

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 08-1186

BY REPRESENTATIVE(S) Solano, Benefield, Borodkin, Buescher, Butcher, Carroll T., Casso, Curry, Ferrandino, Fischer, Frangas, Gallegos, Green, Hodge, Kefalas, Kerr A., Labuda, McFadyen, McGihon, McKinley, Merrifield, Middleton, Peniston, Pommer, Primavera, Rice, Riesberg, Scanlan, Stafford, and Summers;
also SENATOR(S) Windels, Bacon, Keller, Shaffer, and Williams.

CONCERNING THE EXCEPTION OF CERTAIN STUDENTS' SCORES FROM
CALCULATIONS OF A SCHOOL'S ACADEMIC PERFORMANCE.

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

SECTION 1. Article 32 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-32-139. Colorado student assessment program - student participation - no penalty. (1) A SCHOOL DISTRICT OR A PUBLIC SCHOOL SHALL NOT PENALIZE A STUDENT WHO IS ABSENT DURING THE ADMINISTRATION OF AN ASSESSMENT ADMINISTERED PURSUANT TO SECTION 22-7-409. FOR PURPOSES OF THIS SECTION, A PENALTY SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

(a) WITHHOLDING OF CREDITS TOWARD GRADUATION OR DENYING

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

A STUDENT THE ABILITY TO GRADUATE OR RECEIVE A DIPLOMA;

(b) DENYING A STUDENT THE OPPORTUNITY TO PARTICIPATE IN AN EDUCATIONAL PROGRAM OR AN EXTRACURRICULAR ACTIVITY; OR

(c) DENYING A STUDENT THE ABILITY TO ADVANCE TO A SUBSEQUENT GRADE LEVEL.

(2) THE PROVISIONS OF THIS SECTION SHALL NOT BE INTERPRETED TO PROHIBIT A SCHOOL DISTRICT FROM ENFORCING COMPULSORY ATTENDANCE REQUIREMENTS AS PROVIDED IN THE SCHOOL DISTRICT ATTENDANCE POLICY ADOPTED PURSUANT TO ARTICLE 33 OF THIS TITLE.

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.

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Peter C. Groff
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO