

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-0651.01 Julie Pelegrin x2700

HOUSE BILL 18-1197

HOUSE SPONSORSHIP

Young,

SENATE SPONSORSHIP

(None),

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZING LOCAL EDUCATION PROVIDERS TO**
102 **OPERATE STUDENT-CENTERED ACCOUNTABILITY SYSTEM PILOT**
103 **PROGRAMS.**

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://leg.colorado.gov>.)

The bill authorizes a school district, board of cooperative services, or charter school (local education provider) or group of local education providers to create local, student-centered pilot accountability systems (pilot accountability system) for measuring the performance of the public school systems operated by the participating local education providers. A

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

pilot accountability system must be designed to assess student learning, professional culture, and resource allocation within a participating local education provider. The bill describes the minimum requirements for a pilot accountability system proposal, including the manner in which the participating local education providers will determine whether the pilot accountability system is successful. A local education provider that participates in a pilot accountability system must continue to comply with the accountability and accreditation statutes.

A local education provider or group of local education providers may receive a grant to operate the pilot accountability system by submitting the proposal to the department of education (department), agreeing to allow the department to monitor implementation of the pilot accountability system, and agreeing to submit to the department its evaluations of the success of the pilot accountability system. Subject to available appropriations, the participating local education provider or group of local education providers will receive an annual grant so long as they comply with the monitoring and reporting requirements. For each year in which the department distributes a grant, the department must prepare a report of the implementation of the pilot accountability systems; submit it to the governor, the state board of education, and the education committees of the general assembly; and post it on the department website.

The authorization for the pilot accountability system grants repeals in 5 years.

Under existing law, at least 50% of a teacher's or principal's performance evaluation must be based on student growth measures. The bill amends the percentage requirement to at least 20% but not more than 50%. The school district, in collaboration with the licensed educators employed by the school district, will determine the specific percentage.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-7-1006.7 as
3 follows:

4 **22-7-1006.7. Student-centered pilot accountability systems -**
5 **grant program - report - legislative declaration - repeal.** (1) (a) THE
6 GENERAL ASSEMBLY FINDS THAT:

7 (I) THE FUNDAMENTAL PURPOSE OF THE PUBLIC SCHOOL
8 ACCOUNTABILITY SYSTEM MUST BE TO ENSURE THE BEST POSSIBLE

1 EDUCATION FOR EVERY INDIVIDUAL STUDENT, AND EVERY ASPECT OF THE
2 ACCOUNTABILITY SYSTEM MUST FOCUS ON IMPROVING EACH STUDENT'S
3 ACADEMIC ACHIEVEMENT;

4 (II) THE EXISTING ACCOUNTABILITY SYSTEM'S OVER-RELIANCE ON
5 A SMALL NUMBER OF STANDARDIZED, STATEWIDE ASSESSMENTS IS TOO
6 LIMITED TO PROVIDE A COMPLETE, ACCURATE PICTURE OF EACH STUDENT'S
7 LEVEL OF ACADEMIC ACHIEVEMENT; AND

8 (III) THE EXISTING ACCOUNTABILITY SYSTEM, RATHER THAN
9 FOCUSING ON STUDENT ACHIEVEMENT, IDENTIFYING THE NEEDS OF
10 INDIVIDUAL STUDENTS, AND CLOSING ACHIEVEMENT GAPS AMONG
11 STUDENTS, ACTUALLY FOCUSES ON EVALUATING THE EFFORTS OF LOCAL
12 EDUCATION PROVIDERS IN A MANNER THAT IS MORE LIKELY TO RESULT IN
13 PUNITIVE MEASURES THAN IN CREATING A POSITIVE CULTURE OF
14 CONTINUOUS IMPROVEMENT.

15 (b) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS
16 APPROPRIATE TO PROVIDE GRANTS TO ENCOURAGE LOCAL EDUCATION
17 PROVIDERS TO DESIGN AND PILOT LOCAL, STUDENT-CENTERED
18 ACCOUNTABILITY SYSTEMS THAT FOCUS ON MEASURING AND IMPROVING
19 STUDENT ACADEMIC ACHIEVEMENT BY USING MULTIPLE INPUTS AND
20 MEASURES OF STUDENT SUCCESS FOR EVALUATING THE QUALITY OF,
21 AND IDENTIFYING WAYS TO IMPROVE, THE SYSTEM SUPPORTS FOR STUDENT
22 SUCCESS.

23 (c) THE GENERAL ASSEMBLY FURTHER DECLARES THAT, FOR
24 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
25 STUDENT-CENTERED ACCOUNTABILITY SYSTEMS ARE AN IMPORTANT
26 ELEMENT IN IMPLEMENTING ACCOUNTABLE EDUCATION REFORM AND
27 ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND

1 MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
2 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

3 (2) A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL
4 EDUCATION PROVIDERS MAY SUBMIT TO THE DEPARTMENT OF EDUCATION
5 A PROPOSAL FOR PILOTING A LOCAL, STUDENT-CENTERED
6 ACCOUNTABILITY SYSTEM, REFERRED TO IN THIS SECTION AS A "PILOT
7 ACCOUNTABILITY SYSTEM". THE GOAL OF EACH PILOT ACCOUNTABILITY
8 SYSTEM MUST BE TO FAIRLY AND ACCURATELY EVALUATE STUDENT
9 SUCCESS USING MULTIPLE MEASURES TO DEVELOP A MORE
10 COMPREHENSIVE UNDERSTANDING OF EACH STUDENT'S PROGRESS, TO
11 EVALUATE THE CAPACITY OF THE PUBLIC SCHOOL SYSTEMS OPERATED BY
12 THE LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION
13 PROVIDERS TO SUPPORT STUDENT SUCCESS, AND TO USE THE RESULTS
14 OBTAINED FROM MEASURING PERFORMANCE TO ESTABLISH A CYCLE OF
15 CONTINUOUS IMPROVEMENT. A PILOT ACCOUNTABILITY SYSTEM MUST BE
16 DESIGNED TO ASSESS:

17 (a) STUDENT LEARNING, TAKING INTO ACCOUNT ACADEMIC
18 ACHIEVEMENT AND GROWTH AND CHANGES IN AND DEVELOPMENT OF
19 STUDENT ATTITUDE AND DISPOSITION. IN EVALUATING STUDENT
20 LEARNING, A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL
21 EDUCATION PROVIDERS MAY CHOOSE TO CONSIDER CREATION AND
22 ATTAINMENT OF STUDENT LEARNING OBJECTIVES AND LOCAL
23 ASSESSMENTS.

24 (b) THE PROFESSIONAL CULTURE WITHIN THE LOCAL EDUCATION
25 PROVIDER, WHICH MAY INCLUDE EVALUATIONS OF CURRICULUM AND
26 INSTRUCTION, PROFESSIONAL LEARNING, SCHOOL LEADERSHIP, AND THE
27 LEARNING CLIMATE; AND

1 (c) RESOURCE ALLOCATION, WHICH MAY INCLUDE EVALUATIONS
2 OF THE EXISTENCE AND USE OF FINANCIAL RESOURCES, FACILITIES, AND
3 COMMUNITY RESOURCES.

4 (3) A PROPOSAL FOR A PILOT ACCOUNTABILITY SYSTEM, AT A
5 MINIMUM, MUST:

6 (a) EXPLAIN THE MEASURES THAT THE LOCAL EDUCATION
7 PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS WILL USE TO
8 MEASURE STUDENT LEARNING, THE PROFESSIONAL CULTURE, AND
9 RESOURCE ALLOCATION;

10 (b) DESCRIBE THE PROCEDURE FOR REVIEWING EACH LOCAL
11 EDUCATION PROVIDER'S PERFORMANCE, WHICH REVIEWS MUST OCCUR AT
12 LEAST ANNUALLY AND MAY INCLUDE ON-SITE REVIEWS BY OTHER
13 PARTICIPATING LOCAL EDUCATION PROVIDERS AND THE DEPARTMENT OF
14 EDUCATION;

15 (c) DESCRIBE THE EXPECTATIONS FOR PROVIDING FEEDBACK AND
16 ANALYSIS CONCERNING A LOCAL EDUCATION PROVIDER'S PERFORMANCE,
17 WHICH MUST INCLUDE REGULAR COMMUNICATIONS WITH THE LOCAL
18 SCHOOL BOARD OF EACH PARTICIPATING SCHOOL DISTRICT AND THE
19 GOVERNING BOARD OF EACH PARTICIPATING DISTRICT CHARTER SCHOOL
20 AND INSTITUTE CHARTER SCHOOL;

21 (d) DESCRIBE THE MANNER IN WHICH EACH PARTICIPATING LOCAL
22 EDUCATION PROVIDER IS EXPECTED TO APPLY THE FEEDBACK RECEIVED TO
23 IMPROVE PERFORMANCE AND STUDENT ACHIEVEMENT;

24 (e) DESCRIBE THE MANNER IN WHICH THE FEEDBACK AND THE
25 RESPONSE TO THE FEEDBACK WILL BE COMMUNICATED TO THE PARENTS OF
26 STUDENTS ENROLLED IN THE LOCAL EDUCATION PROVIDER, THE
27 COMMUNITY SURROUNDING THE LOCAL EDUCATION PROVIDER, THE

1 DEPARTMENT OF EDUCATION, AND THE STATE BOARD; AND

2 (f) DESCRIBE THE MANNER IN WHICH THE PARTICIPATING LOCAL
3 EDUCATION PROVIDERS WILL DETERMINE WHETHER THE PILOT
4 ACCOUNTABILITY SYSTEM IS ACCURATELY MEASURING STUDENT SUCCESS
5 AND WHETHER IT RESULTS IN CONTINUOUS IMPROVEMENT WITHIN THE
6 PUBLIC SCHOOL SYSTEMS OF THE PARTICIPATING LOCAL EDUCATION
7 PROVIDERS.

