

HB1323_L.032

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

HB15-1323 be amended as follows:

1 Amend printed bill, page 4, after line 16 insert:

2 " (b) SUBJECT TO THE PROVISIONS OF SECTION 22-7-1006 (1) (b),
3 EACH LOCAL EDUCATION PROVIDER SHALL SELECT THE ASSESSMENTS TO
4 ADMINISTER IN EACH INSTRUCTIONAL AREA AT EACH REQUIRED GRADE
5 LEVEL FROM AMONG THE STATEWIDE ASSESSMENTS ADOPTED FOR EACH
6 INSTRUCTIONAL AREA AND EACH REQUIRED GRADE LEVEL BY THE STATE
7 BOARD PURSUANT TO SECTION 22-7-1006."

8 Reletter succeeding paragraphs accordingly.

9 Page 12, strike line 24 and substitute "(1) (a) introductory portion, (1.5),
10 and (5); and **add** (1) (a.3), (1) (a.5), and (1) (f) as follows:".

11 Page 12, line 26, strike "(1) (f) THE" and substitute "(1) (a) ~~On or before~~
12 ~~December 15, 2010, or as soon thereafter as fiscally practicable~~ FOR THE
13 2015-16 SCHOOL YEAR AND FOR SCHOOL YEARS THEREAFTER, the state
14 board shall adopt ~~a system of~~ STATEWIDE assessments IN THE AREAS OF
15 MATHEMATICS, ENGLISH LANGUAGE ARTS, SCIENCE, AND SOCIAL STUDIES
16 that are aligned with the preschool through elementary and secondary
17 education standards and are designed to measure students' levels of
18 attainment of the standards and to longitudinally measure students'
19 academic progress toward attaining the standards and toward attaining
20 postsecondary and workforce readiness. NO LATER THAN OCTOBER 1,
21 2015, THE DEPARTMENT OF EDUCATION SHALL IDENTIFY FIVE ASSESSMENT
22 PROVIDERS FROM WHICH THE STATE BOARD SHALL SELECT THREE
23 POTENTIAL ASSESSMENTS FOR EACH INSTRUCTIONAL AREA AT EACH
24 GRADE LEVEL THAT IS ASSESSED AS PROVIDED IN SECTION 22-7-1006.3. IF
25 FIVE ASSESSMENT PROVIDERS ARE NOT AVAILABLE FOR AN INSTRUCTIONAL
26 AREA OR GRADE LEVEL, THE DEPARTMENT SHALL IDENTIFY THREE
27 PROVIDERS. EACH LOCAL EDUCATION PROVIDER SHALL SELECT FROM
28 AMONG THE ADOPTED ASSESSMENTS THOSE THAT IT ADMINISTERS, IN
29 COLLABORATION WITH THE DEPARTMENT OF EDUCATION, AS PROVIDED IN
30 SECTION 22-7-1006.3. In adopting the ~~system of~~ STATEWIDE assessments,
31 the state board shall ensure, at a minimum, that ~~the system is designed to~~
32 ALL OF THE SELECTED ASSESSMENTS:

33 (a.3) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF
34 THIS SUBSECTION (1) TO THE CONTRARY, IF IN A SCHOOL YEAR ONE OF THE



1 ASSESSMENTS THAT THE STATE BOARD SELECTS IS NOT SELECTED BY A
2 SUFFICIENT NUMBER OF LOCAL EDUCATION PROVIDERS TO ALLOW THE
3 DEPARTMENT OF EDUCATION TO DISAGGREGATE THE ASSESSMENT SCORES
4 ACROSS STUDENT GROUPS WITHOUT POTENTIALLY IDENTIFYING
5 INDIVIDUAL STUDENT'S SCORES, A LOCAL EDUCATION PROVIDER SHALL
6 NOT ADMINISTER THE ASSESSMENT IN THAT SCHOOL YEAR BUT SHALL
7 SELECT ANOTHER AVAILABLE ASSESSMENT FOR THE AFFECTED
8 INSTRUCTIONAL AREA AND GRADE LEVEL.

