

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 16-0874.02 Julie Pelegrin x2700

HOUSE BILL 16-1234

HOUSE SPONSORSHIP

Klingenschmitt, Everett, Lundeen, Wilson, Priola, Windholz

SENATE SPONSORSHIP

Merrifield,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONSIDERATION OF METHODS FOR SELECTING**
102 **STATE ASSESSMENT ALTERNATIVES THAT MAINTAIN THE**
103 **EXISTING STATE ASSESSMENT REQUIREMENTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

The bill directs the department of education (department) to investigate methods for and costs of creating or selecting state assessments in the subjects of mathematics, English language arts, science, and social studies, including the methods and costs to allow local education providers to create or select assessments in these subjects and

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.*

to enable the state to use the locally selected assessments as part of the state accountability system. The department must report the results of its investigation to the state board of education and to the education committees of the general assembly.

The bill requires the department to apply to the federal department of education for innovative assessment and accountability demonstration authority.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Valid, reliable, comparable, and rigorous state summative
5 assessments that are aligned to the Colorado academic standards are
6 important to maintaining a high-quality public education system in the
7 state;

8 (b) Evaluating alternative summative assessments that may
9 minimize the testing burden and provide useful student academic
10 performance data for students, parents, and educators, while upholding
11 the concepts of reliability, comparability, rigor, and alignment, is in the
12 best interest of Colorado's students;

13 (c) Determining the best path forward for Colorado students will
14 require a thorough analysis of the existing local, state, and multi-state
15 assessments and the cost of developing new assessments. This analysis
16 must take into account the cost of proposed assessments, implementation
17 needs, and feedback from students, parents, and educators concerning
18 changes to the state summative assessments.

19 (d) To the extent practicable, the department of education should
20 leverage available federal money to use to complete a thorough analysis
21 of the existing state assessments and design a state assessment system for
22 future use.

1 **SECTION 2.** In Colorado Revised Statutes, **add 22-7-1006.1** as
2 follows:

3 **22-7-1006.1. Assessment selection - department of education**

4 - **study - repeal.** (1) THE DEPARTMENT OF EDUCATION SHALL
5 INVESTIGATE AND REVIEW THE OPTIONS AVAILABLE TO THE STATE FOR
6 SELECTING THE STATE ASSESSMENTS IN MATHEMATICS, ENGLISH
7 LANGUAGE ARTS, SCIENCE, AND SOCIAL STUDIES, INCLUDING OPTIONS FOR
8 ALLOWING LOCAL EDUCATION PROVIDERS TO SELECT AND ADMINISTER
9 THEIR OWN ASSESSMENTS IN THESE SUBJECTS FOR USE IN THE STATE
10 ACCOUNTABILITY SYSTEM. THE DEPARTMENT, AT A MINIMUM, SHALL
11 CONSIDER:

12 (a) RESOURCES AVAILABLE TO THE STATE TO USE IN DESIGNING,
13 CREATING, OR SELECTING STATE ASSESSMENTS IN THE SPECIFIED SUBJECTS
14 AND THE APPROXIMATE, ANTICIPATED COSTS TO THE STATE OF SELECTING
15 THE STATE ASSESSMENTS;

16 (b) METHODS BY WHICH LOCAL EDUCATION PROVIDERS, SOLELY
17 OR IN GROUPS, MAY CREATE OR SELECT AND ADMINISTER ASSESSMENTS IN
18 THE SPECIFIED SUBJECTS AND THE APPROXIMATE, ANTICIPATED COSTS TO
19 LOCAL EDUCATION PROVIDERS OF CREATING OR SELECTING THE
20 ASSESSMENTS;

21 (c) THE METHOD BY WHICH THE DEPARTMENT WOULD DETERMINE
22 THE QUALITY OF ANY ASSESSMENTS SELECTED BY LOCAL EDUCATION
23 PROVIDERS, WHICH MUST INCLUDE ENSURING THAT THE ASSESSMENTS ARE
24 VALID, RELIABLE, COMPARABLE, AND CRITERION-REFERENCED, SO THAT
25 THE ASSESSMENTS WOULD BE SUITABLE FOR THE STATE ACCOUNTABILITY
26 SYSTEM, AND THE COST OF DETERMINING THE QUALITY OF THE
27 ASSESSMENTS; AND

1 (d) METHODS USED BY OTHER STATES IN SELECTING THE STATE
2 ASSESSMENTS AND IN PROVIDING GREATER FLEXIBILITY TO THE SCHOOL
3 DISTRICTS WITHIN THE STATES IN SELECTING ASSESSMENTS FOR USE IN THE
4 STATE ACCOUNTABILITY SYSTEMS, THE STATE AND LOCAL ASSESSMENTS
5 SELECTED, THE COSTS INCURRED BY THE OTHER STATES IN SELECTING THE
6 STATE ASSESSMENTS AND PROVIDING FLEXIBILITY TO SCHOOL DISTRICTS,
7 AND THE APPROXIMATE, ANTICIPATED COSTS TO COLORADO OF
8 IMPLEMENTING THE METHODS USED IN OTHER STATES.

9 (2) THE DEPARTMENT OF EDUCATION SHALL REPORT THE RESULTS
10 OF THE STUDY DESCRIBED IN SUBSECTION (1) OF THIS SECTION TO THE
11 STATE BOARD AND TO THE JOINT EDUCATION COMMITTEES AS PART OF THE
12 PRESENTATION REQUIRED BY SECTION 2-7-203, C.R.S., IN 2016.

13 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017.

14 **SECTION 3.** In Colorado Revised Statutes, 22-7-1006.3, **add**
15 (2.5) as follows:

16 **22-7-1006.3. State assessments - administration - rules.**

17 (2.5) AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS
18 SUBSECTION (2.5), THE DEPARTMENT OF EDUCATION SHALL APPLY TO THE
19 FEDERAL DEPARTMENT OF EDUCATION FOR INNOVATIVE ASSESSMENT AND
20 ACCOUNTABILITY DEMONSTRATION AUTHORITY AS AUTHORIZED IN
21 SECTION 1201 OF TITLE I OF PART B OF THE FEDERAL "EVERY STUDENT
22 SUCCEEDS ACT", PUB. L. 114-95, ENACTED BY THE 114TH CONGRESS. THE
23 COMMISSIONER OF EDUCATION SHALL NOTIFY THE CHAIRS OF THE
24 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
25 SENATE, OR ANY SUCCESSOR COMMITTEES, WHEN THE DEPARTMENT
26 SUBMITS THE APPLICATION AND WHEN THE DEPARTMENT RECEIVES THE
27 RESPONSE FROM THE FEDERAL DEPARTMENT OF EDUCATION GRANTING OR

1 DENYING THE STATE DEMONSTRATION AUTHORITY.

2 **SECTION 4. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.