

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0231.01 Julie Pelegrin x2700

HOUSE BILL 15-1208

HOUSE SPONSORSHIP

Klingenschmitt, Brown, Buck, Everett, Humphrey, Joshi, Navarro, Nordberg, Ransom,
Van Winkle

SENATE SPONSORSHIP

(None), Lambert, Lundberg

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REVISING ACCOUNTABILITY MEASURES IN PUBLIC**
102 **SCHOOLS TO INCREASE AUTONOMY OVER STANDARDS AND**
103 **ASSESSMENTS WITHIN THE PUBLIC EDUCATION SYSTEM IN**
104 **COLORADO.**

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) adopts academic standards in several subject areas and adopts statewide assessments that are aligned with the standards in certain subject areas.

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.

Each school district, charter school, and board of cooperative services that operates a school (local education provider) must also adopt academic standards that meet or exceed the state standards and must administer the statewide assessments that the state board adopts.

The bill repeals the existing academic standards for English language arts and mathematics and requires the state board to adopt new academic standards in these subjects. After adopting the academic standards, the state board must prepare a report that compares the new standards with the previous standards for these subjects and identifies the differences between the old and new standards and submit the report to the general assembly. The state board must ensure that all of the academic standards it adopts are sufficiently general that they do not require a local education provider to adopt specific curricula, textbooks, or other educational materials in order to meet the standards.

The bill requires the state board to adopt state assessments for English language arts and mathematics that are aligned with the new academic standards for these subjects. Until the new state assessments are adopted, the department of education (department) will administer state assessments that are aligned with the standards adopted in 2009 for these subjects.

The bill instructs the state board to adopt requirements and criteria for including an assessment submitted by a local education provider in the state system of assessments. The department will review each submitted assessment to ensure that it meets the requirements and that data from the assessment can be used to measure academic performance statewide. If the department finds that the assessment meets the requirements and the data will be useable, the state board must include the assessment in the state assessment system, and a local education provider may administer the assessment in lieu of a state assessment. The state board and the department must amend the state plan as necessary to allow the use of assessments submitted by local education providers in the state assessment system.

Under the bill, the state board and the department may not enter into any type of agreement or contract with a federal agency or private entity that in any way cedes or limits state or local discretion or control over academic standards and assessments. The bill repeals the requirement that the state board participate in one of the consortia of states that develops assessments for the standards adopted in English language arts and mathematics and states that the state is not a member of a consortium as of the effective date of the bill. The bill requires the state board to adopt state assessments, perform a fiscal analysis on any proposed or adopted assessments, and submit the analysis to the general assembly. The bill allows a parent to excuse his or her child from participating in a state assessment, without incurring consequences for the child, a teacher, an administrator, or the local education provider.

The bill requires each local education provider to adopt a school readiness description and school readiness assessments and a description of postsecondary and workforce readiness. A local education provider may choose to adopt the state school readiness description and school readiness assessments, and the state description of postsecondary and workforce readiness.

The bill specifies the general assembly's intent that preparing for and completing the state and local assessments, combined, should not take more than 10% of the instruction time in a school year.

The bill requires each local education provider to adopt and implement a written policy and procedures to allow parents and legal guardians to excuse students from participating in the state and local assessments, without incurring negative consequences. The local education provider must make copies of the policy and procedures available to students and their parents or legal guardians before classes commence each school year.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) The Colorado constitution divides the responsibility and
5 authority for public education within the state among three entities:

6 (I) Section 2 of article IX of the state constitution requires the
7 state to establish and maintain a "thorough and uniform system of free
8 public schools throughout the state, wherein all residents of the state,
9 between the ages of six and twenty-one years, may be educated
10 gratuitously";

11 (II) Section 1 of article IX of the state constitution creates the state
12 board of education and vests within it the "general supervision of the
13 public schools"; and

14 (III) Section 15 of article IX of the state constitution requires the
15 creation of school districts, each of which must have an elected board of
16 education that has "control of instruction in the public schools" of the

1 school district;

2 (b) Further, section 16 of article IX of the state constitution
3 prohibits the general assembly and the state board of education from
4 prescribing textbooks, leaving this power in the hands of school district
5 boards of education;

6 (c) School children in Colorado deserve an excellent education,
7 which includes curricula and assessments that are aligned to exemplary
8 standards, to ensure that, when they graduate from high school, the
9 children in this state are adequately prepared to compete with the citizens
10 of other states and other countries as they continue into higher education
11 and the workforce;

12 (d) Education standards establish what a student should know and
13 be able to do at various junctures in the student's education. Whether a
14 student meets a standard is often determined by the student's ability to
15 successfully complete an assessment that measures the student's
16 knowledge and abilities concerning the standard; the student's ability to
17 successfully complete the assessment is directly related to the curriculum
18 that a teacher uses to convey the information related to the standard.
19 Thus, curricula, assessments, and standards must be aligned for students
20 to be able to meet educational standards.

21 (e) Due to the necessary alignment of curricula and assessments
22 with standards, the entity that sets education standards has significant
23 control over both assessments and curricula; and

24 (f) As quoted in this subsection (1), the state constitution
25 empowers school district boards of education to select the curricula to be
26 used in the public schools of their respective districts. It follows,
27 therefore, that to fully exercise their authority to select curricula, school

1 district boards of education must also have power to adopt academic
2 standards and to design and administer the assessments that measure
3 students' achievement of those standards.

4 (2) The general assembly finds, therefore, that it is necessary to
5 amend the "Preschool to Postsecondary Education Alignment Act", part
6 10 of article 7 of title 22, Colorado Revised Statutes, and other statutes as
7 may be necessary, to protect the constitutional authority of school districts
8 to select curricula by empowering local education providers to adopt
9 standards and assessments.

10 **SECTION 2.** In Colorado Revised Statutes, 22-7-1003, **amend**
11 (15) and (21) as follows:

12 **22-7-1003. Definitions.** As used in this part 10, unless the context
13 otherwise requires:

14 (15) "Postsecondary and workforce readiness" means the
15 knowledge and skills that a student should have attained prior to or upon
16 attaining a high school diploma, as adopted by the state board and the
17 commission pursuant to section 22-7-1008 OR AS ADOPTED BY A LOCAL
18 EDUCATION PROVIDER.

19 (21) "School readiness" means the level of development that
20 indicates a child is able to engage in and benefit from elementary school
21 classroom environments, as adopted by the state board pursuant to section
22 22-7-1004 OR AS ADOPTED BY A LOCAL EDUCATION PROVIDER.

23 **SECTION 3.** In Colorado Revised Statutes, 22-7-1004, **amend**
24 (2) (b) as follows:

25 **22-7-1004. School readiness description - school readiness**
26 **assessment - adoption - revisions.** (2) (b) School readiness assessment
27 results shall not be publicly reported for individual students. Following

1 adoption of the school readiness assessment, the state board shall adopt
2 a system for reporting population-level results OBTAINED IN
3 ADMINISTERING THE STATE SCHOOL READINESS ASSESSMENT OR OTHER
4 SCHOOL READINESS ASSESSMENTS ADMINISTERED BY LOCAL EDUCATION
5 PROVIDERS that provide baseline data for measuring overall change and
6 improvement in students' skills and knowledge over time.

7 **SECTION 4.** In Colorado Revised Statutes, 22-7-1005, **amend**
8 (3) (e) and (3) (f); and **add** (1.5), (3) (g), and (7) as follows:

9 **22-7-1005. Preschool through elementary and secondary**
10 **education - aligned standards - adoption - revisions - repeal.**

11 (1.5) (a) THE ACADEMIC STANDARDS THAT THE STATE BOARD ADOPTED
12 FOR ENGLISH LANGUAGE ARTS AND MATHEMATICS IN AUGUST 2010 ARE
13 REPEALED, EFFECTIVE AUGUST 5, 2015. AS SOON AS POSSIBLE AFTER THE
14 EFFECTIVE DATE OF THIS SUBSECTION (1.5), THE STATE BOARD SHALL
15 BEGIN THE PROCESS OF ADOPTING NEW ACADEMIC STANDARDS IN ENGLISH
16 LANGUAGE ARTS AND MATHEMATICS. THE PROCESS FOR ADOPTING THE
17 NEW ACADEMIC STANDARDS MUST, AT A MINIMUM, INCLUDE REASONABLE
18 OPPORTUNITY, CONSISTENT WITH BEST PRACTICES, FOR PUBLIC COMMENT
19 ON THE REVISION OF THE ACADEMIC STANDARDS, INCLUDING BUT NOT
20 LIMITED TO COMMENTS FROM STUDENTS, PARENTS, EDUCATORS,
21 ORGANIZATIONS THAT REPRESENT STUDENTS WITH DISABILITIES AND
22 ENGLISH LANGUAGE LEARNERS, HIGHER-EDUCATION REPRESENTATIVES,
23 SUBJECT-MATTER EXPERTS, COMMUNITY-BASED ORGANIZATIONS, NATIVE
24 AMERICAN TRIBAL REPRESENTATIVES, AND REPRESENTATIVES FROM THE
25 BUSINESS COMMUNITIES WITHIN THE STATE.

26 (b) UNTIL THE STATE BOARD HAS ADOPTED NEW ACADEMIC
27 STANDARDS FOR ENGLISH LANGUAGE ARTS AND MATHEMATICS, THE

1 STATE BOARD SHALL IMPLEMENT THE ACADEMIC STANDARDS FOR
2 READING, WRITING, AND MATHEMATICS THAT IT ADOPTED IN DECEMBER
3 2009.

4 (c) UPON ADOPTING THE ACADEMIC STANDARDS FOR ENGLISH
5 LANGUAGE ARTS AND MATHEMATICS AS REQUIRED IN THIS SUBSECTION
6 (1.5), THE STATE BOARD SHALL PREPARE A REPORT THAT COMPARES THE
7 ACADEMIC STANDARDS FOR ENGLISH LANGUAGE ARTS AND MATHEMATICS
8 WITH THE ACADEMIC STANDARDS IN THESE AREAS THAT THE STATE BOARD
9 ADOPTED IN AUGUST 2010 AND IDENTIFIES SPECIFIC DIFFERENCES
10 BETWEEN THE NEW SETS OF STANDARDS AND THOSE ADOPTED IN AUGUST
11 2010. THE STATE BOARD SHALL CONSIDER PUBLIC COMMENTS, THE USE OF
12 BEST PRACTICES, EVIDENCE, AND RESEARCH IN EVALUATING BOTH SETS OF
13 STANDARDS. UPON COMPLETING THE REPORT, THE STATE BOARD SHALL
14 SUBMIT THE REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF
15 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

16 (3) The state board in adopting the preschool through elementary
17 and secondary education standards shall:

18 (e) Ensure that, in addition to measuring a student's subject matter
19 knowledge, the standards, to the extent practicable AND AT
20 AGE-APPROPRIATE LEVELS, will require a student to develop and
21 demonstrate creativity and innovation skills; critical-thinking and
22 problem-solving skills; communication and collaboration skills; social
23 and cultural awareness; civic engagement; initiative and self-direction;
24 flexibility; productivity and accountability; character and leadership;
25 information technology application skills; and other skills critical to
26 preparing students for the twenty-first-century workforce and for active
27 citizenship; and

1 (f) Ensure that the standards are comparable in scope, relevance,
2 and ~~rigor~~ ACADEMIC CONTENT KNOWLEDGE to the highest national and
3 international standards that have been implemented successfully and are
4 consistent with and relevant to achievement of the goals specified in
5 section 22-7-1002; AND

6 (g) ENSURE THAT THE STANDARDS ARE SUFFICIENTLY GENERAL
7 THAT THEY DO NOT REQUIRE A LOCAL EDUCATION PROVIDER TO ADOPT
8 SPECIFIC CURRICULA, TEXTBOOKS, OR OTHER EDUCATIONAL MATERIALS IN
9 ORDER TO MEET THE STANDARDS. THE STATE BOARD SHALL NOT ADOPT,
10 AND SHALL REPEAL IF NECESSARY, A STANDARD THAT IS NOT
11 SUFFICIENTLY BROAD TO ALLOW A LOCAL EDUCATION PROVIDER TO TEACH
12 THE STANDARD USING TEXTBOOKS OR OTHER EDUCATIONAL MATERIALS
13 FROM A NUMBER OF DIVERSE, COMPETING SOURCES.

14 (7) THE STATE BOARD AND THE DEPARTMENT OF EDUCATION
15 SHALL NOT ENTER INTO AN AGREEMENT, MEMORANDUM OF
16 UNDERSTANDING, OR CONTRACT WITH A FEDERAL AGENCY OR PRIVATE
17 ENTITY THAT IN ANY WAY CEDES OR LIMITS STATE OR LOCAL DISCRETION
18 OR CONTROL OVER DEVELOPING, ADOPTING, OR REVISING STATE OR LOCAL
19 STANDARDS AND THE CORRESPONDING STATEWIDE OR LOCAL
20 ASSESSMENTS IN THE PUBLIC SCHOOL SYSTEM, INCLUDING BUT NOT
21 LIMITED TO AGREEMENTS, MEMORANDA OF UNDERSTANDING, AND
22 CONTRACTS IN EXCHANGE FOR FUNDING FOR PUBLIC SCHOOLS AND
23 PROGRAMS. IF THE STATE BOARD OR THE DEPARTMENT IS A PARTY, AS OF
24 THE EFFECTIVE DATE OF THIS SUBSECTION (7), TO AN AGREEMENT,
25 MEMORANDUM OF UNDERSTANDING, OR CONTRACT DESCRIBED IN THIS
26 SUBSECTION (7), THE STATE BOARD OR THE DEPARTMENT SHALL ATTEMPT
27 TO TERMINATE OR RENEGOTIATE THE AGREEMENT, MEMORANDUM OF

1 UNDERSTANDING, OR CONTRACT TO RESTORE STATE AND LOCAL CONTROL
2 OF ACADEMIC STANDARDS AND ASSESSMENTS AND LOCAL CONTROL OF
3 CURRICULA.

4 **SECTION 5.** In Colorado Revised Statutes, 22-7-1006, **amend**
5 (1) and (1.5); and **add** (1.3) and (6) as follows:

6 **22-7-1006. Preschool through elementary and secondary**
7 **education - aligned assessments - adoption - revisions.** (1) (a) (I) On
8 or before December 15, 2010, or as soon thereafter as fiscally practicable,
9 the state board shall adopt a system of assessments that are aligned with
10 the preschool through elementary and secondary education standards and
11 are designed to measure students' levels of attainment of the standards
12 and to longitudinally measure students' academic progress toward
13 attaining the standards and toward attaining postsecondary and workforce
14 readiness.

15 (II) BEGINNING IN THE 2015-16 SCHOOL YEAR AND IN EACH
16 SCHOOL YEAR THEREAFTER UNTIL THE STATE BOARD ADOPTS
17 ASSESSMENTS FOR ENGLISH LANGUAGE ARTS AND MATHEMATICS AS
18 REQUIRED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH (a), THE STATE
19 BOARD SHALL ENSURE THAT THE DEPARTMENT OF EDUCATION, PURSUANT
20 TO SECTION 22-7-409, ADMINISTERS STATE ASSESSMENTS IN ENGLISH
21 LANGUAGE ARTS AND MATHEMATICS THAT ARE ALIGNED WITH THE
22 CONTENT STANDARDS THAT THE STATE BOARD ADOPTED IN 2009 FOR
23 THESE INSTRUCTIONAL AREAS.

24 (III) AS SOON AS POSSIBLE AFTER THE STATE BOARD ADOPTS
25 STANDARDS FOR ENGLISH LANGUAGE ARTS AND MATHEMATICS AS
26 REQUIRED IN SECTION 22-7-1005 (1.5), THE STATE BOARD SHALL ADOPT
27 STATE ASSESSMENTS IN ENGLISH LANGUAGE ARTS AND MATHEMATICS

1 THAT ARE ALIGNED WITH THE NEWLY ADOPTED STANDARDS.

2 (b) In adopting the system of assessments, the state board shall
3 ensure, at a minimum, that the system is designed to:

4 (I) Provide relevant, timely results that will aid teachers, parents,
5 and students in identifying areas in which students may need additional
6 support or assistance in attaining the standards;

7 (II) Facilitate and ensure longitudinal measurement of students'
8 academic growth over time;

9 (III) Provide guidance to teachers, parents, and students in
10 determining whether each student is making the necessary progress
11 toward achieving postsecondary and workforce readiness;

12 (IV) Provide results that may be used across multiple education
13 systems as a student progresses from preschool through elementary and
14 secondary education and into postsecondary education;

15 (V) Maintain a high level of accountability across the state for
16 students, schools, and school districts;

17 (VI) Comply with the requirements of federal law with regard to
18 statewide standardized testing; and

19 (VII) Provide assessment scores that are useful in measuring
20 student academic performance, the academic performance of a school,
21 and the academic performance of a school district for purposes of state
22 and federal accountability systems.

23 ~~(b)~~ (c) In adopting a system of assessments, the state board shall
24 give consideration to the use of authentic assessment methods, such as
25 portfolios, projects, and performances, so long as the assessment methods
26 are valid and reliable, employ standard scoring criteria, and align with the
27 preschool through elementary and secondary education standards.

1 ~~(e)~~ (d) In adopting a system of assessments, the state board shall
2 also adopt scoring criteria for measuring a student's level of attainment of
3 a standard based on the student's performance on a particular assessment
4 and for measuring a student's progress toward attaining postsecondary
5 and workforce readiness.

6 ~~(d)~~ (e) In adopting a system of assessments, the state board shall
7 also make recommendations concerning a system of ratings for public
8 schools that recognizes each school's success in supporting the
9 longitudinal academic growth of the students enrolled in the public
10 schools and in achieving adequate yearly progress as required by federal
11 law.

12 ~~(e)~~ (f) In adopting a system of assessments, the state board shall
13 recommend legislative changes as necessary to implement the system and
14 the proposed changes to the system of ratings for public schools.

15 (g) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT PREPARING
16 FOR AND COMPLETING THE ASSESSMENTS INCLUDED IN THE STATE SYSTEM
17 PURSUANT TO THIS SECTION, COMBINED WITH THE ASSESSMENTS
18 ADMINISTERED BY EACH LOCAL EDUCATION PROVIDER PURSUANT TO
19 SECTION 22-7-1013, SHALL NOT REQUIRE MORE THAN APPROXIMATELY
20 TEN PERCENT OF THE CLASSROOM INSTRUCTIONAL TIME IN A SCHOOL
21 YEAR.

22 (1.3) (a) IN ADOPTING THE SYSTEM OF ASSESSMENTS, THE STATE
23 BOARD SHALL INCLUDE ASSESSMENTS THAT ARE SUBMITTED BY LOCAL
24 EDUCATION PROVIDERS THAT MEET THE REQUIREMENTS ESTABLISHED BY
25 THE STATE BOARD. AT A MINIMUM, THE REQUIREMENTS MUST ENSURE
26 THAT EACH ASSESSMENT:

27 (I) ADDRESSES THE DEPTH AND BREADTH OF THE STATE ACADEMIC

1 STANDARDS FOR THE APPLICABLE INSTRUCTIONAL AREA;

2 (II) IS VALID, RELIABLE, AND OF HIGH TECHNICAL QUALITY;

3 (III) EXPRESSES RESULTS IN TERMS OF THE STATE ACADEMIC

4 STANDARDS;

5 (IV) IS DESIGNED TO PROVIDE A COHERENT SYSTEM OF

6 ASSESSMENT ACROSS GRADES AND INSTRUCTIONAL AREAS;

7 (V) IS EQUIVALENT IN CONTENT COVERAGE, DIFFICULTY, AND

8 QUALITY TO THE STATE ASSESSMENTS AND ANY OTHER LOCAL

9 ASSESSMENTS THAT ARE INCLUDED IN THE SYSTEM OF ASSESSMENTS IN

10 THE APPLICABLE INSTRUCTIONAL AREA;

11 (VI) HAS COMPARABLE VALIDITY AND RELIABILITY WITH RESPECT

12 TO THE STUDENT GROUPS, AS DEFINED IN SECTION 22-11-103; AND

13 (VII) PROVIDES UNBIASED, RATIONAL, AND CONSISTENT

14 DETERMINATIONS OF THE ANNUAL PERFORMANCE OF PUBLIC SCHOOLS,

15 SCHOOL DISTRICTS, THE STATE CHARTER SCHOOL INSTITUTE, AND THE

16 STATE AS A WHOLE.

17 (b) NO LATER THAN JULY 1, 2016, THE STATE BOARD SHALL

18 ESTABLISH THE REQUIREMENTS SPECIFIED IN PARAGRAPH (a) OF THIS

19 SUBSECTION (1.3) AND TECHNICAL CRITERIA TO DETERMINE WHETHER AN

20 ASSESSMENT THAT A LOCAL EDUCATION PROVIDER SUBMITS MEETS THE

21 REQUIREMENTS.

22 (c) THE DEPARTMENT OF EDUCATION SHALL REVIEW EACH

23 ASSESSMENT THAT A LOCAL EDUCATION PROVIDER SUBMITS FOR

24 INCLUSION IN THE SYSTEM OF ASSESSMENTS. THE DEPARTMENT SHALL

25 APPLY THE TECHNICAL CRITERIA TO DETERMINE WHETHER THE

26 ASSESSMENT MEETS THE REQUIREMENTS SPECIFIED IN PARAGRAPH (a) OF

27 THIS SUBSECTION (1.3), AND THE DEPARTMENT SHALL ENSURE THAT THE

1 DEPARTMENT CAN AGGREGATE THE DATA FROM THE ASSESSMENT TO
2 MEASURE THE ACADEMIC PERFORMANCE OF THE PUBLIC SCHOOLS, SCHOOL
3 DISTRICTS, THE STATE CHARTER SCHOOL INSTITUTE, AND THE STATE AS A
4 WHOLE AS PROVIDED IN ARTICLE 11 OF THIS TITLE. IF THE DEPARTMENT
5 FINDS THAT AN ASSESSMENT MEETS THE REQUIREMENTS AND THAT THE
6 DEPARTMENT CAN AGGREGATE THE DATA FROM THE ASSESSMENT, THE
7 STATE BOARD SHALL INCLUDE THE ASSESSMENT IN THE SYSTEM OF
8 ASSESSMENTS.

9 (d) THE STATE BOARD AND THE DEPARTMENT OF EDUCATION
10 SHALL AMEND THE STATE PLAN, AS NECESSARY, TO DEMONSTRATE THAT
11 THE LOCAL ASSESSMENTS THAT THE STATE BOARD INCLUDES IN THE
12 SYSTEM OF ASSESSMENTS MEET THE REQUIREMENTS SPECIFIED IN
13 SUBPARAGRAPHS (V) TO (VII) OF PARAGRAPH (a) OF THIS SUBSECTION
14 (1.3).

15 ~~(1.5) Colorado shall participate as a governing board member, at~~
16 ~~least until January 1, 2014, in a consortium of states that focuses on the~~
17 ~~readiness of students for college and careers by developing a common set~~
18 ~~of assessments. On or before January 1, 2014, and on or before each~~
19 ~~January 1 thereafter, if Colorado is a governing board member of the~~
20 ~~consortium of states, AS OF THE EFFECTIVE DATE OF THIS SUBSECTION~~
21 ~~(1.5), AS AMENDED, THE STATE IS NO LONGER A GOVERNING MEMBER OR~~
22 ~~A PARTICIPATING MEMBER OF THE CONSORTIUM OF STATES KNOWN AS THE~~
23 ~~PARTNERSHIP FOR ASSESSMENT OF READINESS FOR COLLEGE AND CAREERS.~~
24 ~~BEFORE ADOPTING STATE ASSESSMENTS AS REQUIRED IN THIS SECTION~~
25 ~~AND IN ORDER TO ASSURE FISCAL TRANSPARENCY AT THE STATE LEVEL,~~
26 ~~the state board is strongly encouraged to~~ SHALL conduct a fiscal and
27 student achievement benefit analysis of ~~Colorado remaining a governing~~

1 ~~board member of the consortium. If adopting the system of assessments~~
2 ~~that is aligned with the state standards for reading, writing, and~~
3 ~~mathematics, the state board shall rely upon assessments developed by the~~
4 ~~consortium of states~~ THE ASSESSMENTS THAT ARE PROPOSED AND FINALLY
5 ADOPTED. THE STATE BOARD SHALL SUBMIT A COPY OF THE COMPLETED
6 ANALYSIS TO THE EDUCATION COMMITTEES OF THE HOUSE OF
7 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

8 (6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION OR
9 SECTION 22-7-409 TO THE CONTRARY, THE PARENT OF A STUDENT MAY
10 CHOOSE TO EXCUSE HIS OR HER CHILD FROM TAKING A STATE ASSESSMENT
11 ADMINISTERED PURSUANT TO SECTION 22-7-409. A STUDENT, A TEACHER,
12 AN ADMINISTRATOR, A PUBLIC SCHOOL, A SCHOOL DISTRICT, OR THE STATE
13 CHARTER SCHOOL INSTITUTE SHALL NOT BE PENALIZED IF A PARENT
14 EXCUSES HIS OR HER CHILD FROM PARTICIPATING IN A STATE ASSESSMENT.

15 **SECTION 6.** In Colorado Revised Statutes, 22-7-1008, **amend**
16 (2) (a) as follows:

17 **22-7-1008. Postsecondary and workforce readiness description**
18 **- postsecondary and workforce planning, preparation, and readiness**
19 **assessments - adoption - revision.** (2) (a) On or before December 15,
20 2010, or as soon thereafter as fiscally practicable, the state board and the
21 commission shall negotiate a consensus and adopt one or more
22 postsecondary and workforce planning assessments, postsecondary and
23 workforce preparation assessments, and postsecondary and workforce
24 readiness assessments that local education providers ~~shall~~ MAY administer
25 pursuant to section 22-7-1016. The state board and the commission shall
26 base the selection of the postsecondary and workforce planning,
27 preparation, and readiness assessments on the information received

1 through the operation of the pilot program, ensuring that the selected
2 assessments are aligned with the standards for grades nine through twelve
3 and with the description of postsecondary and workforce readiness.

4 **SECTION 7.** In Colorado Revised Statutes, 22-7-1012, **add** (2.5)
5 as follows:

6 **22-7-1012. State plan - amendments - peer review - final**
7 **adoption.** (2.5) AS SOON AS PRACTICABLE, THE DEPARTMENT OF
8 EDUCATION SHALL SUBMIT TO THE FEDERAL DEPARTMENT OF EDUCATION
9 AMENDMENTS TO THE STATE PLAN FOR PEER REVIEW AND APPROVAL TO
10 INCORPORATE THE REQUIREMENTS AND PROCEDURES TO INCLUDE THE
11 ASSESSMENTS SUBMITTED BY LOCAL EDUCATION PROVIDERS PURSUANT TO
12 SECTION 22-7-1006 (1.3) IN THE STATE SYSTEM OF ASSESSMENTS.

13 **SECTION 8.** In Colorado Revised Statutes, 22-7-1013, **amend**
14 (1), (3), and (5); and **add** (1.5), (3.5), and (3.7) as follows:

15 **22-7-1013. Local education provider - preschool through**
16 **elementary and secondary education standards - adoption - academic**
17 **acceleration - parental opt-out.** (1) (a) ~~On or before December 15,~~
18 ~~2011;~~ Each local education provider shall review its preschool through
19 elementary and secondary education standards. ~~in comparison with the~~
20 ~~preschool through elementary and secondary education standards adopted~~
21 ~~by the state board pursuant to section 22-7-1005.~~ Following review, each
22 local education provider shall revise its standards, as necessary, to ensure
23 that:

24 (I) ~~The standards~~ IF THE LOCAL EDUCATION PROVIDER CHOOSES TO
25 ADOPT PRESCHOOL THROUGH ELEMENTARY AND SECONDARY EDUCATION
26 STANDARDS THAT ARE DIFFERENT FROM THOSE ADOPTED BY THE STATE
27 BOARD PURSUANT TO SECTION 22-7-1005, THE LOCAL EDUCATION

1 PROVIDER'S STANDARDS meet or exceed THE ACADEMIC CONTENT
2 KNOWLEDGE OF the state preschool through elementary and secondary
3 education standards; and

4 (II) The standards are aligned to ensure that a student who
5 demonstrates attainment of the standards while advancing through
6 preschool and elementary and secondary education will be able to
7 demonstrate postsecondary and workforce readiness ~~prior to~~ BEFORE or
8 upon attaining a high school diploma.

9 (b) In revising its preschool through elementary and secondary
10 education standards, each local education provider shall ensure that it
11 adopts standards, at a minimum, in those subject matter areas that are
12 included in the state preschool through elementary and secondary
13 education standards, including but not limited to English language
14 competency and visual arts and performing arts education.

15 (c) In revising its preschool through elementary and secondary
16 education standards, a local education provider may choose to adopt the
17 state preschool through elementary and secondary education standards.

18 (1.5) ON OR BEFORE JULY 1, 2016, EACH LOCAL EDUCATION
19 PROVIDER SHALL ADOPT A LOCAL DESCRIPTION OF POSTSECONDARY AND
20 WORKFORCE READINESS THAT APPLIES TO STUDENTS ENROLLED IN THE
21 SCHOOLS OF THE LOCAL EDUCATION PROVIDER AND THAT MEETS THE
22 MINIMUM REQUIREMENTS SPECIFIED IN SECTION 22-7-1008 (1). A LOCAL
23 EDUCATION PROVIDER MAY CHOOSE TO ADOPT THE DESCRIPTION OF
24 POSTSECONDARY AND WORKFORCE READINESS ADOPTED BY THE STATE
25 BOARD AND THE COMMISSION PURSUANT TO SECTION 22-7-1008.

26 (3) Each local education provider shall adopt assessments that are
27 aligned with the local education provider's standards and curricula and

1 that will adequately measure each student's progress toward and
2 attainment of the local education provider's standards for the subject areas
3 that are not assessed by the state through the system of assessments
4 adopted by the state board pursuant to section 22-7-1006 AND THE LOCAL
5 EDUCATION PROVIDER'S DESCRIPTION OF POSTSECONDARY AND
6 WORKFORCE READINESS. FOR THE SUBJECT AREAS THAT ARE INCLUDED IN
7 THE STATE SYSTEM OF ASSESSMENTS, A LOCAL EDUCATION PROVIDER MAY
8 SUBMIT AN ASSESSMENT FOR REVIEW AND INCLUSION IN THE STATE
9 SYSTEM AS PROVIDED IN SECTION 22-7-1006 (1.3). IF THE STATE BOARD
10 INCLUDES IN THE STATE SYSTEM OF ASSESSMENTS AN ASSESSMENT THAT
11 A LOCAL EDUCATION PROVIDER SUBMITS, A LOCAL EDUCATION PROVIDER
12 MAY ADMINISTER THE SUBMITTED ASSESSMENT IN LIEU OF THE STATE
13 ASSESSMENT FOR THE APPLICABLE INSTRUCTIONAL AREA.

14 (3.5) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT
15 PREPARING FOR AND COMPLETING THE ASSESSMENTS INCLUDED IN THE
16 STATE SYSTEM PURSUANT TO SECTION 22-7-1006, COMBINED WITH THE
17 ASSESSMENTS ADMINISTERED BY EACH LOCAL EDUCATION PROVIDER
18 PURSUANT TO THIS SECTION, SHALL NOT REQUIRE MORE THAN
19 APPROXIMATELY TEN PERCENT OF THE CLASSROOM INSTRUCTIONAL TIME
20 IN A SCHOOL YEAR.

21 (3.7) (a) EACH LOCAL EDUCATION PROVIDER SHALL ADOPT AND
22 IMPLEMENT A WRITTEN POLICY AND PROCEDURE BY WHICH A STUDENT'S
23 PARENT OR LEGAL GUARDIAN MAY EXCUSE THE STUDENT FROM
24 PARTICIPATING IN ONE OR MORE OF:

25 (I) THE ASSESSMENTS THAT THE DEPARTMENT OF EDUCATION
26 ADMINISTERS AS PART OF THE STATE SYSTEM OF ASSESSMENTS ADOPTED
27 PURSUANT TO SECTION 22-7-1006 AND ADMINISTERED PURSUANT TO

1 SECTION 22-7-409; AND

2 (II) THE ASSESSMENTS THE LOCAL EDUCATION PROVIDER
3 ADMINISTERS PURSUANT TO THIS SECTION.

4 (b) THE POLICY THAT THE LOCAL EDUCATION PROVIDER ADOPTS
5 MUST ENSURE THAT THE STUDENT, A TEACHER, AN ADMINISTRATOR, OR A
6 PUBLIC SCHOOL IS NOT PENALIZED IF A PARENT EXCUSES HIS OR HER CHILD
7 FROM PARTICIPATING IN A STATEWIDE ASSESSMENT OR IN AN ASSESSMENT
8 THAT A LOCAL EDUCATION PROVIDER ADMINISTERS PURSUANT TO THIS
9 SECTION.

10 (c) EACH LOCAL EDUCATION PROVIDER SHALL ANNUALLY BEFORE
11 CLASSES COMMENCE IN THE FALL SEMESTER MAKE AVAILABLE PAPER AND
12 ELECTRONIC COPIES OF THE POLICY AND PROCEDURE FOR EXCUSING
13 STUDENTS FROM TAKING ASSESSMENTS TO THE PARENTS OR LEGAL
14 GUARDIANS OF THE STUDENTS ENROLLED IN EACH SCHOOL OPERATED BY
15 THE LOCAL EDUCATION PROVIDER. THE LOCAL EDUCATION PROVIDER
16 SHALL POST A COPY OF THE POLICY AND PROCEDURE ON ITS WEB SITE.

17 (5) On or before July 1, 2017, and on or before July 1 every six
18 years thereafter, each local education provider shall review its preschool
19 through elementary and secondary education standards and ~~taking into~~
20 ~~account any revisions to the state preschool through elementary and~~
21 ~~secondary education standards~~, shall revise and readopt its standards if
22 necessary to ~~ensure that they continue to meet or exceed the state~~
23 ~~preschool through elementary and secondary education standards~~
24 MAINTAIN THE RELEVANCE AND ACADEMIC CONTENT KNOWLEDGE OF THE
25 STANDARDS. The local education provider shall revise its curricula AND
26 ASSESSMENTS accordingly to ensure that the curricula AND ASSESSMENTS
27 continue to align with the local education provider's preschool through

1 elementary and secondary education standards.

2 **SECTION 9.** In Colorado Revised Statutes, 22-7-1014, **add** (1.5)
3 as follows:

4 **22-7-1014. Preschool individualized readiness plans - school**
5 **readiness - assessments.** (1.5) (a) EACH LOCAL EDUCATION PROVIDER
6 SHALL ADOPT A LOCAL DESCRIPTION OF SCHOOL READINESS THAT MEETS
7 THE MINIMUM REQUIREMENTS SPECIFIED IN SECTION 22-7-1004 (1). A
8 LOCAL EDUCATION PROVIDER MAY CHOOSE TO ADOPT THE DESCRIPTION OF
9 SCHOOL READINESS ADOPTED BY THE STATE BOARD PURSUANT TO SECTION
10 22-7-1004.

11 (b) EACH LOCAL EDUCATION PROVIDER SHALL ADOPT ONE OR
12 MORE ASSESSMENTS THAT ARE ALIGNED WITH THE LOCAL EDUCATION
13 PROVIDER'S DESCRIPTION OF SCHOOL READINESS AND ARE SUITABLE FOR
14 MEASURING STUDENTS' LEVELS OF SCHOOL READINESS. IN ADOPTING
15 ASSESSMENTS OF STUDENTS' SCHOOL READINESS, THE LOCAL EDUCATION
16 PROVIDER SHALL CONSIDER ASSESSMENTS THAT ARE RESEARCH-BASED,
17 RECOGNIZED NATIONWIDE AS RELIABLE INSTRUMENTS FOR MEASURING
18 SCHOOL READINESS, AND SUITABLE FOR DETERMINING THE INSTRUCTION
19 AND INTERVENTIONS STUDENTS NEED TO IMPROVE THEIR READINESS TO
20 SUCCEED IN SCHOOL. A LOCAL EDUCATION PROVIDER MAY CHOOSE TO
21 ADOPT THE SCHOOL READINESS ASSESSMENTS ADOPTED BY THE STATE
22 BOARD PURSUANT TO SECTION 22-7-1004 (2). THE LOCAL EDUCATION
23 PROVIDER SHALL NOT USE SCHOOL READINESS ASSESSMENTS TO DENY A
24 STUDENT ADMISSION OR PROGRESSION TO KINDERGARTEN OR FIRST
25 GRADE.

26 **SECTION 10.** In Colorado Revised Statutes, 22-7-1016, **amend**
27 (1) as follows:

1 **22-7-1016. Postsecondary and workforce planning,**
2 **preparation, and readiness assessments - transcripts.** (1) (a) WITHIN
3 TWO YEARS AFTER THE STATE BOARD AND THE COMMISSION ADOPT
4 POSTSECONDARY AND WORKFORCE PLANNING, PREPARATION, AND
5 READINESS ASSESSMENTS PURSUANT TO SECTION 22-7-1008, each local
6 education provider shall administer the postsecondary and workforce
7 planning, preparation, and readiness assessments adopted by the state
8 board and the commission pursuant to section 22-7-1008 within two years
9 of the adoption of such assessments OR ANY OTHER POSTSECONDARY AND
10 WORKFORCE PLANNING, PREPARATION, AND READINESS ASSESSMENTS
11 THAT THE STATE BOARD INCLUDES IN THE STATE SYSTEM OF ASSESSMENTS
12 PURSUANT TO SECTION 22-7-1006 (1.3).

13 (b) Upon receiving the results following administration of the
14 postsecondary and workforce planning, preparation, and readiness
15 assessments, the local education provider shall provide to each student a
16 printed copy of the student's assessment results, and a teacher or
17 counselor shall review each student's results with the student and, to the
18 extent practicable, with the student's parent or legal guardian and
19 determine the areas in which the student continues to need instruction in
20 order to demonstrate postsecondary and workforce readiness prior to or
21 upon attaining a high school diploma.

22 **SECTION 11.** In Colorado Revised Statutes, 22-7-409, **amend**
23 (1) introductory portion, (1) (h), (1) (i), and (1) (j) as follows:

24 **22-7-409. Assessments.** (1) ~~Beginning in the spring semester of~~
25 ~~1997,~~ The department shall implement the ~~Colorado student assessment~~
26 ~~program~~ STATE SYSTEM OF ASSESSMENTS under which the department
27 shall administer ~~statewide~~ STATE assessments adopted by the board, AND

1 ANY ASSESSMENTS SUBMITTED BY A SCHOOL DISTRICT OR CHARTER
2 SCHOOL AND APPROVED BY THE BOARD, pursuant to ~~section 22-7-406~~
3 SECTION 22-7-1006 in the ~~first priority~~ areas of reading, writing,
4 mathematics, and science. The department shall administer the English
5 versions of the state assessments and may administer any assessments
6 adopted by the board in languages other than English, as may be
7 appropriate for English language learners; except that any student who
8 has participated in the English language proficiency program, created
9 pursuant to section 22-24-104, for more than a total of three school years
10 shall be ineligible to take the assessments in a language other than
11 English. The statewide assessments shall be administered as follows:

12 (h) Beginning in the 2014-2015 school year, and each school year
13 thereafter, the department shall administer ~~a statewide~~ AN assessment in
14 English language arts to ~~all~~ students enrolled in grades three through
15 eleven in public schools throughout the state.

16 (i) Beginning in the 2014-2015 school year, and each school year
17 thereafter, the department shall administer ~~a statewide~~ AN assessment in
18 mathematics to ~~all~~ students enrolled in grades three through eight in
19 public schools throughout the state. Beginning in the 2014-2015 school
20 year, and each school year thereafter, the department shall also administer
21 three ~~statewide~~ assessments in mathematics to students enrolled in a
22 public high school in the state.

23 (j) Beginning in the 2013-2014 school year, and each school year
24 thereafter, the department shall administer ~~a statewide~~ AN assessment in
25 science to students enrolled in public elementary, middle, and high
26 schools throughout the state. In specific grades to be determined by the
27 department, the science assessment shall be administered once in

1 elementary school, once in middle school, and once in high school.

2 **SECTION 12. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly (August
5 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
6 referendum petition is filed pursuant to section 1 (3) of article V of the
7 state constitution against this act or an item, section, or part of this act
8 within such period, then the act, item, section, or part will not take effect
9 unless approved by the people at the general election to be held in
10 November 2016 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.