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HOUSE BILL 21-1067

BY REPRESENTATIVE(S) Kipp and Exum, Amabile, Bacon, Bernett, Bird, Caraveo, Esgar, Froelich, Gonzales-Gutierrez, Gray, Herod, Hooton, Jodeh, Kennedy, Lontine, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Ricks, Roberts, Sirota, Soper, Titone, Valdez A., Valdez D., Weissman, Woodrow, Young, Garnett, Boesenecker, Cutter, Snyder;
also SENATOR(S) Story and Buckner, Danielson, Gonzales, Hansen, Kolker, Winter, Zenzinger, Garcia.

CONCERNING A NATIONAL ASSESSMENT TEST SCORE AS AN ELIGIBILITY CRITERION FOR ADMISSION TO A COLORADO INSTITUTION OF HIGHER EDUCATION.

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

SECTION 1. In Colorado Revised Statutes, 23-1-113, **amend** (1)(a), (1)(b), and (11)(c); and **add** (10.5) as follows:

23-1-113. Commission directive - admission standards for baccalaureate and graduate institutions of higher education - policy - report - definitions. (1) (a) EXCEPT AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, the commission shall establish and the governing boards shall

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

implement academic admission standards for first-time freshmen and transfer students at all state-supported baccalaureate and graduate institutions of higher education in the state. The commission shall establish and may subsequently review and amend the standards after consultation with the governing boards of institutions. The academic admission standards for students who do not have in-state status, as determined pursuant to section 23-7-103, shall equal or exceed those established for determining admission of in-state students.

(b) (I) ~~The standards established for first-time admitted freshman students must use a combination of high school academic performance indicators and national assessment test scores for AS AN eligibility criteria CRITERION. The academic performance indicators may include, but are not limited to, grade point average, class rank, and content standard performance level assessments. The criteria established and the specified performance levels must be consistent with the role and mission established for each state-supported institution of higher education.~~ In considering the high school academic performance indicators, the commission and the governing boards may take into account the rigor of a student's high school academic preparation and the academic content of the courses taken. In lieu of the established statewide criteria, each governing board may use additional criteria for up to twenty percent of the freshmen students annually admitted to each institution under the governing board's control. Students who meet the minimum criteria for admission are not guaranteed admission to the institution to which they have applied, but they are eligible for consideration.

~~(II) Notwithstanding any law to the contrary, the governing board of a state-supported institution of higher education may, but is not required to, require a national assessment test score as an eligibility criterion of academic admission standards for first-time freshman students who graduate from high school in 2021~~ THE GOVERNING BOARD OF A STATE-SUPPORTED BACCALAUREATE AND GRADUATE INSTITUTION OF HIGHER EDUCATION MAY, BUT IS NOT REQUIRED TO, REQUIRE A NATIONAL ASSESSMENT TEST SCORE AS AN ELIGIBILITY CRITERION.

(III) THE CRITERIA ESTABLISHED AND THE SPECIFIED PERFORMANCE LEVELS MUST BE CONSISTENT WITH THE ROLE AND MISSION ESTABLISHED FOR EACH STATE-SUPPORTED BACCALAUREATE AND GRADUATE INSTITUTION OF HIGHER EDUCATION.

(IV) ON OR BEFORE AN APPLICATION DEADLINE, AN APPLICANT MAY SUBMIT A NATIONAL ASSESSMENT TEST SCORE TO A STATE-SUPPORTED BACCALAUREATE AND GRADUATE INSTITUTION OF HIGHER EDUCATION THAT DOES NOT REQUIRE A NATIONAL ASSESSMENT TEST SCORE AS AN ELIGIBILITY CRITERION AND REQUEST THAT THE INSTITUTION CONSIDER THE NATIONAL ASSESSMENT TEST SCORE. THE INSTITUTION SHALL CONSIDER A NATIONAL TEST SCORE SUBMISSION PURSUANT TO THIS SUBSECTION (1)(b)(IV) AS A PART OF THE ADMISSION DECISION FOR THE APPLICANT.

(10.5) (a) ON OR BEFORE JUNE 30, 2023, AND ON OR BEFORE JUNE 30 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL PUBLISH AND SUBMIT TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, AN ANNUAL REPORT FOR THE PREVIOUS ACADEMIC YEAR. THE DATA ELEMENTS IN THE REPORT ARE INTENDED TO DETERMINE WHETHER REQUIRING OR NOT REQUIRING A NATIONAL ASSESSMENT TEST SCORE AS AN ELIGIBILITY CRITERION FOR THE ADMISSIONS PROCESS FOR STATE-SUPPORTED BACCALAUREATE AND GRADUATE INSTITUTIONS OF HIGHER EDUCATION PROVIDES GREATER DIVERSITY AMONG INSTITUTIONS WITHOUT CAUSING NEGATIVE STUDENT OUTCOMES THAT ARE DIRECTLY ATTRIBUTABLE TO THE CHANGE IN THE ADMISSIONS PROCESS. THE REPORT MUST SPECIFY:

