

NOTE: The governor signed this measure on 5/20/2015.

An Act

HOUSE BILL 15-1323

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also SENATOR(S) Holbert and Kerr, Baumgardner, Carroll, Heath, Hill, Jahn, Johnston, Jones, Kefalas, Martinez Humenik, Newell, Scheffel, Scott, Todd, Ulibarri, Cadman.

CONCERNING ASSESSMENTS IN PUBLIC SCHOOLS, AND, IN CONNECTION THEREWITH, CODIFYING THE CONSENSUS RECOMMENDATIONS OF THE STANDARDS AND ASSESSMENTS TASK FORCE CREATED IN HOUSE BILL 14-1202, AND REDUCING AN APPROPRIATION.

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

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

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

(1) (a) BEGINNING IN THE 2015-16 SCHOOL YEAR, THE DEPARTMENT OF EDUCATION, IN COLLABORATION WITH LOCAL EDUCATION PROVIDERS, SHALL ADMINISTER THE STATE ASSESSMENTS IN THE INSTRUCTIONAL AREAS

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

OF ENGLISH LANGUAGE ARTS, MATHEMATICS, AND SCIENCE, AS ADOPTED BY THE STATE BOARD PURSUANT TO SECTION 22-7-1006, AS FOLLOWS:

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

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

(b) AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT OF EDUCATION SHALL APPLY TO THE FEDERAL DEPARTMENT OF EDUCATION FOR A WAIVER OF FEDERAL STATUTORY AND REGULATORY REQUIREMENTS AS MAY BE NECESSARY TO ALLOW THE DEPARTMENT TO SATISFY THE FEDERAL HIGH SCHOOL ASSESSMENT REQUIREMENTS BY ADMINISTERING ASSESSMENTS IN ENGLISH LANGUAGE ARTS AND MATHEMATICS TO STUDENTS ENROLLED IN NINTH GRADE.

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

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

(e) THE DEPARTMENT SHALL REVIEW AND UPDATE ASSESSMENT

ADMINISTRATION AND SECURITY POLICIES AS NECESSARY TO MAINTAIN THE INTEGRITY OF THE ASSESSMENTS.

(2) (a) THE DEPARTMENT OF EDUCATION SHALL SELECT AND THE STATE SHALL PAY THE COSTS OF ADMINISTERING AN ASSESSMENT THAT IS ALIGNED WITH THE STATE ACADEMIC STANDARDS FOR STUDENTS ENROLLED IN TENTH GRADE AND WITH THE ASSESSMENT SELECTED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (2). EVERY FIVE YEARS, THE DEPARTMENT SHALL REQUEST COMPETITIVE BIDS AND CONTRACT FOR THE ASSESSMENT REQUIRED IN THIS PARAGRAPH (a). EACH LOCAL EDUCATION PROVIDER SHALL ADMINISTER THE ASSESSMENT FOR STUDENTS ENROLLED IN TENTH GRADE. EACH LOCAL EDUCATION PROVIDER SHALL ADMINISTER THE TENTH-GRADE ASSESSMENT ON A SCHEDULE THAT THE DEPARTMENT ANNUALLY SETS.

(b) THE DEPARTMENT OF EDUCATION SHALL SELECT AND THE STATE SHALL PAY THE COSTS OF ADMINISTERING AN ASSESSMENT THAT IS ADMINISTERED THROUGHOUT THE UNITED STATES AND RELIED UPON BY INSTITUTIONS OF HIGHER EDUCATION, REFERRED TO IN THIS SECTION AS THE "CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM". EVERY FIVE YEARS, THE DEPARTMENT SHALL REQUEST COMPETITIVE BIDS AND CONTRACT FOR THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM. AT A MINIMUM THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM MUST TEST IN THE AREAS OF READING, WRITING, MATHEMATICS, AND SCIENCE. EACH LOCAL EDUCATION PROVIDER SHALL ADMINISTER THE CURRICULUM-BASED ACHIEVEMENT COLLEGE ENTRANCE EXAM FOR STUDENTS ENROLLED IN ELEVENTH GRADE. THE LOCAL EDUCATION PROVIDER SHALL ADMINISTER THE WRITING PORTION OF THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM TO EACH STUDENT WHO REQUESTS THE OPPORTUNITY TO TAKE THE WRITING PORTION. THE DEPARTMENT SHALL PAY THE COSTS OF ADMINISTERING THE WRITING PORTION OF THE EXAM.

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

(II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), A STUDENT WHO CAN SHOW A NEED TO TAKE THE

CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM ON AN ALTERNATE DATE ON WHICH THE EXAM IS ADMINISTERED THROUGHOUT THE COUNTRY MAY TAKE THE EXAM ON THAT ALTERNATE DATE, SO LONG AS THE ALTERNATE DATE IS BEFORE THE DATE SCHEDULED BY THE DEPARTMENT PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (c). THE DEPARTMENT SHALL PAY ALL COSTS ASSOCIATED WITH A STUDENT TAKING THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM ON AN ALTERNATE DATE AS PROVIDED IN THIS SUBPARAGRAPH (II).

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

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

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

(c) A STUDENT WHO HAS AN INDIVIDUALIZED EDUCATION PROGRAM AS PROVIDED IN SECTION 22-20-108, AND WHOSE INDIVIDUALIZED EDUCATION PROGRAM SPECIFIES THAT THE STUDENT TAKES THE STATE'S ALTERNATE ASSESSMENT FOR STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES OR ANOTHER ASSESSMENT APPROVED BY RULE OF THE STATE BOARD, IS NOT REQUIRED TO TAKE THE STATE ASSESSMENTS ADMINISTERED PURSUANT TO SUBSECTION (1) OF THIS SECTION, BUT THE STUDENT MUST TAKE THE ALTERNATE ASSESSMENT OR THE OTHER APPROVED ASSESSMENT.

EACH LOCAL EDUCATION PROVIDER SHALL REPORT TO THE DEPARTMENT OF EDUCATION THE RESULTS OF THE ALTERNATE ASSESSMENTS OR OTHER APPROVED ASSESSMENTS ADMINISTERED TO STUDENTS ENROLLED BY THE LOCAL EDUCATION PROVIDER. THE DEPARTMENT SHALL AGGREGATE THE RESULTS SEPARATELY FOR EACH PUBLIC SCHOOL.

