

## CHAPTER 98

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**EDUCATION - PUBLIC SCHOOLS**

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## SENATE BILL 22-137

BY SENATOR(S) Zenzinger and Coram, Bridges, Buckner, Fields, Gardner, Ginal, Kolker, Lundeen, Moreno, Rankin, Rodriguez, Smallwood, Sonnenberg, Story, Fenberg;  
also REPRESENTATIVE(S) McLachlan and Young, Bennett, Bird, Boesenecker, Duran, Exum, Gray, Kipp, McCluskie, Sirota, Snyder, Titone, Valdez D., Garnett.

**AN ACT****CONCERNING MEASURES RELATED TO THE TRANSITIONAL RETURN TO STANDARD EDUCATION ACCOUNTABILITY.**

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

**SECTION 1.** In Colorado Revised Statutes, 22-11-204, **amend** (7); and **add** (9) as follows:

**22-11-204. Performance indicators - measures - repeal.** (7) (a) The department shall report on the data portal the levels of attainment on the performance indicators, as measured pursuant to this section, for each public school in the state, each school district, the institute, and the state as a whole; except that, in reporting data disaggregated by student groups, the department shall not report data for any student group that is smaller than the minimum number of students necessary to protect student privacy, as determined by the department.

(b) (I) FOR THE REPORTING REQUIRED BY THIS SUBSECTION (7) FOR THE 2021-22 SCHOOL YEAR, THE DEPARTMENT SHALL INCLUDE DATA CONCERNING THE PERCENTAGE OF STUDENTS WHO CONTRIBUTED TO THE STATE LONGITUDINAL ACADEMIC GROWTH INDICATOR.

(II) THIS SUBSECTION (7)(b) IS REPEALED, EFFECTIVE JULY 1, 2023.

(9) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION TO THE CONTRARY, FOR THE 2021-22 SCHOOL YEAR, THE DEPARTMENT SHALL DETERMINE THE LEVEL OF ATTAINMENT ON THE PERFORMANCE INDICATORS ACHIEVED BY EACH PUBLIC SCHOOL, SCHOOL DISTRICT, THE INSTITUTE, AND THE STATE AS A WHOLE, BASED ON

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

THE STATEWIDE TARGETS REQUIRED FOR THE 2018-19 SCHOOL YEAR.

(b) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2023.

**SECTION 2.** In Colorado Revised Statutes, 22-11-207, **amend** (4)(c) as follows:

**22-11-207. Accreditation categories - criteria - rules.** (4) (c) Notwithstanding the provisions of subsection (4)(a) of this section or section 22-11-209 (3.5), the department shall exclude consideration of the school district's or institute's accreditation rating for the 2020-21, ~~and~~ 2021-22, AND 2022-23 school years from calculating consecutive years for purposes of subsection (4)(a) of this section and section 22-11-209 (3.5) and shall count the school district's or institute's accreditation rating for the ~~2022-23~~ 2023-24 school year as if it were consecutive to the 2019-20 school year. HOWEVER, A CHANGE IN A SCHOOL DISTRICT'S OR THE INSTITUTE'S ACCREDITATION RATING FOR THE 2022-23 SCHOOL YEAR PURSUANT TO SUBSECTION (2.5)(a) OF THIS SECTION MAY BE FACTORED INTO THE CALCULATION OF YEARS FOR PURPOSES OF SUBSECTION (4)(a) OF THIS SECTION.

**SECTION 3.** In Colorado Revised Statutes, 22-11-209, **add** (3.5)(a.5) as follows:

**22-11-209. Removal of accreditation - recommended actions - review - appeal - rules - repeal.** (3.5) (a.5) (I) IN ADDITION TO THE CONSIDERATIONS IN SUBSECTION (3.5)(a) OF THIS SECTION, THE STATE BOARD MAY CONSIDER A SCHOOL DISTRICT'S OR THE INSTITUTE'S 2022-23 ACCREDITATION CATEGORY AS A FACTOR IN DETERMINING WHETHER TO REQUIRE THE SCHOOL DISTRICT OR THE INSTITUTE TO CONTINUE THE PREVIOUSLY DIRECTED ACTIONS OR DIRECT ADDITIONAL OR DIFFERENT ACTIONS.

(II) THIS SUBSECTION (3.5)(a.5) IS REPEALED, EFFECTIVE DECEMBER 31, 2023.

**SECTION 4.** In Colorado Revised Statutes, 22-11-210, **amend** (1)(d)(III); and **add** (5.5)(a.5) as follows:

**22-11-210. Public schools - annual review - plans - supports and interventions - rules - repeal.** (1) (d) (III) Notwithstanding the provisions of subsection (1)(d)(I) of this section, the department shall exclude the consideration of the school's plan type assigned for the 2020-21, ~~and~~ 2021-22, AND 2022-23 school years from the calculations required in subsections (1)(d)(I) and (5.5) of this section and shall count the school's plan type for the ~~2022-23~~ 2023-24 school year as if it were consecutive to the 2019-20 school year. HOWEVER, A CHANGE IN THE TYPE OF PLAN A PUBLIC SCHOOL MUST ADOPT FOR THE 2022-23 SCHOOL YEAR PURSUANT TO SUBSECTION (1)(a.5) OF THIS SECTION MAY BE FACTORED INTO THE CALCULATION OF YEARS FOR PURPOSES OF SUBSECTION (1)(d)(I) OF THIS SECTION.

(5.5) (a.5) (I) IN ADDITION TO THE CONSIDERATIONS IN SUBSECTION (5.5)(a) OF THIS SECTION, THE STATE BOARD MAY CONSIDER THE PUBLIC SCHOOL'S 2022-23 PLAN TYPE AS A FACTOR IN DETERMINING WHETHER TO REQUIRE THE SCHOOL DISTRICT OR THE INSTITUTE TO CONTINUE THE PREVIOUSLY DIRECTED ACTIONS OR DIRECT ADDITIONAL OR DIFFERENT ACTIONS WITH REGARD TO THE PUBLIC SCHOOL.

(II) THIS SUBSECTION (5.5)(a.5) IS REPEALED, EFFECTIVE DECEMBER 31, 2023.

**SECTION 5.** In Colorado Revised Statutes, 22-13-103, **add** (3) as follows:

**22-13-103. School transformation grant program - created - rules - repeal.**

(3) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, DURING THE 2022-23 BUDGET YEAR, THE STATE BOARD MAY AWARD SCHOOL TRANSFORMATION GRANTS PURSUANT TO SECTION 22-13-105, WHICH MAY CONTINUE FOR UP TO THREE BUDGET YEARS, TO SCHOOL DISTRICTS THAT ARE ACCREDITED WITH IMPROVEMENT PLAN, THE INSTITUTE IF IT IS ACCREDITED WITH IMPROVEMENT PLAN, AND CHARTER SCHOOLS THAT ARE REQUIRED TO ADOPT AN IMPROVEMENT PLAN.

(b) THE STATE BOARD SHALL PROMULGATE RULES AS NECESSARY TO IMPLEMENT THIS SUBSECTION (3).

(c) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2026.

**SECTION 6. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: April 13, 2022