(I) THE INSTITUTIONS THAT REQUIRED, AND THE INSTITUTIONS THAT DID NOT REQUIRE, A NATIONAL ASSESSMENT TEST SCORE AS AN ELIGIBILITY CRITERION FOR THE PREVIOUS ACADEMIC YEAR'S FIRST-TIME FRESHMAN STUDENTS;

(II) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

(III) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE AND ENROLLED IN AN INSTITUTION AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE AND ENROLLED IN AN INSTITUTION, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND

GENDER;

(IV) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO CONTINUED ENROLLMENT IN THE INSTITUTION IN A SUBSEQUENT ACADEMIC YEAR AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO CONTINUED ENROLLMENT IN THE INSTITUTION IN A SUBSEQUENT ACADEMIC YEAR, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

(V) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO GRADUATED FROM AN INSTITUTION IN FOUR YEARS AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO GRADUATED FROM AN INSTITUTION IN FOUR YEARS, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

(VI) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO GRADUATED FROM AN INSTITUTION IN SIX YEARS AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO GRADUATED FROM AN INSTITUTION IN SIX YEARS, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER; AND

(VII) THE FOLLOWING AVAILABLE DATA, GATHERED BY THE DEPARTMENT IN COLLABORATION WITH THE INSTITUTIONS:

(A) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO WERE ACCEPTED TO AN INSTITUTION AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO WERE ACCEPTED TO AN INSTITUTION;

(B) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION 23-18-302 (12), AND CONTINUED ENROLLMENT IN THE INSTITUTION IN A

SUBSEQUENT ACADEMIC YEAR AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION 23-18-302 (12), AND CONTINUED ENROLLMENT IN THE INSTITUTION IN A SUBSEQUENT ACADEMIC YEAR, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

(C) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION 23-18-302 (12), AND GRADUATED FROM AN INSTITUTION IN FOUR YEARS, AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION 23-18-302 (12), AND GRADUATED FROM AN INSTITUTION IN FOUR YEARS, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

(D) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION 23-18-302 (12), AND GRADUATED FROM AN INSTITUTION IN SIX YEARS, AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION 23-18-302 (12), AND GRADUATED FROM AN INSTITUTION IN SIX YEARS, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

(E) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE FOR A FEDERAL PELL GRANT AND CONTINUED ENROLLMENT IN THE INSTITUTION IN A SUBSEQUENT ACADEMIC YEAR AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE FOR A FEDERAL PELL GRANT AND CONTINUED ENROLLMENT IN THE INSTITUTION IN A SUBSEQUENT ACADEMIC YEAR, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

(F) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE FOR A FEDERAL PELL GRANT AND GRADUATED FROM AN INSTITUTION IN FOUR YEARS, AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE FOR A FEDERAL PELL GRANT AND GRADUATED FROM AN INSTITUTION IN FOUR YEARS, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER; AND

(G) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE FOR A FEDERAL PELL GRANT AND GRADUATED FROM AN INSTITUTION IN SIX YEARS, AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE FOR A FEDERAL PELL GRANT AND GRADUATED FROM AN INSTITUTION IN SIX YEARS, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER.

(b) ON OR BEFORE JUNE 30, 2027, AND ON OR BEFORE JUNE 30, 2032, THE COMMISSION SHALL PUBLISH AND SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, THAT AT A MINIMUM INCLUDES A COMPREHENSIVE ANALYSIS OF THE ANNUAL REPORTS SUBMITTED PURSUANT TO THIS SUBSECTION (10.5) AND AN ANALYSIS OF HOW THE OPTIONAL USE OF A NATIONAL ASSESSMENT TEST SCORE AS AN ELIGIBILITY CRITERION IMPACTED ACCESS TO HIGHER EDUCATION FOR STUDENTS. AFTER THE REPORT DESCRIBED IN THIS SUBSECTION (10.5)(b) IS SUBMITTED, THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, SHALL HOLD A JOINT MEETING AT WHICH THE COMMISSION SHALL PRESENT AND DISCUSS THE REPORT.

(c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I) TO THE CONTRARY, ON OR BEFORE JUNE 30, 2023, AND ON OR BEFORE JUNE 30 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, THE REPORTS DESCRIBED IN SUBSECTIONS (10.5)(a) AND (10.5)(b) OF THIS SECTION.

(11) As used in this section, unless the context otherwise requires:

(c) "National assessment test scores" ~~include~~, SCORE" INCLUDES, but ~~are~~ IS not limited to, AN ACT test scores SCORE and OR SAT test scores SCORE.

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

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO