



**Summary of House Bill 15-1323, as adopted
Concerning Assessments in Public Schools**

Overview of Bill:

- Eliminates 11th grade PARCC-developed English language arts and math state assessments;
- Replaces the 10th grade PARCC assessments with an assessment that is both aligned to the Colorado Academic Standards and the 11th grade college entrance exam. (Note, both the 10th grade and 11th grade exam will require a competitive procurement);
- Retains science state assessments, once per level (elementary, middle, and high school with no 12th grade testing);
- Eliminates social studies state assessments (however, under S.B. 15-56 social studies will still be assessed using a sampling method once per level with no 12th grade testing such that each school is assessed once every three years);
- Requires districts to adopt policies allowing parents to excuse their students from state assessments;
- Eliminates redundancies between the READ Act and school readiness assessment requirements;
- Allows districts to request paper/pencil format of online state assessments;
- Allows for more flexibility in testing English learners in their native language;
- Clarifies use of state assessments in educator effectiveness evaluations;
- Retains the 2014-15 accreditation ratings and school plan types for the 2015-16 school year, giving districts and schools a year to understand and adapt to the baseline data provided by the new assessments (additionally, the accountability clock pause and will not advance a year on July 1, 2016); and
- Creates a two-phase assessment pilot program for districts and the state

Required State Assessments:

	Existing Statute	HB 15-1323
English language arts	Grades 3-11	Grades 3-9*
Math	Grades 3-8 and three times in high school	Grades 3-9*
Science	Once in elementary, once in middle, and once in high school	Once in elementary, once in middle and once in high school (not in 12 th grade)
Social Studies	Once in elementary, once in middle, and once in high school	Included in S.B.15-056 using a sampling approach (once per level, not in 12 th grade)
10 th grade assessment aligned to state academic standards and the 11 th grade curriculum-based college entrance exam	Not required	Grade 10
Curriculum-based, achievement college entrance exam (reading, math and science, with optional writing portion)	Grade 11	Grade 11

*CDE must apply to the U.S. Department of Education for a waiver necessary to administer English language arts and math assessments to 9th graders instead of 10th, 11th or 12th graders.

Actions Required by CDE

- Every 5 years, request competitive bids and contract for the 10th grade assessment and the 11th grade curriculum-based, achievement college entrance exam.
- Apply to USDoE for waivers necessary to:
 - Administer English language arts and math assessments to 9th graders instead of 10th, 11th or 12th graders;
 - Allow LEAs to administer state assessment in a language other than English for up to 5 years to a student who is an English language learner. (Previously, students who participated in an English Language Proficiency program for more than 3 years were ineligible to take these assessments.);
 - Allow the state to not include the English language art scores of English learners who are in the first 24 months of being enrolled in the U.S. in calculating achievement of the performance indicators for accountability; and
 - Implement each phase of the pilot assessment program.

Paper and Pencil Assessments:

- In consultation with parents, each local education provider (LEP) must adopt a written policy specifying whether students will use pencil and paper to complete any portion of the statewide assessments. LEPs must provide annual notification to parents of this policy.
- For any state assessment that requires a student to use a computer to take the assessment, a pencil and paper format must be available for LEPs that request it.
- LEPs will determine if pencil and paper assessments will be used and will report to CDE the number of students who use the pencil-and-paper format.

Assessment Calendars:

- Annually, LEPs must distribute a calendar to parents that specifies: (1) the assessments that will be administered; (2) the estimated hours of testing and whether assessments are required by federal or state law or selected by the LEP; and (3) the purpose of the assessments and how the assessment results will be used.

Excusing Students from Assessments:

- Each LEP must adopt a written policy and procedure allowing a student's parent to excuse a student from participating in one or more state assessments.
- If a parent excuses his student from participating in an assessment, an LEP must not impose negative consequences on students or parents, including prohibiting school attendance, imposing an unexcused absence, or prohibiting participation in extracurricular activities.
- An LEP must not impose an unreasonable burden or requirement on a student to discourage the student from taking an assessment or encourage the student's parent to excuse his student from the assessment.

Assessment Pilot Program

- The intent of the pilot program is to allow LEPs to create or select assessments that they will administer and to collect data that will verify their validity, reliability, and comparability to state assessments.

- In order to participate in the pilot program, the local board or other governing body must first adopt a written resolution authorizing the LEP to participate in the pilot.
- The first phase of the pilot involves the following:
 - Individually or in combination with other LEPs, participating LEPs will create or select assessments in each of the subjects required for statewide assessments. Districts must work with their personnel performance evaluation council, if applicable, to select or create these assessments. Upon request, CDE will provide technical assistance.
 - LEP must notify CDE and parents of the assessments that it intends to administer.
 - LEP administers selected assessments for 2 school years to all or a portion of students enrolled in at least one elementary grade, one middle school grade and one high school grade. If required by federal law, LEP may also need to continue administering statewide assessments during this period.
 - After administering the assessments, LEP must submit to CDE the results for each year and demonstrate that the assessments are valid and reliable and the results are comparable to the results obtained on state assessments administered in the same school years. Upon request, CDE will provide technical assistance in evaluating the assessment results.
 - LEPs must provide sufficient data for each school year to measure, for each student in grades that are assessed, the student's progress in meeting the state academic standards.
 - LEPs must provide sufficient data to disaggregate and report results for student groups
 - LEPs must provide results that comparable with the state assessment results and the results obtained by the other LEPs across the state.
 - CDE must review the data to ensure that each assessment meets requirements in statute and is valid and reliable.
 - CDE will recommend two LEPs to the State Board to participate in second phase of pilot. The State Board will then select the two participating districts for the second phase of the pilot.
- The second phase of the pilot involves the following:
 - The two selected LEPs will create or select assessments in each of the subjects and grades required for statewide assessments.
 - LEP must notify CDE and parents of the assessments that it intends to administer.
 - LEP administers selected assessments to students in grades 3-11. If required by federal law, LEP may also need to continue administering statewide assessments during this period.
 - After administering the assessments, the LEP must submit to CDE the results for each year and demonstrate that the results are comparable to the results obtained on state assessments administered in the same school years
 - CDE must review the data to ensure that each assessment meets requirements in statute and is valid and reliable.
 - Based on review, CDE will recommend one local assessment for approval as the new state assessment or recommend that the state continue administering the existing state assessments. SBE will select the new state assessment or continue administering the existing state assessments. If a new state assessment is adopted, SBE will notify the General Assembly and implementation will be conditional on enactment of legislation that approves the use of the new assessment.

- CDE must apply to the USDoe for waivers necessary to implement the assessment pilot program. Waivers would be requested prior to the first phase of the pilot program, prior to the second phase of the pilot program, and after the second phase of the program, if the SBE approves a new assessment.

READ Act and School Readiness Assessments:

- Each LEP must administer a reading assessment to kindergarteners in the first 90 days of the school year and must administer the school readiness assessment within the first 60 days of the school year. If an LEP administers a reading assessment in the first 60 days of the school year, it is not required to administer the literacy component of the school readiness assessment.
- If a student is identified as having a significant reading deficiency, the LEP will include the student's read plan as a component of the student's individualized readiness plan. (Note: this is consistent with the original READ Act legislation and with CDE's guidance to the field.)
- If, based on a student's scores on an approved reading assessment, a teacher finds that a student demonstrates reading competency for his grade level, the teacher is not required to administer interim reading assessments to that student for the remainder of that year.
- If, after administering a reading assessment, a teacher finds that a student may have a significant reading deficiency, the teacher must administer a diagnostic assessment to the student within 60 days of the previous assessment to determine the student's specific reading skill deficiencies.
- Of the SBE's list of recommended reading assessments and reading diagnostics, at least one of each assessment must be available in a pencil and paper format. (Note: the State Board's current approved list meets this requirement.)

Accreditation Ratings and Accountability Clock

- District accreditation ratings and school plan types will not be assigned in the 2015-16 school year (based on 2014-15 assessment results). They will be resumed in the 2016-17 school year.
- During the 2015-16 school year, districts and schools will continue to implement the plan types that were assigned in the previous year (2014 rating).
- The 5-year accountability clock for districts and schools in Priority Improvement or Turnaround will not include the 2015-16 school year.
- In 2015, CDE will report progress on using the assessment results to calculate school and district performance fairly and in a timely manner. CDE will recommend to the Joint Education Committee whether to extend the time that accreditation ratings and school plan types are not assigned.

Educator Evaluations:

- For the 2014-15 school year, local school boards may not use the results of statewide assessments in measuring the student growth component of educator evaluations.
- Local boards may use statewide assessment data in the 2014-15 school year only as baseline data for measuring student growth in 2015-16 and subsequent school years.
- In subsequent years, local boards may use statewide assessment data as a measure of student growth only if the data is available by two weeks prior to last class day of the school year. If the local board does not receive the data in time to use it in the evaluation report prepared for the school year in which the assessments are administered, the local board must use alternate measures of student growth. The local board must then use the statewide assessment data in the educator's evaluation report for the following school year.