

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 08-0274.01 Julie Pelegrin

HOUSE BILL 08-1186

HOUSE SPONSORSHIP

Solano,

SENATE SPONSORSHIP

Windels,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE EXCEPTION OF CERTAIN STUDENTS' SCORES FROM
102 CALCULATIONS OF A SCHOOL'S ACADEMIC PERFORMANCE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Excepts from the calculations of a school's academic performance ratings and from determining a school district's accreditation the Colorado student assessment the scores of students who are absent on the days assessments are administered under the Colorado student assessment program ("CSAPs") and students' scores that are invalidated as a result of a failure to administer the assessment pursuant to the department of education's guidelines. Prohibits a school district or a public school from

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

penalizing a student who is absent on the days the CSAPs are administered.

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

SECTION 1. 22-7-409 (1.2) (d) (I) (B), Colorado Revised Statutes, is amended, and the said 22-7-409 (1.2) (d) (I) is further amended BY THE ADDITION OF THE FOLLOWING NEW SUB-SUBPARAGRAPHS, to read:

22-7-409. Assessments. (1.2) (d) (I) Every student enrolled in a public school shall be required to take the assessments administered pursuant to subsection (1) of this section at the grade level in which the student is enrolled, as determined by the school district; except that the students described in sub-subparagraph (A) of this subparagraph (I) shall be required only to take the assessments required by said sub-subparagraph. However, the scores of the following students shall not be used by the state for purposes of calculating school academic performance ratings pursuant to section 22-7-604 or for accreditation pursuant to article 11 of this title:

(B) Any student who transfers into the school after October 1 of the school year in which the assessment is administered; ~~and~~

(D) ANY STUDENT WHO IS ABSENT FROM SCHOOL ON THE DAYS ON WHICH THE ASSESSMENTS ARE ADMINISTERED; AND

(E) ANY STUDENT WHOSE SCORE IS INVALIDATED AS A RESULT OF A FAILURE TO ADMINISTER THE ASSESSMENT PURSUANT TO THE DEPARTMENT'S GUIDELINES.

SECTION 2. Article 32 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-32-138. Colorado student assessment program - student

1 **participation - no penalty.** (1) A SCHOOL DISTRICT OR A PUBLIC SCHOOL
2 SHALL NOT PENALIZE A STUDENT WHO IS ABSENT DURING THE
3 ADMINISTRATION OF AN ASSESSMENT ADMINISTERED PURSUANT TO
4 SECTION 22-7-409. FOR PURPOSES OF THIS SECTION, A PENALTY SHALL
5 INCLUDE, BUT NEED NOT BE LIMITED TO:

6 (a) WITHHOLDING OF CREDITS TOWARD GRADUATION OR DENYING
7 A STUDENT THE ABILITY TO GRADUATE OR RECEIVE A DIPLOMA;

8 (b) DENYING A STUDENT THE OPPORTUNITY TO PARTICIPATE IN AN
9 EDUCATIONAL PROGRAM OR AN EXTRACURRICULAR ACTIVITY; OR

10 (c) DENYING A STUDENT THE ABILITY TO ADVANCE TO A
11 SUBSEQUENT GRADE LEVEL.

12 (2) THE PROVISIONS OF THIS SECTION SHALL NOT BE INTERPRETED
13 TO PROHIBIT A SCHOOL DISTRICT FROM ENFORCING COMPULSORY
14 ATTENDANCE REQUIREMENTS AS PROVIDED IN THE SCHOOL DISTRICT
15 ATTENDANCE POLICY ADOPTED PURSUANT TO ARTICLE 33 OF THIS TITLE.

16 **SECTION 3. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.