

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 29, 2016
Date

Committee on Education.

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

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

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

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

5 **ARTICLE 16**
6 **Multiple Measures of Student Academic Growth**
7 **22-16-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY

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

14 (b) BUT STATE SUMMATIVE ASSESSMENTS DO NOT INCLUDE ALL OF
15 THE CONTENT AREAS TAUGHT BY LOCAL EDUCATION PROVIDERS AND, IN
16 FACT, ARE USEFUL FOR MEASURING STUDENT ACHIEVEMENT AND
17 ACADEMIC GROWTH, EDUCATOR EFFECTIVENESS, AND THE PERFORMANCE
18 OF LOCAL EDUCATION PROVIDERS ONLY IN A SMALL MINORITY OF
19 SUBJECTS;

20 (c) IN ADDITION, STATE SUMMATIVE ASSESSMENTS, BECAUSE THEY
21 ARE STANDARDIZED, USUALLY MULTI-CHOICE TESTS, ARGUABLY DO NOT
22 PROVIDE A COMPLETE MEASURE OF WHAT EACH STUDENT KNOWS OR IS

1 ABLE TO DO. WELL-DESIGNED PERFORMANCE-BASED MEASURES MAY
2 PROVIDE A MORE COMPREHENSIVE UNDERSTANDING OF A STUDENT'S
3 KNOWLEDGE AND SKILLS.

4 (d) DEVELOPING MULTIPLE WAYS TO MEASURE STUDENT
5 ACADEMIC GROWTH GIVES LOCAL EDUCATION PROVIDERS RIGOROUS,
6 VALID, AND RELIABLE MEASURES OF STUDENT ACADEMIC GROWTH THAT
7 SUPPLEMENT THE INFORMATION RECEIVED FROM STATE SUMMATIVE
8 ASSESSMENTS. THESE SUPPLEMENTAL MEASURES ENABLE LOCAL
9 EDUCATION PROVIDERS TO MORE FULLY EVALUATE THE PERFORMANCE OF
10 PUBLIC SCHOOLS AND MORE HOLISTICALLY MEASURE EDUCATORS'
11 INDIVIDUALLY ATTRIBUTABLE IMPACTS ON STUDENT ACHIEVEMENT AND
12 ACADEMIC GROWTH.

13 (e) USING MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH
14 TO CREATE A BODY OF EVIDENCE THAT MEASURES STUDENTS' KNOWLEDGE
15 AT THE BEGINNING AND END OF THE INSTRUCTIONAL INTERVAL AND
16 MONITORING LEARNING AND ADJUSTING INSTRUCTION THROUGHOUT THE
17 INTERVAL PROMOTES EXCELLENT EDUCATOR PRACTICE, SUPPORTS
18 STANDARDS-BASED EDUCATION PRACTICES, AND ESTABLISHES A
19 FRAMEWORK FOR FORMATIVE ASSESSMENT PRACTICE, WHICH HAS BEEN
20 SHOWN TO HAVE A POSITIVE IMPACT ON STUDENT LEARNING;

21 (f) A LOCAL EDUCATION PROVIDER'S ABILITY TO EFFECTIVELY
22 CREATE AND USE MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH
23 DEPENDS IN PART ON EDUCATORS' AND ADMINISTRATORS' CAPACITY TO
24 SELECT OR DESIGN ACCURATE MEASURES AND APPROPRIATELY INTERPRET
25 ASSESSMENT RESULTS. TO CREATE AND APPLY MULTIPLE MEASURES OF
26 STUDENT ACADEMIC GROWTH EFFECTIVELY, LOCAL EDUCATION
27 PROVIDERS MUST ENGAGE IN AN INTENTIONAL PROCESS OF ORGANIZED
28 LEARNING TO DEVELOP EDUCATOR AND ADMINISTRATOR CAPACITY.

29 (g) LOCAL EDUCATION PROVIDERS ARE AT DIFFERENT STAGES IN
30 DEVELOPING THEIR CAPACITY TO CREATE AND APPLY MULTIPLE MEASURES
31 OF STUDENT ACADEMIC GROWTH AND CAN THEREFORE BENEFIT FROM
32 WORKING IN PARTNERSHIPS, ESPECIALLY PARTNERSHIPS THAT INCLUDE
33 BOTH URBAN AND RURAL LOCAL EDUCATION PROVIDERS AND LOCAL
34 EDUCATION PROVIDERS OF VARYING STUDENT POPULATION SIZES AND
35 DEMOGRAPHICS;

36 (h) A LOCAL EDUCATION PROVIDER MAY DEVELOP AND USE
37 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH TO MEASURE
38 STUDENT ACHIEVEMENT AND ACADEMIC GROWTH, EVALUATE THE
39 EFFECTIVENESS OF EDUCATORS THAT THE LOCAL EDUCATION PROVIDER
40 EMPLOYS, AND MEASURE THE PERFORMANCE OF PUBLIC SCHOOLS AND OF
41 THE LOCAL EDUCATION PROVIDER AS A WHOLE. IN ADDITION, A LOCAL

1 EDUCATION PROVIDER MAY DEVELOP MULTIPLE MEASURES OF STUDENT
2 ACADEMIC GROWTH WITH THE INTENT THAT OTHER LOCAL EDUCATION
3 PROVIDERS MAY USE THEM OR THAT THE MEASURES WILL BE SUFFICIENTLY
4 RIGOROUS, VALID, RELIABLE, AND COMPARABLE FOR USE AS PART OF
5 STATEWIDE ACCOUNTABILITY AND ACCREDITATION.

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

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

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

32 **22-16-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
33 CONTEXT OTHERWISE REQUIRES:

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

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

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

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

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

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

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

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

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

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

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

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

41 (2) A LOCAL EDUCATION PROVIDER, SOLELY OR IN PARTNERSHIP

1 WITH ONE OR MORE OTHER LOCAL EDUCATION PROVIDERS, MAY APPLY TO
2 THE DEPARTMENT TO PARTICIPATE IN THE GRANT PROGRAM IN
3 ACCORDANCE WITH STATE BOARD RULES AND THE REQUIREMENTS OF THIS
4 SECTION. AT A MINIMUM, EACH APPLICATION MUST INCLUDE:

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

7 (I) BUILD EDUCATOR AND ADMINISTRATIVE LEADERSHIP CAPACITY
8 CONCERNING THE DEVELOPMENT AND USE OF MULTIPLE MEASURES OF
9 STUDENT ACADEMIC GROWTH;

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

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

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

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

31 (3) AN APPLICANT MUST AGREE TO:

32 (a) PARTICIPATE IN AN EXTERNAL EVALUATION OF THE MULTIPLE
33 MEASURES OF STUDENT ACADEMIC GROWTH THAT THE APPLICANT
34 CREATES TO DETERMINE, AT A MINIMUM, THE RIGOR, VALIDITY, AND
35 RELIABILITY OF THE MEASURES AND WHETHER THEY ARE APPROPRIATE
36 FOR STATEWIDE USE; AND

37 (b) SUBMIT TO THE DEPARTMENT COPIES OF THE RESOURCES AND
38 MATERIALS THE APPLICANT CREATES USING MONEY RECEIVED FROM THE
39 GRANT PROGRAM, WHICH THE DEPARTMENT MAY MAKE AVAILABLE TO
40 OTHER LOCAL EDUCATION PROVIDERS BASED ON THE RESULTS OF THE
41 EVALUATION.

1 **22-16-104. Grantee selection - rules.** (1) THE DEPARTMENT
2 SHALL REVIEW EACH APPLICATION RECEIVED PURSUANT TO SECTION
3 22-16-103 AND RECOMMEND TO THE STATE BOARD THOSE APPLICANTS
4 THAT SHOULD RECEIVE GRANTS AND THE AMOUNTS OF THE GRANTS.
5 SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD SHALL
6 AWARD THE GRANTS, TAKING INTO CONSIDERATION THE DEPARTMENT'S
7 RECOMMENDATIONS. THE DEPARTMENT AND THE STATE BOARD SHALL
8 BASE THEIR RECOMMENDATIONS AND GRANT AWARDS ON THE FOLLOWING
9 CRITERIA:

10 (a) WHETHER THE APPLICANT IS A SINGLE LOCAL EDUCATION
11 PROVIDER OR A PARTNERSHIP OF TWO OR MORE LOCAL EDUCATION
12 PROVIDERS, GIVING HIGHER PRIORITY TO APPLICATIONS SUBMITTED BY
13 PARTNERSHIPS AND ESPECIALLY PARTNERSHIPS THAT INCLUDE URBAN AND
14 RURAL LOCAL EDUCATION PROVIDERS AND LOCAL EDUCATION PROVIDERS
15 WITH VARYING STUDENT POPULATION SIZES AND DEMOGRAPHICS;

16 (b) WHETHER THE APPLICANT INTENDS THAT THE MULTIPLE
17 MEASURES OF STUDENT ACADEMIC GROWTH THAT IT DEVELOPS WILL BE
18 SUFFICIENTLY RIGOROUS, VALID, AND RELIABLE FOR USE BY OTHER LOCAL
19 EDUCATION PROVIDERS AND BY THE STATE AS PART OF STATEWIDE
20 ACCOUNTABILITY AND ACCREDITATION UNDER ARTICLE 11 OF THIS TITLE,
21 GIVING PRIORITY TO APPLICATIONS THAT ARE MOST LIKELY TO RESULT IN
22 MEASURES THAT ARE APPROPRIATE FOR WIDESPREAD USE THROUGHOUT
23 THE STATE;

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

28 (d) THE APPLICANT'S CAPACITY FOR DEVELOPING AND USING
29 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH THAT ARE
30 RIGOROUS, VALID, AND RELIABLE AND WHETHER THE APPLICANT INTENDS
31 TO CONTRACT WITH A PERSON OR ENTITY TO ASSIST IN DEVELOPING AND
32 USING THE MEASURES.

33 (2) THE STATE BOARD SHALL PROMULGATE RULES IN ACCORDANCE
34 WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE
35 24, C.R.S., AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM,
36 INCLUDING BUT NOT LIMITED TO RULES ESTABLISHING THE TIMELINES AND
37 PROCEDURES APPLICABLE TO APPLYING FOR AND AWARDING GRANTS.

38 (3) A GRANTEE MAY USE A PORTION OF THE GRANT MONEY
39 RECEIVED TO CONTRACT WITH A PERSON OR A PUBLIC OR PRIVATE ENTITY,
40 INCLUDING THE DEPARTMENT, FOR ASSISTANCE IN DESIGNING AND USING
41 THE MULTIPLE MEASURES OF STUDENT GROWTH IN ACCORDANCE WITH THE

1 GRANTEE'S PLAN.

2 **22-16-105. Student academic growth measures grant program**
3 **fund - created.** (1) THE STUDENT ACADEMIC GROWTH MEASURES GRANT
4 PROGRAM FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND
5 CONSISTS OF ANY MONEY THAT THE GENERAL ASSEMBLY MAY
6 APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL
7 CREDIT TO THE FUND ALL INTEREST AND INCOME DERIVED FROM THE
8 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND. ANY UNEXPENDED
9 AND UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF A
10 FISCAL YEAR SHALL NOT REVERT TO THE FUND FROM WHICH IT WAS
11 APPROPRIATED OR BE TRANSFERRED TO ANOTHER FUND.

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

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

28 (2) (a) THE DEPARTMENT SHALL ANNUALLY PREPARE A REPORT
29 THAT SUMMARIZES THE EVALUATIONS COMPLETED PURSUANT TO
30 SUBSECTION (1) OF THIS SECTION AND PROVIDES INFORMATION
31 CONCERNING IMPLEMENTATION OF THE GRANT PROGRAM FOR THE
32 PRECEDING BUDGET YEAR, INCLUDING THE GRANTEEES AND THE AMOUNTS
33 AWARDED. THE DEPARTMENT SHALL SUBMIT THE REPORT TO THE STATE
34 BOARD AND TO THE EDUCATION COMMITTEES OF THE HOUSE OF
35 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

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

40 **SECTION 2. Appropriation.** For the 2016-17 state fiscal year,
41 \$20,000,000 is appropriated to the student academic growth measures

1 grant program fund created in section 22-16-105, C.R.S. This
2 appropriation is from the state education fund created in section 17 (4) of
3 article IX of the state constitution. The department of education is
4 responsible for the accounting related to this appropriation.

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

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