

Revisions Proposed by CDE Staff—2.22.12

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

2202-R-0.00 Statement of Basis and Purpose.

These revisions to 1 CCR 301-1 are made under authority granted the State Board of Education in the Colorado Constitution, Article IX, Section 1, and Colorado Revised Statutes § 22-11-207. These revisions have been made to incorporate new statutory requirements established by H.B. 11-1277 (concerning statutory changes involving K-12 education) and new statutory requirements established by H.B. 11-1126 (concerning measures to encourage greater parent involvement in public schools).

These revisions to 1 CCR 301-1, rules 5.07, 12.02 and 12.04 are made under authority granted the State Board of Education in the Colorado Constitution, Article IX, Section 1, and Colorado Revised Statutes § 22-11-207. These revisions have been made in response to a request from the Committee on Legal Services and in order to incorporate new powers and duties for District Accountability Committees and School Accountability Committees required by S.B. 10-191, which amended Colorado Revised Statutes § 22-11-302 and 22-11-402.

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 "Detention Center" means a center that addresses the temporary care of a child who requires secure custody in physically restricting facilities pending court disposition or an execution of a court order for placement or commitment.
- 1.20 "Facility" means a day treatment center, residential child care facility, or other facility licensed by the Department of Human Services pursuant to § 26-6-104, C.R.S.
- 1.4921 "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."

1.202 "Institute" means the State Charter School Institute created pursuant to § 22-30.5-503, C.R.S.

1.213 "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.

1.224 "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.

1.235 "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.

1.246 "Median Student Growth" means, in ranking of individual student growth scores from highest to lowest, the middle student growth score attained.

1.257 "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.

1.268 "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.

1.279 "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.

1.2830 "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.

1.2931 "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.

1.392 "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."

- 1.343 "Postsecondary and Workforce Readiness" shall have the same meaning as provided in § 22-7-1003(15), C.R.S.
- 1.324 "Postsecondary and Workforce Readiness Assessment" shall have the same meaning as provided in § 22-7-1003(16), C.R.S.
- 1.335 "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."
- 1.346 "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.
- 1.357 "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.
- 1.368 "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.
- 1.379 "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.
- 1.3840 "School District Accountability Committee" means the committee established by each Local School Board pursuant to § 22-11-301, C.R.S.
- 1.3941 "State Board" means the State Board of Education established pursuant to Section 1 of Article IX of the state constitution.
- 1.402 "State Charter School Institute" or "Institute" means the State Charter School Institute created pursuant to § 22-30.5-503, C.R.S.
- 1.43 "State-Operated Program" means an approved school program supervised by the Department and operated by the Colorado School for the Deaf and Blind, the Department of Corrections, or the Department of Human Services, including but not limited to the Division of Youth Corrections and the Colorado Mental Health Institutes.
- 1.444 "SchoolView" means the Internet-based electronic data delivery system developed and maintained by the Department pursuant to § 22-11-502, C.R.S.
- 1.425 "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.

1.436 "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.

1.447 "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.

1.458 "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."

1.469 "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)~~13.00 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.~~

Comment [CDE1]: Calculations for data have been moved below, to section 13.00.

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)(iii) 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:~~

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

~~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:~~

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

~~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:~~

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

~~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:~~

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

~~2.02(C)(3)(e) For 7-year graduation rates, which shall first be reported in 2013-14 with the class of 2010, the formula shall be the following:~~

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

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~~ and statewide student graduation rate, as calculated pursuant to section ~~2.02(C)(3)~~13.00 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.

....

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)~~13.00 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 and~~ overall graduation rate, as calculated pursuant to section ~~2.02(C)(3)~~13.00 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.

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~~ may 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~~ **may** 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.

...

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)~~ 13.00 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)~~13.00 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.

A School District with one thousand students or fewer may submit a single plan to satisfy the School District and School plan requirements, so long as the plan meets all state and federal requirements for School District and School plans. A School District with more than one thousand but fewer than one thousand two hundred students may, upon request and at the Department's discretion, submit a single plan to satisfy the School District and School plan requirements, so long as the plan meets all state and federal requirements for School District and School plans.

- 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

Comment [CDE2]: Required by H.B. 11-1277

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 ~~the Public School~~ 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 ~~the~~ Charter School 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) Within 30 days after receiving the initial notice of the State Board's determination or, if the determination is appealed, within 30 days after receiving final notice of the State Board's determination, the School District shall notify the parents of the students enrolled in the school of the required plan type and the issues identified by the Department as giving rise to the need for the required plan. The notice shall also include the timeline for developing and adopting the required plan and the date, time, and location of a public hearing held by the School principal or Local School Board (whichever is responsible for adopting the plan) to review the plan prior to final adoption. At the public hearing, the School principal or Local School Board shall also review the school's progress in implementing its plan for the preceding year and in improving its performance. The date of the public hearing shall be at least thirty days after the date on which the School District provides the written notice. The School Improvement Plan shall be adopted no later than April 15th of the academic school year in which the Public School is directed to adopt a School Improvement Plan.

Comment [CDE3]: Required by HB 11-1126

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) Within 30 days after receiving the initial notice of the State Board's determination or, if the determination is appealed, within 30 days after receiving final notice of the State Board's determination, the Charter School shall notify the parents of the students enrolled in the school of the required plan type and the issues identified by the Department as giving rise to the need for the required plan. The notice shall also include the timeline for developing and adopting the required plan and the date, time, and location of a public hearing held by the Charter School or the Institute (whichever is responsible for adopting the plan) to review the plan prior to final adoption. At the public hearing, the Charter School or Institute shall also review the school's progress in implementing its plan for the preceding year and in improving its performance. The date of the public hearing shall be at least thirty days after the date on which the Charter School provides the written notice. The School Improvement Plan shall be adopted no later than April 15th of the academic school year in which the Charter School is directed to adopt a School Improvement Plan.

Comment [CDE4]: Required by HB 11-1126

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) **Within 30 days after receiving the initial notice of the State Board's determination or, if the determination is appealed, within 30 days after receiving final notice of the State Board's determination, the School District shall notify the parents of the students enrolled in the school of the required plan type and the issues identified by the Department as giving rise to the need for the required plan. The notice shall also include the timeline for developing and adopting the required plan and the date, time, and location of a public hearing held by the Local School Board to review the plan prior to final adoption. At the public hearing, the Local School Board shall also review the school's progress in implementing its plan for the preceding year and in improving its performance. The date of the public hearing shall be at least thirty days after the date on which the School District provides the written notice.** The School Priority Improvement Plan shall be adopted no later than January 15th of the academic school year in which ~~the Public School~~ 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

Comment [CDE5]: Required by HB 11-1126

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) Within 30 days after receiving the initial notice of the State Board's determination or, if the determination is appealed, within 30 days after receiving final notice of the State Board's determination, the Charter School shall notify the parents of the students enrolled in the school of the required plan type and the issues identified by the Department as giving rise to the need for the required plan. The notice shall also include the timeline for developing and adopting the required plan and the date, time, and location of a public hearing held by the Institute to review the plan prior to final adoption. At the public hearing, the Institute shall also review the school's progress in implementing its plan for the preceding year and in improving its performance. The date of the public hearing shall be at least thirty days after the date on which the Charter School provides the written notice. The School Priority Improvement Plan shall be adopted no

Comment [CDE6]: Required by HB 11-1126

later than January 15th of the academic school year in which ~~# the Charter School~~ 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~~Institute 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) Within 30 days after receiving the initial notice of the State Board's determination or, if the determination is appealed, within 30 days after receiving final notice of the State Board's determination, the School District shall notify the parents of the students enrolled in the school of the required plan type and the

issues identified by the Department as giving rise to the need for the required plan. The notice shall also include the timeline for developing and adopting the required plan and the date, time, and location of a public hearing held by the Local School Board to review the plan prior to final adoption. At the public hearing, the Local School Board shall also review the school's progress in implementing its plan for the preceding year and in improving its performance. The date of the public hearing shall be at least thirty days after the date on which the School District provides the written notice. The School Turnaround Plan shall be adopted no later than January 15th of the academic school year in which ~~the~~ **Public School** 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.

Comment [CDE7]: Required by HB 11-1126

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~~ may suggest modifications to the plan and may require that those plan modifications be made prior to the date when the State Board enters into an accreditation contract with the Public School's authorizing District.

Comment [CDE8]: Required by HB 11-1277

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) Within 30 days after receiving the initial notice of the State Board's determination or, if the determination is appealed, within 30 days after receiving final notice of the State Board's determination, the Charter School shall notify the parents of the students enrolled in the school of the required plan type and the issues identified by the Department as giving rise to the need for the required plan. The notice shall also include the timeline for developing and adopting the required plan and the date, time, and location of a public hearing held by the Institute to review the plan prior to final adoption. At the public hearing, the Institute shall also review the school's progress in implementing its plan for the preceding year and in improving its performance. The date of the public hearing shall be at least thirty days after the date on which the Charter School provides the written notice. The School Turnaround Plan shall be adopted no later than January 15th of the academic school year in which the Charter School is directed to adopt a School Turnaround Plan. The Commissioner may provide additional time for the Local School Board Institute to adopt and submit a plan, to the extent the Commissioner finds an extension to be reasonable.

Comment [CDE9]: Required by HB 11-1126

10.11(B)(2) The School Accountability Committee for the Institute Charter School shall advise the Local School Board Institute 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 and may require that those plan modifications be made prior to the date when the State Board enters into an accreditation contract with the Institute.

Comment [CDE10]: Required by HB 11-1277

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.

...

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:~~ according to the requirements in section 13.00 of these rules.

...

13.00 DATA COLLECTION CALCULATIONS AND END-OF-YEAR DATA COLLECTION PROCESS.

13.01 Student Dropout Rate.

13.01 (A) Definition. The annual student dropout rate is the percentage of students in grades 7 through 12 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. An educational environment is a public or private school, a home-based education program pursuant to section 22-33-104.5, or an education program offered within a Detention Center. This includes students in grades 7 through 12 who:

13.01 (A) (1) were enrolled in school at some time during the current reporting school year; and

13.01 (A) (2) were not enrolled at the end of the school year or June 30; and

13.01 (A) (3) have not graduated from high school or received a GED certificate, or completed a district-approved educational program; and

13.01 (A) (4) do not meet any of the following exclusionary conditions:

13.01 (A) (4) (a) temporary absence due to serious illness or injury, suspension or expulsion; or

13.01 (A) (4) (b) death; or

13.01 (A) (4) (c) transfer to another School District or the Institute, nonpublic or private school, home-based education program (home school) pursuant to section 22-33-104.5, C.R.S., GED program, vocational education program, licensed eligible Facility, State-Operated Program, Detention Center, or other education

program operated by the Department of Youth Corrections or Department of Corrections.

13.01 (B) Numerator and Denominator. The numerator for the student dropout rate is the number of grade 7-12 students who dropped out and the denominator is the cumulative unduplicated enrollment for grades 7-12.

13.01 (C) The following student dropout rate formula shall be applied:

$$\frac{\text{Number of dropouts in year } X}{\text{Number of students part of same membership base at end point within year } X}$$

13.01 (D) Dropout rate clarifications.

13.01 (D) (1) Any student whose transfer to another educational environment cannot be verified is a dropout for reporting purposes. School Districts and the Institute must apply a default status of dropout to any student who does not have adequate documentation on file, meaning a records request or confirmation of enrollment and attendance at another School District or the Institute, by the end of the school year. Please see further clarifications below.

13.01 (D) (2) Mandatory school age legislation, in section 22-33-104(1) C.R.S., requires that every child who has attained the age of six years and is under the age of seventeen years attend public school. This mandatory school age legislation does not exempt a School District or the Institute from reporting a student as a dropout. Students at any stage in court proceedings to compel compliance with the compulsory attendance statute who have not yet returned to school shall be counted as dropouts.

13.01 (D) (3) Students transferring to another School District or the Institute who are identified through the Department's post-collection process as not returning to another School District or the Institute by the end of the current school year or June 30 shall be counted as dropouts. The Department shall verify student attendance through the data submitted by other School Districts and the Institute through the end-of-year data collection.

13.01 (D) (4) Various forms of documentation may or may not serve as adequate documentation for an educational transfer based on the following:

13.01 (D) (4) (a) In-state transfers to a Public School may not be documented through records requests or the Record Integration Tracking System (RITS) because a student may never have attended the school in which the student enrolled. An in-state confirmation of attendance is adequate documentation and may be

requested as part of the end-of-year verification processes.

13.01 (D) (4) (b) In-state transfers to other Colorado entities such as private schools, Detention Centers, licensed eligible Facilities, or State-Operated Programs may be documented through records requests or confirmations of attendance. Adequate documentation of a transfer to home-based education programs (home school) pursuant to section 22-33-104.5, C.R.S., is a parent/guardian signature on a written confirmation of the intent to home school.

13.01 (D) (4) (c) Out-of-state transfers may be documented through records requests or confirmations of attendance.

13.01 (D) (4) (d) Transfers to an out-of-country educational entity can be documented by a records request, a confirmation of attendance, a written confirmation by a school administrator or designee based on a conversation with a parent/guardian, or a parent/guardian signature on a written confirmation of the intent to emigrate to and attend school in another country.

13.01 (D) (5) Adequate documentation for other student statuses is as follows:

13.01 (D) (5) (a) Seriously ill students can be documented by a written confirmation by physician or health care provider.

13.01 (D) (5) (b) Deceased students may be documented by a copy of the obituary, a letter from the parent/guardian or a written confirmation by a school administrator or designee.

13.01 (D) (6) Determination of whether a student has completed the school year or is considered a dropout is based upon two factors, length of time absent prior to the end of the school year and coursework completion.

13.01 (D) (7) Students shall be counted as completing the school year if they leave school within three weeks of the last day of school or have completed all coursework early, meaning that they have completed the locally defined requirements for the current grade level and will be promoted into the next higher grade the following school year.

13.01 (D) (8) Students who leave within three weeks of the last day of school or June 30th, whichever comes first, 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.

- 13.01 (D) (9) Students who do not meet the exclusionary conditions listed under section 13.01 (A) (4) 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. Students shall be considered to have completed all coursework if they have completed the locally defined requirements for the current grade level and will be promoted into the next higher grade the following school year.
- 13.01 (D) (10) For students who are withdrawing from a Public School, School Districts and the Institute are authorized to request information from the parent or guardian about the specific type of educational environment to which the student will be transferring, in order to monitor compliance with the School Attendance Law, section 22-33-104 (1), C.R.S. If a student in seventh through twelfth grade has indicated on a written notification of withdrawal that he or she is transferring to another Colorado School District or the Institute but the Department's post-collection process indicates that the student has not attended class in another Colorado School District or the Institute, that student will be classified as a dropout, unless further investigation proves otherwise. Colorado Public Schools and local education agencies are required to send transcripts or to confirm attendance when requested from another Colorado Public School or local education agency within two weeks of receiving the request.
- 13.01 (D) (11) Students who register for school but never attend are not to be included in reported dropout data. Students who never attend may also include non-attending students who are eligible for special education and related services.

13.02 On-Time Graduation Rate.

- 13.02 (A) Definition. The high school graduation rate is the percentage of students from an end-of-year eighth grade cohort, adjusted for verified transfers in and out, who leave school as graduates, as defined by the School District or the Institute Charter School, in four years or less. Verified transfers refer to transfers for which a records request or confirmation of enrollment and attendance has been provided.
- 13.02 (B) Numerator and Denominator. The numerator for the on-time graduation rate is the number of cohort members (students) who graduated in year x and the denominator is the number of end-of-eighth-grade cohort members adjusted for verified transfers in and out.

13.02 (C) The formula for the on-time graduation rate is as follows:

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

13.02 (D) On-time Graduation Rate Clarifications.

13.02 (D) (1) Graduation rates for a high school not containing a ninth grade will be adjusted according to the grades contained within the Public School. Notations will be made when the standard four-year graduation rates are not applied.

13.02 (D) (2) School District and Institute graduation rates will be held to a four-year standard regardless of the grade ranges of the Public Schools in the School District or Institute.

13.02 (D) (3) Expanded graduation rates, when used, should always be clearly labeled with the time span to differentiate from the on-time four-year graduation rate.

13.02 (D) (4) Graduation rates shall include students who completed eighth grade but did not enroll in ninth grade or transfer to another school that awards diplomas or a home-based education program (home school)) pursuant to section 22-33-104.5, C.R.S. Students shown as aging out, dropping out, expelled, or transferring to non-district GED programs are included in graduation calculations.

13.03 Expanded Graduation Rates.

13.03 (A) The three-year graduation rate formula is as follows:

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

13.03 (B) The five-year graduation rate formula is as follows:

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

13.03 (C) The six-year graduation rate formula is as follows:

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

13.03 (D) The seven-year graduation rate formula is as follows:

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

13.04 Completion Rate.

13.04 (A) Definition. 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, who leave school as graduates or completers, as defined by the School District or Institute Charter School. Students who do not meet

specified graduation requirements are not graduates, but completers. Verified transfers refer to transfers for which a records request or confirmation of enrollment and attendance has been provided. Completers include students who:

- 13.04 (A) (1) receive a GED certificate through the completion of a GED program;
- 13.04 (A) (2) receive a certificate of completion;
- 13.04 (A) (3) complete a vocational program; or
- 13.04 (A) (4) are accepted into an institution of higher education to pursue either a bachelor's or associate's degree.

13.04 (B) Numerator and Denominator. The numerator for the completion rate is the number of cohort members (students) who graduated or completed in year X and the denominator is the number of end-of-eighth-grade cohort members enrollment adjusted for verified transfers in and out.

13.04 (C) The formula for the completion rate is as follows:

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

13.04 (D) Completion rate clarifications.

13.04 (D) (1) For purposes of the completion rates, completers are those students who have received a certificate or other designation of high school completion, such as a GED. Completers have met the locally defined requirements for high school completion and are not continuing to receive educational services from a local education agency. Students are not considered completers until educational services have ended.

13.04 (D) (2) Completion rates for a high school not containing a ninth grade will be adjusted according to the grades contained within the school. Notations will be made when the standard four-year completion rates are not applied.

13.04 (D) (3) District and Institute completion rates will be held to a four-year standard regardless of the grade ranges of the Public Schools in the District or Institute.

13.04 (D) (4) Completion rates shall include students who completed eighth grade but did not enroll in ninth grade or transfer to another school that awards diplomas or a home-based education program (home school) pursuant to section 22-33-104.5, C.R.S. Students shown as aging out, dropping out, expelled, or transferring to non-district GED programs are included in completion calculations.

13.05 Expanded Completion Rates.

13.05 (A) The three-year completion rate formula is as follows:

Number of three-year graduates and completers in year X
((Number of end-of-year 8th in year X – 3) + (Number of transfers in) – (Number of transfers out))

13.05 (B) The five-year completion rate is as follows:

Number of five-year graduates and completers in year X
((Number of end-of-year 8th graders in year X – 5) + (Number of transfers in) – (Number of transfers out))

13.05 (C) The six-year completion rate is as follows:

Number of six-year graduates and completers in year X
((Number of end-of-year 8th graders in year X – 6) + (Number of transfers in) – (Number of transfers out))

13.05 (D) The seven-year completion rate is as follows:

Number of seven-year graduates and completers in year X
((Number of end-of-year 8th graders in year X – 7) + (Number of transfers in) – (Number of transfers out))

13.06 Mobility Rates.

13.06 (A) Mobility rates are indicators of turnover in the student population within a given school year. Any student in grades K-12 who enters or leaves a school between the start of the school year and the last day of school is counted in the mobility rate. This includes students who:

13.06 (A) (1) transfer into a School District or Institute Charter School;

13.06 (A) (2) transfer within a School District or Institute Charter School;

13.06 (A) (3) transfer to another School District or Institute Charter School, nonpublic or private school, home-based education program (home school) pursuant to section 22-33-104.5, C.R.S., 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;

13.06 (A) (4) have been expelled;

13.06 (A) (5) have dropped out or exited to an unknown educational setting;

13.06 (A) (6) are absent for extended periods; or

13.06 (A) (7) are seriously ill or deceased.

13.06 (B) Mobility Rate Clarifications.

13.06 (B) (1) School Districts and the Institute shall indicate an instance of mobility for a student after ten consecutive days of excused or unexcused absences.

13.06 (B) (2) Students who register for school but never attend are not to be included in reported mobility data. Students who

never attend may also include non-attending students who are eligible for special education and related services.

- 13.06 (B) (3) Grade level mobility rates will contain duplications because students may be mobile across different grade levels throughout the school year. If a student changes grades, the student will be included in the numerator and denominator of each grade level of which they were a member.

13.07 Student Mobility Rate.

13.07 (A) Definition. The student (unduplicated) mobility rate is the proportion of students having moved during the school year. The student mobility rate measures the number of students who have moved (a count of one regardless of the number of times a student moves). The rate includes an unduplicated count of students who transfer into or out of the Public School, School District or Institute Charter School during the regular school year.

13.07 (B) Numerator and Denominator. The numerator for the student mobility rate is the unduplicated count of grade K-12 students who moved into or out of a Public School, School District, or Institute Charter School during the school year and the denominator is the cumulative unduplicated student enrollment for the kindergarten through twelfth grades.

13.07 (C) The formula for the student mobility rate is as follows:

$$\frac{\text{Unduplicated count of grade K-12 students who moved into or out of the school or district in Year X}}{\text{Number of students part of same membership base at end point within year X}}$$

13.08 Occurrence Mobility Rate.

13.08 (A) Definition. The occurrence (duplicated) mobility rate is the frequency with which student moves occur during the school year. The occurrence mobility rate measures the number of moves made by students (a count equal to the number of times a student has moved). The rate includes a duplicated count of students who transfer into, out of, or both into and out of the Public School, School District, or Institute Charter School during the regular school year.

13.08 (B) Numerator and Denominator. The numerator for the occurrence mobility rate is the duplicated count of grade K-12 students who moved into, out of, or both into and out of the Public School, School District, or Institute Charter School during the school year. The denominator is the cumulative unduplicated student enrollment for the kindergarten through twelfth grades.

13.08 (C) The formula for the occurrence mobility rate is as follows:

$$\frac{\text{Duplicated count of grade K-12 students who moved into, out of, or both into and out of the school/district in Year X}}{\text{Number of students part of same membership base at end point within year X}}$$

13.09 Truancy Rate.

- 13.09 (A) Truancy rates are indicators of unexcused absences from public school within a given school year.
- 13.09 (B) Truancy Rate Clarifications.
- 13.09 (B) (1) School Districts shall address truancy in accordance with the local school board established pursuant to the compulsory school attendance law, section 22-33-107 (3) (b) C.R.S.
- 13.09 (B) (1) School Districts and the Institute shall report unexcused absence days in accordance with the Rules Concerning the Standardized Calculation for Counting Absences of Students, 1 CCR 301-78, effective January 30, 2009, and not included any later amendments of those rules. Rules 1 CCR 301-78 are available at the Department, at 201 E. Colfax Ave, Denver, CO 80203, and are also available online at the following URL: [http://www.sos.state.co.us/CCR/NumericalCCRDdocList.do?deptID=4&deptName=300 Education , Department of&agencyID=109&agencyName=301 Colorado State Board of Education](http://www.sos.state.co.us/CCR/NumericalCCRDdocList.do?deptID=4&deptName=300%20Education%20,Departmentof&agencyID=109&agencyName=301%20ColoradoStateBoardofEducation).
- 13.09 (B) (2) Students who register for school, but never attend are not to be included in reported truancy data. Students who never attend may also include non-attending students who are eligible for special education and related services.
- 13.09 (B) (3) Truancy rates will be reported for Alternative Education Campuses and online Public Schools. These schools must have a method to track the attendance for enrolled students.

13.10 Truancy Rate – Unexcused Absence Days.

- 13.10 (A) Definition. The unexcused absence days truancy rate is the proportion of days in which students were absent without an excuse.
- 13.10 (B) Numerator and Denominator. The numerator for the unexcused absence days truancy rate is the aggregate number of days of unexcused student absences. The denominator is the aggregate number of student days possible, which is calculated by adding the total student days attended, the total student days of excused absences and the total student days of unexcused absences.
- 13.10 (C) The formula for the unexcused absence days truancy rate is as follows:

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

13.11 Truancy Rate – Habitually Truant Students.

13.11 (A) Numerator and Denominator. The numerator for the habitually truant students truancy rate is 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 within a given school year. The denominator is the cumulative unduplicated enrollment for grades K-12.

13.11 (B) The formula for the habitually truant students truancy rate is as follows:

Number of students who have 4 total days of unexcused absences in any one calendar month or 10 total days of unexcused absences during the school year
Number of students part of same membership base at end point within year X

13.12 End-of-Year Collection Process

13.12 (A) School District and Institute Responsibilities.

- 13.12 (A) (1) School Districts and the Institute shall ensure that the student data submitted is as clean and accurate as possible.
- 13.12 (A) (2) In order to know the whereabouts of 7-12th grade transfer students, Districts and the Institute are encouraged to conduct timely inquiries when students withdraw from school, keep documentation on file regarding each, and follow-up on 7-12th grade students for whom appropriate documentation has not been secured.
- 13.12 (A) (3) The reporting period for the end-of-year collection is from July 1st to June 30th, annually. School Districts and the Institute shall mark the appropriate information as of the last day of school or June 30th, whichever occurs first.
- 13.12 (A) (4) School Districts and the Institute may include summer graduates or completers up until August 31st of each year. School Districts and the Institute shall include graduates and completers after that date in the next end-of-year reporting period.
- 13.12 (A) (5) On or before September 15th of each year, every School District and the Institute shall initially approve submitted end-of-year files.
- 13.12 (A) (6) Each year, every School District and the Institute shall approve submitted end-of-year files on or before the Department's announced interim and final deadlines.
- 13.12 (A) (7) If a School District provides educational programs to Detention Centers as well as Facilities, they must continue to report accurate and complete data in terms of the 7th through 12th grade students served within the

end-of-year reporting period until such time as cross-agency data sharing has eliminated the need to do so.

13.12 (B) Colorado Department of Education Responsibilities.

13.12 (B) (1) The Department shall ensure that student data is as clean and accurate as possible.

13.12 (B) (2) The Department shall announce the annual schedule of each collection no later than one month prior to collection opening.

13.12 (B) (3) The Department shall annually notify School Districts and the Institute where lists of Detention Centers and facilities with educational programs administered by School Districts are located on the Department's website.