

DEPARTMENT OF EDUCATION

Colorado State Board of Education

ADMINISTRATION OF STATEWIDE ACCOUNTABILITY MEASURES FOR THE COLORADO PUBLIC SCHOOL SYSTEM, CHARTER SCHOOL INSTITUTE, PUBLIC SCHOOL DISTRICTS AND PUBLIC SCHOOLS

1 CCR 301-1

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

2202-R-0.00 Statement of Basis and Purpose.

These accountability measures are adopted under authority granted the State Board of Education in the Colorado Constitution, Article IX, Section 1; and Colorado Revised Statutes § 22-2-106, §§ 22-7-401 through 410, §§ 22-7-501 through 505, §§ 22-11-201 through 22-11-209, §§ 22-11-303 through 306, §§ 22-11-501 through 22-11-504, § 22-30.5-503, § 22-32-109, §§ 22-44-101 through 206, and §§ 22-45-101 through 113.

The basic purposes of the Education Accountability Act of 2009 are:

To provide a process for the State Board of Education to fulfill its constitutional responsibility for supervising the Public Schools of the state;

To focus the attention of educators, parents, students and other members of the community on maximizing every student's progress toward Postsecondary and Workforce Readiness and post graduation success;

To report information concerning performance at the State level, School District or Institute level and individual Public School level that is perceived by educators, parents and students as fair, balanced, cumulative, credible and useful;

To provide more academic performance information, and fewer labels, to move from a punitive accountability system to one that is positive and focused on learning and achieving high levels of academic performance;

To hold the State, School Districts, the Institute and individual Public Schools accountable for performance on the same set of indicators and related measures statewide;

To ensure performance indicators and measures are aligned through a single accountability system to the extent possible that objectively evaluates the performance of the thorough and uniform statewide system of public education for all groups of students at the State, School District or Institute and individual Public School levels and, as appropriate, reward success and provide support for improvement at each level;

To employ a differentiated approach to state intervention based on performance and need, whereby demonstration of high performance results in greater autonomy and demonstration of high need results in greater support and intervention.

1.00 DEFINITIONS.

1.01 "Accreditation" means certification by the State Board of Education that Public School Districts and Public Schools of the School District or the State Charter School Institute and the Institute Charter Schools meet the requirements established by § 22-11-101, C.R.S., et seq., § 22-44-101, C.R.S., et seq. and § 22-45-101, C.R.S., et seq. and the rules promulgated thereunder.

Accreditation includes the process for accrediting School Districts and the Institute and reviewing the performance of Public Schools as provided in § 22-11-201 through § 22-11-210, C.R.S., and the rules promulgated pursuant thereto.

1.02 "Accreditation Contract" or "Contract" means:

(A) the agreement between the State Board of Education and a local School District as described in § 22-11-206, C.R.S. that includes, but is not limited to, the School District's obligation to manage the Accreditation of the Public Schools of the School District consistent with the provisions of Article 11 of Title 22; or

(B) the agreement between the State Board and the Institute as described in § 22-11-206, C.R.S., that includes, but is not limited to the Institute's obligation to manage the Accreditation of the Institute Charter Schools consistent with the provisions of Article 11 of Title 22.

1.03 "Accreditation Criteria" means the criteria that determine the Accreditation category of a School District or the Institute pursuant to the provisions of § 22-11-207, C.R.S.

1.04 "Accredited" means a School District or the Institute meets statewide attainment on the Performance Indicators and is required to adopt and implement a Performance Plan as described in § 22-11-303, C.R.S.

1.05 "Accredited with Distinction" means a School District or the Institute meets or exceeds the statewide targets or targets annually set by the School District or the Institute or exceeds statewide attainment on the Performance Indicators and is required to adopt and implement a Performance Plan as described in § 22-11-303, C.R.S.

- 1.06 “Accredited with Improvement Plan” means a School District or the Institute is required to adopt and implement an Improvement Plan as provided in § 22-11-304, C.R.S.
- 1.07 “Accredited with Priority Improvement Plan” means a School District or the Institute is required to adopt and implement a Priority Improvement Plan as provided in § 22-11-305, C.R.S.
- 1.08 “Accredited with Turnaround Plan” means a School District or the Institute is required to adopt, with the Commissioner’s approval, and implement a Turnaround Plan as provided in § 22-11-306, C.R.S.
- 1.09 “Achievement Level” means the level of proficiency a student demonstrates on a statewide assessment.
- 1.10 “Adequate Longitudinal Growth” means Catch-up Growth, for a student who scored at Unsatisfactory or Partially Proficient Achievement Level on the Statewide Assessments in the previous academic year, which is the amount of academic growth necessary to score at the Proficient Achievement Level within three years or by tenth grade, whichever comes sooner; and (ii) Keep-up Growth, for a student who scored at the Proficient or Advanced Achievement Level on the Statewide Assessments in the previous academic year, which is the amount of academic growth necessary to score at the Proficient Achievement Level or higher for the succeeding three years or until the tenth grade, whichever is sooner.
- 1.11 “Advanced” means a student has success with the most challenging content of the Colorado Model Content Standards. These students answer most of the test questions correctly, including the most challenging questions.
- 1.12 “All Students” means every student regardless of gender, socio-economic level, at-risk status, racial, ethnic, or cultural background, exceptional ability, disability, or Limited English Proficiency.
- 1.13 “Alternative Education Campus” means a Public School that receives a designation pursuant to § 22-7-604.5, C.R.S.
- 1.14 “BOCES” means a Board of Cooperative Education Services, as defined by § 22-5-101, C.R.S., et seq.
- 1.15 “Catch-up Growth” means, for a student who scores at the Achievement Level of Unsatisfactory or Partially Proficient on Statewide Assessments, the amount of academic growth the student must attain to score at the Proficient Achievement Level on Statewide Assessments within three years or by tenth grade, whichever is sooner.
- 1.16 “Commissioner” means the State Commissioner of Education.
- 1.17 “Contextual Learning” establishes connections between school-based instruction and the world of work, careers, and learning that occurs beyond the school itself. Examples are service learning, internships, and school collaboration with business and community enterprises.
- 1.18 “Department” means the State Department of Education.
- 1.19 “Improvement Plan” means:
- (A) the plan described in and adopted by a Local School Board pursuant to § 22-11-304, C.R.S., in which case it may also be referred to more specifically as a “District Improvement Plan” ;
 - (B) the plan described in and adopted by the Institute pursuant to § 22-11-304, C.R.S., in which case it may also be referred to more specifically as an “Institute Improvement Plan” ; or
 - (C) the plan described in and adopted by a Public School pursuant to § 22-11-404, C.R.S., in which case it may also be referred to more specifically as a “School Improvement Plan.”
- 1.20 “Institute” means the State Charter School Institute created pursuant to § 22-30.5-503, C.R.S.
- 1.21 “Institute Charter School” means a charter school that is authorized by the Institute pursuant to the provisions of part 5 of Article 30.5 of Title 22.
- 1.22 “Keep-up Growth” means, for a student who scores at the Achievement Level of Proficient or Advanced on Statewide Assessments, the amount of academic growth the student must attain to score at the Proficient Achievement Level or higher on Statewide Assessments for the succeeding three years or until tenth grade, whichever is sooner.
- 1.23 “Local School Board” means the board of education of a District. “Local School Board” also includes the governing board of a BOCES if the BOCES is operating a Public School.
- 1.24 “Median Student Growth” means, in ranking of individual student growth scores from highest to lowest, the middle student growth score attained.
- 1.25 “Move-up Growth” means, for a student who scores at the Achievement Level of Proficient on Statewide Assessments, the amount of academic growth the student must attain to score at the Advanced Achievement Level on Statewide Assessments within three years or by tenth grade, whichever is sooner.
- 1.26 “On-line Program” means a full-time on-line education program or school authorized pursuant to article 30.7 of title 22 that delivers a sequential program of synchronous or asynchronous instruction from a teacher to a student primarily through the use of technology via the internet in a virtual or remote setting.
- 1.27 “Parent” shall mean a child’s biological parent, adoptive parent, or legal guardian or another adult person recognized by the child’s school as the child’s primary caregiver.
- 1.28 “Partially Proficient” means a student has limited success with the challenging content of the Colorado Model Content Standards. These students may demonstrate inconsistent performance or may answer many test questions correctly but be generally less successful with questions that are most challenging.
- 1.29 “Performance Indicators” means the indicators specified in § 22-11-204, C.R.S., for measuring the performance of the state public education system, including each Public School, each School District, the Institute, and the state as a whole.
- 1.30 “Performance Plan” means:
- (A) the plan described in and adopted by a Local School Board pursuant to § 22-11-303, C.R.S., in which case it may also be referred to more specifically as a “District Performance Plan” ;
 - (B) the plan described in and adopted by the Institute pursuant to § 22-11-303, C.R.S., in which case it may also be referred to more specifically as an “Institute Performance Plan” ; or

- (C) the plan described in and adopted by a Public School pursuant to § 22-11-403, C.R.S., in which case it may also be referred to more specifically as a “School Performance Plan.”
- 1.31 “Postsecondary and Workforce Readiness” shall have the same meaning as provided in § 22-7-1003(15), C.R.S.
- 1.32 “Postsecondary and Workforce Readiness Assessment” shall have the same meaning as provided in § 22-7-1003(16), C.R.S.
- 1.33 “Priority Improvement Plan” means:
- (A) the plan described in and adopted by a Local School Board pursuant to § 22-11-305, C.R.S., in which case it may also be referred to more specifically as a “District Priority Improvement Plan” ;
 - (B) the plan described in and adopted by the Institute pursuant to § 22-11-305, C.R.S., in which case it may also be referred to more specifically as an “Institute Priority Improvement Plan” ; or
 - (C) the plan described in and adopted by a Local School Board pursuant to § 22-11-405, C.R.S., in which case it may also be referred to more specifically as a “School Priority Improvement Plan.”
- 1.34 “Proficient” means a student has success with the challenging content of the Colorado Model Content Standards. These students answer most of the test questions correctly, but may have only some success with questions that reflect the most challenging content.
- 1.35 “Public School” shall have the same meaning as provided in § 22-1-101, C.R.S., and includes but is not limited to a District charter school, an Institute charter school and an online program as defined in section § 22-30.7-102 (9), C.R.S.
- 1.36 “School Accountability Committee” means the committee established by each District Public School and each Institute Charter School pursuant to § 22-11-401, C.R.S.
- 1.37 “School District” or “District” means a School District organized and authorized by section 15 of Article IX of the State Constitution and organized pursuant to Article 30 of Title 22. “School District” also includes a BOCES if the BOCES is operating a Public School.
- 1.38 “School District Accountability Committee” means the committee established by each Local School Board pursuant to § 22-11-301, C.R.S.
- 1.39 “State Board” means the State Board of Education established pursuant to Section 1 of Article IX of the state constitution.
- 1.40 “State Charter School Institute” or “Institute” means the State Charter School Institute created pursuant to § 22-30.5-503, C.R.S.
- 1.41 “SchoolView” means the Internet-based electronic data delivery system developed and maintained by the Department pursuant to § 22-11-502, C.R.S.
- 1.42 “State Review Panel” means the panel of education experts appointed by the Commissioner pursuant to § 22-11-205, C.R.S., to assist the Department and the State Board in implementing provisions of Article 11 of Title 22.
- 1.43 “Statewide Assessments” means the assessments administered pursuant to the Colorado Assessment Program created in § 22-7-409, C.R.S. or as part of the system of the assessments adopted by the State Board pursuant to § 22-7-1006, C.R.S.
- 1.44 “Student Group” means the grouping of students based on sex, socioeconomic status, race and ethnicity, disability, English language proficiency and gifted and talented status, as those groups are defined by State Board rule or Federal requirements, as well as the grouping of students based on any other characteristic that the Department might require to align with Federal requirements or to provide additional data for analysis of student learning.
- 1.45 “Turnaround Plan” means:
- (A) the plan described in and adopted by a Local School Board pursuant to § 22-11-306, C.R.S., in which case it may also be referred to more specifically as a “District Turnaround Plan” ;
 - (B) the plan described in and adopted by the Institute pursuant to § 22-11-306, C.R.S., in which case it may also be referred to more specifically as an “Institute Turnaround Plan” ; or
 - (C) the plan described in and adopted by a Local School Board pursuant to § 22-11-406, C.R.S., in which case it may also be referred to more specifically as a “School Turnaround Plan.”
- 1.46 “Unsatisfactory” means a student has little success with the challenging content of the Colorado Model Content Standards.

2.00 STATEWIDE PERFORMANCE EVALUATION CRITERIA

- 2.01 The State Board shall annually review the performance of the statewide public education system, including but not limited to reviewing the levels of attainment on the Performance Indicators demonstrated by each District and the Institute (as described in section 4.00 of these rules) and by each Public School (as described in section 9.00 of these rules).
- 2.02 When reviewing attainment on the Performance Indicators, the Department shall determine the level of attainment of the state as a whole on the Performance Indicators using the following information:
- 2.02 (A) **Student Longitudinal Academic Growth.**
- 2.02 (A) (1) Student longitudinal academic growth shall be calculated based on the percentage of all students enrolled in the Public Schools in the state who attain *adequate* longitudinal academic growth, Move-Up Growth and Statewide Median Growth, as well as the Median Student Growth among students enrolled in the District’s Public Schools or the Institute’s Public Schools.
- 2.02 (A) (2) The Department shall calculate *adequate* longitudinal academic growth in such a way that adequate longitudinal academic growth means: (a) Catch-up Growth, for a student who scored at Unsatisfactory or Partially Proficient Achievement Level on the Statewide Assessments in the previous academic year, which is the amount of academic growth necessary to score at the Proficient Achievement Level within three years or by tenth grade, whichever comes sooner; and (b) Keep-up Growth, for a student who scored at the Proficient or Advanced Achievement Level on the Statewide Assessments in the previous academic year, which is the amount of academic growth necessary to score at

the Proficient Achievement Level or higher for the succeeding three years or until the tenth grade, whichever is sooner.

2.02 (A) (3) The Department shall calculate Move-Up Growth in such a way that it means, for a student who scores at the Achievement Level of Proficient on the Statewide Assessments, the amount of academic growth the student must attain to score at the Advanced performance level on Statewide Assessments within three years or by tenth grade, whichever is sooner.

2.02 (B) Student Achievement on the Statewide Assessments.

2.02 (B) (1) Student achievement on the Statewide Assessments shall be calculated based on the percentage of all students enrolled in the Public Schools in the state who score at each of the Achievement Levels included in the Statewide Assessments.

2.02 (B) (2) For purposes of calculating student achievement on the Statewide Assessments, the Department shall determine, for each student enrolled in a Public School in the state, the student's Achievement Level in the subjects included in the Statewide Assessments, as demonstrated by the score achieved by the student on the Statewide Assessments.

2.02 (C) Postsecondary and Workforce Readiness.

2.02 (C) (1) Postsecondary and Workforce Readiness shall be calculated based on the following information:

2.02 (C) (1) (a) either: (i) the overall percentages of students enrolled in the eleventh grade in the public high schools of the state who score at each Achievement Level on the standardized, curriculum-based, achievement, college entrance examination administered as a Statewide Assessment; or (ii) following the adoption of a Postsecondary and Workforce Readiness Assessment, as described in § 22-7-1003(16), C.R.S., the percentages of students enrolled in each of the grade levels included in the public high schools statewide who score at each Achievement Level on the Postsecondary and Workforce Readiness Assessment administered by the public high schools;

2.02 (C) (1) (b) the statewide student dropout rate, as defined by section 2.02 (C) (2) of these rules, and the statewide student graduation rate, as defined by section 2.02 (C) (3) of these rules. In evaluating the level of attainment on student dropout and graduation rates, the Commissioner, to the extent practicable, shall ensure that Districts, the Institute, and Public Schools are not penalized for re-engaging students and ensuring that all students successfully graduate; and

2.02 (C) (1) (c) beginning with the 2011-12 school year or as soon as practicable, the overall percentage of all students graduating from the public high schools of the state who receive diplomas that are endorsed for Postsecondary and Workforce Readiness, as described in § 22-7-1009 (1), C.R.S., and the percentage who received diplomas that are endorsed for exemplary demonstration of Postsecondary and Workforce Readiness, as described in § 22-7-1009 (2), C.R.S.

2.02 (C) (2) Student Dropout Rate.

Annual student dropout rates shall be calculated based on the percentage of students in grades seven through twelve who drop out of school in a given year between July 1 and June 30 and have not returned to an educational environment on or before the end of the school year or June 30.

2.02 (C) (2) (a) The numerator for the calculation shall be the number of students in grade seven through twelve who drop out and the denominator shall be the cumulative enrollment for grades seven through twelve. The formula shall be:

$$\frac{\text{Number of dropout in year X}}{\text{Number of students part of same membership base at any time during year X}}$$

2.02 (C) (2) (b) The number of students in grades seven through twelve who drop out shall be determined by adding the number of students who:

2.02 (C) (2) (b) (i) were enrolled in school at some time during the current reporting school year; and

2.02 (C) (2) (b) (ii) were not enrolled at the end of the school year or June 30; and

2.02 (C) (2) (b) (iii) have not graduated from high school or received a GED certificate, or completed a District-approved educational program; and

2.02 (C) (2) (b) (iv) do not meet any of the following exclusionary conditions: (a) transfer to another Public School District or private school, home-based education program (home school) pursuant to § 22-33-104.5, C.R.S., GED program, vocational education program, licensed eligible facility, state-operated program or detention center; (b) temporary absence due to serious illness or injury, suspension or expulsion; or (c) death.

2.02 (C) (2) (c) Any student whose transfer to another educational environment cannot be verified is a dropout for reporting purposes. Schools and Districts must apply a default status of dropout to any student who does not have a written official notification of withdrawal on file with the school or District by the end of the school year given the further clarifications provided below.

2.02 (C) (2) (d) Mandatory school age legislation (§ 22-33-104 (1), C.R.S.) states that every child who has attained the age of six years and is under the age of seventeen years shall attend Public School. This mandatory school age legislation does not exempt a District or BOCES from reporting any student regardless of age as a dropout. Students at any point in court proceedings to compel compliance with the compulsory attendance statute who have not yet returned to school are dropouts.

2.02 (C) (2) (e) Requests for records may or may not serve as adequate documentation for an educational transfer based on the following:

2.02 (C) (2) (e) (i) In-state District requests for records are not adequate documentation that the student has begun attending classes at the District requesting the records. Students transferring to another District who are identified through the Department's end-of-year post-collection process as not returning to another District by the end of the current school year or June 30 are dropouts. The Department can verify student attendance through end of year data submitted by other Districts and BOCES.

2.02 (C) (2) (e) (ii) Records requests from other educational entities, if received, such as out-of-state or country school or private schools or home-based education programs (home school) pursuant to § 22-33-104.5, C.R.S., are adequate documentation that the student has transferred into another educational program. The Department cannot verify student attendance through the end of year data because these entities do not report to the Department.

2.02 (C) (2) (f) Determination of whether a student who has completed the school year is considered a dropout is based upon two factors: length of time absent prior to the end of the school year and coursework completion. Students who leave school within three weeks of the last day of school or students who have completed all coursework early shall be recorded as completing the school year. Students who leave within three weeks of the last day of school or June 30, whichever comes earlier, whether with excused or unexcused absences, are not dropouts, but non-exiting students. However, these early exiting students who are recorded as completing the current school year who are not documented to return to an educational program the following school year must be recorded as summer dropouts in the next reporting period.

2.02 (C) (2) (g) Students who do not meet the exclusionary conditions listed under section 2.02 (C) (2) (b) (iv) of these rules and are absent more than three weeks from the last day of school and have not completed all coursework, whether with excused or unexcused absences, are dropouts.

2.02 (C) (2) (h) Students indicated on a written notification of withdrawal to be transferring to another Colorado School District who do not show up in another School District in the current school year (as identified through the Department's post-collection process) are dropouts, unless further investigation proves otherwise.

2.02 (C) (3) Student Graduation Rate.

Student graduation rates shall be based on the following calculations, or as otherwise required by the Elementary and Secondary Education Act of 1965:

2.02 (C) (3) (a) For the on-time graduation rate, the percentage of students from an end of year eighth grade cohort, adjusted for verified transfers in and out with adequate documentation, who leave school as graduates, as defined by Districts, in four years or less. The formula shall be the following:

$$\frac{\text{Number of on-time (four-year or prior) graduates in year X}}{((\text{number of end-of-year 8}^{\text{th}} \text{ graders in year X -4}) + (\text{number of transfers in}) - (\text{number of transfers out}))}$$

2.02 (C) (3) (a) (i) On-time graduation rates for a high school not containing a ninth grade shall be adjusted according to the grades contained within the school. Notations shall be made when the standard four-year graduation rates are not applied.

2.02 (C) (3) (a) (ii) District on-time graduation rates shall be held to a four-year standard regardless of the grade ranges of District schools.

2.02 (C) (3) (b) For 3-year graduation rates, which shall first be reported in 2009-10 with the class of 2011, the formula shall be the following:

$$\frac{\text{Number of 3-year graduates in year X}}{((\text{number of end-of-year 8}^{\text{th}} \text{ graders in year X -3}) + (\text{number of transfers in}) - (\text{number of transfers out}))}$$

2.02 (C) (3) (c) For 5-year graduation rates, which shall first be reported in 2010-11 with the class of 2011, the formula shall be the following:

$$\frac{\text{Number of 5-year graduates in year X}}{((\text{number of end-of-year 8}^{\text{th}} \text{ graders in year X -5}) + (\text{number of transfers in}) - (\text{number of transfers out}))}$$

2.02 (C) (3) (d) For 6-year graduation rates, which shall first be reported in 2011-12 with the class of 2010, the formula shall be the following:

$$\frac{\text{Number of 6-year graduates in year X}}{((\text{number of end-of-year 8}^{\text{th}} \text{ graders in year X -6}) + (\text{number of transfers in}) - (\text{number of transfers out}))}$$

2.02 (C) (3) (e) For 7-year graduation rates, which shall first be reported in 2013-13 with the class of 2010, the formula shall be the following:

$$\frac{\text{Number of 7-year graduates in year X}}{((\text{number of end-of-year 8}^{\text{th}} \text{ graders in year X -7}) + (\text{number of transfers in}) - (\text{number of transfers out}))}$$

2.02 (D) Progress Made on Closing the Achievement and Growth Gaps.

2.02 (D) (1) Progress made on closing the achievement and growth gaps shall be calculated based on the following information disaggregated by Student Group:

- 2.02 (D) (1) (a) the percentage of students enrolled in the Public Schools in the state who attain adequate longitudinal academic growth, as calculated pursuant to section 2.02 (A) (2) of these rules;
- 2.02 (D) (1) (b) the percentage of students enrolled in the Public Schools in the state who attain Move-up Growth, as calculated pursuant to section 2.02 (A) (3) of these rules;
- 2.02 (D) (1) (c) the percentage of students enrolled in the Public Schools in the state who attain statewide median growth;
- 2.02 (D) (1) (d) the Median Student Growth attained by students enrolled in the Public Schools of the state;
- 2.02 (D) (1) (e) the percentage of students enrolled in the Public Schools in the state, at each grade level, who score at each of the Achievement Levels in each of the subjects included in the Statewide Assessments; and
- 2.02 (D) (1) (f) the overall percentage of students enrolled in the eleventh grade in the public high schools in the state who score at each Achievement Level of the standardized, curriculum-based achievement college entrance examination or the percentages of students enrolled in each of the grade levels included in the public high schools in the state who score at each Achievement Level on the Postsecondary and Workforce Readiness Assessments administered by the public high schools; the overall percentages of students graduating from the public high schools in the state who receive a diploma that includes a Postsecondary and Workforce Readiness endorsement or an endorsement for exemplary demonstration of Postsecondary and Workforce Readiness; and the statewide student dropout rate, as calculated pursuant to section 2.02 (C) (2) of these rules, and the statewide student graduation rate, as calculated pursuant to section 2.02 (C) (3) of these rules.

2.02 (D) (2) To calculate progress made on closing the achievement and growth gaps, the Department shall compare the percentages and the assessment Achievement Levels across Student Groups to determine progress made by the Public Schools of the state in increasing over time each Student Group's longitudinal academic growth, academic achievement, Postsecondary and Workforce Readiness, and graduation rate, and in decreasing each Student Group's dropout rate, especially for those Student Groups who are underperforming in comparison to other groups.

2.03 State Board's Annual Statement of Statewide Targets.

No later than November 30th of each year, following the State Board's annual review of the performance of the statewide public education system, the State Board shall set, reaffirm or revise, as appropriate, ambitious but attainable statewide targets for the measures used to determine the levels of attainment of the Performance Indicators for the coming academic year with the goal of raising the level of academic performance in the Public Schools throughout the state. For the 2009-10 academic school year, these targets shall be set as soon as practicable, following adoption of these rules.

2.03 (A) Prior to adopting the statewide targets, the State Board shall consider any information provided by Public Schools, Local School Boards, the Institute, school administrators, teachers and teachers' associations, parents and parents' associations, and Institutions of higher education related to the academic performance of the public education system in Colorado.

2.03 (B) These targets shall apply to the academic school year following the year in which they are adopted.

2.03 (C) Targets shall be established for grades three through twelve and shall be consistent with the legislative goal, outlined in § 22-7-1002, C.R.S., that all of Colorado's students achieve postsecondary and workforce readiness by the time they graduate from high school, if not earlier.

2.03 (D) Differentiated targets shall be established for the Institute, Districts, and the Public Schools of the state, based on the past performance of these entities, which shall be used for the purposes of accrediting Districts and the Institute and assigning to Public Schools the type of plan they shall be required to implement.

2.03 (E) The State Board shall, to the extent possible, ensure that the targets meet Federal law requirements.

2.03 (F) The State Board's annual adoption of statewide targets shall be published on SchoolView within fifteen (15) business days of the targets being set, affirmed or revised.

3.00 DISTRICT ACCREDITATION CONTRACTS.

3.01 The State Board shall enter into an Accreditation Contract with each Local School Board and with the Institute board, which shall take effect on July 1, 2010.

3.02 Each Contract shall have a term of one year and shall be automatically renewed each year so long as the District or the Institute remains in the Accreditation category of Accredited with Distinction, Accredited or Accredited with Improvement Plan.

3.03 The parties to the Contract may renegotiate the Contract at any time during the term of the Contract, based upon appropriate and reasonable changes in circumstances upon which the original terms and conditions of the Contract were based.

3.04 Each Contract, at a minimum, shall address the following elements:

3.04 (A) the District's or Institute's level of attainment on the Performance Indicators, as determined pursuant to § 22-11-204, C.R.S.;

3.04 (B) the District's or the Institute's adoption and implementation of its Performance Plan, Improvement Plan, Priority Improvement Plan or Turnaround Plan, whichever is appropriate based on the District's or Institute's Accreditation category;

3.04 (C) the District's implementation of its system for accrediting the District Public Schools or the Institute's implementation of its system for accrediting the Institute Charter Schools, which system shall emphasize school attainment of the four statewide Performance Indicators, and may, in the Local School Board's or Institute's discretion, include additional Accreditation indicators and measures adopted by the District or Institute;

3.04 (D) the District's or Institute's system for accrediting Public Schools that meet the definition of an On-line Program, which system shall emphasize school attainment of the four statewide Performance Indicators, as well as the extent to which the Public School has met the quality standards outlined in § 22-30.7-105, C.R.S. and made progress in implementing any corrective actions required pursuant to § 22-30.7-109 (2) (B) and 22-30.7-110 (2) (A), C.R.S., and may, in the Local School Board's or Institute's discretion, include additional Accreditation indicators and measures adopted by the District or Institute;

and

- 3.04 (E) the District's or the Institute's substantial and good-faith compliance with the provisions of Title 22 and other statutory and regulatory requirements applicable to School Districts and the Institute.
- 3.05 For purposes of monitoring a District's or the Institute's substantial and good-faith compliance with the provisions of Title 22 and other statutory and regulatory requirements applicable to Districts and the Institute, each Contract shall include the following:
 - 3.05 (A) an assurance that the District or Institute is in compliance with budgeting, accounting, and reporting requirements set forth in § 22-44-101, C.R.S., et seq. and § 22-45-101, C.R.S., et seq.;
 - 3.05 (B) an assurance that the District or Institute is in compliance with the provisions of § 22-32-109.1, C.R.S., concerning school safety, and the Gun Free Schools Act, 20 U.S.C. 7151;
 - 3.05 (C) for Districts, an assurance that the District and the District's Public Schools are in substantial, good-faith compliance with all statutory and regulatory requirements that apply to Districts; and
 - 3.05 (D) for the Institute, an assurance that the Institute and the Institute's Charter Schools are in substantial, good-faith compliance with statutory and regulatory requirements that apply to the Institute.
- 3.06 For purposes of monitoring a District's or the Institute's compliance with its Contract, the Department may request information or conduct site visits as needed.
- 3.07 If the Department has reason to believe that a District or the Institute is not in substantial compliance with one or more of the applicable statutory or regulatory requirements, the Department shall notify the Local School Board or the Institute that it has ninety (90) days after the date of notice to come into compliance. If, at the end of the ninety-day period, the Department finds that the District or the Institute is not substantially in compliance with the applicable statutory or regulatory requirements, meaning that the District or Institute has not yet taken the necessary measures to ensure that it shall meet the applicable legal requirements as soon as practicable, the District or the Institute may be subject to the interventions specified in § 22-11-207 through 22-11-210, C.R.S.

4.00 DISTRICT ACCREDITATION CRITERIA.

- 4.01 The Department shall annually review each District's and the Institute's performance, no later than August 15th of each school year. In reviewing District and Institute performance, the Department shall consider the following criteria:
 - 4.01 (A) a District's or the Institute's level of attainment of the statewide targets on the Performance Indicators and the targets annually established by the School District or the Institute, including the levels of the attainment of the District's Public Schools or the Institute's Charter Schools in meeting their annual targets;
 - 4.01 (B) a District's or the Institute's level of attainment of the Performance Indicators compared with statewide attainment of the Performance Indicators;
 - 4.01 (C) the length of time during which a District or the Institute has been unable to meet the statewide targets or its own targets; and
 - 4.01 (D) a District's or the Institute's compliance with the other requirements specified in the District's or Institute's Accreditation Contract.
- 4.02 To accommodate the special circumstances of those Districts that include only a single Public School, the Commissioner may elect to apply the Public School performance evaluation framework described in section 9.00 of these rules for evaluating such a District.
- 4.03 When reviewing each District's and the Institute's performance, the Department shall determine the level of attainment of each School District and the Institute on the four key Performance Indicators using the following information:
 - 4.03 (A) **Student Longitudinal Academic Growth.**

Student longitudinal academic growth shall be calculated based on the following:

 - 4.03 (A) (1) the percentage of all students enrolled in the District's Public Schools or the Institute's Charter Schools who attain *adequate* longitudinal academic growth, as calculated pursuant to section 2.02 (A) (2) of these rules;
 - 4.03 (A) (2) the percentage of all students enrolled in the District's Public Schools or the Institute's Charter Schools who attain *Move-up Growth* as calculated pursuant to section 2.02 (A) (3) of these rules;
 - 4.03 (A) (3) the percentage of all students enrolled in the District's Public Schools or the Institute's Charter Schools who attain *Statewide Median Growth*; and
 - 4.03 (A) (4) the Median Student Growth among students enrolled in the District's Public Schools or the Institute's Charter Schools.
 - 4.03 (B) **Student Achievement on the Statewide Assessments.**

Student achievement on the Statewide Assessments shall be calculated based on the percentage of all students enrolled in the District's Public Schools or the Institute's Charter Schools who score at each of the Achievement Levels included in the Statewide Assessments, as calculated pursuant to section 2.02 (B) (2) of these rules.
 - 4.03 (C) **Postsecondary and Workforce Readiness.**

Postsecondary and Workforce Readiness shall be calculated based on the following information:

 - 4.03 (C) (1) the overall percentages of students enrolled in the eleventh grade in all of the District's public high schools or the Institute's public high schools who score at each Achievement Level on the standardized, curriculum-based, achievement, college entrance examination administered as a Statewide Assessment or the percentages of students enrolled in each of the grade levels included in the public high schools who score at each Achievement Level on the Postsecondary and Workforce Readiness Assessments administered by the public high schools;

- 4.03 (C) (2) beginning with the 2011-12 school year and for each school year thereafter, the overall percentage of all students graduating from the District's public high schools or from the Institute's public high schools who receive diplomas that are endorsed for Postsecondary and Workforce Readiness as described in § 22-7-1009 (1), C.R.S., and the percentage who received diplomas that are endorsed for exemplary demonstration of postsecondary or workforce readiness as described in § 22-7-1009 (2), C.R.S.; and
- 4.03 (C) (3) the District or the Institute's overall dropout rate, as calculated pursuant to section 2.02 (C) (2) of these rules, and the District's or the Institute's overall graduation rate, as calculated pursuant to section 2.02 (C) (3) of these rules. To the extent practicable, Districts and the Institute shall not be adversely affected in calculating and reporting the completion of high school graduation requirements by qualified students who have been designated by the Department as ASCENT program participants, pursuant to § 22-35-108 (6) (b), C.R.S.
- 4.03 (D) **Progress made on closing the achievement and growth gaps.**
- 4.03 (D) (1) Progress made on closing the achievement and growth gaps shall be calculated based on the following information disaggregated by Student Group:
- 4.03 (D) (1) (a) the percentage of students enrolled in the District Public Schools or the Institute's Charter Schools who attain adequate longitudinal academic growth as calculated pursuant to section 2.02 (A) (2) of these rules;
- 4.03 (D) (1) (b) the percentage of students enrolled in the District Public Schools or the Institute's Charter Schools who attain Move-up Growth as calculated pursuant to section 2.02 (A) (3) of these rules;
- 4.03 (D) (1) (c) the percentage of students enrolled in the District Public Schools or the Institute's Charter Schools who attain statewide median growth;
- 4.03 (D) (1) (d) the Median Student Growth attained by students enrolled in the District's Public Schools or the Institute's Charter Schools;
- 4.03 (D) (1) (e) the percentage of students enrolled in the District's Public Schools or the Institute's Charter Schools at each grade level who score at each of the Achievement Levels in each of the subjects included in the Statewide Assessments; and
- 4.03 (D) (1) (f) the overall percentage of students enrolled in the eleventh grade in the District's public high schools or the Institute's public high schools who score at each Achievement Level of the standardized, curriculum-based achievement college entrance examination or the percentages of students enrolled in each of the grade levels included in the public high schools who score at each Achievement Level on the Postsecondary and Workforce Readiness Assessments administered by the public high schools; the overall percentages of students graduating from the District public high schools or the Institute's public high schools who receive a diploma that includes a Postsecondary and Workforce Readiness endorsement or an endorsement for exemplary demonstration of Postsecondary and Workforce Readiness; and the District's or the Institute's overall dropout rate, as calculated pursuant to section 2.02 (C) (2) of these rules, and the District's or the Institute's overall graduation rate, as calculated pursuant to section 2.02 (C) (3) of these rules.
- 4.03 (D) (2) The Department shall compare the percentages and the assessment Achievement Levels across Student Groups to determine progress made by the District Public Schools or the Institute's Charter Schools in increasing over time each Student Group's longitudinal academic growth, academic achievement, Postsecondary and Workforce Readiness, and graduation rate, and in decreasing each Student Group's dropout rate, especially for those Student Groups who are underperforming in comparison to other groups.

5.00 DISTRICT ACCREDITATION CATEGORIES AND ACCREDITATION REVIEWS

- 5.01 No later than August 15th of each school year, based on an objective analysis of each District's or the Institute's attainment on the four key Performance Indicators, which analysis shall place greatest emphasis upon the longitudinal growth and Postsecondary and Workforce Readiness Performance Indicators, the Department shall determine whether the District or Institute exceeds, meets, approaches or does not meet statewide targets. At that time, the Department also shall consider each District's and the Institute's compliance with the requirements specified in that District's or Institute's Accreditation contract. Taking into account this information concerning attainment on the Performance Indicators and concerning compliance with the Accreditation Contract, the Department shall make an initial assignment for each District and the Institute to one of the following Accreditation categories:
- 5.01 (A) Accredited with Distinction;
- 5.01 (B) Accredited;
- 5.01 (C) Accredited with Improvement Plan;
- 5.01 (D) Accredited with Priority Improvement Plan;
- 5.01 (E) Accredited with Turnaround Plan; or
- 5.01 (F) Unaccredited.
- 5.02 Information concerning the percentage of students enrolled in the District's or Institute's Public Schools who are not tested on the Statewide Assessments will not be factored into the analysis of the District's or Institute's attainment on the Performance Indicators, but will be factored into the Accreditation category assignment.
- 5.03 If a Local School Board or the Institute choose not to endorse a high school diploma as described in § 22-7-1009 (2), C.R.S., the District or Institute will not be penalized for such choice when it is assigned an Accreditation category assignment.
- 5.04 No later than August 15th of each school year, the Department shall provide to each District and the Institute the data used by the Department to conduct its analysis of the District's or Institute's performance and the Department's initial Accreditation assignment.
- 5.05 No later than October 15th of each school year, if the District or Institute disagrees with the Department's initial Accreditation assignment and wishes to provide additional information for consideration, the District or Institute shall submit:

- 5.05 (A) A statement about the extent to which the District or Institute effectively implemented with fidelity either its Performance Plan, Improvement Plan, Priority Improvement Plan or Turnaround Plan during the previous academic school year. Said statement shall include information about the specific improvements, changes, and interventions the District or Institute has implemented to improve its performance and the extent to which the District or Institute has successfully met the implementation benchmarks in its plan during the previous academic school year; and
- 5.05 (B) If the Department has assigned the District or Institute to an initial Accreditation category of Accredited with Priority Improvement Plan or Accredited with Turnaround Plan, valid and reliable data demonstrating the progress the District or Institute has made in improving its performance and in moving closer to meeting the statewide targets on the Performance Indicators and the District's or Institute's targets, including evidence from a Department-approved third-party review of performance.
- 5.06 No later than November 15th of each school year, the Department shall determine a final Accreditation category for each District and the Institute and shall notify the District or Institute of the Accreditation category to which it has been assigned.
- 5.07 The State Board shall not allow a District or the Institute to remain in the Accreditation category of Accredited with Priority Improvement Plan and/or Accredited with Turnaround Plan for longer than a total of five (5) consecutive school years before removing the District's or the Institute's Accreditation as provided in § 22-11-209, C.R.S. The calculation of the total of five (5) consecutive school years shall commence July 1, during the summer immediately following the fall in which the District or the Institute is notified that it has been placed in the Accreditation category of Accredited with Priority Improvement Plan or Accredited with Turnaround Plan. For those Districts that were placed by the Department in the "Accredited: Accreditation Notice with Support" or "Accredited: Probation" category during the 2009-10 academic school year, the State Board shall not allow that District to remain in the Accreditation category of Accredited with Priority Improvement Plan and/or Accredited with Turnaround Plan for longer than a total of four (4) consecutive school years before removing the District's Accreditation as provided in § 22-11-209, C.R.S.
- 5.08 As described in detail below, the Department shall employ a differentiated approach to state intervention based on performance and need, whereby demonstration of high performance results in greater autonomy and demonstration of high need results in greater support and intervention.
- If a District or the Institute is required to implement a Performance Plan or Improvement Plan, the District or the Institute shall submit said plan to the Department for publishing on SchoolView.
- If a District or the Institute is required to implement a Priority Improvement Plan, the District or the Institute shall submit said plan to the Department, and the Commissioner, subject to available appropriations may assign the State Review Panel to critically evaluate the plan. The Commissioner may recommend modifications to the Priority Improvement Plan to the Local School Board or Institute and, after making any revisions, the Local School Board or Institute shall submit the plan to the Department for publishing on SchoolView.
- If a District or the Institute is required to implement a Turnaround Plan, the District or Institute shall submit said plan to the Department for review by the State Review Panel. The Commissioner may approve the Turnaround Plan or suggest modifications to the plan. The Local School Board or Institute shall revise the Turnaround Plan, if necessary, and resubmit the plan to the Commissioner for approval. The Local School Board or Institute shall submit the final approved plan to the Department for publishing on SchoolView.
- 5.09 The Department shall provide technical assistance and support to Districts that are Accredited with Improvement Plan, Accredited with Priority Improvement Plan, or Accredited with Turnaround Plan and to the Institute if it is accredited at any of those categories. The Department shall base the amount of technical assistance and support provided to a District or the Institute on the District's or Institute's degree of need for assistance and the Department's available resources. Such technical assistance shall be provided through a mutually agreed upon plan between the Department and the Local School Board or the Institute. Technical assistance and support may include, but need not be limited to:
- 5.09 (A) access to data and research to support interpretation of student data, decision-making, and learning;
- 5.09 (B) consultative services on best practices for improvement and implementation of intervention strategies, including, where appropriate, strategies that address early childhood education and student engagement and re-engagement; and
- 5.09 (C) evaluation and feedback on the District's or the Institute's Improvement, Priority Improvement, or Turnaround Plan, whichever is applicable.

6.00 APPEALING PLACEMENT IN THE CATEGORY OF ACCREDITED WITH PRIORITY IMPROVEMENT PLAN OR ACCREDITED WITH TURNAROUND PLAN

- 6.01 If the District or Institute wishes to appeal the Department's final Accreditation determination placing the District or Institute in the category of Accredited with Priority Improvement Plan or Accredited with Turnaround Plan, the Local School Board or Institute may appeal the Department's determination before the State Board. The District or Institute shall file with the State Board, within ten (10) days of receipt of the Department's written recommendation, notice that the District or Institute wishes to appeal the recommendation.
- 6.02 The State Board Office shall notify the District or Institute in writing within ten (10) days of receipt of the notice of appeal. The scheduling notification shall provide the date of the next regularly scheduled State Board meeting. After conferring with the District or the Institute, the State Board Office shall include in the scheduling notification the filing deadlines for the appeal. The deadlines set forth below in this section 6.00 of the rules may be modified by agreement between the Department and the District or Institute with approval of the State Board Office.
- 6.03 Within fifteen (15) days of receipt of the scheduling notification, the District or Institute shall file a Position Statement setting forth

the specific grounds for the assertion that the District or Institute should not be placed in the category of Accredited with Priority Improvement Plan or Accredited with Turnaround Plan. The District or the Institute shall provide a copy of the Position Statement to the Department.

- 6.04 Within fifteen (15) days of the date the Position Statement is filed with the State Board, the Department may file a Response to the Position Statement, and provide a copy of the Position Statement to the District or Institute.
- 6.05 The District or Institute shall file all relevant documents pertaining to the placement of the District or Institute in the category of Accredited with Priority Improvement Plan or Accredited with Turnaround Plan, which may include:
 - 6.05 (A) written document issued by the Department placing the District or Institute in the category of Accredited with Priority Improvement Plan or Accredited with Turnaround Plan;
 - 6.05 (B) written correspondence between the District or Institute and the Department concerning Accreditation; and
 - 6.05 (C) any other documents, reports, correspondence and other written or electronic materials related to the matters at issue.
- 6.06 The Department shall have ten (10) days from the date of receipt of the documents filed with the State Board to file any objections or proposed additions to the record. The State Board shall rule forthwith on any such objections or proposed additions, and such ruling shall be final.
- 6.07 The State Board shall hold a hearing on the matter at the earliest possible regularly scheduled board meeting.
- 6.08 The State Board shall conduct the hearing in accordance with its administrative procedures.
- 6.09 Following the hearing, the State Board shall issue a written final determination regarding the District's or Institute's placement in the category of Accredited with Priority Improvement Plan or Accredited with Turnaround Plan within thirty (30) days of the date of the hearing, and provide a copy to the Local School Board or Institute and the Department.

7.00 DEVELOPING AND SUBMITTING DISTRICT PLANS

7.01 District and Institute Performance Plans.

- 7.01 (A) Each Local School Board for a District that is Accredited or Accredited with Distinction shall create and adopt a District Performance Plan.
 - 7.01 (A) (1) The Local School Board shall adopt a District Performance Plan no later than April 15th of the academic school year in which it is directed to adopt a District Performance Plan.
 - 7.01 (A) (2) The School District Accountability Committee for the District shall advise the Local School Board concerning the contents of the District Performance Plan. In advising and making its recommendations, the School District Accountability Committee shall take into account and incorporate any of the School Performance Plans, Improvement Plans, Priority Improvement Plans or Turnaround Plans that the Public Schools of the District submit to the School District Accountability Committee.
 - 7.01 (A) (3) The District shall submit the adopted District Performance Plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a District Performance Plan.
 - 7.01 (A) (4) The Local School Board shall ensure that the District Performance Plan is implemented for the District and the District Public Schools when the following academic school year begins. This responsibility includes taking all necessary steps in the year prior to implementation to ensure that the plan can be implemented with fidelity.
- 7.01 (B) If the Institute is Accredited or Accredited with Distinction, the Institute shall create and adopt an Institute Performance Plan.
 - 7.01 (B) (1) The Institute shall adopt an Institute Performance Plan no later than April 15th of the academic school year in which it is directed to adopt an Institute Performance Plan.
 - 7.01 (B) (2) Prior to creating the Institute Performance Plan, the Institute shall compile the Institute Charter School Performance Plans, Improvement Plan, Priority Improvement Plans and Turnaround Plans prepared for each Institute Charter School and shall take the compilation of plans into account in creating and adopting the Institute Performance Plan.
 - 7.01 (B) (3) The Institute shall submit the adopted Institute Performance Plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt an Institute Performance Plan.
 - 7.01 (B) (4) The Institute shall ensure that the Institute Performance Plan is implemented for the Institute and Institute Charter Schools when the following academic school year begins. This responsibility includes taking all necessary steps in the year prior to implementation to ensure that the plan can be implemented with fidelity.
- 7.01 (C) A District or Institute Performance Plan shall be designed to raise the academic performance of students enrolled in the District or in the Institute Charter Schools and to ensure that the District or Institute, after the annual Accreditation review following implementation of the plan, attains a higher Accreditation category or remains in the same Accreditation category if the District or Institute is Accredited with Distinction. At a minimum, each District and Institute Performance Plan shall:
 - 7.01 (C) (1) Set, reaffirm or revise, as appropriate, ambitious but attainable targets that the District, including District Public Schools, or the Institute, including Institute Charter Schools, shall attain on the Performance Indicators. The Local School Board or the Institute shall ensure that the targets are aligned with the statewide targets set by the State Board, as described in section 2.03 of these rules;
 - 7.01 (C) (2) Identify positive and negative trends for District Public Schools as a group and individually or for Institute Charter Schools as a group and individually in the levels of attainment by the Public Schools as a group and individually on the Performance Indicators;
 - 7.01 (C) (3) Assess and prioritize the root causes of any low-performance for the District and for the individual District Public Schools or for the Institute and for the individual Institute Charter Schools that must be addressed to raise the levels of attainment on the Performance Indicators by the District Public Schools or the Institute Charter Schools and to improve

- school readiness in District Public Schools or Institute Charter Schools that serve students in preschool and Kindergarten;
- 7.01 (C) (4) Identify specific, research-based strategies to address the District's or Institute's root causes of any low-performance;
 - 7.01 (C) (5) Identify the local, state and federal resources that the District or the Institute shall use to implement the identified strategies with fidelity;
 - 7.01 (C) (6) Identify implementation benchmarks and interim targets and measures to assess whether the identified strategies are carried out with fidelity; and
 - 7.01 (C) (7) Address any other issues raised by the Department through the Accreditation process described in sections 4.00 and 5.00 of these rules.

7.02 District and Institute Improvement Plans.

- 7.02 (A) The Local School Board for a District that is Accredited with Improvement Plan shall create and adopt a District Improvement Plan.
 - 7.02 (A) (1) The Local School Board shall adopt a District Improvement Plan no later than April 15th of the academic school year in which it is directed to adopt a District Improvement Plan.
 - 7.02 (A) (2) The School District Accountability Committee for the District shall advise the Local School Board concerning the contents of the District Improvement Plan. In advising and making its recommendations, the School District Accountability Committee shall take into account and incorporate any of the School Performance Plans, Improvement Plans, Priority Improvement Plans or Turnaround Plans that the Public Schools of the District submit to the School District Accountability Committee.
 - 7.02 (A) (3) At the request of the Local School Board, the Department shall provide technical assistance, evaluation and feedback to the Local School Board in preparing the District Improvement Plan.
 - 7.02 (A) (4) The District shall submit the adopted District Improvement Plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a District Improvement Plan.
 - 7.02 (A) (5) The Local School Board shall ensure that the District Improvement Plan is implemented for the District and the District Public Schools when the following academic school year begins. This responsibility includes taking all necessary steps in the year prior to implementation to ensure that the plan can be implemented with fidelity.
- 7.02 (B) If the Institute is Accredited with Improvement Plan, the Institute shall create and adopt an Institute Improvement Plan.
 - 7.02 (B) (1) The Institute shall adopt an Institute Improvement Plan no later than April 15th of the academic school year in which it is directed to adopt an Institute Improvement Plan
 - 7.02 (B) (2) Prior to creating the Institute Improvement Plan, the Institute shall compile the Institute Charter School Performance Plans, Improvement Plan, Priority Improvement Plans and Turnaround Plans prepared for each Institute Charter School and shall take the compilation of plans into account in creating and adopting the Institute Improvement Plan.
 - 7.02 (B) (3) At the request of the Institute, the Department shall provide technical assistance, evaluation and feedback to the Institute in preparing the Institute Improvement Plan.
 - 7.02 (B) (4) The Institute shall submit the adopted Institute Improvement Plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt an Institute Improvement Plan.
 - 7.02 (B) (5) The Institute shall ensure that the Institute Improvement Plan is implemented for the Institute and Institute Charter Schools when the following academic school year begins. This responsibility includes taking all necessary steps in the year prior to implementation to ensure that the plan can be implemented with fidelity.
- 7.02 (C) A District or Institute Improvement Plan shall be designed to ensure that the District or the Institute improves its performance to the extent that, after the annual Accreditation review following implementation of the plan, the District or the Institute attains a higher Accreditation category. At a minimum, each District and Institute Improvement Plan shall:
 - 7.02 (C) (1) Set, reaffirm or revise, as appropriate, ambitious but attainable targets that the District, including District Public Schools, or the Institute, including Institute Charter Schools, shall attain on the Performance Indicators. The Local School Board or the Institute shall ensure that the targets are aligned with the statewide targets set by the State Board, as described in section 2.03 of these rules;
 - 7.02 (C) (2) Identify positive and negative trends for District Public Schools as a group and individually or for Institute Charter Schools as a group and individually in the levels of attainment by the Public Schools as a group and individually on the Performance Indicators;
 - 7.02 (C) (3) Assess and prioritize the root causes of any low-performance for the District and for the individual District Public Schools or for the Institute and for the individual Institute Charter Schools that must be addressed to raise the levels of attainment on the Performance Indicators by the District Public Schools or the Institute Charter Schools and to improve school readiness in District Public Schools or Institute Charter Schools that serve students in preschool and Kindergarten;
 - 7.02 (C) (4) Identify specific, research-based strategies that are appropriate in scope, intensity and type to address the District's or Institute's root causes of any low-performance;
 - 7.02 (C) (5) Identify the local, state and federal resources that the District or the Institute shall use to implement the identified strategies with fidelity; and
 - 7.02 (C) (6) Identify implementation benchmarks and interim targets and measures to assess whether the identified strategies are carried out with fidelity; and
 - 7.02 (C) (7) Address any other issues raised by the Department through the Accreditation process described in sections 4.00 and 5.00 of these rules.