8 (4) IN CREATING A PILOT ACCOUNTABILITY SYSTEM, A LOCAL
9 EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS SHALL,
10 AT A MINIMUM, WORK WITH THE EDUCATION PROFESSIONALS EMPLOYED
11 BY EACH PARTICIPATING LOCAL EDUCATION PROVIDER, INCLUDING THE
12 COLLECTIVE BARGAINING UNITS, IF ANY, FOR EMPLOYEES OF THE LOCAL
13 EDUCATION PROVIDERS; THE PARENTS OF STUDENTS ENROLLED IN EACH
14 PARTICIPATING LOCAL EDUCATION PROVIDER; AND REPRESENTATIVES OF
15 BUSINESSES IN THE COMMUNITY SURROUNDING EACH PARTICIPATING
16 LOCAL EDUCATION PROVIDER.

17 (5) A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL
18 EDUCATION PROVIDERS THAT CHOOSES TO IMPLEMENT A PILOT
19 ACCOUNTABILITY SYSTEM MUST CONTINUE TO COMPLY WITH THE
20 REQUIREMENTS OF THIS PART 10 AND ARTICLE 11 OF THIS TITLE 22 AND
21 THE RULES IMPLEMENTING THIS PART 10 AND ARTICLE 11 OF THIS TITLE 22
22 DURING THE TIME THAT IT IMPLEMENTS THE PILOT ACCOUNTABILITY
23 SYSTEM.

24 (6) TO OBTAIN A GRANT FOR IMPLEMENTING A PILOT
25 ACCOUNTABILITY SYSTEM, A LOCAL EDUCATION PROVIDER OR GROUP OF
26 LOCAL EDUCATION PROVIDERS MUST:

27 (a) SUBMIT THE PROPOSAL FOR THE PILOT ACCOUNTABILITY

1 SYSTEM TO THE DEPARTMENT OF EDUCATION IN ACCORDANCE WITH RULES
2 PROMULGATED BY THE STATE BOARD PURSUANT TO THE "STATE
3 ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24;

4 (b) AGREE TO ALLOW THE DEPARTMENT OF EDUCATION TO
5 MONITOR THE IMPLEMENTATION OF THE PILOT ACCOUNTABILITY SYSTEM,
6 INCLUDING SUBMITTING DATA TO THE DEPARTMENT UPON REQUEST
7 CONCERNING THE MEASURES OF STUDENT PERFORMANCE, PROFESSIONAL
8 CULTURE, AND RESOURCE ALLOCATION AND CONCERNING MEASURES
9 IMPLEMENTED IN RESPONSE TO FEEDBACK RECEIVED; AND

10 (c) AGREE TO SUBMIT, AT LEAST ANNUALLY, EVALUATIONS OF THE
11 SUCCESS OF THE PILOT ACCOUNTABILITY SYSTEM, MEASURED AS
12 DESCRIBED IN SUBSECTION (3)(f) OF THIS SECTION.

13 (7) (a) TO THE EXTENT POSSIBLE, THE DEPARTMENT OF EDUCATION
14 SHALL ALLOW A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL
15 EDUCATION PROVIDERS THAT CHOOSES TO CREATE A PILOT
16 ACCOUNTABILITY SYSTEM TO USE THE ACCREDITATION PROCESS
17 ESTABLISHED TO IMPLEMENT ARTICLE 11 OF THIS TITLE 22 TO SUBMIT ANY
18 DATA REQUESTED BY THE DEPARTMENT CONCERNING IMPLEMENTATION
19 OF THE PILOT ACCOUNTABILITY SYSTEM.

20 (b) THE DEPARTMENT OF EDUCATION SHALL DESIGNATE AT LEAST
21 ONE EMPLOYEE WITHIN THE DEPARTMENTAL DIVISION THAT IS
22 RESPONSIBLE FOR ACCOUNTABILITY TO ACT AS A LIAISON FOR LOCAL
23 EDUCATION PROVIDERS AND GROUPS OF LOCAL EDUCATION PROVIDERS
24 THAT CHOOSE TO CREATE A PILOT ACCOUNTABILITY SYSTEM.

