

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO
CORRECTED INTRODUCED**

LLS NO. 20-0781.01 Jane Ritter x4342

HOUSE BILL 20-1135

HOUSE SPONSORSHIP

Buck and McLachlan,

SENATE SPONSORSHIP

Todd,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A NEW REQUIREMENT FOR HIGH SCHOOL STUDENTS TO**
102 **TAKE THE UNITED STATES CITIZENSHIP TEST INSTEAD OF THE**
103 **SOCIAL STUDIES ASSESSMENT.**

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://leg.colorado.gov>.)

The bill replaces the requirement that the state assessment in social studies be administered to high school students with a requirement that high school students take the United States citizenship test in the year they are scheduled to graduate.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-7-1006.3, **amend**
3 (1), (3), (7), (8), (9), and (10) as follows:

4 **22-7-1006.3. State assessments - administration - rules.**

5 (1) (a) Beginning in the 2015-16 school year, the department of
6 education, in collaboration with local education providers, shall
7 administer the state assessments in the instructional areas of English
8 language arts, mathematics, science, and social studies, as adopted by the
9 state board pursuant to section 22-7-1006, as follows:

10 (I) The department shall administer a state assessment in English
11 language arts and a state assessment in mathematics to all students
12 enrolled in grades three through eight in public schools throughout the
13 state.

14 (II) The department shall administer a state assessment in science
15 to students enrolled in public elementary, middle, and high schools
16 throughout the state. The department shall select the specific grades in
17 which to administer the state science assessment, ensuring that students
18 take the state science assessment once in elementary school, once in
19 middle school, and once in high school; except that the department shall
20 not administer the state science assessment to students enrolled in twelfth
21 grade.

22 (III) The department shall administer a state assessment in social
23 studies to students enrolled in public elementary AND middle ~~and high~~
24 schools throughout the state. The department shall select the specific
25 grades in which to administer the state social studies assessment, ensuring
26 that students take the state social studies assessment once in elementary

1 school AND once in middle school. ~~and once in high school; except that~~
2 ~~the department shall not administer the state social studies assessment to~~
3 ~~students enrolled in twelfth grade.~~ The department shall administer the
4 social studies assessment REQUIRED BY THIS SUBSECTION (1)(a)(III) in a
5 representative sample of public schools each school year, ensuring that it
6 administers the social studies assessment in each public school at least
7 once every three years. A school district, for one or more of the schools
8 of the school district that are not included in the representative sample, or
9 a charter school that is not included in the representative sample, may
10 request that the department administer the assessment in the district
11 school or charter school. The department shall administer the social
12 studies assessment in the requested school in the school year following
13 the school year in which it receives the request.

14 (a.5) BEGINNING IN THE 2021-22 ACADEMIC YEAR, THE
15 DEPARTMENT SHALL, IN COLLABORATION WITH LOCAL EDUCATION
16 PROVIDERS, ADMINISTER THE UNITED STATES CITIZENSHIP TEST
17 ESTABLISHED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION
18 SERVICES, REFERRED TO IN THIS SECTION AS THE "CITIZENSHIP TEST", TO
19 STUDENTS ENROLLED IN PUBLIC HIGH SCHOOLS THROUGHOUT THE STATE
20 IN THE YEAR IN WHICH A STUDENT IS SCHEDULED TO GRADUATE.

21 (b) Repealed.

22 (c) The department of education, in collaboration with local
23 education providers, shall administer the state assessments AND THE
24 CITIZENSHIP TEST on a schedule ~~that~~ SET ANNUALLY BY the department.
25 ~~annually sets.~~

26 (d) If all or any portion of a state assessment OR THE CITIZENSHIP
27 TEST requires a student to use a computer, ~~to take the assessment,~~ at the

1 request of a local education provider, the department of education ~~must~~
2 SHALL administer the portions of the state assessment OR CITIZENSHIP
3 TEST that require a computer in a format that a student may complete
4 using pencil and paper. Each local education provider shall report to the
5 department the number of students it enrolls who will take the state
6 assessment OR CITIZENSHIP TEST in a pencil-and-paper format.

7 (e) The department shall review and update assessment AND
8 CITIZENSHIP TEST administration and security policies as necessary to
9 maintain the integrity of the assessments AND CITIZENSHIP TESTS.

10 (3) (a) Except as otherwise provided in ~~paragraphs (b) and (c) of~~
11 ~~this subsection (3)~~ SUBSECTIONS (3)(b) AND (3)(c) OF THIS SECTION, each
12 student enrolled in a public school is required to take the state
13 assessments OR CITIZENSHIP TEST administered pursuant to subsection (1)
14 of this section at the student's grade level, as determined by the enrolling
15 local education provider.

16 (b) A child who is enrolled in a nonpublic school or participating
17 in a nonpublic home-based educational program pursuant to section
18 22-33-104.5 is not required to take a state assessment OR THE CITIZENSHIP
19 TEST administered pursuant to this section, even though the child may
20 also be attending a public school for a portion of the school day and IS
21 therefore included in the enrollment of a local education provider.

22 (c) A student who has an individualized education program as
23 provided in section 22-20-108, and whose individualized education
24 program specifies that the student takes the state's alternate assessment
25 for students with significant cognitive disabilities or another assessment
26 approved by rule of the state board, is not required to take the state
27 assessments OR THE CITIZENSHIP TEST administered pursuant to subsection

1 (1) of this section, but the student must take the alternate assessment or
2 the other approved assessment. Each local education provider shall report
3 to the department of education the results of the alternate assessments or
4 other approved assessments administered to students enrolled by the local
5 education provider. The department shall aggregate the results separately
6 for each public school.