(d) IF A STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM AS PROVIDED IN SECTION 22-20-108 THAT SPECIFIES THAT THE STUDENT TAKES THE STATE ASSESSMENT, THE ENROLLING LOCAL EDUCATION PROVIDER SHALL ASSESS THE STUDENT IN EACH INSTRUCTIONAL AREA FOR WHICH THERE IS A STATE TEST AT THE STUDENT'S GRADE LEVEL. IF, AS PART OF A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM, THE STUDENT ATTENDS PART-TIME A SCHOOL OR PROGRAM AWAY FROM THE SCHOOL IN WHICH THE STUDENT IS ENROLLED, THE LOCAL EDUCATION PROVIDER THAT ENROLLS A STUDENT, OR THE ADMINISTRATIVE UNIT THAT THE LOCAL EDUCATION PROVIDER IS A MEMBER OF, MAY DESIGNATE EITHER THE SCHOOL OF RESIDENCE OR THE SCHOOL OF ATTENDANCE AS THE SCHOOL TO WHICH THE DEPARTMENT OF EDUCATION MUST ASSIGN THE STUDENT'S SCORES FOR PURPOSES OF MEASURING THE LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS SPECIFIED IN SECTION 22-11-204, DETERMINING ACCREDITATION CATEGORIES PURSUANT TO SECTION 22-11-208, AND MEASURING PUBLIC SCHOOL PERFORMANCE PURSUANT TO SECTION 22-11-210. IF A STUDENT WHO HAS AN INDIVIDUALIZED EDUCATION PROGRAM ATTENDS SCHOOL IN AN ADMINISTRATIVE UNIT OTHER THAN THE STUDENT'S ADMINISTRATIVE UNIT OF RESIDENCE, AND THERE IS A CONTRACT BETWEEN THE TWO ADMINISTRATIVE UNITS, THE ADMINISTRATIVE UNITS MUST SPECIFY IN THE CONTRACT THE PUBLIC SCHOOL TO WHICH THE DEPARTMENT SHALL ASSIGN THE STUDENT'S SCORES FOR PURPOSES OF MEASURING THE LEVELS OF ATTAINMENT ON THE PERFORMANCE INDICATORS, DETERMINING ACCREDITATION CATEGORIES, AND MEASURING PUBLIC SCHOOL PERFORMANCE.

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

TAKE THE STATE ASSESSMENTS IN A LANGUAGE OTHER THAN ENGLISH.

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

(b) THE STATE BOARD SHALL REVISE AS NECESSARY AND THE DEPARTMENT OF EDUCATION SHALL ADMINISTER READING AND WRITING ASSESSMENTS IN SPANISH FOR STUDENTS ENROLLED IN THE THIRD AND FOURTH GRADES.

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

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

(b) IF ALLOWED BY FEDERAL LAW OR BY A WAIVER OF FEDERAL LAW RECEIVED FROM THE FEDERAL DEPARTMENT OF EDUCATION PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (5), IN THE FIRST TWENTY-FOUR MONTHS IN WHICH A STUDENT WHO IS AN ENGLISH LANGUAGE LEARNER IS ENROLLED IN A SCHOOL IN THE UNITED STATES AND TAKES THE ENGLISH LANGUAGE ARTS ASSESSMENT, THE DEPARTMENT OF EDUCATION SHALL NOT INCLUDE THE STUDENT'S SCORES IN CALCULATING ACHIEVEMENT OF THE

PERFORMANCE INDICATORS PURSUANT TO PART 2 OF ARTICLE 11 OF THIS TITLE FOR THE LOCAL EDUCATION PROVIDER THAT ENROLLS THE STUDENT.

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

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

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

(b) THE DEPARTMENT OF EDUCATION SHALL RELEASE TO THE PUBLIC ONLY THOSE STATE ASSESSMENT RESULTS THAT THE DEPARTMENT DEEMS VALID. THE DEPARTMENT SHALL NOT RELY ON STATE ASSESSMENT RESULTS THAT THE DEPARTMENT HAS DEEMED INVALID IN PERFORMANCE CALCULATIONS WHEN ASSIGNING ACCREDITATION LEVELS OR SCHOOL PLAN TYPES, AS DESCRIBED IN ARTICLE 11 OF THIS TITLE, TO A LOCAL EDUCATION PROVIDER. AT ANY TIME THAT THE DEPARTMENT RELEASES STATE ASSESSMENT RESULTS TO THE PUBLIC, IN ADDITION TO RELEASING THE RESULTS OF THE ENGLISH VERSIONS OF THE STATE ASSESSMENTS, THE DEPARTMENT SHALL RELEASE THE RESULTS OF ANY STATE ASSESSMENTS ADMINISTERED IN LANGUAGES OTHER THAN ENGLISH.

(c) AT THE REQUEST OF A LOCAL EDUCATION PROVIDER, THE ENTITY THAT IS RESPONSIBLE FOR DEVELOPING A STATE ASSESSMENT MUST RETURN TO THE LOCAL EDUCATION PROVIDER THE STUDENT RESPONSES TO THE

ESSAY PORTION AND APPROPRIATE PARAGRAPHS THAT ARE RELEASED FROM THE ENGLISH LANGUAGE ARTS PORTION OF THE STATE ASSESSMENT AND THE RESULTS OF ALL REQUESTED STATE ASSESSMENTS. THE REQUESTING LOCAL EDUCATION PROVIDER MUST PAY THE ENTITY FOR THE ACTUAL COST OF PHOTOCOPYING AND MAILING THE ENGLISH LANGUAGE ARTS PORTION OF THE STATE ASSESSMENT. THE REQUESTING LOCAL EDUCATION PROVIDER SHALL MAINTAIN THE CONFIDENTIALITY OF ALL STATE ASSESSMENT RESULTS THAT IT RECEIVES AND MAY USE THE ESSAY PORTION AND APPROPRIATE PARAGRAPHS ONLY TO IMPROVE AN INDIVIDUAL STUDENT'S WRITING SKILLS.

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

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

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

(9) (a) THE DEPARTMENT OF EDUCATION SHALL PERMIT A NONPUBLIC SCHOOL TO ADMINISTER THE STATE ASSESSMENTS REQUIRED BY SUBSECTION (1) OF THIS SECTION AND SHALL PROVIDE TO THE NONPUBLIC SCHOOL THE RESULTS OF ANY STATE ASSESSMENTS ADMINISTERED. THE

NONPUBLIC SCHOOL MUST PAY ALL COSTS ASSOCIATED WITH ADMINISTERING AND PROVIDING RESULTS FOR THE STATE ASSESSMENTS.

(b) A LOCAL EDUCATION PROVIDER, UPON THE REQUEST OF THE PARENT OR LEGAL GUARDIAN OF A CHILD WHO IS PARTICIPATING IN A NONPUBLIC HOME-BASED EDUCATIONAL PROGRAM PURSUANT TO SECTION 22-33-104.5, MUST PERMIT THE CHILD TO TAKE A STATE ASSESSMENT REQUIRED BY SUBSECTION (1) OF THIS SECTION AND MUST PROVIDE TO THE PARENT OR LEGAL GUARDIAN OF THE CHILD THE RESULTS OF STATE ASSESSMENTS ADMINISTERED. THE PARENT OR LEGAL GUARDIAN OF THE CHILD MUST PAY ALL COSTS ASSOCIATED WITH ADMINISTERING AND PROVIDING RESULTS FOR THE STATE ASSESSMENTS.

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

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

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

(b) IF AUTHORIZED BY ITS LOCAL SCHOOL BOARD OR OTHER GOVERNING BODY, A LOCAL EDUCATION PROVIDER, INDIVIDUALLY OR IN COMBINATION WITH ONE OR MORE OTHER LOCAL EDUCATION PROVIDERS,

MAY PARTICIPATE IN THE FIRST PHASE OF THE PILOT PROGRAM BY CREATING OR SELECTING ASSESSMENTS THAT MEET THE REQUIREMENTS SPECIFIED IN SUBSECTION (3) OF THIS SECTION AND ADMINISTERING THOSE ASSESSMENTS FOR TWO SCHOOL YEARS TO ALL OR A PORTION OF THE STUDENTS ENROLLED IN AT LEAST ONE ELEMENTARY GRADE, ONE MIDDLE SCHOOL GRADE, AND ONE HIGH SCHOOL GRADE. AFTER ADMINISTERING THE ASSESSMENTS FOR TWO SCHOOL YEARS, THE LOCAL EDUCATION PROVIDER MUST SUBMIT TO THE DEPARTMENT OF EDUCATION THE ASSESSMENT RESULTS FOR EACH YEAR IN WHICH THEY WERE ADMINISTERED AND THE LOCAL EDUCATION PROVIDER'S DEMONSTRATION THAT THE RESULTS ARE COMPARABLE TO THE RESULTS OBTAINED ON THE STATE ASSESSMENTS ADMINISTERED IN THE SAME SCHOOL YEARS.

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

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

(I) NOTIFY THE DEPARTMENT OF EDUCATION AT THE BEGINNING OF EACH SCHOOL YEAR IN WHICH IT INTENDS TO ADMINISTER ASSESSMENTS PURSUANT TO THIS SECTION AND IDENTIFY THE ASSESSMENTS THAT THE LOCAL EDUCATION PROVIDER INTENDS TO ADMINISTER;

(II) NOTIFY THE PARENTS OF THE STUDENTS ENROLLED BY THE LOCAL EDUCATION PROVIDER AT THE BEGINNING OF EACH SCHOOL YEAR IN WHICH IT INTENDS TO ADMINISTER ASSESSMENTS PURSUANT TO THIS SECTION THAT THE LOCAL EDUCATION PROVIDER IS CHOOSING TO ADMINISTER ASSESSMENTS PURSUANT TO THIS SECTION; AND

(III) IF THE LOCAL EDUCATION PROVIDER IS A SCHOOL DISTRICT, WORK WITH THE SCHOOL DISTRICT'S PERSONNEL PERFORMANCE

EVALUATION COUNCIL CREATED PURSUANT TO SECTION 22-9-107 IN SELECTING OR CREATING AND ADMINISTERING ASSESSMENTS PURSUANT TO THIS SECTION.

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

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

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

(c) PROVIDE SUFFICIENT DATA EACH SCHOOL YEAR TO DISAGGREGATE AND REPORT RESULTS FOR STUDENT GROUPS AS DEFINED IN SECTION 22-11-103 (34); AND

(d) PROVIDE SUFFICIENT DATA EACH SCHOOL YEAR TO MEASURE, FOR EACH STUDENT ENROLLED IN THE GRADES THAT ARE ASSESSED, THE STUDENT'S PROGRESS IN MEETING THE STATE ACADEMIC STANDARDS.

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

(b) EACH LOCAL EDUCATION PROVIDER THAT PARTICIPATES IN

PHASE TWO OF THE PILOT PROGRAM SHALL SUBMIT THE RESULTS OF THE LOCAL ASSESSMENTS TO THE DEPARTMENT OF EDUCATION FOR ANALYSIS AND EVALUATION. AFTER THE DEPARTMENT RECEIVES THE LOCAL ASSESSMENT DATA FROM ALL PARTICIPATING LOCAL EDUCATION PROVIDERS, THE DEPARTMENT SHALL REVIEW THE DATA TO ENSURE THAT EACH ASSESSMENT MEETS THE REQUIREMENTS SPECIFIED IN SUBSECTION (3) OF THIS SECTION AND THAT EACH ASSESSMENT IS VALID AND RELIABLE. BASED ON THE ASSESSMENT DATA, THE DEPARTMENT SHALL RECOMMEND TO THE STATE BOARD ONE OF THE LOCAL ASSESSMENTS FOR APPROVAL AS THE NEW STATE ASSESSMENT OR RECOMMEND THAT THE STATE CONTINUE ADMINISTERING THE EXISTING STATE ASSESSMENTS. THE STATE BOARD SHALL REVIEW THE ASSESSMENT DATA AND, TAKING INTO ACCOUNT THE DEPARTMENT'S RECOMMENDATION, SELECT THE NEW STATE ASSESSMENT OR CONTINUE ADMINISTERING THE EXISTING STATE ASSESSMENTS. THE DEPARTMENT AND THE STATE BOARD SHALL BASE THE RECOMMENDATION AND SELECTION ON THE VALIDITY, RELIABILITY, AND COMPARABILITY OF THE ASSESSMENT AND ENSURE THAT THE SELECTED ASSESSMENT, IF ANY, MEETS THE GOALS OF THE PILOT PROGRAM STATED IN SUBSECTION (1) OF THIS SECTION.

(c) IF THE STATE BOARD ADOPTS A NEW STATE ASSESSMENT, THE STATE BOARD SHALL NOTIFY THE GENERAL ASSEMBLY. IMPLEMENTATION OF A NEW STATE ASSESSMENT IS CONDITIONAL ON THE ENACTMENT OF LEGISLATION THAT APPROVES THE USE OF THE NEW ASSESSMENT.

(d) AS SOON AS POSSIBLE AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT OF EDUCATION SHALL APPLY TO THE FEDERAL DEPARTMENT OF EDUCATION FOR A WAIVER OF FEDERAL STATUTORY AND REGULATORY REQUIREMENTS TO THE EXTENT NECESSARY TO IMPLEMENT PHASE ONE OF THE PILOT PROGRAM, INCLUDING A WAIVER OF THE REQUIREMENT TO ADMINISTER A SINGLE STATEWIDE ASSESSMENT AS APPLIED TO THE LOCAL EDUCATION PROVIDERS THAT PARTICIPATE IN PHASE ONE AND PHASE TWO OF THE PILOT PROGRAM. BEFORE THE BEGINNING OF PHASE TWO OF THE PILOT PROGRAM, THE DEPARTMENT SHALL APPLY TO THE FEDERAL DEPARTMENT OF EDUCATION FOR A WAIVER OF FEDERAL STATUTORY AND REGULATORY REQUIREMENTS TO THE EXTENT NECESSARY TO IMPLEMENT PHASE TWO OF THE PILOT PROGRAM. IF THE STATE BOARD ADOPTS A NEW STATE ASSESSMENT, THE DEPARTMENT SHALL APPLY TO THE FEDERAL DEPARTMENT OF EDUCATION FOR A WAIVER OF FEDERAL STATUTORY AND REGULATORY REQUIREMENTS AS NECESSARY TO

IMPLEMENT THE NEW STATE ASSESSMENT IF ADOPTED AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (4).

