

NOTE: This bill has been prepared for the signatures 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.



HOUSE BILL 19-1066

BY REPRESENTATIVE(S) Buentello and Kipp, Arndt, Buckner, Caraveo, Coleman, Cutter, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Gray, Hansen, Herod, Hooton, Jackson, Jaquez Lewis, Landgraf, Lontine, McLachlan, Melton, Mullica, Pelton, Roberts, Sirota, Tipper, Titone, Valdez A., Valdez D., Weissman, Becker;
also SENATOR(S) Foote, Bridges, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Ginal, Gonzales, Priola, Rankin, Smallwood, Story, Tate, Todd, Williams A., Woodward, Zenzinger, Garcia.

CONCERNING COUNTING A STUDENT WHO IS ENROLLED IN SPECIAL EDUCATION SERVICES IN THE GRADUATION RATE IN THE SCHOOL YEAR IN WHICH THE STUDENT COMPLETES THE MINIMUM GRADUATION REQUIREMENTS.

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

SECTION 1. In Colorado Revised Statutes, 22-11-204, **amend** (4)(a)(III), (4)(b)(III), and (4)(c)(III) as follows:

22-11-204. Performance indicators - measures. (4) The department shall determine the level of attainment of each public high school, each school district, the institute, and the state as a whole on the

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.

postsecondary and workforce readiness indicator by using, at a minimum, the following measures:

(a) For each public high school, the department shall calculate:

(III) (A) The graduation and dropout rates, as defined by rule of the state board.

(B) BEGINNING IN THE 2020-21 SCHOOL YEAR, FOR PURPOSES OF THIS SUBSECTION (4)(a)(III), A STUDENT WHO IS ENROLLED IN SPECIAL EDUCATION SERVICES, AS DEFINED IN SECTION 22-20-103 (23), MUST BE COUNTED IN THE PUBLIC HIGH SCHOOL'S GRADUATION RATE IN THE SCHOOL YEAR IN WHICH THE STUDENT COMPLETES THE MINIMUM GRADUATION REQUIREMENTS. NOTHING IN THIS SUBSECTION (4)(a)(III)(B) LIMITS THE RIGHT TO A FREE APPROPRIATE PUBLIC EDUCATION FOR A STUDENT AS PROVIDED BY THE FEDERAL "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS AMENDED; THE "EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT", ARTICLE 20 OF THIS TITLE 22; OR ANY OTHER FEDERAL OR STATE LAW OR RULE.

(b) For each school district and the institute, the department shall calculate:

(III) (A) The overall graduation and dropout rates, as defined by rule of the state board, for the district public high schools or the institute charter high schools.

(B) BEGINNING IN THE 2020-21 SCHOOL YEAR, FOR PURPOSES OF THIS SUBSECTION (4)(b)(III), A STUDENT WHO IS ENROLLED IN SPECIAL EDUCATION SERVICES, AS DEFINED IN SECTION 22-20-103 (23), MUST BE COUNTED IN THE SCHOOL DISTRICT'S AND THE INSTITUTE'S GRADUATION RATE IN THE SCHOOL YEAR IN WHICH THE STUDENT COMPLETES THE MINIMUM GRADUATION REQUIREMENTS. NOTHING IN THIS SUBSECTION (4)(b)(III)(B) LIMITS THE RIGHT TO A FREE APPROPRIATE PUBLIC EDUCATION FOR A STUDENT AS PROVIDED BY THE FEDERAL "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS AMENDED; THE "EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT", ARTICLE 20 OF THIS TITLE 22; OR ANY OTHER FEDERAL OR STATE LAW OR RULE.

(c) For the state, the department shall calculate:

(III) (A) The statewide graduation and dropout rates, as defined by rule of the state board, for the public high schools in the state.

(B) BEGINNING IN THE 2020-21 SCHOOL YEAR, FOR PURPOSES OF THIS SUBSECTION (4)(c)(III), A STUDENT WHO IS ENROLLED IN SPECIAL EDUCATION SERVICES, AS DEFINED IN SECTION 22-20-103 (23), MUST BE COUNTED IN THE STATEWIDE GRADUATION RATE IN THE SCHOOL YEAR IN WHICH THE STUDENT COMPLETES THE MINIMUM GRADUATION REQUIREMENTS. NOTHING IN THIS SUBSECTION (4)(c)(III)(B) LIMITS THE RIGHT TO A FREE APPROPRIATE PUBLIC EDUCATION FOR A STUDENT AS PROVIDED BY THE FEDERAL "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS AMENDED; THE "EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT", ARTICLE 20 OF THIS TITLE 22; OR ANY OTHER FEDERAL OR STATE LAW OR RULE.

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, and safety.

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Marilyn Eddins
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