

Accountability Alignment Bill – SB09-163

Side-by-Side Comparing Former and New Law Organized by State Accountability, District/Institute Accountability, School Accountability, Performance Reporting

State Accountability

	Changes Required by SB 09-163	Former Statute/Regulation
1	SBE will adopt targets related to 4 key “state performance indicators”: (1) student longitudinal academic growth, (2) student achievement level, (3) progress made in closing achievement and growth gaps and (4) postsecondary and workforce readiness.	SBE adopted general goals and objectives relating to numerous broad categories (C.R.S. 22-7-204).
2	Targets will be set, reaffirmed or revised annually and published on the Web-based data portal (SchoolView).	SBE is not directed to review targets or to publish them.
3	Any new Technical Advisory Panel members will be appointed by the commissioner. CDE intends to keep current TAP intact.	Any new panel members are appointed by the governor (C.R.S. 22-7-604.3(2)(b)).
4	<p>CDE will report on SchoolView information used to measure each of the performance indicators and determine the level of attainment of each public school, each school district, the Institute and the state as a whole on each of the performance indicators.</p> <p>In promulgating rules, SBE shall use clear, understandable language to describe the accreditation categories and levels of attainment on the performance indicators.</p>	Statute directs that CDE: (1) assign a rating of “significant improvement”, “improvement” “stable” “decline” or “significant decline” to each student and school for academic growth; (2) use standardized weighted index to award differential “credit” for each CSAP performance level; and (3) assign ratings of “excellent” “high” “average” “low” or “unsatisfactory” to schools based on levels of achievement and improvement on CSAP assessments and curriculum-based achievement college entrance exams (C.R.S. 22-7-604).
5	<p>Commissioner will recruit an appropriate number of highly qualified individuals to serve as needed on the State Review Panel, to assist CDE and SBE as provided below.</p> <p>When evaluating the priority improvement and turnaround plans of schools, district, or the Institute, the panel will make recommendations concerning:</p> <ol style="list-style-type: none"> (1) Whether the entity’s leadership is adequate to implement change to improve results, (2) Whether the entity’s infrastructure is adequate to support improvement, (3) The readiness and apparent capacity of the entity’s personnel to plan effectively and lead the implementation of appropriate actions to improve student academic performance, 	No State Review Panel exists.

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	<p>(4) The readiness and apparent capacity of the entity’s personnel to engage productively with and benefit from the assistance provided by an external partner,</p> <p>(5) The likelihood of positive returns on state investments of assistance and support to improve the entity’s performance within current management structure and staffing, and</p> <p>(6) The necessity that the entity remain in operation to serve students.</p> <p>If CDE recommends removing a district or the Institute’s accreditation, the commissioner will assign the panel to evaluate the district or Institute’s performance and recommend one or more of the following actions: If the recommendation applies to a district:</p> <ol style="list-style-type: none"> (1) that the district be reorganized, (2) that a private or public entity, with the agreement of the school district, take over management of a district or one or more of its schools, (3) that one or more of the district’s public schools be converted to a charter school, (4) that one or more of the district’s public schools seek status as an innovation school or innovation school zone, or (5) that one or more of a district’s public schools be closed. <p>If the recommendation applies to the Institute:</p> <ol style="list-style-type: none"> (1) That the Institute board be abolished and that the governor appoint a new Institute Board, (2) That a public or private entity take over management of the Institute or management of one or more of the Institute charter schools, or (3) That one or more of the Institute charter schools be closed. <p>If a public school fails to make adequate progress under its turnaround plan or continues to operate under a priority improvement plan or turnaround plan for a combined total of 5 consecutive years, the commissioner will assign the panel to evaluate the school’s performance and determine whether to recommend:</p> <ol style="list-style-type: none"> (1) that a district public school be managed by a private or public entity other than the school district or that an Institute charter school be managed by a private or public entity or governing board other than the current operator, (2) that a district public school, if not already authorized as a charter school, be converted to a charter school, (3) that a district public school seek status as an innovation school, or (4) that a public school be closed or that a charter school’s charter be revoked. 	

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6	Accreditation contracts between CDE and districts will have a term of 1 year and will be automatically renewed so long as district or the Institute remains accredited or higher.	SBE rule directs that accreditation contracts between CDE and districts have a term of 6 years.
7	Accreditation contract terms will be tied to the performance indicators, codifying SBE rule.	SBE rule requires accreditation contracts to include achievement of CSAP goals, longitudinal goals, goals for reducing learning gaps and goals for maximizing graduation rates and achievement levels on the curriculum-based achievement college entrance exam.
8	Accreditation contract terms will be tied to district or Institute's performance, improvement, priority improvement or turnaround plan.	SBE rule requires accreditation contracts to address implementation of Education Improvement Plans.
9	Accreditation contract terms will be tied to district or the Institute's implementation of its accreditation system for schools, codifying SBE rule.	SBE rule requires district and Institute accreditation contracts to specify the process that district or Institute uses to accredit schools.
10	Accreditation contract must address the district or Institute's substantial, good-faith compliance with statutory and regulatory requirements applicable to districts and the Institute.	Statute spells out various statutory and regulatory requirements already applicable to districts and the Institute that must be addressed in accreditation contracts (C.R.S. 22-11-201(4)).
11	CDE will obtain assurances re: budget and financial polices and procedures, accounting and financial reporting, and school safety (for districts), codifying SBE rule.	SBE rule requires that accreditation contracts specify numerous assurances, including budget and financial polices and procedures and accounting and financial reporting.
12	CDE will assign the following accreditation categories: (1) Accredited w/ Distinction, (2) Accredited, (3) Accredited w/ Improvement Plan, (4) Accredited w/ Priority Improvement Plan, (5) Accredited w/ Turnaround Plan, and (6) Unaccredited	CDE assigns the following accreditation ratings: (1) Accredited w/ Distinction; (2) Accredited; (3) Accredited-Letter of Support (4) Accredited- Notice with Support; (5) Accredited-Accreditation Probation; and (6) Unaccredited
13	A district, the Institute or a school may not remain at accredited with priority improvement plan or turnaround plan for longer than a total of 5 consecutive years before the State Board removes the district or Institute's accreditation and requires restructuring.	No comparable provision.

	Changes Required by SB 09-163	Former Statute/Regulation
14	CDE will publish districts' accreditation categories and plans on SchoolView.	SBE rule directs district or Institute to report to the public in writing its progress on the district or Institute accreditation indicators. School accreditation categories are reported on SARs.
15	Districts and the Institute will have a right to hearing before SBE to appeal placement in turnaround category or removal of accreditation.	District or Institute has a right to a hearing before SBE to appeal probationary status or removal of accreditation as a result of failing to remedy lack of compliance with accreditation contract (C.R.S. 22-11-204).
16	Districts or the Institute may lose accreditation if they fail to make substantial progress under turnaround plan, have been accredited with priority improvement plan and/or turnaround plan for 5 consecutive years, or have substantially failed to comply with statutory/regulatory requirements, have failed to come into compliance within 90 days of notice and loss of accreditation is required to protect the interests of students/parents.	SBE rule provides that a district/Institute loses accreditation if, after one year on accreditation probation followed by one year on probation with assistance, a school or district or Institute fail to either meet state Accreditation Indicators or show adequate growth on the improvement plan approved by CDE or district/Institute (for schools).
17	SBE will accredit districts and the Institute and districts will accredit their schools in a manner that is consistent with and meets or exceed the rigor of the State accreditation system for districts. SBE will establish guidelines, including a comprehensive list of factors to be considered, for determining the type of plan that each school will be required to develop and implement. The local board or Institute will place the school in the district or CSI accreditation category that correlates to the public school's plan, based on the district or Institute's accreditation process.	Statute directs SBE to promulgate rules to determine the accreditation categories for public schools. (C.R.S. 22-11-201(1).)
18	SBE rule will specify how long a school may implement an improvement, priority improvement, or turnaround plan, but will not allow a school to continue implementing a priority improvement or turnaround plan for longer than a combined total of 5 consecutive school years before requiring the district/CSI to restructure or close the school.	No comparable provision.
19	CDE will publish each school's plan on SchoolView along with the school's accreditation category, identified by local board or Institute and supporting data.	SBE rule directs school to report to the public in writing its progress on the school accreditation indicators. District or the Institute accreditation ratings are reported on School Accountability Report.

