

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

2001



HOUSE BILL 01-1348

BY REPRESENTATIVE(S) Williams S., Bacon, Boyd, Daniel, Groff, Grossman, Hodge, Jahn, Larson, Mace, Madden, Sinclair, Smith, Spence, Vigil, and Weddig;  
also SENATOR(S) Pascoe, Dyer (Arapahoe), Fitz-Gerald, Hanna, Hernandez, Tate, Tupa, and Windels.

CONCERNING THE USE OF SCORES OF STUDENTS WITH INDIVIDUAL EDUCATIONAL PROGRAMS.

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

**SECTION 1.** The introductory portion to 22-7-604 (1), Colorado Revised Statutes, is amended, and the said 22-7-604 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**22-7-604. Academic performance - academic improvement - grading - designation and methodology.** (1) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (a) OF SUBSECTION (1.5) OF THIS SECTION, beginning with the 2000-01 school year and for each school year thereafter, the department shall assign to each public school a letter grade of "A", "B", "C", "D", or "F" for the public school's overall academic performance as calculated pursuant to this section. The grades shall correspond to the following categories:

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

(1.5) (a) BY RULE, THE STATE BOARD MAY EXEMPT FROM THE REQUIREMENT THAT AN ACADEMIC PERFORMANCE GRADE BE ASSIGNED TO EACH PUBLIC SCHOOL ANY SCHOOL IN WHICH MORE THAN NINETY-FIVE PERCENT OF STUDENTS ENROLLED IN THE SCHOOL HAVE AN INDIVIDUAL EDUCATIONAL PROGRAM PURSUANT TO SECTION 22-20-108. BEFORE AN EXEMPTION IS GRANTED, SUCH SCHOOLS MUST ESTABLISH A PUBLIC PROCESS THAT WILL PROVIDE FOR ACCOUNTABILITY.

(b) THE SCORES OF CERTAIN STUDENTS SPECIFIED IN SECTION 22-7-409 (1.2) (d) (I) SHALL NOT BE USED TO CALCULATE A SCHOOL'S ACADEMIC PERFORMANCE OR ACADEMIC IMPROVEMENT GRADE PURSUANT TO THIS SECTION.

**SECTION 2.** 22-7-409 (1.2) (d) (I) (A) and (1.2) (d) (II), Colorado Revised Statutes, are amended to read:

**22-7-409. Assessments - repeal.** (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; 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 grades pursuant to section 22-7-604 or for accreditation pursuant to article 11 of this title:

(A) Any student who is eligible for the state's ~~alternative~~ ALTERNATE assessment for students with disabilities ~~as stated in~~, ALSO KNOWN AS THE "CSAP-A", OR OTHER ASSESSMENT APPROVED BY RULE BY THE BOARD ACCORDING TO THE ANNUAL REVIEW OF the student's individual ~~education~~ EDUCATIONAL program pursuant to section 22-20-108; except that the results of any ~~alternative~~ CSAP-A OR OTHER APPROVED assessment shall be reported to the department AND AGGREGATED SEPARATELY FOR EACH SCHOOL.

(II) Any student with a disability who is not eligible for the state's ~~alternative~~ CSAP-A OR OTHER APPROVED assessment but who has an individual educational program pursuant to section 22-20-108 shall be assessed in each CSAP area at the ~~appropriate~~ grade level IN WHICH THE STUDENT IS ENROLLED. ~~as determined by the student's individual educational program. To the extent applicable for the public school's school level, as~~

~~defined in section 22-7-602, the scores of assessments administered pursuant to this subparagraph (H) shall be used at the grade level specified in the student's individual education plan for purposes of calculating academic performance and improvement grades pursuant to section 22-7-604 and for accreditation pursuant to article 11 of this title.~~

**SECTION 3.** 22-7-605 (7) (d) (V), Colorado Revised Statutes, is amended to read:

**22-7-605. School report cards - format. (7) Student performance.** (d) (V) Immediately underneath the table and chart described in this paragraph (d), the report card shall contain the following explanation in a small point size: "Each school in the state received a letter grade, A, B, C, D, or F, for student academic performance in school year [year]-[year] using the CSAP results printed above. Every student in this school who took these tests was included in the calculation used to assign a letter grade, except for students who do not speak English, ~~whose special needs require that they spend less than 45% of their time in a regular classroom~~ OR WHO ARE ELIGIBLE FOR THE STATE ALTERNATE ASSESSMENT FOR STUDENTS WITH DISABILITIES, or who enrolled in the Colorado public school system after October 1 of this school year. THE PERCENTAGES OF STUDENTS WHOSE SCORES WERE INCLUDED IN THE CALCULATION OR WERE NOT INCLUDED IN EACH OF THE THREE CATEGORIES IS SHOWN ON THE ABOVE CHART. Your school's grade was determined by the percentage of students performing in each of the Advanced, Proficient, Partially Proficient, and Unsatisfactory levels. These percentages were weighted and combined across grade levels and academic areas. These weights reward performance at the Advanced and Proficient levels over performance at the Partially Proficient and Unsatisfactory levels. The letter grades were assigned after calculating the weighted total for each academic area and grade level for each school and comparing this school to all other [school level] schools for the [year]-[year] school year."

**SECTION 4. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Doug Dean  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Stan Matsunaka  
PRESIDENT OF  
THE SENATE

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Judith Rodrigue  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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Bill Owens  
GOVERNOR OF THE STATE OF COLORADO