

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 21-0105.01 Jacob Baus x2173

HOUSE BILL 21-1067

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A BILL FOR AN ACT

101 **CONCERNING A NATIONAL ASSESSMENT TEST SCORE AS AN ELIGIBILITY**
102 **CRITERION FOR ADMISSION TO A COLORADO INSTITUTION OF**
103 **HIGHER EDUCATION.**

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 governing board of a state institution of higher education (institution) may, but is not required to, require a national assessment test score as an eligibility criterion for admission.

Each institution shall submit an annual report to the department of higher education concerning the first-time freshman cohort. The

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

HOUSE
3rd Reading Unamended
March 26, 2021

HOUSE
Amended 2nd Reading
March 25, 2021

department of higher education shall submit a collective annual report to the education committees of the house of representatives and the senate.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-1-113, **amend**
3 (1)(a), (1)(b), and (11)(c); and **add** (10.5) as follows:

4 **23-1-113. Commission directive - admission standards for**
5 **baccalaureate and graduate institutions of higher education - policy**
6 **- report - definitions.** (1) (a) EXCEPT AS PROVIDED IN SUBSECTION (1)(b)
7 OF THIS SECTION, the commission shall establish and the governing boards
8 shall implement academic admission standards for first-time freshmen
9 and transfer students at all state-supported baccalaureate and graduate
10 institutions of higher education in the state. The commission shall
11 establish and may subsequently review and amend the standards after
12 consultation with the governing boards of institutions. The academic
13 admission standards for students who do not have in-state status, as
14 determined pursuant to section 23-7-103, shall equal or exceed those
15 established for determining admission of in-state students.

16 (b) (I) The standards established for first-time admitted freshman
17 students must use ~~a combination of high school academic performance~~
18 ~~indicators and national assessment test scores for~~ AS AN eligibility criteria
19 CRITERION. The academic performance indicators may include, but are not
20 limited to, grade point average, class rank, and content standard
21 performance level assessments. ~~The criteria established and the specified~~
22 ~~performance levels must be consistent with the role and mission~~
23 ~~established for each state-supported institution of higher education.~~ In
24 considering the high school academic performance indicators, the
25 commission and the governing boards may take into account the rigor of

1 a student's high school academic preparation and the academic content of
2 the courses taken. In lieu of the established statewide criteria, each
3 governing board may use additional criteria for up to twenty percent of
4 the freshmen students annually admitted to each institution under the
5 governing board's control. Students who meet the minimum criteria for
6 admission are not guaranteed admission to the institution to which they
7 have applied, but they are eligible for consideration.

8 (II) ~~Notwithstanding any law to the contrary, the governing board~~
9 ~~of a state-supported institution of higher education may, but is not~~
10 ~~required to, require a national assessment test score as an eligibility~~
11 ~~criterion of academic admission standards for first-time freshman students~~
12 ~~who graduate from high school in 2021~~ THE GOVERNING BOARD OF A
13 STATE-SUPPORTED BACCALAUREATE AND GRADUATE INSTITUTION OF
14 HIGHER EDUCATION MAY, BUT IS NOT REQUIRED TO, REQUIRE A NATIONAL
15 ASSESSMENT TEST SCORE AS AN ELIGIBILITY CRITERION.

16 (III) THE CRITERIA ESTABLISHED AND THE SPECIFIED
17 PERFORMANCE LEVELS MUST BE CONSISTENT WITH THE ROLE AND MISSION
18 ESTABLISHED FOR EACH STATE-SUPPORTED BACCALAUREATE AND
19 GRADUATE INSTITUTION OF HIGHER EDUCATION.

20 (IV) ON OR BEFORE AN APPLICATION DEADLINE, AN APPLICANT
21 MAY SUBMIT A NATIONAL ASSESSMENT TEST SCORE TO A
22 STATE-SUPPORTED BACCALAUREATE AND GRADUATE INSTITUTION OF
23 HIGHER EDUCATION THAT DOES NOT REQUIRE A NATIONAL ASSESSMENT
24 TEST SCORE AS AN ELIGIBILITY CRITERION AND REQUEST THAT THE
25 INSTITUTION CONSIDER THE NATIONAL ASSESSMENT TEST SCORE. THE
26 INSTITUTION SHALL CONSIDER A NATIONAL TEST SCORE SUBMISSION
27 PURSUANT TO THIS SUBSECTION (1)(b)(IV) AS A PART OF THE ADMISSION

