

NOTE: The governor signed this measure on 5/31/2014.

An Act

HOUSE BILL 14-1376

BY REPRESENTATIVE(S) Buckner and Moreno, Court, Duran, Exum, Fields, Foote, Kagan, Melton, Pabon, Williams, Young, Becker, Ginal, Hamner, Kraft-Tharp, Labuda, Lebsock, Lee, May, Pettersen, Rosenthal, Ryden, Salazar, Schafer, Tyler;
also SENATOR(S) Ulibarri, Heath, Johnston, Kerr, Nicholson, Tochtrop, Todd.

CONCERNING THE ANALYSIS OF INFORMATION RELATING TO THE ACADEMIC SUCCESS OF PUBLIC SCHOOL STUDENTS BASED ON STUDENT PLACEMENT IN DIFFERENT INSTRUCTIONAL GROUPS OR COURSE LEVELS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 22-11-503.5 as follows:

22-11-503.5. Student performance by course level - report - definitions. (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(I) ALL STUDENTS DESERVE THE OPPORTUNITY TO LEARN HIGHER-LEVEL CONTENT;

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

(II) THE SCHOOL AND THE SCHOOL DISTRICT'S COURSE PLACEMENT POLICIES AND DECISIONS IMPACTS A STUDENT'S OPPORTUNITY TO LEARN; AND

(III) COURSE-LEVEL PLACEMENT DECISIONS IN CORE COURSES HAVE A SIGNIFICANT IMPACT ON A STUDENT'S POTENTIAL TO ATTAIN PROFICIENCY ON THE STATEWIDE ASSESSMENTS IN CORE CONTENT AREAS AND TO ATTAIN POSTSECONDARY AND WORKFORCE READINESS.

(b) THE GENERAL ASSEMBLY THEREFORE DETERMINES THAT:

(I) PROVIDING PUBLIC SCHOOLS AND SCHOOL DISTRICTS WITH DATA CONCERNING COURSE PARTICIPATION AND SUBSEQUENT PERFORMANCE ON STATEWIDE ASSESSMENTS WILL FACILITATE CONVERSATIONS AT THE SCHOOL AND SCHOOL-DISTRICT LEVELS TO IDENTIFY THOSE COURSES THAT RESULT IN THE GREATEST NUMBER OF STUDENTS DEMONSTRATING PROFICIENCY, TO PLACE MORE STUDENTS IN THOSE COURSES, AND TO ELIMINATE OR DRASTICALLY MODIFY COURSES THAT ARE NOT YIELDING LONG-TERM SUCCESS FOR STUDENTS WHO TAKE THE COURSES; AND

(II) PROVIDING SCHOOLS AND SCHOOL DISTRICTS WITH THIS DATA WILL ALSO FACILITATE CONVERSATIONS REGARDING THE DEMOGRAPHICS OF STUDENTS ENROLLED IN EACH COURSE LEVEL AND LEAD SCHOOLS AND SCHOOL DISTRICTS TO EXAMINE AND MODIFY COURSE PLACEMENT AND INSTRUCTIONAL GROUPING POLICIES AND DECISIONS.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CORE COURSE" MEANS A COURSE IN ENGLISH, MATHEMATICS, SCIENCE, OR SOCIAL STUDIES.

(b) "COURSE LEVEL" MEANS THE DEGREE OF DIFFICULTY OR COMPLEXITY OF THE CONTENT OF A COURSE IN A SPECIFIC SUBJECT AREA, SUCH AS AN HONORS LEVEL COURSE.

(3) (a) NO LATER THAN NOVEMBER 1, 2014, AND NO LATER THAN EACH NOVEMBER 1 THEREAFTER, FOR EACH ACADEMIC YEAR THE DEPARTMENT SHALL CREATE A CORE COURSE LEVEL PARTICIPATION AND

PERFORMANCE REPORT FOR EACH SCHOOL DISTRICT AND PUBLIC SCHOOL IN THE STATE. AT A MINIMUM, THE REPORT MUST INCLUDE:

(I) THE PARTICIPATION OF STUDENTS IN EACH CORE COURSE LEVEL DISAGGREGATED BY STUDENT GROUPS; AND

(II) WHEN AVAILABLE, THE PROFICIENCY LEVELS THAT THE STUDENTS ENROLLED IN EACH CORE COURSE LEVEL ACHIEVE ON THE STATEWIDE ASSESSMENT THAT CORRESPONDS TO THE COURSE SUBJECT DISAGGREGATED BY STUDENT GROUPS.

(b) DURING THE 2014-15 AND 2015-16 ACADEMIC YEARS, THE DEPARTMENT SHALL WORK WITH PUBLIC SCHOOLS AND SCHOOL DISTRICTS TO REFINE THE FORMAT AND CONTENT OF THE REPORT TO IMPROVE THE USE AND FUNCTIONALITY OF THE REPORT FOR PUBLIC SCHOOLS AND SCHOOL DISTRICTS, RECOGNIZING THAT THE STATEWIDE ASSESSMENTS WILL BE IN TRANSITION DURING THESE ACADEMIC YEARS.

(4) COMMENCING WITH THE 2016-17 ACADEMIC YEAR, THE DEPARTMENT SHALL ALSO MAKE THE CORE COURSE LEVEL PARTICIPATION AND PERFORMANCE REPORTS AVAILABLE ON THE DEPARTMENT'S WEB SITE.

(5) COMMENCING NO LATER THAN THE 2016-17 ACADEMIC YEAR, PUBLIC SCHOOLS AND SCHOOL DISTRICTS SHALL USE THE DATA IN THE CORE COURSE LEVEL PARTICIPATION AND PERFORMANCE REPORT TO INFORM THE DISTRICT PLANS ADOPTED PURSUANT TO SECTIONS 22-11-303 TO 22-11-306, AND THE SCHOOL PLANS ADOPTED PURSUANT TO SECTIONS 22-11-403 TO 22-11-406. THE CORE COURSE LEVEL PARTICIPATION AND PERFORMANCE REPORT IS INTENDED TO GENERATE SCHOOL-BUILDING LEVEL AND SCHOOL-DISTRICT LEVEL DISCUSSION AND EXAMINATION OF COURSE PLACEMENT POLICIES AND DECISIONS AND THE RESULTING STUDENT PROFICIENCY LEVELS ON STATEWIDE ASSESSMENTS. IF THE CORE COURSE LEVEL PARTICIPATION AND PERFORMANCE REPORT INDICATES THAT THERE ARE SIGNIFICANT DISPARITIES IN STUDENT PERFORMANCE BY COURSE LEVEL OR THAT A DISPROPORTIONATE NUMBER OF STUDENTS FROM SPECIFIC STUDENT GROUPS ARE ENROLLED IN COURSES THAT ACHIEVE LOWER STUDENT PROFICIENCY LEVELS ON STATEWIDE ASSESSMENTS, THE PUBLIC SCHOOL OR SCHOOL DISTRICT SHALL INCLUDE STRATEGIES FOR ADDRESSING THE DISPARITIES AND DISPROPORTIONATE STUDENT GROUPS PARTICIPATION IN THE DISTRICT PLAN ADOPTED PURSUANT TO SECTIONS 22-11-303 TO

22-11-306 AND THE SCHOOL PLAN ADOPTED PURSUANT TO SECTIONS 22-11-403 TO 22-11-406, WHICH STRATEGIES MAY INCLUDE ELIMINATING OR MODIFYING COURSES.

SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2014, the sum of \$144,216 and 0.2 FTE, or so much thereof as may be necessary, for allocation to management and administration for information technology services related to the implementation of this act.

SECTION 3. 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 6, 2014, if adjournment sine die is on May 7, 2014); 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 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Morgan Carroll
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