A BILL FOR AN ACT

CONCERNING A NEW REQUIREMENT FOR HIGH SCHOOL STUDENTS TO TAKE THE UNITED STATES CITIZENSHIP TEST INSTEAD OF THE 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.
Be it enacted by the General Assembly of the State of Colorado:

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

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

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

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

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

(III) The department shall administer a state assessment in social studies to students enrolled in public elementary and middle and high schools throughout the state. The department shall select the specific grades in which to administer the state social studies assessment, ensuring that students take the state social studies assessment once in elementary
school AND once in middle school. and once in high school; except that
the department shall not administer the state social studies assessment to
students enrolled in twelfth grade. The department shall administer the
social studies assessment REQUIRED BY THIS SUBSECTION (1)(a)(III) in a
representative sample of public schools each school year, ensuring that it
administers the social studies assessment in each public school at least
once every three years. A school district, for one or more of the schools
of the school district that are not included in the representative sample, or
a charter school that is not included in the representative sample, may
request that the department administer the assessment in the district
school or charter school. The department shall administer the social
studies assessment in the requested school in the school year following
the school year in which it receives the request.

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

(b) Repealed.

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

(d) If all or any portion of a state assessment OR THE CITIZENSHIP
TEST requires a student to use a computer, to take the assessment, at the
request of a local education provider, the department of education must
shall administer the portions of the state assessment or citizenship
test that require a computer in a format that a student may complete
using pencil and paper. Each local education provider shall report to the
department the number of students it enrolls who will take the state
assessment or citizenship test in a pencil-and-paper format.

(e) The department shall review and update assessment and
citizenship test administration and security policies as necessary to
maintain the integrity of the assessments and citizenship tests.

(3) (a) Except as otherwise provided in paragraphs (b) and (e) of
this subsection (3) subsections (3)(b) and (3)(c) of this section, each
student enrolled in a public school is required to take the state
assessments or citizenship test administered pursuant to subsection (1)
of this section at the student's grade level, as determined by the enrolling
local education provider.

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

(c) A student who has an individualized education program as
provided in section 22-20-108, and whose individualized education
program specifies that the student takes the state's alternate assessment
for students with significant cognitive disabilities or another assessment
approved by rule of the state board, is not required to take the state
assessments or the citizenship test administered pursuant to subsection
(1) of this section, but the student must take the alternate assessment or
the other approved assessment. Each local education provider shall report
to the department of education the results of the alternate assessments or
other approved assessments administered to students enrolled by the local
education provider. The department shall aggregate the results separately
for each public school.

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

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

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

(c) At the request of a local education provider, the entity that is responsible for developing a state assessment must return to the local education provider the student responses to the essay portion and appropriate paragraphs that are released from the English language arts portion of the state assessment and the results of all requested state assessments. The requesting local education provider must pay the entity for the actual cost of photocopying and mailing the English language arts
portion of the state assessment. The requesting local education provider
shall maintain the confidentiality of all state assessment results that it
receives and may use the essay portion and appropriate paragraphs only
to improve an individual student's writing skills.

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

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

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

(9) (a) The department of education shall permit a nonpublic
school to administer the state assessments OR CITIZENSHIP TESTS required
by subsection (1) of this section and shall provide to the nonpublic school
the results of any state assessments OR CITIZENSHIP TESTS administered. The nonpublic school must SHALL pay all costs associated with administering and providing results for the state assessments AND CITIZENSHIP TESTS.

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

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

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect
unless approved by the people at the general election to be held in
November 2020 and, in such case, will take effect on the date of the
official declaration of the vote thereon by the governor.