

## CHAPTER 84

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**EDUCATION - PUBLIC SCHOOLS**

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**SENATE BILL 17-123**

BY SENATOR(S) Priola and Zenzinger, Baumgardner, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Sonnenberg, Todd, Williams A., Grantham; also REPRESENTATIVE(S) Hamner and Wilson, Arndt, Becker K., Benavidez, Bridges, Buckner, Coleman, Danielson, Esgar, Exum, Foote, Garnett, Ginal, Gray, Hansen, Herod, Hooton, Jackson, Kennedy, Kraft-Tharp, Lawrence, Lebsock, Lee, Lontine, McLachlan, Melton, Michaelson Jenet, Mitsch Bush, Pettersen, Rosenthal, Salazar, Singer, Valdez, Weissman, Winter, Young, Duran.

**AN ACT****CONCERNING A HIGH SCHOOL DIPLOMA ENDORSEMENT FOR BILITERACY.**

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

**SECTION 1.** In Colorado Revised Statutes, **add 22-7-1009.5** as follows:

**22-7-1009.5. Diploma endorsement - biliteracy - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADVANCED PLACEMENT TEST" MEANS THE FINAL TEST ADMINISTERED AT THE COMPLETION OF A COURSE THAT DELIVERS A COLLEGE-LEVEL CURRICULUM IN A PARTICULAR WORLD LANGUAGE AND THAT MAY RESULT IN THE AWARDING OF COLLEGE CREDIT BASED ON THE SCORE ACHIEVED ON THE FINAL TEST.

(b) "INTERNATIONAL BACCALAUREATE" MEANS A PROGRAM OF INTERNATIONAL EDUCATION OFFERED THROUGH A LOCAL EDUCATION PROVIDER BY A NONPROFIT EDUCATIONAL FOUNDATION.

(c) "WORLD LANGUAGE" MEANS A LANGUAGE OTHER THAN ENGLISH AND INCLUDES AMERICAN SIGN LANGUAGE.

(2) A LOCAL EDUCATION PROVIDER MAY GRANT A DIPLOMA ENDORSEMENT IN BILITERACY TO A GRADUATING HIGH SCHOOL STUDENT WHO ATTAINS PROFICIENCY OR HIGHER IN ONE OR MORE WORLD LANGUAGES IN ADDITION TO ATTAINING PROFICIENCY OR HIGHER IN ENGLISH. TO OBTAIN AN ENDORSEMENT IN BILITERACY,

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

A GRADUATING STUDENT MUST:

(a) DEMONSTRATE PROFICIENCY OR HIGHER IN ENGLISH BY:

(I) COMPLETING ALL OF THE ENGLISH LANGUAGE ARTS COURSE REQUIREMENTS FOR GRADUATION FROM HIGH SCHOOL WITH AN OVERALL GRADE POINT AVERAGE OF AT LEAST 3.0 IN THE REQUIRED ENGLISH LANGUAGE ARTS COURSES; AND

(II) (A) ACHIEVING A SCORE THAT INDICATES PROFICIENCY OR HIGHER ON THE ENGLISH LANGUAGE ARTS PORTION OF THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM ADMINISTERED TO ELEVENTH-GRADE STUDENTS PURSUANT TO SECTION 22-7-1006.3 (2); OR

(B) PASSING THE ENGLISH LANGUAGE ARTS ADVANCED PLACEMENT TEST WITH A SCORE OF THREE OR HIGHER OR PASSING THE ENGLISH LANGUAGE ARTS PORTION OF AN INTERNATIONAL BACCALAUREATE TEST WITH A SCORE OF FOUR OR HIGHER; AND

(b) DEMONSTRATE PROFICIENCY OR HIGHER IN ONE OR MORE WORLD LANGUAGES BY:

(I) PASSING A WORLD LANGUAGE ADVANCED PLACEMENT TEST WITH A SCORE OF THREE OR HIGHER OR PASSING THE WORLD LANGUAGE PORTION OF AN INTERNATIONAL BACCALAUREATE TEST WITH A SCORE OF FOUR OR HIGHER;

(II) SUCCESSFULLY COMPLETING A FOUR-YEAR HIGH SCHOOL COURSE OF STUDY IN THE WORLD LANGUAGE AND ATTAINING AN OVERALL GRADE POINT AVERAGE OF AT LEAST 3.0 IN THE COURSE OF STUDY; OR

(III) ACHIEVING A PASSING SCORE ON THE WORLD LANGUAGE PORTION OF A NATIONALLY RECOGNIZED TEST THAT IS RELIED UPON BY INSTITUTIONS OF HIGHER EDUCATION.

(3)(a) FOR EACH WORLD LANGUAGE FOR WHICH AN ADVANCED PLACEMENT TEST IS NOT AVAILABLE, THE DEPARTMENT OF EDUCATION MAY IDENTIFY ONE OR MORE SUMMATIVE TESTS IN THE WORLD LANGUAGE THAT ARE COMPARABLE IN RIGOR TO AN ADVANCED PLACEMENT TEST. THE DEPARTMENT MAY INCLUDE IN THE LIST A SUMMATIVE TEST CREATED OR IDENTIFIED BY A LOCAL EDUCATION PROVIDER.

(b) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2)(b)(I) OF THIS SECTION TO THE CONTRARY:

(I) A LOCAL EDUCATION PROVIDER MAY USE A TEST IDENTIFIED BY THE DEPARTMENT OF EDUCATION IN PLACE OF AN ADVANCED PLACEMENT TEST FOR PURPOSES OF SUBSECTION (2)(b)(I) OF THIS SECTION;

(II) IF AN ADVANCED PLACEMENT TEST DOES NOT EXIST AND THE DEPARTMENT HAS NOT IDENTIFIED A COMPARABLE TEST FOR THE WORLD LANGUAGE A STUDENT STUDIES, THE LOCAL EDUCATION PROVIDER MAY CREATE A TEST TO ADMINISTER TO THE STUDENT IN PLACE OF AN ADVANCED PLACEMENT TEST FOR PURPOSES OF SUBSECTION (2)(b)(I) OF THIS SECTION OR MAY ALLOW A STUDENT TO SUBMIT A

BODY OF EVIDENCE THAT DEMONSTRATES THE STUDENT'S KNOWLEDGE OF THE WORLD LANGUAGE. IF THE LOCAL EDUCATION PROVIDER CHOOSES TO CREATE A TEST, IT MUST CERTIFY TO THE DEPARTMENT THAT THE TEST ASSESSES SPEAKING, READING, AND WRITING IN THE WORLD LANGUAGE AT A LEVEL THAT IS COMPARABLE IN RIGOR TO AN ADVANCED PLACEMENT TEST IN A WORLD LANGUAGE OR COMPARABLE TO THE LEVEL OF A SUMMATIVE ASSESSMENT ADMINISTERED AT THE COMPLETION OF A FOUR-YEAR HIGH SCHOOL COURSE OF STUDY IN THE WORLD LANGUAGE. THE STUDENT MUST PASS THE TEST AT THE PROFICIENT LEVEL OR HIGHER. IF THE LOCAL EDUCATION PROVIDER ALLOWS A STUDENT TO SUBMIT A BODY OF EVIDENCE, IT MUST CERTIFY TO THE DEPARTMENT THAT THE EVIDENCE PRESENTED DEMONSTRATES THE STUDENT'S ABILITY TO SPEAK, UNDERSTAND, READ, AND WRITE THE WORLD LANGUAGE WITH A LEVEL OF RIGOR THAT IS COMPARABLE TO AN ADVANCED PLACEMENT TEST IN A WORLD LANGUAGE OR COMPARABLE TO THE LEVEL OF A SUMMATIVE ASSESSMENT ADMINISTERED AT THE COMPLETION OF A FOUR-YEAR HIGH SCHOOL COURSE OF STUDY IN THE WORLD LANGUAGE.

(III) IF AN ADVANCED PLACEMENT TEST EXISTS OR THE DEPARTMENT HAS IDENTIFIED A COMPARABLE TEST FOR A WORLD LANGUAGE, AND THE LOCAL EDUCATION PROVIDER CREATES AND USES AN ALTERNATIVE TEST FOR THAT WORLD LANGUAGE, THE DEPARTMENT MUST APPROVE THE LOCAL EDUCATION PROVIDER'S TEST BEFORE THE LOCAL EDUCATION PROVIDER MAY USE THE TEST TO DETERMINE A STUDENT'S LEVEL OF PROFICIENCY IN THE WORLD LANGUAGE IN PLACE OF AN ADVANCED PLACEMENT TEST FOR PURPOSES OF SUBSECTION (2)(b)(I) OF THIS SECTION.

(4) EACH LOCAL EDUCATION PROVIDER THAT CREATES A TEST FOR A WORLD LANGUAGE OR ACCEPTS A BODY OF EVIDENCE TO DEMONSTRATE THE ABILITY TO SPEAK, UNDERSTAND, READ, AND WRITE A WORLD LANGUAGE SHALL PROVIDE A COPY OF THE TEST AND A DESCRIPTION OF THE BODY OF EVIDENCE TO THE DEPARTMENT OF EDUCATION. THE DEPARTMENT SHALL MAKE THE TESTS AND DESCRIPTIONS AVAILABLE TO LOCAL EDUCATION PROVIDERS UPON REQUEST.

**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 9, 2017, if adjournment sine die is on May 10, 2017); 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 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 30, 2017