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SENATE BILL 14-124

BY SENATOR(S) Zenzinger, Aguilar, Guzman, Heath, Hodge, Jones, Kefalas, Kerr, Newell, Nicholson, Schwartz, Steadman, Todd, Ulibarri; also REPRESENTATIVE(S) Fields, Buckner, Duran, Exum, Ginal, Hamner, Hullinghorst, Lebsack, May, Melton, Mitsch Bush, Moreno, Pabon, Rosenthal, Ryden, Salazar, Schafer, Tyler, Williams.

CONCERNING PROGRAMS TO DEVELOP LEADERS FOR LOW-PERFORMING PUBLIC SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **repeal and reenact, with amendments,** article 13 of title 22 as follows:

ARTICLE 13

School Turnaround Leaders Development Program

22-13-101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) DEVELOPING HIGH-QUALITY LEADERSHIP FOR STRUGGLING SCHOOLS HAS BECOME A CLEAR PRIORITY NATIONWIDE TO SYSTEMATICALLY IMPROVE ACADEMIC PERFORMANCE AMONG LOW-ACHIEVING STUDENTS;

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

(b) LEADERSHIP FOR LOW-PERFORMING SCHOOLS IS FUNDAMENTALLY DIFFERENT THAN LEADERSHIP FOR HIGHER-PERFORMING SCHOOLS. EXTENSIVE RESEARCH SHOWS THAT, TO ACHIEVE REAL TURNAROUND AND ACADEMIC IMPROVEMENT, LOW-PERFORMING SCHOOLS NEED TO EXPERIENCE SIGNIFICANT AND FUNDAMENTAL CHANGE IN INSTRUCTIONAL PRACTICES AS WELL AS IN THE SCHOOL'S CLIMATE AND CULTURE. TURNAROUND LEADERSHIP REQUIRES DRAMATIC AND TRANSFORMATIVE INTERVENTION IN A CULTURE OF UNDERPERFORMANCE WITHIN A SHORT AMOUNT OF TIME. THE RESEARCH FURTHER ARTICULATES THE SKILLS AND COMPETENCIES THAT SCHOOL LEADERS MUST HAVE TO PRODUCE THIS TYPE OF CHANGE IN A SCHOOL AND THAT THESE SKILLS AND COMPETENCIES ARE DRAMATICALLY DIFFERENT FROM THOSE PRACTICED BY MOST SCHOOL LEADERS.

(c) THERE IS ALSO A SIGNIFICANT AMOUNT OF RESEARCH AND EVIDENCE AROUND THE PRACTICES THAT ARE NEEDED TO TRAIN, RECRUIT, INCENTIVIZE, AND SUSTAIN SUCCESSFUL, HIGH-QUALITY SCHOOL TURNAROUND LEADERS;

(d) IN ADDITION TO SCHOOL PRINCIPALS, TEACHER LEADERS WITHIN SCHOOLS AND DISTRICT-LEVEL PERSONNEL WHO COORDINATE AND SUPPORT TURNAROUND EFFORTS FOR MULTIPLE SCHOOLS OF A SCHOOL DISTRICT ARE CRUCIAL TO ACHIEVING INCREASED ACADEMIC PERFORMANCE WITHIN LOW-PERFORMING SCHOOLS AND MUST BE INCLUDED IN PROGRAMS TO TRAIN SUCCESSFUL, HIGH-QUALITY SCHOOL TURNAROUND LEADERS;