District/Institute Accountability¹

	Changes	Existing Statute/Regulation
20	<p>SBE will require each district or the Institute to implement a performance plan, improvement plan, priority improvement plan or turnaround plan. Each plan must include targets, trends, needs assessment, research-based strategies, resources identified to implement the strategies, and any other matters required by CDE or SBE rule.</p> <p>In addition:</p> <ol style="list-style-type: none"> (1) An improvement plan must include research-based strategies that are appropriate to address the needs identified by the district or the Institute, (2) A priority improvement plan must include research-based strategies that are appropriate to address the needs identified by the district or the Institute and the commissioner may assign the State Review Panel to critically evaluate the plan and report any recommended modifications to the commissioner. The commissioner will take any recommendations into account and may recommend modifications to the plan to the local school board, (3) A turnaround plan must include research-based strategies that are appropriate to address the needs and issues identified and, at a minimum, shall include one or more of the following: employing a lead turnaround partner, reorganizing oversight and management structure, reorganizing individual schools as innovation schools or clustering schools with similar governance/management as an innovative school zone, hiring an entity to operate one or more schools, converting one or more schools to a charter school, renegotiating a charter school's contract, closing a school, or other actions of comparable or greater significance or effect. The State Review Panel will critically evaluate plan and report to commissioner any recommended modifications. The commissioner will take any recommendations into account and may recommend modifications to the plan to the local school board. <p>All plans will be submitted by local boards or the Institute to CDE for publishing on SchoolView.</p>	<p>Local boards and the Institute must create Educational Improvement Plans, which must include “high, but achievable, goals and objectives for the improvement of education in the district and a district plan to improve educational achievement, maximize graduation rates, and increase the ratings for the school’s accreditation category” (C.R.S. 22-7-205(2)).</p> <p>Local boards and the Institute must create plans to remedy lack of compliance with any of the provisions in a district or the Institute’s accreditation contract (C.R.S. 22-11-204). SBE rule specifies that the Institute or local boards for districts that are placed on Accreditation Notice with Support, Accreditation Probation, or Non-accreditation status must adopt a correction plan that includes specific goals, actions, timelines, and resources required to return the Institute or district to accredited status.</p>
21	<p>If SBE directs a local board or the Institute to restructure or close a school, the local board or Institute will work with CDE to implement actions.</p>	<p>No comparable provision.</p>

¹ Note: SB 09 163 will incorporate all changes affecting District Accountability Committees that are implemented via SB 09 90 (Parent Involvement).

School Accountability²

	Changes	Existing Statute/Regulation
22	<p>Each SAC will meet quarterly to discuss whether school leadership, personnel, and infrastructure are advancing or impeding implementation of the school’s plan (performance, improvement, priority improvement, or turnaround) or other progress pertinent to school’s accreditation contract.</p>	<p>SAC meets quarterly to discuss student achievement, reporting, priorities for grant spending, and safety (C.R.S. 22-7-107).</p>
23	<p>SBE will direct each school to adopt a performance plan, improvement plan, priority improvement plan, or turnaround plan. Each plan must include targets, trends, needs assessments, research-based strategies, resources identified to implement the plan and other matters required by SBE/CDE.</p> <p>In addition:</p> <ul style="list-style-type: none"> (1) Considering SAC recommendations, school principals and school district superintendents will adopt improvement plans, which must include research-based strategies that are appropriate to address school’s needs, (2) Considering SAC recommendations, local school boards will adopt priority improvement plans, which must include research-based strategies that are appropriate to address the school’s needs identified by the district or the Institute. Commissioner may assign the State Review Panel to critically evaluate the plan and report any recommended modifications to the commissioner. The commissioner will take any recommendations into account and may recommend modifications to the plan to the SAC, (3) Considering SAC recommendations, local school boards will adopt turnaround plans. These plans must include research-based strategies that are appropriate to address the needs and issues identified, which shall include, employing a lead turnaround partner, reorganizing oversight/management structure, seeking recognition as an innovative school or clustering with other schools to form an innovative school zone, hiring a public/private entity to manage the school, converting to a charter school, renegotiating and significantly restructuring an existing charter contract, closing the school or other actions of comparable or greater significance or effect. State Review Panel will critically evaluate plan and report to commissioner any recommended modifications. Commissioner will take any recommendations into account and may recommend modifications to the plan to the local school board. <p>All plans will be submitted by local school board or the Institute to CDE for publishing on SchoolView.</p>	<p>Each SAC must implement an Educational Improvement Plan, which must include “high, but achievable, goals and objectives for the improvement of education”, methods for maximizing graduation rates from secondary schools and methods to increase the school’s accreditation (C.R.S. 22-7-205(1)).</p> <p>Local boards for schools that receive an academic performance rating of “unsatisfactory” must adopt a school improvement plan (C.R.S. 22-7-609). SBE rule requires that these plan include a comprehensive needs assessment, measurable goals, and strategies to improve performance.</p> <p>SBE rule specifies that local boards for schools that are placed on Accreditation Notice with Support, Accreditation Probation, or Non-accreditation status must adopt a corrective action plan that includes specific goals, actions, timelines, and resources required to return the school to accredited status.</p>

² Note: SB 09 163 will incorporate all changes affecting School Accountability Committees that are implemented via SB 09 90 (Parent Involvement).

Performance Reporting

	Changes	Existing Statute/Regulation
24	<p>CDE will develop and maintain SchoolView to publish the following items:</p> <ol style="list-style-type: none"> (1) performance reports for schools, districts, the Institute and the state, (2) each school, district and the Institute’s accreditation category and supporting data, and (3) each school, district and the Institute’s performance, improvement, priority improvement or turnaround plan, whichever is appropriate. 	No comparable provision.
25	<p>CDE will publish on SchoolView a performance report for each public school, each district, the Institute and the state as a whole, which will include updates to data not later than 60 days after new data becomes available.</p> <p>SBE will adopt rules specifying the information to be included in the reports, but will at a minimum include:</p> <ol style="list-style-type: none"> (1) report subject’s level of attainment on each of the performance indicators, (2) for school reports, comparison of the report subject’s levels of attainment with the levels of attainment of other public schools in the district and state, (3) for district reports, comparison of the report subject’s levels of attainment with the levels of attainment of other districts in the state and the Institute, (4) information concerning comparisons of student performance over time and among student groups, (5) the report subject’s rates of completion, mobility and truancy, and (6) any other additional information that may be required by federal law. <p>Additionally, each school performance report shall include:</p> <ol style="list-style-type: none"> (1) school name, type, address, phone number and Website, (2) information regarding the percentages of students not tested or whose scores are not included in calculating attainment of performance indicators, (3) incidences of drugs/violence, (4) student enrollment, students eligible for free or reduced-cost lunch, enrollment stability, average daily attendance, availability of kindergarten and before- and after-school programs, information on staff employed, (5) whether particular courses/programs are available to students, and (6) whether programs and services are available at the school to support student health and wellness. 	<p>Annually, CDE issues SARs, of which CDE prints a selected number of copies and delivers to schools.</p> <p>Statute specifies numerous elements to be included in reports, including ratings, comparison, AYP, safety and school environment, student conduct, student attendance and time spent in the classroom, student information over time, ratings description, staff information, student performance, Non-CSAP course offerings, taxpayers’ report, and school information. (22-7-605).</p>

27	[Requirements removed].	<p>Districts and the Institute are required to report district improvement goals and objectives (C.R.S. 22-7-205).</p> <p>Districts and the Institute are required to report status of students who have been enrolled in high school for more than 4 years and have not met graduation requirements (C.R.S. 22-11-104(5)).</p>
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