

**Second Regular Session
Sixty-third General Assembly
STATE OF COLORADO**

REENGROSSED

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

LLS NO. 02-0151.01 Julie Pelegrin

HOUSE BILL 02-1122

HOUSE SPONSORSHIP

King, and Groff

SENATE SPONSORSHIP

Pascoe, and Evans

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASUREMENT OF THE ACADEMIC GROWTH OF PUBLIC**
102 **SCHOOL STUDENTS, AND MAKING AN APPROPRIATION**
103 **THEREFOR.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Establishes the academic growth pilot program ("pilot program") to use students' assessment scores over time to measure students' academic growth. Makes participation in the pilot program voluntary until the 2005-06 school year, at which time the pilot program will cease operating as a pilot and all school districts shall be required to participate. For the 2005-06 school year, and school years thereafter, establishes that each public school shall receive an academic growth rating to be

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.*

HOUSE
3rd Reading Unamended
April 3, 2002

HOUSE
Amended 2nd Reading
April 2, 2002

indicated on the school's annual accountability report.

Directs the department of education ("department") to determine the levels of increase that constitute a full year of academic growth in reading, writing, and mathematics. Instructs the state board of education ("state board") to adopt rules establishing categories of unsatisfactory, low, average, high, and excellent academic growth based on the academic growth levels determined by the department.

Requires the department to provide to each school district participating in the pilot program an academic growth information report ("report") for each student. Specifies the contents of the report. For the 2005-06 school year and school years thereafter, requires the department to provide reports to each school district.

Instructs the department to enter into a contract every five years with a public or private entity to calculate annually the amount of each student's academic growth in reading, writing, and mathematics and the academic growth rating for participating public schools. Specifies the contents of the request for proposals to be issued prior to entering into the contract. Establishes criteria for selecting among the responses received to the request for proposals. Requires the contract entity to also prepare the reports and to calculate the academic growth rating for each public school to be included in the school's accountability report beginning with the 2005-06 school year.

Requires each school district that participates in the pilot program to establish a policy for using the information in the reports. Specifies the policy must include preparation of an academic growth profile ("profile") for each student. Specifies other minimum requirements for the policy regarding use of the profiles. Specifies the minimum contents of the profiles. Allows each school district to contract with an entity for analysis of the reports, preparation and use of the profiles, and technical assistance in using the profiles. For the 2005-06 school year and school years thereafter, requires each school district to adopt a policy for using the reports and preparing profiles.

Requires the department and each school district to maintain the confidentiality of each student's assessment scores, except as they may be used with student identifiers in preparing the reports and the profiles. Clarifies that the reports and the profiles shall be included in student records maintained by each school district.

Directs the department to work with schools and school districts to encourage participation in the pilot program.

Specifies that the preparation of the reports and profiles may be funded using moneys from the state education fund. Directs the department to allocate funding to school districts that participate in the pilot program and, beginning with the 2005-06 school year, to all school districts to offset the costs incurred in preparing the profiles.

Repeals the academic improvement rating, effective July 1, 2002,

and, beginning with the 2005-06 school year, replaces it with the school academic growth rating. Directs the department to calculate an academic growth rating for public schools that participate in the pilot program. Allows each school district participating in the pilot program to decide whether to release to parents the academic growth rating achieved by a public school during the pilot program.

Makes conforming amendments.

Makes an appropriation.

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

2 **SECTION 1.** Part 6 of article 7 of title 22, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **22-7-603.7. Academic growth pilot program - legislative**
6 **declaration - creation. (1) Legislative declaration.** THE GENERAL
7 ASSEMBLY HEREBY FINDS THAT:

8 (a) IN 1993, THE GENERAL ASSEMBLY ADOPTED HOUSE BILL
9 93-1313, ESTABLISHING STATE MODEL CONTENT STANDARDS IN SEVERAL
10 AREAS, INCLUDING READING, WRITING, AND MATHEMATICS, AND
11 DIRECTING SCHOOL DISTRICTS TO ADOPT DISTRICT STANDARDS IN THESE
12 AREAS;

13 (b) THE STATE MODEL CONTENT STANDARDS WERE DESIGNED TO
14 MEASURE WHAT EACH CHILD SHOULD KNOW AND BE ABLE TO DO AT
15 VARIOUS LEVELS OF DEVELOPMENT IN THE CHILD'S ACADEMIC CAREER;

16 (c) IN 1997, COLORADO BEGAN IMPLEMENTING THE COLORADO
17 STUDENT ASSESSMENT PROGRAM TO MEASURE WHETHER STUDENTS WERE
18 SUCCESSFULLY MEETING THE STATE MODEL CONTENT STANDARDS;

19 (d) A NEXT STEP IN IMPLEMENTING CONTENT STANDARDS IN
20 EDUCATION IS TO IDENTIFY HOW MUCH ACADEMIC GROWTH IS REQUIRED
21 TO MEET EACH LEVEL OF CONTENT STANDARD AND TO MEASURE WHETHER

1 STUDENTS ARE ACHIEVING THIS GROWTH;

2 (e) THE GOAL FOR MOST STUDENTS, NO MATTER WHERE A STUDENT
3 STARTS, IS TO ACHIEVE ACADEMIC GROWTH EQUIVALENT TO AT LEAST ONE
4 ACADEMIC GRADE DURING A SCHOOL YEAR, AND, FOR STUDENTS WHOSE
5 LEVEL OF ACHIEVEMENT IS BELOW PROFICIENT, THE GOAL IS TO ACHIEVE
6 ACADEMIC GROWTH EQUIVALENT TO MORE THAN AN ACADEMIC GRADE
7 DURING A SCHOOL YEAR;