(e) FOR THE 2013-14 SCHOOL YEAR, ONE HUNDRED NINETEEN PUBLIC SCHOOLS SERVING FIFTY-FIVE THOUSAND EIGHT HUNDRED FOURTEEN STUDENTS IN COLORADO ARE ACCREDITED WITH PRIORITY IMPROVEMENT PLANS, AND FORTY-NINE PUBLIC SCHOOLS SERVING SEVENTEEN THOUSAND THREE HUNDRED ELEVEN STUDENTS ARE ACCREDITED WITH TURNAROUND PLANS. FOR THE 2013-14 SCHOOL YEAR, FOURTEEN SCHOOL DISTRICTS ARE ACCREDITED WITH PRIORITY IMPROVEMENT PLANS, AND TWO SCHOOL DISTRICTS ARE ACCREDITED WITH TURNAROUND PLANS. GIVEN THESE LEVELS OF PERFORMANCE IN THE PUBLIC SCHOOLS, COLORADO MUST ADDRESS THE NEED TO DEVELOP, NURTURE, AND SUPPORT ASPIRING AND PRACTICING SCHOOL TURNAROUND LEADERS.

(f) THERE IS A TREMENDOUS OPPORTUNITY FOR THE STATE TO

RECRUIT, DEVELOP, AND FACILITATE NEW AND EXISTING LEADERSHIP DEVELOPMENT PROGRAMS THAT ARE SPECIFICALLY FOCUSED ON DEVELOPING LEADERS TO SERVE LOW-PERFORMING SCHOOLS.

(2) THE GENERAL ASSEMBLY THEREFORE FINDS THAT IT IS IMPERATIVE AND IN THE BEST INTERESTS OF THE STATE TO CREATE THE SCHOOL TURNAROUND LEADERS PROGRAM WITHIN THE DEPARTMENT TO CONTRACT WITH PROVIDERS AND AWARD GRANTS TO SCHOOL DISTRICTS THROUGHOUT THE STATE TO USE IN DEVELOPING OUTSTANDING SCHOOL LEADERS WITH THE SKILLS AND COMPETENCIES REQUIRED TO TURN AROUND LOW-PERFORMING PUBLIC SCHOOLS IN THE STATE.

(3) THE GENERAL ASSEMBLY DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE SCHOOL TURNAROUND LEADERS DEVELOPMENT PROGRAM IS AN IMPORTANT ELEMENT IN IMPLEMENTING ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

22-13-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

(3) "INSTITUTE" MEANS THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED IN SECTION 22-30.5-503.

(4) "PROGRAM" MEANS THE SCHOOL TURNAROUND LEADERS DEVELOPMENT PROGRAM CREATED IN SECTION 22-13-103.

(5) "PROVIDER" MEANS A PUBLIC OR PRIVATE ENTITY THAT OFFERS A HIGH-QUALITY TURNAROUND LEADERSHIP DEVELOPMENT PROGRAM FOR COLORADO EDUCATORS.

(6) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE.

(7) "SCHOOL TURNAROUND LEADER" MEANS A PRINCIPAL OR TEACHER LEADER IN A SCHOOL THAT IS REQUIRED TO ADOPT A PRIORITY IMPROVEMENT PLAN OR TURNAROUND PLAN PURSUANT TO SECTION 22-11-210 OR A DISTRICT-LEVEL ADMINISTRATOR OR EMPLOYEE OF THE STATE CHARTER SCHOOL INSTITUTE THAT COORDINATES AND SUPPORTS TURNAROUND EFFORTS IN SCHOOLS OF THE SCHOOL DISTRICT OR INSTITUTE CHARTER SCHOOLS THAT IMPLEMENT PRIORITY IMPROVEMENT PLANS OR TURNAROUND PLANS.

(8) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

22-13-103. School turnaround leaders development program - created - rules. (1) THERE IS CREATED IN THE DEPARTMENT THE SCHOOL TURNAROUND LEADERS DEVELOPMENT PROGRAM TO PROVIDE FUNDING TO ASSIST IN THE DESIGN OF TURNAROUND LEADERSHIP DEVELOPMENT PROGRAMS AND TO PROVIDE FUNDING TO SUPPORT TRAINING AND DEVELOPMENT OF SCHOOL TURNAROUND LEADERS FOR THE PUBLIC SCHOOLS IN THE STATE.

(2) THE STATE BOARD, IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., SHALL PROMULGATE RULES TO IMPLEMENT AND ADMINISTER THE PROGRAM. AT A MINIMUM, THE RULES MUST INCLUDE:

(a) CRITERIA FOR IDENTIFYING APPROVED PROVIDERS FROM AMONG THOSE THAT RESPOND TO THE REQUEST FOR PROPOSALS PURSUANT TO SECTION 22-13-104. AT A MINIMUM, THE CRITERIA MUST:

(I) CONSIDER EACH PROVIDER'S EXPERIENCE IN DEVELOPING SUCCESSFUL, EFFECTIVE LEADERSHIP IN LOW-PERFORMING SCHOOLS AND SCHOOL DISTRICTS;

(II) CONSIDER THE LEADERSHIP QUALITIES THAT EACH PROVIDER'S TURNAROUND LEADERSHIP DEVELOPMENT PROGRAM IS EXPECTED TO DEVELOP; AND

(III) ENSURE THE AVAILABILITY OF TURNAROUND LEADERSHIP DEVELOPMENT PROGRAMS FOR SCHOOL TURNAROUND LEADERS IN PUBLIC SCHOOLS THROUGHOUT THE STATE.

(b) TIMELINES FOR THE DESIGN GRANT APPLICATION AND APPROVAL PROCESS;

(c) CRITERIA FOR AWARDING DESIGN GRANTS TO IDENTIFIED PROVIDERS TO PARTIALLY OFFSET THE DESIGN AND DEVELOPMENT COSTS OF CREATING OR EXPANDING HIGH-QUALITY TURNAROUND LEADERSHIP DEVELOPMENT PROGRAMS;

(d) TIMELINES FOR THE SCHOOL TURNAROUND LEADER GRANT APPLICATION AND APPROVAL PROCESS;

(e) THE REQUIREMENTS FOR A SCHOOL TURNAROUND LEADER GRANT APPLICATION, INCLUDING BUT NOT LIMITED TO THE GOALS THAT THE APPLICANT EXPECTS TO ACHIEVE THROUGH THE GRANT; AND

(f) CRITERIA FOR SELECTING SCHOOL TURNAROUND LEADER GRANT RECIPIENTS. AT A MINIMUM, THE CRITERIA MUST TAKE INTO ACCOUNT FOR APPLYING SCHOOL DISTRICTS THE CONCENTRATION OF SCHOOLS OF THE SCHOOL DISTRICT, OR FOR THE INSTITUTE THE CONCENTRATION OF INSTITUTE CHARTER SCHOOLS, THAT MUST IMPLEMENT PRIORITY IMPROVEMENT OR TURNAROUND PLANS. FOR APPLYING CHARTER SCHOOLS, THE CRITERIA MUST PRIORITIZE SCHOOLS THAT ARE IMPLEMENTING PRIORITY IMPROVEMENT OR TURNAROUND PLANS.

22-13-104. Turnaround leadership development programs - providers - design grants - review. (1) THE DEPARTMENT SHALL ISSUE A REQUEST FOR PROPOSALS FROM PROVIDERS WHO SEEK TO PARTICIPATE IN THE PROGRAM. THE DEPARTMENT SHALL REVIEW THE RESPONSES RECEIVED AND, BASED ON THE CRITERIA ADOPTED BY RULE OF THE STATE BOARD, IDENTIFY ONE OR MORE PROVIDERS TO PARTICIPATE IN THE PROGRAM BY PROVIDING TURNAROUND LEADERSHIP DEVELOPMENT PROGRAMS FOR SCHOOL DISTRICTS, THE INSTITUTE, AND CHARTER SCHOOLS THAT RECEIVE SCHOOL TURNAROUND LEADER GRANTS THROUGH THE PROGRAM. THE DEPARTMENT, ON A REGULAR BASIS, SHALL REVIEW EACH PROVIDER'S TURNAROUND LEADERSHIP DEVELOPMENT PROGRAMS, INCLUDING THE SUCCESS ACHIEVED BY THE PERSONS WHO COMPLETE THE PROGRAMS, AND

REVISE THE LIST OF IDENTIFIED PROVIDERS AS APPROPRIATE TO ENSURE THAT THE TURNAROUND LEADERSHIP DEVELOPMENT PROGRAMS THAT ARE AVAILABLE THROUGH THE PROGRAM ARE OF THE HIGHEST QUALITY.