7.03 District and Institute Priority Improvement Plans.

- 7.03 (A) Each Local School Board for a District that is Accredited with Priority Improvement Plan shall create and adopt a District Priority Improvement Plan.
- 7.03 (A) (1) The Local School Board shall adopt a District Priority Improvement Plan no later than January 15th of the academic school year in which it is directed to adopt a District Priority Improvement Plan. The Commissioner may provide additional time for the Local School Board to adopt and submit a plan, to the extent the Commissioner finds an extension to be reasonable.
- 7.03 (A) (2) The School District Accountability Committee for the District shall advise the Local School Board concerning the contents of the District Priority Improvement Plan. In advising and making its recommendations, the School District Accountability Committee shall take into account and incorporate any of the School Performance Plans, Improvement Plans, Priority Improvement Plans or Turnaround Plans that the Public Schools of the District submit to the School District Accountability Committee.
- 7.03 (A) (3) At the request of the Local School Board, the Department shall provide technical assistance, evaluation and feedback to the Local School Board in preparing the District Priority Improvement Plan.
- 7.03 (A) (4) No later than five (5) business days after the Local School Board has adopted a District Priority Improvement Plan, the Local School Board shall submit the adopted District Priority Improvement Plan to the Department for review. The Commissioner, subject to available appropriations, may assign the State Review Panel to critically evaluate the District Priority Improvement Plan concerning the issues outlined in section 7.03 (C) of these rules.
- 7.03 (A) (5) After conducting any such evaluation of the District Priority Improvement Plan, the State Review Panel may recommend modifications to the plan to the Commissioner. Taking into consideration any recommendations of the State Review Panel, the Commissioner may recommend to the Local School Board modifications to the District Priority Improvement Plan.
- 7.03 (A) (6) After making any revisions to the District Priority Improvement Plan, the Local School Board shall submit the revised plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a District Priority Improvement Plan.
- 7.03 (A) (7) The Local School Board shall ensure that the [revised] District Priority Improvement Plan is implemented for the District and the District Public Schools when the following academic school year begins. This responsibility includes taking all necessary steps in the year prior to implementation to ensure that the plan can be implemented with fidelity.
- 7.03 (B) If the Institute is Accredited with Priority Improvement Plan, the Institute shall create and adopt an Institute Priority Improvement Plan.
- 7.03 (B) (1) The Institute shall adopt an Institute Priority Improvement Plan no later than January 15th of the academic school year in which it is directed to adopt an Institute Priority Improvement Plan. The Commissioner may provide additional time for the Institute to adopt and submit a plan, to the extent the Commissioner finds an extension to be reasonable.
- 7.03 (B) (2) Prior to creating the Institute Priority Improvement Plan, the Institute shall compile the Institute Charter School Performance Plans, Improvement Plan, Priority Improvement Plans and Turnaround Plans prepared for each Institute Charter School and shall take the compilation of plans into account in creating and adopting the Institute Priority Improvement Plan.
- 7.03 (B) (3) At the request of the Institute, the Department shall provide technical assistance, evaluation and feedback to the Institute in preparing the Institute Priority Improvement Plan.
- 7.03 (B) (4) No later than five (5) business days after the Institute has adopted an Institute Priority Improvement Plan, the Institute shall submit the adopted Institute Priority Improvement Plan to the Department for review. The Commissioner, subject to available appropriations, may assign the State Review Panel to critically evaluate the Institute Priority Improvement Plan concerning the issues outlined in section 7.03 (C) of these rules.
- 7.03 (B) (5) After conducting any such evaluation of the Institute Priority Improvement Plan, the State Review Panel may recommend modifications to the plan to the Commissioner. Taking into consideration any recommendations of the State Review Panel, the Commissioner may recommend to the Institute modifications to the Institute Priority Improvement Plan.
- 7.03 (B) (6) After making any revisions to the Institute Priority Improvement Plan, the Institute shall submit the revised plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt an Institute Priority Improvement Plan.
- 7.03 (B) (7) The Institute shall ensure that the [revised] Institute Priority Improvement Plan is implemented for the Institute and the Institute Charter Schools when the following academic school year begins. This responsibility includes taking all necessary steps in the year prior to implementation to ensure that the plan can be implemented with fidelity.
- 7.03 (C) In reviewing a District's or Institute's plan, the State Review Panel shall report to the Commissioner and the State Board its recommendations concerning:
- 7.03 (C) (1) whether the District's or Institute's leadership is adequate to implement change to improve results;
- 7.03 (C) (2) whether the District's or Institute's infrastructure is adequate to support school improvement;
- 7.03 (C) (3) the readiness and apparent capacity of Public School and District or Institute personnel to plan effectively and lead the implementation of appropriate actions to improve student academic performance within the District Public Schools or Institute Charter Schools;
- 7.03 (C) (4) the readiness and apparent capacity of Public School and District or Institute personnel to engage productively with and benefit from the assistance provided by an external partner;
- 7.03 (C) (5) the likelihood of positive returns on state investments of assistance and support to improve the District's or Institute's performance within the current management structure and staffing; and

- 7.03 (C) (6) the necessity that the District or Institute remain in operation to serve students.
- 7.03 (D) A District or Institute Priority Improvement Plan shall be designed to ensure that the District or the Institute improves its performance to the extent that, after the annual Accreditation review following implementation of the plan, the District or the Institute attains a higher Accreditation category. At a minimum, each District and Institute Priority Improvement Plan shall:
- 7.03 (D) (1) Set, reaffirm or revise, as appropriate, ambitious but attainable targets that the District, including District Public Schools, or the Institute, including Institute Charter Schools, shall attain on the Performance Indicators. The Local School Board or the Institute shall ensure that the targets are aligned with the statewide targets set by the State Board, as described in section 2.03 of these rules;
- 7.03 (D) (2) Identify positive and negative trends for District Public Schools as a group and individually or for Institute Charter Schools as a group and individually in the levels of attainment by the Public Schools as a group and individually on the Performance Indicators;
- 7.03 (D) (3) Assess and prioritize the root causes of any low-performance for the District and for the individual District Public Schools or for the Institute and for the individual Institute Charter Schools that must be addressed to raise the levels of attainment on the Performance Indicators by the District Public Schools or the Institute Charter Schools and to improve school readiness in District Public Schools or Institute Charter Schools that serve students in preschool and Kindergarten;
- 7.03 (D) (4) Identify specific, research-based strategies that are appropriate in scope, intensity and type to address the District's or Institute's root causes of any low-performance;
- 7.03 (D) (5) Identify the local, state and federal resources that the District or the Institute shall use to implement the identified strategies with fidelity; and
- 7.03 (D) (6) Identify implementation benchmarks and interim targets and measures to assess whether the identified strategies are carried out with fidelity; and
- 7.03 (D) (7) Address any other issues raised by the Department through the Accreditation process described in sections 4.00 and 5.00 of these rules.

7.04 District and Institute Turnaround Plans.

- 7.04 (A) Each Local School Board for a District that is Accredited with Turnaround Plan shall create and adopt a District Turnaround Plan.
- 7.04 (A) (1) The Local School Board shall adopt a District Turnaround Plan no later than January 15th of the academic school year in which it is directed to adopt a District Turnaround Plan. The Commissioner may provide additional time for the Local School Board to adopt and submit a plan, to the extent the Commissioner finds an extension to be reasonable.
- 7.04 (A) (2) The School District Accountability Committee for the District shall advise the Local School Board concerning the contents of the District Turnaround Plan. In advising and making its recommendations, the School District Accountability Committee shall take into account and incorporate any of the School Performance Plans, Improvement Plans, Priority Improvement Plans or Turnaround Plans that the Public Schools of the District submit to the School District Accountability Committee.
- 7.04 (A) (3) At the request of the Local School Board, the Department shall provide technical assistance, evaluation and feedback to the Local School Board in preparing the District Turnaround Plan.
- 7.04 (A) (4) No later than five (5) business days after the Local School Board has adopted a District Turnaround Plan, the Local School Board shall submit the adopted District Turnaround Plan to the Department for review.
- 7.04 (A) (5) The Commissioner then shall assign the State Review Panel to critically evaluate the District Turnaround Plan concerning the issues outlined in section 7.03 (C) of these rules.
- 7.04 (A) (6) After conducting such an evaluation of the District Turnaround Plan, the State Review Panel may recommend modifications to the plan to the Commissioner. Taking into consideration any recommendations of the State Review Panel, the Commissioner shall approve the District Turnaround Plan or suggest modifications to the plan.
- 7.04 (A) (7) After making any necessary revisions to the District Turnaround Plan, the Local School Board shall submit the revised plan to the Department for approval no later than March 30th of the academic school year in which it is directed to adopt a District Turnaround Plan.
- 7.04 (A) (8) The Local School Board shall submit the final adopted District Turnaround Plan for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a District Turnaround Plan.
- 7.04 (A) (9) The Local School Board shall ensure that the final District Turnaround Plan is implemented for the District and the District Public Schools when the following academic school year begins. This responsibility includes taking all necessary steps in the year prior to implementation to ensure that the plan can be implemented with fidelity.
- 7.04 (B) If the Institute is Accredited with Turnaround Plan, the Institute shall create and adopt an Institute Turnaround Plan.
- 7.04 (B) (1) The Institute shall adopt an Institute Turnaround Plan no later than January 15th of the academic school year in which it is directed to adopt an Institute Turnaround Plan. The Commissioner may provide additional time for the Institute to adopt and submit a plan, to the extent the Commissioner finds an extension to be reasonable.
- 7.04 (B) (2) Prior to creating the Institute Turnaround Plan, the Institute shall compile the Institute Charter School Performance Plans, Improvement Plan, Priority Improvement Plans and Turnaround Plans prepared for each Institute Charter School and shall take the compilation of plans into account in creating and adopting the Institute Improvement Plan.
- 7.04 (B) (3) At the request of the Institute, the Department shall provide technical assistance, evaluation and feedback to the Institute in preparing the Institute Turnaround Plan.
- 7.04 (B) (4) No later than five (5) business days after the Institute has adopted an Institute Turnaround Plan, the Institute shall submit the adopted Institute Turnaround Plan to the Department for review.

- 7.04 (B) (5) The Commissioner then shall assign the State Review Panel to critically evaluate the Institute Turnaround Plan concerning the issues outlined in section 7.03 (C) of these rules.
- 7.04 (B) (6) After conducting such an evaluation of the Institute Turnaround Plan, the State Review Panel may recommend modifications to the plan to the Commissioner. Taking into consideration any recommendations of the State Review Panel, the Commissioner shall approve the Institute Turnaround Plan or suggest modifications to the plan.
- 7.09 (B) (7) After making any necessary revisions to the Institute Turnaround Plan, the Institute shall submit the revised plan to the Department for approval no later than March 30th of the academic school year in which it is directed to adopt an Institute Turnaround Plan.
- 7.09 (B) (8) The Institute shall submit the final adopted Institute Turnaround Plan for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt an Institute Turnaround Plan.
- 7.04 (B) (9) The Institute shall ensure that the final Institute Turnaround Plan is implemented for the Institute and the Institute Charter Schools when the following academic school year begins. This responsibility includes taking all necessary steps in the year prior to implementation to ensure that the plan can be implemented with fidelity.
- 7.04 (C) A District or Institute Turnaround Plan shall be designed to ensure that the District or the Institute improves its performance to the extent that, after the annual Accreditation review following implementation of the plan, the District or the Institute attains a higher Accreditation category. At a minimum, each District and Institute Turnaround Plan shall:
 - 7.04 (C) (1) Set, reaffirm or revise, as appropriate, ambitious but attainable targets that the District, including District Public Schools, or the Institute, including Institute Charter Schools, shall attain on the Performance Indicators. The Local School Board or the Institute shall ensure that the targets are aligned with the statewide targets set by the State Board, as described in section 2.03 of these rules;
 - 7.04 (C) (2) Identify positive and negative trends for District Public Schools as a group and individually or for Institute Charter Schools as a group and individually in the levels of attainment by the Public Schools as a group and individually on the Performance Indicators;
 - 7.04 (C) (3) Assess and prioritize the root causes of any low-performance for the District and for the individual District Public Schools or for the Institute and for the individual Institute Charter Schools that must be addressed to raise the levels of attainment on the Performance Indicators by the District Public Schools or the Institute Charter Schools and to improve school readiness in District Public Schools or Institute Charter Schools that serve students in preschool and Kindergarten;
 - 7.04 (C) (4) Identify specific, research-based strategies that are appropriate in scope, intensity and type to address the District's or Institute's root causes of any low-performance, which strategies shall, at a minimum, include one or more of the following:
 - 7.04 (C) (4) (a) employing a lead turnaround partner that uses research-based strategies and has a proven record of success working with schools under similar circumstances, which turnaround partner shall be immersed in all aspects of developing and collaboratively executing the Turnaround Plan and shall serve as a liaison to other school partners;
 - 7.04 (C) (4) (b) reorganizing the oversight and management structure within the District or the Institute to provide greater, more effective support for Public Schools;
 - 7.04 (C) (4) (c) for a District, recognizing individual District Public Schools as innovation schools or clustering District Public Schools with similar governance or management structures into one or more innovation school zones and seeking designation as a District of innovation pursuant to Article 32.5 of Title 22;
 - 7.04 (C) (4) (d) hiring an entity that uses research-based strategies and has a proven record of success working with schools under similar circumstances to operate one or more District Public Schools or Institute Charter Schools pursuant to a contract with the Local School Board or the Institute;
 - 7.04 (C) (4) (e) for a District, converting one or more District Public School to Charter Schools;
 - 7.04 (C) (4) (f) for the Institute, renegotiating and significantly restructuring an Institute Charter School's charter contract;
 - 7.04 (C) (4) (g) closing the District Public Schools or Institute Charter Schools; and
 - 7.04 (C) (4) (h) other actions of comparable or greater significance or effect;
 - 7.04 (C) (5) Identify the local, state and federal resources that the District or the Institute shall use to implement the identified strategies with fidelity; and
 - 7.04 (C) (6) Identify implementation benchmarks and interim targets and measures to assess whether the identified strategies are carried out with fidelity; and
 - 7.04 (C) (7) Address any other issues raised by the Department through the Accreditation process described in sections 4.00 and 5.00 of these rules.

8.00 REMOVAL OF DISTRICT ACCREDITATION

- 8.01 The Department may recommend to the Commissioner and the State Board that the State Board remove a District's or the Institute's Accreditation for any of the following reasons:
 - 8.01 (A) The District or the Institute is in the Accredited with Turnaround category and the Department determines that the District or the Institute failed to make substantial progress under its Turnaround Plan, as evidenced by the District's or Institute's failure to improve attainment on the Performance Indicators or failure to meet the implementation benchmarks and interim targets and measures included in the District's or Institute's Turnaround Plan;
 - 8.01 (B) For five consecutive school years, the District or Institute has remained in an Accreditation category of Accredited with Priority Improvement Plan and/or Accredited with Turnaround Plan; or
 - 8.01 (C) The District or the Institute has substantially failed to comply with the provisions of Article 44 of Title 22, concerning

budget and financial policies and procedures, or Article 45 of Title 22, concerning accounting and financial reporting; and the District or the Institute has not remedied the noncompliance within ninety (90) days after receipt of notice from the Department; and loss of Accreditation is required to protect the interests of the students and parents of students enrolled in the District or Institute Charter Schools.

8.02 Role of the State Review Panel.

If the Department recommends removing a District's or the Institute's Accreditation, the Commissioner shall assign the State Review Panel to critically evaluate the District or Institute's performance and to recommend one or more of the following actions:

8.02 (A) If the recommendation applies to a District:

- 8.02 (A) (1) that the District be reorganized pursuant to Article 30 of Title 22, which reorganization may include consolidation;
- 8.02 (A) (2) that a private or public entity, such as another Colorado District or BOCES, with the agreement of the District, take over management of the District or management of one or more of the District's Public Schools;
- 8.02 (A) (3) that one or more of the District's Public Schools be converted to a charter school;
- 8.02 (A) (4) that one or more of the District's Public Schools apply for status as an "Innovation School" pursuant to § 22-32.5-104, C.R.S.; or
- 8.02 (A) (5) that one or more of the District's Public Schools be closed; or

8.02 (B) If the recommendation applies to the Institute:

- 8.02 (B) (1) that the Institute board be abolished and that the governor and Commissioner appoint a new Institute board pursuant to § 22-30.5-505, C.R.S.;
- 8.02 (B) (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
- 8.02 (B) (3) that one or more of the Institute Charter Schools be closed.

8.03 In its evaluations and recommendations, the State Review Panel shall consider:

- 8.03 (A) whether the District's or Institute's leadership is adequate to implement change to improve results;
- 8.03 (B) whether the District's or the Institute's infrastructure is adequate to support school improvement;
- 8.03 (C) the readiness and apparent capacity of Public School and District or Institute personnel to plan effectively and lead the implementation of appropriate actions to improve student academic performance within the District Public Schools or the Institute Charter Schools;
- 8.03 (D) the readiness and apparent capacity of Public School and District or Institute personnel to engage productively with and benefit from the assistance provided by an external partner;
- 8.03 (E) the likelihood of positive returns on state investments of assistance and support to improve the District's or Institute's performance within the current management structure and staffing; and
- 8.03 (F) the necessity that the District or Institute remain in operation to serve students.

8.04 If the Department, the Commissioner and the State Review Panel recommend that a District's or the Institute's Accreditation be removed, the Department shall issue to the State Board a written recommendation for removal of Accreditation and shall provide a copy of the written recommendation to the District or Institute.

Process to Appeal Removal of Accreditation.

- 8.05 If the District or Institute does not wish to appeal the recommendation of the Department, the Commissioner and the State Review Panel to remove a District's or the Institute's Accreditation, the State Board shall determine whether to remove a District's or Institute's Accreditation at the next earliest possible regularly scheduled State Board meeting.
- 8.06 If the District or Institute wishes to appeal the recommendation of the Department, the Commissioner and the State Review Panel to remove a District's or the Institute's Accreditation, then the District or Institute shall file with the State Board within ten (10) days of receipt of the Department's written recommendation notice that the District or Institute wishes to appeal the recommendation.
- 8.07 The State Board Office shall notify the District or Institute in writing within ten (10) days of receipt of the notice of appeal. The scheduling notification shall provide the date of the next regularly scheduled State Board meeting. After conferring with the District or the Institute, the State Board Office shall include in the scheduling notification the filing deadlines for the appeal. The deadlines set forth below in this section 8.00 of the rules may be modified by agreement between the Department and the District or Institute with approval of the State Board Office.
- 8.08 Within fifteen (15) days of receipt of the scheduling notification, the District or Institute shall file a Position Statement setting forth the specific grounds for the assertion that the District or Institute should not have its Accreditation removed. The District or the Institute shall provide a copy of the Position Statement to the Department.
- 8.09 Within fifteen (15) days of the date the Position Statement is filed with the State Board, the Department may file a Response to the Position Statement, and provide a copy of the Position Statement to the District or Institute.
- 8.10 The District or Institute shall file all relevant documents pertaining to the removal of the District's or Institute's Accreditation, which may include:
 - 8.10 (A) written document issued by the Department recommending removal of Accreditation;
 - 8.10 (B) written correspondence between the District or Institute concerning Accreditation; and
 - 8.10 (C) any other documents, reports, correspondence and other written or electronic materials related to the matters at issue.
- 8.11 The Department shall have ten (10) days from the date of receipt of the documents filed with the State Board to file any objections or proposed additions to the record. The State Board shall rule forthwith on any such objections or proposed additions, and such ruling shall be final.
- 8.12 The State Board shall hold a hearing on the matter at the earliest possible regularly scheduled board meeting.

- 8.13 The State Board shall conduct a hearing in accordance with its administrative procedures pertaining to appeals of removal of Accreditation.
- 8.14 Following the hearing, the State Board shall issue a written final determination on the removal of the District's or Institute's Accreditation within thirty (30) days of the date of the hearing, and provide a copy to the District or Institute and the Department. The written determination shall be final.
- 8.15 If the State Board removes a District's or the Institute's Accreditation, the State Board shall notify the District or the Institute of the actions the District or the Institute is required to take.
- 8.16 After the District or the Institute takes the required actions, the State Board shall, upon recommendation of the Department, reinstate the District's or the Institute's Accreditation at the Accreditation category deemed appropriate by the State Board.

9.00 SCHOOL PERFORMANCE EVALUATION CRITERIA

- 9.01 No later than August 15th of each school year, the Department shall annually review the following:
- 9.01 (A) each Public School's level of attainment of the statewide targets on the Performance Indicators;
 - 9.01 (B) each Public School's level of attainment of the Performance Indicators compared with statewide attainment of the Performance Indicators; and
 - 9.01 (C) the length of time during which a Public School has been unable to meet statewide targets on the Performance Indicators.
- 9.02 In reviewing each Public School's level of attainment of the statewide targets on the Performance Indicators, the Department shall use the following information:
- 9.02 (A) **Student Longitudinal Academic Growth.**

Student longitudinal academic growth shall be calculated based on the following:

 - 9.02 (A) (1) the percentage of all students enrolled in the Public School who attain adequate longitudinal academic growth, as calculated pursuant to section 2.02 (A) (2) of these rules;
 - 9.02 (A) (2) the percentage of all students enrolled in the Public School who attain Move-up Growth as calculated pursuant to section 2.02 (A) (3) of these rules;
 - 9.02 (A) (3) the percentage of all students enrolled in the Public School who attain Statewide Median Growth; and
 - 9.02 (A) (4) the Median Student Growth among students enrolled in the Public School.
 - 9.02 (B) **Student Achievement on the Statewide Assessments.**

Student achievement on the Statewide Assessments shall be calculated based on the percentage of all students enrolled in the Public School who score at each of the Achievement Levels included in the Statewide Assessments, as calculated pursuant to section 2.02 (B) (2) of these rules.
 - 9.02 (C) **Postsecondary and Workforce Readiness.**

Postsecondary and Workforce Readiness shall be calculated for each public high school based on the following information:

 - 9.02 (C) (1) the overall percentages of students enrolled in the eleventh grade in the Public School who score at each Achievement Level on the standardized, curriculum-based, achievement, college entrance examination administered as a Statewide Assessment or the percentages of students enrolled in each of the grade levels included in the Public School who score at each Achievement Level on the Postsecondary and Workforce Readiness Assessments administered by the Public School;
 - 9.02 (C) (2) beginning with the 2011-12 school year and for each school year thereafter, the overall percentage of all students graduating from the Public School who receive diplomas that are endorsed for Postsecondary and Workforce Readiness as described in § 22-7-1009 (1), C.R.S., and the percentage who received diplomas that are endorsed for exemplary demonstration of postsecondary or workforce readiness as described in § 22-7-1009 (2), C.R.S.; and
 - 9.02 (C) (3) the Public School's dropout rate, as calculated pursuant to section 2.02 (C) (2) of these rules, and the Public School's graduation rate, as calculated pursuant to section 2.02 (C) (3) of these rules.
 - 9.02 (D) **Progress made on closing the achievement and growth gaps.**
 - 9.02 (D) (1) Progress made on closing the achievement and growth gaps shall be calculated based on the following information disaggregated by Student Group:
 - 9.02 (D) (1) (a) the percentage of students enrolled in the Public School who attain adequate longitudinal academic growth as calculated pursuant to section 2.02 (A) (2) of these rules;
 - 9.02 (D) (1) (b) the percentage of students enrolled in the Public School who attain Move-up Growth as calculated pursuant to section 2.02 (A) (3) of these rules;
 - 9.02 (D) (1) (c) the percentage of students enrolled in the Public School who attain statewide median growth;
 - 9.02 (D) (1) (d) the Median Student Growth attained by students enrolled in the Public School;
 - 9.02 (D) (1) (e) for a public high school, the percentage of students enrolled in the Public School at each grade level who score at each of the Achievement Levels in each of the subjects included in the Statewide Assessments; and
 - 9.02 (D) (1) (f) for a public high school, the overall percentage of students enrolled in the eleventh grade in the Public School who score at each Achievement Level on the standardized, curriculum-based achievement college entrance examination or the percentages of students enrolled in each of the grade levels included in the public high schools who score at each Achievement Level on the Postsecondary and Workforce Readiness Assessments administered by the public high schools; the overall percentages of students graduating from the Public School who receive a diploma that includes a Postsecondary and Workforce Readiness endorsement or an endorsement for exemplary

demonstration of Postsecondary and Workforce Readiness; and the Public School's dropout rate, as calculated pursuant to section 2.02 (C) (2) of these rules, and the Public School's graduation rate, as calculated pursuant to section 2.02 (C) (3) of these rules.

9.02 (D) (2) The Department shall compare the percentages and the assessment Achievement Levels across Student Groups to determine progress made by the Public School in increasing over time each Student Group's longitudinal academic growth, academic achievement, Postsecondary and Workforce Readiness, and graduation rate, and in decreasing each Student Group's dropout rate, especially for those Student Groups who are underperforming in comparison to other groups.

10.00 SCHOOL PLANS AND SCHOOL RESTRUCTURING

- 10.01 No later than August 15th of each school year, based on an objective analysis of each Public School's attainment on the four key Performance Indicators, which analysis shall place greatest emphasis upon the longitudinal growth and Postsecondary and Workforce Readiness Performance Indicators, the Department shall determine whether the Public School exceeds, meets, approaches or does not meet statewide targets. The Department shall formulate an initial recommendation for each Public School as to whether the Public School should implement a Performance Plan, an Improvement Plan, a Priority Improvement Plan or a Turnaround Plan, or that the Public School should be subject to restructuring.
- 10.01 (A) Information concerning the percentages of students at the Public School who are not tested on the Statewide Assessments will not be factored into the analysis of the Public School's attainment on the Performance Indicators, but will be factored into the determination of which type of plan the Public School must implement.
- 10.01 (B) If a Local School Board or the Institute choose not to endorse a high school diploma as described in § 22-7-1009 (2), C.R.S., the Public School will not be penalized for such choice when the Department makes a determination regarding the type of plan the Public School must implement.
- 10.01 (C) For those Public Schools designated as Alternative Education Campuses, the Department shall incorporate the results of the performance evaluation framework for Alternative Education Campuses, as described by rule of the State Board, when determining which type of plan the Alternative Education Campus must implement.
- 10.02 No later than August 15th of each school year, the Department shall provide to each District and the Institute, for each of the District's Public Schools or the Institute's Public Schools, the data used by the Department to conduct its analysis of that Public School's performance and the Department's initial recommendation concerning the type of plan that the Public School shall implement.
- 10.03 No later than October 15th of each school year, each District and the Institute shall submit to the Department the following:
- 10.03 (A) The Accreditation category assigned to each Public School, as determined by the Local School Board or Institute, and the school performance framework used for that Accreditation assignment, including evidence of the Public School's level of attainment of District or Institute targets on the Performance Indicators and the Public School's level of attainment of its own annual targets; and
- 10.03 (B) If the District or Institute disagrees with the Department's initial recommendation concerning the type of plan that the Public School shall implement and wishes to provide additional information for consideration, the District or Institute shall submit:
- 10.03 (B) (1) A recommendation from the District or Institute regarding the type of plan the Public School shall implement;
- 10.03 (B) (2) A statement about the extent to which the Public School effectively implemented with fidelity either the School Performance Plan, School Improvement Plan, School Priority Improvement Plan or School Turnaround Plan during the previous academic school year. Said statement shall include information about the specific improvements, changes, and interventions the Public School has implemented to improve its performance and the extent to which the Public School has successfully met the implementation benchmarks in the Public School's plan during the previous academic school year; and
- 10.03 (B) (3) For Public Schools that the Department has initially recommended to implement a School Priority Improvement Plan or a School Turnaround Plan, valid and reliable data demonstrating the progress the Public School has made in improving its performance and in meeting the statewide targets on the Performance Indicators, the District or Institute targets on the Performance Indicators, and its own school targets, including evidence from a Department-approved third-party review of performance.
- 10.03 (C) No later than November 15th of each school year, the Department shall formulate a final recommendation as to whether each Public School should implement a Performance Plan, an Improvement Plan, a Priority Improvement Plan or a Turnaround Plan, or that the Public School be subject to restructuring. This final recommendation shall take into consideration both the objective analysis of each Public School's attainment on the Performance Indicators, as described in section 10.01 of these rules, and the additional information submitted by a District or Institute, as described in section 10.03 (B) of these rules. The Department shall submit its final recommendation to the State Board, along with any conflicting recommendation provided by the District or Institute.
- 10.04 No later than December of each school year, the State Board shall make a final determination regarding the type of plan each Public School shall implement. The State Board shall notify the Local School Board for the Public School, or the Institute if the Public School is an Institute Charter School, regarding the type of plan the Public School shall implement. For a Public School that meets the definition of an On-line Program, the timing of this notification shall align with the notifications described in § 22-30.7-109 (2) (B) and 22-30.7-110 (2) (A), C.R.S.
- 10.05 A Public School shall not be permitted to implement a Priority Improvement and/or Turnaround Plan for longer than a combined total of five consecutive school years before the District or Institute is required to restructure or close the school. The calculation of the total of five (5) consecutive school years shall commence July 1, during the summer immediately following the fall in which the

Public School is notified that it is required to implement a Priority Improvement or Turnaround Plan.

10.06 As described in detail below, the Department shall employ a differentiated approach to state intervention based on performance and need, whereby demonstration of high performance results in greater autonomy and demonstration of high need results in greater support and intervention.

For a Public School required to implement a School Performance Plan or School Improvement Plan, the District or the Institute shall submit said plan to the Department for publishing on SchoolView.

For a Public School required to implement a School Priority Improvement Plan, the District or the Institute shall submit said plan to the Department and the Commissioner, subject to available appropriations may assign the State Review Panel to critically evaluate the plan. The Commissioner may recommend modifications to the School Priority Improvement Plan to the Local School Board or Institute and, after making any revisions, the Local School Board or Institute shall submit the School Priority Improvement Plan to the Department for publishing on SchoolView.

For a Public School required to implement a School Turnaround Plan, the District or Institute shall submit said plan to the Department for review by the State Review Panel. The Commissioner may approve the School Turnaround Plan or suggest modifications to the plan. The Local School Board or Institute shall revise the plan, if necessary, and resubmit the plan to the Commissioner for approval. The Local School Board or Institute shall submit the final approved plan to the Department for publishing on SchoolView.

10.07 At the request of a Local School Board or the Institute, the Department shall provide technical assistance and support to the Public School, Local School Board, or Institute in preparing and implementing the Public School's Improvement, Priority Improvement, or Turnaround Plan. The Department shall base the amount of technical assistance and support provided to a Public School, the Local School Board, or the Institute on the Public School's degree of need for assistance and the Department's available resources. Such technical assistance shall be provided through a mutually agreed upon plan between the Department and the Public School, Local School Board or the Institute. Technical assistance and support may include, but need not be limited to:

10.07 (A) access to data and research to support interpretation of student data, decision-making, and learning;

10.07 (B) consultative services on best practices for improvement and implementation of intervention strategies, including, where appropriate, strategies that address early childhood education and student engagement and re-engagement; and

10.07 (C) evaluation and feedback on the Public School's plan.

10.08 **School Performance Plans.**

10.08 (A) If the State Board directs a District Public School to adopt a School Performance Plan, the school principal and the District superintendent, or his or her designee, shall adopt a School Performance Plan. The Local School Board is encouraged to review and approve such plan and to consider in its local policies whether it would like to require the school principal and District superintendent or designee to submit the plan to the Local School Board for approval.

10.08 (A) (1) The School Performance Plan shall be adopted no later than April 15th of the academic school year in which it is directed to adopt a School Performance Plan.

10.08 (A) (2) The School Accountability Committee for the Public School shall advise the principal concerning preparation of the School Performance Plan and make recommendations to the principal concerning the contents of the plan. The principal, with the approval of the Superintendent or his or her designee, shall create and adopt the School Performance Plan, taking into account the advice and recommendations of the School Accountability Committee.

10.08 (A) (3) The School District Accountability Committee shall include the adopted School Performance Plan in the compilation of the plans of its Public Schools that the committee considers when making recommendations for a District plan.

10.08 (A) (4) The Local School Board shall consider the adopted School Performance Plan in developing the budget required by § 22-44-108, C.R.S.

10.08 (A) (5) The District shall submit the adopted School Performance Plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a School Performance Plan.

10.08 (A) (6) The principal and superintendent or his or her designee shall ensure that the School Performance Plan is implemented for the Public School when the following academic school year begins.

10.08 (B) If the State Board directs an Institute Charter School to adopt a School Performance Plan, the school principal shall adopt a School Performance Plan. The Institute Charter School's Board and the Institute are encouraged to review and approve such plan. The Institute also is encouraged to consider whether it would like to require the Institute Charter School's board and the school principal to submit the plan to the Institute for approval.

10.08 (B) (1) The School Performance Plan shall be adopted no later than April 15th of the academic school year in which it is directed to adopt a School Performance Plan.

10.08 (B) (2) The School Accountability Committee for the Institute Charter School shall advise the principal concerning preparation of the School Performance Plan and make recommendations to the principal concerning the contents of the plan. The principal shall create and adopt the School Performance Plan, taking into account the advice and recommendations of the School Accountability Committee.

10.08 (B) (3) The Institute shall include the adopted School Performance Plan in the compilation of the plans of its Public Schools that the Institute considers when making recommendations for the Institute's plan.