1 DECISION FOR THE APPLICANT.

2 (10.5) (a) ON OR BEFORE JUNE 30, 2023, AND ON OR BEFORE
3 JUNE 30 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL PUBLISH AND
4 SUBMIT TO THE EDUCATION COMMITTEES OF THE HOUSE OF
5 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, AN
6 ANNUAL REPORT FOR THE PREVIOUS ACADEMIC YEAR. THE DATA
7 ELEMENTS IN THE REPORT ARE INTENDED TO DETERMINE WHETHER
8 REQUIRING OR NOT REQUIRING A NATIONAL ASSESSMENT TEST SCORE AS
9 AN ELIGIBILITY CRITERION FOR THE ADMISSIONS PROCESS FOR
10 STATE-SUPPORTED BACCALAUREATE AND GRADUATE INSTITUTIONS OF
11 HIGHER EDUCATION PROVIDES GREATER DIVERSITY AMONG INSTITUTIONS
12 WITHOUT CAUSING NEGATIVE STUDENT OUTCOMES THAT ARE DIRECTLY
13 ATTRIBUTABLE TO THE CHANGE IN THE ADMISSIONS PROCESS. THE REPORT
14 MUST SPECIFY:

15 (I) THE INSTITUTIONS THAT REQUIRED, AND THE INSTITUTIONS
16 THAT DID NOT REQUIRE, A NATIONAL ASSESSMENT TEST SCORE AS AN
17 ELIGIBILITY CRITERION FOR THE PREVIOUS ACADEMIC YEAR'S FIRST-TIME
18 FRESHMAN STUDENTS;

19 (II) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
20 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE AND THE PERCENTAGE
21 OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL
22 ASSESSMENT TEST SCORE, REPORTED FOR THE STATE AS A WHOLE AND FOR
23 EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY,
24 AND GENDER;

25 (III) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
26 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE AND ENROLLED IN AN
27 INSTITUTION AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS

1 WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE AND
2 ENROLLED IN AN INSTITUTION, REPORTED FOR THE STATE AS A WHOLE AND
3 FOR EACH INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE,
4 ETHNICITY, AND GENDER;

5 (IV) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
6 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO CONTINUED
7 ENROLLMENT IN THE INSTITUTION IN A SUBSEQUENT ACADEMIC YEAR AND
8 THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT
9 SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO CONTINUED
10 ENROLLMENT IN THE INSTITUTION IN A SUBSEQUENT ACADEMIC YEAR,
11 REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN
12 TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

13 (V) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
14 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO GRADUATED FROM
15 AN INSTITUTION IN FOUR YEARS AND THE PERCENTAGE OF FIRST-TIME
16 FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT
17 TEST SCORE WHO GRADUATED FROM AN INSTITUTION IN FOUR YEARS,
18 REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN
19 TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

20 (VI) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
21 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO GRADUATED FROM
22 AN INSTITUTION IN SIX YEARS AND THE PERCENTAGE OF FIRST-TIME
23 FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT
24 TEST SCORE WHO GRADUATED FROM AN INSTITUTION IN SIX YEARS,
25 REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN
26 TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER; AND

27 (VII) THE FOLLOWING AVAILABLE DATA, GATHERED BY THE

1 DEPARTMENT IN COLLABORATION WITH THE INSTITUTIONS:

2 (A) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
3 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO WERE ACCEPTED
4 TO AN INSTITUTION AND THE PERCENTAGE OF FIRST-TIME FRESHMAN
5 STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE
6 WHO WERE ACCEPTED TO AN INSTITUTION;

7 (B) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
8 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT
9 FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION
10 23-18-302 (12), AND CONTINUED ENROLLMENT IN THE INSTITUTION IN A
11 SUBSEQUENT ACADEMIC YEAR AND THE PERCENTAGE OF FIRST-TIME
12 FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL ASSESSMENT
13 TEST SCORE WHO ARE RESIDENT FIRST-GENERATION UNDERGRADUATE
14 STUDENTS, AS DEFINED IN SECTION 23-18-302 (12), AND CONTINUED
15 ENROLLMENT IN THE INSTITUTION IN A SUBSEQUENT ACADEMIC YEAR,
16 REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN
17 TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

18 (C) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
19 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT
20 FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION
21 23-18-302 (12), AND GRADUATED FROM AN INSTITUTION IN FOUR YEARS,
22 AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT
23 SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT
24 FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION
25 23-18-302 (12), AND GRADUATED FROM AN INSTITUTION IN FOUR YEARS,
26 REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN
27 TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

