for publication on the data portal and shall ensure
6 that the institute ~~improvement~~ plan is in effect for the institute and the
7 institute charter schools within the time frames specified by state board
8 rule. The institute shall also make copies of the institute ~~improvement~~
9 plan available to members of the public upon request.

10 (3) A district ~~improvement~~ plan or an institute ~~improvement~~ plan
11 ~~shall~~ MUST be designed to ensure that the school district or the institute
12 improves its performance to the extent that, following completion of its
13 next annual accreditation review, the school district or the institute attains
14 a higher accreditation category. At a minimum, a district ~~improvement~~
15 plan or an institute ~~improvement~~ plan shall:

16 **SECTION 11.** In Colorado Revised Statutes, 22-11-305, **amend**
17 (1), (2), and (3) introductory portion as follows:

18 **22-11-305. "D" accreditation - school district or institute -**
19 **plan contents - adoption.** (1) (a) In accordance with the time frames
20 specified in state board rule, each school district that ~~is accredited with~~
21 ~~priority improvement plan~~ HAS A "D" ACCREDITATION shall annually
22 adopt and implement a district ~~priority improvement~~ plan as described in
23 subsection (3) of this section.

24 (b) The school district accountability committee for the school
25 district shall advise the local school board concerning preparation of the
26 district ~~priority improvement~~ plan and make recommendations to the local
27 school board concerning the contents of the district ~~priority improvement~~

1 plan. In advising and making its recommendations, the school district
2 accountability committee shall take into account and incorporate any
3 district public school ~~performance, improvement, priority improvement,~~
4 ~~or turnaround~~ plans received pursuant to sections 22-11-403 to
5 22-11-406. The local school board shall create and adopt the district
6 ~~priority improvement~~ plan, taking into account the advice and
7 recommendations of the school district accountability committee.

8 (c) The commissioner, subject to available appropriations, may
9 assign the state review panel to critically evaluate the district ~~priority~~
10 ~~improvement~~ plan and recommend to the commissioner modifications to
11 the plan. The commissioner may recommend to the local school board
12 modifications to the district ~~priority improvement~~ plan, taking into
13 consideration any recommendations of the state review panel.

14 (d) The local school board shall submit the adopted district
15 ~~priority improvement~~ plan to the department for publication on the data
16 portal and shall ensure that the district ~~priority improvement~~ plan is in
17 effect for the school district and the district public schools within the time
18 frames specified in state board rule. The local school board shall also
19 make copies of the district ~~priority improvement~~ plan available to
20 members of the public upon request.

21 (2) (a) If the institute ~~is accredited with priority improvement plan~~
22 HAS A "D" ACCREDITATION, the institute board shall, in accordance with
23 the time frames specified in state board rule, adopt and implement an
24 institute ~~priority improvement~~ plan as described in subsection (3) of this
25 section. In preparing the institute ~~priority improvement~~ plan, the institute
26 board shall take into account and incorporate any institute charter school
27 ~~performance, improvement, priority improvement, and turnaround~~ plans

1 received pursuant to sections 22-11-403 to 22-11-406.

2 (b) The commissioner, subject to available appropriations, may
3 assign the state review panel to critically evaluate the institute ~~priority~~
4 ~~improvement~~ plan and recommend to the commissioner modifications to
5 the plan. The commissioner may recommend to the institute modifications
6 to the institute ~~priority-improvement~~ plan, taking into consideration any
7 recommendations of the state review panel.

8 (c) The institute shall submit the adopted institute ~~priority~~
9 ~~improvement~~ plan to the department for publication on the data portal and
10 shall ensure that the institute ~~priority-improvement~~ plan is in effect for the
11 institute and the institute charter schools within the time frames specified
12 by state board rule. The institute shall also make copies of the institute
13 ~~priority-improvement~~ plan available to members of the public upon
14 request.

15 (3) A district ~~priority-improvement~~ plan or an institute ~~priority~~
16 ~~improvement~~ plan shall MUST be designed to ensure that the school
17 district or the institute improves its performance to the extent that,
18 following completion of its next annual accreditation review, the school
19 district or the institute attains a higher accreditation category. At a
20 minimum, a district ~~priority-improvement~~ plan or an institute ~~priority~~
21 ~~improvement~~ plan shall:

22 **SECTION 12.** In Colorado Revised Statutes, 22-11-306, **amend**
23 (1), (2), (3) introductory portion, and (3) (d) (I) as follows:

24 **22-11-306. "F" accreditation - school district or institute -**
25 **plan content - adoption.** (1) (a) In accordance with the time frames
26 specified in state board rule, each school district that ~~is accredited with~~
27 ~~turnaround plan~~ HAS AN "F" ACCREDITATION shall annually adopt and

1 implement a district ~~turnaround~~ plan as described in subsection (3) of this
2 section.

3 (b) The school district accountability committee for the school
4 district shall advise the local school board concerning preparation of the
5 district ~~turnaround~~ plan and make recommendations to the local school
6 board concerning the contents of the district ~~turnaround~~ plan. In advising
7 and making its recommendations, the school district accountability
8 committee shall take into account and incorporate any district public
9 school ~~performance, improvement, priority improvement, or turnaround~~
10 plans received pursuant to sections 22-11-403 to 22-11-406. The local
11 school board shall create and adopt the district ~~turnaround~~ plan, taking
12 into account the advice and recommendations of the school district
13 accountability committee.

14 (c) Within the time frames specified in state board rule, the local
15 school board shall submit the adopted district ~~turnaround~~ plan to the
16 commissioner for review by the state review panel. The state review panel
17 shall critically evaluate the adopted district ~~turnaround~~ plan and make
18 recommendations to the commissioner and the state board concerning the
19 issues specified in section 22-11-208 (3). The commissioner may approve
20 the adopted district ~~turnaround~~ plan or suggest modifications to the plan,
21 taking into consideration any recommendations of the state review panel.
22 The local school board shall revise the adopted district ~~turnaround~~ plan,
23 if necessary, and resubmit the plan for approval within the time frames
24 specified by state board rule.

25 (d) The local school board shall submit the final, approved district
26 ~~turnaround~~ plan to the department for publication on the data portal and
27 shall ensure that the final, approved district ~~turnaround~~ plan is in effect

1 for the school district and the district public schools within the time
2 frames specified in state board rule. The local school board shall also
3 make copies of the final, approved district ~~turnaround~~ plan available to
4 members of the public upon request.

5 (2) (a) If the institute ~~is accredited with turnaround plan~~ HAS AN
6 "F" ACCREDITATION, the institute board shall, in accordance with the time
7 frames specified in state board rule, adopt and implement an institute
8 ~~turnaround~~ plan as described in subsection (3) of this section. In
9 preparing the institute ~~turnaround~~ plan, the institute board shall take into
10 account and incorporate any institute charter school ~~performance,~~
11 ~~improvement, priority improvement, and turnaround~~ plans received
12 pursuant to sections 22-11-403 to 22-11-406.

13 (b) Within the time frames specified in state board rule, the
14 institute shall submit the adopted institute ~~turnaround~~ plan to the
15 commissioner for review by the state review panel. The state review panel
16 shall critically evaluate the adopted institute ~~turnaround~~ plan and make
17 recommendations to the commissioner and the state board concerning the
18 issues specified in section 22-11-208 (3). The commissioner shall approve
19 the adopted institute ~~turnaround~~ plan or suggest modifications to the plan,
20 taking into consideration any recommendations of the state review panel.
21 The institute shall revise the adopted institute ~~turnaround~~ plan, if
22 necessary, and resubmit the plan for approval within the time frames
23 specified by state board rule.