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

(f) IF THE FEDERAL DEPARTMENT OF EDUCATION REQUIRES A LOCAL EDUCATION PROVIDER TO ADMINISTER THE STATE ASSESSMENTS REQUIRED IN SECTION 22-7-1006.3 WHILE THE LOCAL EDUCATION PROVIDER IS PARTICIPATING IN THE PILOT PROGRAM, THE LOCAL EDUCATION PROVIDER SHALL:

(I) ADMINISTER THE STATE ASSESSMENTS AS REQUIRED IN SECTION 22-7-1006.3 IN ADDITION TO THE LOCAL ASSESSMENTS WHILE PARTICIPATING IN THE PILOT PROGRAM; AND

(II) SPECIFY IN THE NOTICE REQUIRED IN PARAGRAPH (d) OF SUBSECTION (2) OF THIS SECTION THAT THE LOCAL EDUCATION PROVIDER IS CHOOSING TO ADMINISTER ASSESSMENTS THROUGH THE PILOT PROGRAM IN ADDITION TO THE STATE ASSESSMENTS REQUIRED IN SECTION 22-7-1006.3.

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

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

(5) Every six years after the adoption of the system of assessments pursuant to paragraph (a) of subsection (1) of this section, the state board shall review and adopt any appropriate revisions OR UPDATES to ~~such~~ THE system of assessments, INCLUDING ANY ASSESSMENTS ADMINISTERED IN LANGUAGES OTHER THAN ENGLISH. The state board may adopt revisions to an assessment or adopt additional assessments, regardless of whether it

adopts any revision to the standards with which the assessment is aligned. In adopting revisions to the system of assessments, the state board shall ensure that the system of assessments continues to meet the requirements specified in this section. THE DEPARTMENT OF EDUCATION SHALL REVIEW AND UPDATE THE ADMINISTRATION AND SECURITY POLICIES FOR ASSESSMENTS AS NECESSARY TO MAINTAIN THE INTEGRITY OF THE ASSESSMENTS.

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

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

(7) (a) EACH LOCAL EDUCATION PROVIDER SHALL ADOPT AND IMPLEMENT PROCEDURES BY WHICH THE LOCAL EDUCATION PROVIDER, OR THE PUBLIC SCHOOLS THAT THE LOCAL EDUCATION PROVIDER OPERATES, SHALL ANNUALLY DISTRIBUTE TO THE PARENTS OF STUDENTS ENROLLED BY THE LOCAL EDUCATION PROVIDER AN ASSESSMENT CALENDAR. AT A MINIMUM, THE ASSESSMENT CALENDAR MUST SPECIFY THE ESTIMATED HOURS EACH TESTING DAY THAT SPECIFIC CLASSES OR GRADES WILL TAKE

EACH ASSESSMENT AND IDENTIFY WHETHER THE ASSESSMENT IS REQUIRED BY FEDERAL LAW OR STATE LAW OR SELECTED BY THE LOCAL EDUCATION PROVIDER. THE PROCEDURES SHALL SPECIFY THE TIMING FOR DISTRIBUTION OF THE CALENDAR AND REQUIRE THAT THE CALENDAR IS DISTRIBUTED TO PARENTS AND POSTED ON THE LOCAL EDUCATION PROVIDER'S WEB SITE.

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

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

(B) THE ANTICIPATED CALENDAR FOR ADMINISTERING THE STATE AND LOCAL ASSESSMENTS DURING THE SCHOOL YEAR; AND

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

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

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

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

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

(c) A LOCAL EDUCATION PROVIDER SHALL NOT IMPOSE AN UNREASONABLE BURDEN OR REQUIREMENT ON A STUDENT THAT WOULD DISCOURAGE THE STUDENT FROM TAKING A STATE ASSESSMENT OR ENCOURAGE THE STUDENT'S PARENT TO EXCUSE THE STUDENT FROM TAKING THE STATE ASSESSMENT.

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

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

(b) If a teacher finds, based on a student's scores on the approved reading assessments, that the student may have a significant reading deficiency, the teacher shall administer to the student one or more diagnostic assessments WITHIN SIXTY DAYS AFTER THE PREVIOUS ASSESSMENT to determine the student's specific reading skill deficiencies. Each local education provider shall select from the list of approved assessments adopted by rule of the state board pursuant to section 22-7-1209 (1) those assessments it ~~shall use~~ USES to determine a student's specific reading skill deficiencies. A local education provider may choose

to use other diagnostic reading assessments in addition to but not in lieu of the approved assessments.

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

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

22-7-1209. State board - rules - department - duties.
(2) (a) (II) The department shall ensure that:

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

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

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

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

22-7-1014. Preschool individualized readiness plans - school readiness - assessments. (1) (a) Beginning in the fall semester of 2013, each local education provider that provides a preschool or kindergarten program shall ensure that each student enrolled in a preschool or kindergarten program operated by the local education provider receives an individualized readiness plan that addresses the preschool standards or kindergarten standards, as appropriate, knowledge and skill areas in which a student needs assistance to make progress toward school readiness. IF A

STUDENT IS IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY AS PROVIDED IN SECTION 22-7-1205, THE LOCAL EDUCATION PROVIDER SHALL INCLUDE THE STUDENT'S READ PLAN CREATED PURSUANT TO SECTION 22-7-1206 AS A COMPONENT OF THE STUDENT'S INDIVIDUALIZED READINESS PLAN.

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

SECTION 7. In Colorado Revised Statutes, 22-11-207, **amend** (4) as follows:

22-11-207. Accreditation categories - criteria - rules. (4) (a) The state board by rule shall specify how long a school district or the institute may remain in an accreditation category that is below accredited; except that the state board shall not allow a school district or the institute to remain at accredited with priority improvement plan or below for longer than a total of five consecutive school years before removing the school district's or the institute's accreditation as provided in section 22-11-209.

(b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (4), FOR PURPOSES OF CALCULATING WHETHER A SCHOOL DISTRICT OR THE INSTITUTE IS ACCREDITED WITH PRIORITY IMPROVEMENT PLAN OR BELOW FOR LONGER THAN A TOTAL OF FIVE CONSECUTIVE SCHOOL YEARS, THE DEPARTMENT SHALL EXCLUDE THE 2015-16 SCHOOL YEAR,

DURING WHICH THE DEPARTMENT DOES NOT ASSIGN ACCREDITATION RATINGS AS PROVIDED IN SECTION 22-11-208 (1.5), FROM THE CALCULATION AND SHALL COUNT THE 2016-17 SCHOOL YEAR AS IF IT WERE CONSECUTIVE TO THE 2014-15 SCHOOL YEAR.

SECTION 8. In Colorado Revised Statutes, 22-11-208, **amend** (1.5) as follows:

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

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

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

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

~~(d) Valid and reliable data that meets the guidelines established by the commissioner and that the school district or the institute may submit to the department to demonstrate the school district's or the institute's progress in improving student performance with regard to the Colorado academic standards and postsecondary and workforce readiness and in attaining the statewide targets for the performance indicators and the school district's or the institute's performance targets for the preceding school year.~~

SECTION 9. In Colorado Revised Statutes, 22-11-210, **amend** (1) (d) and (2.5) as follows:

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

(II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (d), FOR PURPOSES OF CALCULATING WHETHER A PUBLIC SCHOOL IS REQUIRED TO IMPLEMENT A PRIORITY IMPROVEMENT OR TURNAROUND PLAN FOR LONGER THAN A COMBINED TOTAL OF FIVE CONSECUTIVE SCHOOL YEARS, THE DEPARTMENT SHALL EXCLUDE THE 2015-16 SCHOOL YEAR, DURING WHICH THE DEPARTMENT DOES NOT RECOMMEND SCHOOL PLANS AS PROVIDED IN SUBSECTION (2.5) OF THIS SECTION, FROM THE CALCULATION AND SHALL COUNT THE 2016-17 SCHOOL YEAR AS IF IT WERE CONSECUTIVE TO THE 2014-15 SCHOOL YEAR.

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

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

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

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

~~district's or the institute's performance targets, and the public school's performance targets for the preceding school year.~~

SECTION 10. In Colorado Revised Statutes, 22-9-106, **amend** (2.5) (b) (II) (A); and **add** (2.5) (c) as follows:

22-9-106. Local boards of education - duties - performance evaluation system - compliance - rules - repeal. (2.5) (b) (II) (A) For the 2014-15 academic year and every year thereafter, a local board shall implement a licensed personnel evaluation system based on the quality standards established pursuant to this article and rule of the state board, including student academic growth; except that, for the 2014-15 academic year only, a local board may determine at what percentage, if any, to weigh student academic growth toward the final level of effectiveness assigned to any person receiving an evaluation pursuant to this article. In no instance may a local board weigh student academic growth, as used in determining a final level of effectiveness, at greater than fifty percent. FOR THE 2014-15 ACADEMIC YEAR, A LOCAL BOARD SHALL NOT USE THE RESULTS OF THE STATE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1006.3 IN MEASURING STUDENT ACADEMIC GROWTH FOR PURPOSES OF DETERMINING A PERSON'S LEVEL OF EFFECTIVENESS.

(c) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION OR SUBSECTION (7) OF THIS SECTION TO THE CONTRARY:

(I) A LOCAL BOARD MAY USE THE RESULTS OF THE STATE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1006.3 IN THE 2014-15 SCHOOL YEAR ONLY AS BASELINE DATA FOR MEASURING STUDENT ACADEMIC GROWTH IN THE 2015-16 SCHOOL YEAR AND SCHOOL YEARS THEREAFTER; AND

(II) A LOCAL BOARD MAY USE THE RESULTS OF STATE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1006.3 AS A MEASURE OF STUDENT ACADEMIC GROWTH FOR EVALUATIONS PREPARED FOR THE SCHOOL YEAR IN WHICH THE ASSESSMENTS ARE ADMINISTERED ONLY IF THE LOCAL BOARD RECEIVES THE RESULTS BY THE DATE BY WHICH PROBATIONARY TEACHERS AND NONPROBATIONARY TEACHERS MUST RECEIVE THE WRITTEN EVALUATION REPORT AS PROVIDED IN PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION. IF A LOCAL BOARD DOES NOT

RECEIVE THE RESULTS OF STATE ASSESSMENTS IN TIME TO USE THEM IN THE WRITTEN EVALUATION REPORT PREPARED FOR THE SCHOOL YEAR IN WHICH THE ASSESSMENTS ARE ADMINISTERED, THE LOCAL BOARD SHALL USE THE RESULTS OF THE STATE ASSESSMENTS AS MEASURES OF STUDENT ACADEMIC GROWTH FOR EDUCATOR EVALUATIONS AND PROFESSIONAL DEVELOPMENT IN THE SCHOOL YEAR FOLLOWING THE SCHOOL YEAR IN WHICH THE ASSESSMENTS ARE ADMINISTERED. IN ANY YEAR IN WHICH A LOCAL BOARD DOES NOT RECEIVE THE STATE ASSESSMENT RESULTS BY THE DEADLINE FOR THE WRITTEN EVALUATION REPORTS, THE LOCAL BOARD MUST USE ALTERNATE MEASURES OF STUDENT ACADEMIC GROWTH, INCLUDING THE RESULTS OF LOCAL ASSESSMENTS IF AVAILABLE.

SECTION 11. In Colorado Revised Statutes, 22-11-208, **add** (1.7) as follows:

22-11-208. Accreditation - annual review - supports and interventions - rules. (1.7) AS PART OF THE PRESENTATION TO THE JOINT EDUCATION COMMITTEE REQUIRED BY SECTION 2-7-203, C.R.S., IN 2015, THE DEPARTMENT SHALL REPORT PROGRESS IN USING THE ASSESSMENT RESULTS RECEIVED PURSUANT TO SECTION 22-7-1006.3 TO CALCULATE FAIRLY AND IN A TIMELY MANNER EACH SCHOOL DISTRICT'S AND THE INSTITUTE'S ACHIEVEMENT OF THE PERFORMANCE INDICATORS. THE DEPARTMENT SHALL RECOMMEND TO THE JOINT EDUCATION COMMITTEE WHETHER THE PROVISIONS OF SUBSECTION (1.5) OF THIS SECTION SHOULD BE EXTENDED TO APPLY IN SUBSEQUENT SCHOOL YEARS.

SECTION 12. In Colorado Revised Statutes, 22-11-210, **add** (2.7) as follows:

22-11-210. Public schools - annual review - plans - supports and interventions - rules. (2.7) AS PART OF THE PRESENTATION TO THE JOINT EDUCATION COMMITTEE REQUIRED BY SECTION 2-7-203, C.R.S., IN 2015, THE DEPARTMENT SHALL REPORT PROGRESS IN USING THE ASSESSMENT RESULTS RECEIVED PURSUANT TO SECTION 22-7-1006.3 TO CALCULATE FAIRLY AND IN A TIMELY MANNER EACH PUBLIC SCHOOL'S ACHIEVEMENT OF THE PERFORMANCE INDICATORS. THE DEPARTMENT SHALL RECOMMEND TO THE JOINT EDUCATION COMMITTEE WHETHER THE PROVISIONS OF SUBSECTION (2.5) OF THIS SECTION SHOULD BE EXTENDED TO APPLY IN SUBSEQUENT SCHOOL YEARS.

SECTION 13. In Colorado Revised Statutes, **repeal** part 4 of article 7 of title 22.

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

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

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

SECTION 15. In Colorado Revised Statutes, 2-2-1802, **amend** (6) and (10) as follows:

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

(6) "Local assessments" means assessments that a school district or charter school adopts and administers pursuant to section ~~22-7-407~~, 22-7-1013 or 22-7-1205, C.R.S.

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

SECTION 16. In Colorado Revised Statutes, 18-1.3-407, **amend** (3.4) (c) as follows:

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

(c) Contract with any public or private entity, including but not

limited to a school district, for provision or certification of educational services. Offenders receiving educational services or diplomas from a school district under an agreement entered into pursuant to this paragraph (c) shall not be included in computing the school district's student performance on statewide assessments pursuant to ~~section 22-7-409~~ SECTION 22-7-1006.3, C.R.S., or the school district's levels of attainment of the performance indicators pursuant to article 11 of title 22, C.R.S.

SECTION 17. In Colorado Revised Statutes, 22-1-104, **amend** (4) (a) as follows:

22-1-104. Teaching of history, culture, and civil government. (4) (a) In an effort to increase civic participation among young people, each school district board of education shall convene a community forum on a periodic basis, but not less than once every ten years, for all interested persons to discuss adopted content standards in civics, including the subjects described in subsection (2) of this section. ~~and in conformance with the plan to reexamine acceptable performance levels described in section 22-7-407 (2).~~

SECTION 18. In Colorado Revised Statutes, 22-1-123, **amend** (5) (b) as follows:

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

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

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

(a.5) To adopt, on or before May 15, 2013, a comprehensive set of guidelines for the establishment of high school graduation requirements to be used by each school district board of education in developing local high school graduation requirements. Each school district board of education ~~shall retain~~ RETAINS the authority to develop its own unique high school graduation requirements, so long as those local high school graduation requirements meet or exceed any minimum standards or basic core competencies or skills identified in the comprehensive set of guidelines for high school graduation developed by the state board pursuant to this paragraph (a.5). In developing the guidelines for high school graduation, the state board shall utilize the recommendations of the state graduation guidelines development council established in section 22-7-414, as it existed prior to July 1, 2008, and shall:

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

SECTION 20. In Colorado Revised Statutes, 22-2-109, **amend** (6) (a) introductory portion and (6) (a) (II) as follows:

22-2-109. State board of education - additional duties - teacher

standards - principal standards. (6) (a) On or before January 1, 2003, the state board of education by rule shall adopt performance-based principal licensure standards to guide the development of principal preparation programs offered by institutions of higher education. The state board of education shall develop said standards in collaboration with institutions of higher education that offer principal preparation programs, superintendents and local boards of education, and the commission on higher education. The state board of education shall ensure that said standards are consistent with national standards for principal preparation. Said standards ~~shall~~ MUST include, but need not be limited to, the following:

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

SECTION 21. In Colorado Revised Statutes, 22-2-117, **amend** (1.5) as follows:

22-2-117. Additional power - state board - waiver of requirements - rules. (1.5) Notwithstanding any provision of this section or any other provision of law, the state board shall not waive requirements contained in article 11 of this title or ~~sections 22-7-409~~ SECTIONS 22-7-1006.3, 22-32-105, 22-32-109 (1) (bb) (I) and (2), 22-32-109.1 (2) (a), 22-32-146, and 22-33-104 (4).

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

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

(a) Adopt curriculum to be provided by approved facility schools. At a minimum, the facility schools board shall align the curriculum for the core subjects of reading, writing, mathematics, science, history, and geography with the state ~~model~~ content standards adopted pursuant to ~~section 22-7-406~~ SECTION 22-7-1005 and the STATE assessments administered ~~through the Colorado student assessment program pursuant~~

~~to section 22-7-409~~ AS PROVIDED IN SECTION 22-7-1006.3. The curriculum ~~shall~~ MUST include a range of course work from which an approved facility school may select courses that meet the needs of the students who are placed at the facility.

SECTION 23. In Colorado Revised Statutes, 22-5-115, **amend** (4) as follows:

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

SECTION 24. In Colorado Revised Statutes, 22-7-604.5, **amend** (1) introductory portion, (1) (a) (VI) (A), (1) (a) (VI) (C), and (3) (a) as follows:

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

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

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

(C) Serving students who attend on a part-time basis and who come from other public schools where the part-time students are counted in the enrollment of the other public school; except that the results of the assessments administered pursuant to ~~section 22-7-409~~ of SECTION

22-7-1006.3 TO all part-time students and high-risk students as defined in subsection (1.5) of this section ~~shall~~ MUST be used in determining the levels of attainment on the performance indicators for the public school for which the student is counted for enrollment purposes;

(3) (a) Except as excluded pursuant to ~~section 22-7-409~~ SECTION 22-7-1006.3, the results of the assessments administered pursuant to ~~section 22-7-409~~ for SECTION 22-7-1006.3 TO all part-time students attending a school or a program that is designated an alternative education campus pursuant to this section ~~shall~~ MUST be included in determining the levels of attainment on the performance indicators achieved by the school to which the student is assigned for enrollment purposes.

SECTION 25. In Colorado Revised Statutes, 22-7-802, **amend** (3); and **repeal** (1) as follows:

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

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

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

SECTION 26. In Colorado Revised Statutes, 22-11-103, **amend** (33) as follows:

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

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

SECTION 27. In Colorado Revised Statutes, 22-24-106, **amend**

(1) (c) and (1) (h) as follows:

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

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

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

SECTION 28. In Colorado Revised Statutes, 22-30.5-104, **amend** (6) (c) (II) as follows:

22-30.5-104. Charter school - requirements - authority. (6) (c) A school district, on behalf of a charter school, may apply to the state board for a waiver of a state statute or state rule that is not an automatic waiver. Notwithstanding any provision of this subsection (6) to the contrary, the state board may not waive any statute or rule relating to:

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

SECTION 29. In Colorado Revised Statutes, 22-30.5-303, **amend** (2) (b) introductory portion, (2) (b) (III), and (2) (b) (IV) as follows:

22-30.5-303. Independent charter schools - request for proposals - response contents. (2) (b) The state board shall adopt rules specifying a schedule for receipt of the responses to the request for proposals pursuant to paragraph (a) of this subsection (2), the formation of a review committee and receipt of the recommendations of said committee pursuant to section 22-30.5-304, and the selection of an applicant and

notification to the local board of education pursuant to section 22-30.5-305. Said schedule ~~shall~~ MUST ensure the completion of negotiations on the independent charter no later than May 30 of the year in which the independent charter school is to open. The rules ~~shall~~ MUST also specify the information that an independent charter proposal ~~shall~~ MUST include in order to be eligible for consideration. Such information ~~shall~~ MUST include, but need not be limited to, the following:

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

(IV) A description of the independent charter school's plan for evaluating student performance, the types of assessments that ~~shall~~ MUST be used to measure student progress toward achievement of the school's student performance standards and the targets for the measures used to determine the levels of attainment of the performance indicators, including but not limited to the ~~statewide~~ STATE assessments administered ~~under the Colorado student assessment program pursuant to section 22-7-409~~ PURSUANT TO SECTION 22-7-1006.3, the timeline for achievement of the school's student performance standards and the targets, and the procedures for taking corrective action in the event that student performance at the independent charter school fails to meet such standards and targets;

SECTION 30. In Colorado Revised Statutes, 22-30.5-505, **amend** (8) as follows:

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

SECTION 31. In Colorado Revised Statutes, 22-30.5-507, **amend** (7) (b) (II) as follows:

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

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

SECTION 32. In Colorado Revised Statutes, 22-30.7-105, **amend** (2) introductory portion and (2) (b) as follows:

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

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

SECTION 33. In Colorado Revised Statutes, 22-32-109, **amend** (1) (aa) as follows:

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

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

SECTION 34. In Colorado Revised Statutes, 22-32-109.6, **amend** (2) (a) as follows:

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

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

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

SECTION 35. In Colorado Revised Statutes, 22-32.5-108, **amend** (2) introductory portion and (2) (a) as follows:

22-32.5-108. District of innovation - waiver of statutory and regulatory requirements. (2) Each district of innovation ~~shall continue~~ CONTINUES to be subject to all statutes and rules that are not waived by the state board pursuant to subsection (1) of this section, including but not limited to all statutes and rules concerning implementation of:

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

SECTION 36. In Colorado Revised Statutes, 22-43.7-111, **amend** (1) introductory portion and (1) (c) as follows:

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

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

SECTION 37. In Colorado Revised Statutes, 22-54-103, **amend** (1.5) (b) (IV) as follows:

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

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

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

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

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

SECTION 38. In Colorado Revised Statutes, 22-55-102, **amend** (1) (b), (2) (a) (II), and (3) introductory portion as follows:

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

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

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

(2) (a) "Accountable education reform" means any program or plan for reforming preschool through twelfth-grade education in the state that

complies with accountability standards imposed by law on school districts in the state, including, but not limited to, the requirements set forth in:

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

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

SECTION 39. In Colorado Revised Statutes, 22-60.5-110, **amend** (3) (c) (I) as follows:

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

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

SECTION 40. In Colorado Revised Statutes, 22-60.5-203, **amend** (2) as follows:

22-60.5-203. Assessment of professional competencies - rules. (2) The state board by rule shall identify the professional competencies required of the applicants described in subsection (3) of this section specifically in the context of the requirements of standards-based education pursuant to the requirements of ~~part 4~~ PART 10 of article 7 of this title. Such professional competencies ~~shall~~ apply to an applicant only within the scope of the subject matter to be taught by the applicant.

SECTION 41. In Colorado Revised Statutes, 22-60.5-303, **amend** (2) (h) as follows:

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

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

SECTION 42. In Colorado Revised Statutes, 22-60.5-308, **amend** (2) (h) as follows:

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

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

SECTION 43. In Colorado Revised Statutes, 23-1-119.2, **amend** (1) (a) and (1) (b) introductory portion as follows:

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

(a) Obtain, on or before June 1 of each school year, from the APPROPRIATE test ~~administrator for the standardized, curriculum-based, achievement, college entrance exam administered pursuant to section 22-7-409 (1.5) (a), C.R.S., and the precollegiate exam~~ ADMINISTRATORS the names and mailing addresses of all students enrolled in Colorado public schools who take ~~either~~ A STANDARDIZED, CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM OR A PRECOLLEGIATE exam;

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

of a student's eleventh-grade year if the student took the precollegiate exam. At a minimum, the notice ~~shall~~ MUST include:

SECTION 44. In Colorado Revised Statutes, 23-1-121, **amend** (2) introductory portion and (2) (c) as follows:

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

(c) Course work and field-based training that integrates theory and practice and educates candidates in the methodologies, practices, and procedures of standards-based education, as described in ~~parts 4 and~~ PART 10 of article 7 of title 22, C.R.S., and specifically in teaching to the ~~state academic standards adopted pursuant to section 22-7-406, C.R.S., or, beginning December 15, 2012, teaching to the state preschool through elementary and secondary education standards adopted pursuant to section 22-7-1005, C.R.S.;~~

SECTION 45. In Colorado Revised Statutes, 26-6.5-101.5, **repeal** (4) as follows:

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

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

SECTION 46. In Colorado Revised Statutes, 22-7-1003, **repeal** (12), (13), (14), and (16) as follows:

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

(12) ~~"Pilot program" means the pilot program for administration of~~

~~postsecondary and workforce planning, preparation, and readiness assessments implemented pursuant to section 22-7-1007.~~

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

(14) ~~"Postsecondary and workforce preparation assessment" means an assessment or battery of assessments administered to students in tenth grade that, at a minimum, tests in the areas of reading, mathematics, and science, provides guidance regarding a student's level of academic preparation for entry into postsecondary education or the workforce, and is relevant to college admission determinations.~~

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

SECTION 47. In Colorado Revised Statutes, 22-7-1005, **repeal** (4) as follows:

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

SECTION 48. In Colorado Revised Statutes, 22-7-1006, **amend** (2) and (5) as follows:

22-7-1006. Preschool through elementary and secondary education - aligned assessments - adoption - revisions. (2) In adopting

the system of assessments, the state board shall ensure that it ~~includes the postsecondary and workforce planning, preparation, and readiness assessments adopted by the state board and the commission pursuant to section 22-7-1008~~ THE ASSESSMENTS IT ADOPTS THAT ARE ADMINISTERED IN HIGH SCHOOL ARE DESIGNED TO ENABLE A STUDENT TO DEMONSTRATE POSTSECONDARY AND WORKFORCE READINESS BY THE TIME THE STUDENT GRADUATES FROM HIGH SCHOOL.

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

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

SECTION 49. In Colorado Revised Statutes, **repeal** 22-7-1007.