(2) DURING THE FIRST THREE YEARS THAT THE PROGRAM RECEIVES APPROPRIATIONS, AN IDENTIFIED PROVIDER MAY APPLY AS PROVIDED BY RULE FOR A ONE-TIME DESIGN GRANT TO OFFSET THE COSTS INCURRED IN CREATING OR EXPANDING THE PROVIDER'S TURNAROUND LEADERSHIP DEVELOPMENT PROGRAMS. THE DEPARTMENT SHALL REVIEW THE DESIGN GRANT APPLICATIONS USING THE CRITERIA ADOPTED BY RULE AND RECOMMEND TO THE STATE BOARD THE PROVIDERS THAT MAY RECEIVE DESIGN GRANTS AND THE AMOUNT OF THE GRANTS. THE STATE BOARD, TAKING INTO ACCOUNT THE DEPARTMENT'S RECOMMENDATIONS, MAY AWARD THE DESIGN GRANTS FROM MONEYS APPROPRIATED TO THE SCHOOL TURNAROUND LEADERS DEVELOPMENT FUND CREATED PURSUANT TO SECTION 22-13-106.

(3) EACH IDENTIFIED PROVIDER SHALL TRACK THE EFFECTIVENESS OF PERSONS WHO COMPLETE A TURNAROUND LEADERSHIP DEVELOPMENT PROGRAM AND REPORT THE EFFECTIVENESS TO THE DEPARTMENT IN ACCORDANCE WITH DEPARTMENT GUIDELINES. THE REPORT MUST USE DEPARTMENT RUBRICS TO MEASURE THE EFFECTIVENESS OF PERSONS WHO COMPLETE THE TURNAROUND LEADERSHIP DEVELOPMENT PROGRAM.

22-13-105. School turnaround leader grants - application - awards - report. (1) THE STATE BOARD, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD SCHOOL TURNAROUND LEADER GRANTS TO ONE OR MORE SCHOOL DISTRICTS OR CHARTER SCHOOLS OR TO THE INSTITUTE TO USE IN:

(a) IDENTIFYING AND RECRUITING PRACTICING AND ASPIRING SCHOOL TURNAROUND LEADERS;

(b) SUBSIDIZING THE COSTS INCURRED FOR SCHOOL TURNAROUND LEADERS AND THEIR LEADERSHIP STAFF, IF APPROPRIATE, TO PARTICIPATE IN TURNAROUND LEADERSHIP DEVELOPMENT PROGRAMS OFFERED BY IDENTIFIED PROVIDERS; AND

(c) REIMBURSING SCHOOL TURNAROUND LEADERS FOR THE COSTS THEY INCUR IN COMPLETING TURNAROUND LEADERSHIP DEVELOPMENT

PROGRAMS OFFERED BY IDENTIFIED PROVIDERS.

(2) A SCHOOL DISTRICT, THE INSTITUTE, OR A CHARTER SCHOOL THAT SEEKS A SCHOOL TURNAROUND LEADER GRANT MUST APPLY TO THE DEPARTMENT AS PROVIDED BY RULE OF THE STATE BOARD. THE DEPARTMENT SHALL REVIEW ALL OF THE APPLICATIONS RECEIVED AND, BASED ON THE CRITERIA ADOPTED BY RULE, RECOMMEND TO THE STATE BOARD THE APPLICANTS THAT MAY RECEIVE SCHOOL TURNAROUND LEADER GRANTS AND THE GRANT AMOUNTS. SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD, TAKING INTO ACCOUNT THE DEPARTMENT'S RECOMMENDATIONS, SHALL AWARD SCHOOL TURNAROUND LEADER GRANTS FROM MONEYS APPROPRIATED TO THE SCHOOL TURNAROUND LEADERS DEVELOPMENT FUND.

(3) EACH SCHOOL TURNAROUND LEADER GRANT MAY CONTINUE FOR UP TO THREE BUDGET YEARS. THE DEPARTMENT SHALL ANNUALLY REVIEW EACH GRANT RECIPIENT'S USE OF THE GRANT MONEYS AND MAY RESCIND THE GRANT IF THE DEPARTMENT FINDS THAT THE GRANT RECIPIENT IS NOT MAKING ADEQUATE PROGRESS TOWARD ACHIEVING THE GOALS IDENTIFIED IN THE GRANT APPLICATION.

(4) DURING THE TERM OF THE GRANT, EACH GRANT RECIPIENT SHALL ANNUALLY REPORT TO THE DEPARTMENT THE INFORMATION REQUESTED BY THE DEPARTMENT TO MONITOR THE EFFECTIVENESS OF THE SCHOOL TURNAROUND LEADER GRANTS. THE DEPARTMENT SHALL ANALYZE AND SUMMARIZE THE REPORTS RECEIVED FROM GRANT RECIPIENTS AND ANNUALLY SUBMIT TO THE STATE BOARD, THE GOVERNOR, AND THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, A REPORT OF THE EFFECTIVENESS OF THE SCHOOL TURNAROUND LEADER GRANTS AWARDED PURSUANT TO THIS SECTION. THE DEPARTMENT SHALL ALSO POST THE ANNUAL REPORT ON ITS WEB SITE.

22-13-106. School turnaround leaders development fund - created. (1) (a) THERE IS CREATED IN THE STATE TREASURY THE SCHOOL TURNAROUND LEADERS DEVELOPMENT FUND, REFERRED TO IN THIS SECTION AS THE "FUND", CONSISTING OF MONEYS THAT THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THE

SCHOOL TURNAROUND LEADERS DEVELOPMENT PROGRAM. THE DEPARTMENT MAY EXPEND UP TO FIVE PERCENT OF THE MONEYS ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE COSTS INCURRED IN IMPLEMENTING THE SCHOOL TURNAROUND LEADERS DEVELOPMENT PROGRAM.

(b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(2) IN EACH OF THE FIRST THREE BUDGET YEARS IN WHICH THE PROGRAM OPERATES, THE STATE BOARD MAY DISTRIBUTE AS ONE-TIME DESIGN GRANTS NO MORE THAN APPROXIMATELY ONE-THIRD OF THE AMOUNT APPROPRIATED TO THE FUND FOR THE APPLICABLE BUDGET YEAR.

SECTION 2. In Colorado Revised Statutes, 2-3-1203, **repeal** (3) (dd) (X) as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(dd) July 1, 2017:

(X) ~~The school leadership academy board, created pursuant to section 22-13-103, C.R.S.;~~

SECTION 3. In Colorado Revised Statutes, 22-60.5-304, **repeal** (3) (b) as follows:

22-60.5-304. Approved induction programs - initial principal licensees. (3) (b) ~~On and after July 1, 2009, in promulgating rules and regulations establishing standards and criteria pursuant to paragraph (a) of this subsection (3), the state board shall consult with the school leadership academy board established pursuant to section 22-13-103.~~

SECTION 4. Appropriation. In addition to any other appropriation, for the fiscal year beginning July 1, 2014, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) (a) of article IX of the state constitution, not otherwise appropriated, to the school turnaround leaders development fund created in section 22-13-106 (1) (a), Colorado Revised Statutes, the sum of \$2,000,000, and said sum and 1.2 FTE, or so much thereof as may be necessary, is further appropriated to the department of education, for the implementation of this act.

SECTION 5. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Morgan Carroll
PRESIDENT OF
THE SENATE

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO