

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

INTRODUCED

LLS NO. 21-0475.01 Alana Rosen x2606

HOUSE BILL 21-1125

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A BILL FOR AN ACT

101 **CONCERNING SUSPENDING THE ADMINISTRATION OF STATE**
102 **ASSESSMENTS FOR THE 2020-21 SCHOOL YEAR.**

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 bill suspends the administration of state assessments, contingent on a change to federal law or a waiver of federal law from the federal department of education, for the following instructional areas for the 2020-21 school year:

- Science administered to students enrolled in grades 5, 8, and 11;

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.

- Math administered to students enrolled in grades 3 through 8;
- English language arts administered to students enrolled in grades 3 through 8; and
- Social studies administered to students enrolled in grades 4 and 7.

The bill prohibits a school district from using student academic growth measures or student performance measures when evaluating teachers and principals for the 2020-21 school year.

The bill requires a school or a school district to implement the school plan type that was assigned in the preceding school year. The bill requires the department of education, in determining the number of school years that a school or school district is on performance watch, to exclude the 2019-20 and 2020-21 school years, and count the 2021-22 school year as if it were consecutive to the 2018-19 school year.

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**
 3 (11) as follows:

4 **22-7-1006.3. State assessments - administration - rules -**
 5 **repeal.** (11) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS
 6 (1)(a) AND (3)(c) OF THIS SECTION, IF ALLOWED BY FEDERAL LAW OR BY
 7 A WAIVER OF FEDERAL LAW RECEIVED FROM THE FEDERAL DEPARTMENT
 8 OF EDUCATION PURSUANT TO SUBSECTION (11)(b) OF THIS SECTION, THE
 9 DEPARTMENT OF EDUCATION SHALL SUSPEND THE ADMINISTRATION OF THE
 10 STATE ASSESSMENTS REQUIRED IN SUBSECTIONS (1)(a) AND (3)(c) OF THIS
 11 SECTION IN THE INSTRUCTIONAL AREAS OF ENGLISH LANGUAGE ARTS,
 12 MATHEMATICS, SCIENCE, AND SOCIAL STUDIES FOR THE 2020-21
 13 ACADEMIC SCHOOL YEAR.

14 (b) AS SOON AS PRACTICABLE, THE DEPARTMENT OF EDUCATION
 15 SHALL SUBMIT TO THE FEDERAL DEPARTMENT OF EDUCATION A REQUEST
 16 FOR A WAIVER OF FEDERAL LAW AS NECESSARY TO IMPLEMENT
 17 SUBSECTION (11)(a) OF THIS SECTION EVEN IF THE FEDERAL DEPARTMENT

1 OF EDUCATION DOES NOT INVITE WAIVERS TO SUSPEND THE
2 ADMINISTRATION OF STATE ASSESSMENTS.

3 (c) THIS SUBSECTION (11) IS REPEALED, EFFECTIVE JULY 1, 2022.

4 **SECTION 2.** In Colorado Revised Statutes, 22-9-106, **add** (9) as
5 follows:

6 **22-9-106. Local boards of education - duties - performance**
7 **evaluation system - compliance - rules - repeal.**

8 (9) (a) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 9 OR ANY
9 PROVISION OF STATE BOARD RULE THAT IMPLEMENTS THIS ARTICLE 9 TO
10 THE CONTRARY, FOR THE 2020-21 SCHOOL YEAR, A TEACHER'S AND A
11 PRINCIPAL'S FINAL EVALUATION RATING MUST NOT INCLUDE
12 CONSIDERATION OF STUDENT ACADEMIC GROWTH MEASURES OR OTHER
13 STUDENT PERFORMANCE MEASURES.

14 (b) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2022.

15 **SECTION 3.** In Colorado Revised Statutes, 22-11-207, **add**
16 (4)(c) as follows:

17 **22-11-207. Accreditation categories - criteria - rules.**

18 (4) (c) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (4)(a) OF THIS
19 SECTION, FOR PURPOSES OF CALCULATING WHETHER A SCHOOL DISTRICT
20 OR THE INSTITUTE IS ACCREDITED WITH PRIORITY IMPROVEMENT PLAN OR
21 BELOW FOR LONGER THAN A TOTAL OF FIVE CONSECUTIVE SCHOOL YEARS,
22 THE DEPARTMENT SHALL EXCLUDE THE 2019-20 AND 2020-21 SCHOOL
23 YEARS, DURING WHICH THE DEPARTMENT DOES NOT ASSIGN
24 ACCREDITATION RATINGS AS PROVIDED IN SECTION 22-11-208 (1.6), FROM
25 THE CALCULATION AND SHALL COUNT THE 2021-22 SCHOOL YEAR AS IF IT
26 WERE CONSECUTIVE TO THE 2018-19 SCHOOL YEAR.

27 **SECTION 4.** In Colorado Revised Statutes, 22-11-208, **amend**

1 (1.6) as follows:

2 **22-11-208. Accreditation - annual review - supports and**
3 **interventions - rules.** (1.6) Notwithstanding any provision of this article
4 11 or any provision of state board rule that implements this article 11 to
5 the contrary, for the 2020-21 ~~school year~~ AND 2021-22 SCHOOL YEARS,
6 the department shall not assign accreditation ratings for school districts
7 and the institute. For the 2020-21 ~~school year~~ AND 2021-22 SCHOOL
8 YEARS, each school district and the institute shall continue to implement
9 the plan type for the accreditation rating assigned for the preceding school
10 year.

11 **SECTION 5.** In Colorado Revised Statutes, 22-11-210, **amend**
12 2.6; and **add** (1)(d)(III) as follows:

13 **22-11-210. Public schools - annual review - plans - supports**
14 **and interventions - rules.** (1) (d) (III) NOTWITHSTANDING THE
15 PROVISIONS OF SUBSECTION (1)(d)(I) OF THIS SECTION, FOR PURPOSES OF
16 CALCULATING WHETHER A PUBLIC SCHOOL IS REQUIRED TO IMPLEMENT A
17 PRIORITY IMPROVEMENT OR TURNAROUND PLAN FOR LONGER THAN A
18 COMBINED TOTAL OF FIVE CONSECUTIVE SCHOOL YEARS, THE DEPARTMENT
19 SHALL EXCLUDE THE 2019-20 AND 2020-21 SCHOOL YEARS, DURING
20 WHICH THE DEPARTMENT DOES NOT RECOMMEND SCHOOL PLANS AS
21 PROVIDED IN SUBSECTION (2.6) OF THIS SECTION, FROM THE CALCULATION
22 AND SHALL COUNT THE 2021-22 SCHOOL YEAR AS IF IT WERE CONSECUTIVE
23 TO THE 2018-19 SCHOOL YEAR.

24 (2.6) Notwithstanding any provision of this article 11 or any
25 provision of state board rule that implements this article 11 to the
26 contrary, for the 2020-21 ~~school year~~ AND 2021-22 SCHOOL YEARS, the
27 department shall not recommend to the state board school plan types. For

1 the 2020-21 ~~school year~~ AND 2021-22 SCHOOL YEARS, each public school
2 shall continue to implement the school plan type that was assigned for the
3 preceding school year.

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