

HOUSE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chairman of Committee

February 7, 2008  
\_\_\_\_\_  
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB08-1186 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, after line 1, insert the following:
- 2           **"SECTION 1. Legislative declaration.** (1) The general  
3 assembly hereby finds that:
- 4           (a) In 2000, the general assembly enacted section 22-7-604,  
5 Colorado Revised Statutes, pursuant to which the department of education  
6 annually calculates academic performance ratings for each public school  
7 based on the scores attained by students enrolled in the school on the  
8 Colorado student assessment program tests;
- 9           (b) The formula for calculating the academic performance ratings  
10 includes weighting the students' scores based on the proficiency level  
11 reflected by each score;
- 12           (c) If a student is absent for one of the Colorado student  
13 assessment program tests, and does not subsequently make up the test,  
14 that student is assigned a zero score, which falls at the proficiency level  
15 of "unsatisfactory", which receives a weighting of -0.5;
- 16           (d) Further, if a teacher inadvertently fails to follow the  
17 department of education's guidelines in administering the test, all of the  
18 students in the class receive a zero score, again increasing the percentage  
19 of scores for that school that receive a weighting of -0.5;
- 20           (e) Thus, the formula for calculating academic performance

1 ratings unfairly penalizes a school for each student who misses one of the  
2 Colorado student assessment program tests or for an inadvertent error in  
3 administering a test, regardless of why the student did not take the test  
4 and regardless of the student's actual knowledge level with respect to the  
5 subject matter;

6 (f) Parental choice in education has been a guiding tenet in  
7 education policy in this state for several years and is a core value of the  
8 statewide system of public education in Colorado;

9 (g) Parents are in the best position to decide what is best and  
10 appropriate for their children's education, whether the decision pertains  
11 to the educational setting in which the child should be placed, the  
12 educational services the child should receive, or whether the child should  
13 participate in statewide testing;

14 (h) While federal law requires schools to encourage universal  
15 participation in the Colorado student assessment program tests, the state  
16 must recognize and honor a parent's choice with regard to whether the  
17 parent's child participates in the tests.

18 (2) The general assembly concludes, therefore, that a school's  
19 overall academic performance rating should be an authentic reflection of  
20 what the students in the school know and are able to demonstrate. In  
21 calculating an overall academic performance rating, a school should not  
22 be punished for students who are absent due to a parent's refusal to allow  
23 his or her child to participate in the testing and a school should not be  
24 punished because of an inadvertent failure to follow departmental  
25 guidelines in administering the test."

26 Renumber succeeding sections accordingly.

27 Page 2, line 19, strike "ADMINISTERED;" and substitute "ADMINISTERED  
28 DUE TO A PARENT'S REFUSAL TO ALLOW THE STUDENT TO PARTICIPATE IN  
29 THE ASSESSMENT;"

30 line 21, strike "A" and substitute "AN INADVERTENT".

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