10.08 (B) (4) The Institute shall submit the adopted School Performance Plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a School Performance Plan.

- 10.08 (B) (5) The principal shall ensure that the School Performance Plan is implemented for the Institute Charter School when the following academic school year begins.
- 10.08 (C) A School Performance Plan shall be designed to raise the academic performance of students enrolled in the Public School and to ensure that the Public School, after its annual Accreditation review following implementation of the plan, attains a higher Accreditation category or remains in the same Accreditation category if the Public School is already accredited by the District or the Institute at the highest level. At a minimum, each School Performance Plan shall:
- 10.08 (C) (1) Set, reaffirm or revise, as appropriate, ambitious but attainable targets that the Public School shall attain on the Performance Indicators. The principal and the District superintendent, or his or her designee, shall ensure that the targets are aligned with the statewide targets set by the State Board, as described in section 2.03 of these rules;
- 10.08 (C) (2) Identify positive and negative trends in the levels of attainment by the Public School on the Performance Indicators;
- 10.08 (C) (3) Assess and prioritize the root causes of any low-performance at the Public School that must be addressed to raise the levels of attainment on the Performance Indicators by the Public School and to improve school readiness, if the Public School serves students in preschool and Kindergarten;
- 10.08 (C) (4) Identify specific, research-based strategies to address the Public School's root-causes of any low-performance;
- 10.08 (C) (5) Identify the local, state and federal resources that the Public School shall use to implement the identified strategies with fidelity;
- 10.08 (C) (6) Identify implementation benchmarks and interim targets and measures to assess whether the identified strategies are carried out with fidelity; and
- 10.08 (C) (7) Address any other issues raised by the Department through the performance evaluation process described in section 9.00 of these rules. For a Public School that meets the definition of an On-line Program, the School Performance Plan shall address any corrective actions required pursuant to § 22-30.7-109 (2) (B) and 22-30.7-110 (2) (A), C.R.S.
- 10.09 School Improvement Plans.**
- 10.09 (A) If the State Board directs a District Public School to adopt a School Improvement Plan, the school principal and the District superintendent, or his or her designee, shall adopt a School Improvement Plan. The Local School Board is encouraged to review and approve such plan and to consider in its local policies whether it would like to require the school principal and District superintendent or designee to submit the plan to the Local School Board for approval.
- 10.09 (A) (1) The School Improvement Plan shall be adopted no later than April 15th of the academic school year in which it is directed to adopt a School Improvement Plan.
- 10.09 (A) (2) The School Accountability Committee for the Public School shall advise the principal concerning preparation of the School Improvement Plan and make recommendations to the principal concerning the contents of the plan. The principal, with the approval of the Superintendent or his or her designee, shall create and adopt the School Improvement Plan, taking into account the advice and recommendations of the School Accountability Committee.
- 10.09 (A) (3) At the request of the Local School Board, the Department shall provide technical assistance, evaluation and feedback on the Public School's plan.
- 10.09 (A) (4) The School District Accountability Committee shall include the adopted School Improvement Plan in the compilation of the plans of its Public Schools that the committee considers when making recommendations for a District plan.
- 10.09 (A) (5) The Local School Board shall consider the adopted School Improvement Plan in developing the budget required by § 22-44-108, C.R.S.
- 10.09 (A) (6) The Local School Board shall submit the adopted School Improvement Plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a School Improvement Plan.
- 10.09 (A) (7) The principal and superintendent or his or her designee shall ensure that the School Improvement Plan is implemented for the Public School when the following academic school year begins.
- 10.09 (B) If the State Board directs an Institute Charter School to adopt a School Improvement Plan, the school principal shall adopt a School Performance Plan. The Institute Charter School's Board and the Institute are encouraged to review and approve such plan. The Institute also is encouraged to consider whether it would like to require the Institute Charter School's board and the school principal to submit the plan to the Institute for approval.
- 10.09 (B) (1) The School Improvement Plan shall be adopted no later than April 15th of the academic school year in which it is directed to adopt a School Improvement Plan.
- 10.09 (B) (2) The School Accountability Committee for the Institute Charter School shall advise the principal concerning preparation of the School Improvement Plan and make recommendations to the principal concerning the contents of the plan. The principal shall create and adopt the School Improvement Plan, taking into account the advice and recommendations of the School Accountability Committee.
- 10.09 (B) (3) At the request of the Institute, the Department shall provide technical assistance, evaluation and feedback on the Institute Charter School's plan.
- 10.09 (B) (4) The Institute shall include the adopted School Improvement Plan in the compilation of the plans of its Public Schools that the Institute considers when making recommendations for the Institute's plan.
- 10.09 (B) (5) The Institute shall submit the adopted School Improvement Plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a School Improvement Plan.
- 10.09 (B) (6) The principal shall ensure that the School Improvement Plan is implemented for the Institute Charter School

when the following academic school year begins.

10.09 (C) A School Improvement Plan shall be designed to raise the academic performance of students enrolled in the Public School and to ensure that the Public School, after its annual Accreditation review following implementation of the plan, attains a higher Accreditation category. At a minimum, each School Improvement Plan shall:

10.09 (C) (1) Set, reaffirm or revise, as appropriate, ambitious but attainable targets that the Public School shall attain on the Performance Indicators. The principal and the District superintendent, or his or her designee, shall ensure that the targets are aligned with the statewide targets set by the State Board, as described in section 2.03 of these rules;

10.09 (C) (2) Identify positive and negative trends in the levels of attainment by the Public School on the Performance Indicators;

10.09 (C) (3) Assess and prioritize the root causes of any low-performance at the Public School that must be addressed to raise the levels of attainment on the Performance Indicators by the Public School and to improve school readiness, if the Public School serves students in preschool and Kindergarten;

10.09 (C) (4) Identify specific, research-based strategies that are appropriate in scope, intensity and type to address the Public School's root causes of any low-performance;

10.09 (C) (5) Identify the local, state and federal resources that the Public School shall use to implement the identified strategies with fidelity; and

10.09 (C) (6) Identify implementation benchmarks and interim targets and measures to assess whether the identified strategies are carried out with fidelity; and

10.09 (C) (7) Address any other issues raised by the Department through the performance evaluation process described in section 9.00 of these rules. For a Public School that meets the definition of an On-line Program, the School Improvement Plan shall address any corrective actions required pursuant to § 22-30.7-109 (2) (B) and 22-30.7-110 (2) (A), C.R.S.

10.10 School Priority Improvement Plans.

10.10 (A) If directed by the State Board, the Local School Board shall adopt a School Priority Improvement Plan for its Public School.

10.10 (A) (1) The School Priority Improvement Plan shall be adopted no later than January 15th of the academic school year in which it is directed to adopt a School Priority Improvement Plan. The Commissioner may provide additional time for the Local School Board to adopt and submit a plan, to the extent the Commissioner finds an extension to be reasonable.

10.10 (A) (2) The School Accountability Committee for the Public School shall advise the Local School Board concerning preparation of the School Priority Improvement Plan and make recommendations to the Local School Board concerning the contents of the plan. The Local School Board shall create and adopt the School Priority Improvement Plan, taking into account the advice and recommendations of the School Accountability Committee.

10.10 (A) (3) At the request of the Public School's Local School Board, the Department shall provide technical assistance, evaluation and feedback on the Public School's plan.

10.10 (A) (4) No later than five (5) business days after the Local School Board has adopted a School Priority Improvement Plan, the Local School Board shall submit the adopted plan to the Department for review.

10.10 (A) (5) The Commissioner, subject to available appropriations, may assign the State Review Panel to critically evaluate the School Priority Improvement Plan concerning the issues outlined in section 10.10 (C) of these rules. After conducting any such evaluation, the State Review Panel may recommend modifications to the plan to the Commissioner. Taking into consideration any recommendations of the State Review Panel, the Commissioner may recommend to the Local School Board modifications to the School Priority Improvement Plan.

10.10 (A) (6) After making any revisions to the School Priority Improvement Plan, the Local School Board shall submit the revised School Priority Improvement Plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a School Priority Improvement Plan.

10.10 (A) (7) The School District Accountability Committee shall include the [revised] School Priority Improvement Plan in the compilation of the plans of its Public Schools that the committee considers when making recommendations for a District plan.

10.10 (A) (8) The Local School Board shall consider the [revised] School Priority Improvement Plan in developing the budget required by § 22-44-108, C.R.S.

10.10 (A) (9) The Local School Board shall ensure that the [revised] School Priority Improvement Plan is implemented for the Public School when the following academic school year begins.

10.10 (B) If directed by the State Board, the Institute shall adopt a School Priority Improvement Plan for its Institute Charter School.

10.10 (B) (1) The School Priority Improvement Plan shall be adopted no later than January 15th of the academic school year in which it is directed to adopt a School Priority Improvement Plan. The Commissioner may provide additional time for the Institute to adopt and submit a plan, to the extent the Commissioner finds an extension to be reasonable.

10.10 (B) (2) The School Accountability Committee for the Institute Charter School shall advise the Local School Board concerning preparation of the School Performance Plan and make recommendations to the Institute concerning the contents of the plan. The Institute shall create and adopt the School Priority Improvement Plan, taking into account the advice and recommendations of the School Accountability Committee.

10.10 (B) (3) At the request of the Institute, the Department shall provide technical assistance, evaluation and feedback on the Institute Charter School's plan.

10.10 (B) (4) No later than five (5) business days after the Institute has adopted a School Priority Improvement Plan, the Institute shall submit the adopted plan to the Department for review.

- 10.10 (B) (5) The Commissioner, subject to available appropriations, may assign the State Review Panel to critically evaluate the School Priority Improvement Plan concerning the issues outlined in section 10.10 (C) of these rules. After conducting any such evaluation, the State Review Panel may recommend modifications to the plan to the Commissioner. Taking into consideration any recommendations of the State Review Panel, the Commissioner may recommend to the Institute modifications to the School Priority Improvement Plan.
- 10.10 (B) (6) After making any revisions to the School Priority Improvement Plan, the Institute shall submit the revised School Performance Plan to the Department for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a School Priority Improvement Plan.
- 10.10 (B) (7) The Institute shall include the [revised] School Improvement Plan in the compilation of the plans of its Charter Schools that the Institute considers when making recommendations for an Institute plan.
- 10.10 (B) (8) The Institute shall ensure that the [revised] School Priority Improvement Plan is implemented for the Institute Charter School when the following academic school year begins.
- 10.10 (C) In reviewing a Public School's plan, the State Review Panel shall report to the Commissioner and the State Board its recommendations concerning:
 - 10.10 (C) (1) whether the Public School's leadership is adequate to implement change to improve results;
 - 10.10 (C) (2) whether the Public School's infrastructure is adequate to support school improvement;
 - 10.10 (C) (3) the readiness and apparent capacity of Public School's personnel to plan effectively and lead the implementation of appropriate actions to improve student academic performance within the school;
 - 10.10 (C) (4) the readiness and apparent capacity of Public School's personnel to engage productively with and benefit from the assistance provided by an external partner;
 - 10.10 (C) (5) the likelihood of positive returns on state investments of assistance and support to improve the Public School's performance within the current management structure and staffing; and
 - 10.10 (C) (6) the necessity that Public School remain in operation to serve students.
- 10.10 (D) A School Priority Improvement Plan shall be designed to raise the academic performance of students enrolled in the Public School and to ensure that the Public School, after its annual Accreditation review following implementation of the plan, attains a higher Accreditation category. At a minimum, each School Priority Improvement Plan shall:
 - 10.10 (D) (1) Set, reaffirm or revise, as appropriate, ambitious but attainable targets that the Public School shall attain on the Performance Indicators. The Local School Board or the Institute shall ensure that the targets are aligned with the statewide targets set by the State Board, as described in section 2.03 of these rules;
 - 10.10 (D) (2) Identify positive and negative trends in the levels of attainment by the Public School on the Performance Indicators;
 - 10.10 (D) (3) Assess and prioritize the root causes of any low-performance at the Public School that must be addressed to raise the levels of attainment on the Performance Indicators by the Public School and to improve school readiness, if the Public School serves students in preschool and Kindergarten;
 - 10.10 (D) (4) Identify specific, research-based strategies that are appropriate in scope, intensity and type to address the Public School's root causes of any low-performance;
 - 10.10 (D) (5) Identify the local, state and federal resources that the Public School shall use to implement the identified strategies with fidelity; and
 - 10.10 (D) (6) Identify implementation benchmarks and interim targets and measures to assess whether the identified strategies are carried out with fidelity; and
 - 10.10 (D) (7) Address any other issues raised by the Department through the performance review process described in section 9.00 of these rules. For a Public School that meets the definition of an On-line Program, the School Priority Improvement Plan shall address any corrective actions required pursuant to § § 22-30.7-109 (2) (B) and 22-30.7-110 (2) (A), C.R.S.

10.11 School Turnaround Plans.

- 10.11 (A) If directed by the State Board, the Local School Board shall adopt a School Turnaround Plan for its Public School.
 - 10.11 (A) (1) The School Turnaround Plan shall be adopted no later than January 15th of the academic school year in which it is directed to adopt a School Turnaround Plan. The Commissioner may provide additional time for the Local School Board to adopt and submit a plan, to the extent the Commissioner finds an extension to be reasonable.
 - 10.11 (A) (2) The School Accountability Committee for the Public School shall advise the Local School Board concerning preparation of the School Turnaround Plan and make recommendations to the Local School Board concerning the contents of the plan. The Local School Board shall create and adopt the School Turnaround Plan, taking into account the advice and recommendations of the School Accountability Committee.
 - 10.11 (A) (3) At the request of the Public School's Local School Board, the Department shall provide technical assistance, evaluation and feedback on the Public School's plan.
 - 10.11 (A) (4) No later than five (5) business days after the Local School Board has adopted a School Turnaround Plan, the Local School Board shall submit the adopted plan to the Department for review.
 - 10.11 (A) (5) The Commissioner may assign the State Review Panel to critically evaluate the School Turnaround Plan concerning the issues outlined in section 10.10 (C) of these rules. After conducting such an evaluation of the School Turnaround Plan, the State Review Panel may recommend modifications to the plan to the Commissioner. Taking into consideration any recommendations of the State Review Panel, the Commissioner shall approve the School Turnaround Plan or suggest modifications to the plan.
 - 10.11 (A) (6) After making any necessary revisions to the School Turnaround Plan, the Local School Board shall submit the

revised plan to the Department for approval no later than March 30th of the academic school year in which it is directed to adopt a School Turnaround Plan.

- 10.11 (A) (7) The Local School Board shall submit the final adopted School Turnaround Plan for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a School Turnaround Plan.
- 10.11 (A) (8) The School District Accountability Committee shall include the final adopted School Turnaround Plan in the compilation of the plans of its Public Schools that the committee considers when making recommendations for a District plan.
- 10.11 (A) (9) The Local School Board shall consider the final adopted School Turnaround Plan in developing the budget required by § 22-44-108, C.R.S.
- 10.11 (A) (10) The Local School Board shall ensure that the School Turnaround Plan is implemented for the Public School when the following academic school year begins.
- 10.11 (B) If directed by the State Board, the Institute shall adopt a School Turnaround Plan for its Institute Charter School.
 - 10.11 (B) (1) The School Turnaround Plan shall be adopted no later than January 15th of the academic school year in which it is directed to adopt a School Turnaround Plan. The Commissioner may provide additional time for the Local School Board to adopt and submit a plan, to the extent the Commissioner finds an extension to be reasonable.
 - 10.11 (B) (2) The School Accountability Committee for the Institute Charter School shall advise the Local School Board concerning preparation of the School Turnaround Plan and make recommendations to the Institute concerning the contents of the plan. The Institute shall create and adopt the School Turnaround Plan, taking into account the advice and recommendations of the School Accountability Committee.
 - 10.11 (B) (3) At the request of the Institute, the Department shall provide technical assistance, evaluation and feedback on the Institute Charter School's plan.
 - 10.11 (B) (4) No later than five (5) business days after the Institute has adopted a School Turnaround Plan, the Institute shall submit the adopted plan to the Department for review.
 - 10.11 (B) (5) The Commissioner may assign the State Review Panel to critically evaluate the School Turnaround Plan concerning the issues outlined in section 10.10 (C) of these rules. After conducting such an evaluation of the School Turnaround Plan, the State Review Panel may recommend modifications to the plan to the Commissioner. Taking into consideration any recommendations of the State Review Panel, the Commissioner shall approve the School Turnaround Plan or suggest modifications to the plan.
 - 10.11 (B) (6) After making any necessary revisions to the School Turnaround Plan, the Institute shall submit the revised plan to the Department for approval no later than March 30th of the academic school year in which it is directed to adopt a School Turnaround Plan.
 - 10.11 (B) (7) The Institute shall submit the final adopted School Turnaround Plan for publication on SchoolView no later than April 15th of the academic school year in which it is directed to adopt a School Turnaround Plan.
 - 10.11 (B) (8) The Institute shall include the final adopted School Turnaround Plan in the compilation of the plans of its Charter Schools that the Institute considers when making recommendations for an Institute plan.
 - 10.11 (B) (9) The Institute shall ensure that the School Turnaround Plan is implemented for the Institute Charter School when the following academic school year begins.
- 10.11 (C) A School Turnaround Plan shall be designed to raise the academic performance of students enrolled in the Public School and to ensure that the Public School, after its annual Accreditation review following implementation of the plan, attains a higher Accreditation category. At a minimum, each School Turnaround Plan shall:
 - 10.11 (C) (1) Set, reaffirm or revise, as appropriate, ambitious but attainable targets that the Public School shall attain on the Performance Indicators. The principal and the District superintendent, or his or her designee, shall ensure that the targets are aligned with the statewide targets set by the State Board, as described in section 2.03 of these rules;
 - 10.11 (C) (2) Identify positive and negative trends in the levels of attainment by the Public School on the Performance Indicators;
 - 10.11 (C) (3) Assess and prioritize the root causes of any low-performance at the Public School that must be addressed to raise the levels of attainment on the Performance Indicators by the Public School and to improve school readiness, if the Public School serves students in preschool and Kindergarten;
 - 10.11 (C) (4) Identify specific, research-based strategies that are appropriate in scope, intensity and type to address the Public School's root causes of any low-performance, which strategies shall, at a minimum, include one or more of the following:
 - 10.11 (C) (4) (a) employing a lead turnaround partner that uses research-based strategies and has a proven record of success working with schools under similar circumstances, which turnaround partner shall be immersed in all aspects of developing and collaboratively executing the School Turnaround Plan and shall serve as a liaison to other school partners;
 - 10.11 (C) (4) (b) reorganizing the oversight and management structure within the Public School to provide greater, more effective support;
 - 10.11 (C) (4) (c) for a District Public School, seeking recognition as an innovation school or clustering with other District Public Schools that have similar governance management structures to form an innovation school zone pursuant to Article 32.5 of Title 22;
 - 10.11 (C) (4) (d) hiring a public or private entity that uses research-based strategies and has a proven record of success working with schools under similar circumstances to manage the Public School pursuant to a contract with the Local School Board or the Institute;

- 10.11 (C) (4) (e) for a District Public School that is not a charter school, converting to a charter school;
- 10.11 (C) (4) (f) for a District charter school or an Institute Charter School, renegotiating and significantly restructuring the charter school's charter contract; and
- 10.11 (C) (4) (g) other actions of comparable or greater significance or effect, including those interventions required for low-performing schools under the Elementary and Secondary Education Act of 1965 and accompanying guidance;
- 10.11 (C) (5) Identify the local, state and federal resources that the Public School shall use to implement the identified strategies with fidelity; and
- 10.11 (C) (6) Identify implementation benchmarks and interim targets and measures to assess whether the identified strategies are carried out with fidelity; and
- 10.11 (C) (7) Address any other issues raised by the Department through the performance review process described in section 9.00 of these rules. For a Public School that meets the definition of an On-line Program, the School Turnaround Plan shall address any corrective actions required pursuant to § 22-30.7-109 (2) (B) and 22-30.7-110 (2) (A), C.R.S.

10.12 **School Restructuring.**

- 10.12 (A) If a Public School fails to make adequate progress under its School Turnaround Plan, as evidenced by the Public School's failure to improve attainment on the Performance Indicators or failure to meet the implementation benchmarks and interim targets and measures included in the Public School's Turnaround Plan, or if the Public School continues to operate under a School Priority Improvement and/or School Turnaround Plan for a combined total of five (5) consecutive school years, the Commissioner shall assign the State Review Panel to critically evaluate the Public School's performance and determine whether to recommend one of the following:
 - 10.12 (A) (1) with regard to a District Public School that is not a Charter School, that the District Public School be managed by a private or public entity other than the District;
 - 10.12 (A) (2) with regard to a District or Institute Charter School, that the public or private entity operating the Charter School or the governing board of the Charter School should be replaced by a different public or private entity or governing board;
 - 10.12 (A) (3) with regard to a Public School, that the District Public School be converted to a Charter School if it is not already authorized as a Charter School;
 - 10.12 (A) (4) with regard to a District Public School, that the District Public School be granted status as an innovation school pursuant to § 22-32.5-104, C.R.S.; or
 - 10.12 (A) (5) that the Public School be closed or, with regard to a District Charter School or an Institute Charter School, that the Public School's charter be revoked.
- 10.12 (B) The State Review Panel shall present its recommendations to the Commissioner and the State Board. Taking the recommendations into account, the State Board shall determine which of the actions described in section 10.12 (A) of these rules the Local School Board for a District Public School or the Institute for an Institute Charter School shall take regarding the Public School and direct the Local School Board or Institute accordingly.

11.0 PERFORMANCE REPORTING

- 11.01 The Department shall publish on SchoolView a school performance report for each Public School in the state, a School District performance report for each School District in the state, a performance report for the Institute, and a performance report for the state as a whole.
- 11.02 The Department shall continuously update the data included in the performance reports as soon as practicable, but not later than sixty (60) days, after the data become available. Data shall be considered "available" following processing and verification.
- 11.03 The Department shall ensure that the information reported on SchoolView is transparent and serves as a tool for parents, educators, and the community at large to understand and communicate about state, district, school, classroom and programmatic performance.
- 11.04 **Contents of School, District, Institute and State Performance Reports.**

The information in each type of performance report shall be consistent and, at a minimum, shall include the following:

- 11.04 (A) The report subject's level of attainment on each of the Performance Indicators as determined pursuant to sections 2.02, 4.02 and 9.02 of these rules, including whether the report subject met the targets set for the applicable school year. This portion of the performance report shall be referred to as the "School Performance Framework Report" , "District Performance Framework Report" or "Institute Performance Framework Report" ;
- 11.04 (B) The number and percentage of the report subject's students in kindergarten, first or second grade that score proficient on one of the assessment instruments approved and identified by the State Board pursuant to the Colorado Basic Literacy Act (section 22-7-504, C.R.S.), that also score proficient in the third grade in the subject of reading on the state assessment described in section 22-7-409, C.R.S. The Department shall calculate this number and percentage using student-level data provided by Districts and the Institute in conjunction with annual reporting required under section 22-7-505, C.R.S.
- 11.04 (C) For Public School performance reports, a comparison of the report subject's levels of attainment on the Performance Indicators with the levels of attainment of the other Public Schools of the District and in the state and the information specified in section 11.05 of these rules;
- 11.04 (D) For District performance reports and the Institute performance report, a comparison of the report subject's levels of attainment on the Performance Indicators with other Districts in the state and the Institute and the information specified in section 11.06 of these rules;
- 11.04 (E) Information concerning comparisons of student performance over time and among Student Groups;
- 11.04 (F) Any information that may be required to be reported by federal law; and

11.04 (G) The report subject's rates of completion, mobility, and truancy, calculated as follows:

11.04 (G) (1) **Completion Rates.** The high school completion rate is the percentage of students from an end of year eighth grade cohort adjusted for verified transfers in and out with adequate documentation, who leave school as graduates or completers as defined by the District.

11.04 (G) (1) (a) Students who do not meet specified graduation requirements are not graduates, but completers. This includes students who receive a GED certificate through the completion of a GED program; receive a certificate of completion; complete a vocational program; or are accepted into an institution of higher education to pursue either a bachelor's or associate's degree.

11.04 (G) (1) (b) The numerator for the calculation shall be the cohort members (students) who graduated or completed in year X and the denominator shall be the initial cohort enrollment adjusted for verified transfers in and out. The formula shall be:

$$\frac{\text{Number of on-time (four-year or prior) graduates and completers in year X}}{(\text{number of end of year 8}^{\text{th}} \text{ graders in year X} - 4) + (\text{number of transfers in}) - (\text{number of transfers out})}$$

11.04 (G) (1) (c) Completion rates for a high school not containing a ninth grade shall be adjusted according to the grades contained within the school. Notations shall be made when the standard four-year completion rates are not applied.

11.04 (G) (1) (d) District completion rates shall be held to a four-year standard regardless of the grade ranges of District Public Schools.

11.04 (G) (1) (e) 3-year completion rates shall first be reported in 2009-10 with the class of 2011. The formula shall be:

$$\frac{\text{Number of 3-year graduates and completers in year X}}{(\text{number of end of year 8}^{\text{th}} \text{ graders in year X} - 3) + (\text{number of transfers in}) - (\text{number of transfers out})}$$

11.04 (G) (1) (f) 5-year completion rates shall first be reported in 2010-11 with the class of 2010. The formula shall be:

$$\frac{\text{Number of 5-year graduates and completers in year X}}{(\text{number of end of year 8}^{\text{th}} \text{ graders in year X} - 5) + (\text{number of transfers in}) - (\text{number of transfers out})}$$

11.04 (G) (1) (g) 6-year completion rates shall first be reported in 2011-12 with the class of 2010. The formula shall be:

$$\frac{\text{Number of 6-year graduates and completers in year X}}{(\text{number of end of year 8}^{\text{th}} \text{ graders in year X} - 6) + (\text{number of transfers in}) - (\text{number of transfers out})}$$

11.04 (G) (1) (h) 7-year completion rates shall first be reported in 2012-13 with the class of 2010. The formula shall be:

$$\frac{\text{Number of 7-year graduates and completers in year X}}{(\text{number of end of year 8}^{\text{th}} \text{ graders in year X} - 7) + (\text{number of transfers in}) - (\text{number of transfers out})}$$

11.04 (G) (2) **Student Mobility Rates.** The student mobility rate measures the unduplicated count of the number of students who have moved into or out of a particular education setting.

11.04 (G) (2) (a) For Public Schools, the numerator for the mobility rate calculation shall be the unduplicated count of students who have entered or left the Public School between the start of the academic school year and the last day of the academic school year and the denominator shall be the cumulative enrollment for the Public School during the academic year at issue. The formula shall be as follows:

$$\frac{\text{Unduplicated count of students who moved into or out of the Public School in year X}}{\text{Cumulative enrollment for the Public School during year X}}$$

11.04 (G) (2) (b) For Districts, the numerator for the mobility rate calculation shall be the unduplicated count of students who have entered or left a District between the start of the academic school year and the last day of the academic school year and the denominator shall be the cumulative enrollment for the District during the academic year at issue. The formula shall be as follows:

$$\frac{\text{Unduplicated count of grade K-12 students who moved into or out of the District in year X}}{\text{Cumulative enrollment for the District during year X}}$$

11.04 (G) (2) (c) For the state, the numerator for the mobility rate calculation shall be the sum of District counts of unduplicated grade K-12 students who have entered or left those Districts between the start of the academic school year and the last day of the academic school year and the denominator shall be the sum of the cumulative enrollment for all Districts during the academic year at issue.

$$\frac{\text{Sum of District counts of unduplicated grade K-12 students who moved into or out of each district in year X}}{\text{Sum of Cumulative enrollment for all Districts during year X}}$$

11.04 (G) (2) (d) For purposes of calculating student mobility rates, a student shall be considered mobile if he or she exits an education setting, enters an education setting after the beginning of the academic school year, changes grades during the school year (other than through the normal progression of grades between school years), or is absent

(excused or unexcused) for more than ten (10) consecutive school days. A student is considered to have moved into or out of a particular education setting if he or she transfers transfer to another Public School or District, nonpublic or private school, home-based education program, GED program, vocational education program, licensed eligible facility, state-operated program, detention center, or other educational program operated by the Department of Youth Corrections or Department of Corrections; has been expelled; or has dropped out.

11.04 (G) (3) **Truancy Rates.** Truancy rates measure the number of unexcused absences from Public School. They shall include the following two calculations:

11.04 (G) (3) (a) Truancy Rate – Unexcused Absence Days. The numerator shall be the total days students are unexcused and the denominator shall be the total days possible, calculated by adding the total days attended, the total student days of excused absences and the total student days of unexcused absences. The formula shall be as follows:

$$\frac{\text{Total student days unexcused}}{(\text{total days attended}) + (\text{total student days excused absence}) + (\text{total student days of unexcused absences})}$$

11.04 (G) (3) (b) Truancy Rate – Habitually Truant Students. The numerator shall be the number of students who are habitually truant, meaning all students who are at least the age of six on or before August 1 of the year in question and under the age of seventeen years and who have four (4) total days of unexcused absences from Public School in any one calendar month or ten (10) total days of unexcused absences from Public School during the reported school year. The denominator shall be the cumulative enrollment for the school or District. The formula shall be as follows:

$$\frac{\text{Number of students who have either 4 total days of unexcused absences in any calendar month or 10 days of unexcused absences during the school year}}{\text{Number of students who are part of same membership base at any time during year X}}$$

11.04 (G) (3) (c) For purposes of these calculations, excused absences shall be those occasions where a student is absent for an acceptable reason as identified within the attendance policy set by Local School Board of education required by § 22-33-104 (4) (a), C.R.S., which may include, but is not limited to, the following reasons: funeral, illness, injury, legal obligation, medical procedure and religious observation.

11.04 (G) (3) (d) For purposes of these calculations, unexcused absences shall be those occasions where a student is absent without a reason or for an unacceptable reason as identified within the attendance rules set by Local School Board of education policy required by § 22-33-104 (4) (a), C.R.S.

11.05 **Additional Contents of School Performance Reports.**

Each school performance report shall include the following information concerning the operations and environment of the Public School that is the subject of the report:

11.05 (A) The name of the Public School, the type of school program provided at the Public School, and the school year for which the information in the performance report is provided. The performance report shall also include the Public School's street address, telephone number, and email address, and, if one exists, the Web site address of the District or Public School;

11.05 (B) Information concerning the percentages of students who are not tested or whose scores are not included in determining attainment of the Performance Indicators;

11.05 (C) **Student Conduct.** The occurrence of student conduct and discipline code violations reported pursuant to § 22-32-109.1 (2) (b), C.R.S., expressed as a number and as a percentage of the total occurrences of all of the following incidents reported:

11.05 (C) (1) carrying, bringing, using or possessing a dangerous weapon on Public School grounds, in Public School vehicles, or at Public School activities or sanctioned events without the authorization of the Public School or District;

11.05 (C) (2) use or possession of alcohol on Public School grounds, in Public School vehicles, or at Public School activities or sanctioned events;

11.05 (C) (3) use, possession, or sale of a drug or controlled substance on Public School grounds, in Public School vehicles, or at Public School activities or sanctioned events;

11.05 (C) (4) use or possession of tobacco products on Public School grounds, in Public School vehicles, or at Public School activities or sanctioned events;

11.05 (C) (5) being willfully disobedient or openly and persistently defiant or repeatedly interfering with the Public School's ability to provide educational opportunities to and a safe environment for other students;

11.05 (C) (6) commission of an act on Public School grounds that, if committed by an adult, would be considered first degree assault, as described in § 18-3-202, C.R.S., second degree assault, as described in § 18-3-203, C.R.S., or vehicular assault, as described in § 18-3-205, C.R.S.;

11.05 (C) (7) behavior on Public School property that is detrimental to the welfare or safety of other students or of Public School personnel, including behavior that creates a threat of physical harm to the student or other students;

11.05 (C) (8) willful destruction or defacement of Public School property;

11.05 (C) (9) commission of an act on Public School grounds that, if committed by an adult, would be considered third degree assault, as described in § 18-3-204, C.R.S., or disorderly conduct, as described in § 18-9-106 (1) (d), C.R.S., but not disorderly conduct involving firearms or other deadly weapons, as described in § 18-9-106 (1) (e) and (1) (f), C.R.S.;

11.05 (C) (10) commission of an act on Public School grounds that, if committed by an adult, would be considered robbery;

11.05 (C) (11) other violations of the code of conduct and discipline that resulted in documentation of the conduct in a

student's record.

- 11.05 (D) **Student Enrollment and Attendance.** The following student enrollment and attendance information:
- 11.05 (D) (1) the number of students enrolled at the Public School;
 - 11.05 (D) (2) students, reported as the number and percentage of the total student enrollment at the Public School, who are eligible for free or reduced-cost lunch pursuant to the federal "National School Lunch Act", 42 U.S.C. sec. 1751 et seq.;
 - 11.05 (D) (3) student enrollment stability at the Public School;
 - 11.05 (D) (4) average daily attendance at the Public School;
 - 11.05 (D) (5) for elementary schools, the availability of a preschool program, full-day Kindergarten program, and before- and after-school programs at the Public School;
- 11.05 (E) **Staff Employed and Professional Experience.** The following information concerning the staff employed at the Public School:
- 11.05 (E) (1) the number of persons employed at the Public School in each of the following categories and explanations of the job descriptions for each category:
 - 11.05 (E) (1) (a) classroom teachers;
 - 11.05 (E) (1) (b) paraprofessionals;
 - 11.05 (E) (1) (c) administrators;
 - 11.05 (E) (1) (d) other professionals;
 - 11.05 (E) (1) (e) school support staff;
 - 11.05 (E) (1) (f) school counselors; and
 - 11.05 (E) (1) (g) school librarians;
 - 11.05 (E) (2) the students-per-classroom-teacher ratios for each grade level included in the Public School;
 - 11.05 (E) (3) the average number of years of teaching experience among the teachers employed at the Public School;
 - 11.05 (E) (4) the number of teachers employed at the Public School who hold master's or doctoral degrees;
 - 11.05 (E) (5) for junior high, middle, and high schools, the percentage of teachers employed at the Public School who are teaching in the subject areas in which they received their bachelor's or graduate degrees;
 - 11.05 (E) (6) the number of teachers employed at the Public School who have three or more years of teaching experience in the District. For purposes of this subparagraph (6), the data used shall describe teachers who have obtained nonprobationary status pursuant to the provisions of part 2 of Article 63 of Title 22; and
 - 11.05 (E) (7) the number of professional development days included in the school year.
- 11.05 (F) **Course and Program Offerings.** Information concerning whether the following courses and programs are available to students enrolled in the Public School and, to the extent they are available on the Public School's, District's or Institute's Web site, Internet links to descriptions of the following courses and programs. For purposes of this section, a "course" shall be defined as including, but not limited to, a traditional class, an on-line course of study, an internship, an externship, a mentor experience, or an independent study course that culminates in an integrative or specialized performance, showcase, or exhibition:
- 11.05 (F) (1) visual art;
 - 11.05 (F) (2) drama or theater;
 - 11.05 (F) (3) music;
 - 11.05 (F) (4) dance;
 - 11.05 (F) (5) comprehensive health education;
 - 11.05 (F) (6) physical education;
 - 11.05 (F) (7) economics;
 - 11.05 (F) (8) world languages;
 - 11.05 (F) (9) history;
 - 11.05 (F) (10) geography;
 - 11.05 (F) (11) civics;
 - 11.05 (F) (12) for middle and high schools, career and technical education;
 - 11.05 (F) (13) for high schools, concurrent enrollment courses made available by the Public School on-line or on the Public School's campus. A concurrent enrollment course shall be defined as any course that allows a student to simultaneously earn credit both by a local education provider and an institution of higher education;
 - 11.05 (F) (14) opportunities for civic or community engagement;
 - 11.05 (F) (15) Internet safety programs;
 - 11.05 (F) (16) school library programs, as defined by the Commissioner;
 - 11.05 (F) (17) for high schools, advanced placement, International Baccalaureate or honors courses;
 - 11.05 (F) (18) for elementary schools, International Baccalaureate or Montessori curricula;
 - 11.05 (F) (19) extracurricular activities;
 - 11.05 (F) (20) athletics;
 - 11.05 (F) (21) for middle and high schools, credit recovery programs. A credit recovery program shall be defined as a program implemented at the school and/or District level that enables high school students who have fallen behind on graduation requirements to make up credits or middle school students who have fallen behind in grade promotion and/or transition into high school. This includes programs or activities that facilitate accrual of credits or course remediation

especially in core courses (math, science, reading and social studies) and/or allow struggling students to continue earning course credits and make progress toward graduation or grade promotion. Credit recovery may occur as a student is completing other courses or as an extension activity, such as summer school. Examples include: self-paced digital content programs, online courses, work/study that awards credits, course remediation programs and alternative education programming that result in accrual of credits;

11.05 (F) (22) for middle and high schools, assistance for out-of-school youth to re-enroll. Assistance for out-of-school youth to re-enroll shall be defined as school and/or District approaches and systems to re-engage youth who are not enrolled in school and have not earned a high school credential (either a diploma or equivalency credential, such as a general education development certificate). This includes retrieval of students who have dropped out within the current school year or those who have dropped out in previous years. Examples include: designating staff to identify and outreach to students who have dropped out and re-enrollment processes that involve individualized transition planning and assessment of a re-enrolled student's educational needs/strengths and provision of support and link to resources; and

11.05 (G) **Student Health and Wellness.** To the extent that the Public School, District or Institute has adopted a wellness policy and to the extent it is available on the Public School's, District's or Institute's Web site, Internet links to the Public School's wellness policy, as well as information concerning whether the following programs and services are available to students enrolled at the Public School to support student health and wellness:

11.05 (G) (1) all students in grades K through 6 have access to recess (yes/no);

11.05 (G) (2) a school health team or school wellness committee exists (yes/no);

11.05 (G) (3) students have access to a school-based or school-linked health center, as defined by the Commissioner (yes/no);

11.05 (G) (4) comprehensive health education is required for all students (yes/no);

11.05 (G) (5) physical education is required for all students (yes/no);

11.05 (G) (6) the Public School participates in the federal school breakfast program (yes/no); and

11.05 (G) (7) a registered school nurse who is licensed with the Department and the Colorado Department of Regulatory Agencies is available on the school premises or for consultation (yes/no).

11.06 **Additional Contents of District and Institute Performance Reports.**

Each District and Institute performance report shall include the following financial data:

11.06 (A) total District or Institute revenue and the percentage of the revenue received from state and local tax contributions;

11.06 (B) the total District or Institute revenue per pupil, calculated as: Total [budget year] District revenue per pupil = \$ [amount of total District revenue listed in chart divided by total District pupil enrollment for that budget year];

11.06 (C) the District or Institute per pupil operating revenue and state average per pupil operating revenue;

11.06 (D) sources of District or Institute revenue, including but not limited to:

11.06 (D) (1) local tax contributions;

11.06 (D) (2) state tax contributions;

11.06 (D) (3) federal grants;

11.06 (D) (4) state grants;

11.06 (D) (5) private and public-private partnership grants; and

11.06 (D) (6) other discretionary income;

11.06 (E) the District's or Institute's use of funds for the following items, as described in the chart of accounts, as well as the District's total audited expenditures:

11.06 (E) (1) instruction and instructional support;

11.06 (E) (2) administration;

11.06 (E) (3) building and facility maintenance;

11.06 (E) (4) operational expenses;

11.06 (E) (5) capital expenditures;

11.06 (E) (6) debt service; and

11.06 (E) (7) other expenditures such as food services and community services;

11.06 (F) information on District or Institute debt and facility construction, including:

11.06 (F) (1) the total outstanding bonded debt;

11.06 (F) (2) the average annual percentage interest rate on the District's or Institute's debt;

11.06 (F) (3) the amount raised from the District's or Institute's most recent bond issue; and

11.06 (F) (4) the amount spent on new school buildings in the last two years.

11.07 Prior to the publication of the performance reports on SchoolView, the Department shall allow each District and the Institute a reasonable period of time to review the District's or Institute's information as it shall appear on the performance reports and correct any errors or misinformation identified by the District or Institute.

11.08 The school performance report produced for each Public School may contain Internet links through which a person may access additional information not provided in detail in the report.

12.0 DISTRICT AND SCHOOL ACCOUNTABILITY COMMITTEES

12.01 MEMBERSHIP OF DISTRICT ACCOUNTABILITY COMMITTEES.

- 12.01 (A) Each Local School Board shall appoint or create a process for the election of a District Accountability Committee that shall consist of:
- 12.01 (A) (1) at least three Parents of students enrolled in the District Public Schools;
 - 12.01 (A) (2) at least one teacher who is employed by the District;
 - 12.01 (A) (3) at least one school administrator who is employed by the District; and
 - 12.01 (A) (4) at least one person who is involved in business in the community within the District boundaries.
- 12.01 (B) A person may not be appointed or elected to fill more than one of the member positions required in section 12.01 (A) of these rules in a single term.
- 12.01 (C) If a Local School Board chooses to increase the number of persons on the District Accountability Committee, it shall ensure that the number of Parents appointed or elected to the committee pursuant to section 12.01 (A) (1) of these rules exceeds the number of representatives from the group with the next highest representation.
- 12.01 (D) Except as otherwise provided in section 12.01 (E) of these rules, a Parent shall not be eligible to serve on a District Accountability Committee if he or she is employed by, or is a relative of a person who is employed by, the school district, including being employed at a public school of the school district. "Relative" means a person's spouse, son, daughter, sister, brother, mother, or father.
- 12.01 (E) If a District makes a good faith effort but is unable to identify a sufficient number of Parents who are willing to serve on a District Accountability Committee and who are not excluded from serving as provided in section 12.01 (D) of these rules, one or more Parents who are employed by, or are related to a person who is employed by, the District, including being employed at a public school of the District, may serve on the District Accountability Committee.
- 12.01 (F) If a Local School Board appoints the members of the District Accountability Committee, the Local School Board, to the extent practicable, shall ensure that the Parents who are appointed reflect the student populations that are significantly represented within the District. Said student populations may include, but need not be limited to:
- 12.01 (F) (1) students who are members of non-Caucasian races;
 - 12.01 (F) (2) students who are eligible for free or reduced-cost lunch through the Federal "National School Lunch Act", 42 U.S.C. sec. 1751 et seq.;
 - 12.01 (F) (3) students whose dominant language is not English, as defined in § 22-24-103 (4), C.R.S.;
 - 12.01 (F) (4) students who are migrant children, as defined in § 22-23-103 (2), C.R.S.;
 - 12.01 (F) (5) students who are identified as children with disabilities pursuant to § 22-20-108, C.R.S.; and
 - 12.01 (F) (6) students who are identified as gifted children as defined in § 22-20-103 (13), C.R.S.
- 12.01 (G) If a vacancy arises on a District Accountability Committee because of a member's resignation or disqualification or for any other reason, the remaining members of the District Accountability Committee shall fill the vacancy by majority action.
- 12.01 (H) If a Local School Board appoints the members of the District Accountability Committee, the Local School Board, to the extent practicable, shall ensure that:
- 12.01 (H) (1) at least one of the Parents appointed to the committee is the Parent of a student enrolled in a charter school authorized by the Local School Board, if the Local School Board has authorized any charter schools; and
 - 12.01 (H) (2) at least one of the persons appointed to the committee has a demonstrated knowledge of charter schools.
- 12.01 (I) The members of each District Accountability Committee shall select from among the Parent representatives serving on the committee a member to serve as chair or co-chair of the committee. The Local School Board shall establish the length of term for which the committee chair or co-chair shall serve.
- 12.02 POWERS AND DUTIES OF DISTRICT ACCOUNTABILITY COMMITTEES.**
- 12.02 (A) Each District Accountability Committee shall have the following powers and duties:
- 12.02 (A) (1) to recommend to its Local School Board priorities for spending District moneys. Whenever the District Accountability Committee recommends spending priorities, it shall make reasonable efforts to consult in a substantive manner with the School Accountability Committees of the District. The Local School Board shall consider the District Accountability Committee's recommendations in adopting the District budget for each fiscal year pursuant to article 44 of title 22;
 - 12.02 (A) (2) to advise its Local School Board concerning preparation of, and annually submit to the Local School Board recommendations regarding the contents of, a District Performance, Improvement, Priority Improvement, or Turnaround plan, whichever is required based on the District's Accreditation category. In advising and preparing the recommendations, the District Accountability Committee shall make reasonable efforts to consult in a substantive manner with the school accountability committees of the District and shall compile and submit to the Local School Board the School Performance, Improvement, Priority Improvement, and Turnaround plans submitted by the School Accountability Committees pursuant to §§ 22-11-403 to 22-11-406, C.R.S.;
 - 12.02 (A) (3) if the Local School Board receives a charter school application, to review the charter application prior to consideration by the Local School Board as provided in § 22-30.5-107 (1)C. R.S.;
 - 12.02 (A) (4) if the Local School Board receives a charter school renewal application, and upon request of the District and at the District Accountability Committee's option, to review the renewal application prior to consideration by the Local School Board as provided in § 22-30.5-110 C.R.S.;
 - 12.02 (A) (5) with the Local School Board, at least annually, to cooperatively determine the areas and issues, in addition to budget issues, that the District Accountability Committee shall study and concerning which the committee may make recommendations to the Local School Board; and
 - 12.02 (A) (6) at its option, to meet at least quarterly to discuss whether district leadership, personnel, and infrastructure are advancing or impeding implementation of the district's performance, improvement, priority improvement, or turnaround

plan, whichever is applicable, or other progress pertinent to the district's accreditation contract.

12.03 **MEMBERSHIP OF SCHOOL ACCOUNTABILITY COMMITTEES.**

- 12.03 (A) Each District Public School and each Institute Charter school shall establish a School Accountability Committee. Each School Accountability Committee shall consist of at least seven members as follows:
- 12.03 (A) (1) the principal of the school or the principal's designee;
 - 12.03 (A) (2) at least one teacher who provides instruction at the school;
 - 12.03 (A) (3) at least three Parents of students enrolled in the school;
 - 12.03 (A) (4) at least one adult member of an organization of Parents, teachers, and students recognized by the school; and
 - 12.03 (A) (5) at least one person **from the community** .
- 12.03 (B) The Local School Board or the Institute shall determine the actual number of persons on the School Accountability Committee and the method for selecting the members of the School Accountability Committee. If the Local School Board or the Institute chooses to increase the number of persons on the school accountability committee, it shall ensure that the number of Parents, as section 12.03 (A) (3) of these rules, on the committee exceeds the number of representatives from the group with the next highest representation.
- 12.03 (C) A person may not be selected to fill more than one of the member positions required in section 12.03 (A) of these rules in a single term.
- 12.03 (D) Except as otherwise provided in section 12.03 (G) (1) of these rules, a Parent shall not be eligible to serve on a School Accountability Committee if he or she is employed by, or is a relative of a person who is employed by, the Public School. "Relative" means a person's spouse, son, daughter, sister, brother, mother, or father.
- 12.03 (E) If the Local School Board or the Institute determines that the members of a School Accountability Committee should be appointed, the appointing authority shall, to the extent practicable, appoint persons to serve on the School Accountability Committee who reflect the student populations that are significantly represented within the school. If the Local School Board or the institute determines that persons shall be elected to serve on the School Accountability Committee, the school principal shall encourage persons who reflect the student populations that are significantly represented within the school to seek election to the committee. Said student populations may include, but need not be limited to:
- 12.03 (E) (1) students who are members of non-Caucasian races;
 - 12.03 (E) (2) students who are eligible for free or reduced-cost lunch through the Federal "National School Lunch Act", 42 U.S.C. sec. 1751 et seq.;
 - 12.03 (E) (3) students whose dominant language is not English, as defined in § 22-24-103 (4), C.R.S.;
 - 12.03 (E) (4) students who are migrant children, as defined in § 22-23-103 (2), C.R.S.;
 - 12.03 (E) (5) students who are identified as children with disabilities pursuant to § 22-20-108, C.R.S.; and
 - 12.03 (E) (6) students who are identified as gifted children as defined in § 22-20-103 (13), C.R.S.
- 12.03 (F) The members of each School Accountability Committee shall annually select from among the Parent representatives elected to the committee a member to serve as chair or co-chair of the committee.
- 12.03 (G) If a vacancy arises on a School Accountability Committee because of a member's resignation or disqualification or for any other reason, the remaining members of the School Accountability Committee shall fill the vacancy by majority action.
- 12.03 (H) Notwithstanding any provision of this section to the contrary:
- 12.03 (H) (1) If, after making good-faith efforts, a principal or an organization of Parents, teachers, and students is unable to find a sufficient number of persons who are willing to serve on the School Accountability Committee, the principal, with advice from the organization of Parents, teachers, and students, may establish an alternative membership plan for the School Accountability Committee, which plan shall reflect the membership specified in section 12.03 (A) of these rules as much as practicable;
 - 12.03 (H) (2) The members of the governing board of a District Charter School or an Institute Charter School may serve as members of the School Accountability Committee;
 - 12.03 (H) (3) In a District with five hundred or fewer enrolled students, a member of the Local School Board may serve on a School Accountability Committee, and the District Accountability Committee may serve as a School Accountability Committee.

12.04 **POWERS AND DUTIES OF SCHOOL ACCOUNTABILITY COMMITTEES.**

- 12.04 (A) Each School Accountability Committee shall have the following powers and duties:
- 12.04 (A) (1) to recommend to the principal of its school priorities for spending school moneys. The principal shall consider the School Accountability Committee's recommendations regarding spending state, federal, local, or private grants and any other discretionary moneys and take them into account in formulating budget requests for presentation to the Local School Board, if the school is a District Public School, other than a charter school, or in creating the school budget if the school is a District or Institute Charter School. The School Accountability Committee for a District Public School shall send a copy of its recommended spending priorities to the School District Accountability committee and to the Local School Board;
 - 12.04 (A) (2) to advise the principal of the Public School and, in the case of a Public School of a District (including a District Charter School), to advise the superintendent of the School District concerning the preparation of a School Performance or Improvement Plan, if either is required pursuant to § 22-11-210, C.R.S., and to submit recommendations to the principal, and superintendent if applicable, concerning the contents of the Performance or Improvement Plan;
 - 12.04 (A) (3) to advise the Local School Board or the Institute concerning the preparation of a School Priority Improvement or Turnaround Plan, if either is required pursuant to § 22-11-210, C.R.S., and to submit recommendations to the Local School Board or the Institute concerning the contents of the Priority Improvement or Turnaround Plan; and

12.04 (A) (4) to meet at least quarterly to discuss whether school leadership, personnel, and infrastructure are advancing or impeding implementation of the public school's Performance, Improvement, Priority Improvement, or Turnaround Plan, whichever is applicable, or other progress pertinent to the Public School's Accreditation contract with the Local School Board or the Institute.

Editor's Notes

History

Entire Rule eff. 06/30/2008.

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Block 1 of 1