9 (a.5) AFTER THE STATE BOARD SELECTS THE STATEWIDE
10 ASSESSMENTS, THE DEPARTMENT OF EDUCATION SHALL NORM-REFERENCE
11 THE ASSESSMENT SCORES TO ENABLE A VALID, CROSS-STATE COMPARISON
12 OF THE LEVELS OF STUDENT COMPETENCY IN EACH LOCAL EDUCATION
13 PROVIDER. THE DEPARTMENT, WORKING WITH THE TECHNICAL ADVISORY
14 PANEL APPOINTED PURSUANT TO SECTION 22-11-202, SHALL, AS SOON AS
15 PRACTICABLE AFTER THE STATE BOARD SELECTS THE STATEWIDE
16 ASSESSMENTS, ADJUST THE COLORADO GROWTH MODEL, AS DEFINED IN
17 SECTION 22-11-103, IF NECESSARY, TO MEASURE STUDENT LONGITUDINAL
18 ACADEMIC GROWTH USING THE ASSESSMENT RESULTS, REGARDLESS OF
19 WHICH ASSESSMENTS A LOCAL EDUCATION PROVIDER MAY CHOOSE TO
20 ADMINISTER. AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF
21 THIS PARAGRAPH (a.5), THE DEPARTMENT SHALL APPLY TO THE FEDERAL
22 DEPARTMENT OF EDUCATION FOR A WAIVER OF FEDERAL LAW TO THE
23 EXTENT NECESSARY TO IMPLEMENT PARAGRAPH (a) OF THIS SUBSECTION
24 (1).

25 (f) THE".

26 Page 13, after line 4 insert:

27 (1.5) (a) Colorado shall participate as a governing board member,
28 at least until January 1, 2014, in a consortium of states that focuses on the
29 readiness of students for college and careers by developing a common set
30 of assessments. On or before January 1, 2014, and on or before each
31 January 1 thereafter, if Colorado is a governing board member of the
32 consortium of states; The state board is strongly encouraged to conduct
33 a fiscal and student achievement benefit analysis of THE STATEWIDE
34 ASSESSMENTS ADMINISTERED IN Colorado. remaining a governing board
35 member of the consortium. If adopting the system of assessments that is
36 aligned with the state standards for reading, writing, and mathematics, the
37 state board shall rely upon assessments developed by the consortium of
38 states.

39 (b) ON AND AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (b),

1 THE STATE BOARD SHALL NOT ENTER INTO, AND AS SOON AS POSSIBLE
2 AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (b) THE STATE BOARD
3 SHALL TERMINATE ANY EXISTING, CONTRACTS, AGREEMENTS, OR
4 COMMITMENTS OF ANY TYPE THAT RESTRICT THE STATE BOARD'S ABILITY
5 TO DETERMINE THE SUBSTANCE OF THE PRESCHOOL THROUGH
6 ELEMENTARY AND SECONDARY EDUCATION STANDARDS OR
7 ASSESSMENTS."

8 Page 14, after line 6 insert:

9 "SECTION 4. In Colorado Revised Statutes, **add 22-7-1013.5** as
10 follows:

11 **22-7-1013.5. Local education providers - assessment plan -**
12 **federal waiver.** (1) (a) EACH LOCAL EDUCATION PROVIDER SHALL
13 DEVELOP AN ASSESSMENT PLAN THAT, AT A MINIMUM:

14 (I) IDENTIFIES THE INTERIM, FORMATIVE, AND SUMMATIVE
15 ASSESSMENTS THE LOCAL EDUCATION PROVIDER CHOOSES TO USE TO
16 MEASURE STUDENT COMPETENCY IN MEETING THE STATE ACADEMIC
17 STANDARDS IN THE AREAS OF MATHEMATICS, ENGLISH LANGUAGE ARTS,
18 SCIENCE, AND SOCIAL STUDIES, WHICH ASSESSMENTS MUST BE ALIGNED
19 WITH THE LOCAL EDUCATION PROVIDER'S ACADEMIC STANDARDS IN
20 MATHEMATICS, ENGLISH LANGUAGE ARTS, SCIENCE, AND SOCIAL STUDIES;

21 (II) DESCRIBES THE TIMES AT WHICH THE LOCAL EDUCATION
22 PROVIDER WILL ASSESS STUDENTS' COMPETENCY IN EACH OF THE AREAS
23 OF MATHEMATICS AND ENGLISH LANGUAGE ARTS FOR STUDENTS
24 ENROLLED IN EACH OF GRADES THREE THROUGH EIGHT AND FOR STUDENTS
25 ENROLLED IN ONE OF GRADES TEN THROUGH TWELVE;

26 (III) DESCRIBES THE TIMES AT WHICH THE LOCAL EDUCATION
27 PROVIDER WILL ASSESS STUDENTS' COMPETENCY IN THE AREA OF SCIENCE
28 FOR STUDENTS ENROLLED IN ONE OF GRADES THREE THROUGH FIVE,
29 STUDENTS ENROLLED IN ONE OF GRADES SIX THROUGH NINE, AND ONE OF
30 GRADES TEN THROUGH TWELVE;

31 (IV) DESCRIBES THE TIMES AT WHICH THE LOCAL EDUCATION
32 PROVIDER WILL ASSESS STUDENTS' COMPETENCY IN THE AREA OF SOCIAL
33 STUDIES FOR STUDENTS ENROLLED IN ONE OF GRADES THREE THROUGH
34 FIVE, STUDENTS ENROLLED IN ONE OF GRADES SIX THROUGH EIGHT, AND
35 STUDENTS ENROLLED IN ONE OF GRADES NINE THROUGH TWELVE; AND

36 (V) DESCRIBES THE SCHEDULE AND METHOD BY WHICH THE LOCAL
37 EDUCATION PROVIDER WILL REPORT TO THE DEPARTMENT OF EDUCATION
38 STUDENTS' COMPETENCY WITH REGARD TO THE MATHEMATICS, ENGLISH
39 LANGUAGE ARTS, SCIENCE, AND SOCIAL STUDIES STANDARDS.

1 (b) IN IDENTIFYING TIMES FOR ASSESSING STUDENTS, A LOCAL
2 EDUCATION PROVIDER IS ENCOURAGED TO DESIGN A PLAN THAT ALLOWS
3 A STUDENT TO DEMONSTRATE COMPETENCY AS THE STUDENT MASTERS A
4 STANDARD RATHER THAN AT A SINGLE, STANDARD TIME DURING THE
5 SCHOOL YEAR.

6 (2) EACH LOCAL EDUCATION PROVIDER SHALL SUBMIT ITS
7 ASSESSMENT PLAN TO THE DEPARTMENT OF EDUCATION BY JULY 1, 2016.
8 A LOCAL EDUCATION PROVIDER MAY SUBMIT TO THE DEPARTMENT
9 AMENDMENTS TO THE ASSESSMENT PLAN BY JULY 1, 2017, OR BY JULY 1
10 OF ANY YEAR THEREAFTER. THE DEPARTMENT SHALL REVIEW THE PLANS
11 AND, AS SOON AS PRACTICABLE AFTER RECEIVING THE PLANS, THE
12 DEPARTMENT SHALL DETERMINE HOW IT WILL NORM-REFERENCE THE
13 SCORES ACHIEVED ON THE ASSESSMENTS SELECTED BY EACH LOCAL
14 EDUCATION PROVIDER TO ENABLE A VALID, CROSS-STATE COMPARISON OF
15 THE LEVELS OF STUDENT COMPETENCY IN EACH LOCAL EDUCATION
16 PROVIDER. THE DEPARTMENT, WORKING WITH THE TECHNICAL ADVISORY
17 PANEL APPOINTED PURSUANT TO SECTION 22-11-202, SHALL, AS SOON AS
18 PRACTICABLE AFTER RECEIVING THE PLANS, ADJUST THE COLORADO
19 GROWTH MODEL, AS DEFINED IN SECTION 22-11-103, IF NECESSARY, TO
20 MEASURE STUDENT LONGITUDINAL ACADEMIC GROWTH USING THE
21 ASSESSMENT RESULTS PROVIDED BY EACH LOCAL EDUCATION PROVIDER
22 AS DESCRIBED IN THE LOCAL EDUCATION PROVIDER'S ASSESSMENT PLAN.

23 (3) (a) BASED ON THE ASSESSMENT PLANS THAT LOCAL EDUCATION
24 PROVIDERS SUBMIT PURSUANT TO THIS SECTION AND THE
25 NORM-REFERENCING OF SCORES AND ANY ADJUSTMENTS TO THE
26 COLORADO GROWTH MODEL THAT THE DEPARTMENT OF EDUCATION
27 COMPLETES PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE
28 DEPARTMENT SHALL APPLY TO THE FEDERAL DEPARTMENT OF EDUCATION
29 FOR A WAIVER OF THE REQUIREMENTS OF THE FEDERAL "NO CHILD LEFT
30 BEHIND ACT OF 2001", 20 U.S.C. SEC. 6301 ET SEQ., IF NECESSARY TO
31 ENSURE THAT, IN IMPLEMENTING THE LOCAL EDUCATION PROVIDERS'
32 ASSESSMENT PLANS IN LIEU OF THE TESTING DESCRIBED IN SECTION
33 22-7-1006.3, COLORADO IS IN COMPLIANCE WITH FEDERAL LAW. THE
34 DEPARTMENT SHALL APPLY FOR THE WAIVER AS SOON AS POSSIBLE
35 FOLLOWING RECEIPT OF THE ASSESSMENT PLANS AND COMPLIANCE WITH
36 SUBSECTION (2) OF THIS SECTION.

37 (b) WHEN THE DEPARTMENT SUBMITS THE WAIVER REQUEST TO
38 THE FEDERAL DEPARTMENT OF EDUCATION, THE COMMISSIONER OF
39 EDUCATION SHALL NOTIFY THE CHAIRPERSONS OF THE EDUCATION
40 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR
41 ANY SUCCESSOR COMMITTEES, AND SHALL PROVIDE A WRITTEN COPY OF



1 THE WAIVER REQUEST. AS SOON AS PRACTICABLE AFTER THE DEPARTMENT
2 RECEIVES A REPLY FROM THE FEDERAL DEPARTMENT OF EDUCATION THAT
3 GRANTS THE WAIVER REQUEST, IN WHOLE OR IN PART, OR DENIES THE
4 WAIVER REQUEST, THE COMMISSIONER OF EDUCATION SHALL PROVIDE A
5 COPY OF THE REPLY TO THE CHAIRPERSONS OF THE EDUCATION
6 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR
7 ANY SUCCESSOR COMMITTEES.

8 (4) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO AUTHORIZE
9 EACH LOCAL EDUCATION PROVIDER TO IMPLEMENT ITS ASSESSMENT PLAN
10 IN LIEU OF THE STATEWIDE TESTING DESCRIBED IN SECTION 22-7-1006.3
11 IN THE FIRST SCHOOL YEAR THAT COMMENCES AFTER THE FEDERAL
12 DEPARTMENT OF EDUCATION GRANTS THE WAIVER DESCRIBED IN
13 SUBSECTION (3) OF THIS SECTION. BEGINNING IN THAT SCHOOL YEAR, THE
14 DEPARTMENT OF EDUCATION SHALL USE THE ASSESSMENT RESULTS
15 PROVIDED BY EACH LOCAL EDUCATION PROVIDER PURSUANT TO THE
16 LOCAL EDUCATION PROVIDER'S ASSESSMENT PLAN TO MEASURE EACH
17 LOCAL EDUCATION PROVIDER'S PERFORMANCE AND THE PERFORMANCE OF
18 EACH PUBLIC SCHOOL AS REQUIRED IN ARTICLE 11 OF THIS TITLE."

19 Renumber succeeding sections accordingly.

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