

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0440.02 Alana Rosen x2606

SENATE BILL 24-070

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Lundeen and Zenzinger,

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McLachlan and Pugliese,

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Senate Committees  
Education

House Committees

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A BILL FOR AN ACT

101 CONCERNING ALLOWING ONLINE EDUCATION PROGRAMS TO OFFER  
102 REMOTE STATE ASSESSMENT TESTING TO STUDENTS WHO  
103 ATTEND ONLINE EDUCATION PROGRAMS.

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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://leg.colorado.gov>.)*

The bill allows online schools or online programs (online education program) to offer remote state assessment testing (testing) to students who attend an online education program in a setting that aligns with the student's regular educational instruction.

To offer remote testing, online education programs shall put the

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

following procedures in place:

- A student must take the assessment at an assigned date and time;
- The student must attend a synchronous assessment session initiated and managed by online education program personnel;
- The student must take the state assessment using a device with a camera that is monitored by an assessment proctor via video for the duration of the state assessment or, if the assessment platform does not allow integrated camera proctoring, the student must use 2 devices, one to take the state assessment and one the assessment proctor uses to monitor the student;
- The online education program must maintain a ratio of no more than 10 students to one assessment proctor for the duration of the state assessment;
- The student must not exit the state assessment until instructed by the assessment proctor; and
- The assessment proctor shall verify the submission of each student's state assessment.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Currently, a student who attends an online education program  
5 must travel to remote testing locations to participate in state assessments;

6 (b) For some families, traveling to remote testing locations  
7 requires parents, guardians, or legal custodians to take time away from  
8 work, drive long distances, and pay for overnight lodging and meals so  
9 that the student can take the state assessment;

10 (c) As a result of the cost and time requirement to travel to remote  
11 testing locations, some parents, guardians, or legal custodians decide to  
12 excuse the student from participating in the state assessment; and

13 (d) When a parent, guardian, or legal custodian excuses the  
14 student from participating in the state assessment, the state is unable to

1 measure the student's performance.

2 (2) The general assembly finds, therefore, that the state must  
3 implement practices to allow a student to take state assessments remotely  
4 and in a setting that aligns with the student's regular educational  
5 instruction. Creating optional remote testing standards for online  
6 education programs will allow students to take state assessments remotely  
7 while ensuring the integrity and fairness of the testing process.

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

10 **22-7-1006.3. State assessments - administration - rules -**  
11 **definitions.** (1) (f) (I) AN ONLINE SCHOOL OR ONLINE PROGRAM MAY  
12 ADMINISTER A STATE ASSESSMENT IN A REMOTE SETTING THAT ALIGNS  
13 WITH A STUDENT'S REGULAR EDUCATIONAL INSTRUCTION. FOR A STUDENT  
14 TO TAKE A STATE ASSESSMENT REMOTELY PURSUANT TO THIS SUBSECTION  
15 (1)(f), THE ONLINE SCHOOL OR ONLINE PROGRAM SHALL PUT THE  
16 FOLLOWING PROCEDURES IN PLACE:

17 (A) A STUDENT MUST TAKE THE STATE ASSESSMENT AT AN  
18 ASSIGNED DATE AND TIME;

19 (B) THE STUDENT MUST ATTEND A SYNCHRONOUS STATE  
20 ASSESSMENT SESSION INITIATED AND MANAGED BY THE ONLINE SCHOOL  
21 OR ONLINE PROGRAM PERSONNEL;

22 (C) THE STUDENT MUST TAKE THE STATE ASSESSMENT USING A  
23 DEVICE WITH A CAMERA THAT IS MONITORED BY AN ASSESSMENT PROCTOR  
24 VIA VIDEO FOR THE DURATION OF THE STATE ASSESSMENT OR, IF THE  
25 ASSESSMENT PLATFORM DOES NOT ALLOW INTEGRATED CAMERA  
26 PROCTORING, THE STUDENT MUST USE TWO DEVICES, ONE THAT THE  
27 STUDENT TAKES THE STATE ASSESSMENT ON AND ONE THAT THE

1 ASSESSMENT PROCTOR USES TO MONITOR THE STUDENT. A SECOND DEVICE  
2 IS NOT REQUIRED IF THE ASSESSMENT PLATFORM ALLOWS THE ASSESSMENT  
3 PROCTOR TO MONITOR THE STUDENT AND THE STUDENT'S BACKGROUND.

4 (D) THE ONLINE SCHOOL OR ONLINE PROGRAM MUST MAINTAIN A  
5 RATIO OF NO MORE THAN TEN STUDENTS TO ONE ASSESSMENT PROCTOR  
6 FOR THE DURATION OF THE STATE ASSESSMENT;

7 (E) THE STUDENT MUST NOT EXIT THE STATE ASSESSMENT UNTIL  
8 THE ASSESSMENT PROCTOR INSTRUCTS THE STUDENT TO EXIT THE STATE  
9 ASSESSMENT; AND

10 (F) THE ASSESSMENT PROCTOR SHALL VERIFY THE SUBMISSION OF  
11 EACH STUDENT'S STATE ASSESSMENT.

12 (II) AS USED IN THIS SUBSECTION (1)(f), UNLESS THE CONTEXT  
13 OTHERWISE REQUIRES:

14 (A) "ASSESSMENT PLATFORM" MEANS AN APPLICATION OR  
15 SOFTWARE USED BY AN ONLINE SCHOOL OR ONLINE PROGRAM TO  
16 ADMINISTER A STATE ASSESSMENT REMOTELY ON A DEVICE.

17 (B) "DEVICE" MEANS ELECTRONIC EQUIPMENT CONTROLLED BY A  
18 CENTRAL PROCESSING UNIT, INCLUDING DESKTOP OR LAPTOP COMPUTERS,  
19 SMARTPHONES, OR TABLETS.

20 **SECTION 3. Act subject to petition - effective date.** This act  
21 takes effect July 1, 2025; except that, if a referendum petition is filed  
22 pursuant to section 1 (3) of article V of the state constitution against this  
23 act or an item, section, or part of this act within such period, then the act,  
24 item, section, or part will not take effect unless approved by the people  
25 at the general election to be held in November 2024 and, in such case,  
26 will take effect July 1, 2025, or on the date of the official declaration of  
27 the vote thereon by the governor, whichever is later.