8 (f) ANNUALLY TESTING EACH STUDENT TO DETERMINE HIS OR HER
9 LEVEL OF PROFICIENCY IN READING, WRITING, AND MATHEMATICS WILL
10 NOT, ALONE, INDICATE WHETHER THE STUDENT IS PROGRESSING IN HIS OR
11 HER LEARNING AT A SATISFACTORY PACE AND WHETHER THE STUDENT HAS
12 ACTUALLY ACHIEVED A YEAR'S WORTH OF ACADEMIC GROWTH BETWEEN
13 TESTING PERIODS;

14 (g) THE NUMERIC CSAP SCORES RECEIVED BY EACH STUDENT IN
15 SUCCESSIVE SCHOOL YEARS CAN BE USED TO PROVIDE A MEASURE THAT
16 WILL INDICATE THE STUDENT'S DEGREE OF ACADEMIC GROWTH OVER TIME;

17 (h) ESTABLISHING A SYSTEM FOR MEASURING ACTUAL ACADEMIC
18 GROWTH WILL INCREASE PARENTS' UNDERSTANDING OF THEIR CHILDREN'S
19 ACTUAL ACADEMIC PROGRESS, ASSIST TEACHERS IN MEETING EACH
20 STUDENT'S ACADEMIC NEEDS AND RAISING EACH STUDENT'S RATE OF
21 ACADEMIC GROWTH, AND INCREASE EACH PUBLIC SCHOOL'S AND SCHOOL
22 DISTRICT'S LEVEL OF ACCOUNTABILITY FOR THE EDUCATIONAL SERVICES
23 IT PROVIDES;

24 (i) MEASURING EACH STUDENT'S ACADEMIC GROWTH OVER TIME
25 WILL PROVIDE NECESSARY INFORMATION TO ASSIST PARENTS, TEACHERS,
26 SCHOOLS, AND SCHOOL DISTRICTS IN IDENTIFYING STUDENTS WHO NEED
27 ADDITIONAL ASSISTANCE AND IN MEASURING THOSE STUDENTS'

1 PERFORMANCE OVER TIME TO CLOSE THE LEARNING GAP THAT SOMETIMES
2 EXISTS AMONG STUDENTS IN THE SAME CLASSROOMS;

3 (j) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO ADOPT
4 LEGISLATION TO IMPLEMENT A PROCESS FOR MEASURING ACADEMIC
5 GROWTH THAT WILL CREATE A COOPERATIVE ATMOSPHERE AMONG
6 STUDENTS, PARENTS, TEACHERS, SCHOOL DISTRICT ADMINISTRATORS, THE
7 DEPARTMENT OF EDUCATION, AND THE STATE BOARD OF EDUCATION AND
8 WILL PROVIDE THE GREATEST BENEFIT TO THE ACADEMIC GROWTH OF
9 STUDENTS IN THIS STATE.

10 (2) **Pilot program created.** (a) THERE IS HEREBY CREATED THE
11 ACADEMIC GROWTH PILOT PROGRAM, REFERRED TO IN THIS SECTION AS
12 THE "PILOT PROGRAM", TO USE STUDENTS' CSAP SCORES OVER TIME TO
13 MEASURE THE ACADEMIC GROWTH OF EACH STUDENT AND DETERMINE
14 WHETHER EACH STUDENT IS ACHIEVING APPROPRIATE RATES OF ACADEMIC
15 GROWTH OVER THE PERIODS BETWEEN THE ADMINISTRATION OF CSAP
16 ASSESSMENTS.

17 (b) PARTICIPATION IN THE ACADEMIC GROWTH PILOT PROGRAM
18 SHALL BE ON A SCHOOL-DISTRICT BASIS AND SHALL BE VOLUNTARY UNTIL
19 THE 2005-06 SCHOOL YEAR. EACH SCHOOL DISTRICT THAT CHOOSES TO
20 PARTICIPATE IN THE PILOT PROGRAM MAY CHOOSE TO INCLUDE ALL OF THE
21 SCHOOL DISTRICT'S SCHOOLS, INCLUDING ITS CHARTER SCHOOLS, IN THE
22 PILOT PROGRAM OR MAY SELECT THOSE SCHOOLS WITHIN THE SCHOOL
23 DISTRICT THAT WILL PARTICIPATE IN THE PILOT PROGRAM. EACH SCHOOL
24 DISTRICT IS STRONGLY ENCOURAGED TO PARTICIPATE IN THE PILOT
25 PROGRAM AND TO ENCOURAGE EACH OF ITS SCHOOLS, INCLUDING ITS
26 CHARTER SCHOOLS, TO PARTICIPATE IN THE PILOT PROGRAM.

27 (3) **Full implementation of program.** BEGINNING WITH THE

1 2005-06 SCHOOL YEAR, THE PILOT PROGRAM SHALL CEASE OPERATING AS
2 A PILOT PROGRAM AND EVERY SCHOOL DISTRICT IN THE STATE SHALL
3 PARTICIPATE IN THE ACADEMIC GROWTH PROGRAM. FOR THE 2005-06
4 SCHOOL YEAR, AND EACH SCHOOL YEAR THEREAFTER, EACH PUBLIC
5 SCHOOL IN EACH SCHOOL DISTRICT, INCLUDING EACH CHARTER SCHOOL,
6 SHALL RECEIVE AN ACADEMIC GROWTH RATING. EACH SCHOOL DISTRICT
7 IS STRONGLY ENCOURAGED TO INCLUDE THE ACADEMIC GROWTH RATING
8 FOR EACH PUBLIC SCHOOL IN THE SCHOOL DISTRICT ON THE SCHOOL
9 DISTRICT'S WEB SITE AND TO PROVIDE ADDITIONAL PUBLIC NOTICE OF THE
10 ACADEMIC GROWTH RATINGS ACHIEVED BY EACH PUBLIC SCHOOL IN THE
11 SCHOOL DISTRICT.

12 (4) **Full year of growth - determination.** (a) ON OR BEFORE
13 JULY 1, 2003, THE DEPARTMENT, USING THE DATA COLLECTED FOR
14 LONGITUDINAL ANALYSIS AS REQUIRED IN SECTION 22-7-603.5, SHALL
15 DETERMINE THE LEVELS OF INCREASE THAT CONSTITUTE A FULL YEAR OF
16 ACADEMIC GROWTH IN READING AT EACH GRADE LEVEL TESTED BY THE
17 CSAP. ON OR BEFORE JULY 1, 2004, THE DEPARTMENT, USING THE DATA
18 FOR LONGITUDINAL ANALYSIS, SHALL DETERMINE THE LEVELS OF
19 INCREASE THAT CONSTITUTE A FULL YEAR OF ACADEMIC GROWTH IN
20 WRITING AND MATHEMATICS AT EACH GRADE LEVEL TESTED BY THE CSAP.
21 THE DEPARTMENT SHALL USE THE DATA FOR LONGITUDINAL ANALYSIS TO
22 REVIEW AND REVISE THE DETERMINATION OF ACADEMIC GROWTH AS
23 NECESSARY.

24 (b) THE STATE BOARD SHALL PROMULGATE RULES ESTABLISHING
25 CATEGORIES OF ACADEMIC GROWTH REFLECTING UNSATISFACTORY, LOW,
26 AVERAGE, HIGH, AND EXCELLENT GROWTH, BASED ON THE AMOUNT OF
27 ACADEMIC GROWTH ACHIEVED OVER THE PERIODS BETWEEN THE

1 ADMINISTRATION OF CSAP ASSESSMENTS. THE AMOUNT OF ACADEMIC
2 GROWTH SHALL BE BASED ON THE ACADEMIC GROWTH LEVELS IDENTIFIED
3 BY THE DEPARTMENT PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION
4 (4). THE STATE BOARD SHALL REVIEW AND REVISE THE CATEGORIES OF
5 ACADEMIC GROWTH AS NECESSARY.

6 (5) **Information provided by department.** (a) (I) ON OR BEFORE
7 AUGUST 1, 2003, THE DEPARTMENT SHALL PROVIDE TO EACH SCHOOL
8 DISTRICT PARTICIPATING IN THE PILOT PROGRAM AN ACADEMIC GROWTH
9 INFORMATION REPORT FOR EACH STUDENT ENROLLED IN A PARTICIPATING
10 PUBLIC SCHOOL OF THE PARTICIPATING SCHOOL DISTRICT, BASED ON THE
11 CSAP ASSESSMENT RESULTS FOR THE 2002-03 SCHOOL YEAR. THE
12 ACADEMIC GROWTH INFORMATION REPORT SHALL INCLUDE THE STUDENT'S
13 CSAP SCORES FOR EACH CSAP ASSESSMENT TAKEN BY THE STUDENT
14 WHILE ENROLLED AT A PUBLIC SCHOOL IN THIS STATE AND THE GROWTH
15 AMOUNTS THAT INDICATE THE STUDENT'S LEVEL OF GROWTH IN READING
16 OVER THE PERIOD BETWEEN THE ADMINISTRATION OF CSAP ASSESSMENTS.

17 (II) ON OR BEFORE JULY 15, 2004, THE DEPARTMENT SHALL
18 PROVIDE TO EACH SCHOOL DISTRICT PARTICIPATING IN THE PILOT
19 PROGRAM AN ACADEMIC GROWTH INFORMATION REPORT FOR EACH
20 STUDENT ENROLLED IN A PARTICIPATING PUBLIC SCHOOL OF THE
21 PARTICIPATING SCHOOL DISTRICT, BASED ON THE CSAP ASSESSMENT
22 RESULTS FOR THE 2003-04 SCHOOL YEAR. THE ACADEMIC GROWTH
23 INFORMATION REPORT SHALL INCLUDE THE STUDENT'S CSAP SCORES FOR
24 EACH CSAP ASSESSMENT TAKEN BY THE STUDENT WHILE ENROLLED AT A
25 PUBLIC SCHOOL IN THIS STATE AND THE GROWTH AMOUNTS THAT INDICATE
26 THE STUDENT'S LEVEL OF GROWTH IN READING, WRITING, AND
27 MATHEMATICS OVER THE PERIOD BETWEEN THE ADMINISTRATION OF CSAP

1 ASSESSMENTS.

2 (III) ON OR BEFORE JULY 1, 2005, THE DEPARTMENT SHALL
3 PROVIDE TO EACH SCHOOL DISTRICT PARTICIPATING IN THE PILOT
4 PROGRAM AN ACADEMIC GROWTH INFORMATION REPORT, AS DESCRIBED
5 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), FOR EACH STUDENT
6 ENROLLED IN A PARTICIPATING PUBLIC SCHOOL OF THE PARTICIPATING
7 SCHOOL DISTRICT, BASED ON THE CSAP ASSESSMENT RESULTS FOR THE
8 2004-05 SCHOOL YEAR.