24 (c) The institute shall submit the final, approved institute
25 ~~turnaround~~ plan to the department for publication on the data portal and
26 shall ensure that the final, approved institute ~~turnaround~~ plan is in effect
27 for the institute and the institute charter schools within the time frames

1 specified by state board rule. The institute shall also make copies of the
2 final, approved institute ~~turnaround~~ plan available to members of the
3 public upon request.

4 (3) A district ~~turnaround~~ plan or an institute ~~turnaround~~ plan shall
5 MUST be designed to ensure that the school district or the institute
6 improves its performance to the extent that, following completion of its
7 next annual accreditation review, the school district or the institute attains
8 a higher accreditation category. At a minimum, a district ~~turnaround~~ plan
9 or an institute ~~turnaround~~ plan shall:

10 (d) Identify specific, research-based strategies that are appropriate
11 in scope, intensity, and type to address the needs and issues identified
12 pursuant to paragraph (c) of this subsection (3), which strategies shall, at
13 a minimum, include one or more of the following:

14 (I) Employing a lead turnaround partner that uses research-based
15 strategies and has a proven record of success working with schools under
16 similar circumstances, which turnaround partner shall be immersed in all
17 aspects of developing and collaboratively executing the ~~turnaround~~ plan
18 and shall serve as a liaison to other school partners;

19 **SECTION 13.** In Colorado Revised Statutes, **amend** 22-11-307
20 as follows:

21 **22-11-307. Accreditation of public schools.** (1) The local school
22 board for each school district shall adopt policies for accreditation of the
23 district public schools. The institute board shall adopt policies for
24 accreditation of the institute charter schools. Each school district's and the
25 institute's school accreditation policies, at a minimum, shall include:

26 (a) The use of accreditation contracts that are comparable to the
27 accreditation contract between a school district or the institute and the

1 state board, as described in section 22-11-206; AND

2 ~~(b) Accreditation categories that are comparable to the~~
3 ~~accreditation categories for school districts and the institute specified in~~
4 ~~section 22-11-207;~~

5 ~~(c) Determination of a public school's accreditation category~~
6 ~~based on the public school's level of attainment of the performance~~
7 ~~indicators; and~~

8 ~~(d) (b) Adoption and implementation of school performance,~~
9 ~~improvement, priority improvement, and turnaround plans as required by~~
10 ~~PLANS, AS DESCRIBED IN SECTIONS 22-11-403 TO 22-11-406, BASED ON~~
11 ~~THE ACCREDITATION CATEGORY the state board ASSIGNS TO EACH PUBLIC~~
12 ~~SCHOOL pursuant to section 22-11-210 (1). and as described in sections~~
13 ~~22-11-403 to 22-11-406.~~

14 (2) In adopting its school accreditation policies, a local school
15 board or the institute board may choose to be more rigorous in
16 expectations and in the imposition of remedial actions than the system for
17 accreditation of school districts and the institute specified in the
18 provisions of part 2 of this article and the rules adopted pursuant to said
19 part 2.

20 (2.5) In adopting its school accreditation policies for its on-line
21 programs and on-line schools, as defined in sections 22-30.7-102 (9) and
22 22-30.7-102 (9.5), a local school board or the institute board shall include
23 a review of the on-line program's or school's alignment to the quality
24 standards outlined in section 22-30.7-105 (3) (b).

25 (3) Each local school board shall annually ~~assign~~ ADOPT A SCHOOL
26 PLAN FOR each of its district public schools ~~to an accreditation category~~
27 ~~that correlates with the type of plan that the department determines,~~

1 ~~pursuant to section 22-11-210, the district public school is required to~~
2 ~~adopt~~ THAT CORRELATES TO THE ACCREDITATION CATEGORY THE STATE
3 BOARD ASSIGNS TO EACH OF THE DISTRICT PUBLIC SCHOOLS. The institute
4 shall annually ~~assign~~ ADOPT A SCHOOL PLAN FOR each institute charter
5 school ~~to an accreditation category that correlates with the type of plan~~
6 ~~that the department determines, pursuant to section 22-11-210, the~~
7 ~~institute charter school is required to adopt~~ THAT CORRELATES TO THE
8 ACCREDITATION CATEGORY THE STATE BOARD ASSIGNS TO EACH OF THE
9 INSTITUTE CHARTER SCHOOLS.

10 (4) If, pursuant to section ~~22-11-210~~ (5) 22-11-210 (6), the state
11 board directs a local school board or the institute to restructure or close
12 a public school, the local school board or the institute shall work with the
13 department to implement the state board's directions.

14 **SECTION 14.** In Colorado Revised Statutes, 22-11-402, **amend**
15 (1) (b), (1) (c), and (1) (d) as follows:

16 **22-11-402. School accountability committee - powers and**
17 **duties - meetings.** (1) Each school accountability committee shall have
18 the following powers and duties:

19 (b) To advise the principal of the public school and, in the case of
20 a district public school, the superintendent of the school district
21 concerning the preparation of a school ~~performance or improvement plan,~~
22 ~~if either is required~~ PLAN IF THE SCHOOL HAS AN "A", "B", OR "C"
23 ACCREDITATION pursuant to section 22-11-210, and to submit
24 recommendations to the principal, and superintendent if applicable,
25 concerning the contents of the ~~performance or improvement plan;~~

26 (c) To advise the local school board or the institute concerning the
27 preparation of a school ~~priority improvement or turnaround plan, if either~~

1 ~~is required~~ PLAN IF THE SCHOOL HAS A "D" OR "F" ACCREDITATION
2 pursuant to section 22-11-210, and to submit recommendations to the
3 local school board or the institute concerning the contents of the ~~priority~~
4 ~~improvement or turnaround~~ plan;

5 (d) To meet at least quarterly to discuss whether school
6 leadership, personnel, and infrastructure are advancing or impeding
7 implementation of the public school's ~~performance, improvement, priority~~
8 ~~improvement, or turnaround~~ plan ~~whichever is applicable~~, or other
9 progress pertinent to the public school's accreditation contract with the
10 local school board or the institute;

11 **SECTION 15.** In Colorado Revised Statutes, 22-11-403, **amend**
12 (1), (2), (3) introductory portion, and (4) as follows:

13 **22-11-403. "A" accreditation - school plan - contents.** (1)(a) If
14 the state board, pursuant to section 22-11-210, ~~directs a district public~~
15 ~~school to adopt a performance plan~~ ASSIGNS AN "A" ACCREDITATION TO
16 A DISTRICT PUBLIC SCHOOL, the school principal and the school district
17 superintendent, or his or her designee, in accordance with time frames
18 specified in state board rules, shall adopt a school ~~performance~~ plan as
19 described in subsection (3) of this section for the district public school.

20 (b) The school accountability committee for the district public
21 school shall advise the principal concerning preparation of the
22 ~~performance~~ SCHOOL plan and make recommendations to the principal
23 concerning the contents of the school ~~performance~~ plan. The principal,
24 with the approval of the superintendent or his or her designee, shall create
25 and adopt the school ~~performance~~ plan, taking into account the advice and
26 recommendations of the school accountability committee.

27 (c) The school district accountability committee shall include the

1 adopted school performance plan in the compilation prepared pursuant to
2 section 22-11-302 (1), and the local school board shall consider the
3 adopted school performance plan in developing the budget required by
4 section 22-44-108. The principal and the superintendent or his or her
5 designee shall ensure that the school performance plan is in effect for the
6 district public school within the time frames established in state board
7 rules.

8 (2) (a) If the state board, pursuant to section 22-11-210, ~~directs an~~
9 ~~institute charter school to adopt a performance plan~~ ASSIGNS AN "A"
10 ACCREDITATION TO AN INSTITUTE CHARTER SCHOOL, the school principal,
11 in accordance with time frames specified in state board rules, shall adopt
12 a school performance plan as described in subsection (3) of this section
13 for the institute charter school.

14 (b) The school accountability committee for the institute charter
15 school shall advise the principal concerning preparation of the
16 ~~performance~~ SCHOOL plan and make recommendations to the principal
17 concerning the contents of the school performance plan. The principal
18 shall create and adopt the school performance plan, taking into account
19 the advice and recommendations of the school accountability committee.

20 (c) The institute shall include the adopted school performance
21 plan in the compilation prepared pursuant to section 22-11-303 (2) (b).
22 The principal shall ensure that the school performance plan is in effect for
23 the institute charter school within the time frames established in state
24 board rules.

25 (3) A school performance plan ~~shall~~ MUST be designed to raise the
26 academic performance of students enrolled in the public school and to
27 ensure that the public school, following the next annual performance

1 review, ~~attains a higher accreditation category or~~ remains in the same
2 accreditation category. ~~if the public school is already accredited by the~~
3 ~~school district or the institute at the highest level.~~ At a minimum, each
4 school ~~performance~~ plan shall:

5 (4) The local school board, on behalf of a district public school,
6 or the institute, on behalf of an institute charter school, shall submit the
7 school ~~performance~~ plan to the department for publication on the data
8 portal. The public school shall make copies of the school ~~performance~~
9 plan available to members of the public upon request.

10 **SECTION 16.** In Colorado Revised Statutes, 22-11-404, **amend**
11 (1), (2), (3) introductory portion, and (4) as follows:

12 **22-11-404. "B" or "C" accreditation - school plan - contents.**

13 (1) (a) If the state board, pursuant to section 22-11-210, ~~directs a district~~
14 ~~public school to adopt an improvement plan~~ ASSIGNS A "B" OR "C"
15 ACCREDITATION TO A PUBLIC SCHOOL, the school principal and the school
16 district superintendent, or his or her designee, in accordance with time
17 frames specified in state board rules, shall adopt a school ~~improvement~~
18 plan, as described in subsection (3) of this section, for the district public
19 school.

20 (b) The school accountability committee for the district public
21 school shall advise the principal concerning preparation of the school
22 ~~improvement~~ plan and shall make recommendations to the principal
23 concerning the contents of the school ~~improvement~~ plan. The principal,
24 with the approval of the superintendent or his or her designee, shall create
25 and adopt the school ~~improvement~~ plan, taking into account the advice
26 and recommendations of the school accountability committee. Prior to
27 adopting the school ~~improvement~~ plan, the principal shall hold a public

1 hearing to review the plan as required in section 22-32-142 (2).

2 (c) The school district accountability committee shall include the
3 adopted school ~~improvement~~ plan in the compilation prepared pursuant
4 to section 22-11-302 (1), and the local school board shall consider the
5 adopted school ~~improvement~~ plan in developing the budget required by
6 section 22-44-108. The principal and the superintendent, or his or her
7 designee, shall ensure that the school ~~improvement~~ plan is in effect for
8 the district public school within the time frames established in state board
9 rules.

10 (2) (a) If the state board, pursuant to section 22-11-210, ~~directs an~~
11 ~~institute charter school to adopt an improvement plan~~ ASSIGNS A "B" OR
12 "C" ACCREDITATION TO AN INSTITUTE CHARTER SCHOOL, the school
13 principal, in accordance with time frames specified in state board rules,
14 shall adopt a school ~~improvement~~ plan, as described in subsection (3) of
15 this section, for the institute charter school.

16 (b) The school accountability committee for the institute charter
17 school shall advise the principal concerning preparation of the school
18 ~~improvement~~ plan and shall make recommendations to the principal
19 concerning the contents of the school ~~improvement~~ plan. The principal
20 shall create and adopt the school ~~improvement~~ plan, taking into account
21 the advice and recommendations of the school accountability committee.
22 Prior to adopting the school ~~improvement~~ plan, the principal shall hold a
23 public hearing to review the plan as required in section 22-30.5-520 (2).

24 (c) The institute shall include the adopted school ~~improvement~~
25 plan in the compilation prepared pursuant to section 22-11-303 (2) (b).
26 The principal shall ensure that the school ~~improvement~~ plan is in effect
27 for the institute charter school within the time frames established in state

1 board rules.

2 (3) A school ~~improvement~~ plan shall be designed to raise the
3 academic performance of students enrolled in the public school and to
4 ensure that the public school, following the next annual performance
5 review, attains a higher accreditation category. At a minimum, each
6 school ~~improvement~~ plan shall:

7 (4) The local school board, on behalf of a district public school,
8 or the institute, on behalf of an institute charter school, shall submit the
9 school ~~improvement~~ plan to the department for publication on the data
10 portal. The public school shall make copies of the school ~~improvement~~
11 plan available to members of the public upon request.

12 **SECTION 17.** In Colorado Revised Statutes, 22-11-405, **amend**
13 (1), (2), (3), (4) introductory portion, and (5) as follows:

14 **22-11-405. "D" accreditation - school plan - contents.** (1) (a) If
15 the state board, pursuant to section 22-11-210, ~~directs a district public~~
16 ~~school to adopt a priority improvement plan~~ ASSIGNS A "D"
17 ACCREDITATION TO A DISTRICT PUBLIC SCHOOL, the local school board, in
18 accordance with time frames specified in state board rules, shall adopt a
19 school ~~priority improvement~~ plan, as described in subsection (4) of this
20 section, for the district public school.

21 (b) The school accountability committee for the district public
22 school shall advise the local school board concerning preparation of the
23 school ~~priority improvement~~ plan and shall make recommendations to the
24 local school board concerning the contents of the school ~~priority~~
25 ~~improvement~~ plan. The local school board shall create and adopt the
26 school ~~priority improvement~~ plan, taking into account the advice and
27 recommendations of the school accountability committee. Prior to

1 adopting the school ~~priority improvement~~ plan, the local school board
2 shall hold a public hearing to review the plan as required in section
3 22-32-142 (2).

4 (c) The school district accountability committee shall include the
5 adopted school ~~priority improvement~~ plan in the compilation prepared
6 pursuant to section 22-11-302 (1), and the local school board shall
7 consider the adopted school ~~priority improvement~~ plan in developing the
8 budget required by section 22-44-108. The local school board shall ensure
9 that the school ~~priority improvement~~ plan is in effect for the district
10 public school within the time frames established in state board rules.

11 (2) (a) If the state board, pursuant to section 22-11-210, ~~directs an~~
12 ~~institute charter school to adopt a priority improvement plan~~ ASSIGNS A
13 "D" ACCREDITATION TO AN INSTITUTE CHARTER SCHOOL, the institute, in
14 accordance with time frames specified in state board rules, shall adopt a
15 school ~~priority improvement~~ plan, as described in subsection (4) of this
16 section, for the institute charter school.

17 (b) The school accountability committee for the institute charter
18 school shall advise the institute concerning preparation of the school
19 ~~priority improvement~~ plan and shall make recommendations to the
20 institute concerning the contents of the school ~~priority improvement~~ plan.
21 The institute shall create and adopt the school ~~priority improvement~~ plan,
22 taking into account the advice and recommendations of the school
23 accountability committee. Prior to adopting the school ~~priority~~
24 ~~improvement~~ plan, the institute shall hold a public hearing to review the
25 plan as required in section 22-30.5-520 (2).

26 (c) The institute shall include the adopted school ~~priority~~
27 ~~improvement~~ plan in the compilation prepared pursuant to section

1 22-11-303 (2) (b). The institute shall ensure that the school ~~priority~~
2 ~~improvement~~ plan is in effect for the institute charter school within the
3 time frames established in state board rules.

4 (3) The commissioner, subject to available appropriations, may
5 assign the state review panel to critically evaluate a public school's
6 ~~priority improvement~~ plan and report to the commissioner any
7 recommended modifications to the plan. The commissioner may
8 recommend to the local school board or the institute modifications to the
9 school ~~priority improvement~~ plan, taking into consideration any
10 recommendations of the state review panel.

11 (4) A school ~~priority improvement~~ plan shall be designed to
12 ensure that the public school improves its performance to the extent that,
13 following completion of the public school's next annual performance
14 review, the public school attains a higher accreditation category. At a
15 minimum, a school ~~priority improvement~~ plan shall:

16 (5) The local school board, on behalf of a district public school,
17 or the institute, on behalf of an institute charter school, shall submit the
18 school ~~priority improvement~~ plan to the department for publication on the
19 data portal. The public school shall make copies of the school ~~priority~~
20 ~~improvement~~ plan available to members of the public upon request.

21 **SECTION 18.** In Colorado Revised Statutes, 22-11-406, **amend**
22 (1), (2), (3) introductory portion, (3) (d) (I), and (4) as follows:

23 **22-11-406. "F" accreditation - school plan - contents.** (1) (a) If
24 the state board, pursuant to section 22-11-210, ~~directs a district public~~
25 ~~school to adopt a turnaround plan~~ ASSIGNS AN "F" ACCREDITATION TO A
26 DISTRICT PUBLIC SCHOOL, the local school board, in accordance with time
27 frames specified in state board rules, shall adopt a school ~~turnaround~~ plan,

1 as described in subsection (3) of this section, for the district public
2 school. Each district public school ~~turnaround~~ plan shall also be subject
3 to evaluation by the state review panel and may be subject to revisions
4 requested by the commissioner as provided in this subsection (1).

5 (b) The school accountability committee for the district public
6 school shall advise the local school board concerning preparation of the
7 school ~~turnaround~~ plan and shall make recommendations to the local
8 school board concerning the contents of the school ~~turnaround~~ plan. The
9 local school board shall create and adopt the school ~~turnaround~~ plan,
10 taking into account the advice and recommendations of the school
11 accountability committee. Prior to adopting the school ~~turnaround~~ plan,
12 the local school board shall hold a public hearing to review the plan as
13 required in section 22-32-142 (2).

14 (c) Within the time frames specified in state board rule, the local
15 school board shall submit the adopted school ~~turnaround~~ plan to the
16 commissioner for evaluation by the state review panel. The state review
17 panel shall critically evaluate the adopted school ~~turnaround~~ plan and
18 make recommendations to the commissioner and the state board
19 concerning the issues specified in section 22-11-210 (5). The
20 commissioner may suggest modifications to the plan, taking into
21 consideration any recommendations of the state review panel and may
22 require that those plan modifications be made prior to the date when the
23 state board enters into an accreditation contract with the district pursuant
24 to section 22-11-206. The local school board shall revise the school
25 ~~turnaround~~ plan, if necessary, and resubmit the plan for approval within
26 the time frames specified in state board rule. The local school board shall
27 ensure that the final, approved school ~~turnaround~~ plan is in effect for the

1 district public school within the time frames specified in state board rule.

2 (d) The school district accountability committee shall include the
3 final, approved school ~~turnaround~~ plan in the compilation prepared
4 pursuant to section 22-11-302 (1), and the local school board shall
5 consider the final, approved school ~~turnaround~~ plan in developing the
6 budget required by section 22-44-108.

7 (e) The local school board shall submit the final, approved school
8 ~~turnaround~~ plan to the department for publication on the data portal. The
9 district public school shall make copies of the final, approved school
10 ~~turnaround~~ plan available to members of the public upon request.

11 (2) (a) If the state board, pursuant to section 22-11-210, ~~directs an~~
12 ~~institute charter school to adopt a turnaround plan~~ ASSIGNS AN "F"
13 ACCREDITATION TO AN INSTITUTE CHARTER SCHOOL, the institute, in
14 accordance with time frames specified in state board rules, shall adopt a
15 school ~~turnaround~~ plan, as described in subsection (3) of this section, for
16 the institute charter school. Each institute charter school ~~turnaround~~ plan
17 shall also be subject to evaluation by the state review panel and may be
18 subject to revisions requested by the commissioner as provided in this
19 subsection (2).

20 (b) The school accountability committee for the institute charter
21 school shall advise the institute concerning preparation of the school
22 ~~turnaround~~ plan and shall make recommendations to the institute
23 concerning the contents of the school ~~turnaround~~ plan. The institute shall
24 create and adopt the school ~~turnaround~~ plan, taking into account the
25 advice and recommendations of the school accountability committee.
26 Prior to adopting the school ~~turnaround~~ plan, the institute shall hold a
27 public hearing to review the plan as required in section 22-30.5-520 (2).

1 (c) Within the time frames specified in state board rule, the
2 institute shall submit the adopted school ~~turnaround~~ plan to the
3 commissioner for evaluation by the state review panel. The state review
4 panel shall critically evaluate the adopted school ~~turnaround~~ plan and
5 make recommendations to the commissioner and the state board
6 concerning the issues specified in section 22-11-210 (5). The
7 commissioner may suggest modifications to the plan, taking into
8 consideration any recommendations of the state review panel and may
9 require that those plan modifications be made prior to the date when the
10 state board enters into an accreditation contract with the institute pursuant
11 to section 22-11-206. The institute shall revise the school ~~turnaround~~
12 plan, if necessary, and resubmit the plan for approval within the time
13 frames specified in state board rule. The institute shall ensure that the
14 final, approved school ~~turnaround~~ plan is in effect for the institute charter
15 school within the time frames specified in state board rule.

16 (d) The institute shall include the final, approved school
17 ~~turnaround~~ plan in the compilation prepared pursuant to section
18 22-11-303 (2) (b). The institute shall submit the final, approved school
19 ~~turnaround~~ plan to the department for publication on the data portal. The
20 institute charter school shall make copies of the final, approved school
21 ~~turnaround~~ plan available to members of the public upon request.

22 (3) A school ~~turnaround~~ plan shall be designed to ensure that the
23 public school improves its performance to the extent that, following
24 completion of the public school's next annual performance review, the
25 public school attains a higher accreditation category. At a minimum, a
26 school ~~turnaround~~ plan shall:

27 (d) Identify specific, research-based strategies that are appropriate

1 in scope, intensity, and type to address the needs and issues identified
2 pursuant to paragraph (c) of this subsection (3), which strategies shall, at
3 a minimum, include one or more of the following:

4 (I) Employing a lead turnaround partner that uses research-based
5 strategies and has a proven record of success working with schools under
6 similar circumstances, which turnaround partner shall be immersed in all
7 aspects of developing and collaboratively executing the ~~turnaround~~ plan
8 and shall serve as a liaison to other school partners;

9 (4) The general assembly may appropriate such moneys as are
10 available to assist school districts and the institute in improving the
11 academic growth of students in public schools that ~~are required to adopt~~
12 ~~school turnaround plans~~ HAVE AN "F" ACCREDITATION. In addition, the
13 department may allocate any moneys received pursuant to the federal "No
14 Child Left Behind Act of 2001", 20 U.S.C. sec. 6301 et seq., for such
15 purpose.

16 **SECTION 19.** In Colorado Revised Statutes, 22-11-502, **amend**
17 (2) (c), (2) (d), (2) (e), and (2) (f) as follows:

18 **22-11-502. Data portal - creation - contents.** (2) At a minimum,
19 the department shall publish on the data portal the following items:

20 (c) The accreditation category, with supporting data, for each
21 public school in the state, as determined by the ~~local school board or the~~
22 ~~institute, whichever is applicable~~ STATE BOARD PURSUANT TO SECTION
23 22-11-210;

24 (d) For each public school in the state, the school ~~performance,~~
25 ~~improvement, priority improvement, or turnaround plan whichever is~~
26 ~~appropriate based on the state board's direction pursuant to section~~
27 ~~22-11-210~~ BASED ON THE PUBLIC SCHOOL'S ACCREDITATION CATEGORY;

1 (e) For each school district in the state, the district ~~performance,~~
2 ~~improvement, priority improvement, or turnaround plan whichever is~~
3 ~~appropriate~~ based on the school district's accreditation category; and

4 (f) For the institute, the institute ~~performance, improvement,~~
5 ~~priority improvement, or turnaround plan whichever is appropriate~~ based
6 on the institute's accreditation category.

7 **SECTION 20.** In Colorado Revised Statutes, 22-11-504, **amend**
8 (1) (b) and (2) (b); and **repeal** (1) (c) and (2) (c) as follows:

9 **22-11-504. School district and institute reporting**
10 **requirements.** (1) Each school district shall annually report to the
11 department for each of the district public schools:

12 (b) For each district public school, the school ~~performance,~~
13 ~~improvement, priority improvement, or turnaround plan whichever is~~
14 ~~appropriate~~ ADOPTED based on the ~~direction from~~ ACCREDITATION
15 CATEGORY THAT the state board ASSIGNS pursuant to section 22-11-210;
16 AND

17 (c) ~~The accreditation category, with supporting data, for each~~
18 ~~district public school; and~~

19 (2) The institute shall annually report to the department for each
20 institute charter school:

21 (b) For each institute charter school, the school ~~performance,~~
22 ~~improvement, priority improvement, or turnaround plan whichever is~~
23 ~~appropriate~~ ADOPTED based on the ~~direction from~~ ACCREDITATION
24 CATEGORY THAT the state board ASSIGNS pursuant to section 22-11-210;
25 AND

26 (c) ~~The accreditation category, with supporting data, for each~~
27 ~~institute charter school; and~~

1 **SECTION 21.** In Colorado Revised Statutes, 22-1-122, **amend**
2 (1) (a), (2) (b) (III), (2) (b) (IV), (3), (4), and (6) (a) as follows:

3 **22-1-122. Transportation token program - legislative**
4 **declaration - eligibility - fund.** (1) (a) It is the intent of the general
5 assembly in enacting this section to improve opportunities for students to
6 gain the knowledge and skills necessary for a successful experience in
7 postsecondary education or as members of the work force. The general
8 assembly finds that a student should not be compelled by the lack of
9 transportation to remain in a school that ~~is required to implement a~~
10 ~~priority improvement or turnaround plan pursuant to section 22-11-405~~
11 ~~or 22-11-406, respectively,~~ HAS A "D" OR "F" ACCREDITATION or is
12 subject to restructuring pursuant to section 22-11-210. It is therefore in
13 the best interests of the citizens of the state to make transportation tokens
14 available to eligible students to enable them to attend a public school that
15 ~~is not required to implement a priority improvement or turnaround plan~~
16 ~~pursuant to section 22-11-405 or 22-11-406, respectively,~~ DOES NOT HAVE
17 A "D" OR "F" ACCREDITATION and that the school district has identified as
18 an available choice.

19 (2) As used in this section, unless the context otherwise requires:

20 (b) "Eligible student" means a student:

21 (III) (A) Who is enrolled in a neighborhood school that ~~is required~~
22 ~~to implement a priority improvement or turnaround plan pursuant to~~
23 ~~section 22-11-405 or 22-11-406, respectively,~~ HAS A "D" OR "F"
24 ACCREDITATION or is subject to restructuring pursuant to section
25 22-11-210; or

26 (B) Who has been in attendance elsewhere in the public school
27 system or who is entering first grade and whose parent or legal guardian

1 has been notified that the student has been assigned to a school that is
2 ~~required to implement a priority improvement or turnaround plan~~
3 ~~pursuant to section 22-11-405 or 22-11-406, respectively,~~ HAS A "D" OR
4 "F" ACCREDITATION or is subject to restructuring pursuant to section
5 22-11-210; and

6 (IV) Who, while enrolled in the neighborhood school that is
7 ~~required to implement a priority improvement or turnaround plan~~
8 ~~pursuant to section 22-11-405 or 22-11-406, respectively,~~ HAS A "D" OR
9 "F" ACCREDITATION or is subject to restructuring pursuant to section
10 22-11-210, met the attendance policies of the school district of the
11 neighborhood school, adopted pursuant to section 22-33-104 (4).

12 (3)(a) There is hereby created in the department the transportation
13 token program, referred to in this section as the "program", to assist a
14 parent or legal guardian of an eligible student in transporting the student
15 to a public school, other than a neighborhood public school, which other
16 school ~~is not required to implement a priority improvement or turnaround~~
17 ~~plan pursuant to section 22-11-405 or 22-11-406, respectively,~~ DOES NOT
18 HAVE A "D" OR "F" ACCREDITATION and which other school has been
19 identified by the school district as an available choice. Pursuant to rules
20 adopted by the state board, the parent or legal guardian of an eligible
21 student may apply to the program to receive a transportation token for use
22 in transporting the student to the nearest of said public schools that is not
23 a neighborhood school.

24 (b) An eligible student shall continue receiving transportation
25 tokens pursuant to this section so long as he or she continues to meet the
26 requirements specified for an eligible student in paragraph (b) of
27 subsection (2) of this section; except that, after the first year in which an

1 eligible student receives transportation tokens, the requirement specified
2 in subparagraph (III) of paragraph (b) of subsection (2) of this section
3 shall no longer apply. An eligible student shall no longer receive
4 transportation tokens pursuant to this section if he or she moves to
5 another residence, the neighborhood school for which ~~was required to~~
6 ~~implement a performance or improvement plan pursuant to section~~
7 ~~22-11-403 or 22-11-404, respectively,~~ HAD AN "A", "B", OR "C"
8 ACCREDITATION during the school year preceding the year in which the
9 student initially enrolls; except that the eligible student may receive
10 transportation tokens in school years following initial enrollment in the
11 new neighborhood school if he or she again meets the requirements
12 specified for an eligible student in paragraph (b) of subsection (2) of this
13 section.

14 (4) The state board shall determine a monetary value for the
15 transportation token issued at each public school that ~~is required to~~
16 ~~implement a priority improvement or turnaround plan pursuant to section~~
17 ~~22-11-405 or 22-11-406, respectively,~~ HAS A "D" OR "F" ACCREDITATION
18 or is subject to restructuring pursuant to section 22-11-210. The monetary
19 value may cover a portion of the transportation costs. The transportation
20 token may take the form of, but is not limited to, subsidized tokens,
21 passes, or fares for buses, taxis, or other forms of transportation approved
22 by the state board. In determining the value of a transportation token, the
23 state board shall take into account the various transportation options
24 available to the eligible student and the distance to be traveled by the
25 eligible student to attend a public school outside of the student's
26 neighborhood. The transportation token used by an eligible student shall
27 be redeemable by a transportation provider through the department.

1 (6) (a) The department shall ensure that for each eligible student
2 the school district of the neighborhood school shall:

3 (I) Timely notify the eligible student's parent or legal guardian of
4 all options available pursuant to this section as soon as the neighborhood
5 school ~~is required to implement a priority improvement or turnaround~~
6 ~~plan pursuant to section 22-11-405 or 22-11-406, respectively,~~ RECEIVES
7 A "D" OR "F" ACCREDITATION or is subject to restructuring pursuant to
8 section 22-11-210; and

9 (II) Offer each eligible student's parent or legal guardian an
10 opportunity to enroll the student in another public school within the
11 district that ~~is not required to implement a priority improvement or~~
12 ~~turnaround plan pursuant to section 22-11-405 or 22-11-406, respectively,~~
13 DOES NOT HAVE A "D" OR "F" ACCREDITATION and that the school district
14 has identified as an available choice.

15 **SECTION 22.** In Colorado Revised Statutes, 22-2-502, **amend**
16 (2) as follows:

17 **22-2-502. Definitions.** As used in this part 5, unless the context
18 otherwise requires:

19 (2) "Low-performing, high-needs school" means a school that is
20 ~~required to submit a priority improvement or turnaround plan~~ HAS A "D"
21 OR "F" ACCREDITATION pursuant to section 22-11-210.

22 **SECTION 23.** In Colorado Revised Statutes, 22-2-504, **amend**
23 (2) as follows:

24 **22-2-504. National board for professional teaching and**
25 **principal standards certification compensation - study.** (2) Beginning
26 with the 2009-10 school year, subject to available appropriations, an
27 additional annual stipend of three thousand two hundred dollars shall be

1 awarded to any teacher or principal who meets the criteria set forth in
2 subsection (1) of this section and who is employed as of May 1 in a given
3 school year in a low-performing, high-needs school. Subject to available
4 appropriations, a teacher or principal shall continue to receive the
5 additional stipend award pursuant to this subsection (2) if he or she
6 remains employed in a school that was previously a low-performing,
7 high-needs school but improved sufficiently to ~~implement an~~
8 ~~improvement or performance plan~~ RECEIVE AN "A", "B", OR "C"
9 ACCREDITATION pursuant to section 22-11-210. The additional stipend for
10 such teachers and principals shall be subject to the same restrictions and
11 requirements as set forth in subsection (1) of this section.

12 **SECTION 24.** In Colorado Revised Statutes, 22-7-604.5, **amend**
13 (2.5) (a); and **repeal** (2.5) (b) as follows:

14 **22-7-604.5. Alternative education campuses - criteria -**
15 **application - rule-making.** (2.5) (a) The department shall annually
16 review the performance of each alternative education campus based on
17 the criteria specified by rule of the state board pursuant to section
18 22-11-210 (1) (b) and shall recommend to the commissioner and the state
19 board ~~whether~~ THE ACCREDITATION CATEGORY IN WHICH the alternative
20 education campus shall ~~adopt a performance, improvement, priority~~
21 ~~improvement, or turnaround plan, as said plans are described in sections~~
22 ~~22-11-403 to 22-11-406~~ BE PLACED. Based on the recommendations, the
23 state board, pursuant to section 22-11-210 (2), shall notify each
24 alternative education campus and its district school board, or the institute
25 if the alternative education campus is an institute charter school, of the
26 ~~type of plan the alternative education campus shall adopt~~ ACCREDITATION
27 CATEGORY ASSIGNED TO THE ALTERNATIVE EDUCATION CAMPUS. In

1 adopting its SCHOOL plan, each alternative education campus shall comply
2 with the provisions of sections 22-11-403 to 22-11-406, as applicable.

3 (b) ~~The district school board for an alternative education campus~~
4 ~~or the institute, if the alternative education campus is an institute charter~~
5 ~~school, shall specify the accreditation category for the alternative~~
6 ~~education campus in accordance with the accreditation process adopted~~
7 ~~by the district school board or the institute pursuant to section 22-11-307.~~

8 **SECTION 25.** In Colorado Revised Statutes, 22-27.5-102,
9 **amend** (7) as follows:

10 **22-27.5-102. Definitions.** As used in this article, unless the
11 context otherwise requires:

12 (7) "Qualified school" means a public school, including but not
13 limited to a charter school, that serves any of grades six through twelve
14 and that is ~~required to implement a priority improvement or turnaround~~
15 ~~plan pursuant to section 22-11-405 or 22-11-406, respectively, HAS A "D"~~
16 ~~OR "F" ACCREDITATION or is subject to restructuring pursuant to section~~
17 ~~22-11-210 for the school year in which the public school seeks a grant~~
18 ~~through the grant program.~~

19 **SECTION 26.** In Colorado Revised Statutes, 22-30.5-104,
20 **amend** (2) (b) as follows:

21 **22-30.5-104. Charter school - requirements - authority.**

22 (2) (b) A charter school ~~shall be~~ IS a public school of the school district
23 that approves its charter application and enters into a charter contract with
24 the charter school. In accordance with the requirement of section 15 of
25 article IX of the state constitution, the charter school ~~shall be~~ IS subject
26 to THE accreditation POLICIES ADOPTED by the school district's local board
27 of education ~~pursuant to the school district's policy for accrediting the~~

1 ~~public schools of the school district adopted~~ pursuant to section
2 22-11-307 and section 22-32-109 (1) (mm). The charter school ~~shall also~~
3 ~~be~~ IS ALSO subject to annual review by the department AND ASSIGNMENT
4 OF AN ACCREDITATION CATEGORY BY THE STATE BOARD pursuant to
5 section 22-11-210.

6 **SECTION 27.** In Colorado Revised Statutes, 22-30.5-110,
7 **amend** (1) (b) and (3.5) as follows:

8 **22-30.5-110. Charter schools - term - renewal of charter -**
9 **grounds for nonrenewal or revocation.** (1) (b) During the term of a
10 charter, the school district shall annually review the charter school's
11 performance. At a minimum, the review includes the charter school's
12 progress in meeting the objectives identified in the plan the charter school
13 is required to implement BASED ON ITS ACCREDITATION CATEGORY
14 ASSIGNED pursuant to section 22-11-210 and OBJECTIVES BASED ON the
15 results of the charter school's most recent annual financial audit. The
16 school district shall provide to the charter school written feedback from
17 the review and shall include the results of the charter school's annual
18 review in the body of evidence that the local board of education takes into
19 account in deciding whether to renew or revoke the charter and that
20 supports the renegotiation of the charter contract.

21 (3.5) If a charter school ~~is required to implement a turnaround~~
22 ~~plan pursuant to section 22-11-210 (2)~~ HAS AN "F" ACCREDITATION for a
23 second consecutive school year, the charter school shall present to its
24 authorizing local board of education, in addition to the ~~turnaround~~
25 SCHOOL'S plan ADOPTED PURSUANT TO SECTION 22-11-406, a summary of
26 the changes made by the charter school to improve its performance, the
27 progress made in implementing the changes, and evidence, as requested

1 by the local board of education, that the charter school is making
2 sufficient improvement to attain a higher accreditation category within
3 two school years or sooner. If the local board of education finds that the
4 charter school's evidence of improvement is not sufficient or if the charter
5 school ~~is required to implement a turnaround plan~~ RECEIVES AN "F"
6 ACCREDITATION for a third consecutive school year, the local board of
7 education may revoke the school's charter.

8 **SECTION 28.** In Colorado Revised Statutes, 22-30.5-304,
9 **amend** (1) (e) (II) and (1) (f) (II) as follows:

10 **22-30.5-304. Review committee - membership -**
11 **recommendations.** (1) Whenever an independent charter school is to be
12 organized pursuant to this part 3, on or before the date specified by rule
13 adopted by the state board in accordance with section 22-30.5-303 (2) (b),
14 the commissioner shall cause a review committee to be formed. The
15 review committee shall consist of:

16 (e) (II) In appointing a principal pursuant to this paragraph (e), the
17 governor shall appoint a principal of a public school that ~~received the~~
18 ~~highest possible accreditation rating pursuant to the accreditation policy~~
19 ~~implemented pursuant to section 22-11-307 by the public school's local~~
20 ~~board of education or by the state charter school institute, whichever is~~
21 ~~applicable~~, HAD AN "A" ACCREDITATION for the immediately preceding
22 school year.

23 (f) (II) In appointing a teacher pursuant to this paragraph (f), the
24 governor shall appoint a teacher from a public school that ~~received the~~
25 ~~highest possible accreditation rating pursuant to the accreditation policy~~
26 ~~implemented pursuant to section 22-11-307 by the public school's local~~
27 ~~board of education or by the state charter school institute, whichever is~~

1 applicable HAD AN "A" ACCREDITATION FOR THE IMMEDIATELY
2 PRECEDING SCHOOL YEAR; and

3 **SECTION 29.** In Colorado Revised Statutes, 22-30.5-306,
4 **amend** (3) (b) as follows:

5 **22-30.5-306. Independent charter schools - charter - term.**

6 (3) (b) Notwithstanding the provisions of paragraph (a) of this subsection
7 (3), if, during the year prior to the year in which the independent charter
8 school is to open, the school ~~is required to implement a priority~~
9 ~~improvement plan, an improvement plan, or a performance plan pursuant~~
10 ~~to section 22-11-405, 22-11-404, or 22-11-403, respectively~~ RECEIVES A
11 "D" ACCREDITATION OR HIGHER PURSUANT TO SECTION 22-11-210, the
12 local board of education and the applicant may jointly agree to allow the
13 school to remain under the administration of the local board of education.

14 **SECTION 30.** In Colorado Revised Statutes, 22-30.5-307,
15 **amend** (1) and (2) as follows:

16 **22-30.5-307. Independent charter schools - expiration -**

17 **renewal - conversion.** (1) If an independent charter school ~~is required~~
18 RECEIVES AN "F" ACCREDITATION pursuant to section 22-11-210 ~~to~~
19 ~~implement a turnaround plan~~ during the third year of the school's
20 independent charter, the state board shall issue a new request for
21 proposals pursuant to section 22-30.5-303 (2), and a new independent
22 charter school application process shall commence.

23 (2) If an independent charter school ~~is required to implement a~~
24 ~~priority improvement plan, improvement plan, or performance plan~~
25 ~~pursuant to section 22-11-405, 22-11-404, or 22-11-403, respectively,~~
26 RECEIVES A "D" ACCREDITATION OR HIGHER PURSUANT TO SECTION
27 22-11-210 during the third year of the school's independent charter, the

1 parents and legal guardians of the students enrolled at the independent
2 charter school shall decide by majority vote whether, at the expiration of
3 the independent charter school's charter, the school shall apply for a
4 renewal of the independent charter or shall seek to become a regular
5 school of the school district in which the independent charter school is
6 located.

7 **SECTION 31.** In Colorado Revised Statutes, 22-30.5-507,
8 **amend** (2) introductory portion and (2) (c) as follows:

9 **22-30.5-507. Institute charter school - requirements -**
10 **authority - rules.** (2) An institute charter school ~~shall be~~ IS:

11 (c) Subject to THE accreditation POLICIES FOR INSTITUTE CHARTER
12 SCHOOLS ADOPTED by the institute board pursuant to ~~the institute's policy~~
13 ~~for accrediting the institute charter schools adopted pursuant to~~ section
14 22-11-307 and section 22-30.5-505 (3) (b). Each institute charter school
15 ~~shall also be~~ IS ALSO subject to annual review by the department AND
16 ASSIGNMENT OF AN ACCREDITATION CATEGORY BY THE STATE BOARD
17 pursuant to section 22-11-210.

18 **SECTION 32.** In Colorado Revised Statutes, 22-30.5-511,
19 **amend** (2), (3) (c), and (4.5) as follows:

20 **22-30.5-511. Institute charter schools - term - renewal of**
21 **contract - grounds for nonrenewal or revocation - appeal.** (2) During
22 the term of a charter contract, the institute shall annually review the
23 institute charter school's performance. At a minimum, the review includes
24 the institute charter school's progress in meeting the objectives identified
25 in the INSTITUTE CHARTER SCHOOL'S plan ~~the institute charter school is~~
26 ~~required to implement~~ BASED ON THE ACCREDITATION CATEGORY
27 ASSIGNED pursuant to section 22-11-210 and OBJECTIVES BASED ON the

1 results of the institute charter school's most recent annual financial audit.
2 The institute shall provide to the institute charter school written feedback
3 from the review and shall include the results of the institute charter
4 school's annual review in the body of evidence that the institute board
5 takes into account in deciding whether to renew or revoke the charter
6 contract and that supports the renegotiation of the charter contract.

7 (3) The institute board may revoke or deny renewal of a charter
8 contract if the institute board determines that the institute charter school
9 did any of the following:

10 (c) ~~Was required to adopt a turnaround plan~~ RECEIVED AN "F"
11 ACCREDITATION and the state board recommended pursuant to section
12 22-11-210 that the institute charter school be restructured;

13 (4.5) If an institute charter school ~~is required to implement a~~
14 ~~turnaround plan~~ RECEIVES AN "F" ACCREDITATION pursuant to section
15 22-11-210 (3) for a second consecutive school year, the institute charter
16 school shall present to the institute board, in addition to the INSTITUTE
17 CHARTER SCHOOL'S ~~turnaround plan~~ REQUIRED BY SECTION 22-11-406, a
18 summary of the changes made by the institute charter school to improve
19 its performance, the progress made in implementing the changes, and
20 evidence, as requested by the institute board, that the institute charter
21 school is making sufficient improvement to attain a higher accreditation
22 category within two school years or sooner. If the institute board finds
23 that the institute charter school's evidence of improvement is not
24 sufficient or if the institute charter school ~~is required to implement a~~
25 ~~turnaround plan~~ RECEIVES AN "F" ACCREDITATION for a third consecutive
26 school year, the institute board may revoke the school's charter contract.

27 **SECTION 33.** In Colorado Revised Statutes, 22-30.5-520,

1 **amend** (2) as follows:

2 **22-30.5-520. Parent involvement - policy - communications -**
3 **incentives.** (2) If the state board of education, pursuant to section
4 22-11-210, ~~determines that~~ ASSIGNS A "B", "C", "D", OR "F"
5 ACCREDITATION TO an institute charter school, ~~is required to adopt and~~
6 ~~implement a school improvement plan as described in section 22-11-404,~~
7 ~~a school priority improvement plan as described in section 22-11-405, or~~
8 ~~a school turnaround plan as described in section 22-11-406,~~ the institute
9 charter school, within thirty days after receiving the initial notice of the
10 ~~determination~~ ASSIGNMENT or, if the ~~determination~~ ASSIGNMENT is
11 appealed, the final notice of the ~~determination~~ ASSIGNMENT, shall notify
12 the parents of the students enrolled in the school of the ~~required plan~~
13 SCHOOL'S ACCREDITATION CATEGORY and the issues identified by the
14 department of education ~~as giving rise to the need for the required plan~~
15 IN ASSIGNING THE ACCREDITATION CATEGORY. The notice shall also
16 include the timeline for developing and adopting the ~~required plan~~ THAT
17 THE INSTITUTE CHARTER SCHOOL IS REQUIRED TO ADOPT PURSUANT TO
18 SECTION 22-11-404, 22-11-405, OR 22-11-406, WHICHEVER IS APPLICABLE,
19 and the date, time, and location of a public hearing to be held by the
20 institute charter school or the institute, whichever is responsible for
21 adopting the plan, to review the required plan prior to final adoption. At
22 the public hearing, the institute charter school principal or the institute
23 shall also review the institute charter school's progress in implementing
24 its plan for the preceding year and in improving its performance. The date
25 of the public hearing shall be at least thirty days after the date on which
26 the institute charter school provides the written notice.

27 **SECTION 34.** In Colorado Revised Statutes, 22-30.7-103,

1 **amend** (3) (m) as follows:

2 **22-30.7-103. Division of on-line learning - created - duties.**

3 (3) **Duties.** The on-line division shall have the following duties:

4 (m) If the on-line division has reason to believe that an on-line
5 program or on-line school is not in substantial compliance with one or
6 more of the statutory or regulatory requirements applicable to on-line
7 programs and on-line schools, to provide notice to the on-line program or
8 on-line school, and its authorizer, and require that the on-line program or
9 on-line school, together with its authorizer, address a plan for coming into
10 compliance. The plan may be included in the school plan ~~required~~
11 ~~ADOPTED BASED ON THE ACCREDITATION CATEGORY ASSIGNED~~ pursuant
12 to section 22-11-210 (3).

13 **SECTION 35.** In Colorado Revised Statutes, 22-32-119.5,
14 **amend** (2) (c) (IV) as follows:

15 **22-32-119.5. Full-day kindergarten - legislative declaration -**
16 **phase-in plan - report.** (2) Each local board of education shall develop
17 a plan to potentially phase in a full-day kindergarten program in the
18 school district to be funded with state or local moneys provided
19 specifically for such program. In developing the plan, each local board
20 shall consider the following:

21 (c) A method to identify the children who would most benefit
22 from attending a full day of kindergarten, including but not limited to:

23 (IV) Children who are enrolling in an elementary school that is
24 ~~required to implement a priority improvement or turnaround plan~~
25 ~~pursuant to section 22-11-405 or 22-11-406, respectively,~~ HAS A "D" OR
26 "F" ACCREDITATION or is subject to restructuring pursuant to section
27 22-11-210;

1 **SECTION 36.** In Colorado Revised Statutes, 22-32-142, **amend**
2 (2) as follows:

3 **22-32-142. Parent involvement - policy - communications -**
4 **incentives.** (2) If the state board of education, pursuant to section
5 22-11-210, ~~determines that a school of the school district is required to~~
6 ~~adopt and implement a school improvement plan as described in section~~
7 ~~22-11-404, a school priority improvement plan as described in section~~
8 ~~22-11-405, or a school turnaround plan as described in section 22-11-406~~
9 ASSIGNS TO A SCHOOL OF THE SCHOOL DISTRICT A "B", "C", "D", OR "F"
10 ACCREDITATION, the school district, within thirty days after receiving the
11 initial notice of the ~~determination~~ ASSIGNMENT or, if the ~~determination~~
12 ASSIGNMENT is appealed, the final notice of the ~~determination~~
13 ASSIGNMENT, shall notify the parents of the students enrolled in the
14 school of the ~~required plan~~ SCHOOL'S ACCREDITATION CATEGORY and the
15 issues identified by the department of education as ~~giving rise to the need~~
16 ~~for the required plan~~ IN ASSIGNING THE ACCREDITATION CATEGORY. The
17 notice shall also include the timeline for developing and adopting the
18 ~~required plan~~ THAT THE SCHOOL IS REQUIRED TO ADOPT PURSUANT TO
19 SECTION 22-11-404, 22-11-405, OR 22-11-406, WHICHEVER IS APPLICABLE,
20 and the date, time, and location of a public hearing held by the school
21 principal or the district board of education, whichever is responsible for
22 adopting the plan, to review the required plan prior to final adoption. At
23 the public hearing, the school principal or the district board of education
24 shall also review the school's progress in implementing its plan for the
25 preceding year and in improving its performance. The date of the public
26 hearing shall be at least thirty days after the date on which the school
27 district provides the written notice.

1 **SECTION 37.** In Colorado Revised Statutes, 22-36-101, **amend**
2 (2) (a) as follows:

3 **22-36-101. Choice of programs and schools within school**
4 **districts.** (2) (a) Every school district shall adopt such policies and
5 procedures as are reasonable and necessary to implement the provisions
6 of subsection (1) of this section, including, but not limited to, timelines
7 for application to and acceptance in any program or school which may
8 provide for enrollment of the student on or before the pupil enrollment
9 count day, and, while adopting policies and procedures, the school district
10 shall consider adopting a policy establishing that an applicant with a
11 proficiency rating of unsatisfactory in one or more academic areas who
12 attends a public school that ~~is required to implement a turnaround plan~~
13 ~~pursuant to section 22-11-406~~ HAS AN "F" ACCREDITATION or that is
14 subject to restructuring pursuant to section 22-11-210 shall have priority
15 over any other applicant for enrollment purposes.

16 **SECTION 38.** In Colorado Revised Statutes, 22-54-123.5,
17 **amend** (2) (a) as follows:

18 **22-54-123.5. School breakfast program - appropriation -**
19 **low-performing schools.** (2) As used in this section:

20 (a) "Low-performing school" means a school that ~~is required to~~
21 ~~implement a priority improvement or turnaround plan pursuant to section~~
22 ~~22-11-405 or 22-11-406, respectively,~~ HAS A "D" OR "F" ACCREDITATION
23 or is subject to restructuring pursuant to section 22-11-210.

24 **SECTION 39.** In Colorado Revised Statutes, 22-60.5-305.5,
25 **amend** (3) (e) as follows:

26 **22-60.5-305.5. Alternative principal preparation program.**
27 (3) In designing an individualized alternative principal program, the

1 school district shall, at a minimum, ensure that:

2 (e) The individualized alternative principal program complements
3 the school ~~improvement plan, if one exists~~ ADOPTED PURSUANT TO
4 SECTION 22-11-403, 22-11-404, 22-11-405, OR 22-11-406, of the school
5 in which the person who holds a principal authorization would be
6 employed.

7 **SECTION 40.** In Colorado Revised Statutes, 22-63-202, **amend**
8 (2) (c.5) (VI) as follows:

9 **22-63-202. Employment contracts - contracts to be in writing**
10 **- duration - damage provision - repeal.** (2) (c.5) (VI) The provisions
11 of this paragraph (c.5) may be waived in whole or in part for a renewable
12 four-year period by the state board of education pursuant to section
13 22-2-117, provided that the local school board applying for the waiver,
14 in conjunction with the superintendent and teachers association in a
15 district that has an operating master employment contract, if applicable,
16 demonstrates that the waiver is in the best interest of students enrolled in
17 the school district, supports the equitable distribution of effective
18 teachers, and will not result in placement other than by mutual consent of
19 the teacher in a school district or public school that ~~is required to~~
20 ~~implement a priority improvement plan or turnaround plan~~ HAS A "D" OR
21 "F" ACCREDITATION pursuant to article 11 of this title. Notwithstanding
22 the provisions of this paragraph (c.5), a waiver shall not be granted for a
23 request that extends the time for securing an assignment through
24 school-based hiring for more than two years.

25 **SECTION 41.** In Colorado Revised Statutes, 26-6.5-101.5,
26 **amend** (7) (a) (I) as follows:

27 **26-6.5-101.5. Definitions.** As used in this part 1, unless the

1 context otherwise requires:

2 (7) "Eligible elementary school" means a public elementary school
3 that:

4 (a) (I) For the school year immediately preceding submission of
5 the council's application for funding pursuant to section 26-6.5-106, is
6 ~~required to implement a priority improvement or turnaround plan as~~
7 ~~described in section 22-11-405 or 22-11-406, C.R.S., respectively,~~ HAS A
8 "D" OR "F" ACCREDITATION or is subject to restructuring pursuant to
9 section 22-11-210, C.R.S.; and

10 **SECTION 42.** In Colorado Revised Statutes, 22-30.5-303,
11 **amend** (1) as follows:

12 **22-30.5-303. Independent charter schools - request for**
13 **proposals - response contents.** (1) Whenever the state board determines
14 that it is necessary to recommend conversion of a public school to an
15 independent charter school to a local board of education pursuant to the
16 provisions of ~~section 22-11-210 (5)~~ SECTION 22-11-210 (6), the state
17 board shall issue a request for proposals pursuant to subsection (2) of this
18 section and supervise the appointment of a review committee pursuant to
19 section 22-30.5-304.

20 **SECTION 43. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

1 November 2014 and, in such case, will take effect on the date of the
2 official declaration of the vote thereon by the governor.