



HB 21-1161

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 21-0838 **Date:** March 05, 2021
Prime Sponsors: Rep. Sirota; McLachlan **Bill Status:** House Education
 Sen. Zenzinger; Coram **Fiscal Analyst:** Josh Abram | 303-866-3561
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Bill Topic: **SUSPEND STATEWIDE ASSESSMENTS FOR SELECT GRADES**

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure (<i>conditional</i>)	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> School District

The bill pauses certain K-12 state assessments and accountability measures for the 2020-21 school year. Conditional upon federal approval, the bill reduces state and local expenditures in the current FY 2020-21 and increases expenditures in FY 2021-22.

Appropriation Summary: In the current FY 2020-21, the bill requires a decrease in appropriations to CDE of at least \$750,000. For FY 2021-22, the bill requires an increase in appropriations to CDE of at least \$22,500.

Fiscal Note Status: The fiscal note reflects the introduced bill. This fiscal note is preliminary and will be revised if additional information becomes available.

Table 1
State Fiscal Impacts Under HB 21-1161

		Current Year FY 2020-21	Budget Year FY 2021-22	Out Year FY 2022-23
Revenue		-	-	-
Expenditures	State Education Fund	(at least \$750,000)	-	-
	General Fund		at least \$22,500	
Transfers		-	-	-
TABOR Refund		-	-	-

Summary of Legislation

For the current 2020-21 school year only, and subject to an approved waiver of federal law, this bill requires that the Colorado Department of Education (CDE) suspend the administration of state assessments in English language arts in grades four, six, and eight, and the assessments in mathematics in grades three, five, and seven. A parent of a student in grades three through eight may request that their local education provider administer the suspended test to their student. The bill also suspends the state assessments in science and social studies in all grades.

For the 2020-21 school year, educator evaluations must not include the use of student academic growth measures or other student performance measures. The bill suspends the assignment of accreditation ratings to schools and districts for the 2020-21 and 2021-22 school years. The department must count the school or district rating for 2022-23 as if it were consecutive with the 2019-20 school year. This also applies to the amount of time schools and districts may remain on performance watch, and to the accreditation ratings of alternative education campuses.

Schools and districts with the two lowest accreditation ratings for 2019-20 may request that CDE assign a plan type for 2021-22 that reflects attainment based on an alternative body of evidence. The State Board of Education must adopt rules for this alternative accreditation evaluation.

State Expenditures

The bill decreases costs for the CDE in the current FY 2020-21 from suspending state assessments, and increases costs in the upcoming FY 2021-22 from changes to the accreditation rating process, as described below. Savings and cost estimates are preliminary.

Suspended assessments. The bill reduces state expenditures by at least \$750,000 in the current FY 2020-21, conditional upon federal approval. Based on payment schedule of the existing assessment contract, the suspension of select tests by March 31 is estimated to reduce costs in the current fiscal year by at least this amount; however, the actual cost savings will not be known until the timing is finalized and the department has negotiated the final change with the vendor, Pearson. This fiscal note will be revised as additional information becomes available.

The minimum \$750,000 in cost savings are primarily from the elimination of the social studies test in all grades. Assuming the federal waiver is approved and the select state tests are suspended, work stoppage and adjustment orders will be provided to the assessment vendor. The main contract with Pearson will require reconciliation based on the deliverables and services provided up to the time of cancellation for the social studies, science, mathematics, and English language arts assessments.

Accreditation rating process changes. The bill increases state expenditures by at least \$22,500 in FY 2021-22 for the CDE to modify the process to reconsider an accreditation rating, and allow schools and districts in the bottom two rating categories to demonstrate attainment based on an alternative body of evidence. This requires creating necessary protocols, conducting site visits, convening the State Review Panel, and working with affected districts and schools to conduct improvement planning. Approximately 120 hours of contracted services are required to revise the reconsideration template and the internal rating calculation template, at a rate of \$187.50 per hour.

In addition, CDE will have increased costs of about \$14,000 for each LEP that requests a review and requires a site visit. These additional costs will initially be accommodated within current appropriations, with further adjustments requested in the annual budget process as necessary.

School District

The direct costs incurred by schools to administer state assessments are paid for by the state. Schools and districts incur costs to administer assessments, including the logistics of administration, proctors, test security, and data tracking. This workload and cost is reduced for the 2020-21 school year; local education providers will likely shift available resources into instructional time.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State Appropriations

In the current FY 2020-21, the bill requires a reduction in the State Education Fund appropriation to CDE of at least \$750,000.

For FY 2021-22, the bill requires a General Fund appropriation of \$22,500 to the CDE.

State and Local Government Contacts

Education School Districts