

CHAPTER 16

EDUCATION - PUBLIC SCHOOLS

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.

AN ACT

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 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

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"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.

Approved: March 7, 2019