

**Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 16-0670.01 Julie Pelegrin x2700

**SENATE BILL 16-005**

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**SENATE SPONSORSHIP**

**Marble**, Merrifield, Neville T., Woods

**HOUSE SPONSORSHIP**

**Saine**, Ransom

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**Senate Committees**

Education  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING PROHIBITING THE ADMINISTRATION OF STATEWIDE**  
102      **ASSESSMENTS TO STUDENTS ENROLLED IN NINTH GRADE.**

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**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://www.leg.state.co.us/billsummaries>.)*

Under current law, the department of education (department) administers state assessments in English language arts and mathematics to students enrolled in grades 3 through 9. The bill eliminates the ninth grade assessments in English language arts and mathematics.

Under current law, the department must administer a state assessment in science and social studies once to students enrolled in high

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

school, but it cannot administer the assessment to students enrolled in twelfth grade. The bill prohibits the department from administering the state assessments in these subjects to students enrolled in ninth grade.

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

2 **SECTION 1. In Colorado Revised Statutes, 22-7-1006.3, add (1)**  
3 **(f) as follows:**

4 **22-7-1006.3. State assessments - administration - rules.**  
5 **(1) (f) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (1) TO**  
6 **THE CONTRARY, A LOCAL EDUCATION PROVIDER MAY EXEMPT THE**  
7 **STUDENTS IT ENROLLS IN NINTH GRADE FROM TAKING THE STATE**  
8 **ASSESSMENTS IN ENGLISH LANGUAGE ARTS, MATHEMATICS, SCIENCE, AND**  
9 **SOCIAL STUDIES. A LOCAL EDUCATION PROVIDER THAT EXEMPTS ITS**  
10 **NINTH-GRADE STUDENTS FROM THE STATE ASSESSMENTS SHALL NOTIFY**  
11 **THE DEPARTMENT OF EDUCATION THAT THE DEPARTMENT IS PROHIBITED**  
12 **FROM ADMINISTERING THE STATE ASSESSMENTS TO THE STUDENTS THAT**  
13 **THE LOCAL EDUCATION PROVIDER ENROLLS IN NINTH GRADE.**

14 **SECTION 2. In Colorado Revised Statutes, 22-63-201, add (2)**  
15 **(c) as follows:**

16 **22-63-201. Employment - license required - exception.**  
17 **(2) (c) A RURAL SCHOOL DISTRICT THAT PROHIBITS ADMINISTRATION OF**  
18 **STATE ASSESSMENTS TO NINTH-GRADE STUDENTS AS PROVIDED IN SECTION**  
19 **22-7-1006.3 (1) (f) MAY CONTRACT WITH A PERSON FOR EMPLOYMENT AS**  
20 **A TEACHER REGARDLESS OF WHETHER THE PERSON HOLDS AN INITIAL OR**  
21 **PROFESSIONAL TEACHER'S LICENSE OR AUTHORIZATION ISSUED PURSUANT**  
22 **TO THE PROVISIONS OF ARTICLE 60.5 OF THIS TITLE.**

23 **SECTION 3. In Colorado Revised Statutes, add 22-63-203.7 as**  
24 **follows:**

1           22-63-203.7.       Nonprobationary status prohibited.  
2       NOTWITHSTANDING ANY PROVISION OF SECTION 22-9-106, 22-63-202, OR  
3       22-63-203 TO THE CONTRARY, A TEACHER WHO IS EMPLOYED BY A LOCAL  
4       EDUCATION PROVIDER THAT PROHIBITS ADMINISTRATION OF STATE  
5       ASSESSMENTS TO NINTH-GRADE STUDENTS AS PROVIDED IN SECTION  
6       22-7-1006.3 (1) (f) SHALL NOT ATTAIN NONPROBATIONARY STATUS IF THE  
7       TEACHER HAS PROBATIONARY STATUS AS OF, OR LOSES  
8       NONPROBATIONARY STATUS AFTER, THE BEGINNING OF THE SCHOOL YEAR  
9       IN WHICH THE LOCAL EDUCATION PROVIDER BEGINS PROHIBITING  
10       ADMINISTRATION OF STATE ASSESSMENTS TO NINTH-GRADE STUDENTS.

11           SECTION 4. In Colorado Revised Statutes, amend 22-63-402 as  
12       follows:

13           22-63-402. Services - disbursements. (1) ~~No~~ AN order or  
14       warrant for the disbursement of school district moneys shall NOT be  
15       drawn in favor of any A person for services as a teacher, except for  
16       services performed for a junior college district or in an adult education  
17       program, unless the person holds a valid teacher's license or authorization  
18       from the department of education. ~~Such~~ THE license or authorization shall  
19       MUST be duly registered in the administrative office of the school district  
20       wherein IN WHICH the services are to be rendered. A teacher shall MUST  
21       hold a valid license or authorization during all periods of employment by  
22       a school district. A person who performs services as a teacher without  
23       possessing a valid teacher's license or authorization shall forfeit FORFEITS  
24       all claim to compensation out of school district moneys for the time  
25       during which THE PERSON PERFORMS services are performed without the  
26       license or authorization.

27           (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF

1 THIS SECTION TO THE CONTRARY, A RURAL SCHOOL DISTRICT, AS  
2 IDENTIFIED BY THE DEPARTMENT OF EDUCATION, THAT PROHIBITS  
3 ADMINISTRATION OF STATE ASSESSMENTS TO NINTH-GRADE STUDENTS AS  
4 PROVIDED IN SECTION 22-7-1006.3 (1) (f) MAY EMPLOY AND PAY A PERSON  
5 AS A TEACHER, AND THE PERSON HAS A VALID CLAIM TO COMPENSATION  
6 FOR SERVICES RENDERED WHILE EMPLOYED AS A TEACHER, REGARDLESS  
7 OF WHETHER THE PERSON HOLDS AN INITIAL OR PROFESSIONAL TEACHER'S  
8 LICENSE OR AUTHORIZATION ISSUED PURSUANT TO THE PROVISIONS OF  
9 ARTICLE 60.5 OF THIS TITLE. \_\_\_\_\_

10 **SECTION 5.** In Colorado Revised Statutes, 22-7-1016, **amend**  
11 (4) (b) as follows:

12 **22-7-1016. Assessments in high school - transcripts.** (4) (b) A  
13 student who demonstrates attainment of postsecondary and workforce  
14 readiness while enrolled in ~~any of grades nine through twelve shall be~~  
15 HIGH SCHOOL IS eligible to participate in a program through which the  
16 student may earn postsecondary or career and technical education course  
17 credits while enrolled in high school.

18 **SECTION 6. Safety clause.** The general assembly hereby finds,  
19 determines, and declares that this act is necessary for the immediate  
20 preservation of the public peace, health, and safety.