SECTION 50. In Colorado Revised Statutes, 22-7-1008, **amend** (1) (b) and (2); and **repeal** (3) (b) as follows:

22-7-1008. Postsecondary and workforce readiness description - adoption - revision. (1) (b) ~~Based on the data received by the department of education from the operation of the pilot program pursuant to section 22-7-1007, the state board and the commission may modify the description of postsecondary and workforce readiness as appropriate to ensure alignment of the standards for grades nine through twelve, the postsecondary and workforce planning, preparation, and readiness assessments, and the description of postsecondary and workforce readiness. The state board and the commission may further modify the description of postsecondary and workforce readiness as necessary based on the recommendations received through the peer review process on the amended~~

state plan pursuant to section 22-7-1012 to ensure alignment of the postsecondary and workforce readiness description with the standards and assessments.

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

~~(b) Following adoption of the postsecondary and workforce planning, preparation, and readiness assessments, the state board and the commission shall negotiate a consensus and adopt scoring criteria for the postsecondary and workforce planning, preparation, and readiness assessments to indicate a student's level of postsecondary and workforce readiness, based on the student's level of performance on the assessments. The state board and the commission shall ensure that the scoring criteria for the postsecondary and workforce planning, preparation, and readiness assessments are aligned with the scoring criteria that apply to the system of assessments for preschool through elementary and secondary education standards.~~

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

~~(3) (b) Every six years after the adoption of the postsecondary and workforce planning, preparation, and readiness assessments pursuant to paragraph (a) of subsection (2) of this section, the state board and the commission shall review, negotiate a consensus, and adopt any appropriate revisions to such assessments. The state board and the commission may adopt revisions to the postsecondary and workforce planning, preparation, and readiness assessments, regardless of whether they adopt any revisions to the postsecondary and workforce readiness description. In adopting revisions to the assessments, the state board and the commission shall ensure that the assessments continue to meet the requirements specified in subsection (2) of this section. The state board and the commission shall also review and adopt any appropriate revisions to the scoring criteria.~~

SECTION 51. In Colorado Revised Statutes, 22-7-1012, **amend** (2) (a) introductory portion and (2) (a) (I); and **repeal** (1) as follows:

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

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

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

~~preparation, and readiness assessments adopted pursuant to section 22-7-1008; and~~

SECTION 52. In Colorado Revised Statutes, 22-7-1015, **amend** (3) (b) as follows:

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

SECTION 53. In Colorado Revised Statutes, 22-7-1016, **amend** (1), (2) (b), and (4) (a) as follows:

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

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

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

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

SECTION 54. In Colorado Revised Statutes, 22-7-1018, **amend** (1) (c) (V), (1) (c) (VI), (1) (c) (VII), and (2) (b) as follows:

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

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

(VI) Making changes to the postsecondary admissions processes and publications to take into account the postsecondary and workforce readiness description and the ~~postsecondary and workforce planning, preparation, and readiness assessments ADMINISTERED PURSUANT TO SECTION 22-7-1006.3 TO STUDENTS ENROLLED IN HIGH SCHOOL;~~ and

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

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

(b) On or before October 1, 2011, a report of the costs pertaining to implementation of the school readiness assessments AND the system of assessments that is aligned with the preschool through elementary and

secondary education standards; and ~~the postsecondary and workforce planning, preparation, and readiness assessments; and~~

SECTION 55. In Colorado Revised Statutes, 22-7-302, **amend** (2) as follows:

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

(2) "Close the achievement and growth gap" means to lessen the variance in academic achievement and growth among student groups, as reflected in ~~statewide~~ STATE assessment scores, ~~or performance on postsecondary and workforce readiness assessments~~ IN THE SCORES ACHIEVED ON THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM, and in calculations of students' longitudinal academic growth, by improving the academic achievement and growth of students in those groups that are underperforming.

SECTION 56. In Colorado Revised Statutes, 22-11-103, **repeal** (26) as follows:

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

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

SECTION 57. In Colorado Revised Statutes, 22-11-202, **repeal** (1) (c) as follows:

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

~~the department shall consult with the technical advisory panel appointed pursuant to subsection (2) of this section.~~

SECTION 58. In Colorado Revised Statutes, 22-11-204, **amend** (4) (a) (I), (4) (b) (I), (4) (c) (I), (5) (a) (I) (F), (5) (b) (I) (F), (5) (c) (I) (F), and (6) (c) as follows:

22-11-204. Performance indicators - measures. (4) The department shall determine the level of attainment of each public high school, each school district, the institute, and the state as a whole on the postsecondary and workforce readiness indicator by using, at a minimum, the following measures:

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

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

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

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

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

(I) The percentages of students enrolled in the eleventh grade in

public high schools statewide who score at each achievement level on the standardized, curriculum-based, achievement, college entrance examination administered as a statewide assessment or the percentages of students enrolled in each of the grade levels included in the public high schools statewide who score at each achievement level on the ~~postsecondary and workforce readiness~~ assessments administered PURSUANT TO SECTION 22-7-1006.3 by the public high schools;

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

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

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

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

(F) The overall percentage of students enrolled in the eleventh grade in the district public high schools or the institute charter high schools who score at each achievement level of the standardized, curriculum-based, achievement, college entrance examination or the percentages of students enrolled in each of the grade levels included in the public high schools who score at each achievement level on the ~~postsecondary and workforce readiness~~ assessments administered PURSUANT TO SECTION 22-7-1006.3 by the public high schools; the overall percentages of students graduating from

the district public high schools, or the institute charter high schools, who receive a diploma that includes a postsecondary and workforce readiness endorsement or an endorsement for exemplary demonstration of postsecondary and workforce readiness; and the overall graduation and dropout rates for the district public high schools or the institute charter high schools.

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

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

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

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

SECTION 59. In Colorado Revised Statutes, 23-1-113, **repeal** (6) as follows:

23-1-113. Commission directive - admission standards for baccalaureate and graduate institutions of higher education - policy - definitions. (6) (a) ~~On or before December 15, 2010, pursuant to section 22-7-1008, C.R.S., the commission and the state board of education shall negotiate a consensus and adopt one or more postsecondary and workforce planning, preparation, and readiness assessments for use by school districts;~~

~~boards of cooperative services, district charter high schools, and institute charter high schools. The commission and the state board of education also shall negotiate a consensus and adopt scoring criteria to indicate a student's level of postsecondary and workforce readiness, as provided in section 22-7-1008, C.R.S.~~

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

SECTION 60. Appropriation - adjustments to 2015 long bill. To implement this act, the cash funds appropriation made in the annual general appropriation act for the 2015-16 state fiscal year to the department of education for the Colorado student assessment program is decreased by \$2,369,118. This amount is from the state education fund created in section 17 (4) (a) of article IX of the state constitution.

SECTION 61. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Bill L. Cadman
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO