The bill repeals the requirement that Colorado participate in a consortium of states that develops a set of assessments and the requirement that the state use the assessments that the consortium develops.

Under existing law, each local education provider must administer the state assessments in math and English language arts to ninth-grade students.
students and must administer a state-selected assessment to tenth-grade students. Under the bill, each local education provider decides whether to administer to ninth-grade students the state assessments in English language arts and math for ninth-grade students or one of the 2 assessments selected by the department of education (department) for tenth-grade students. Under existing law, the department must select an assessment for students enrolled in tenth grade that is aligned with the standardized, curriculum-based, achievement college entrance exam (exam) that the department must select for students enrolled in eleventh grade. The bill requires the department to select 2 tenth-grade assessments and 2 exams. Each local education provider must decide which assessment and which exam to administer. The state will pay the costs of administering the assessments and exams.

The bill directs the department and the state board of education to provide the greatest flexibility possible under federal law to local education providers in selecting and administering state assessments. The bill requires each local education provider to review with each student and his or her parent the results of the ninth-grade and tenth-grade assessments and the eleventh-grade exam and the effect the results may have on the student's individual career and academic plan.

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

SECTION 1. In Colorado Revised Statutes, 22-7-1006, repeal (1.5) as follows:

22-7-1006. Preschool through elementary and secondary education - aligned assessments - adoption - revisions. (1.5) Colorado shall participate as a governing board member, at least until January 1, 2014, in a consortium of states that focuses on the readiness of students for college and careers by developing a common set of assessments. On or before January 1, 2014, and on or before each January 1 thereafter, if Colorado is a governing board member of the consortium of states, the state board is strongly encouraged to conduct a fiscal and student achievement benefit analysis of Colorado remaining a governing board member of the consortium. If adopting the system of assessments that is
aligned with the state standards for reading, writing, and mathematics, the
state board shall rely upon assessments developed by the consortium of
states:

SECTION 2. In Colorado Revised Statutes, 22-7-1006.3, amend
(1)(a)(I), (2), (2.5), (8)(a), and (10); and repeal (1)(b) 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 of English
language arts, mathematics, science, and social studies, 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;

(b) As soon as practicable after May 20, 2015, 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:

(2) (a) (I) The department of education shall select and the state
shall pay the costs of administering an assessment that is two
assessments that are nationally available and are aligned with
the state academic standards for students enrolled in tenth grade and with
the assessment assessments selected pursuant to paragraph (b) of this
subsection (2) subsection (2)(b) of this section. Every five years, the
(II) Each local education provider shall determine whether to administer the state assessments in English language arts and mathematics or one of the two selected assessments annually to students enrolled in ninth grade. The state shall pay the costs of administering the state assessments and the selected assessments. Each local education provider shall administer the state assessments or one of the selected assessments to ninth-grade students on a schedule that the department annually sets.

(III) Each local education provider shall determine which of the two selected assessments to annually administer to students enrolled in tenth grade. The state shall pay the costs of administering the selected assessment. Each local education provider shall administer the selected 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 two assessments that are 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 two curriculum-based, achievement college entrance exam exams. At a minimum, the curriculum-based, achievement college entrance exam exams must test in the areas of reading, writing, and mathematics and, if available, science. Each local education provider shall administer the
curriculum-based achievement college entrance exam for students enrolled in eleventh grade.

DETERMINE WHICH OF THE TWO SELECTED CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAMS TO ADMINISTER ANNUALLY TO STUDENTS ENROLLED IN ELEVENTH GRADE. THE STATE SHALL PAY THE COSTS OF ADMINISTERING THE EXAMS. 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. Administration of the curriculum-based, achievement college entrance exams satisfies the federal requirement that the state must administer an assessment in mathematics and in English language arts to students enrolled in grades nine through twelve.

(c) (I) The department of education shall annually schedule a day on which the each 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) subsection (2)(c)(I) of this section, a student who can show a need to take the a 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) subsection (2)(c)(I) of this section. 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).

(2.5) (a) As soon as practicable after June 10, 2016, the department of education shall apply to the federal department of education for innovative assessment and accountability demonstration authority as authorized in section 1201 of Title I of part B of the federal "Every Student Succeeds Act", Pub.L. 114-95, enacted by the 114th Congress. The commissioner of education shall notify the chairs of the education committees of the house of representatives and the senate, or any successor committees, when the department submits the application and when the department receives the response from the federal department of education granting or denying the state demonstration authority.

(b) Regardless of whether the state participates in the innovative assessment and accountability demonstration authority, the department of education and the state board of education shall provide the greatest degree of flexibility possible under federal law to local education providers in selecting and participating in the state assessments.
(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. EACH LOCAL EDUCATION PROVIDER SHALL ENSURE THAT APPROPRIATE PERSONNEL DISCUSS WITH EACH STUDENT AND THE STUDENT'S PARENT THE RESULTS THAT THE STUDENT ACHIEVES ON THE ASSESSMENTS TAKEN PURSUANT TO THIS SECTION IN NINTH AND TENTH GRADES AND THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM TAKEN IN ELEVENTH GRADE AND THE EFFECT THAT THE RESULTS MAY HAVE ON THE STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN CREATED PURSUANT TO SECTION 22-32-109 (1)(oo) OR 22-30.5-525.

(10) For each fiscal year, the general assembly shall appropriate moneys MONEY 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 NINTH-GRADE AND TENTH-GRADE ASSESSMENT SELECTED ASSESSMENTS and the curriculum-based, achievement college entrance exam EXAMS described in subsection (2) of this section.

SECTION 3. In Colorado Revised Statutes, 22-11-103, amend the introductory portion; and add (30.5) as follows:

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

(30.5) "STANDARDIZED, CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAMINATION" MEANS THE STANDARDIZED,
SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.