1 (D) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
2 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT
3 FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION
4 23-18-302 (12), AND GRADUATED FROM AN INSTITUTION IN SIX YEARS,
5 AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO DID NOT
6 SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO ARE RESIDENT
7 FIRST-GENERATION UNDERGRADUATE STUDENTS, AS DEFINED IN SECTION
8 23-18-302 (12), AND GRADUATED FROM AN INSTITUTION IN SIX YEARS,
9 REPORTED FOR THE STATE AS A WHOLE AND FOR EACH INSTITUTION, IN
10 TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND GENDER;

11 (E) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
12 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE FOR
13 A FEDERAL PELL GRANT AND CONTINUED ENROLLMENT IN THE
14 INSTITUTION IN A SUBSEQUENT ACADEMIC YEAR AND THE PERCENTAGE OF
15 FIRST-TIME FRESHMAN STUDENTS WHO DID NOT SUBMIT A NATIONAL
16 ASSESSMENT TEST SCORE WHO ARE ELIGIBLE FOR A FEDERAL PELL GRANT
17 AND CONTINUED ENROLLMENT IN THE INSTITUTION IN A SUBSEQUENT
18 ACADEMIC YEAR, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH
19 INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND
20 GENDER;

21 (F) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
22 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE FOR
23 A FEDERAL PELL GRANT AND GRADUATED FROM AN INSTITUTION IN FOUR
24 YEARS, AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
25 DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE
26 FOR A FEDERAL PELL GRANT AND GRADUATED FROM AN INSTITUTION IN
27 FOUR YEARS, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH

1 INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND
2 GENDER; AND

3 (G) THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
4 SUBMITTED A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE FOR
5 A FEDERAL PELL GRANT AND GRADUATED FROM AN INSTITUTION IN SIX
6 YEARS, AND THE PERCENTAGE OF FIRST-TIME FRESHMAN STUDENTS WHO
7 DID NOT SUBMIT A NATIONAL ASSESSMENT TEST SCORE WHO ARE ELIGIBLE
8 FOR A FEDERAL PELL GRANT AND GRADUATED FROM AN INSTITUTION IN
9 SIX YEARS, REPORTED FOR THE STATE AS A WHOLE AND FOR EACH
10 INSTITUTION, IN TOTAL AND DISAGGREGATED BY RACE, ETHNICITY, AND
11 GENDER.

12 (b) ON OR BEFORE JUNE 30, 2027, AND ON OR BEFORE JUNE 30,
13 2032, THE COMMISSION SHALL PUBLISH AND SUBMIT A REPORT TO THE
14 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
15 SENATE, OR ANY SUCCESSOR COMMITTEES, THAT AT A MINIMUM INCLUDES
16 A COMPREHENSIVE ANALYSIS OF THE ANNUAL REPORTS SUBMITTED
17 PURSUANT TO THIS SUBSECTION (10.5) AND AN ANALYSIS OF HOW THE
18 OPTIONAL USE OF A NATIONAL ASSESSMENT TEST SCORE AS AN ELIGIBILITY
19 CRITERION IMPACTED ACCESS TO HIGHER EDUCATION FOR STUDENTS.
20 AFTER THE REPORT DESCRIBED IN THIS SUBSECTION (10.5)(b) IS
21 SUBMITTED, THE EDUCATION COMMITTEES OF THE HOUSE OF
22 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES,
23 SHALL HOLD A JOINT MEETING AT WHICH THE COMMISSION SHALL PRESENT
24 AND DISCUSS THE REPORT.

25 (c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I) TO THE
26 CONTRARY, ON OR BEFORE JUNE 30, 2023, AND ON OR BEFORE JUNE 30
27 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT TO THE

1 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
2 SENATE, OR ANY SUCCESSOR COMMITTEES, THE REPORTS DESCRIBED IN
3 SUBSECTIONS (10.5)(a) AND (10.5)(b) OF THIS SECTION.

4 (11) As used in this section, unless the context otherwise requires:

5 (c) "National assessment test ~~scores~~" ~~include~~, SCORE" INCLUDES,
6 but ~~are~~ IS not limited to, AN ACT test ~~scores~~ SCORE ~~and~~ OR SAT test
7 ~~scores~~ SCORE.

8 **SECTION 2. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety.