

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

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 11-0351.01 Richard Sweetman

SENATE BILL 11-080

SENATE SPONSORSHIP

Hudak, Bacon, Giron, Guzman, Morse, Newell, Nicholson, Steadman

HOUSE SPONSORSHIP

Todd, Lee

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING EXPANDING THE TRANSPARENCY OF STRATEGIES FOR**
102 **SCHOOL TURNAROUND PLANS.**

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>.)

A school district board of education (local school board), before adopting a school turnaround plan, shall hold a public meeting for the purpose of allowing members of the public to provide input to the local school board concerning the contents of the school turnaround plan, including but not limited to any proposals for the use of grant funds.

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.*

SENATE
3rd Reading Unamended
May 2, 2011

SENATE
Amended 2nd Reading
April 29, 2011

Within the time frames specified in rules of the state board of education (state board), the local school board shall submit to the commissioner of education for evaluation by the state review panel, in addition to its adopted school turnaround plan, the recommendations of the school district's school accountability committee concerning preparation of the school turnaround plan and a summary of the input received at the public meeting.

Current law describes certain specific, research-based strategies that may be included within a school turnaround plan. The bill reorganizes these existing strategies and adds new strategies that may also be included within a school turnaround plan.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby declares that it recognizes the importance of evaluating the
4 success of strategies used to improve academic performance in schools
5 that are in need of improvement.

6 (2) The general assembly further declares that some public
7 schools of the state are receiving grants for improvement under Title I of
8 the federal "Elementary and Secondary Education Act of 1965", 20
9 U.S.C. sec. 6301 et seq.; therefore, the state has an interest in monitoring
10 the progress of the recipient schools and ensuring that their improvement
11 plans satisfy the requirements of article 11 of title 22, Colorado Revised
12 Statutes, in order to align strategies for school improvement.

13 (3) (a) The general assembly further declares that it recognizes the
14 importance of assessing the performance of school turnaround plans,
15 especially for recipients of Title I grants designed to provide interventions
16 for the persistently lowest performing schools, and the need to look at
17 leading and lagging indicators.

18 (b) As used in this subsection (3):

19 (I) "Leading indicators" means timely benchmarked indicators that

1 provide early signals of progress toward academic achievement, such as
2 improved school attendance, reduced disciplinary incidents, and increased
3 numbers and percentages of students completing advanced course work.

4 (II) "Lagging indicators" means indicators that show the results
5 of successful strategies, such as achievement gains, increased course
6 passage rates, and higher graduation rates.

7 SECTION 2. 22-11-210 (1), Colorado Revised Statutes, is
8 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

9 **22-11-210. Public schools - annual review - plans - supports**
10 **and interventions - rules.** (1) (a.5) IN IMPLEMENTING THE PROVISIONS
11 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE DEPARTMENT
12 SHALL ENSURE THAT SCHOOLS RECEIVING GRANTS UNDER TITLE I OF THE
13 FEDERAL "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20
14 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING INTERVENTIONS
15 FOR THE PERSISTENTLY LOWEST PERFORMING SCHOOLS, INCORPORATE
16 INTO THE SCHOOL IMPROVEMENT PLANS ASSOCIATED WITH SUCH GRANTS
17 THE REQUIREMENTS FOR THE PERFORMANCE INDICATORS, TARGETS, AND
18 IMPROVEMENT STRATEGIES REQUIRED PURSUANT TO THIS SECTION. THE
19 DEPARTMENT SHALL ALSO ENSURE THAT WHEN IT PUBLISHES THE
20 SCHOOLS' PLANS ON THE DEPARTMENT'S DATA PORTAL, OR OTHERWISE
21 MAKES THE PLANS AVAILABLE TO MEMBERS OF THE PUBLIC, THE
22 DEPARTMENT CLEARLY INDICATES WHICH SCHOOLS HAVE ALIGNED PLANS.

23 SECTION 3. The introductory portion to 22-11-210 (4), Colorado
24 Revised Statutes, is amended, and the said 22-11-210 is further amended
25 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS,
26 to read:

27 **22-11-210. Public schools - annual review - plans - supports**

1 **and interventions - rules. (1.5) THE ADMINISTRATION OF EACH PUBLIC**
2 SCHOOL THAT IS RECEIVING A GRANT UNDER TITLE I OF THE FEDERAL
3 "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C.
4 SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING INTERVENTIONS FOR
5 THE PERSISTENTLY LOWEST PERFORMING SCHOOLS, IS ENCOURAGED TO
6 INFORM THE STAFF OF THE SCHOOL OF THE CONTENTS OF THE GRANT, ANY
7 CHANGES TO THE SCHOOL'S IMPROVEMENT STRATEGIES THAT WILL BE
8 MADE AS A RESULT OF THE GRANT, AND ANY REPORTS THAT THE
9 DEPARTMENT IS REQUIRED TO PREPARE AND SUBMIT PURSUANT TO THE
10 GRANT PROCESS.

11 (4) The commissioner may assign the state review panel to
12 critically evaluate a public school's priority improvement plan and shall
13 assign the state review panel to critically evaluate a public school's
14 turnaround plan. FOR ANY PUBLIC SCHOOL THAT IS RECEIVING A GRANT
15 UNDER TITLE I OF THE FEDERAL "ELEMENTARY AND SECONDARY
16 EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE
17 OF PROVIDING INTERVENTIONS FOR THE PERSISTENTLY LOWEST
18 PERFORMING SCHOOLS, THE COMMISSIONER SHALL ASSIGN THE STATE
19 REVIEW PANEL TO CRITICALLY EVALUATE BOTH THE IMPROVEMENT PLAN
20 REQUIRED BY THE TITLE I GRANT AND THE PUBLIC SCHOOL'S
21 IMPROVEMENT PLAN, PRIORITY IMPROVEMENT PLAN, OR TURNAROUND
22 PLAN REQUIRED BY SECTION 22-11-404, 22-11-405, OR 22-11-406 IN
23 ORDER TO ENSURE THE ALIGNMENT OF BOTH PLANS. Based on its
24 evaluation, the state review panel shall report to the commissioner and the
25 state board recommendations concerning:

26 (7) (a) THE DEPARTMENT SHALL ENSURE THAT EACH EVALUATION
27 PERFORMED BY THE STATE REVIEW PANEL PURSUANT TO THIS SECTION IS

1 MADE AVAILABLE ON THE DEPARTMENT'S DATA PORTAL AND PROVIDED TO
2 MEMBERS OF THE PUBLIC UPON REQUEST.

3 (b) THE DEPARTMENT SHALL ENSURE THAT ANY REPORTS
4 PRODUCED TO MONITOR THE PROGRESS OR REPORT THE OUTCOME OF ANY
5 GRANT UNDER TITLE I OF THE FEDERAL "ELEMENTARY AND SECONDARY
6 EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE
7 OF PROVIDING INTERVENTIONS FOR THE PERSISTENTLY LOWEST
8 PERFORMING SCHOOLS, SHALL BE MADE AVAILABLE ON THE DEPARTMENT'S
9 DATA PORTAL AND TO MEMBERS OF THE PUBLIC UPON REQUEST.

10 **SECTION 4.** 22-11-405 (1) (b), (2) (b), and (3), Colorado
11 Revised Statutes, are amended to read:

12 **22-11-405. School priority improvement plan - contents.**

13 (1) (b) The school accountability committee for the district public school
14 shall advise the local school board concerning preparation of the school
15 priority improvement plan and shall make recommendations to the local
16 school board concerning the contents of the school priority improvement
17 plan. The local school board shall create and adopt the school priority
18 improvement plan, taking into account the advice and recommendations
19 of the school accountability committee. PRIOR TO ADOPTING THE SCHOOL
20 PRIORITY IMPROVEMENT PLAN, THE LOCAL SCHOOL BOARD SHALL HOLD A
21 PUBLIC HEARING TO REVIEW THE PLAN, ALLOWING ___ MEMBERS OF THE
22 PUBLIC TO PROVIDE INPUT CONCERNING THE CONTENTS OF THE SCHOOL
23 PRIORITY IMPROVEMENT PLAN, INCLUDING ANY PROVISIONS FOR THE USE
24 OF GRANTS UNDER TITLE I OF THE FEDERAL "ELEMENTARY AND
25 SECONDARY EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., FOR
26 THE PURPOSE OF PROVIDING INTERVENTIONS FOR THE PERSISTENTLY
27 LOWEST PERFORMING SCHOOLS. EACH LOCAL SCHOOL BOARD IS

1 ENCOURAGED TO HOLD THE PUBLIC HEARING AT THE DISTRICT PUBLIC
2 SCHOOL THAT IS ADOPTING THE PRIORITY IMPROVEMENT PLAN AND TO
3 HAVE THE SCHOOL ACCOUNTABILITY COMMITTEE OF THE SCHOOL HOST
4 THE PUBLIC HEARING.

5 (2) (b) The school accountability committee for the institute
6 charter school shall advise the institute concerning preparation of the
7 school priority improvement plan and shall make recommendations to the
8 institute concerning the contents of the school priority improvement plan.
9 The institute shall create and adopt the school priority improvement plan,
10 taking into account the advice and recommendations of the school
11 accountability committee. PRIOR TO ADOPTING THE SCHOOL PRIORITY
12 IMPROVEMENT PLAN, THE INSTITUTE SHALL HOLD A PUBLIC HEARING TO
13 REVIEW THE PLAN, ALLOWING MEMBERS OF THE PUBLIC TO PROVIDE INPUT
14 CONCERNING THE CONTENTS OF THE SCHOOL PRIORITY IMPROVEMENT
15 PLAN, INCLUDING ANY PROVISIONS FOR THE USE OF GRANTS UNDER TITLE
16 I OF THE FEDERAL "ELEMENTARY AND SECONDARY EDUCATION ACT OF
17 1965", 20 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING
18 INTERVENTIONS FOR THE PERSISTENTLY LOWEST PERFORMING SCHOOLS.
19 THE INSTITUTE IS ENCOURAGED TO HOLD THE PUBLIC HEARING AT THE
20 INSTITUTE CHARTER SCHOOL THAT IS ADOPTING THE PRIORITY
21 IMPROVEMENT PLAN AND TO HAVE THE SCHOOL ACCOUNTABILITY
22 COMMITTEE OF THE SCHOOL HOST THE PUBLIC HEARING.

23 (3) The commissioner, subject to available appropriations, may
24 assign the state review panel to critically evaluate a public school's
25 priority improvement plan and report to the commissioner any
26 recommended modifications to the plan. IF THE COMMISSIONER ASSIGNS
27 THE STATE REVIEW PANEL TO CRITICALLY EVALUATE THE PRIORITY

1 IMPROVEMENT PLAN OF A PUBLIC SCHOOL RECEIVING A GRANT UNDER
2 TITLE I OF THE FEDERAL "ELEMENTARY AND SECONDARY EDUCATION
3 ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., FOR THE PURPOSE OF
4 PROVIDING INTERVENTIONS FOR THE PERSISTENTLY LOWEST PERFORMING
5 SCHOOLS, THE LOCAL SCHOOL BOARD SHALL MAKE AVAILABLE TO THE
6 STATE REVIEW PANEL A SUMMARY OF THE INPUT RECEIVED AT THE PUBLIC
7 MEETING DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (1) OF THIS
8 SECTION. The commissioner may recommend to the local school board
9 or the institute modifications to the school priority improvement plan,
10 taking into consideration any recommendations of the state review panel.

11 **SECTION 5.** 22-11-406 (1) (b), (1) (c), and (2) (b), Colorado
12 Revised Statutes, are amended to read:

13 **22-11-406. School turnaround plan - contents.** (1) (b) The
14 school accountability committee for the district public school shall advise
15 the local school board concerning preparation of the school turnaround
16 plan and shall make recommendations to the local school board
17 concerning the contents of the school turnaround plan. The local school
18 board shall create and adopt the school turnaround plan, taking into
19 account the advice and recommendations of the school accountability
20 committee. PRIOR TO ADOPTING THE SCHOOL TURNAROUND PLAN, THE
21 LOCAL SCHOOL BOARD SHALL HOLD A PUBLIC HEARING TO REVIEW THE
22 PLAN, ALLOWING MEMBERS OF THE PUBLIC TO PROVIDE INPUT CONCERNING
23 THE CONTENTS OF THE SCHOOL TURNAROUND PLAN, INCLUDING ANY
24 PROPOSALS FOR THE USE OF GRANTS UNDER TITLE I OF THE FEDERAL
25 "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C.
26 SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING INTERVENTIONS FOR
27 THE PERSISTENTLY LOWEST PERFORMING SCHOOLS. EACH LOCAL SCHOOL

1 BOARD IS ENCOURAGED TO HOLD THE PUBLIC HEARING AT THE DISTRICT
2 PUBLIC SCHOOL THAT IS ADOPTING THE TURNAROUND PLAN AND TO HAVE
3 THE SCHOOL ACCOUNTABILITY COMMITTEE OF THE SCHOOL HOST THE
4 PUBLIC HEARING.

5 (c) Within the time frames specified in state board rule, the local
6 school board shall submit the adopted school turnaround plan to the
7 commissioner for evaluation by the state review panel. IN ADDITION TO
8 THE ADOPTED SCHOOL TURNAROUND PLAN, THE LOCAL SCHOOL BOARD
9 SHALL SUBMIT A SUMMARY OF THE INPUT RECEIVED AT THE PUBLIC
10 HEARING DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (1) FOR ANY
11 SCHOOL RECEIVING A GRANT UNDER TITLE I OF THE FEDERAL
12 "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20 U.S.C.
13 SEC. 6301 ET SEQ., FOR THE PURPOSE OF PROVIDING INTERVENTIONS FOR
14 THE PERSISTENTLY LOWEST PERFORMING SCHOOLS. The state review
15 panel shall critically evaluate the adopted school turnaround plan and
16 make recommendations to the commissioner and the state board
17 concerning the issues specified in section 22-11-210 (4). The
18 commissioner shall approve the school turnaround plan or suggest
19 modifications to the plan, taking into consideration any recommendations
20 of the state review panel. The local school board shall revise the school
21 turnaround plan, if necessary, and resubmit the plan for approval within
22 the time frames specified in state board rule. The local school board shall
23 ensure that the final, approved school turnaround plan is in effect for the
24 district public school within the time frames specified in state board rule.

25 (2) (b) The school accountability committee for the institute
26 charter school shall advise the institute concerning preparation of the
27 school turnaround plan and shall make recommendations to the institute

1 concerning the contents of the school turnaround plan. The institute shall
2 create and adopt the school turnaround plan, taking into account the
3 advice and recommendations of the school accountability committee.
4 PRIOR TO ADOPTING THE SCHOOL TURNAROUND PLAN, THE INSTITUTE
5 SHALL HOLD A PUBLIC HEARING TO REVIEW THE PLAN, ALLOWING ____
6 MEMBERS OF THE PUBLIC TO PROVIDE INPUT CONCERNING THE CONTENTS
7 OF THE SCHOOL TURNAROUND PLAN, INCLUDING ANY PROPOSALS FOR THE
8 USE OF GRANTS UNDER TITLE I OF THE FEDERAL "ELEMENTARY AND
9 SECONDARY EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., FOR
10 THE PURPOSE OF PROVIDING INTERVENTIONS FOR THE PERSISTENTLY
11 LOWEST PERFORMING SCHOOLS. THE INSTITUTE IS ENCOURAGED TO HOLD
12 THE PUBLIC HEARING AT THE INSTITUTE CHARTER SCHOOL THAT IS
13 ADOPTING THE TURNAROUND PLAN AND TO HAVE THE SCHOOL
14 ACCOUNTABILITY COMMITTEE OF THE SCHOOL HOST THE PUBLIC HEARING.

15 **SECTION 6. Act subject to petition - effective date.** This act
16 shall take effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part shall not take effect
22 unless approved by the people at the general election to be held in
23 November 2012 and shall take effect on the date of the official
24 declaration of the vote thereon by the governor.