25 (8) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, THE
26 DEPARTMENT OF EDUCATION SHALL DISTRIBUTE TO EACH LOCAL
27 EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS THAT

1 COMPLIES WITH SUBSECTION (6) OF THIS SECTION AN ANNUAL GRANT OF
2 UP TO FIFTY THOUSAND DOLLARS FOR EACH LOCAL EDUCATION PROVIDER
3 THAT IMPLEMENTS A PILOT ACCOUNTABILITY SYSTEM ON AN INDIVIDUAL
4 BASIS OR UP TO ONE HUNDRED THOUSAND DOLLARS FOR EACH GROUP OF
5 LOCAL EDUCATION PROVIDERS THAT IMPLEMENTS A PILOT
6 ACCOUNTABILITY SYSTEM. IN ANY YEAR IN WHICH THE GENERAL
7 ASSEMBLY DOES NOT APPROPRIATE A SUFFICIENT AMOUNT TO FULLY FUND
8 THE GRANTS DESCRIBED IN THIS SUBSECTION (8)(a), THE DEPARTMENT
9 SHALL REDUCE THE AMOUNT OF EACH GRANT BY THE SAME PERCENTAGE
10 THAT THE DEFICIT BEARS TO THE AMOUNT REQUIRED TO FULLY FUND THE
11 GRANTS.

12 (b) BEFORE DISTRIBUTING A GRANT IN A BUDGET YEAR TO A LOCAL
13 EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS, THE
14 DEPARTMENT OF EDUCATION SHALL CONFIRM THAT THE LOCAL EDUCATION
15 PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS IS IN COMPLIANCE
16 WITH THE REQUIREMENTS SPECIFIED IN SUBSECTION (6) OF THIS SECTION
17 BY FULLY COOPERATING WITH THE DEPARTMENT IN MONITORING
18 IMPLEMENTATION OF THE PILOT ACCOUNTABILITY SYSTEM, AND IS
19 SUBMITTING ANNUAL EVALUATIONS OF THE SUCCESS OF THE PILOT
20 ACCOUNTABILITY SYSTEM. THE DEPARTMENT SHALL NOT DISTRIBUTE A
21 GRANT TO A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION
22 PROVIDERS THAT IS NOT IN COMPLIANCE, AS DETERMINED BY THE STATE
23 BOARD.

24 (9) FOR EACH YEAR THAT A LOCAL EDUCATION PROVIDER OR
25 GROUP OF LOCAL EDUCATION PROVIDERS RECEIVES A GRANT PURSUANT TO
26 THIS SECTION, THE DEPARTMENT OF EDUCATION, WITH THE ASSISTANCE OF
27 THE PARTICIPATING LOCAL EDUCATION PROVIDERS, SHALL PREPARE A

1 SUMMARY REPORT OF THE IMPLEMENTATION OF THE PILOT
2 ACCOUNTABILITY SYSTEMS, INCLUDING AT A MINIMUM, AN EVALUATION
3 OF THE SUCCESS OF EACH PILOT ACCOUNTABILITY SYSTEM IN FAIRLY AND
4 ACCURATELY EVALUATING STUDENT SUCCESS, EVALUATING THE
5 CAPACITY OF THE PUBLIC SCHOOL SYSTEMS OPERATED BY THE
6 PARTICIPATING LOCAL EDUCATION PROVIDERS TO SUPPORT STUDENT
7 SUCCESS, AND ESTABLISHING A CYCLE OF CONTINUOUS IMPROVEMENT
8 WITHIN THE PUBLIC SCHOOL SYSTEMS OF EACH OF THE PARTICIPATING
9 LOCAL EDUCATION PROVIDERS. FOR EACH PILOT ACCOUNTABILITY
10 SYSTEM, THE SUMMARY REPORT SHALL INCLUDE THE SCORES ACHIEVED BY
11 STUDENTS ENROLLED IN THE PARTICIPATING LOCAL EDUCATION
12 PROVIDERS ON THE STATE ASSESSMENTS ADMINISTERED PURSUANT TO
13 SECTION 22-7-1006.3, REPORTED IN AGGREGATE BY GRADE LEVEL AND BY
14 STUDENT GROUP. THE DEPARTMENT SHALL INCLUDE THE INFORMATION
15 ONLY TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW. THE
16 DEPARTMENT SHALL PROVIDE A COPY OF THE REPORT TO THE STATE
17 BOARD, THE GOVERNOR'S OFFICE, AND THE EDUCATION COMMITTEES OF
18 THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
19 COMMITTEES. THE DEPARTMENT SHALL ALSO POST A COPY OF THE REPORT
20 ON ITS WEBSITE FOR PUBLIC ACCESS. NOTWITHSTANDING SECTION
21 24-1-136 (11)(a)(I), THE DEPARTMENT SHALL PREPARE AND SUBMIT THE
22 REPORT ANNUALLY.

23 (10) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023.

24

25 **SECTION 2. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.