

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 16-0037.01 Julie Pelegrin x2700

HOUSE BILL 16-1016

HOUSE SPONSORSHIP

Young,

SENATE SPONSORSHIP

(None),

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING USING MULTIPLE MEASURES OF STUDENT ACADEMIC**
102 **GROWTH, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

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://www.leg.state.co.us/bills summaries>.)

The bill creates a grant program to assist school districts, boards of cooperative services, and charter schools (local education providers) in creating and applying multiple measures of student academic growth to measure the performance of public schools and local education providers and to measure educator effectiveness. A local education

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

provider may apply to receive a grant by providing specified information, including a plan for building the capacity of educators and administrators concerning multiple measures of student academic growth and for developing and implementing a process for creating and applying multiple measures of student academic growth. The local education provider must also agree to an external evaluation of the success of the plan. The state board of education (state board) must adopt rules for awarding the grants. The state board, taking into account recommendations from the department of education (department), must award the grants based on the quality of an applicant's plan and an applicant's level of need. The department must contract with an entity to evaluate each grant recipient's success in creating and applying multiple measures of student academic growth.

The department must annually prepare and submit to the education committees of the general assembly a summary of the evaluations, including an evaluation of whether the multiple measures of student academic growth were effective in measuring the performance of public schools and local education providers and in measuring educator effectiveness and the likelihood of success in applying the multiple measures statewide to measure the performance of public schools and local education providers.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 16 to title
3 22 as follows:

4 **ARTICLE 16**

5 **Multiple Measures of Student Academic Growth**

6 **22-16-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
7 FINDS THAT:

8 (a) STATE SUMMATIVE ASSESSMENTS ARE THE PRIMARY TOOL FOR
9 MEASURING STUDENT ACADEMIC GROWTH, EVALUATING EDUCATOR
10 EFFECTIVENESS, AND MEASURING THE PERFORMANCE OF LOCAL
11 EDUCATION PROVIDERS AND THE STATE IN PROVIDING PUBLIC EDUCATION
12 PROGRAMS;

13 (b) BUT STATE SUMMATIVE ASSESSMENTS DO NOT INCLUDE ALL OF

1 THE CONTENT AREAS TAUGHT BY LOCAL EDUCATION PROVIDERS AND, IN
2 FACT, ARE USEFUL FOR MEASURING STUDENT ACHIEVEMENT AND
3 ACADEMIC GROWTH, EDUCATOR EFFECTIVENESS, AND THE PERFORMANCE
4 OF LOCAL EDUCATION PROVIDERS ONLY IN A SMALL MINORITY OF
5 SUBJECTS;

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

12 (d) DEVELOPING MULTIPLE WAYS TO MEASURE STUDENT
13 ACADEMIC GROWTH GIVES LOCAL EDUCATION PROVIDERS RIGOROUS,
14 VALID, AND RELIABLE MEASURES OF STUDENT ACADEMIC GROWTH THAT
15 SUPPLEMENT THE INFORMATION RECEIVED FROM STATE SUMMATIVE
16 ASSESSMENTS. THESE SUPPLEMENTAL MEASURES ENABLE LOCAL
17 EDUCATION PROVIDERS TO MORE FULLY EVALUATE THE PERFORMANCE OF
18 PUBLIC SCHOOLS AND MORE HOLISTICALLY MEASURE EDUCATORS'
19 INDIVIDUALLY ATTRIBUTABLE IMPACTS ON STUDENT ACHIEVEMENT AND
20 ACADEMIC GROWTH.

21 (e) USING MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH
22 TO CREATE A BODY OF EVIDENCE THAT MEASURES STUDENTS' KNOWLEDGE
23 AT THE BEGINNING AND END OF THE INSTRUCTIONAL INTERVAL AND
24 MONITORING LEARNING AND ADJUSTING INSTRUCTION THROUGHOUT THE
25 INTERVAL PROMOTES EXCELLENT EDUCATOR PRACTICE, SUPPORTS
26 STANDARDS-BASED EDUCATION PRACTICES, AND ESTABLISHES A
27 FRAMEWORK FOR FORMATIVE ASSESSMENT PRACTICE, WHICH HAS BEEN

1 SHOWN TO HAVE A POSITIVE IMPACT ON STUDENT LEARNING;

2 (f) A LOCAL EDUCATION PROVIDER'S ABILITY TO EFFECTIVELY
3 CREATE AND USE MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH
4 DEPENDS IN PART ON EDUCATORS' AND ADMINISTRATORS' CAPACITY TO
5 SELECT OR DESIGN ACCURATE MEASURES AND APPROPRIATELY INTERPRET
6 ASSESSMENT RESULTS. TO CREATE AND APPLY MULTIPLE MEASURES OF
7 STUDENT ACADEMIC GROWTH EFFECTIVELY, LOCAL EDUCATION
8 PROVIDERS MUST ENGAGE IN AN INTENTIONAL PROCESS OF ORGANIZED
9 LEARNING TO DEVELOP EDUCATOR AND ADMINISTRATOR CAPACITY.

10 (g) LOCAL EDUCATION PROVIDERS ARE AT DIFFERENT STAGES IN
11 DEVELOPING THEIR CAPACITY TO CREATE AND APPLY MULTIPLE MEASURES
12 OF STUDENT ACADEMIC GROWTH AND CAN THEREFORE BENEFIT FROM
13 WORKING IN PARTNERSHIPS, ESPECIALLY PARTNERSHIPS THAT INCLUDE
14 BOTH URBAN AND RURAL LOCAL EDUCATION PROVIDERS AND LOCAL
15 EDUCATION PROVIDERS OF VARYING STUDENT POPULATION SIZES AND
16 DEMOGRAPHICS;

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

1 (i) THE FEDERAL "EVERY STUDENT SUCCEEDS ACT", PUB.L.
2 114-95, WHICH REAUTHORIZES THE "ELEMENTARY AND SECONDARY
3 EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., REQUIRES EACH
4 STATE TO MEASURE THE PERFORMANCE OF LOCAL EDUCATION PROVIDERS
5 BY USING AT LEAST ONE INDICATOR OF SCHOOL QUALITY OR STUDENT
6 SUCCESS. THE GENERAL ASSEMBLY MAY ULTIMATELY CONSIDER USING
7 ANY MEASURES OF STUDENT ACADEMIC GROWTH THAT ARE CREATED AS
8 A RESULT OF THIS ARTICLE AND THAT ARE SUFFICIENTLY RIGOROUS, VALID,
9 RELIABLE, AND COMPARABLE AS A PERFORMANCE INDICATOR OF SCHOOL
10 QUALITY OR STUDENT SUCCESS AS REQUIRED IN THE "EVERY STUDENT
11 SUCCEEDS ACT".

12 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS
13 APPROPRIATE TO ESTABLISH A GRANT PROGRAM TO GIVE LOCAL
14 EDUCATION PROVIDERS THE RESOURCES TO EFFECTIVELY CREATE AND
15 APPLY MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH FOR THE
16 BENEFIT OF STUDENTS, EDUCATORS, PUBLIC SCHOOLS, AND LOCAL
17 EDUCATION PROVIDERS.

18 (3) THE GENERAL ASSEMBLY FURTHER FINDS THAT, FOR PURPOSES
19 OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, GRANTS TO
20 ASSIST LOCAL EDUCATION PROVIDERS IN CREATING AND APPLYING
21 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH WILL ASSIST LOCAL
22 EDUCATION PROVIDERS IN IMPLEMENTING ACCOUNTABLE EDUCATION
23 REFORM AND ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC
24 STANDARDS AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE
25 EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE
26 STATE CONSTITUTION.

27 **22-16-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

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

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

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

8 (4) "GRANT PROGRAM" MEANS THE STUDENT ACADEMIC GROWTH
9 MEASURES GRANT PROGRAM CREATED IN SECTION 22-16-103.

10 (5) "GRANTEE" MEANS A LOCAL EDUCATION PROVIDER OR
11 PARTNERSHIP OF LOCAL EDUCATION PROVIDERS THAT RECEIVES A GRANT
12 FROM THE GRANT PROGRAM.

13 (6) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
14 BOCES THAT OPERATES A PUBLIC SCHOOL, A CHARTER SCHOOL
15 AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5
16 OF THIS TITLE, OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE
17 STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5
18 OF THIS TITLE.

19 (7) "MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH"
20 MEANS PERFORMANCE-BASED METHODS OF MEASURING STUDENT
21 ACADEMIC GROWTH THAT:

22 (a) ARE BASED ON SETTING MEASURABLE GOALS OR OBJECTIVES
23 FOR A SPECIFIC TEACHING ASSIGNMENT OR CLASS, WHICH GOALS AND
24 OBJECTIVES ARE SET IN A PARTICIPATORY MANNER AND ALIGNED WITH
25 THE SUBJECT MATTER TAUGHT; AND

26 (b) ENABLE EDUCATORS TO EVALUATE THE BASELINE
27 PERFORMANCE OF STUDENTS AND THE MEASURABLE GAIN IN STUDENT

1 PERFORMANCE DURING THE COURSE OF INSTRUCTION.

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

4 **22-16-103. Student academic growth measures grant program**
5 **- created - applications.** (1) THERE IS CREATED IN THE DEPARTMENT THE

6 STUDENT ACADEMIC GROWTH MEASURES GRANT PROGRAM TO ASSIST
7 LOCAL EDUCATION PROVIDERS IN DEVELOPING AND USING MULTIPLE
8 MEASURES OF STUDENT ACADEMIC GROWTH AS SUPPLEMENTS TO THE
9 STATE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1006.3
10 AND OTHER STANDARDIZED TESTS ADMINISTERED BY LOCAL EDUCATION
11 PROVIDERS. A LOCAL EDUCATION PROVIDER MAY USE THE MULTIPLE
12 MEASURES OF STUDENT ACADEMIC GROWTH TO SUPPLEMENT, BUT NOT
13 REPLACE, STATEWIDE SUMMATIVE ASSESSMENTS. A GRANTEE MAY
14 DEVELOP THE MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH FOR
15 USE SOLELY BY THE GRANTEE FOR ONE OR ALL OF THE PURPOSES OF
16 MEASURING STUDENT ACHIEVEMENT AND ACADEMIC GROWTH,
17 EVALUATING EDUCATOR EFFECTIVENESS, EVALUATING PUBLIC SCHOOL
18 PERFORMANCE, OR EVALUATING THE OVERALL PERFORMANCE OF A
19 SCHOOL DISTRICT OR BOCES. IN ADDITION, A GRANTEE MAY CHOOSE TO
20 DEVELOP THE MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH
21 ULTIMATELY FOR USE THROUGHOUT THE STATE AS PART OF STATEWIDE
22 ACCOUNTABILITY AND ACCREDITATION UNDER ARTICLE 11 OF THIS TITLE.

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

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

3 (I) BUILD EDUCATOR AND ADMINISTRATIVE LEADERSHIP CAPACITY
4 CONCERNING THE DEVELOPMENT AND USE OF MULTIPLE MEASURES OF
5 STUDENT ACADEMIC GROWTH;

6 (II) CREATE AND IMPLEMENT A PROCESS FOR DEVELOPING AND
7 USING MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH TO ENHANCE
8 CLASSROOM ASSESSMENT, FORMATIVE ASSESSMENT PRACTICE, AND
9 STANDARDS-BASED INSTRUCTION AND TO INCREASE STUDENT
10 ACHIEVEMENT AND ACADEMIC GROWTH; AND

11 (III) USE THE RESULTS OF THE MULTIPLE MEASURES OF STUDENT
12 ACADEMIC GROWTH, WHICH USE MAY INCLUDE, BUT NEED NOT BE LIMITED
13 TO, MEASURING STUDENT ACHIEVEMENT AND ACADEMIC GROWTH,
14 EVALUATING EDUCATOR EFFECTIVENESS, MEASURING THE PERFORMANCE
15 OF A PUBLIC SCHOOL, AND MEASURING THE OVERALL PERFORMANCE OF A
16 SCHOOL DISTRICT OR BOCES;

17 (b) A STATEMENT AS TO WHETHER THE APPLICANT INTENDS TO
18 CREATE THE MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH WITH
19 THE EXPECTATION THAT THEY MAY BE USED SOLELY BY THE APPLICANT,
20 USED BY OTHER LOCAL EDUCATION PROVIDERS FOR LOCAL PURPOSES, OR
21 USED BY THE STATE AS PART OF STATEWIDE ACCOUNTABILITY AND
22 ACCREDITATION UNDER ARTICLE 11 OF THIS TITLE OR FOR A COMBINATION
23 OF THESE USES; AND

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

27 (3) AN APPLICANT MUST AGREE TO:

1 (a) PARTICIPATE IN AN EXTERNAL EVALUATION OF THE MULTIPLE
2 MEASURES OF STUDENT ACADEMIC GROWTH THAT THE APPLICANT
3 CREATES TO DETERMINE, AT A MINIMUM, THE RIGOR, VALIDITY, AND
4 RELIABILITY OF THE MEASURES AND WHETHER THEY ARE APPROPRIATE
5 FOR STATEWIDE USE; AND

6 (b) SUBMIT TO THE DEPARTMENT COPIES OF THE RESOURCES AND
7 MATERIALS THE APPLICANT CREATES USING MONEY RECEIVED FROM THE
8 GRANT PROGRAM, WHICH THE DEPARTMENT MAY MAKE AVAILABLE TO
9 OTHER LOCAL EDUCATION PROVIDERS BASED ON THE RESULTS OF THE
10 EVALUATION.

11 **22-16-104. Grantee selection - rules.** (1) THE DEPARTMENT
12 SHALL REVIEW EACH APPLICATION RECEIVED PURSUANT TO SECTION
13 22-16-103 AND RECOMMEND TO THE STATE BOARD THOSE APPLICANTS
14 THAT SHOULD RECEIVE GRANTS AND THE AMOUNTS OF THE GRANTS.
15 SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD SHALL
16 AWARD THE GRANTS, TAKING INTO CONSIDERATION THE DEPARTMENT'S
17 RECOMMENDATIONS. THE DEPARTMENT AND THE STATE BOARD SHALL
18 BASE THEIR RECOMMENDATIONS AND GRANT AWARDS ON THE FOLLOWING
19 CRITERIA:

20 (a) WHETHER THE APPLICANT IS A SINGLE LOCAL EDUCATION
21 PROVIDER OR A PARTNERSHIP OF TWO OR MORE LOCAL EDUCATION
22 PROVIDERS, GIVING HIGHER PRIORITY TO APPLICATIONS SUBMITTED BY
23 PARTNERSHIPS AND ESPECIALLY PARTNERSHIPS THAT INCLUDE URBAN AND
24 RURAL LOCAL EDUCATION PROVIDERS AND LOCAL EDUCATION PROVIDERS
25 WITH VARYING STUDENT POPULATION SIZES AND DEMOGRAPHICS;

26 (b) WHETHER THE APPLICANT INTENDS THAT THE MULTIPLE
27 MEASURES OF STUDENT ACADEMIC GROWTH THAT IT DEVELOPS WILL BE

1 SUFFICIENTLY RIGOROUS, VALID, AND RELIABLE FOR USE BY OTHER LOCAL
2 EDUCATION PROVIDERS AND BY THE STATE AS PART OF STATEWIDE
3 ACCOUNTABILITY AND ACCREDITATION UNDER ARTICLE 11 OF THIS TITLE,
4 GIVING PRIORITY TO APPLICATIONS THAT ARE MOST LIKELY TO RESULT IN
5 MEASURES THAT ARE APPROPRIATE FOR WIDESPREAD USE THROUGHOUT
6 THE STATE;

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

11 (d) THE APPLICANT'S CAPACITY FOR DEVELOPING AND USING
12 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH THAT ARE
13 RIGOROUS, VALID, AND RELIABLE AND WHETHER THE APPLICANT INTENDS
14 TO CONTRACT WITH A PERSON OR ENTITY TO ASSIST IN DEVELOPING AND
15 USING THE MEASURES.

16 (2) THE STATE BOARD SHALL PROMULGATE RULES IN ACCORDANCE
17 WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE
18 24, C.R.S., AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM,
19 INCLUDING BUT NOT LIMITED TO RULES ESTABLISHING THE TIMELINES AND
20 PROCEDURES APPLICABLE TO APPLYING FOR AND AWARDING GRANTS.

21 (3) A GRANTEE MAY USE A PORTION OF THE GRANT MONEY
22 RECEIVED TO CONTRACT WITH A PERSON OR A PUBLIC OR PRIVATE ENTITY,
23 INCLUDING THE DEPARTMENT, FOR ASSISTANCE IN DESIGNING AND USING
24 THE MULTIPLE MEASURES OF STUDENT GROWTH IN ACCORDANCE WITH THE
25 GRANTEE'S PLAN.

26 **22-16-105. Student academic growth measures grant program**
27 **fund - created.** (1) THE STUDENT ACADEMIC GROWTH MEASURES GRANT

1 PROGRAM FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND
2 CONSISTS OF ANY MONEY THAT THE GENERAL ASSEMBLY MAY
3 APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL
4 CREDIT TO THE FUND ALL INTEREST AND INCOME DERIVED FROM THE
5 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND. ANY UNEXPENDED
6 AND UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF A
7 FISCAL YEAR SHALL NOT REVERT TO THE FUND FROM WHICH IT WAS
8 APPROPRIATED OR BE TRANSFERRED TO ANOTHER FUND.

9 (2) THE MONEY APPROPRIATED TO THE FUND IS CONTINUOUSLY
10 APPROPRIATED TO THE DEPARTMENT FOR THE PURPOSES OF THIS ARTICLE.
11 OF THE MONEY APPROPRIATED TO THE FUND, THE STATE BOARD AND THE
12 DEPARTMENT MAY EXPEND UP TO ONE MILLION DOLLARS FOR
13 ADMINISTRATIVE EXPENSES INCURRED IN ADMINISTERING THE GRANT
14 PROGRAM AND UP TO TWO HUNDRED THOUSAND DOLLARS TO PAY THE
15 COSTS INCURRED IN CONTRACTING WITH AN ENTITY AND PREPARING AN
16 ANNUAL REPORT AS REQUIRED IN SECTION 22-16-106.

17 **22-16-106. Student academic growth measures - evaluation -**
18 **report.** (1) THE DEPARTMENT SHALL CONTRACT WITH AN ENTITY TO
19 EVALUATE THE RIGOR, VALIDITY, AND RELIABILITY OF THE MULTIPLE
20 MEASURES OF STUDENT ACADEMIC GROWTH THAT GRANTEEES DEVELOP
21 AND WHETHER THE MEASURES ARE RELIABLE AND APPROPRIATE FOR USE
22 BY OTHER LOCAL EDUCATION PROVIDERS OR FOR USE BY THE STATE AS
23 PART OF STATEWIDE ACCOUNTABILITY AND ACCREDITATION UNDER
24 ARTICLE 11 OF THIS TITLE.

25 (2) (a) THE DEPARTMENT SHALL ANNUALLY PREPARE A REPORT
26 THAT SUMMARIZES THE EVALUATIONS COMPLETED PURSUANT TO
27 SUBSECTION (1) OF THIS SECTION AND PROVIDES INFORMATION

1 CONCERNING IMPLEMENTATION OF THE GRANT PROGRAM FOR THE
2 PRECEDING BUDGET YEAR, INCLUDING THE GRANTEES AND THE AMOUNTS
3 AWARDED. THE DEPARTMENT SHALL SUBMIT THE REPORT TO THE STATE
4 BOARD AND TO THE EDUCATION COMMITTEES OF THE HOUSE OF
5 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

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

10 **SECTION 2. Appropriation.** For the 2016-17 state fiscal year,
11 \$20,000,000 is appropriated to the student academic growth measures
12 grant program fund created in section 22-16-105, C.R.S. This
13 appropriation is from the state education fund created in section 17 (4) of
14 article IX of the state constitution. The department of education is
15 responsible for the accounting related to this appropriation.

16 **SECTION 3. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part will not take effect
23 unless approved by the people at the general election to be held in
24 November 2016 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.