9 (b) ON OR BEFORE JULY 1, 2006, AND ON OR BEFORE JULY 1 EACH
10 YEAR THEREAFTER, THE DEPARTMENT SHALL PROVIDE TO EACH SCHOOL
11 DISTRICT IN THE STATE AN ACADEMIC GROWTH INFORMATION REPORT, AS
12 DESCRIBED IN SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION
13 (5), FOR EACH STUDENT ENROLLED IN THE SCHOOL DISTRICT, BASED ON
14 THE CSAP ASSESSMENT RESULTS FOR THE IMMEDIATELY PRECEDING
15 SCHOOL YEAR.

16 (c) THE STATE BOARD SHALL PROMULGATE RULES ESTABLISHING
17 THE PROCEDURES BY AND TIME FRAMES IN WHICH THE DEPARTMENT SHALL
18 PROVIDE THE ACADEMIC GROWTH INFORMATION REPORTS TO SCHOOL
19 DISTRICTS. THE DEPARTMENT MAY PROVIDE THE ACADEMIC GROWTH
20 INFORMATION REPORTS IN AN ELECTRONIC FORMAT.

21 (6) **Request for proposals - contract with entity to provide**
22 **reports and academic growth ratings.** (a) ON OR BEFORE SEPTEMBER
23 1, 2002, AND ON OR BEFORE SEPTEMBER 1 EVERY FIVE YEARS
24 THEREAFTER, THE DEPARTMENT SHALL ISSUE A REQUEST FOR PROPOSALS
25 FROM PUBLIC OR PRIVATE ENTITIES TO CALCULATE ANNUALLY THE
26 AMOUNT OF EACH STUDENTS' ACADEMIC GROWTH IN READING, AND
27 BEGINNING JULY 1, 2004, IN READING, WRITING, AND MATHEMATICS, OVER

1 THE PERIODS BETWEEN THE ADMINISTRATION OF CSAP ASSESSMENTS.
2 THE CALCULATIONS SHALL BE BASED ON STUDENTS' CSAP SCORES.

3 (b) ON OR BEFORE JANUARY 15, 2003, AND ON OR BEFORE
4 JANUARY 15 EVERY FIVE YEARS THEREAFTER, THE DEPARTMENT SHALL
5 SELECT FROM AMONG THE RESPONSES RECEIVED PURSUANT TO PARAGRAPH
6 (a) OF THIS SUBSECTION (6) AND CONTRACT WITH AN ENTITY TO PROVIDE
7 THE INFORMATION SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (6).
8 A CONTRACT ENTERED INTO PURSUANT TO THIS PARAGRAPH (b) SHALL BE
9 FOR A TERM OF FIVE YEARS. ANY ENTITY WITH WHICH THE DEPARTMENT
10 CONTRACTS SHALL, AT A MINIMUM, DEMONSTRATE THE FOLLOWING:

11 (I) EXPERIENCE WORKING WITH MIXED-MODEL STATISTICAL
12 ANALYSIS;

13 (II) THE ABILITY TO WORK WITH TEST DATA FROM A VARIETY OF
14 SOURCES AND TO PROVIDE A VARIETY OF ANALYSES OF SUCH DATA;

15 (III) THE ABILITY TO TREAT ANALYSIS AND REPORTING OF DATA
16 ELECTRONICALLY;

17 (IV) CONSISTENT SUCCESS IN COMPLYING WITH DEADLINES AND
18 TIME FRAMES FOR THE DELIVERY OF INFORMATION AND PRODUCTS; AND

19 (V) EXPERIENCE WORKING WITH SCHOOLS AND SCHOOL DISTRICTS.

20 (c) IN ADDITION TO CALCULATING THE AMOUNT OF ACADEMIC
21 GROWTH, THE ENTITY SELECTED BY THE DEPARTMENT SHALL:

22 (I) PREPARE THE ACADEMIC GROWTH INFORMATION REPORTS
23 DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION WITHIN
24 THE DEADLINES SPECIFIED IN SUBSECTION (5) OF THIS SECTION;

25 (II) FOR THE 2002-03, 2003-04, AND 2004-05 SCHOOL YEARS,
26 CALCULATE THE ACADEMIC GROWTH RATING FOR EACH PUBLIC SCHOOL
27 THAT IS PARTICIPATING IN THE PILOT PROGRAM; AND

1 (III) FOR THE 2005-06 SCHOOL YEAR, AND SCHOOL YEARS
2 THEREAFTER, CALCULATE THE ACADEMIC GROWTH RATING FOR EACH
3 PUBLIC SCHOOL.

4 (7) **School districts - use of information.** (a) EACH SCHOOL
5 DISTRICT THAT PARTICIPATES IN THE PILOT PROGRAM SHALL ESTABLISH A
6 POLICY FOR USING THE INFORMATION PROVIDED IN THE ACADEMIC
7 GROWTH INFORMATION REPORTS RECEIVED PURSUANT TO SUBSECTION (5)
8 OF THIS SECTION. AT A MINIMUM, SUCH POLICY SHALL INCLUDE CREATION
9 OF AN ACADEMIC GROWTH PROFILE FOR EACH STUDENT WHO PARTICIPATES
10 IN THE CSAP FOR READING, WRITING, AND MATHEMATICS, AND IS
11 ENROLLED IN A PUBLIC SCHOOL THAT IS PARTICIPATING IN THE PILOT
12 PROGRAM. EACH STUDENT'S ACADEMIC GROWTH PROFILE SHALL MEET THE
13 MINIMUM REQUIREMENTS SPECIFIED IN PARAGRAPH (b) OF THIS
14 SUBSECTION (7). IN ADDITION, THE POLICY SHALL INCLUDE PROCEDURES
15 BY WHICH:

16 (I) EACH STUDENT'S ACADEMIC GROWTH PROFILE IS PREPARED AND
17 DISSEMINATED TO THE PRINCIPAL OF THE PUBLIC SCHOOL IN WHICH THE
18 STUDENT IS ENROLLED AND PROVIDED TO THE STUDENT'S CLASSROOM
19 TEACHER ON OR BEFORE OCTOBER 1, IF POSSIBLE, BUT IN NO EVENT LATER
20 THAN DECEMBER 1;

21 (II) EACH STUDENT'S ACADEMIC GROWTH PROFILE IS SHARED WITH
22 THE STUDENT'S PARENTS AND WITH THE STUDENT IN A DISCUSSION OF THE
23 STUDENT'S ACADEMIC STRENGTHS AND WEAKNESSES AND STRATEGIES TO
24 INCREASE THE STUDENT'S ACADEMIC GROWTH;

25 (III) EACH STUDENT'S ACADEMIC GROWTH PROFILE IS APPLIED AS
26 A TOOL IN INCREASING THE STUDENT'S ACADEMIC ACHIEVEMENT.

27 (b) EACH STUDENT'S ACADEMIC GROWTH PROFILE SHALL BE

1 PREPARED IN A FORMAT THAT IS BENEFICIAL AND USEFUL TO THE
2 STUDENT'S PARENTS AND TEACHERS IN HELPING THE STUDENT TO GROW
3 ACADEMICALLY. EACH STUDENT'S ACADEMIC GROWTH PROFILE, AT A
4 MINIMUM, SHALL INCLUDE THE FOLLOWING INFORMATION:

5 (I) ALL OF THE INFORMATION INCLUDED IN THE STUDENT'S
6 ACADEMIC GROWTH INFORMATION REPORT PROVIDED BY THE DEPARTMENT
7 PURSUANT TO SUBSECTION (5) OF THIS SECTION;

8 (II) ANALYSIS OF THE STUDENT'S LEARNING NEEDS AND
9 STRENGTHS; AND

10 (III) INSTRUCTIONAL STRATEGIES TO ASSIST THE STUDENT IN
11 INCREASING HIS OR HER ACADEMIC GROWTH.

12 (c) EACH SCHOOL DISTRICT MAY CONTRACT WITH ONE OR MORE
13 PUBLIC OR PRIVATE ENTITIES FOR ANALYSIS OF THE ACADEMIC GROWTH
14 INFORMATION REPORTS, PREPARATION OF THE ACADEMIC GROWTH
15 PROFILES, AND TECHNICAL ASSISTANCE IN DEVELOPING AND APPLYING THE
16 INFORMATION IN THE ACADEMIC GROWTH PROFILES. ENTITIES WITH
17 WHICH A SCHOOL DISTRICT MAY CONTRACT INCLUDE, BUT ARE NOT
18 LIMITED TO, ANY PRIVATE ENTITY, THE DEPARTMENT, AND ANY BOARD OF
19 COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE.

20 (d) FOR THE 2005-06 SCHOOL YEAR, AND EACH SCHOOL YEAR
21 THEREAFTER, EACH SCHOOL DISTRICT SHALL COMPLY WITH THE
22 REQUIREMENTS SPECIFIED IN THIS SUBSECTION (7); EXCEPT THAT THE
23 SCHOOL DISTRICT'S ACADEMIC GROWTH PROFILE POLICY SHALL ENSURE
24 THAT THE ACADEMIC GROWTH PROFILES ARE DELIVERED TO THE
25 APPROPRIATE TEACHERS ON OR BEFORE OCTOBER 1, 2006, AND ON OR
26 BEFORE OCTOBER 1 EACH YEAR THEREAFTER.

27 (8) **Confidentiality of information.** (a) THE DEPARTMENT AND

1 SCHOOL DISTRICTS SHALL MAINTAIN THE CONFIDENTIALITY OF EACH
2 STUDENT'S CSAP SCORES; EXCEPT THAT SUCH SCORES MAY BE ACCESSED
3 USING STUDENT IDENTIFIERS, FOR PURPOSES OF PREPARING THE ACADEMIC
4 GROWTH INFORMATION REPORTS, BY THE ENTITY WITH WHICH THE
5 DEPARTMENT CONTRACTS PURSUANT TO SUBSECTION (6) OF THIS SECTION
6 AND MAY BE ACCESSED USING STUDENT IDENTIFIERS, FOR PURPOSES OF
7 PREPARING THE ACADEMIC GROWTH PROFILES, BY ANY ENTITY WITH
8 WHICH A SCHOOL DISTRICT CONTRACTS PURSUANT TO PARAGRAPH (c) OF
9 SUBSECTION (7) OF THIS SECTION.

10 (b) EACH STUDENT'S ACADEMIC GROWTH INFORMATION REPORT
11 AND THE STUDENT'S ACADEMIC GROWTH PROFILE PREPARED BY THE
12 SCHOOL DISTRICT SHALL BE INCLUDED IN HIS OR HER INDIVIDUAL STUDENT
13 RECORD MAINTAINED BY THE SCHOOL DISTRICT IN WHICH THE STUDENT IS
14 ENROLLED.

15 (9) **Pilot program - department to encourage participation.**
16 THE DEPARTMENT SHALL WORK WITH SCHOOL DISTRICTS AND INDIVIDUAL
17 PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS, TO EXPLAIN THE PILOT
18 PROGRAM TO SCHOOL DISTRICTS AND ENCOURAGE PARTICIPATION IN THE
19 PILOT PROGRAM.

20 (10) **Funding.** (a) THE GENERAL ASSEMBLY HEREBY FINDS THAT
21 PREPARATION AND PROVISION OF ACADEMIC GROWTH INFORMATION
22 REPORTS AND ACADEMIC GROWTH PROFILES CONSTITUTE ACCOUNTABLE
23 EDUCATION REFORM AND MAY THEREFORE BE FUNDED FROM MONEYS IN
24 THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF
25 THE STATE CONSTITUTION.

26 (b) THE DEPARTMENT SHALL ANNUALLY ALLOCATE TO EACH
27 SCHOOL DISTRICT THAT CHOOSES TO PARTICIPATE IN THE PILOT PROGRAM

1 THE AMOUNTS SPECIFIED IN THIS PARAGRAPH (b) FROM MONEYS
2 APPROPRIATED TO THE DEPARTMENT FOR THE PURPOSE OF IMPLEMENTING
3 THE PILOT PROGRAM:

4 (I) FOR THE 2003-04 BUDGET YEAR, AN AMOUNT EQUAL TO FIFTY
5 PERCENT OF THE COSTS INCURRED BY THE SCHOOL DISTRICT IN PREPARING
6 THE ACADEMIC GROWTH PROFILES PURSUANT TO SUBSECTION (7) OF THIS
7 SECTION OR FIFTY CENTS PER ACADEMIC GROWTH PROFILE, WHICHEVER IS
8 LESS;

9 (II) FOR THE 2004-05 BUDGET YEAR, AN AMOUNT EQUAL TO
10 SEVENTY-FIVE PERCENT OF THE COSTS INCURRED BY THE SCHOOL DISTRICT
11 IN PREPARING THE ACADEMIC GROWTH PROFILES PURSUANT TO
12 SUBSECTION (7) OF THIS SECTION OR SEVENTY-FIVE CENTS PER ACADEMIC
13 GROWTH PROFILE, WHICHEVER IS LESS;

14 (III) FOR THE 2005-06 BUDGET YEAR, AN AMOUNT EQUAL TO ONE
15 HUNDRED PERCENT OF THE COSTS INCURRED BY THE SCHOOL DISTRICT IN
16 PREPARING THE ACADEMIC GROWTH PROFILES PURSUANT TO SUBSECTION
17 (7) OF THIS SECTION OR ONE DOLLAR PER ACADEMIC GROWTH PROFILE,
18 WHICHEVER IS LESS.

19 (c) FOR THE 2006-07 BUDGET YEAR AND BUDGET YEARS
20 THEREAFTER, THE DEPARTMENT SHALL ALLOCATE TO EACH SCHOOL
21 DISTRICT, FROM MONEYS APPROPRIATED FOR THE IMPLEMENTATION OF
22 THIS SECTION, A UNIFORM AMOUNT ESTABLISHED BY RULE OF THE STATE
23 BOARD TO OFFSET THE COSTS INCURRED IN PREPARING THE ACADEMIC
24 GROWTH PROFILES. THE AMOUNT ESTABLISHED BY THE STATE BOARD
25 SHALL REFLECT THE AVERAGE DIRECT AND INDIRECT COSTS INCURRED BY
26 EACH SCHOOL DISTRICT IN PREPARING THE ACADEMIC GROWTH PROFILES.
27 THE STATE BOARD SHALL ALSO ESTABLISH BY RULE THE METHOD OF

1 DETERMINING THE AMOUNT TO BE ALLOCATED PURSUANT TO THIS
2 PARAGRAPH (c) IN ANY BUDGET YEAR IN WHICH THE AMOUNT
3 APPROPRIATED IS INSUFFICIENT TO COVER THE FULL ALLOCATION AMOUNT
4 SPECIFIED BY RULE OF THE STATE BOARD.

5 (11) **School academic growth rating.** (a) FOR THE 2002-03,
6 2003-04, AND 2004-05 SCHOOL YEARS, THE DEPARTMENT SHALL
7 ANNUALLY ASSIGN A RATING FOR ACADEMIC GROWTH TO EACH PUBLIC
8 SCHOOL THAT PARTICIPATES IN THE PILOT PROGRAM. SUCH RATING SHALL
9 BE "EXCELLENT", "HIGH", "AVERAGE", "LOW", OR "UNSATISFACTORY",
10 BASED ON A COMPOSITE OF THE AMOUNT OF ACADEMIC GROWTH, AS
11 DETERMINED PURSUANT TO SUBSECTION (4) OF THIS SECTION, ACHIEVED
12 BY STUDENTS ENROLLED IN THE PUBLIC SCHOOL, ON THE CSAP
13 ASSESSMENTS IN THE AREA OF READING, FOR THE 2002-03 SCHOOL YEAR,
14 AND IN THE AREAS OF READING, WRITING, AND MATHEMATICS FOR THE
15 2003-04 AND 2004-05 SCHOOL YEARS. THE STATE BOARD SHALL
16 PROMULGATE RULES ESTABLISHING THE METHOD OF CALCULATING THE
17 COMPOSITE OF THE STUDENTS' ACADEMIC GROWTH AMOUNTS AND
18 ESTABLISHING THE SCALE REFLECTING "EXCELLENT", "HIGH", "AVERAGE",
19 "LOW", AND "UNSATISFACTORY" ACADEMIC GROWTH ON THE SCHOOL
20 LEVEL. EACH SCHOOL DISTRICT THAT PARTICIPATES IN THE PILOT
21 PROGRAM SHALL DETERMINE WHETHER TO PROVIDE NOTICE OF A SCHOOL'S
22 ACADEMIC GROWTH RATING TO THE PARENTS OF STUDENTS ENROLLED IN
23 THE SCHOOL BY INCLUDING, AT THE SCHOOL DISTRICT'S EXPENSE, AN
24 ADDENDUM TO THE SCHOOL'S ACCOUNTABILITY REPORT, AS ALLOWED
25 PURSUANT TO SECTION 22-7-605 (11).

26 (b) FOR THE 2005-06 SCHOOL YEAR, AND FOR SCHOOL YEARS
27 THEREAFTER, THE DEPARTMENT SHALL ANNUALLY ASSIGN A RATING FOR

1 ACADEMIC GROWTH TO EACH PUBLIC SCHOOL OF "EXCELLENT", "HIGH",
2 "AVERAGE", "LOW", OR "UNSATISFACTORY". THE SCHOOL ACADEMIC
3 GROWTH RATING SHALL BE BASED ON A COMPOSITE OF THE AMOUNT OF
4 ACADEMIC GROWTH, AS DETERMINED PURSUANT TO SUBSECTION (4) OF
5 THIS SECTION, ACHIEVED BY STUDENTS ENROLLED IN THE PUBLIC SCHOOL,
6 ON THE CSAP ASSESSMENTS IN THE AREAS OF READING, WRITING, AND
7 MATHEMATICS. THE DEPARTMENT SHALL APPLY THE RULES ESTABLISHED
8 BY THE STATE BOARD PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION
9 (11) IN CALCULATING THE COMPOSITE OF THE STUDENTS' ACADEMIC
10 GROWTH AMOUNTS AND ASSIGNING THE RATING FOR ACADEMIC GROWTH.
11 EACH SCHOOL DISTRICT SHALL DETERMINE WHETHER TO PROVIDE NOTICE
12 OF A SCHOOL'S ACADEMIC GROWTH RATING TO THE PARENTS OF STUDENTS
13 ENROLLED IN THE SCHOOL BY INCLUDING, AT THE SCHOOL DISTRICT'S
14 EXPENSE, AN ADDENDUM TO THE SCHOOL'S ACCOUNTABILITY REPORT, AS
15 ALLOWED PURSUANT TO SECTION 22-7-605 (11).

16 (12) **Pilot program report.** (a) ON OR BEFORE JANUARY 15,
17 2005, THE DEPARTMENT SHALL SUBMIT TO THE GOVERNOR'S OFFICE AND
18 TO THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF
19 REPRESENTATIVES A REPORT ADDRESSING IMPLEMENTATION OF THE PILOT
20 PROGRAM AND THE EFFECTIVENESS OF THE PILOT PROGRAM IN MEASURING
21 STUDENTS' ACADEMIC GROWTH. AT A MINIMUM, THE REPORT SHALL
22 ADDRESS THE FOLLOWING ISSUES:

23 (I) WHETHER THE MEASUREMENT OF STUDENT ACADEMIC GROWTH
24 AND OVERALL ACADEMIC GROWTH WITHIN A SCHOOL AS PROVIDED IN THIS
25 SECTION EFFECTIVELY MEASURES OR DEMONSTRATES ADEQUATE YEARLY
26 PROGRESS BY STUDENTS AND ACADEMIC IMPROVEMENT WITHIN A SCHOOL;

27 (II) WHETHER THE DEADLINES AND TIME FRAMES SPECIFIED IN THIS

1 SECTION ARE APPROPRIATE AND SUFFICIENT TO ALLOW THE DEPARTMENT
2 AND SCHOOL DISTRICTS TO PREPARE THE ACADEMIC GROWTH
3 INFORMATION REPORTS AND THE STUDENT GROWTH PROFILES FOR USE IN
4 THE UPCOMING SCHOOL YEAR;

5 (III) THE MANNER IN WHICH SCHOOL DISTRICTS USE THE
6 INFORMATION RECEIVED FROM THE ACADEMIC GROWTH INFORMATION
7 REPORTS, THE TYPES OF STRATEGIES SCHOOL DISTRICTS APPLY TO ADDRESS
8 STUDENTS' LEARNING NEEDS, AND THE SUCCESS OF THESE STRATEGIES;

9 (IV) WHETHER THE OVERALL GROWTH RATES INCREASED
10 BETWEEN THE 2002-03 SCHOOL YEAR AND THE 2004-05 SCHOOL YEAR AND
11 WHETHER THE GROWTH RATES FOR STUDENTS AT EACH ACHIEVEMENT
12 LEVEL WERE COMPARABLE;

13 (V) WHETHER THE QUESTIONS INCLUDED IN THE CSAP
14 ASSESSMENTS ARE SUFFICIENT TO MEASURE GROWTH AT EACH
15 ACHIEVEMENT LEVEL FOR READING, WRITING, AND MATHEMATICS AND, IF
16 NOT, WHETHER ADDITIONAL QUESTIONS ARE NEEDED AND THE AREAS IN
17 WHICH THEY ARE NEEDED;

18 (VI) WHETHER THE ACADEMIC GROWTH RATINGS COMPUTED
19 PURSUANT TO THIS SECTION ARE SUFFICIENTLY CREDIBLE TO PROVIDE
20 SIGNIFICANT INFORMATION TO PARENTS AND WHETHER THEY SHOULD BE
21 INCLUDED ON THE ACCOUNTABILITY REPORTS PREPARED PURSUANT TO
22 SECTION 22-7-605;

23 (VII) WHETHER THE LEVELS OF INCREASE ESTABLISHED BY THE
24 DEPARTMENT PURSUANT TO PARAGRAPH (a) OF SUBSECTION (4) OF THIS
25 SECTION AND THE CATEGORIES OF ACADEMIC GROWTH ESTABLISHED BY
26 RULE PURSUANT TO PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION
27 ADEQUATELY MEASURE EACH YEAR OF ACADEMIC GROWTH;

1 (VIII) WHAT ARE THE APPROPRIATE STANDARDS FOR DETERMINING
2 THE CATEGORIES OF ACADEMIC GROWTH;

3 (IX) WHETHER THE ACADEMIC GROWTH INFORMATION REPORTS
4 AND THE ACADEMIC GROWTH PROFILES CONTAIN THE APPROPRIATE AND
5 NECESSARY INFORMATION FOR MEASURING AND IMPROVING ACADEMIC
6 GROWTH, AND, IF NOT, WHAT INFORMATION WOULD BE APPROPRIATE;

7 (X) THE MANNER IN WHICH THE STANDARDS FOR ACCOUNTABILITY
8 AND ACCREDITATION MAY BE MORE EFFECTIVELY HARMONIZED AND
9 IMPLEMENTED.

10 (b) FOLLOWING RECEIPT OF THE REPORT PREPARED PURSUANT TO
11 PARAGRAPH (a) OF THIS SUBSECTION (12), THE GENERAL ASSEMBLY SHALL
12 CONSIDER WHETHER TO CONTINUE THE ACADEMIC GROWTH PROGRAM AS
13 AN INDEPENDENT PROGRAM OR TO CONSOLIDATE THE ACADEMIC GROWTH
14 RATINGS WITH THE ACCOUNTABILITY REPORTS PREPARED PURSUANT TO
15 SECTION 22-7-605 OR WITH FEDERAL REQUIREMENTS SPECIFIED IN THE "NO
16 CHILD LEFT BEHIND ACT OF 2001", PUBLIC LAW 107-110.

17 **SECTION 2.** 22-7-604 (2) and (6) (a), Colorado Revised
18 Statutes, are amended to read:

19 **22-7-604. Academic performance - academic improvement -**
20 **rating - designation and methodology.** (2) EXCEPT AS OTHERWISE
21 PROVIDED IN PARAGRAPH (a) OF SUBSECTION (6) OF THIS SECTION, ratings
22 assigned to public schools pursuant to this section shall be determined by
23 the levels of student achievement and improvement on all CSAP
24 assessments and curriculum-based, achievement college entrance exams
25 administered by the public school in each school year pursuant to section
26 22-7-409. Each new CSAP assessment area and grade level shall enter
27 the calculations of ratings pursuant to this section at a weight equivalent

1 to that assigned to existing assessment areas and grade levels.

2 (6) **School improvement measurement.** (a) Beginning with the
3 2001-02 school year, the department shall annually assign a rating for
4 academic improvement to each public school of "significant
5 improvement", "improvement", "stable", "decline", or "significant
6 decline". The academic improvement rating shall be based upon the
7 change in the school's standardized, weighted total score calculated
8 pursuant to subsection (5) of this section; EXCEPT THAT, FOR ANY YEAR IN
9 WHICH CSAP ASSESSMENTS ARE ADMINISTERED IN THE CURRENT YEAR
10 THAT WERE NOT ADMINISTERED IN THE PREVIOUS YEAR, THE DEPARTMENT
11 SHALL CALCULATE AN ALTERNATE STANDARDIZED, WEIGHTED TOTAL
12 SCORE, USING THE METHODOLOGY SPECIFIED IN SUBSECTION (5) OF THIS
13 SECTION, FOR THE CURRENT YEAR AND FOR THE PREVIOUS YEAR USING
14 ONLY RESULTS FROM THE ASSESSMENTS ADMINISTERED IN BOTH YEARS
15 AND BASE THE ACADEMIC IMPROVEMENT RATING ON SUCH ALTERNATE
16 STANDARDIZED, WEIGHTED TOTAL SCORE.

17
18 **SECTION 3. Appropriation.** In addition to any other
19 appropriation, there is hereby appropriated, out of any moneys in the state
20 education fund created in section 17 (4) of article IX of the state
21 constitution, not otherwise appropriated, to the department of education,
22 for the fiscal year beginning July 1, 2002, the sum of **two hundred**
23 **twenty-nine thousand dollars (\$229,000)**, or so much thereof as may
24 be necessary, for the implementation of this act.

25 **SECTION 4. 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.