

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 15-1032.03 Julie Pelegrin x2700

SENATE BILL 15-257

SENATE SPONSORSHIP

Hill and Merrifield, Holbert, Marble, Neville T., Todd, Woods

HOUSE SPONSORSHIP

Hamner and Wilson, Lebsock

Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 **CONCERNING ACCOUNTABILITY IN PUBLIC SCHOOLS, AND, IN**
102 **CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Under existing law, the state board of education (state board) must review and revise the Colorado academic standards on or before July 1, 2018, and every 6 years thereafter. The bill requires the state board to review and revise the standards on or before July 1, 2016, and every 6 years thereafter.

The bill restricts statewide testing to the following:

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

HOUSE
Amended 2nd Reading
May 4, 2015

SENATE
3rd Reading Unamended
May 1, 2015

SENATE
Amended 2nd Reading
April 23, 2015

- ! For English language arts and mathematics, testing annually in each of grades 3 through 8 and once in grades 10 through 12, as selected by each school district, board of cooperative services that operates a public school, and charter school (local education provider);
- ! For science, testing annually in one elementary school grade and one middle school grade, as selected by the department of education, and one high school grade, as selected by each local education provider.

The bill continues to require students enrolled in eleventh grade to take the curriculum-based achievement exam adopted by the state board.

Each local education provider must notify the department of education (department) regarding the grade levels at which it will administer the state assessments. The bill allows each local education provider to choose to administer state assessments in English language arts and math in up to 2 additional high school grades, at the state's cost.

The bill allows a local education provider to choose to administer, in lieu of the state assessments, a battery of assessments in English language arts, mathematics, and science that are vertically aligned for grades 3 through 10. The department must reimburse the local education provider for the costs of administering the battery of assessments. The local education provider must provide to the department the results of the assessments. The department must apply to the federal government for a waiver of federal law if necessary to allow a local education provider to administer the battery of assessments in lieu of the state assessments.

The bill requires the department to administer the computerized portion of a state assessment in a format that a student can complete using paper and pencil if requested by a local education provider or a student's parent. Each local education provider must adopt a written policy to allow a parent to choose to have his or her child take the computerized portions of the state assessments using pencil and paper.

The bill allows a local education provider or group of local education providers, working with the department, to design and implement a pilot alternative accountability and assessment system (pilot system), so long as the pilot system complies with federal requirements or with the provisions of a federal waiver. If the pilot system meets federal requirements, the state board must waive any conflicting state statutory or regulatory requirements for the participating local education providers. The department must apply to the federal department of education for a waiver of federal requirements if necessary to implement a pilot system.

Under existing law, a local education provider must administer a reading assessment and a school readiness assessment to kindergarten students. The bill requires the local education provider to administer the reading assessment within the first 90 days of the school year. If the local

education provider administers the reading assessment within the first 60 days of the school year, then the local education provider is not required to administer the literacy component of the school readiness assessment.

Under the bill, if a kindergarten or first-, second-, or third-grade student's score on a state-approved literacy assessment indicates that the student may have a significant reading deficiency, the teacher must assess the student again within 60 days to determine whether the student does have a significant reading deficiency. If a student's score on a state-approved literacy assessment indicates that the student is reading at grade-level competency, then the local education provider is not required to administer the reading assessment again during the same school year. The bill requires the department to ensure that at least one of the approved reading assessments can be completed using pencil and paper.

Under existing law, each local education provider must administer a school readiness assessment to students in kindergarten and prepare an individual school readiness plan for each student. The bill requires the local education provider to administer the school readiness assessment during the first 60 days of the school year. A local education provider may choose to administer the school readiness assessment multiple times during the school year to monitor a student's progress toward school readiness. If a kindergarten student demonstrates a significant reading deficiency, the "Reading to Ensure Academic Development" (READ) plan that the local education provider creates for the student will be a component of the student's individual school readiness plan.

Under current law, each school district must ensure that at least 50% of the evaluation of the performance of licensed personnel is based on student growth. But, for the 2014-15 school year, a school district may decide what percentage, if any, to give to student academic growth in deciding a person's effectiveness rating. The bill extends for 3 additional school years the school district's ability to decide the percentage to give to student academic growth.

The bill repeals the existing statute that governs state assessments. The bill recreates the statutory provisions that relate to testing in languages other than English, testing children with disabilities, exempting from testing the children that participate in nonpublic, home-based educational programs and nonpublic schools, administering the ACT to eleventh-grade students, disseminating and using test results, allowing nonpublic schools to administer the state assessments, and appropriating moneys to fund the state assessments.

The bill repeals references to the postsecondary and workforce planning, preparation, and readiness assessments and clarifies that students' demonstration of postsecondary and workforce readiness is determined in part by scores on the state assessments administered in high school.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 22-7-1006.3 and**
3 **22-7-1006.5** as follows:

4 **22-7-1006.3. State assessments - administration - rules.**

5 (1) (a) BEGINNING IN THE 2015-16 SCHOOL YEAR, THE DEPARTMENT OF
6 EDUCATION, IN COLLABORATION WITH LOCAL EDUCATION PROVIDERS,
7 SHALL ADMINISTER THE STATE ASSESSMENTS IN THE INSTRUCTIONAL
8 AREAS OF ENGLISH LANGUAGE ARTS, MATHEMATICS, AND SCIENCE, AS
9 ADOPTED BY THE STATE BOARD PURSUANT TO SECTION 22-7-1006, AS
10 FOLLOWS:

11 (I) THE DEPARTMENT SHALL ADMINISTER A STATE ASSESSMENT IN
12 ENGLISH LANGUAGE ARTS AND A STATE ASSESSMENT IN MATHEMATICS TO
13 ALL STUDENTS ENROLLED IN GRADES THREE THROUGH NINE IN PUBLIC
14 SCHOOLS THROUGHOUT THE STATE.

15 (II) THE DEPARTMENT SHALL ADMINISTER A STATE ASSESSMENT
16 IN SCIENCE TO STUDENTS ENROLLED IN PUBLIC ELEMENTARY, MIDDLE, AND
17 HIGH SCHOOLS THROUGHOUT THE STATE. THE DEPARTMENT SHALL SELECT
18 THE SPECIFIC GRADES IN WHICH TO ADMINISTER THE STATE SCIENCE
19 ASSESSMENT, ENSURING THAT STUDENTS TAKE THE STATE SCIENCE
20 ASSESSMENT ONCE IN ELEMENTARY SCHOOL, ONCE IN MIDDLE SCHOOL,
21 AND ONCE IN HIGH SCHOOL; EXCEPT THAT THE DEPARTMENT SHALL NOT
22 ADMINISTER THE STATE SCIENCE ASSESSMENT TO STUDENTS ENROLLED IN
23 TWELFTH GRADE.

24 (b) AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS
25 SECTION, THE DEPARTMENT OF EDUCATION SHALL APPLY TO THE FEDERAL
26 DEPARTMENT OF EDUCATION FOR A WAIVER OF FEDERAL STATUTORY AND

1 REGULATORY REQUIREMENTS AS MAY BE NECESSARY TO ALLOW THE
2 DEPARTMENT TO SATISFY THE FEDERAL HIGH SCHOOL ASSESSMENT
3 REQUIREMENTS BY ADMINISTERING ASSESSMENTS IN ENGLISH LANGUAGE
4 ARTS AND MATHEMATICS TO STUDENTS ENROLLED IN NINTH GRADE.

5 (c) THE DEPARTMENT OF EDUCATION, IN COLLABORATION WITH
6 LOCAL EDUCATION PROVIDERS, SHALL ADMINISTER THE STATE
7 ASSESSMENTS ON A SCHEDULE THAT THE DEPARTMENT ANNUALLY SETS.

8 (d) IF ALL OR ANY PORTION OF A STATE ASSESSMENT REQUIRES A
9 STUDENT TO USE A COMPUTER TO TAKE THE ASSESSMENT, AT THE REQUEST
10 OF A LOCAL EDUCATION PROVIDER, THE DEPARTMENT OF EDUCATION MUST
11 ADMINISTER THE PORTIONS OF THE STATE ASSESSMENT THAT REQUIRE A
12 COMPUTER IN A FORMAT THAT A STUDENT MAY COMPLETE USING PENCIL
13 AND PAPER. EACH LOCAL EDUCATION PROVIDER SHALL REPORT TO THE
14 DEPARTMENT THE NUMBER OF STUDENTS IT ENROLLS WHO WILL TAKE THE
15 STATE ASSESSMENT IN A PENCIL-AND-PAPER FORMAT.

16 (e) THE DEPARTMENT SHALL REVIEW AND UPDATE ASSESSMENT
17 ADMINISTRATION AND SECURITY POLICIES AS NECESSARY TO MAINTAIN
18 THE INTEGRITY OF THE ASSESSMENTS.

19 (2) (a) THE DEPARTMENT OF EDUCATION SHALL SELECT AND THE
20 STATE SHALL PAY THE COSTS OF ADMINISTERING AN ASSESSMENT THAT IS
21 ALIGNED WITH THE STATE ACADEMIC STANDARDS AND IS A PREPARATION
22 ASSESSMENT FOR THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE
23 ENTRANCE EXAM ADMINISTERED PURSUANT TO PARAGRAPH (b) OF THIS
24 SUBSECTION (2). EACH LOCAL EDUCATION PROVIDER SHALL ADMINISTER
25 THE ASSESSMENT FOR STUDENTS ENROLLED IN TENTH GRADE. EACH LOCAL
26 EDUCATION PROVIDER SHALL ADMINISTER THE TENTH-GRADE ASSESSMENT
27 ON A SCHEDULE THAT THE DEPARTMENT ANNUALLY SETS.

1 (b) THE DEPARTMENT OF EDUCATION SHALL SELECT AND THE
2 STATE SHALL PAY THE COSTS OF ADMINISTERING AN ASSESSMENT THAT IS
3 ADMINISTERED THROUGHOUT THE UNITED STATES AND RELIED UPON BY
4 INSTITUTIONS OF HIGHER EDUCATION, REFERRED TO IN THIS SECTION AS
5 THE "CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM". AT
6 A MINIMUM THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE
7 EXAM MUST TEST IN THE AREAS OF READING, WRITING, MATHEMATICS,
8 AND SCIENCE. EACH LOCAL EDUCATION PROVIDER SHALL ADMINISTER THE
9 CURRICULUM-BASED ACHIEVEMENT COLLEGE ENTRANCE EXAM FOR
10 STUDENTS ENROLLED IN ELEVENTH GRADE. THE LOCAL EDUCATION
11 PROVIDER SHALL ADMINISTER THE WRITING PORTION OF THE
12 CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM TO EACH
13 STUDENT WHO REQUESTS THE OPPORTUNITY TO TAKE THE WRITING
14 PORTION. THE DEPARTMENT SHALL PAY THE COSTS OF ADMINISTERING THE
15 WRITING PORTION OF THE EXAM. ■ ■

16 (c) (I) THE DEPARTMENT OF EDUCATION SHALL ANNUALLY
17 SCHEDULE A DAY ON WHICH THE CURRICULUM-BASED, ACHIEVEMENT
18 COLLEGE ENTRANCE EXAM IS ADMINISTERED FOR ALL ELEVENTH-GRADE
19 STUDENTS ENROLLED IN PUBLIC HIGH SCHOOLS THROUGHOUT THE STATE.

20 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF
21 THIS PARAGRAPH (c), A STUDENT WHO CAN SHOW A NEED TO TAKE THE
22 CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM ON AN
23 ALTERNATE DATE ON WHICH THE EXAM IS ADMINISTERED THROUGHOUT
24 THE COUNTRY MAY TAKE THE EXAM ON THAT ALTERNATE DATE, SO LONG
25 AS THE ALTERNATE DATE IS BEFORE THE DATE SCHEDULED BY THE
26 DEPARTMENT PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (c).
27 THE DEPARTMENT SHALL PAY ALL COSTS ASSOCIATED WITH A STUDENT

1 TAKING THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE
2 EXAM ON AN ALTERNATE DATE AS PROVIDED IN THIS SUBPARAGRAPH (II).

3 (d) THE STATE BOARD SHALL ADOPT RULES TO ENSURE THAT THE
4 REQUIREMENTS OF THE ADMINISTRATOR OF THE CURRICULUM-BASED,
5 ACHIEVEMENT COLLEGE ENTRANCE EXAM, SUCH AS A SECURE
6 ENVIRONMENT, ARE MET AND TO IDENTIFY THE LEVEL OF NEED THAT A
7 STUDENT MUST DEMONSTRATE TO TAKE THE CURRICULUM-BASED,
8 ACHIEVEMENT COLLEGE ENTRANCE EXAM ON AN ALTERNATE DATE AS
9 PROVIDED IN SUBPARAGRAPH (II) OF PARAGRAPH (c) OF THIS SUBSECTION
10 (2).

11 (3) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPHS (b) AND
12 (c) OF THIS SUBSECTION (3), EACH STUDENT ENROLLED IN A PUBLIC
13 SCHOOL IS REQUIRED TO TAKE THE STATE ASSESSMENTS ADMINISTERED
14 PURSUANT TO SUBSECTION (1) OF THIS SECTION AT THE STUDENT'S GRADE
15 LEVEL, AS DETERMINED BY THE ENROLLING LOCAL EDUCATION PROVIDER.

16 (b) A CHILD WHO IS ENROLLED IN A NONPUBLIC SCHOOL OR
17 PARTICIPATING IN A NONPUBLIC HOME-BASED EDUCATIONAL PROGRAM
18 PURSUANT TO SECTION 22-33-104.5 IS NOT REQUIRED TO TAKE A STATE
19 ASSESSMENT ADMINISTERED PURSUANT TO THIS SECTION, EVEN THOUGH
20 THE CHILD MAY ALSO BE ATTENDING A PUBLIC SCHOOL FOR A PORTION OF
21 THE SCHOOL DAY AND THEREFORE INCLUDED IN THE ENROLLMENT OF A
22 LOCAL EDUCATION PROVIDER.

23 (c) A STUDENT WHO HAS AN INDIVIDUALIZED EDUCATION
24 PROGRAM AS PROVIDED IN SECTION 22-20-108, AND WHOSE
25 INDIVIDUALIZED EDUCATION PROGRAM SPECIFIES THAT THE STUDENT
26 TAKES == == THE STATE'S ALTERNATE ASSESSMENT FOR STUDENTS WITH
27 SIGNIFICANT COGNITIVE DISABILITIES OR ANOTHER ASSESSMENT

1 APPROVED BY RULE OF THE STATE BOARD, IS NOT REQUIRED TO TAKE THE
2 STATE ASSESSMENTS ADMINISTERED PURSUANT TO SUBSECTION (1) OF
3 THIS SECTION, BUT THE STUDENT MUST TAKE THE ALTERNATE ASSESSMENT
4 OR THE OTHER APPROVED ASSESSMENT. EACH LOCAL EDUCATION
5 PROVIDER SHALL REPORT TO THE DEPARTMENT OF EDUCATION THE
6 RESULTS OF THE ALTERNATE ASSESSMENTS OR OTHER APPROVED
7 ASSESSMENTS ADMINISTERED TO STUDENTS ENROLLED BY THE LOCAL
8 EDUCATION PROVIDER. THE DEPARTMENT SHALL AGGREGATE THE
9 RESULTS SEPARATELY FOR EACH PUBLIC SCHOOL.

10 (d) IF A STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM
11 AS PROVIDED IN SECTION 22-20-108 THAT SPECIFIES THAT THE STUDENT
12 TAKES THE STATE ASSESSMENT, THE _____ ENROLLING LOCAL EDUCATION
13 PROVIDER SHALL ASSESS THE STUDENT IN EACH INSTRUCTIONAL AREA FOR
14 WHICH THERE IS A STATE TEST AT THE STUDENT'S GRADE LEVEL. IF, AS
15 PART OF A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM, THE
16 STUDENT ATTENDS PART-TIME A SCHOOL OR PROGRAM AWAY FROM THE
17 SCHOOL IN WHICH THE STUDENT IS ENROLLED, THE LOCAL EDUCATION
18 PROVIDER THAT ENROLLS A STUDENT, OR THE ADMINISTRATIVE UNIT THAT
19 THE LOCAL EDUCATION PROVIDER IS A MEMBER OF, MAY DESIGNATE
20 EITHER THE SCHOOL OF RESIDENCE OR THE SCHOOL OF ATTENDANCE AS
21 THE SCHOOL TO WHICH THE DEPARTMENT OF EDUCATION MUST ASSIGN THE
22 STUDENT'S SCORES FOR PURPOSES OF MEASURING THE LEVELS OF
23 ATTAINMENT ON THE PERFORMANCE INDICATORS SPECIFIED IN SECTION
24 22-11-204, DETERMINING ACCREDITATION CATEGORIES PURSUANT TO
25 SECTION 22-11-208, AND MEASURING PUBLIC SCHOOL PERFORMANCE
26 PURSUANT TO SECTION 22-11-210. IF A STUDENT WHO HAS AN
27 INDIVIDUALIZED EDUCATION PROGRAM ATTENDS SCHOOL IN AN

1 ADMINISTRATIVE UNIT OTHER THAN THE STUDENT'S ADMINISTRATIVE UNIT
2 OF RESIDENCE, AND THERE IS A CONTRACT BETWEEN THE TWO
3 ADMINISTRATIVE UNITS, THE ADMINISTRATIVE UNITS MUST SPECIFY IN THE
4 CONTRACT THE PUBLIC SCHOOL TO WHICH THE DEPARTMENT SHALL ASSIGN
5 THE STUDENT'S SCORES FOR PURPOSES OF MEASURING THE LEVELS OF
6 ATTAINMENT ON THE PERFORMANCE INDICATORS, DETERMINING
7 ACCREDITATION CATEGORIES, AND MEASURING PUBLIC SCHOOL
8 PERFORMANCE.

9 (4) (a) (I) THE DEPARTMENT OF EDUCATION IN COLLABORATION
10 WITH LOCAL EDUCATION PROVIDERS SHALL ADMINISTER THE ENGLISH
11 VERSIONS OF THE STATE ASSESSMENTS AND MAY ADMINISTER AN
12 ASSESSMENT ADOPTED BY THE STATE BOARD IN LANGUAGES OTHER THAN
13 ENGLISH, AS MAY BE APPROPRIATE FOR ENGLISH LANGUAGE LEARNERS;
14 EXCEPT THAT A STUDENT WHO HAS PARTICIPATED IN AN ENGLISH
15 LANGUAGE PROFICIENCY PROGRAM, AS PROVIDED IN ARTICLE 24 OF THIS
16 TITLE, FOR MORE THAN A TOTAL OF THREE SCHOOL YEARS IS INELIGIBLE TO
17 TAKE THE STATE ASSESSMENTS IN A LANGUAGE OTHER THAN ENGLISH.

18 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF
19 THIS PARAGRAPH (a) TO THE CONTRARY, A LOCAL EDUCATION PROVIDER
20 MAY ADMINISTER AN ASSESSMENT ADOPTED BY THE STATE BOARD IN A
21 LANGUAGE OTHER THAN ENGLISH FOR UP TO FIVE YEARS TO A STUDENT
22 WHO IS AN ENGLISH LANGUAGE LEARNER IF ALLOWED BY A WAIVER
23 RECEIVED FROM THE FEDERAL DEPARTMENT OF EDUCATION PURSUANT TO
24 PARAGRAPH (c) OF THIS SUBSECTION (4).

25 (b) THE STATE BOARD SHALL REVISE AS NECESSARY, AND THE
26 DEPARTMENT OF EDUCATION SHALL ADMINISTER, READING AND WRITING
27 ASSESSMENTS IN SPANISH FOR STUDENTS ENROLLED IN THE THIRD AND

1 FOURTH GRADES.

2 (c) AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS
3 SECTION, THE DEPARTMENT OF EDUCATION SHALL SUBMIT TO THE
4 FEDERAL DEPARTMENT OF EDUCATION A REQUEST FOR A WAIVER OF
5 FEDERAL LAW TO ENABLE A LOCAL EDUCATION PROVIDER TO ADMINISTER
6 A STATE ASSESSMENT IN A LANGUAGE OTHER THAN ENGLISH FOR UP TO
7 FIVE SCHOOL YEARS TO A STUDENT WHO IS AN ENGLISH LANGUAGE
8 LEARNER.

9 (5) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO
10 THE CONTRARY, A STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER, AS
11 DEFINED IN SECTION 22-24-103, AND WHO HAS BEEN ENROLLED IN A
12 SCHOOL IN THE UNITED STATES FOR FEWER THAN TWELVE MONTHS IS NOT
13 REQUIRED TO TAKE THE ENGLISH LANGUAGE ARTS ASSESSMENT REQUIRED
14 IN SUBSECTION (1) OF THIS SECTION. THE YEAR IN WHICH THE STUDENT
15 DOES NOT TAKE THE ENGLISH LANGUAGE ARTS ASSESSMENT IS INCLUDED
16 AS ONE OF THE THREE OR FIVE YEARS, AS APPLICABLE, IN WHICH THE
17 STUDENT MAY TAKE THE STATE ASSESSMENT IN HIS OR HER NATIVE
18 LANGUAGE AS PROVIDED IN SUBSECTION (4) OF THIS SECTION.

19 (b) IF ALLOWED BY FEDERAL LAW OR BY A WAIVER OF FEDERAL
20 LAW RECEIVED FROM THE FEDERAL DEPARTMENT OF EDUCATION
21 PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (5), IN THE FIRST
22 TWENTY-FOUR MONTHS IN WHICH A STUDENT WHO IS AN ENGLISH
23 LANGUAGE LEARNER IS ENROLLED IN A SCHOOL IN THE UNITED STATES
24 AND TAKES THE ENGLISH LANGUAGE ARTS ASSESSMENT, THE DEPARTMENT
25 OF EDUCATION SHALL NOT INCLUDE THE STUDENT'S SCORES IN
26 CALCULATING ACHIEVEMENT OF THE PERFORMANCE INDICATORS
27 PURSUANT TO PART 2 OF ARTICLE 11 OF THIS TITLE FOR THE LOCAL

1 EDUCATION PROVIDER THAT ENROLLS THE STUDENT.

2 (c) AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS
3 SECTION, THE DEPARTMENT OF EDUCATION SHALL SUBMIT TO THE
4 FEDERAL DEPARTMENT OF EDUCATION A REQUEST FOR A WAIVER OF
5 FEDERAL LAW AS NECESSARY TO IMPLEMENT PARAGRAPH (b) OF THIS
6 SUBSECTION (5).

7 (6) THE DEPARTMENT OF EDUCATION, BY POLICY, MAY DETERMINE
8 WHETHER THE SCORES OF ONE OR MORE GROUPS OF STUDENTS ARE NOT
9 APPROPRIATE TO BE USED IN MEASURING THE LEVELS OF ATTAINMENT ON
10 THE PERFORMANCE INDICATORS, AS DEFINED IN SECTION 22-11-103. A
11 POLICY THAT THE DEPARTMENT ADOPTS PURSUANT TO THIS SUBSECTION
12 (6) MUST BE IN ACCORDANCE WITH THE REQUIREMENTS OF FEDERAL
13 STATUTES AND REGULATIONS.

14 (7) (a) THE DEPARTMENT OF EDUCATION SHALL PROVIDE TO EACH
15 LOCAL EDUCATION PROVIDER THE RESULTS OF ALL OF THE STATE
16 ASSESSMENTS THAT THE LOCAL EDUCATION PROVIDER ADMINISTERS AND
17 MAKE AVAILABLE TO LOCAL EDUCATION PROVIDERS THE STATE
18 ASSESSMENT DATA OF INDIVIDUAL STUDENTS THAT IS REQUIRED TO
19 MEASURE ACADEMIC PROGRESS OVER TIME. THE DEPARTMENT SHALL
20 ALIGN THE DISAGGREGATION OF STATE ASSESSMENT RESULTS WITH THE
21 EXCLUSION OF SCORES PERMITTED BY SUBSECTION (6) OF THIS SECTION.

22 (b) THE DEPARTMENT OF EDUCATION SHALL RELEASE TO THE
23 PUBLIC ONLY THOSE STATE ASSESSMENT RESULTS THAT THE DEPARTMENT
24 DEEMS VALID. THE DEPARTMENT SHALL NOT RELY ON STATE ASSESSMENT
25 RESULTS THAT THE DEPARTMENT HAS DEEMED INVALID IN PERFORMANCE
26 CALCULATIONS WHEN ASSIGNING ACCREDITATION LEVELS OR SCHOOL
27 PLAN TYPES, AS DESCRIBED IN ARTICLE 11 OF THIS TITLE, TO A LOCAL

1 EDUCATION PROVIDER. AT ANY TIME THAT THE DEPARTMENT RELEASES
2 STATE ASSESSMENT RESULTS TO THE PUBLIC, IN ADDITION TO RELEASING
3 THE RESULTS OF THE ENGLISH VERSIONS OF THE STATE ASSESSMENTS, THE
4 DEPARTMENT SHALL RELEASE THE RESULTS OF ANY STATE ASSESSMENTS
5 ADMINISTERED IN LANGUAGES OTHER THAN ENGLISH.

6 (c) AT THE REQUEST OF A LOCAL EDUCATION PROVIDER, THE
7 ENTITY THAT IS RESPONSIBLE FOR DEVELOPING A STATE ASSESSMENT
8 MUST RETURN TO THE LOCAL EDUCATION PROVIDER THE STUDENT
9 RESPONSES TO THE ESSAY PORTION AND APPROPRIATE PARAGRAPHS THAT
10 ARE RELEASED FROM THE ENGLISH LANGUAGE ARTS PORTION OF THE
11 STATE ASSESSMENT AND THE RESULTS OF ALL REQUESTED STATE
12 ASSESSMENTS. THE REQUESTING LOCAL EDUCATION PROVIDER MUST PAY
13 THE ENTITY FOR THE ACTUAL COST OF PHOTOCOPYING AND MAILING THE
14 ENGLISH LANGUAGE ARTS PORTION OF THE STATE ASSESSMENT. THE
15 REQUESTING LOCAL EDUCATION PROVIDER SHALL MAINTAIN THE
16 CONFIDENTIALITY OF ALL STATE ASSESSMENT RESULTS THAT IT RECEIVES
17 AND MAY USE THE ESSAY PORTION AND APPROPRIATE PARAGRAPHS ONLY
18 TO IMPROVE AN INDIVIDUAL STUDENT'S WRITING SKILLS.

19 (d) EACH LOCAL EDUCATION PROVIDER SHALL INCLUDE THE
20 RESULTS OF THE STATE ASSESSMENTS ADMINISTERED PURSUANT TO
21 SUBSECTION (1) OF THIS SECTION ON EACH STUDENT'S FINAL REPORT CARD
22 FOR THE APPLICABLE SCHOOL YEAR AND INCLUDE THE RESULTS IN THE
23 STUDENT'S PERMANENT ACADEMIC RECORD; EXCEPT THAT A LOCAL
24 EDUCATION PROVIDER MAY INCLUDE STATE ASSESSMENT DATA ON A
25 STUDENT'S FINAL REPORT CARD ONLY IF THE LOCAL EDUCATION PROVIDER
26 HAS SUFFICIENT TIME TO PROCESS THE STATE ASSESSMENT RESULTS AFTER
27 THEY ARE RELEASED.

1 (8) (a) EACH LOCAL EDUCATION PROVIDER SHALL ADOPT POLICIES
2 TO ENSURE THAT APPROPRIATE PERSONNEL WITHIN EACH SCHOOL DISTRICT
3 AND EACH INSTITUTE CHARTER SCHOOL SHARE WITH AND EXPLAIN TO THE
4 PARENT OR LEGAL GUARDIAN OF EACH STUDENT ENROLLED IN THE PUBLIC
5 SCHOOL THE STUDENT'S STATE ASSESSMENT RESULTS RETURNED TO
6 THE STUDENT'S PUBLIC SCHOOL PURSUANT TO SUBSECTION (7) OF THIS
7 SECTION.

8 (b) THE DEPARTMENT OF EDUCATION SHALL CREATE, MAINTAIN,
9 AND MAKE AVAILABLE TO LOCAL EDUCATION PROVIDERS AND PARENTS OR
10 LEGAL GUARDIANS, UPON REQUEST, A LIST OF RESOURCES AND PROGRAMS
11 THAT PUBLIC SCHOOLS AND PARENTS OR LEGAL GUARDIANS MAY ACCESS
12 TO ASSIST STUDENTS IN ADDRESSING SPECIFIC LEARNING ISSUES
13 IDENTIFIED BY THE STATE ASSESSMENT RESULTS PROVIDED PURSUANT TO
14 THIS SECTION.

15 (9) (a) THE DEPARTMENT OF EDUCATION SHALL PERMIT A
16 NONPUBLIC SCHOOL TO ADMINISTER THE STATE ASSESSMENTS REQUIRED
17 BY SUBSECTION (1) OF THIS SECTION AND SHALL PROVIDE TO THE
18 NONPUBLIC SCHOOL THE RESULTS OF ANY STATE ASSESSMENTS
19 ADMINISTERED. THE NONPUBLIC SCHOOL MUST PAY ALL COSTS
20 ASSOCIATED WITH ADMINISTERING AND PROVIDING RESULTS FOR THE
21 STATE ASSESSMENTS.

22 (b) A LOCAL EDUCATION PROVIDER, UPON THE REQUEST OF THE
23 PARENT OR LEGAL GUARDIAN OF A CHILD WHO IS PARTICIPATING IN A
24 NONPUBLIC HOME-BASED EDUCATIONAL PROGRAM PURSUANT TO SECTION
25 22-33-104.5, MUST PERMIT THE CHILD TO TAKE A STATE ASSESSMENT
26 REQUIRED BY SUBSECTION (1) OF THIS SECTION AND MUST PROVIDE TO THE
27 PARENT OR LEGAL GUARDIAN OF THE CHILD THE RESULTS OF STATE

1 ASSESSMENTS ADMINISTERED. THE PARENT OR LEGAL GUARDIAN OF THE
2 CHILD MUST PAY ALL COSTS ASSOCIATED WITH ADMINISTERING AND
3 PROVIDING RESULTS FOR THE STATE ASSESSMENTS.

4 (10) FOR EACH FISCAL YEAR, THE GENERAL ASSEMBLY SHALL
5 APPROPRIATE MONEYS IN THE ANNUAL GENERAL APPROPRIATION ACT TO
6 THE DEPARTMENT OF EDUCATION TO FUND ADMINISTRATION OF THE STATE
7 ASSESSMENTS AS DESCRIBED IN THIS SECTION, INCLUDING
8 ADMINISTRATION OF THE TENTH-GRADE ASSESSMENT AND THE
9 CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM
10 DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

11 **22-7-1006.5. Pilot program - alternative assessment.** (1) THERE
12 IS CREATED A PILOT PROGRAM TO ALLOW LOCAL EDUCATION PROVIDERS
13 TO CREATE OR SELECT ASSESSMENTS, WHICH THE LOCAL EDUCATION
14 PROVIDER MAY ADMINISTER IN ADDITION TO THE STATE ASSESSMENTS AS
15 NECESSARY TO PROVE THE VALIDITY AND RELIABILITY OF THE
16 ASSESSMENTS AND THE COMPARABILITY OF THE ASSESSMENTS WITH THE
17 STATE ASSESSMENTS. THE GOALS OF THE PILOT PROGRAM ARE TO PROVIDE
18 MORE TIMELY AND RELEVANT DATA TO EDUCATORS TO INFORM
19 INSTRUCTION THROUGHOUT THE SCHOOL YEAR, WHILE CONTINUING TO
20 PROVIDE COMPARATIVE DATA FOR STATE ACCOUNTABILITY PURPOSES.

21 (2) (a) FOR A LOCAL EDUCATION PROVIDER TO PARTICIPATE IN THE
22 PILOT PROGRAM AS DESCRIBED IN THIS SECTION, THE LOCAL SCHOOL
23 BOARD OR OTHER GOVERNING BODY OF THE LOCAL EDUCATION PROVIDER
24 MUST FIRST ADOPT A WRITTEN RESOLUTION THAT AUTHORIZES THE LOCAL
25 EDUCATION PROVIDER TO PARTICIPATE IN THE PILOT PROGRAM.

26 (b) IF AUTHORIZED BY ITS LOCAL SCHOOL BOARD OR OTHER
27 GOVERNING BODY, A LOCAL EDUCATION PROVIDER, INDIVIDUALLY OR IN

1 COMBINATION WITH ONE OR MORE OTHER LOCAL EDUCATION PROVIDERS,
2 MAY PARTICIPATE IN THE FIRST PHASE OF THE PILOT PROGRAM BY
3 CREATING OR SELECTING ASSESSMENTS THAT MEET THE REQUIREMENTS
4 SPECIFIED IN SUBSECTION (3) OF THIS SECTION AND ADMINISTERING THOSE
5 ASSESSMENTS, IN ADDITION TO THE STATE ASSESSMENTS REQUIRED IN
6 SECTION 22-7-1006.3, TO ALL OR A PORTION OF THE STUDENTS ENROLLED
7 IN AT LEAST ONE ELEMENTARY GRADE, ONE MIDDLE SCHOOL GRADE, AND
8 ONE HIGH SCHOOL GRADE FOR TWO SCHOOL YEARS. AFTER ADMINISTERING
9 THE ASSESSMENTS FOR TWO SCHOOL YEARS, THE LOCAL EDUCATION
10 PROVIDER MUST SUBMIT TO THE DEPARTMENT OF EDUCATION THE
11 ASSESSMENT RESULTS FOR EACH YEAR IN WHICH THEY WERE
12 ADMINISTERED AND THE LOCAL EDUCATION PROVIDER'S DEMONSTRATION
13 THAT THE RESULTS ARE COMPARABLE TO THE RESULTS OBTAINED ON THE
14 STATE ASSESSMENTS ADMINISTERED IN THE SAME SCHOOL YEARS.

15 (c) A LOCAL EDUCATION PROVIDER THAT IS SELECTED TO
16 PARTICIPATE IN PHASE TWO OF THE PILOT PROGRAM PURSUANT TO
17 SUBSECTION (4) OF THIS SECTION SHALL ADMINISTER ITS SELECTED
18 ASSESSMENTS TO STUDENTS ENROLLED BY THE LOCAL EDUCATION
19 PROVIDER IN GRADES THREE THROUGH ELEVEN FOR UP TO TWO YEARS.
20 THE LOCAL EDUCATION PROVIDER SHALL SUBMIT TO THE DEPARTMENT
21 THE ASSESSMENT RESULTS FOR EACH YEAR IN WHICH THEY WERE
22 ADMINISTERED AND THE LOCAL EDUCATION PROVIDER'S DEMONSTRATION
23 THAT THE RESULTS ARE COMPARABLE TO THE RESULTS OBTAINED ON THE
24 STATE ASSESSMENTS ADMINISTERED IN THE SAME SCHOOL YEARS.

25 (d) A LOCAL EDUCATION PROVIDER THAT PARTICIPATES IN THE
26 PILOT PROGRAM MUST:

27 (I) NOTIFY THE DEPARTMENT OF EDUCATION AT THE BEGINNING OF

1 EACH SCHOOL YEAR IN WHICH IT INTENDS TO ADMINISTER ASSESSMENTS
2 PURSUANT TO THIS SECTION AND IDENTIFY THE ASSESSMENTS THAT THE
3 LOCAL EDUCATION PROVIDER INTENDS TO ADMINISTER;

4 (II) NOTIFY THE PARENTS OF THE STUDENTS ENROLLED BY THE
5 LOCAL EDUCATION PROVIDER AT THE BEGINNING OF EACH SCHOOL YEAR
6 IN WHICH IT INTENDS TO ADMINISTER ASSESSMENTS PURSUANT TO THIS
7 SECTION THAT THE LOCAL EDUCATION PROVIDER IS CHOOSING TO
8 ADMINISTER ASSESSMENTS PURSUANT TO THIS SECTION IN ADDITION TO
9 THE STATE ASSESSMENTS REQUIRED IN SECTION 22-7-1006.3; AND

10 (III) IF THE LOCAL EDUCATION PROVIDER IS A SCHOOL DISTRICT,
11 WORK WITH THE SCHOOL DISTRICT'S PERSONNEL PERFORMANCE
12 EVALUATION COUNCIL CREATED PURSUANT TO SECTION 22-9-107 IN
13 SELECTING OR CREATING AND ADMINISTERING ASSESSMENTS PURSUANT
14 TO THIS SECTION.

15 (3) THE ASSESSMENTS THAT A LOCAL EDUCATION PROVIDER
16 CHOOSES TO ADMINISTER PURSUANT TO THIS SECTION MUST:

17 (a) IN PHASE ONE OF THE PILOT PROGRAM, ASSESS STUDENTS IN
18 EACH OF THE SUBJECT AREAS REQUIRED IN SECTION 22-7-1006.3 IN AT
19 LEAST ONE ELEMENTARY GRADE, ONE MIDDLE SCHOOL GRADE, AND ONE
20 HIGH SCHOOL GRADE;

21 (b) IN PHASE TWO OF THE PILOT PROGRAM, ASSESS STUDENTS IN
22 ALL OF THE SUBJECT AREAS AND AT ALL OF THE GRADE LEVELS REQUIRED
23 IN SECTION 22-7-1006.3;

24 (c) PROVIDE SUFFICIENT DATA EACH SCHOOL YEAR TO
25 DISAGGREGATE AND REPORT RESULTS FOR STUDENT GROUPS AS DEFINED
26 IN SECTION 22-11-103 (43); AND

27 (d) PROVIDE SUFFICIENT DATA EACH SCHOOL YEAR TO MEASURE,

1 FOR EACH STUDENT ENROLLED IN THE GRADES THAT ARE ASSESSED, THE
2 STUDENT'S PROGRESS IN MEETING THE STATE ACADEMIC STANDARDS.

3 (4) (a) EACH LOCAL EDUCATION PROVIDER THAT PARTICIPATES IN
4 PHASE ONE OF THE PILOT PROGRAM SHALL SUBMIT THE RESULTS OF THE
5 LOCAL ASSESSMENTS TO THE DEPARTMENT OF EDUCATION FOR ANALYSIS
6 AND EVALUATION. AFTER THE DEPARTMENT RECEIVES THE LOCAL
7 ASSESSMENT DATA FROM ALL PARTICIPATING LOCAL EDUCATION
8 PROVIDERS, THE DEPARTMENT SHALL REVIEW THE DATA TO ENSURE THAT
9 EACH ASSESSMENT MEETS THE REQUIREMENTS SPECIFIED IN SUBSECTION
10 (3) OF THIS SECTION AND THAT EACH ASSESSMENT IS VALID AND RELIABLE.
11 BASED ON THE ASSESSMENT DATA, THE DEPARTMENT SHALL RECOMMEND
12 TO THE STATE BOARD TWO OF THE LOCAL EDUCATION PROVIDERS TO
13 PARTICIPATE IN PHASE TWO OF THE PILOT PROGRAM. THE STATE BOARD,
14 TAKING INTO CONSIDERATION THE DEPARTMENT'S RECOMMENDATIONS,
15 SHALL SELECT THE TWO LOCAL EDUCATION PROVIDERS THAT MAY
16 PARTICIPATE IN PHASE TWO OF THE PILOT PROGRAM.

17 (b) EACH LOCAL EDUCATION PROVIDER THAT PARTICIPATES IN
18 PHASE TWO OF THE PILOT PROGRAM SHALL SUBMIT THE RESULTS OF THE
19 LOCAL ASSESSMENTS TO THE DEPARTMENT OF EDUCATION FOR ANALYSIS
20 AND EVALUATION. AFTER THE DEPARTMENT RECEIVES THE LOCAL
21 ASSESSMENT DATA FROM ALL PARTICIPATING LOCAL EDUCATION
22 PROVIDERS, THE DEPARTMENT SHALL REVIEW THE DATA TO ENSURE THAT
23 EACH ASSESSMENT MEETS THE REQUIREMENTS SPECIFIED IN SUBSECTION
24 (3) OF THIS SECTION AND THAT EACH ASSESSMENT IS VALID AND RELIABLE.
25 BASED ON THE ASSESSMENT DATA, THE DEPARTMENT SHALL RECOMMEND
26 TO THE STATE BOARD ONE OF THE LOCAL ASSESSMENTS FOR APPROVAL AS
27 THE NEW STATE ASSESSMENT OR RECOMMEND THAT THE STATE CONTINUE

1 ADMINISTERING THE EXISTING STATE ASSESSMENTS. THE STATE BOARD
2 SHALL REVIEW THE ASSESSMENT DATA AND, TAKING INTO ACCOUNT THE
3 DEPARTMENT'S RECOMMENDATION, SELECT THE NEW STATE ASSESSMENT
4 OR CONTINUE ADMINISTERING THE EXISTING STATE ASSESSMENTS. THE
5 DEPARTMENT AND THE STATE BOARD SHALL BASE THE RECOMMENDATION
6 AND SELECTION ON THE VALIDITY, RELIABILITY, AND COMPARABILITY OF
7 THE ASSESSMENT AND ENSURE THAT THE SELECTED ASSESSMENT, IF ANY,
8 MEETS THE GOALS OF THE PILOT PROGRAM STATED IN SUBSECTION (1) OF
9 THIS SECTION.

10 (c) IF THE STATE BOARD ADOPTS A NEW STATE ASSESSMENT AS
11 PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (4), THE STATE BOARD
12 SHALL PROMULGATE RULES TO IMPLEMENT THE NEW STATE ASSESSMENT.
13 AS SOON AS PRACTICABLE AFTER THE STATE BOARD PROMULGATES THE
14 ASSESSMENT RULES, THE GENERAL ASSEMBLY SHALL REVIEW THE RULES
15 IN A BILL THAT IS SEPARATE FROM THE ANNUAL RULE REVIEW BILL
16 INTRODUCED PURSUANT TO SECTION 24-4-103 (8) (d), C.R.S., AND IN
17 ACCORDANCE WITH THE CRITERIA AND PROCEDURES SPECIFIED IN SECTION
18 24-4-103 (8) (a) AND (8) (d), C.R.S.; EXCEPT THAT THE GENERAL
19 ASSEMBLY RESERVES THE RIGHT TO REPEAL INDIVIDUAL RULES
20 CONTAINED IN THE RULES PROMULGATED BY THE STATE BOARD.

21 (d) AS SOON AS POSSIBLE AFTER THE EFFECTIVE DATE OF THIS
22 SECTION, THE DEPARTMENT OF EDUCATION SHALL NOTIFY THE FEDERAL
23 DEPARTMENT OF EDUCATION THAT THE STATE HAS AUTHORIZED LOCAL
24 EDUCATION PROVIDERS TO PARTICIPATE IN THE PILOT PROGRAM
25 DESCRIBED IN THIS SECTION. THE DEPARTMENT SHALL APPLY TO THE
26 FEDERAL DEPARTMENT OF EDUCATION FOR A WAIVER OF FEDERAL
27 STATUTORY AND REGULATORY REQUIREMENTS TO THE EXTENT

1 NECESSARY TO IMPLEMENT THE PILOT PROGRAM AND TO IMPLEMENT THE
2 NEW STATE ASSESSMENT IF ADOPTED AS PROVIDED IN PARAGRAPH (b) OF
3 THIS SUBSECTION (4).

4 (e) UPON THE REQUEST OF A LOCAL EDUCATION PROVIDER THAT
5 PARTICIPATES IN THE PILOT PROGRAM, THE DEPARTMENT SHALL PROVIDE
6 TECHNICAL ASSISTANCE TO THE LOCAL EDUCATION PROVIDER IN
7 SELECTING LOCAL ASSESSMENTS AND EVALUATING THE ASSESSMENT
8 RESULTS.

9 **SECTION 2.** In Colorado Revised Statutes, 22-7-1006, **amend**
10 (5); and **add** (1) (f) as follows:

11 **22-7-1006. Preschool through elementary and secondary**
12 **education - aligned assessments - adoption - revisions.** (1) (f) THE
13 STATE BOARD SHALL ENSURE THAT THE ASSESSMENTS ADOPTED PURSUANT
14 TO THIS SECTION ARE A COMBINATION OF CONSTRUCTED RESPONSE AND
15 SELECTED RESPONSE TASKS THAT REQUIRE THE STUDENT TO PRODUCE
16 INFORMATION OR PERFORM TASKS IN A WAY THAT THE STUDENT'S SKILLS
17 AND COMPETENCIES CAN BE MEASURED.

18 (5) Every six years after the adoption of the system of assessments
19 pursuant to paragraph (a) of subsection (1) of this section, the state board
20 shall review and adopt any appropriate revisions OR UPDATES to ~~such~~ THE
21 system of assessments, INCLUDING ANY ASSESSMENTS ADMINISTERED IN
22 LANGUAGES OTHER THAN ENGLISH. The state board may adopt revisions
23 to an assessment or adopt additional assessments, regardless of whether
24 it adopts any revision to the standards with which the assessment is
25 aligned. In adopting revisions to the system of assessments, the state
26 board shall ensure that the system of assessments continues to meet the
27 requirements specified in this section. THE DEPARTMENT OF EDUCATION

1 SHALL REVIEW AND UPDATE THE ADMINISTRATION AND SECURITY POLICIES
2 FOR ASSESSMENTS AS NECESSARY TO MAINTAIN THE INTEGRITY OF THE
3 ASSESSMENTS.

4 **SECTION 3.** In Colorado Revised Statutes, 22-7-1013, **add** (6),
5 (7), and (8) as follows:

6 **22-7-1013. Local education provider - preschool through**
7 **elementary and secondary education standards - adoption - academic**
8 **acceleration.** (6) EACH LOCAL EDUCATION PROVIDER SHALL ADOPT AND
9 IMPLEMENT A WRITTEN POLICY BY WHICH THE LOCAL EDUCATION
10 PROVIDER WILL DECIDE WHETHER THE STUDENTS ENROLLED BY THE LOCAL
11 EDUCATION PROVIDER WILL USE PENCIL AND PAPER TO COMPLETE ANY
12 PORTION OF A STATE ASSESSMENT ADMINISTERED PURSUANT TO SECTION
13 22-7-1006.3 THAT THE STUDENTS WOULD OTHERWISE COMPLETE USING A
14 COMPUTER. THE POLICY MUST ENSURE THAT THE LOCAL EDUCATION
15 PROVIDER MAKES THE DECISION IN CONSULTATION WITH PARENTS AND, IF
16 THE LOCAL EDUCATION PROVIDER IS A SCHOOL DISTRICT OR BOARD OF
17 COOPERATIVE SERVICES, THE PUBLIC SCHOOLS THAT THE LOCAL
18 EDUCATION PROVIDER OPERATES. THE LOCAL EDUCATION PROVIDER MAY
19 DECIDE THAT THE STUDENTS IN ONE OR MORE OF THE PUBLIC SCHOOLS, OR
20 IN ONE OR MORE OF THE CLASSROOMS OF THE PUBLIC SCHOOLS, OPERATED
21 BY THE LOCAL EDUCATION PROVIDER WILL USE PENCIL AND PAPER TO
22 COMPLETE THE COMPUTERIZED PORTIONS OF A STATE ASSESSMENT. EACH
23 YEAR BEFORE THE START OF FALL SEMESTER CLASSES, THE LOCAL
24 EDUCATION PROVIDER SHALL DISTRIBUTE COPIES OF THE POLICY TO THE
25 PARENTS OF STUDENTS ENROLLED IN THE LOCAL EDUCATION PROVIDER
26 AND POST A COPY OF THE POLICY ON THE LOCAL EDUCATION PROVIDER'S
27 WEB SITE.

1 (7) (a) EACH LOCAL EDUCATION PROVIDER SHALL ADOPT AND
2 IMPLEMENT PROCEDURES BY WHICH THE LOCAL EDUCATION PROVIDER, OR
3 THE PUBLIC SCHOOLS THAT THE LOCAL EDUCATION PROVIDER OPERATES,
4 SHALL ANNUALLY DISTRIBUTE AN ASSESSMENT CALENDAR TO THE
5 PARENTS OF STUDENTS ENROLLED BY THE LOCAL EDUCATION PROVIDER.
6 AT A MINIMUM, THE ASSESSMENT CALENDAR MUST SPECIFY THE
7 ESTIMATED HOURS EACH TESTING DAY THAT SPECIFIC CLASSES OR GRADES
8 WILL TAKE EACH ASSESSMENT AND IDENTIFY WHETHER THE ASSESSMENT
9 IS REQUIRED BY FEDERAL LAW OR STATE LAW OR SELECTED BY THE LOCAL
10 EDUCATION PROVIDER. THE PROCEDURES SHALL SPECIFY THE TIMING FOR
11 DISTRIBUTION OF THE CALENDAR AND REQUIRE THAT THE CALENDAR IS
12 DISTRIBUTED TO PARENTS AND POSTED ON THE LOCAL EDUCATION
13 PROVIDER'S WEB SITE.

14 (b) (I) IN ADDITION TO THE CALENDAR DESCRIBED IN PARAGRAPH
15 (a) OF THIS SUBSECTION (7), EACH LOCAL EDUCATION PROVIDER SHALL
16 PROVIDE WRITTEN INFORMATION TO THE PARENTS OF STUDENTS ENROLLED
17 BY THE LOCAL EDUCATION PROVIDER THAT DESCRIBES:

18 (A) THE STATE AND LOCAL ASSESSMENTS THAT THE LOCAL
19 EDUCATION PROVIDER WILL ADMINISTER DURING THE SCHOOL YEAR,
20 IDENTIFYING THE ASSESSMENTS THAT THE LOCAL EDUCATION PROVIDER
21 IS REQUIRED BY FEDERAL LAW TO ADMINISTER, ANY ADDITIONAL STATE
22 ASSESSMENTS THAT THE LOCAL EDUCATION PROVIDER IS REQUIRED BY
23 SECTION 22-7-1006.3 TO ADMINISTER, THE ASSESSMENTS THAT THE LOCAL
24 EDUCATION PROVIDER IS REQUIRED BY OTHER STATE LAW TO ADMINISTER,
25 AND THE ADDITIONAL ASSESSMENTS THAT THE LOCAL EDUCATION
26 PROVIDER CHOOSES TO ADMINISTER;

27 (B) THE ANTICIPATED CALENDAR FOR ADMINISTERING THE STATE

1 AND LOCAL ASSESSMENTS DURING THE SCHOOL YEAR; AND

2 (C) THE PURPOSES OF THE STATE ASSESSMENTS ADMINISTERED
3 PURSUANT TO SECTION 22-7-1006.3 AND ANY ADDITIONAL LOCAL
4 ASSESSMENTS THAT THE LOCAL EDUCATION PROVIDER ADMINISTERS AND
5 THE MANNER IN WHICH THE DEPARTMENT OF EDUCATION AND THE LOCAL
6 EDUCATION PROVIDER USES THE ASSESSMENT RESULTS.

7 (II) EACH LOCAL EDUCATION PROVIDER SHALL ANNUALLY
8 DISTRIBUTE THE WRITTEN INFORMATION TO PARENTS AS EARLY IN THE
9 SCHOOL YEAR AS POSSIBLE AND SHALL POST THE WRITTEN INFORMATION
10 ON THE LOCAL EDUCATION PROVIDER'S WEB SITE.

11 (c) THE PROVISIONS OF THIS SUBSECTION (7) DO NOT APPLY TO
12 COURSE-SPECIFIC ASSESSMENTS THAT ARE NOT ADOPTED BY THE STATE
13 BOARD PURSUANT TO SECTION 22-7-1006 OR TO NONSTANDARDIZED,
14 CLASSROOM-BASED ASSESSMENTS THAT INDIVIDUAL EDUCATORS CHOOSE
15 TO ADMINISTER TO STUDENTS.

16 (8) (a) EACH LOCAL EDUCATION PROVIDER SHALL ADOPT AND
17 IMPLEMENT A WRITTEN POLICY AND PROCEDURE BY WHICH A STUDENT'S
18 PARENT MAY EXCUSE THE STUDENT FROM PARTICIPATING IN ONE OR MORE
19 OF THE STATE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION
20 22-7-1006.3.

21 (b) IF A PARENT EXCUSES HIS OR HER STUDENT FROM
22 PARTICIPATING IN A STATE ASSESSMENT, A LOCAL EDUCATION PROVIDER
23 SHALL NOT IMPOSE NEGATIVE CONSEQUENCES, INCLUDING PROHIBITING
24 SCHOOL ATTENDANCE, IMPOSING AN UNEXCUSED ABSENCE, OR
25 PROHIBITING PARTICIPATION IN EXTRACURRICULAR ACTIVITIES, ON THE
26 STUDENT OR ON THE PARENT.

27 (c) A LOCAL EDUCATION PROVIDER SHALL NOT IMPOSE AN

1 UNREASONABLE BURDEN OR REQUIREMENT ON A STUDENT THAT WOULD
2 DISCOURAGE THE STUDENT FROM TAKING A STATE ASSESSMENT OR
3 ENCOURAGE THE STUDENT'S PARENT TO EXCUSE THE STUDENT FROM
4 TAKING THE STATE ASSESSMENT.

5

6 **SECTION 4.** In Colorado Revised Statutes, 22-7-1205, **amend**
7 (1) (b); and **add** (1) (a.5) and (1) (d) as follows:

8 **22-7-1205. Reading competency - assessments - READ plan**
9 **creation - parental involvement.** (1) (a.5) EACH LOCAL EDUCATION
10 PROVIDER IS REQUIRED TO ADMINISTER A READING ASSESSMENT TO
11 STUDENTS ENROLLED IN KINDERGARTEN DURING THE FIRST NINETY DAYS
12 OF THE SCHOOL YEAR. IF THE LOCAL EDUCATION PROVIDER ADMINISTERS
13 THE READING ASSESSMENT WITHIN THE FIRST SIXTY DAYS OF THE SCHOOL
14 YEAR, IT IS NOT REQUIRED TO ADMINISTER THE LITERACY COMPONENT OF
15 THE SCHOOL READINESS ASSESSMENT AS PROVIDED IN SECTION 22-7-1014
16 (1) (a).

17 (b) If a teacher finds, based on a student's scores on the approved
18 reading assessments, that the student may have a significant reading
19 deficiency, the teacher shall administer to the student one or more
20 diagnostic assessments WITHIN SIXTY DAYS AFTER THE PREVIOUS
21 ASSESSMENT to determine the student's specific reading skill deficiencies.
22 Each local education provider shall select from the list of approved
23 assessments adopted by rule of the state board pursuant to section
24 22-7-1209 (1) those assessments it ~~shall use~~ USES to determine a student's
25 specific reading skill deficiencies. A local education provider may choose
26 to use other diagnostic reading assessments in addition to but not in lieu
27 of the approved assessments.

1 (d) IF, BASED ON A STUDENT'S SCORES ON THE APPROVED READING
2 ASSESSMENTS IN A SPECIFIC SCHOOL YEAR, A TEACHER FINDS THAT A
3 STUDENT DEMONSTRATES READING COMPETENCY APPROPRIATE FOR HIS OR
4 HER GRADE LEVEL, THE LOCAL EDUCATION PROVIDER IS NOT REQUIRED TO
5 ADMINISTER THE APPROVED INTERIM READING ASSESSMENTS TO THE
6 STUDENT FOR THE REMAINDER OF THE SPECIFIC SCHOOL YEAR.

7 **SECTION 5.** In Colorado Revised Statutes, 22-7-1209, **amend**
8 (2) (a) (II) (C) and (2) (a) (II) (D); and **add** (2) (a) (II) (E) as follows:

9 **22-7-1209. State board - rules - department - duties.**

10 (2) (a) (II) The department shall ensure that:

11 (C) Each of the recommended reading diagnostics is proven to
12 accurately identify students' specific reading skill deficiencies; ~~and~~

13 (D) At least one of the recommended reading assessments for
14 kindergarten and first, second, and third grades is normed for the
15 performance of students who speak Spanish as their native language,
16 which assessment is available in both English and Spanish; AND

17 (E) THE LIST OF RECOMMENDED READING ASSESSMENTS AND
18 READING DIAGNOSTICS INCLUDES AT LEAST ONE ASSESSMENT AND ONE
19 DIAGNOSTIC THAT A STUDENT CAN COMPLETE USING PENCIL AND PAPER
20 RATHER THAN USING A COMPUTER.

21 **SECTION 6.** In Colorado Revised Statutes, 22-7-1014, **amend**
22 (1) (a) and (2) (a) as follows:

23 **22-7-1014. Preschool individualized readiness plans - school**
24 **readiness - assessments.** (1) (a) Beginning in the fall semester of 2013,
25 each local education provider that provides a preschool or kindergarten
26 program shall ensure that each student enrolled in a preschool or
27 kindergarten program operated by the local education provider receives

1 an individualized readiness plan that addresses the preschool standards or
2 kindergarten standards, as appropriate, knowledge and skill areas in
3 which a student needs assistance to make progress toward school
4 readiness. IF A STUDENT IS IDENTIFIED AS HAVING A SIGNIFICANT READING
5 DEFICIENCY AS PROVIDED IN SECTION 22-7-1205, THE LOCAL EDUCATION
6 PROVIDER SHALL INCLUDE THE STUDENT'S READ PLAN CREATED
7 PURSUANT TO SECTION 22-7-1206 AS A COMPONENT OF THE STUDENT'S
8 INDIVIDUALIZED READINESS PLAN.

9 (2) (a) Beginning with students who enter kindergarten in the fall
10 semester of 2013, each local education provider shall ensure that each
11 student enrolled in a kindergarten program operated by the local
12 education provider progresses toward demonstrating school readiness.
13 Each local education provider shall administer the school readiness
14 assessment WITHIN THE FIRST SIXTY DAYS OF THE SCHOOL YEAR to each
15 student enrolled in a kindergarten program operated by the local
16 education provider to measure each student's ~~progress toward~~
17 ~~demonstrating~~ LEVEL OF school readiness. IF THE LOCAL EDUCATION
18 PROVIDER ADMINISTERS A READING ASSESSMENT PURSUANT TO SECTION
19 22-7-1205 (1) (a.5) WITHIN THE FIRST SIXTY DAYS OF THE SCHOOL YEAR
20 TO STUDENTS ENROLLED IN THE KINDERGARTEN PROGRAM, THE LOCAL
21 EDUCATION PROVIDER IS NOT REQUIRED TO ADMINISTER THE LITERACY
22 COMPONENT OF THE SCHOOL READINESS ASSESSMENT. THE LOCAL
23 EDUCATION PROVIDER MAY CHOOSE TO MONITOR A STUDENT'S PROGRESS
24 TOWARD DEMONSTRATING SCHOOL READINESS BY ADMINISTERING AN
25 APPROVED SCHOOL READINESS ASSESSMENT MULTIPLE TIMES OVER THE
26 COURSE OF THE SCHOOL YEAR.

27 **SECTION 7. In Colorado Revised Statutes, 22-9-106, amend**

1 (2.5) (b) (II) (A); and **add** (2.5) (c) as follows:

2 **22-9-106. Local boards of education - duties - performance**

3 **evaluation system - compliance - rules - repeal.** (2.5) (b) (II) (A) For

4 the 2014-15 academic year and every year thereafter, a local board shall

5 implement a licensed personnel evaluation system based on the quality

6 standards established pursuant to this article and rule of the state board,

7 including student academic growth; except that, for the 2014-15 academic

8 year only, a local board may determine at what percentage, if any, to

9 weigh student academic growth toward the final level of effectiveness

10 assigned to any person receiving an evaluation pursuant to this article. In

11 no instance may a local board weigh student academic growth, as used in

12 determining a final level of effectiveness, at greater than fifty percent.

13 **FOR THE 2014-15 ACADEMIC YEAR, A LOCAL BOARD SHALL NOT USE THE**

14 **RESULTS OF THE STATE ASSESSMENTS ADMINISTERED PURSUANT TO**

15 **SECTION 22-7-1006.3 IN MEASURING STUDENT ACADEMIC GROWTH FOR**

16 **PURPOSES OF DETERMINING A PERSON'S LEVEL OF EFFECTIVENESS.**

17 (c) **NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (e) OF**

18 **SUBSECTION (1) OF THIS SECTION OR SUBSECTION (7) OF THIS SECTION TO**

19 **THE CONTRARY:**

20 (I) **A LOCAL BOARD MAY USE THE RESULTS OF THE STATE**

21 **ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1006.3 IN THE**

22 **2014-15 SCHOOL YEAR ONLY AS BASELINE DATA FOR MEASURING STUDENT**

23 **ACADEMIC GROWTH IN THE 2015-16 SCHOOL YEAR AND SCHOOL YEARS**

24 **THEREAFTER; AND**

25 (II) **A LOCAL BOARD MAY USE THE RESULTS OF STATE**

26 **ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1006.3 AS A**

27 **MEASURE OF STUDENT ACADEMIC GROWTH FOR EVALUATIONS PREPARED**

1 FOR THE SCHOOL YEAR IN WHICH THE ASSESSMENTS ARE ADMINISTERED
2 ONLY IF THE LOCAL BOARD RECEIVES THE RESULTS AT LEAST TWO WEEKS
3 BEFORE THE DATE BY WHICH PROBATIONARY TEACHERS AND
4 NONPROBATIONARY TEACHERS MUST RECEIVE THE WRITTEN EVALUATION
5 REPORT AS PROVIDED IN PARAGRAPH (c) OF SUBSECTION (1) OF THIS
6 SECTION. A LOCAL BOARD MAY USE THE RESULTS OF STATE ASSESSMENTS
7 AS MEASURES OF STUDENT ACADEMIC GROWTH FOR EDUCATOR
8 EVALUATIONS AND PROFESSIONAL DEVELOPMENT IN THE SCHOOL YEAR
9 FOLLOWING THE SCHOOL YEAR IN WHICH THE ASSESSMENTS ARE
10 ADMINISTERED. IN ANY YEAR IN WHICH A LOCAL BOARD DOES NOT
11 RECEIVE THE STATE ASSESSMENT RESULTS BY TWO WEEKS BEFORE THE
12 DEADLINE FOR THE WRITTEN EVALUATION REPORTS, THE LOCAL BOARD
13 MUST USE ALTERNATE MEASURES OF STUDENT ACADEMIC GROWTH,
14 INCLUDING THE RESULTS OF LOCAL ASSESSMENTS IF AVAILABLE.

15 **SECTION 8.** In Colorado Revised Statutes, 22-11-207, amend
16 (4) as follows:

17 **22-11-207. Accreditation categories - criteria - rules.**

18 (4) (a) The state board by rule shall specify how long a school district or
19 the institute may remain in an accreditation category that is below
20 accredited; except that the state board shall not allow a school district or
21 the institute to remain at accredited with priority improvement plan or
22 below for longer than a total of five consecutive school years before
23 removing the school district's or the institute's accreditation as provided
24 in section 22-11-209.

25 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
26 THIS SUBSECTION (4), FOR PURPOSES OF CALCULATING WHETHER A SCHOOL
27 DISTRICT OR THE INSTITUTE IS ACCREDITED WITH PRIORITY IMPROVEMENT

1 PLAN OR BELOW FOR LONGER THAN A TOTAL OF FIVE CONSECUTIVE
2 SCHOOL YEARS, THE DEPARTMENT SHALL EXCLUDE THE 2015-16 SCHOOL
3 YEAR, DURING WHICH THE DEPARTMENT DOES NOT ASSIGN
4 ACCREDITATION RATINGS AS PROVIDED IN SECTION 22-11-208 (1.5), FROM
5 THE CALCULATION AND SHALL COUNT THE 2016-17 SCHOOL YEAR AS IF IT
6 WERE CONSECUTIVE TO THE 2014-15 SCHOOL YEAR.

7 **SECTION 9.** In Colorado Revised Statutes, 22-11-208, amend
8 (1.5); and add (1.7) as follows:

9 **22-11-208. Accreditation - annual review - supports and**
10 **interventions - rules.** (1.5) Notwithstanding any provision of this article,
11 or any provision of state board rule that implements this article, to the
12 contrary, for the 2015-16 school year, the department shall NOT assign
13 accreditation ratings for school districts and the institute. based on: FOR
14 THE 2015-16 SCHOOL YEAR, EACH SCHOOL DISTRICT AND THE INSTITUTE
15 SHALL CONTINUE TO IMPLEMENT THE PLAN TYPE THAT WAS ASSIGNED FOR
16 THE PRECEDING SCHOOL YEAR. THE DEPARTMENT SHALL ASSIGN
17 ACCREDITATION RATINGS FOR SCHOOL DISTRICTS AND THE INSTITUTE FOR
18 THE 2016-17 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER.

19 (a) The accreditation rating assigned to the school district or the
20 institute for the preceding school year;

21 (b) The school district's or the institute's compliance with the
22 provisions of its accreditation contract;

23 (c) The level of participation on the statewide assessments by
24 students enrolled in the schools of the school district or in the institute
25 charter schools; and

26 (d) Valid and reliable data that meets the guidelines established
27 by the commissioner and that the school district or the institute may

1 submit to the department to demonstrate the school district's or the
2 institute's progress in improving student performance with regard to the
3 Colorado academic standards and postsecondary and workforce readiness
4 and in attaining the statewide targets for the performance indicators and
5 the school district's or the institute's performance targets for the preceding
6 school year.

7 (1.7) AS PART OF THE PRESENTATION TO THE JOINT EDUCATION
8 COMMITTEE REQUIRED BY SECTION 2-7-203, C.R.S., IN 2015, THE
9 DEPARTMENT SHALL REPORT PROGRESS IN USING THE ASSESSMENT
10 RESULTS RECEIVED PURSUANT TO SECTION 22-7-1006.3 TO CALCULATE
11 FAIRLY AND IN A TIMELY MANNER EACH SCHOOL DISTRICT'S AND THE
12 INSTITUTE'S ACHIEVEMENT OF THE PERFORMANCE INDICATORS. THE
13 DEPARTMENT SHALL RECOMMEND TO THE JOINT EDUCATION COMMITTEE
14 WHETHER THE PROVISIONS OF SUBSECTION (1.5) OF THIS SECTION SHOULD
15 BE EXTENDED TO APPLY IN SUBSEQUENT SCHOOL YEARS.

16 **SECTION 10.** In Colorado Revised Statutes, 22-11-210, amend
17 (1) (d) and (2.5); and add (2.7) as follows:

18 **22-11-210. Public schools - annual review - plans - supports**
19 **and interventions - rules.** (1) (d) (I) The state board by rule shall specify
20 how long a public school may implement an improvement, priority
21 improvement, or turnaround plan; except that the state board shall not
22 allow a public school to continue implementing a priority improvement
23 or turnaround plan for longer than a combined total of five consecutive
24 school years before requiring the school district or the institute to
25 restructure or close the public school.

26 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF
27 THIS PARAGRAPH (d), FOR PURPOSES OF CALCULATING WHETHER A PUBLIC

1 SCHOOL IS REQUIRED TO IMPLEMENT A PRIORITY IMPROVEMENT OR
2 TURNAROUND PLAN FOR LONGER THAN A COMBINED TOTAL OF FIVE
3 CONSECUTIVE SCHOOL YEARS, THE DEPARTMENT SHALL EXCLUDE THE
4 2015-16 SCHOOL YEAR, DURING WHICH THE DEPARTMENT DOES NOT
5 RECOMMEND SCHOOL PLANS AS PROVIDED IN SUBSECTION (2.5) OF THIS
6 SECTION, FROM THE CALCULATION AND SHALL COUNT THE 2016-17
7 SCHOOL YEAR AS IF IT WERE CONSECUTIVE TO THE 2014-15 SCHOOL YEAR.

8 (2.5) Notwithstanding any provision of this article, or any
9 provision of state board rule that implements this article, to the contrary,
10 for the 2015-16 school year, the department shall NOT recommend to the
11 state board school plan types. based on: FOR THE 2015-16 SCHOOL YEAR,
12 EACH PUBLIC SCHOOL SHALL CONTINUE TO IMPLEMENT THE SCHOOL PLAN
13 TYPE THAT WAS ASSIGNED FOR THE PRECEDING SCHOOL YEAR. THE
14 DEPARTMENT SHALL RECOMMEND TO THE STATE BOARD SCHOOL PLAN
15 TYPES FOR THE 2016-17 SCHOOL YEAR AND EACH SCHOOL YEAR
16 THEREAFTER.

17 (a) The type of school plan that the public school was required to
18 implement for the preceding school year;

19 (b) The level of participation by students enrolled in the public
20 school in the statewide assessments; and

21 (c) Valid and reliable data that meets the guidelines established by
22 the commissioner and that the school district of the public school or the
23 institute may submit to the department to demonstrate the public school's
24 progress in improving student performance with regard to the Colorado
25 academic standards and postsecondary and workforce readiness and in
26 attaining the statewide targets for the performance indicators, the school
27 district's or the institute's performance targets, and the public school's

1 performance targets for the preceding school year.

2 (2.7) AS PART OF THE PRESENTATION TO THE JOINT EDUCATION
3 COMMITTEE REQUIRED BY SECTION 2-7-203, C.R.S., IN 2015, THE
4 DEPARTMENT SHALL REPORT PROGRESS IN USING THE ASSESSMENT
5 RESULTS RECEIVED PURSUANT TO SECTION 22-7-1006.3 TO CALCULATE
6 FAIRLY AND IN A TIMELY MANNER EACH PUBLIC SCHOOL'S ACHIEVEMENT
7 OF THE PERFORMANCE INDICATORS. THE DEPARTMENT SHALL RECOMMEND
8 TO THE JOINT EDUCATION COMMITTEE WHETHER THE PROVISIONS OF
9 SUBSECTION (2.5) OF THIS SECTION SHOULD BE EXTENDED TO APPLY IN
10 SUBSEQUENT SCHOOL YEARS.

11 **SECTION 11.** In Colorado Revised Statutes, **repeal** part 4 of
12 article 7 of title 22.

13 **SECTION 12.** In Colorado Revised Statutes, 2-2-1801, **amend**
14 (1) (d) as follows:

15 **2-2-1801. Legislative declaration.** (1) The general assembly
16 finds that:

17 (d) At a minimum, the study should examine how the statewide
18 assessments required in sections ~~22-7-409~~, 22-7-1006 and ~~22-7-1013~~
19 22-7-1006.3, C.R.S., and in part 12 of article 7 of title 22, C.R.S., are
20 administered, how the data obtained from the assessments are used, and
21 the impact of the statewide assessments on local assessment systems,
22 instructional time, and administrative workload;

23 **SECTION 13.** In Colorado Revised Statutes, 2-2-1802, **amend**
24 (6) and (10) as follows:

25 **2-2-1802. Definitions.** As used in this part 18, unless the context
26 otherwise requires:

27 (6) "Local assessments" means assessments that a school district

1 or charter school adopts and administers pursuant to section ~~22-7-407~~,
2 22-7-1013 or 22-7-1205, C.R.S.

3 (10) "Statewide assessments" means the assessments administered
4 pursuant to section ~~22-7-409~~, ~~22-7-1006~~, 22-7-1006.3 or 22-7-1205,
5 C.R.S.

6 **SECTION 14.** In Colorado Revised Statutes, 18-1.3-407, **amend**
7 (3.4) (c) as follows:

8 **18-1.3-407. Sentences - youthful offenders - legislative**
9 **declaration - powers and duties of district court - authorization for**
10 **youthful offender system - powers and duties of department of**
11 **corrections - definitions.** (3.4) In addition to the powers granted to the
12 department of corrections in subsection (3.3) of this section, the
13 department of corrections may:

14 (c) Contract with any public or private entity, including but not
15 limited to a school district, for provision or certification of educational
16 services. Offenders receiving educational services or diplomas from a
17 school district under an agreement entered into pursuant to this paragraph
18 (c) shall not be included in computing the school district's student
19 performance on statewide assessments pursuant to ~~section 22-7-409~~
20 SECTION 22-7-1006.3, C.R.S., or the school district's levels of attainment
21 of the performance indicators pursuant to article 11 of title 22, C.R.S.

22 **SECTION 15.** In Colorado Revised Statutes, 22-1-104, **amend**
23 (4) (a) as follows:

24 **22-1-104. Teaching of history, culture, and civil government.**
25 (4) (a) In an effort to increase civic participation among young people,
26 each school district board of education shall convene a community forum
27 on a periodic basis, but not less than once every ten years, for all

1 interested persons to discuss adopted content standards in civics,
2 including the subjects described in subsection (2) of this section. ~~and in~~
3 ~~conformance with the plan to reexamine acceptable performance levels~~
4 ~~described in section 22-7-407 (2).~~

5 **SECTION 16.** In Colorado Revised Statutes, 22-1-123, **amend**
6 (5) (b) as follows:

7 **22-1-123. Protection of student data - parental or legal**
8 **guardian consent for surveys.** (5) (b) The requirement of written
9 consent pursuant to this subsection (5) applies throughout a public
10 school's curriculum and other school activities; except that the
11 requirement of written consent does not apply to a student's participation
12 in an assessment administered pursuant to ~~section 22-7-407 or 22-7-409~~
13 ~~or~~ part 10 of article 7 of this title. In implementing this subsection (5), the
14 school or school district and employees shall ensure that their first
15 responsibility is to students and their parents and shall allow only minimal
16 use of students' academic time by institutions, agencies, or organizations
17 outside the school or school district to gather information from students.

18 **SECTION 17.** In Colorado Revised Statutes, 22-2-106, **amend**
19 (1) (a.5) introductory portion and (1) (a.5) (V) as follows:

20 **22-2-106. State board - duties.** (1) It is the duty of the state
21 board:

22 (a.5) To adopt, on or before May 15, 2013, a comprehensive set
23 of guidelines for the establishment of high school graduation
24 requirements to be used by each school district board of education in
25 developing local high school graduation requirements. Each school
26 district board of education ~~shall retain~~ **RETAINS** the authority to develop
27 its own unique high school graduation requirements, so long as those

1 local high school graduation requirements meet or exceed any minimum
2 standards or basic core competencies or skills identified in the
3 comprehensive set of guidelines for high school graduation developed by
4 the state board pursuant to this paragraph (a.5). In developing the
5 guidelines for high school graduation, the state board shall utilize the
6 recommendations of the state graduation guidelines development council
7 established in section 22-7-414, as it existed prior to July 1, 2008, and
8 shall:

9 (V) Utilize standards-based education, as described in section
10 ~~22-7-402, and as revised pursuant to part 10 of article 7 of this title, as the~~
11 framework for the development of the guidelines for high school
12 graduation and consider how high school graduation requirements can be
13 articulated in a standards-based education system. ~~In the process of~~
14 ~~developing the guidelines for high school graduation, the state board shall~~
15 ~~ensure that the state model content standards, adopted pursuant to section~~
16 ~~22-7-406, are sufficiently rigorous, particularly in the core academic~~
17 ~~subject areas of mathematics, science, reading, and writing so that~~
18 ~~students are exposed to subject matter that research indicates will~~
19 ~~adequately prepare them for entrance into the workforce or the~~
20 ~~postsecondary education system. On or before August 1, 2007, the state~~
21 ~~board shall begin to receive public comment on the adequacy of the~~
22 ~~existing state model content standards. As part of receiving public~~
23 ~~comment, the state board is encouraged to form a stakeholder group of~~
24 ~~parents, teachers, administrators, and others to develop recommendations~~
25 ~~related to modernizing the state model content standards in mathematics,~~
26 ~~science, reading, and writing. On or before February 1, 2008, the state~~
27 ~~board shall report to the education committees of the house of~~

1 ~~representatives and the senate, or any successor committees, on the~~
2 ~~adequacy of the existing state model content standards in these subject~~
3 ~~matters.~~

4 **SECTION 18.** In Colorado Revised Statutes, 22-2-109, **amend**
5 (6) (a) introductory portion and (6) (a) (II) as follows:

6 **22-2-109. State board of education - additional duties - teacher**
7 **standards - principal standards.** (6) (a) On or before January 1, 2003,
8 the state board of education by rule shall adopt performance-based
9 principal licensure standards to guide the development of principal
10 preparation programs offered by institutions of higher education. The
11 state board of education shall develop said standards in collaboration with
12 institutions of higher education that offer principal preparation programs,
13 superintendents and local boards of education, and the commission on
14 higher education. The state board of education shall ensure that said
15 standards are consistent with national standards for principal preparation.
16 Said standards ~~shall~~ MUST include, but need not be limited to, the
17 following:

18 (II) Instructional skills and knowledge and the use of data
19 necessary to lead and organize a standards-based school that is
20 characterized by student proficiency in literacy and the state ~~model~~
21 content standards as described in ~~section 22-7-406~~ SECTION 22-7-1005.

22 **SECTION 19.** In Colorado Revised Statutes, 22-2-117, **amend**
23 (1.5) as follows:

24 **22-2-117. Additional power - state board - waiver of**
25 **requirements - rules.** (1.5) Notwithstanding any provision of this
26 section or any other provision of law, the state board shall not waive
27 requirements contained in article 11 of this title or ~~sections 22-7-409~~

1 SECTIONS 22-7-1006.3, 22-32-105, 22-32-109 (1) (bb) (I) and (2),
2 22-32-109.1 (2) (a), 22-32-146, and 22-33-104 (4).

3 **SECTION 20.** In Colorado Revised Statutes, 22-2-406, **amend**
4 (1) (a) as follows:

5 **22-2-406. Facility schools board duties - curriculum -**
6 **graduation standards - rules.** (1) In addition to any other duties
7 provided by law, the facility schools board shall:

8 (a) Adopt curriculum to be provided by approved facility schools.
9 At a minimum, the facility schools board shall align the curriculum for
10 the core subjects of reading, writing, mathematics, science, history, and
11 geography with the state ~~model~~ content standards adopted pursuant to
12 ~~section 22-7-406~~ SECTION 22-7-1005 and the STATE assessments
13 administered ~~through the Colorado student assessment program pursuant~~
14 ~~to section 22-7-409~~ AS PROVIDED IN SECTION 22-7-1006.3. The curriculum
15 ~~shall~~ MUST include a range of course work from which an approved
16 facility school may select courses that meet the needs of the students who
17 are placed at the facility.

18 **SECTION 21.** In Colorado Revised Statutes, 22-5-115, **amend**
19 (4) as follows:

20 **22-5-115. Financing boards of cooperative services.** (4) For
21 budget years commencing on or after July 1, 1996, any amount received
22 by a board of cooperative services pursuant to this section ~~shall~~ MUST be
23 used to fund professional educator development in standards-based
24 education, ~~pursuant to the plan adopted by each school district pursuant~~
25 ~~to section 22-7-407 (2)~~ AS IMPLEMENTED THROUGH PART 10 OF ARTICLE
26 7 OF THIS TITLE, in each school district that is a member of such board and
27 in any nonmember school district that chooses to participate in a

1 professional educator development program with any board of
2 cooperative services.

3 **SECTION 22.** In Colorado Revised Statutes, 22-7-604.5, **amend**
4 (1) introductory portion, (1) (a) (VI) (A), (1) (a) (VI) (C), and (3) (a) as
5 follows:

6 **22-7-604.5. Alternative education campuses - criteria -**
7 **application - rule-making.** (1) A public school may apply to the state
8 board for designation as an alternative education campus. The state board
9 shall adopt rules specifying the criteria and application process for a
10 public school to be designated an alternative education campus. The rules
11 ~~shall~~ MUST include but need not be limited to:

12 (a) Criteria that a public school must meet to be designated an
13 alternative education campus, including but not limited to the following:

14 (VI) (A) Serving students who have severe limitations that
15 preclude appropriate administration of the assessments administered
16 pursuant to ~~section 22-7-409~~ SECTION 22-7-1006.3;

17 (C) Serving students who attend on a part-time basis and who
18 come from other public schools where the part-time students are counted
19 in the enrollment of the other public school; except that the results of the
20 assessments administered pursuant to ~~section 22-7-409~~ of SECTION
21 22-7-1006.3 TO all part-time students and high-risk students as defined in
22 subsection (1.5) of this section ~~shall~~ MUST be used in determining the
23 levels of attainment on the performance indicators for the public school
24 for which the student is counted for enrollment purposes;

25 (3) (a) Except as excluded pursuant to ~~section 22-7-409~~ SECTION
26 22-7-1006.3, the results of the assessments administered pursuant to
27 ~~section 22-7-409~~ for SECTION 22-7-1006.3 TO all part-time students

1 attending a school or a program that is designated an alternative education
2 campus pursuant to this section ~~shall~~ MUST be included in determining the
3 levels of attainment on the performance indicators achieved by the school
4 to which the student is assigned for enrollment purposes.

5 **SECTION 23.** In Colorado Revised Statutes, 22-7-802, **amend**
6 (3); and **repeal** (1) as follows:

7 **22-7-802. Definitions.** As used in this part 8, unless the context
8 otherwise requires:

9 (1) ~~"CSAP" means the Colorado student assessment program~~
10 ~~administered pursuant to section 22-7-409.~~

11 (3) "Eligible student" means a student who will begin fifth, sixth,
12 seventh, or eighth grade in the next academic year and who has received
13 an unsatisfactory proficiency level score on the STATE reading, writing,
14 or mathematics assessment administered ~~through the CSAP~~ PURSUANT TO
15 SECTION 22-7-1006.3 for the preceding academic year.

16 **SECTION 24.** In Colorado Revised Statutes, 22-11-103, **amend**
17 (33) as follows:

18 **22-11-103. Definitions.** As used in this article, unless the context
19 otherwise requires:

20 (33) "Statewide assessments" means the assessments administered
21 pursuant to ~~the Colorado student assessment program created in section~~
22 ~~22-7-409~~ or as part of the system of assessments adopted by the state
23 board pursuant to section 22-7-1006 SECTION 22-7-1006.3.

24 **SECTION 25.** In Colorado Revised Statutes, 22-24-106, **amend**
25 (1) (c) and (1) (h) as follows:

26 **22-24-106. Department of education - powers - duties - state**
27 **board of education - rules.** (1) The department shall:

1 (c) Establish, by guidelines, any accommodations that a local
2 education provider must allow and the circumstances in which a local
3 education provider must allow the accommodations for English language
4 learners who are taking assessments pursuant to ~~section 22-7-409 or~~
5 ~~22-7-1006~~ SECTION 22-7-1006.3;

6 (h) Disaggregate the data received through the ~~statewide~~ STATE
7 assessment program pursuant to ~~section 22-7-409 or 22-7-1006~~ SECTION
8 22-7-1006.3 and report the English language proficiency and academic
9 achievement of English language learners, while they are receiving
10 services through the English language proficiency program and after they
11 exit the English language proficiency program through high school
12 graduation, as provided in part 5 of article 11 of this title; and

13 **SECTION 26.** In Colorado Revised Statutes, 22-30.5-104,
14 **amend** (6) (c) (II) as follows:

15 **22-30.5-104. Charter school - requirements - authority.**

16 (6) (c) A school district, on behalf of a charter school, may apply to the
17 state board for a waiver of a state statute or state rule that is not an
18 automatic waiver. Notwithstanding any provision of this subsection (6)
19 to the contrary, the state board may not waive any statute or rule relating
20 to:

21 (II) The assessments required to be administered pursuant to
22 ~~section 22-7-409~~ SECTION 22-7-1006.3;

23 **SECTION 27.** In Colorado Revised Statutes, 22-30.5-303,
24 **amend** (2) (b) introductory portion, (2) (b) (III), and (2) (b) (IV) as
25 follows:

26 **22-30.5-303. Independent charter schools - request for**
27 **proposals - response contents.** (2) (b) The state board shall adopt rules

1 specifying a schedule for receipt of the responses to the request for
2 proposals pursuant to paragraph (a) of this subsection (2), the formation
3 of a review committee and receipt of the recommendations of said
4 committee pursuant to section 22-30.5-304, and the selection of an
5 applicant and notification to the local board of education pursuant to
6 section 22-30.5-305. Said schedule ~~shall~~ MUST ensure the completion of
7 negotiations on the independent charter no later than May 30 of the year
8 in which the independent charter school is to open. The rules ~~shall~~ MUST
9 also specify the information that an independent charter proposal ~~shall~~
10 MUST include in order to be eligible for consideration. Such information
11 ~~shall~~ MUST include, but need not be limited to, the following:

12 (III) A description of the independent charter school's educational
13 program, student performance standards, annual targets for the measures
14 used to determine the levels of attainment of the performance indicators
15 specified in section 22-11-204, and curriculum, which ~~shall~~ MUST meet
16 or exceed the state ~~model content~~ PRESCHOOL THROUGH ELEMENTARY
17 AND SECONDARY EDUCATION standards adopted pursuant to ~~part 4 or part~~
18 10 of article 7 of this title and ~~shall~~ MUST be designed to enable each
19 student to achieve such standards and targets;

20 (IV) A description of the independent charter school's plan for
21 evaluating student performance, the types of assessments that ~~shall~~ MUST
22 be used to measure student progress toward achievement of the school's
23 student performance standards and the targets for the measures used to
24 determine the levels of attainment of the performance indicators,
25 including but not limited to the ~~statewide~~ STATE assessments administered
26 ~~under the Colorado student assessment program pursuant to section~~
27 ~~22-7-409~~ PURSUANT TO SECTION 22-7-1006.3, the timeline for

1 achievement of the school's student performance standards and the
2 targets, and the procedures for taking corrective action in the event that
3 student performance at the independent charter school fails to meet such
4 standards and targets;

5 **SECTION 28.** In Colorado Revised Statutes, 22-30.5-505,
6 **amend** (8) as follows:

7 **22-30.5-505. State charter school institute - institute board -**
8 **appointment - powers and duties - rules.** (8) The institute shall ensure
9 that each institute charter school adopts content standards ~~in a manner~~
10 ~~consistent with that required of school districts pursuant to section~~
11 ~~22-7-407~~ AS REQUIRED IN SECTION 22-7-1013.

12 **SECTION 29.** In Colorado Revised Statutes, 22-30.5-507,
13 **amend** (7) (b) (II) as follows:

14 **22-30.5-507. Institute charter school - requirements -**
15 **authority - rules.** (7) (b) An institute charter school may apply to the
16 state board, through the institute, for a waiver of state statutes and state
17 rules that are not automatic waivers. The state board may waive state
18 statutory requirements or rules promulgated by the state board; except that
19 the state board may not waive any statute or rule relating to:

20 (II) The assessments required to be administered pursuant to
21 ~~section 22-7-409~~ SECTION 22-7-1006.3;

22 **SECTION 30.** In Colorado Revised Statutes, 22-30.7-105,
23 **amend** (2) introductory portion and (2) (b) as follows:

24 **22-30.7-105. Program criteria - guidelines - quality standards**
25 **- records - rules.** (2) The following guidelines apply to each on-line
26 program or on-line school ~~that is~~ created or overseen pursuant to the
27 provisions of this article:

1 (b) Each student participating in an on-line program or on-line
2 school ~~shall be~~ IS subject to the ~~statewide~~ STATE assessments
3 administered pursuant to ~~section 22-7-409~~ SECTION 22-7-1006.3.

4 **SECTION 31.** In Colorado Revised Statutes, 22-32-109, **amend**
5 (1) (aa) as follows:

6 **22-32-109. Board of education - specific duties.** (1) In addition
7 to any other duty required to be performed by law, each board of
8 education shall have and perform the following specific duties:

9 (aa) To adopt ~~content standards and a plan for implementation of~~
10 ~~such content standards pursuant to the provisions of section 22-7-407~~
11 AND IMPLEMENT PRESCHOOL THROUGH ELEMENTARY AND SECONDARY
12 EDUCATION STANDARDS AS REQUIRED IN PART 10 OF ARTICLE 7 OF THIS
13 TITLE;

14 **SECTION 32.** In Colorado Revised Statutes, 22-32-109.6,
15 **amend** (2) (a) as follows:

16 **22-32-109.6. Board of education - specific duties - class size**
17 **reduction plans - alternative student achievement plans - definitions.**

18 (2) As used in this section, unless the context otherwise requires:

19 (a) "Class" means a non-elective class in kindergarten or the first,
20 second, or third grade or any combination of kindergarten or the first,
21 second, or third grades in a public school, which class provides
22 instruction in one or more of the ~~first priority state model content~~
23 ~~standards~~ areas of reading, writing, mathematics, science, history, or
24 geography. ~~as described in section 22-7-406 (1) (a).~~

25 **SECTION 33.** In Colorado Revised Statutes, 22-32.5-108,
26 **amend** (2) introductory portion and (2) (a) as follows:

27 **22-32.5-108. District of innovation - waiver of statutory and**

1 **regulatory requirements.** (2) Each district of innovation ~~shall continue~~
2 CONTINUES to be subject to all statutes and rules that are not waived by
3 the state board pursuant to subsection (1) of this section, including but not
4 limited to all statutes and rules concerning implementation of:

5 (a) The ~~Colorado student assessment program created in section~~
6 ~~22-7-409~~ STATE ASSESSMENT REQUIREMENTS SPECIFIED IN SECTION
7 22-7-1006.3;

8 **SECTION 34.** In Colorado Revised Statutes, 22-43.7-111,
9 **amend** (1) introductory portion and (1) (c) as follows:

10 **22-43.7-111. Reporting requirements - auditing by state**
11 **auditor.** (1) No later than February 15, 2010, and no later than each
12 February 15 thereafter, the board shall present a written report to the
13 education and finance committees of the house of representatives and the
14 senate and the capital development committee, or any successor
15 committees, regarding the provision of financial assistance to applicants
16 pursuant to this article. The report ~~shall~~ MUST include, at a minimum:

17 (c) A summary of any differences between the common physical
18 design elements and characteristics of the highest performing schools in
19 the state and the lowest performing schools in the state as measured by
20 academic productivity measures such as the ~~Colorado student assessment~~
21 ~~program created in part 4 of article 7 of this title~~ STATE ASSESSMENTS
22 ADMINISTERED PURSUANT TO SECTION 22-7-1006.3 or Colorado ACT
23 results; and

24 **SECTION 35.** In Colorado Revised Statutes, 22-54-103, **amend**
25 (1.5) (b) (IV) as follows:

26 **22-54-103. Definitions.** As used in this article, unless the context
27 otherwise requires:

1 (1.5) (b) For purposes of this subsection (1.5):

2 (IV) "District pupils who are English language learners" means
3 the number of pupils included in the district pupil enrollment for the
4 preceding budget year who were not eligible for free lunch pursuant to the
5 provisions of the federal "National School Lunch Act", 42 U.S.C. sec.
6 1751 et seq., and who are English language learners, as defined in section
7 22-24-103 (3), and:

8 (A) Whose scores were not included in calculating school
9 academic performance grades as provided in ~~section 22-7-409 (1.2) (d)~~
10 ~~(H) (C)~~ SECTION 22-7-1006.3; or

11 (B) Who took an assessment administered pursuant to ~~section~~
12 ~~22-7-409~~ SECTION 22-7-1006.3 in a language other than English.

13 **SECTION 36.** In Colorado Revised Statutes, 22-55-102, **amend**
14 (1) (b), (2) (a) (II), and (3) introductory portion as follows:

15 **22-55-102. Definitions.** As used in this article, unless the context
16 otherwise requires:

17 (1) "Accountability reporting" means any requirement established
18 in law that mandates school districts to report or provide information
19 relative to school improvement to the state board or the department,
20 including, but not limited to:

21 (b) Reporting requirements in connection with the administration
22 ~~and implementation of the Colorado student assessment program~~
23 ~~developed pursuant to part 4 of article 7 of this title~~ STATE ASSESSMENTS
24 PURSUANT TO SECTION 22-7-1006.3; or

25 (2) (a) "Accountable education reform" means any program or
26 plan for reforming preschool through twelfth-grade education in the state
27 that complies with accountability standards imposed by law on school

1 districts in the state, including, but not limited to, the requirements set
2 forth in:

3 ~~(II) Part 4 of article 7 of this title relating to the Colorado student~~
4 ~~assessment program~~ PART 10 OF ARTICLE 7 OF THIS TITLE.

5 (3) "Accountable programs to meet state academic standards"
6 include, but are not limited to, programs designed to assist students in
7 demonstrating improved academic achievement on ~~student~~ STATE
8 assessments administered ~~under the Colorado student assessment program~~
9 ~~developed pursuant to part 4 of article 7 of this title~~ PURSUANT TO
10 SECTION 22-7-1006.3. "Accountable programs to meet state academic
11 standards" include, but are not limited to, programs:

12 **SECTION 37.** In Colorado Revised Statutes, 22-60.5-110,
13 **amend** (3) (c) (I) as follows:

14 **22-60.5-110. Renewal of licenses.** (3) (c) In selecting
15 professional development activities for the renewal of a professional
16 license pursuant to this section, each licensee shall choose those activities
17 that will aid the licensee in meeting the standards for a professional
18 educator, including but not limited to the following goals:

19 (I) Knowledge of subject matter content and learning, including
20 knowledge and application of standards-based education pursuant to ~~part~~
21 ~~4~~ PART 10 of article 7 of this title;

22 **SECTION 38.** In Colorado Revised Statutes, 22-60.5-203,
23 **amend** (2) as follows:

24 **22-60.5-203. Assessment of professional competencies - rules.**

25 (2) The state board by rule shall identify the professional competencies
26 required of the applicants described in subsection (3) of this section
27 specifically in the context of the requirements of standards-based

1 education pursuant to the requirements of ~~part 4~~ PART 10 of article 7 of
2 this title. Such professional competencies ~~shall~~ apply to an applicant only
3 within the scope of the subject matter to be taught by the applicant.

4 **SECTION 39.** In Colorado Revised Statutes, 22-60.5-303,
5 **amend** (2) (h) as follows:

6 **22-60.5-303. Assessment of professional competencies.** (2) The
7 following list of areas of knowledge is a guideline to be used by the state
8 board of education and shall not be construed as inclusive or prescriptive:

9 (h) Knowledge and application of standards-based education
10 pursuant to ~~part 4~~ PART 10 of article 7 of this title.

11 **SECTION 40.** In Colorado Revised Statutes, 22-60.5-308,
12 **amend** (2) (h) as follows:

13 **22-60.5-308. Assessment of professional competencies.** (2) The
14 following list of areas of knowledge is a guideline to be used by the state
15 board of education and shall not be construed as inclusive or prescriptive:

16 (h) Knowledge and application of standards-based education
17 pursuant to ~~part 4~~ PART 10 of article 7 of this title.

18 **SECTION 41.** In Colorado Revised Statutes, 23-1-119.2, **amend**
19 (1) (a) and (1) (b) introductory portion as follows:

20 **23-1-119.2. Commission directive - notice of college**
21 **preparatory courses for high school students.** (1) The commission
22 shall adopt a policy on or before October 1, 2005, to:

23 (a) Obtain, on or before June 1 of each school year, from the
24 APPROPRIATE test ~~administrator for the standardized, curriculum-based,~~
25 ~~achievement, college entrance exam administered pursuant to section~~
26 ~~22-7-409 (1.5) (a), C.R.S., and the precollegiate exam~~ ADMINISTRATORS
27 the names and mailing addresses of all students enrolled in Colorado

1 public schools who take ~~either~~ A STANDARDIZED, CURRICULUM-BASED,
2 ACHIEVEMENT COLLEGE ENTRANCE EXAM OR A PRECOLLEGIATE exam;

3 (b) Beginning in the spring of 2006, send an annual notice
4 concerning college preparatory courses to the parent or legal guardian of
5 each student who takes ~~the~~ A standardized, curriculum-based,
6 achievement, college entrance exam ~~administered pursuant to section~~
7 ~~22-7-409 (1.5) (a), C.R.S., or the~~ OR A precollegiate exam. The
8 COMMISSION SHALL SEND THE notice ~~shall be sent~~ to the parent or legal
9 guardian prior to the start of a student's twelfth-grade year if the student
10 took the standardized, curriculum-based, achievement, college entrance
11 exam, or prior to the start of a student's eleventh-grade year if the student
12 took the precollegiate exam. At a minimum, the notice ~~shall~~ MUST
13 include:

14 **SECTION 42.** In Colorado Revised Statutes, 23-1-121, **amend**
15 (2) introductory portion and (2) (c) as follows:

16 **23-1-121. Commission directive - approval of educator**
17 **preparation programs - review.** (2) The commission shall adopt
18 policies establishing the requirements for educator preparation programs
19 offered by institutions of higher education. The department shall work in
20 cooperation with the state board of education in developing the
21 requirements for educator preparation programs. At a minimum, the
22 requirements ~~shall~~ MUST ensure that each educator preparation program
23 complies with section 23-1-125, is designed on a performance-based
24 model, and includes:

25 (c) Course work and field-based training that integrates theory and
26 practice and educates candidates in the methodologies, practices, and
27 procedures of standards-based education, as described in ~~parts 4 and~~ PART

1 10 of article 7 of title 22, C.R.S., and specifically in teaching to the state
2 ~~academic standards adopted pursuant to section 22-7-406, C.R.S., or,~~
3 ~~beginning December 15, 2012, teaching to the state preschool through~~
4 elementary and secondary education standards adopted pursuant to
5 section 22-7-1005, C.R.S.;

6 **SECTION 43.** In Colorado Revised Statutes, 26-6.5-101.5,
7 **repeal** (4) as follows:

8 **26-6.5-101.5. Definitions.** As used in this part 1, unless the
9 context otherwise requires:

10 (4) ~~"CSAP" means the Colorado student assessment program~~
11 ~~implemented pursuant to section 22-7-409, C.R.S.~~

12 **SECTION 44.** In Colorado Revised Statutes, 22-7-1003, **repeal**
13 (12), (13), (14), and (16) as follows:

14 **22-7-1003. Definitions.** As used in this part 10, unless the context
15 otherwise requires:

16 (12) ~~"Pilot program" means the pilot program for administration~~
17 ~~of postsecondary and workforce planning, preparation, and readiness~~
18 ~~assessments implemented pursuant to section 22-7-1007.~~

19 (13) ~~"Postsecondary and workforce planning assessment" means~~
20 ~~an assessment or battery of assessments administered to students in eighth~~
21 ~~or ninth grade that, at a minimum, tests in the areas of reading,~~
22 ~~mathematics, and science, provides guidance regarding a student's level~~
23 ~~of academic preparation for entry into postsecondary education or the~~
24 ~~workforce, and is relevant to the student for purposes of postsecondary~~
25 ~~planning.~~

26 (14) ~~"Postsecondary and workforce preparation assessment"~~
27 ~~means an assessment or battery of assessments administered to students~~

1 ~~in tenth grade that, at a minimum, tests in the areas of reading,~~
2 ~~mathematics, and science, provides guidance regarding a student's level~~
3 ~~of academic preparation for entry into postsecondary education or the~~
4 ~~workforce, and is relevant to college admission determinations.~~

5 (16) ~~"Postsecondary and workforce readiness assessment" means~~
6 ~~an assessment or battery of assessments administered to students in~~
7 ~~eleventh grade that, at a minimum, tests in the areas of reading,~~
8 ~~mathematics, and science and is relevant to college admission~~
9 ~~determinations by institutions of higher education throughout the United~~
10 ~~States.~~

11 **SECTION 45.** In Colorado Revised Statutes, 22-7-1005, **repeal**
12 (4) as follows:

13 **22-7-1005. Preschool through elementary and secondary**
14 **education - aligned standards - adoption - revisions.** (4) ~~In adopting~~
15 ~~the standards for preschool through elementary and secondary education~~
16 ~~pursuant to this section, the state board shall ensure that it includes~~
17 ~~standards for grades nine through twelve that are aligned with the~~
18 ~~postsecondary and workforce planning, preparation, and readiness~~
19 ~~assessments adopted by the state board and the commission pursuant to~~
20 ~~section 22-7-1008.~~

21 **SECTION 46.** In Colorado Revised Statutes, 22-7-1006, **amend**
22 (2) and (5) as follows:

23 **22-7-1006. Preschool through elementary and secondary**
24 **education - aligned assessments - adoption - revisions.** (2) ~~In adopting~~
25 ~~the system of assessments, the state board shall ensure that it includes the~~
26 ~~postsecondary and workforce planning, preparation, and readiness~~
27 ~~assessments adopted by the state board and the commission pursuant to~~

1 ~~section 22-7-1008~~ THE ASSESSMENTS IT ADOPTS THAT ARE ADMINISTERED
2 IN HIGH SCHOOL ARE DESIGNED TO ENABLE A STUDENT TO DEMONSTRATE
3 POSTSECONDARY AND WORKFORCE READINESS BY THE TIME THE STUDENT
4 GRADUATES FROM HIGH SCHOOL.

5 (5) (a) Every six years after the adoption of the system of
6 assessments pursuant to paragraph (a) of subsection (1) of this section,
7 the state board shall review and adopt any appropriate revisions to such
8 system of assessments. The state board may adopt revisions to an
9 assessment or adopt additional assessments, regardless of whether it
10 adopts any revision to the standards with which the assessment is aligned.
11 In adopting revisions to the system of assessments, the state board shall
12 ensure that the system of assessments continues to meet the requirements
13 specified in this section.

14 (b) IN REVIEWING THE ASSESSMENTS ADMINISTERED TO STUDENTS
15 ENROLLED IN HIGH SCHOOL, THE STATE BOARD SHALL ADOPT ANY
16 REVISIONS THAT MAY BE NECESSARY TO ENSURE THAT THE ASSESSMENTS
17 ARE ALIGNED WITH ANY REVISIONS TO THE DESCRIPTION OF
18 POSTSECONDARY AND WORKFORCE READINESS ADOPTED BY THE STATE
19 BOARD AND THE COMMISSION PURSUANT TO SECTION 22-7-1008 (3) (a).

20 **SECTION 47.** In Colorado Revised Statutes, **repeal** 22-7-1007.

21 **SECTION 48.** In Colorado Revised Statutes, 22-7-1008, **amend**
22 (1) (b) and (2); and **repeal** (3) (b) as follows:

23 **22-7-1008. Postsecondary and workforce readiness description**
24 **- adoption - revision.** (1) (b) ~~Based on the data received by the~~
25 ~~department of education from the operation of the pilot program pursuant~~
26 ~~to section 22-7-1007, the state board and the commission may modify the~~
27 ~~description of postsecondary and workforce readiness as appropriate to~~

1 ~~ensure alignment of the standards for grades nine through twelve, the~~
2 ~~postsecondary and workforce planning, preparation, and readiness~~
3 ~~assessments, and the description of postsecondary and workforce~~
4 ~~readiness.~~ The state board and the commission may further modify the
5 description of postsecondary and workforce readiness as necessary based
6 on the recommendations received through the peer review process on the
7 amended state plan pursuant to section 22-7-1012 to ensure alignment of
8 the postsecondary and workforce readiness description with the standards
9 and assessments.

10 (2) (a) ~~On or before December 15, 2010, or as soon thereafter as~~
11 ~~fiscally practicable, the state board and the commission shall negotiate a~~
12 ~~consensus and adopt one or more postsecondary and workforce planning~~
13 ~~assessments, postsecondary and workforce preparation assessments, and~~
14 ~~postsecondary and workforce readiness assessments that local education~~
15 ~~providers shall administer pursuant to section 22-7-1016. The state board~~
16 ~~and the commission shall base the selection of the postsecondary and~~
17 ~~workforce planning, preparation, and readiness assessments on the~~
18 ~~information received through the operation of the pilot program, ensuring~~
19 ~~that the selected assessments are aligned with the standards for grades~~
20 ~~nine through twelve and with the description of postsecondary and~~
21 ~~workforce readiness.~~ THE STATE BOARD, IN ADOPTING STATE
22 ASSESSMENTS PURSUANT TO SECTION 22-7-1006, SHALL ENSURE THAT THE
23 STATE ASSESSMENTS ADMINISTERED TO STUDENTS ENROLLED IN HIGH
24 SCHOOL ARE SUFFICIENT TO ENABLE A STUDENT TO DEMONSTRATE
25 POSTSECONDARY AND WORKFORCE READINESS BY THE TIME THE STUDENT
26 GRADUATES FROM HIGH SCHOOL.

27 (b) ~~Following adoption of the postsecondary and workforce~~

1 planning, preparation, and readiness assessments, the state board and the
2 commission shall negotiate a consensus and adopt scoring criteria for the
3 postsecondary and workforce planning, preparation, and readiness
4 assessments to indicate a student's level of postsecondary and workforce
5 readiness, based on the student's level of performance on the assessments.
6 The state board and the commission shall ensure that the scoring criteria
7 for the postsecondary and workforce planning, preparation, and readiness
8 assessments are aligned with the scoring criteria that apply to the system
9 of assessments for preschool through elementary and secondary education
10 standards.

11 (c) ~~The state board and the commission shall negotiate a~~
12 ~~consensus and modify the postsecondary and workforce planning,~~
13 ~~preparation, and readiness assessments adopted pursuant to this section~~
14 ~~as necessary in response to comments received through the peer review~~
15 ~~process and to reflect the contents of the state plan approved pursuant to~~
16 ~~section 22-7-1012.~~

17 (3) (b) Every six years after the adoption of the postsecondary and
18 workforce planning, preparation, and readiness assessments pursuant to
19 paragraph (a) of subsection (2) of this section, the state board and the
20 commission shall review, negotiate a consensus, and adopt any
21 appropriate revisions to such assessments. The state board and the
22 commission may adopt revisions to the postsecondary and workforce
23 planning, preparation, and readiness assessments, regardless of whether
24 they adopt any revisions to the postsecondary and workforce readiness
25 description. In adopting revisions to the assessments, the state board and
26 the commission shall ensure that the assessments continue to meet the
27 requirements specified in subsection (2) of this section. The state board

1 and the commission shall also review and adopt any appropriate revisions
2 to the scoring criteria.

3 **SECTION 49.** In Colorado Revised Statutes, 22-7-1012, **amend**
4 (2) (a) introductory portion and (2) (a) (I); and **repeal** (1) as follows:

5 **22-7-1012. State plan - amendments - peer review - final**
6 **adoption.** (1) ~~The department of education shall solicit information from~~
7 ~~local education providers that began administering postsecondary and~~
8 ~~workforce planning, preparation, and readiness assessments prior to~~
9 ~~implementation of the pilot program and from local education providers~~
10 ~~and assessment vendors that are participating in the pilot program. The~~
11 ~~department of education may contract with an independent, nationally~~
12 ~~recognized third party to conduct a rigorous evaluation of the information~~
13 ~~received and, based on the evaluation, to make recommendations to the~~
14 ~~department and the state board concerning amendments to the state plan.~~

15 (2) (a) As soon as practicable under federal law, based on ~~the~~
16 ~~evaluation of information received pursuant to subsection (1) of this~~
17 ~~section and on information received by the state board pursuant to section~~
18 ~~22-7-1010 and on any information received from the regional educator~~
19 ~~meetings pursuant to section 22-7-1011, the department of education shall~~
20 ~~submit to the federal department of education amendments to the state~~
21 ~~plan for peer review and approval. The amendments, at a minimum, shall~~
22 ~~include:~~

23 (I) Amendments to incorporate the preschool through elementary
24 and secondary education standards adopted by the state board pursuant to
25 section 22-7-1005; ~~including the standards for grades nine through twelve~~
26 ~~that are aligned with the postsecondary and workforce planning,~~
27 ~~preparation, and readiness assessments adopted pursuant to section~~

1 ~~22-7-1008~~; and

2 **SECTION 50.** In Colorado Revised Statutes, 22-7-1015, **amend**
3 (3) (b) as follows:

4 **22-7-1015. Postsecondary and workforce readiness program**
5 **- technical assistance.** (3) (b) Notwithstanding the provisions of
6 paragraph (a) of this subsection (3), a local education provider may allow
7 a student who is receiving special education services to demonstrate
8 attainment of postsecondary and workforce readiness through a
9 differentiated plan for purposes of the postsecondary and workforce
10 readiness program, ~~and the postsecondary and workforce planning,~~
11 ~~preparation, and readiness assessments,~~ if required in the student's
12 individualized education program.

13 **SECTION 51.** In Colorado Revised Statutes, 22-7-1016, **amend**
14 (1), (2) (b), and (4) (a) as follows:

15 **22-7-1016. Assessments in high school - transcripts.** (1) Each
16 ~~local education provider shall administer the postsecondary and~~
17 ~~workforce planning, preparation, and readiness assessments adopted by~~
18 ~~the state board and the commission pursuant to section 22-7-1008 within~~
19 ~~two years of the adoption of such assessments.~~ Upon receiving the results
20 following administration of the ~~postsecondary and workforce planning,~~
21 ~~preparation, and readiness~~ assessments ADMINISTERED PURSUANT TO
22 SECTION 22-7-1006.3 TO STUDENTS ENROLLED IN **HIGH SCHOOL**, the local
23 education provider shall provide to each student a printed copy of the
24 student's assessment results, and a teacher or counselor shall review each
25 student's results with the student and, to the extent practicable, with the
26 student's parent or legal guardian and determine the areas in which the
27 student continues to need instruction in order to demonstrate

1 postsecondary and workforce readiness prior to or upon attaining a high
2 school diploma.

3 (2) Each high school student's final transcript shall describe the
4 student's level of postsecondary and workforce readiness by:

5 (b) Indicating the student's level of performance on the
6 ~~postsecondary and workforce planning, preparation, and~~ readiness
7 assessments ADMINISTERED TO THE STUDENT PURSUANT TO SECTION
8 22-7-1006.3 IN HIGH SCHOOL.

9 (4) (a) A local education provider shall not apply a student's level
10 of performance in the postsecondary and workforce readiness program or
11 on the ~~postsecondary and workforce planning, preparation, and~~ readiness
12 assessments ADMINISTERED TO THE STUDENT PURSUANT TO SECTION
13 22-7-1006.3 IN HIGH SCHOOL to prohibit the student from participating in
14 any program operated by the local education provider through which the
15 student may earn postsecondary or career and technical education course
16 credits while enrolled in high school.

17 **SECTION 52.** In Colorado Revised Statutes, 22-7-1018, **amend**
18 (1) (c) (V), (1) (c) (VI), (1) (c) (VII), and (2) (b) as follows:

19 **22-7-1018. Cost study.** (1) (c) At a minimum, the cost study shall
20 address the costs associated with:

21 (V) Aligning the preschool, elementary, secondary, and
22 postsecondary education curricula with the postsecondary and workforce
23 readiness description; ~~and administering and reviewing the postsecondary~~
24 ~~and workforce planning, preparation, and readiness assessments;~~

25 (VI) Making changes to the postsecondary admissions processes
26 and publications to take into account the postsecondary and workforce
27 readiness description and the ~~postsecondary and workforce planning,~~

1 ~~preparation, and readiness~~ assessments ADMINISTERED PURSUANT TO
2 SECTION 22-7-1006.3 TO STUDENTS ENROLLED IN HIGH SCHOOL; and

3 (VII) Reviewing, adopting, and implementing standards in
4 educator preparation programs to incorporate the preschool through
5 elementary and secondary education standards, the school readiness
6 description, the system of assessments, the individualized readiness plans,
7 AND the postsecondary and workforce readiness description. ~~and the~~
8 ~~postsecondary and workforce planning, preparation, and readiness~~
9 ~~assessments.~~

10 (2) The entity selected to conduct the cost study shall submit
11 reports to the department of education and the department of higher
12 education in accordance with the following timeline:

13 (b) On or before October 1, 2011, a report of the costs pertaining
14 to implementation of the school readiness assessments AND the system of
15 assessments that is aligned with the preschool through elementary and
16 secondary education standards; and ~~the postsecondary and workforce~~
17 ~~planning, preparation, and readiness assessments; and~~

18 **SECTION 53.** In Colorado Revised Statutes, 22-7-302, **amend**
19 (2) as follows:

20 **22-7-302. Definitions.** As used in this part 3, unless the context
21 otherwise requires:

22 (2) "Close the achievement and growth gap" means to lessen the
23 variance in academic achievement and growth among student groups, as
24 reflected in ~~statewide~~ STATE assessment scores ~~or performance on~~
25 ~~postsecondary and workforce readiness assessments~~ and in calculations
26 of students' longitudinal academic growth, by improving the academic
27 achievement and growth of students in those groups that are

1 underperforming.

2 **SECTION 54.** In Colorado Revised Statutes, 22-11-103, **repeal**
3 (26) as follows:

4 **22-11-103. Definitions.** As used in this article, unless the context
5 otherwise requires:

6 (26) ~~"Postsecondary and workforce readiness assessment" shall~~
7 ~~have the same meaning as provided in section 22-7-1003 (16).~~

8 **SECTION 55.** In Colorado Revised Statutes, 22-11-202, **repeal**
9 (1) (c) as follows:

10 **22-11-202. Colorado growth model - technical advisory panel**
11 **- rules.** (1) (c) ~~Within ninety days after receiving the information from~~
12 ~~the 2009-10 administration of the postsecondary and workforce planning,~~
13 ~~preparation, and readiness assessments pursuant to section 22-7-1007, the~~
14 ~~department shall recommend to the state board for adoption by rule any~~
15 ~~necessary adjustments to the Colorado growth model to ensure that it~~
16 ~~measures student academic growth over time toward attainment of the~~
17 ~~standards adopted pursuant to section 22-7-1005 and attainment of~~
18 ~~postsecondary and workforce readiness as described pursuant to section~~
19 ~~22-7-1008. In recommending adjustments to the Colorado growth model,~~
20 ~~the department shall consult with the technical advisory panel appointed~~
21 ~~pursuant to subsection (2) of this section.~~

22 **SECTION 56.** In Colorado Revised Statutes, 22-11-204, **amend**
23 (4) (a) (I), (4) (b) (I), (4) (c) (I), (5) (a) (I) (F), (5) (b) (I) (F), (5) (c) (I)
24 (F), and (6) (c) as follows:

25 **22-11-204. Performance indicators - measures.** (4) The
26 department shall determine the level of attainment of each public high
27 school, each school district, the institute, and the state as a whole on the

1 postsecondary and workforce readiness indicator by using, at a minimum,
2 the following measures:

3 (a) For each public high school, the department shall calculate:

4 (I) The percentages of students enrolled in the eleventh grade in
5 the public high school who score at each achievement level on the
6 standardized, curriculum-based, achievement, college entrance
7 examination administered as a statewide assessment or the percentages of
8 students enrolled in each of the grade levels included in the public high
9 school who score at each achievement level on the ~~postsecondary and~~
10 ~~workforce readiness~~ assessments administered PURSUANT TO SECTION
11 22-7-1006.3 by the public high school;

12 (b) For each school district and the institute, the department shall
13 calculate:

14 (I) The overall percentages of students enrolled in the eleventh
15 grade in all of the district public high schools or all institute charter high
16 schools who score at each achievement level on the standardized,
17 curriculum-based, achievement, college entrance examination
18 administered as a statewide assessment or the percentages of students
19 enrolled in each of the grade levels included in the public high schools
20 who score at each achievement level on the ~~postsecondary and workforce~~
21 ~~readiness~~ assessments administered PURSUANT TO SECTION 22-7-1006.3
22 by the public high schools;

23 (c) For the state, the department shall calculate:

24 (I) The percentages of students enrolled in the eleventh grade in
25 public high schools statewide who score at each achievement level on the
26 standardized, curriculum-based, achievement, college entrance
27 examination administered as a statewide assessment or the percentages of

1 students enrolled in each of the grade levels included in the public high
2 schools statewide who score at each achievement level on the
3 ~~postsecondary and workforce readiness~~ assessments administered
4 PURSUANT TO SECTION 22-7-1006.3 by the public high schools;

5 (5) The department shall determine the level of attainment of each
6 public school, each school district, the institute, and the state as a whole
7 on the performance indicator that concerns the progress made in closing
8 the achievement and growth gaps by using the following measures:

9 (a) (I) For each public school, the department shall disaggregate
10 by student group:

11 (F) For each public high school, the percentage of students
12 enrolled in the eleventh grade in the public high school who score at each
13 achievement level of the standardized, curriculum-based, achievement,
14 college entrance examination or the percentages of students enrolled in
15 each of the grade levels included in the public high school who score at
16 each achievement level on the ~~postsecondary and workforce readiness~~
17 assessments administered PURSUANT TO SECTION 22-7-1006.3 by the
18 public high school; the percentages of students graduating from the public
19 high school who receive a diploma that includes a postsecondary and
20 workforce readiness endorsement or an endorsement for exemplary
21 demonstration of postsecondary and workforce readiness; and the
22 graduation and dropout rates.

23 (b) (I) For each school district and the institute, the department
24 shall disaggregate by student group:

25 (F) The overall percentage of students enrolled in the eleventh
26 grade in the district public high schools or the institute charter high
27 schools who score at each achievement level of the standardized,

1 curriculum-based, achievement, college entrance examination or the
2 percentages of students enrolled in each of the grade levels included in
3 the public high schools who score at each achievement level on the
4 ~~postsecondary and workforce readiness~~ assessments administered
5 PURSUANT TO SECTION 22-7-1006.3 by the public high schools; the overall
6 percentages of students graduating from the district public high schools,
7 or the institute charter high schools, who receive a diploma that includes
8 a postsecondary and workforce readiness endorsement or an endorsement
9 for exemplary demonstration of postsecondary and workforce readiness;
10 and the overall graduation and dropout rates for the district public high
11 schools or the institute charter high schools.

12 (c) (I) For the state, the department shall disaggregate by student
13 group:

14 (F) The percentage of students enrolled in the eleventh grade in
15 the public high schools in the state who score at each achievement level
16 of the standardized, curriculum-based, achievement, college entrance
17 examination or the percentages of students enrolled in each of the grade
18 levels included in the public high schools in the state who score at each
19 achievement level on the ~~postsecondary and workforce readiness~~
20 assessments administered PURSUANT TO SECTION 22-7-1006.3 by the
21 public high schools; the overall percentages of students graduating from
22 the public high schools in the state who receive diplomas that include
23 postsecondary and workforce readiness endorsements or endorsements for
24 exemplary demonstration of postsecondary and workforce readiness; and
25 the overall graduation and dropout rates for the public high schools in the
26 state.

27 (6) Notwithstanding any provision of this section to the contrary:

1 (c) The department may adjust the calculations specified in this
2 section as necessary to take into account students for whom no score is
3 recorded on the statewide assessments OR the standardized,
4 curriculum-based, achievement, college entrance examination. ~~or the~~
5 ~~postsecondary and workforce readiness assessments.~~

6 **SECTION 57.** In Colorado Revised Statutes, 23-1-113, **repeal** (6)
7 as follows:

8 **23-1-113. Commission directive - admission standards for**
9 **baccalaureate and graduate institutions of higher education - policy**
10 **- definitions.** (6) (a) ~~On or before December 15, 2010, pursuant to~~
11 ~~section 22-7-1008, C.R.S., the commission and the state board of~~
12 ~~education shall negotiate a consensus and adopt one or more~~
13 ~~postsecondary and workforce planning, preparation, and readiness~~
14 ~~assessments for use by school districts, boards of cooperative services,~~
15 ~~district charter high schools, and institute charter high schools. The~~
16 ~~commission and the state board of education also shall negotiate a~~
17 ~~consensus and adopt scoring criteria to indicate a student's level of~~
18 ~~postsecondary and workforce readiness, as provided in section 22-7-1008,~~
19 ~~C.R.S.~~

20 (b) ~~Every six years after the adoption of the postsecondary and~~
21 ~~workforce planning, preparation, and readiness assessments pursuant to~~
22 ~~section 22-7-1008, C.R.S., the commission and the state board of~~
23 ~~education may negotiate a consensus and adopt revisions to such~~
24 ~~assessments. The commission and the state board of education may also~~
25 ~~revise the scoring criteria for the postsecondary and workforce planning,~~
26 ~~preparation, and readiness assessments, as necessary.~~

27 **SECTION 58. Appropriation - adjustments to 2015 long bill.**

1 To implement this act, the cash funds appropriation made in the annual
2 general appropriation act for the 2015-16 state fiscal year to the
3 department of education for the Colorado student assessment program is
4 decreased by \$2,469,118. This amount is from the state education fund
5 created in section 17 (4) (a) of article IX of the state constitution.

6 **SECTION 59. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.