

**HOUSE JOURNAL**  
**SEVENTIETH GENERAL ASSEMBLY**  
**STATE OF COLORADO**  
**Second Regular Session**

Forty-ninth Legislative Day

Tuesday, March 1, 2016

1 Prayer by Father Leo Weber, Arrupe Jesuit High School, Denver.  
2  
3 The Speaker called the House to order at 9:00 a.m.  
4  
5 Pledge of Allegiance led by Zi'Aier McKinney, Whittier ECE-8, Denver.  
6  
7 The roll was called with the following result:  
8  
9 Present--63.  
10 Excused--Representative(s) Kagan, Saine--2.  
11 Present after roll call--Representative(s) Kagan.  
12

13 The Speaker declared a quorum present.  
14  
15

16 On motion of Representative Wist, the reading of the journal of  
17 February 29, 2016, was declared dispensed with and approved as  
18 corrected by the Chief Clerk.  
19  
20

**THIRD READING OF BILL(S)--FINAL PASSAGE**

21  
22  
23  
24 The following bill(s) were considered on Third Reading. The title(s)  
25 were publicly read. Reading of the bill at length was dispensed with by  
26 unanimous consent.  
27

28 [HB16-1185](#) by Representative(s) Moreno; also Senator(s) Ulibarri--  
29 Concerning the issuance of a new birth certificate with a  
30 gender designation that differs from the gender designated  
31 on the person's original birth certificate.  
32

33 Laid over until March 4, retaining place on Calendar.  
34

35 [HB16-1005](#) by Representative(s) Esgar and Danielson; also Senator(s)  
36 Merrifield--Concerning the use of rain barrels to collect  
37 precipitation from a residential rooftop for nonpotable  
38 outdoor uses.  
39

40 The question being "Shall the bill pass?".  
41 A roll call vote was taken. As shown by the following recorded vote, a  
42 majority of those elected to the House voted in the affirmative and the  
43 bill was declared **passed**.

	YES	61	NO	3	EXCUSED	1	ABSENT	0
1								
2	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
3	Becker J.	Y	Foote	Y	McCann	Y	Saine	E
4	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
5	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
6	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
7	Buckner	Y	Humphrey	Y	Navarro	N	Thurlow	Y
8	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
9	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
10	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
11	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
12	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
13	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	N
14	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
15	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
16	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
17	Everett	N	Lontine	Y	Roupe	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Arndt, Becker K., Buckner, Court,  
 20 Duran, Fields, Foote, Ginal, Hamner, Kraft-Tharp, Lee, Lontine, Melton,  
 21 Mitsch Bush, Moreno, Pabon, Pettersen, Priola, Rankin, Rosenthal, Singer,  
 22 Tyler, Williams, Winter, Young, Speaker

23  
 24 **HB16-1236** by Representative(s) Primavera, Brown, Esgar, Ginal,  
 25 Joshi, Landgraf, Lontine, McCann, Ryden; also Senator(s)  
 26 Crowder--Concerning continuation of the infection control  
 27 advisory committee.  
 28

29 The question being "Shall the bill pass?".  
 30 A roll call vote was taken. As shown by the following recorded vote, a  
 31 majority of those elected to the House voted in the affirmative and the bill  
 32 was declared **passed**.  
 33

	YES	46	NO	18	EXCUSED	1	ABSENT	0
34								
35	Arndt	Y	Fields	Y	Lundeen	N	Ryden	Y
36	Becker J.	N	Foote	Y	McCann	Y	Saine	E
37	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
38	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	N
39	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
40	Buckner	Y	Humphrey	N	Navarro	N	Thurlow	Y
41	Carver	N	Joshi	Y	Neville P.	N	Tyler	Y
42	Conti	N	Kagan	Y	Nordberg	N	Van Winkle	N
43	Coram	Y	Klingenschmitt	N	Pabon	Y	Vigil	Y
44	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
45	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
46	DelGrosso	N	Lawrence	N	Priola	Y	Wilson	Y
47	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	N
48	Duran	Y	Lee	Y	Ransom	N	Winter	Y
49	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y
50	Everett	N	Lontine	Y	Roupe	Y	Young	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Hamner, Mitsch Bush, Rosenthal,  
 53 Winter, Speaker  
 54

1 [HB16-1168](#) by Representative(s) Ginal and Danielson, Landgraf,  
 2 Pettersen, Primavera, Singer, Tyler; also Senator(s) Scott--  
 3 Concerning the continuation of the rural alcohol and  
 4 substance abuse prevention and treatment program.

5  
 6 The question being "Shall the bill pass?".  
 7 A roll call vote was taken. As shown by the following recorded vote, a  
 8 majority of those elected to the House voted in the affirmative and the bill  
 9 was declared **passed**.

	YES	54	NO	10	EXCUSED	1	ABSENT	0
12	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
13	Becker J.	Y	Foote	Y	McCann	Y	Saine	E
14	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
15	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
16	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
17	Buckner	Y	Humphrey	N	Navarro	N	Thurlow	Y
18	Carver	Y	Joshi	Y	Neville P.	N	Tyler	Y
19	Conti	Y	Kagan	Y	Nordberg	N	Van Winkle	Y
20	Coram	Y	Klingenschmitt	N	Pabon	Y	Vigil	Y
21	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
22	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
23	DelGrosso	Y	Lawrence	N	Priola	Y	Wilson	Y
24	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
25	Duran	Y	Lee	Y	Ransom	N	Winter	Y
26	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y
27	Everett	N	Lontine	Y	Roupe	Y	Young	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Becker K., Duran, Esgar, Fields,  
 30 Garnett, Hamner, Lee, Lontine, Melton, Mitsch Bush, Pabon, Rankin,  
 31 Rosenthal, Ryden, Vigil, Young

32  
 33 [SB16-066](#) by Senator(s) Steadman, Grantham, Lambert; also  
 34 Representative(s) Hamner, Young, Rankin--Concerning  
 35 creation of the contingency reserve fund for school  
 36 districts.

37  
 38 The question being "Shall the bill pass?".  
 39 A roll call vote was taken. As shown by the following recorded vote, a  
 40 majority of those elected to the House voted in the affirmative and the bill  
 41 was declared **passed**.

	YES	62	NO	2	EXCUSED	1	ABSENT	0
44	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
45	Becker J.	Y	Foote	Y	McCann	Y	Saine	E
46	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
47	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
48	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
49	Buckner	Y	Humphrey	N	Navarro	Y	Thurlow	Y
50	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
51	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
52	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
53	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
54	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
55	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
56	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y

1	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
2	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y
3	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Becker K., Buckner, Conti, Fields, Lee,  
6 Lontine, Mitsch Bush, Pettersen, Priola, Rosenthal, Ryden, Salazar, Windholz,  
7 Winter

8  
9 **HB16-1149** by Representative(s) Melton--Concerning a requirement  
10 that the executive board of a common interest community  
11 created in Colorado before July 1, 1992, comply with the  
12 budget reporting provision of the "Colorado Common  
13 Interest Ownership Act".

14  
15 Laid over until March 4, retaining place on Calendar.

16  
17 **HB16-1163** by Representative(s) Rankin, Hamner, Young; also  
18 Senator(s) Grantham, Lambert, Steadman--Concerning  
19 appropriations from the noxious weed management fund.

20  
21 The question being "Shall the bill pass?".  
22 A roll call vote was taken. As shown by the following recorded vote, a  
23 majority of those elected to the House voted in the affirmative and the bill  
24 was declared **passed**.

25	YES	54	NO	10	EXCUSED	1	ABSENT	0
27	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
28	Becker J.	Y	Foote	Y	McCann	Y	Saine	E
29	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
30	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
31	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
32	Buckner	Y	Humphrey	N	Navarro	Y	Thurlow	Y
33	Carver	Y	Joshi	N	Neville P.	N	Tyler	Y
34	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	N
35	Coram	Y	Klingenschmitt	N	Pabon	N	Vigil	Y
36	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
37	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
38	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
39	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
40	Duran	Y	Lee	Y	Ransom	N	Winter	Y
41	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y
42	Everett	N	Lontine	Y	Roupe	Y	Young	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Brown, Duran, Fields, Ginal, Lebsock,  
45 Mitsch Bush, Priola, Rosenthal, Salazar, Vigil, Windholz

46  
47 **HB16-1231** by Representative(s) Lebsock; also Senator(s) Carroll--  
48 Concerning the limited use of automated vehicle  
49 identification systems designed to detect disobedience to  
50 a traffic signal.

51  
52 The question being "Shall the bill pass?".  
53 A roll call vote was taken. As shown by the following recorded vote, a  
54 majority of those elected to the House voted in the affirmative and the bill  
55 was declared **passed**.

	YES	33	NO	31	EXCUSED	1	ABSENT	0
1								
2	Arndt	N	Fields	N	Lundeen	N	Ryden	Y
3	Becker J.	Y	Foote	N	McCann	Y	Saine	E
4	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	N
5	Brown	Y	Ginal	N	Mitsch Bush	N	Sias	N
6	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
7	Buckner	N	Humphrey	N	Navarro	N	Thurlow	Y
8	Carver	N	Joshi	N	Neville P.	N	Tyler	Y
9	Conti	N	Kagan	Y	Nordberg	N	Van Winkle	N
10	Coram	Y	Klingenschmitt	N	Pabon	N	Vigil	Y
11	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	N
12	Danielson	Y	Landgraf	N	Primavera	Y	Williams	N
13	DelGrosso	N	Lawrence	N	Priola	N	Wilson	Y
14	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
15	Duran	Y	Lee	Y	Ransom	N	Winter	N
16	Esgar	Y	Leonard	Y	Rosenthal	N	Wist	Y
17	Everett	N	Lontine	N	Roupe	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Becker K., Duran, Melton, Pettersen,  
20 Speaker

21  
22 **HB16-1232** by Representative(s) Kraft-Tharp, Wist; also Senator(s)  
23 Baumgardner--Concerning continuation of the authority of  
24 the executive director of the department of revenue to  
25 issue written responses upon the request of a taxpayer.

26  
27 The question being "Shall the bill pass?".  
28 A roll call vote was taken. As shown by the following recorded vote, a  
29 majority of those elected to the House voted in the affirmative and the bill  
30 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
31								
32								
33	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
34	Becker J.	Y	Foote	Y	McCann	Y	Saine	E
35	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
36	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
37	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
38	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
39	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
40	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
41	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
42	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
43	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
44	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
45	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
46	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
47	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
48	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Becker K., Garnett, Nordberg,  
51 Pettersen, Rosenthal, Roupe, Ryden, Williams, Winter

52  
53 **SB16-008** by Senator(s) Crowder; also Representative(s) Vigil--  
54 Concerning the use of an off-highway vehicle to cross  
55 state highways within the jurisdiction of a municipality.

1 The question being "Shall the bill pass?".  
 2 A roll call vote was taken. As shown by the following recorded vote, a  
 3 majority of those elected to the House voted in the affirmative and the bill  
 4 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
7	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
8	Becker J.	Y	Foote	Y	McCann	Y	Saine	E
9	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
10	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
11	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
12	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
13	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
14	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
15	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
16	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
17	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
18	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
19	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
20	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
21	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
22	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Fields, Humphrey, Klingenschmitt,  
 25 Priola, Wilson, Windholz

---

### 28 LAY OVER OF CALENDAR ITEM(S)

31 On motion of Representative Duran, the following item(s) on the  
 32 Calendar was laid over until March 4, retaining place on Calendar:

34 Consideration of Senate Amendment(s)--**HB16-1125**.

---

38 House in recess. House reconvened.

---

### 42 REPORT(S) OF COMMITTEE(S) OF REFERENCE

#### 44 AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

45 After consideration on the merits, the Committee recommends the  
 46 following:

48 **HB16-1173** be referred favorably to the Committee on Appropriations.

51 **HB16-1255** be amended as follows, and as so amended, be referred to  
 52 the Committee of the Whole with favorable  
 53 recommendation:

55 Amend printed bill, page 5, line 7, strike "JANUARY" and substitute  
 56 "JULY".

1 **EDUCATION**

2 After consideration on the merits, the Committee recommends the  
3 following:

4  
5 **HB16-1016** be amended as follows, and as so amended, be referred to  
6 the Committee on Appropriations with favorable  
7 recommendation:

8  
9 Amend printed bill, strike everything below the enacting clause and  
10 substitute:

11  
12 "SECTION 1. In Colorado Revised Statutes, **add** article 16 to  
13 title 22 as follows:

14 **ARTICLE 16**

15 **Multiple Measures of Student Academic Growth**

16 **22-16-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
17 FINDS THAT:

18 (a) STATE SUMMATIVE ASSESSMENTS ARE THE PRIMARY TOOL FOR  
19 MEASURING STUDENT ACADEMIC GROWTH, EVALUATING EDUCATOR  
20 EFFECTIVENESS, AND MEASURING THE PERFORMANCE OF LOCAL  
21 EDUCATION PROVIDERS AND THE STATE IN PROVIDING PUBLIC EDUCATION  
22 PROGRAMS;

23 (b) BUT STATE SUMMATIVE ASSESSMENTS DO NOT INCLUDE ALL OF  
24 THE CONTENT AREAS TAUGHT BY LOCAL EDUCATION PROVIDERS AND, IN  
25 FACT, ARE USEFUL FOR MEASURING STUDENT ACHIEVEMENT AND  
26 ACADEMIC GROWTH, EDUCATOR EFFECTIVENESS, AND THE PERFORMANCE  
27 OF LOCAL EDUCATION PROVIDERS ONLY IN A SMALL MINORITY OF  
28 SUBJECTS;

29 (c) IN ADDITION, STATE SUMMATIVE ASSESSMENTS, BECAUSE THEY  
30 ARE STANDARDIZED, USUALLY MULTI-CHOICE TESTS, ARGUABLY DO NOT  
31 PROVIDE A COMPLETE MEASURE OF WHAT EACH STUDENT KNOWS OR IS  
32 ABLE TO DO. WELL-DESIGNED PERFORMANCE-BASED MEASURES MAY  
33 PROVIDE A MORE COMPREHENSIVE UNDERSTANDING OF A STUDENT'S  
34 KNOWLEDGE AND SKILLS.

35 (d) DEVELOPING MULTIPLE WAYS TO MEASURE STUDENT  
36 ACADEMIC GROWTH GIVES LOCAL EDUCATION PROVIDERS RIGOROUS,  
37 VALID, AND RELIABLE MEASURES OF STUDENT ACADEMIC GROWTH THAT  
38 SUPPLEMENT THE INFORMATION RECEIVED FROM STATE SUMMATIVE  
39 ASSESSMENTS. THESE SUPPLEMENTAL MEASURES ENABLE LOCAL  
40 EDUCATION PROVIDERS TO MORE FULLY EVALUATE THE PERFORMANCE OF  
41 PUBLIC SCHOOLS AND MORE HOLISTICALLY MEASURE EDUCATORS'  
42 INDIVIDUALLY ATTRIBUTABLE IMPACTS ON STUDENT ACHIEVEMENT AND  
43 ACADEMIC GROWTH.

44 (e) USING MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH  
45 TO CREATE A BODY OF EVIDENCE THAT MEASURES STUDENTS' KNOWLEDGE  
46 AT THE BEGINNING AND END OF THE INSTRUCTIONAL INTERVAL AND  
47 MONITORING LEARNING AND ADJUSTING INSTRUCTION THROUGHOUT THE  
48 INTERVAL PROMOTES EXCELLENT EDUCATOR PRACTICE, SUPPORTS  
49 STANDARDS-BASED EDUCATION PRACTICES, AND ESTABLISHES A  
50 FRAMEWORK FOR FORMATIVE ASSESSMENT PRACTICE, WHICH HAS BEEN  
51 SHOWN TO HAVE A POSITIVE IMPACT ON STUDENT LEARNING;

52 (f) A LOCAL EDUCATION PROVIDER'S ABILITY TO EFFECTIVELY  
53 CREATE AND USE MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH  
54 DEPENDS IN PART ON EDUCATORS' AND ADMINISTRATORS' CAPACITY TO  
55 SELECT OR DESIGN ACCURATE MEASURES AND APPROPRIATELY INTERPRET  
56 ASSESSMENT RESULTS. TO CREATE AND APPLY MULTIPLE MEASURES OF

1 STUDENT ACADEMIC GROWTH EFFECTIVELY, LOCAL EDUCATION  
2 PROVIDERS MUST ENGAGE IN AN INTENTIONAL PROCESS OF ORGANIZED  
3 LEARNING TO DEVELOP EDUCATOR AND ADMINISTRATOR CAPACITY.

4 (g) LOCAL EDUCATION PROVIDERS ARE AT DIFFERENT STAGES IN  
5 DEVELOPING THEIR CAPACITY TO CREATE AND APPLY MULTIPLE MEASURES  
6 OF STUDENT ACADEMIC GROWTH AND CAN THEREFORE BENEFIT FROM  
7 WORKING IN PARTNERSHIPS, ESPECIALLY PARTNERSHIPS THAT INCLUDE  
8 BOTH URBAN AND RURAL LOCAL EDUCATION PROVIDERS AND LOCAL  
9 EDUCATION PROVIDERS OF VARYING STUDENT POPULATION SIZES AND  
10 DEMOGRAPHICS;

11 (h) A LOCAL EDUCATION PROVIDER MAY DEVELOP AND USE  
12 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH TO MEASURE  
13 STUDENT ACHIEVEMENT AND ACADEMIC GROWTH, EVALUATE THE  
14 EFFECTIVENESS OF EDUCATORS THAT THE LOCAL EDUCATION PROVIDER  
15 EMPLOYS, AND MEASURE THE PERFORMANCE OF PUBLIC SCHOOLS AND OF  
16 THE LOCAL EDUCATION PROVIDER AS A WHOLE. IN ADDITION, A LOCAL  
17 EDUCATION PROVIDER MAY DEVELOP MULTIPLE MEASURES OF STUDENT  
18 ACADEMIC GROWTH WITH THE INTENT THAT OTHER LOCAL EDUCATION  
19 PROVIDERS MAY USE THEM OR THAT THE MEASURES WILL BE SUFFICIENTLY  
20 RIGOROUS, VALID, RELIABLE, AND COMPARABLE FOR USE AS PART OF  
21 STATEWIDE ACCOUNTABILITY AND ACCREDITATION.

22 (i) THE FEDERAL "EVERY STUDENT SUCCEEDS ACT", PUB.L.  
23 114-95, WHICH REAUTHORIZES THE "ELEMENTARY AND SECONDARY  
24 EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., REQUIRES EACH  
25 STATE TO MEASURE THE PERFORMANCE OF LOCAL EDUCATION PROVIDERS  
26 BY USING AT LEAST ONE INDICATOR OF SCHOOL QUALITY OR STUDENT  
27 SUCCESS. THE GENERAL ASSEMBLY MAY ULTIMATELY CONSIDER USING  
28 ANY MEASURES OF STUDENT ACADEMIC GROWTH THAT ARE CREATED AS  
29 A RESULT OF THIS ARTICLE AND THAT ARE SUFFICIENTLY RIGOROUS, VALID,  
30 RELIABLE, AND COMPARABLE AS A PERFORMANCE INDICATOR OF SCHOOL  
31 QUALITY OR STUDENT SUCCESS AS REQUIRED IN THE "EVERY STUDENT  
32 SUCCEEDS ACT".

33 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS  
34 APPROPRIATE TO ESTABLISH A GRANT PROGRAM TO GIVE LOCAL  
35 EDUCATION PROVIDERS THE RESOURCES TO EFFECTIVELY CREATE AND  
36 APPLY MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH FOR THE  
37 BENEFIT OF STUDENTS, EDUCATORS, PUBLIC SCHOOLS, AND LOCAL  
38 EDUCATION PROVIDERS.

39 (3) THE GENERAL ASSEMBLY FURTHER FINDS THAT, FOR PURPOSES  
40 OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, GRANTS TO  
41 ASSIST LOCAL EDUCATION PROVIDERS IN CREATING AND APPLYING  
42 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH WILL ASSIST LOCAL  
43 EDUCATION PROVIDERS IN IMPLEMENTING ACCOUNTABLE EDUCATION  
44 REFORM AND ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC  
45 STANDARDS AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE  
46 EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE  
47 STATE CONSTITUTION.

48 **22-16-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
49 CONTEXT OTHERWISE REQUIRES:

50 (1) "BOCES" MEANS A BOARD OF COOPERATIVE SERVICES  
51 CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE.

52 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
53 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

54 (3) "FUND" MEANS THE STUDENT ACADEMIC GROWTH MEASURES  
55 GRANT PROGRAM FUND CREATED IN SECTION 22-16-105.

56 (4) "GRANT PROGRAM" MEANS THE STUDENT ACADEMIC GROWTH



1 MEASURES GRANT PROGRAM CREATED IN SECTION 22-16-103.

2 (5) "GRANTEE" MEANS A LOCAL EDUCATION PROVIDER OR  
3 PARTNERSHIP OF LOCAL EDUCATION PROVIDERS THAT RECEIVES A GRANT  
4 FROM THE GRANT PROGRAM.

5 (6) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A  
6 BOCES THAT OPERATES A PUBLIC SCHOOL, A CHARTER SCHOOL  
7 AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5  
8 OF THIS TITLE, OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE  
9 STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5  
10 OF THIS TITLE.

11 (7) "MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH"  
12 MEANS PERFORMANCE-BASED METHODS OF MEASURING STUDENT  
13 ACADEMIC GROWTH THAT:

14 (a) ARE BASED ON SETTING MEASURABLE GOALS OR OBJECTIVES  
15 FOR A SPECIFIC TEACHING ASSIGNMENT OR CLASS, WHICH GOALS AND  
16 OBJECTIVES ARE SET IN A PARTICIPATORY MANNER AND ALIGNED WITH  
17 THE SUBJECT MATTER TAUGHT; AND

18 (b) ENABLE EDUCATORS TO EVALUATE THE BASELINE  
19 PERFORMANCE OF STUDENTS AND THE MEASURABLE GAIN IN STUDENT  
20 PERFORMANCE DURING THE COURSE OF INSTRUCTION.

21 (8) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION  
22 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

23 **22-16-103. Student academic growth measures grant program**

24 **- created - applications.** (1) THERE IS CREATED IN THE DEPARTMENT THE  
25 STUDENT ACADEMIC GROWTH MEASURES GRANT PROGRAM TO ASSIST  
26 LOCAL EDUCATION PROVIDERS IN DEVELOPING AND USING MULTIPLE  
27 MEASURES OF STUDENT ACADEMIC GROWTH AS SUPPLEMENTS TO THE  
28 STATE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1006.3  
29 AND OTHER STANDARDIZED TESTS ADMINISTERED BY LOCAL EDUCATION  
30 PROVIDERS. A LOCAL EDUCATION PROVIDER MAY USE THE MULTIPLE  
31 MEASURES OF STUDENT ACADEMIC GROWTH TO SUPPLEMENT, BUT NOT  
32 REPLACE, STATEWIDE SUMMATIVE ASSESSMENTS. A GRANTEE MAY  
33 DEVELOP THE MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH FOR  
34 USE SOLELY BY THE GRANTEE FOR ONE OR ALL OF THE PURPOSES OF  
35 MEASURING STUDENT ACHIEVEMENT AND ACADEMIC GROWTH,  
36 EVALUATING EDUCATOR EFFECTIVENESS, EVALUATING PUBLIC SCHOOL  
37 PERFORMANCE, OR EVALUATING THE OVERALL PERFORMANCE OF A  
38 SCHOOL DISTRICT OR BOCES. IN ADDITION, A GRANTEE MAY CHOOSE TO  
39 DEVELOP THE MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH  
40 ULTIMATELY FOR USE THROUGHOUT THE STATE AS PART OF STATEWIDE  
41 ACCOUNTABILITY AND ACCREDITATION UNDER ARTICLE 11 OF THIS TITLE.

42 (2) A LOCAL EDUCATION PROVIDER, SOLELY OR IN PARTNERSHIP  
43 WITH ONE OR MORE OTHER LOCAL EDUCATION PROVIDERS, MAY APPLY TO  
44 THE DEPARTMENT TO PARTICIPATE IN THE GRANT PROGRAM IN  
45 ACCORDANCE WITH STATE BOARD RULES AND THE REQUIREMENTS OF THIS  
46 SECTION. AT A MINIMUM, EACH APPLICATION MUST INCLUDE:

47 (a) A PLAN THAT, AT A MINIMUM, DESCRIBES HOW THE APPLICANT  
48 INTENDS TO:

49 (I) BUILD EDUCATOR AND ADMINISTRATIVE LEADERSHIP CAPACITY  
50 CONCERNING THE DEVELOPMENT AND USE OF MULTIPLE MEASURES OF  
51 STUDENT ACADEMIC GROWTH;

52 (II) CREATE AND IMPLEMENT A PROCESS FOR DEVELOPING AND  
53 USING MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH TO ENHANCE  
54 CLASSROOM ASSESSMENT, FORMATIVE ASSESSMENT PRACTICE, AND  
55 STANDARDS-BASED INSTRUCTION AND TO INCREASE STUDENT  
56 ACHIEVEMENT AND ACADEMIC GROWTH; AND

1 (III) USE THE RESULTS OF THE MULTIPLE MEASURES OF STUDENT  
2 ACADEMIC GROWTH, WHICH USE MAY INCLUDE, BUT NEED NOT BE LIMITED  
3 TO, MEASURING STUDENT ACHIEVEMENT AND ACADEMIC GROWTH,  
4 EVALUATING EDUCATOR EFFECTIVENESS, MEASURING THE PERFORMANCE  
5 OF A PUBLIC SCHOOL, AND MEASURING THE OVERALL PERFORMANCE OF A  
6 SCHOOL DISTRICT OR BOCES;

7 (b) A STATEMENT AS TO WHETHER THE APPLICANT INTENDS TO  
8 CREATE THE MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH WITH  
9 THE EXPECTATION THAT THEY MAY BE USED SOLELY BY THE APPLICANT,  
10 USED BY OTHER LOCAL EDUCATION PROVIDERS FOR LOCAL PURPOSES, OR  
11 USED BY THE STATE AS PART OF STATEWIDE ACCOUNTABILITY AND  
12 ACCREDITATION UNDER ARTICLE 11 OF THIS TITLE OR FOR A COMBINATION  
13 OF THESE USES; AND

14 (c) WHETHER THE APPLICANT ANTICIPATES CONTRACTING WITH A  
15 PERSON OR A PUBLIC OR PRIVATE ENTITY TO ASSIST IN DEVELOPING AND  
16 USING THE MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH.

17 (3) AN APPLICANT MUST AGREE TO:

18 (a) PARTICIPATE IN AN EXTERNAL EVALUATION OF THE MULTIPLE  
19 MEASURES OF STUDENT ACADEMIC GROWTH THAT THE APPLICANT  
20 CREATES TO DETERMINE, AT A MINIMUM, THE RIGOR, VALIDITY, AND  
21 RELIABILITY OF THE MEASURES AND WHETHER THEY ARE APPROPRIATE  
22 FOR STATEWIDE USE; AND

23 (b) SUBMIT TO THE DEPARTMENT COPIES OF THE RESOURCES AND  
24 MATERIALS THE APPLICANT CREATES USING MONEY RECEIVED FROM THE  
25 GRANT PROGRAM, WHICH THE DEPARTMENT MAY MAKE AVAILABLE TO  
26 OTHER LOCAL EDUCATION PROVIDERS BASED ON THE RESULTS OF THE  
27 EVALUATION.

28 **22-16-104. Grantee selection - rules.** (1) THE DEPARTMENT  
29 SHALL REVIEW EACH APPLICATION RECEIVED PURSUANT TO SECTION  
30 22-16-103 AND RECOMMEND TO THE STATE BOARD THOSE APPLICANTS  
31 THAT SHOULD RECEIVE GRANTS AND THE AMOUNTS OF THE GRANTS.  
32 SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD SHALL  
33 AWARD THE GRANTS, TAKING INTO CONSIDERATION THE DEPARTMENT'S  
34 RECOMMENDATIONS. THE DEPARTMENT AND THE STATE BOARD SHALL  
35 BASE THEIR RECOMMENDATIONS AND GRANT AWARDS ON THE FOLLOWING  
36 CRITERIA:

37 (a) WHETHER THE APPLICANT IS A SINGLE LOCAL EDUCATION  
38 PROVIDER OR A PARTNERSHIP OF TWO OR MORE LOCAL EDUCATION  
39 PROVIDERS, GIVING HIGHER PRIORITY TO APPLICATIONS SUBMITTED BY  
40 PARTNERSHIPS AND ESPECIALLY PARTNERSHIPS THAT INCLUDE URBAN AND  
41 RURAL LOCAL EDUCATION PROVIDERS AND LOCAL EDUCATION PROVIDERS  
42 WITH VARYING STUDENT POPULATION SIZES AND DEMOGRAPHICS;

43 (b) WHETHER THE APPLICANT INTENDS THAT THE MULTIPLE  
44 MEASURES OF STUDENT ACADEMIC GROWTH THAT IT DEVELOPS WILL BE  
45 SUFFICIENTLY RIGOROUS, VALID, AND RELIABLE FOR USE BY OTHER LOCAL  
46 EDUCATION PROVIDERS AND BY THE STATE AS PART OF STATEWIDE  
47 ACCOUNTABILITY AND ACCREDITATION UNDER ARTICLE 11 OF THIS TITLE,  
48 GIVING PRIORITY TO APPLICATIONS THAT ARE MOST LIKELY TO RESULT IN  
49 MEASURES THAT ARE APPROPRIATE FOR WIDESPREAD USE THROUGHOUT  
50 THE STATE;

51 (c) THE QUALITY OF THE APPLICANT'S PLAN AND THE LIKELIHOOD  
52 THAT IT WILL RESULT IN MULTIPLE MEASURES OF STUDENT ACADEMIC  
53 GROWTH THAT ARE RIGOROUS, VALID, AND RELIABLE FOR THE PURPOSES  
54 THAT THE APPLICANT IDENTIFIES IN THE APPLICATION; AND

55 (d) THE APPLICANT'S CAPACITY FOR DEVELOPING AND USING  
56 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH THAT ARE

1 RIGOROUS, VALID, AND RELIABLE AND WHETHER THE APPLICANT INTENDS  
2 TO CONTRACT WITH A PERSON OR ENTITY TO ASSIST IN DEVELOPING AND  
3 USING THE MEASURES.

4 (2) THE STATE BOARD SHALL PROMULGATE RULES IN ACCORDANCE  
5 WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE  
6 24, C.R.S., AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM,  
7 INCLUDING BUT NOT LIMITED TO RULES ESTABLISHING THE TIMELINES AND  
8 PROCEDURES APPLICABLE TO APPLYING FOR AND AWARDED GRANTS.

9 (3) A GRANTEE MAY USE A PORTION OF THE GRANT MONEY  
10 RECEIVED TO CONTRACT WITH A PERSON OR A PUBLIC OR PRIVATE ENTITY,  
11 INCLUDING THE DEPARTMENT, FOR ASSISTANCE IN DESIGNING AND USING  
12 THE MULTIPLE MEASURES OF STUDENT GROWTH IN ACCORDANCE WITH THE  
13 GRANTEE'S PLAN.

14 **22-16-105. Student academic growth measures grant program**  
15 **fund - created.** (1) THE STUDENT ACADEMIC GROWTH MEASURES GRANT  
16 PROGRAM FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND  
17 CONSISTS OF ANY MONEY THAT THE GENERAL ASSEMBLY MAY  
18 APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL  
19 CREDIT TO THE FUND ALL INTEREST AND INCOME DERIVED FROM THE  
20 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND. ANY UNEXPENDED  
21 AND UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF A  
22 FISCAL YEAR SHALL NOT REVERT TO THE FUND FROM WHICH IT WAS  
23 APPROPRIATED OR BE TRANSFERRED TO ANOTHER FUND.

24 (2) THE MONEY APPROPRIATED TO THE FUND IS CONTINUOUSLY  
25 APPROPRIATED TO THE DEPARTMENT FOR THE PURPOSES OF THIS ARTICLE.  
26 OF THE MONEY APPROPRIATED TO THE FUND, THE STATE BOARD AND THE  
27 DEPARTMENT MAY EXPEND UP TO ONE MILLION DOLLARS FOR  
28 ADMINISTRATIVE EXPENSES INCURRED IN ADMINISTERING THE GRANT  
29 PROGRAM AND UP TO TWO HUNDRED THOUSAND DOLLARS TO PAY THE  
30 COSTS INCURRED IN CONTRACTING WITH AN ENTITY AND PREPARING AN  
31 ANNUAL REPORT AS REQUIRED IN SECTION 22-16-106.

32 **22-16-106. Student academic growth measures - evaluation -**  
33 **report.** (1) THE DEPARTMENT SHALL CONTRACT WITH AN ENTITY TO  
34 EVALUATE THE RIGOR, VALIDITY, AND RELIABILITY OF THE MULTIPLE  
35 MEASURES OF STUDENT ACADEMIC GROWTH THAT GRANTEEES DEVELOP  
36 AND WHETHER THE MEASURES ARE RELIABLE AND APPROPRIATE FOR USE  
37 BY OTHER LOCAL EDUCATION PROVIDERS OR FOR USE BY THE STATE AS  
38 PART OF STATEWIDE ACCOUNTABILITY AND ACCREDITATION UNDER  
39 ARTICLE 11 OF THIS TITLE.

40 (2) (a) THE DEPARTMENT SHALL ANNUALLY PREPARE A REPORT  
41 THAT SUMMARIZES THE EVALUATIONS COMPLETED PURSUANT TO  
42 SUBSECTION (1) OF THIS SECTION AND PROVIDES INFORMATION  
43 CONCERNING IMPLEMENTATION OF THE GRANT PROGRAM FOR THE  
44 PRECEDING BUDGET YEAR, INCLUDING THE GRANTEEES AND THE AMOUNTS  
45 AWARDED. THE DEPARTMENT SHALL SUBMIT THE REPORT TO THE STATE  
46 BOARD AND TO THE EDUCATION COMMITTEES OF THE HOUSE OF  
47 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

48 (b) THIS SUBSECTION (2) IS EXEMPT FROM THE PROVISIONS OF  
49 SECTION 24-1-136 (11), C.R.S., AND THE ANNUAL REPORTING  
50 REQUIREMENTS OF THIS SUBSECTION (2) ARE EFFECTIVE UNTIL CHANGED  
51 BY THE GENERAL ASSEMBLY ACTING BY BILL.

52 **SECTION 2. Appropriation.** For the 2016-17 state fiscal year,  
53 \$20,000,000 is appropriated to the student academic growth measures  
54 grant program fund created in section 22-16-105, C.R.S. This  
55 appropriation is from the state education fund created in section 17 (4) of  
56 article IX of the state constitution. The department of education is

1 responsible for the accounting related to this appropriation.  
2

3         **SECTION 3. Act subject to petition - effective date.** This act  
4 takes effect at 12:01 a.m. on the day following the expiration of the  
5 ninety-day period after final adjournment of the general assembly (August  
6 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a  
7 referendum petition is filed pursuant to section 1 (3) of article V of the  
8 state constitution against this act or an item, section, or part of this act  
9 within such period, then the act, item, section, or part will not take effect  
10 unless approved by the people at the general election to be held in  
11 November 2016 and, in such case, will take effect on the date of the  
12 official declaration of the vote thereon by the governor."  
13

14  
15  
16 **HB16-1178** be referred favorably to the Committee on Appropriations.  
17

18  
19  
20  
21 **STATE, VETERANS, & MILITARY AFFAIRS**

22 After consideration on the merits, the Committee recommends the  
23 following:  
24

25 **HB16-1035** be referred to the Committee of the Whole with favorable  
26 recommendation.  
27

28  
29 **HB16-1093** be amended as follows, and as so amended, be referred to  
30 the Committee of the Whole with favorable  
31 recommendation:  
32

33 Amend printed bill, page 3, line 15, strike "**repeal (2) (b) (II); and add**"  
34 and substitute "**and repeal (2) (b) (II)**".  
35

36 Page 3, line 16, strike "(4.5)".  
37

38 Page 3, line 27, strike "BY POSTAGE PREPAID FORWARDABLE".  
39

40 Page 4, strike lines 1 and 2 and substitute "to the elector's old address,  
41 NOTICE OF THE CHANGE BY FORWARDABLE MAIL AND A POSTAGE PRE-PAID  
42 PRE-ADDRESSED RETURN FORM BY WHICH THE REGISTRANT MAY VERIFY  
43 OR CORRECT THE ADDRESS INFORMATION."  
44

45 Page 4, line 3, strike "CORRESPONDENCE" and substitute "RETURN FORM".  
46

47 Page 4, line 10, strike "CORRESPONDENCE" and substitute "RETURN  
48 FORM".  
49

50 Page 4, line 12, strike "CORRESPONDENCE," and substitute "RETURN  
51 FORM,".  
52

53 Page 5, strike lines 5 through 18.  
54

55 Page 1, strike lines 101 through 103 and substitute "**CONCERNING THE**  
56 **USE OF THE NATIONAL CHANGE OF ADDRESS DATABASE TO MAINTAIN**

1 **VOTER REGISTRATION RECORDS, AND, IN CONNECTION THEREWITH,**  
2 **CLARIFYING TERMINOLOGY AND CONSOLIDATING PROCEDURES FOR**  
3 **COUNTY CLERKS AND RECORDERS TO FOLLOW WHEN IT APPEARS THAT**  
4 **AN ELECTOR HAS MOVED WITHIN THE STATE."**

5

6

7

8 **HB16-1146** be postponed indefinitely.

9

10

11 **HB16-1190** be referred to the Committee of the Whole with favorable  
12 recommendation.

13

14

15 **HB16-1233** be postponed indefinitely.

16

17

18 **SB16-107** be referred to the Committee of the Whole with favorable  
19 recommendation.

20

21

22

---

**PRINTING REPORT**

23

24

25 The Chief Clerk reports the following bills have been correctly printed:

26 **HB16-1303, 1304.**

27

28

29

---

**SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**

30

31

32 The Speaker has signed: **SJR16-010.**

33

34

35

---

**MESSAGE FROM THE SENATE**

36

37

38 Madam Speaker:

39

40 The Senate has passed on Third Reading and returns herewith:

41 **HB15-1043, 1076, 1025, and 1032.**

42

43

44 The Senate has passed on Third Reading and transmitted to the Revisor  
45 of Statutes:

46 **SB16-127** amended in General Orders as printed in Senate Journal,

47 February 29, 2016.

48

49

50

---

**MESSAGE(S) FROM THE REVISOR**

51

52

53 We herewith transmit:  
54 without comment, as amended, **SB16-127.**

55

56

---

1 On motion of Representative Tyler, the House adjourned until 11:00 a.m.,  
2 March 2, 2016.  
3  
4  
5  
6  
7 Attest:  
8 MARILYN EDDINS,  
9 Chief Clerk  
10  
11

Approved:  
DICKEY LEE HULLINGHORST,  
Speaker