7 (d) If a student has an individualized education program as
8 provided in section 22-20-108 that specifies that the student takes the
9 state assessment OR THE CITIZENSHIP TEST, the enrolling local education
10 provider shall assess the student in each instructional area for which there
11 is a state test at the student's grade level. If, as part of a student's
12 individualized education program, the student attends part-time a school
13 or program away from the school in which the student is enrolled, the
14 local education provider that enrolls a student, or the administrative unit
15 that the local education provider is a member of, may designate either the
16 school of residence or the school of attendance as the school to which the
17 department of education ~~must~~ SHALL assign the student's scores for
18 purposes of measuring the levels of attainment on the performance
19 indicators specified in section 22-11-204, determining accreditation
20 categories pursuant to section 22-11-208, and measuring public school
21 performance pursuant to section 22-11-210. If a student who has an
22 individualized education program attends school in an administrative unit
23 other than the student's administrative unit of residence, and there is a
24 contract between the two administrative units, the administrative units
25 ~~must~~ SHALL specify in the contract the public school to which the
26 department shall assign the student's scores for purposes of measuring the
27 levels of attainment on the performance indicators, determining

1 accreditation categories, and measuring public school performance.

2 (7) (a) The department of education shall provide to each local
3 education provider the results of all of the state assessments AND THE
4 CITIZENSHIP TEST that the local education provider administers and make
5 available to local education providers the state assessment data of
6 individual students that is required to measure academic progress over
7 time. The department shall align the disaggregation of state assessment
8 results with the exclusion of scores permitted by subsection (6) of this
9 section.

10 (b) The department of education shall release to the public only
11 those state assessment AND CITIZENSHIP TEST results that the department
12 deems valid. The department shall not rely on state assessment AND
13 CITIZENSHIP TEST results that the department has deemed invalid in
14 performance calculations when assigning accreditation levels or school
15 plan types, as described in article 11 of this ~~title~~ TITLE 22, to a local
16 education provider. At any time that the department releases state
17 assessment OR CITIZENSHIP TEST results to the public, in addition to
18 releasing the results of the English versions of the state assessments, the
19 department shall release the results of any state assessments administered
20 in languages other than English.

21 (c) At the request of a local education provider, the entity that is
22 responsible for developing a state assessment must return to the local
23 education provider the student responses to the essay portion and
24 appropriate paragraphs that are released from the English language arts
25 portion of the state assessment and the results of all requested state
26 assessments. The requesting local education provider must pay the entity
27 for the actual cost of photocopying and mailing the English language arts

1 portion of the state assessment. The requesting local education provider
2 shall maintain the confidentiality of all state assessment results that it
3 receives and may use the essay portion and appropriate paragraphs only
4 to improve an individual student's writing skills.

5 (d) Each local education provider shall include the results of the
6 state assessments OR CITIZENSHIP TESTS administered pursuant to
7 subsection (1) of this section on each student's final report card for the
8 applicable school year and include the results in the student's permanent
9 academic record; except that a local education provider may include state
10 assessment OR CITIZENSHIP TEST data on a student's final report card only
11 if the local education provider has sufficient time to process the state
12 assessment OR CITIZENSHIP TEST results after they are released.

13 (8)(a) Each local education provider shall adopt policies to ensure
14 that appropriate personnel within each school district and each institute
15 charter school share with and explain to the parent or legal guardian of
16 each student enrolled in the school district or the institute charter school
17 the student's state assessment AND CITIZENSHIP TEST results returned to
18 the student's public school pursuant to subsection (7) of this section.

19 (b) The department of education shall create, maintain, and make
20 available to local education providers and parents or legal guardians,
21 upon request, a list of resources and programs that public schools and
22 parents or legal guardians may access to assist students in addressing
23 specific learning issues identified by the state assessment AND
24 CITIZENSHIP TEST results provided pursuant to this section.

25 (9) (a) The department of education shall permit a nonpublic
26 school to administer the state assessments OR CITIZENSHIP TESTS required
27 by subsection (1) of this section and shall provide to the nonpublic school

1 the results of any state assessments OR CITIZENSHIP TESTS administered.
2 The nonpublic school ~~must~~ SHALL pay all costs associated with
3 administering and providing results for the state assessments AND
4 CITIZENSHIP TESTS.

5 (b) A local education provider, upon the request of the parent or
6 legal guardian of a child who is participating in a nonpublic home-based
7 educational program pursuant to section 22-33-104.5, ~~must~~ SHALL permit
8 the child to take a state assessment OR CITIZENSHIP TEST required by
9 subsection (1) of this section and ~~must~~ SHALL provide to the parent or
10 legal guardian of the child the results of state assessments OR CITIZENSHIP
11 TESTS administered. The parent or legal guardian of the child ~~must~~ SHALL
12 pay all costs associated with administering and providing results for the
13 state assessments OR CITIZENSHIP TESTS.

14 (10) For each fiscal year, the general assembly shall appropriate
15 money in the annual general appropriation act to the department of
16 education to fund administration of the state assessments AND
17 CITIZENSHIP TESTS as described in this section, including administration
18 of the ninth-grade assessment, the tenth-grade assessment, THE
19 CITIZENSHIP TEST, and the curriculum-based, achievement college
20 entrance exam described in subsection (2) of this section.

21 **SECTION 2. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
25 referendum petition is filed pursuant to section 1 (3) of article V of the
26 state constitution against this act or an item, section, or part of this act
27 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in
2 November 2020 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.