

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0584.01 Julie Pelegrin x2700

HOUSE BILL 15-1123

HOUSE SPONSORSHIP

Tate,

SENATE SPONSORSHIP

(None),

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING ALLOWING A LOCAL EDUCATION GOVERNING BOARD
102 FLEXIBILITY IN ADMINISTERING STATE-REQUIRED MEASURES OF
103 STUDENT PERFORMANCE IN THE PUBLIC SCHOOLS OPERATED BY
104 THE GOVERNING BOARD.

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, each school district and each charter school is required to administer statewide assessments in English language arts, mathematics, and science in accordance with a schedule that exceeds the

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.

amount of statewide testing that the federal law requires. Each school district and each charter high school is also required to administer a college entrance exam (ACT) to students in eleventh grade.

The bill allows the governing board of a school district, a board of cooperative services that operates a public school, or a charter school (governing board) to adopt a resolution to administer the statewide assessments in English language arts, mathematics, and science only to the extent required by federal law (resolution). A governing board that adopts the resolution is also not required to administer the ACT to students in eleventh grade.

A governing board may adopt a resolution stating its intent to measure literacy skills of children in kindergarten and first and second grades in a manner other than administering the state literacy test and to address a student's significant reading deficiencies in a manner other than creating a READ plan as described in the statute. A governing board may adopt a resolution stating its intent to measure school readiness in a manner other than administering the state school readiness assessment.

A governing board that adopts any of the resolutions authorized in the bill must provide copies of the resolutions to the department of education (department) and the state board of education (state board). The department and the state board must adjust the Colorado growth model and the measures for the accreditation performance indicators as necessary to accommodate the testing schedule that a governing board implements if it adopts the resolution and the manner in which a governing board measures literacy in kindergarten and first and second grades if it adopts a resolution.

1 *Be it enacted by the General Assembly of the State of Colorado:*
2 **SECTION 1.** In Colorado Revised Statutes, 22-7-409, **add** (1.6)
3 as follows:
4 **22-7-409. Assessments.** (1.6) (a) NOTWITHSTANDING ANY
5 PROVISION OF THIS SECTION TO THE CONTRARY, A SCHOOL DISTRICT
6 BOARD OF EDUCATION, A BOARD OF COOPERATIVE SERVICES THAT
7 OPERATES A PUBLIC SCHOOL, OR THE GOVERNING BOARD OF A DISTRICT
8 CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL, REFERRED TO IN
9 THIS SUBSECTION (1.6) AS A "GOVERNING BODY", MAY ADOPT A
10 RESOLUTION STATING ITS INTENTION TO ADMINISTER STATEWIDE TESTS

1 ONLY TO THE EXTENT REQUIRED BY THE FEDERAL "NO CHILD LEFT
2 BEHIND ACT OF 2001", 20 U.S.C. SEC. 6301 ET SEQ., IN THE PUBLIC
3 SCHOOLS THAT THE GOVERNING BODY OPERATES. A GOVERNING BODY
4 THAT ADOPTS A RESOLUTION DESCRIBED IN THIS SUBSECTION (1.6) SHALL
5 SUBMIT A COPY OF THE RESOLUTION TO THE DEPARTMENT AND THE
6 BOARD.

7 (b) A GOVERNING BODY THAT ADOPTS A RESOLUTION DESCRIBED
8 IN THIS SUBSECTION (1.6) MUST ENSURE THAT THE STATEWIDE
9 ASSESSMENTS ARE ADMINISTERED IN THE PUBLIC SCHOOLS OPERATED BY
10 THE GOVERNING BODY IN ACCORDANCE WITH THE FOLLOWING MINIMUM
11 REQUIREMENTS:

12 (I) THE STATEWIDE ASSESSMENT IN ENGLISH LANGUAGE ARTS
13 SHALL BE ADMINISTERED ANNUALLY IN EACH OF GRADES THREE THROUGH
14 EIGHT AND IN ONE OF GRADES TEN THROUGH TWELVE, AS SELECTED BY
15 THE GOVERNING BODY;

16 (II) THE STATEWIDE ASSESSMENT IN MATHEMATICS SHALL BE
17 ADMINISTERED ANNUALLY IN EACH OF GRADES THREE THROUGH EIGHT
18 AND IN ONE OF GRADES TEN THROUGH TWELVE, AS SELECTED BY THE
19 GOVERNING BODY; AND

20 (III) THE STATEWIDE ASSESSMENT IN SCIENCE SHALL BE
21 ADMINISTERED ANNUALLY IN ONE OF GRADES THREE THROUGH FIVE, ONE
22 OF GRADES SIX THROUGH NINE, AND ONE OF GRADES TEN THROUGH
23 TWELVE, AS SELECTED BY THE GOVERNING BODY.

24 (c) A GOVERNING BODY THAT ADOPTS A RESOLUTION DESCRIBED
25 IN THIS SUBSECTION (1.6) IS NOT REQUIRED TO ADMINISTER THE
26 STANDARDIZED, CURRICULUM-BASED, ACHIEVEMENT, COLLEGE ENTRANCE
27 EXAMINATION DESCRIBED IN SUBSECTION (1.5) OF THIS SECTION.

1 (d) THE DEPARTMENT AND THE BOARD SHALL ADJUST THE
2 COLORADO GROWTH MODEL CREATED PURSUANT TO SECTION 22-11-202
3 AND THE MEASURES FOR THE ACCREDITATION PERFORMANCE INDICATORS
4 DESCRIBED IN SECTION 22-11-204 AS NECESSARY TO TAKE INTO ACCOUNT
5 THE MINIMUM STATEWIDE ASSESSMENT SCHEDULE THAT A GOVERNING
6 BODY THAT ADOPTS A RESOLUTION PURSUANT TO THIS SUBSECTION (1.6)
7 IMPLEMENTS.

8 **SECTION 2.** In Colorado Revised Statutes, 22-7-1208, **add** (5)
9 as follows:

10 **22-7-1208. Local education providers - procedures.**

11 (5) (a) NOTWITHSTANDING ANY PROVISION OF THIS PART 12 TO THE
12 CONTRARY, THE GOVERNING BODY OF A LOCAL EDUCATION PROVIDER MAY
13 ADOPT A RESOLUTION STATING ITS INTENTION TO DETERMINE THE
14 READING COMPETENCY OF EACH STUDENT IN KINDERGARTEN AND FIRST
15 AND SECOND GRADES IN A MANNER OTHER THAN THAT DESCRIBED IN
16 SECTION 22-7-1205 AND TO ADDRESS ANY IDENTIFIED SIGNIFICANT
17 READING DEFICIENCIES IN A MANNER OTHER THAN PREPARING A READ
18 PLAN AS DESCRIBED IN THIS PART 12. THE GOVERNING BODY THAT ADOPTS
19 A RESOLUTION MUST ENSURE THAT THE PUBLIC SCHOOLS THAT THE
20 GOVERNING BODY OPERATES IDENTIFY THE STUDENTS ENROLLED IN
21 KINDERGARTEN AND FIRST AND SECOND GRADES WHO HAVE SIGNIFICANT
22 READING DEFICIENCIES AND ADDRESS STUDENTS' SIGNIFICANT READING
23 DEFICIENCIES IN A MANNER THAT IS DESIGNED TO ENSURE THAT STUDENTS
24 ATTAIN READING COMPETENCY NO LATER THAN THIRD GRADE. A
25 GOVERNING BODY THAT ADOPTS A RESOLUTION SHALL SUBMIT A COPY OF
26 THE RESOLUTION TO THE DEPARTMENT AND THE STATE BOARD.

27 (b) THE DEPARTMENT AND THE STATE BOARD SHALL ADJUST THE

1 COLORADO GROWTH MODEL CREATED PURSUANT TO SECTION 22-11-202
2 AND THE MEASURES FOR THE ACCREDITATION PERFORMANCE INDICATORS
3 DESCRIBED IN SECTION 22-11-204 AS NECESSARY TO TAKE INTO ACCOUNT
4 THE METHODS FOR DETERMINING READING COMPETENCY IMPLEMENTED BY
5 THE PUBLIC SCHOOLS THAT ARE OPERATED BY A GOVERNING BODY THAT
6 ADOPTS A RESOLUTION PURSUANT TO THIS SUBSECTION (5).

7 **SECTION 3.** In Colorado Revised Statutes, 22-7-1014, **add** (2)
8 (c) as follows:

9 **22-7-1014. Preschool individualized readiness plans - school**
10 **readiness - assessments.** (2) (c) NOTWITHSTANDING ANY PROVISION OF
11 THIS PART 10 TO THE CONTRARY, THE GOVERNING BODY OF A LOCAL
12 EDUCATION PROVIDER MAY ADOPT A RESOLUTION STATING ITS INTENTION
13 TO MEASURE EACH STUDENT'S PROGRESS TOWARD DEMONSTRATING
14 SCHOOL READINESS IN A MANNER OTHER THAN ADMINISTERING THE
15 SCHOOL READINESS ASSESSMENT. THE GOVERNING BODY THAT ADOPTS A
16 RESOLUTION MUST ENSURE THAT THE PUBLIC SCHOOLS THAT THE
17 GOVERNING BODY OPERATES IMPLEMENT METHODS TO MEASURE EACH
18 STUDENT'S PROGRESS TOWARD DEMONSTRATING SCHOOL READINESS. A
19 GOVERNING BODY THAT ADOPTS A RESOLUTION SHALL SUBMIT A COPY OF
20 THE RESOLUTION TO THE DEPARTMENT AND THE STATE BOARD.

21 **SECTION 4. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.