

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0037.01 Julie Pelegrin x2700

HOUSE BILL 16-1016

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HOUSE SPONSORSHIP

Young,

SENATE SPONSORSHIP

(None),

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House Committees  
Education

Senate Committees

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A BILL FOR AN ACT

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

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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.

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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) THE FEDERAL "EVERY STUDENT SUCCEEDS ACT", PUB.L.  
9 114-95, WHICH REAUTHORIZES THE "ELEMENTARY AND SECONDARY  
10 EDUCATION ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., REQUIRES EACH  
11 STATE TO MEASURE THE PERFORMANCE OF LOCAL EDUCATION PROVIDERS  
12 BY USING AT LEAST ONE INDICATOR OF SCHOOL QUALITY OR STUDENT  
13 SUCCESS. ULTIMATELY, THIS INDICATOR OR THESE INDICATORS MUST BE

1 CONSISTENTLY APPLIED TO LOCAL EDUCATION PROVIDERS STATEWIDE.  
2 BUT LOCAL EDUCATION PROVIDERS SHOULD HAVE THE OPPORTUNITY TO  
3 LOCALLY DEVELOP AND APPLY MEASURES OF STUDENT ACADEMIC  
4 GROWTH THAT THEY MAY THEN RECOMMEND TO THE STATE BOARD OF  
5 EDUCATION AND THE GENERAL ASSEMBLY AS POSSIBLE STATEWIDE  
6 INDICATORS OF STUDENT SUCCESS.

7 (b) STATE SUMMATIVE ASSESSMENTS DO NOT INCLUDE ALL OF THE  
8 CONTENT AREAS TAUGHT BY LOCAL EDUCATION PROVIDERS AND, IN FACT,  
9 ARE USEFUL FOR MEASURING STUDENT ACHIEVEMENT ONLY IN A SMALL  
10 MINORITY OF SUBJECTS;

11 (c) LOCAL EDUCATION PROVIDERS MAY PURCHASE OR DEVELOP  
12 LOCAL ASSESSMENTS TO USE IN MEASURING STUDENT ACADEMIC GROWTH.  
13 BUT, BECAUSE OF RECENT SIGNIFICANT BUDGET REDUCTIONS, MANY  
14 LOCAL EDUCATION PROVIDERS LACK THE RESOURCES NEEDED TO  
15 PURCHASE ASSESSMENTS FOR EVERY GRADE LEVEL AND SUBJECT AREA  
16 THAT IS NOT INCLUDED IN THE STATE ASSESSMENTS.

17 (d) DEVELOPING MULTIPLE WAYS IN WHICH TO MEASURE STUDENT  
18 ACADEMIC GROWTH PRESENTS AN ALTERNATIVE THAT LOCAL EDUCATION  
19 PROVIDERS MAY USE TO MEASURE THE PERFORMANCE OF PUBLIC SCHOOLS  
20 AND LOCAL EDUCATION PROVIDERS, AS WELL AS EDUCATORS'  
21 INDIVIDUALLY ATTRIBUTABLE IMPACTS ON STUDENT ACADEMIC GROWTH.  
22 CREATING AND APPLYING MULTIPLE MEASURES OF STUDENT ACADEMIC  
23 GROWTH NEED NOT REQUIRE LOCAL EDUCATION PROVIDERS TO PURCHASE  
24 OR DEVELOP LOCAL ASSESSMENTS OR CALCULATE TECHNICALLY RIGOROUS  
25 GROWTH METRICS.

26 (e) USING MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH  
27 TO CREATE A BODY OF EVIDENCE THAT MEASURES STUDENT LEARNING AT

1 THE BEGINNING AND END OF THE INSTRUCTIONAL INTERVAL AND  
2 MONITORING LEARNING AND ADJUSTING INSTRUCTION THROUGHOUT THE  
3 INTERVAL PROMOTES EXCELLENT EDUCATOR PRACTICE, SUPPORTS  
4 STANDARDS-BASED EDUCATION PRACTICES, AND ESTABLISHES A  
5 FRAMEWORK FOR FORMATIVE ASSESSMENT PRACTICE, WHICH HAS BEEN  
6 SHOWN TO HAVE A POSITIVE IMPACT ON STUDENT LEARNING;

7 (f) THE PROCESS FOR CREATING AND APPLYING MULTIPLE  
8 MEASURES OF STUDENT ACADEMIC GROWTH ALSO HAS HIGH CREDIBILITY  
9 WITH EDUCATORS AND IS ADAPTABLE TO ALL TEACHING ASSIGNMENTS;

10 (g) A LOCAL EDUCATION PROVIDER'S ABILITY TO EFFECTIVELY  
11 CREATE AND APPLY MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH  
12 DEPENDS IN PART ON EDUCATORS' AND ADMINISTRATORS' CAPACITY TO  
13 SELECT ACCURATE MEASURES AND APPROPRIATELY INTERPRET  
14 ASSESSMENT RESULTS. TO CREATE AND APPLY MULTIPLE MEASURES OF  
15 STUDENT ACADEMIC GROWTH EFFECTIVELY, LOCAL EDUCATION  
16 PROVIDERS MUST ENGAGE IN SIGNIFICANT EFFORTS TO DEVELOP  
17 EDUCATOR AND ADMINISTRATOR CAPACITY.

18 (h) LOCAL EDUCATION PROVIDERS ARE AT DIFFERENT STAGES IN  
19 DEVELOPING THEIR CAPACITY TO CREATE AND APPLY MULTIPLE MEASURES  
20 OF STUDENT ACADEMIC GROWTH AND CAN THEREFORE BENEFIT FROM THE  
21 OPPORTUNITY TO WORK TOGETHER THROUGH A CONSORTIUM OF LOCAL  
22 EDUCATION PROVIDERS.

23 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS  
24 APPROPRIATE TO PROVIDE IMPLEMENTATION GRANTS TO GIVE QUALIFYING  
25 LOCAL EDUCATION PROVIDERS THE RESOURCES TO BUILD THEIR CAPACITY  
26 TO EFFECTIVELY CREATE AND APPLY MULTIPLE MEASURES OF STUDENT  
27 ACADEMIC GROWTH FOR THE BENEFIT OF STUDENTS, PUBLIC SCHOOLS,

1 LOCAL EDUCATION PROVIDERS, AND EDUCATORS. THE GENERAL ASSEMBLY  
2 FURTHER FINDS THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE  
3 STATE CONSTITUTION, GRANTS TO ASSIST LOCAL EDUCATION PROVIDERS  
4 IN CREATING AND APPLYING MULTIPLE MEASURES OF STUDENT ACADEMIC  
5 GROWTH WILL ASSIST LOCAL EDUCATION PROVIDERS IN IMPLEMENTING  
6 ACCOUNTABLE EDUCATION REFORM AND ACCOUNTABLE PROGRAMS TO  
7 MEET STATE ACADEMIC STANDARDS AND MAY THEREFORE RECEIVE  
8 FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4)  
9 OF ARTICLE IX OF THE STATE CONSTITUTION.

10 (3) THE GENERAL ASSEMBLY FURTHER FINDS THAT IT IS IN THE  
11 BEST INTERESTS OF THE STATE TO ENCOURAGE LOCAL EDUCATION  
12 PROVIDERS TO CREATE A CONSORTIUM FOR CREATING AND APPLYING  
13 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH. A CONSORTIUM  
14 WILL GIVE LOCAL EDUCATION PROVIDERS ACCESS TO EXPERTISE,  
15 OPPORTUNITIES TO LEARN WITH AND FROM OTHER LOCAL EDUCATION  
16 PROVIDERS, AND RESOURCES TO PROVIDE PROFESSIONAL LEARNING FOR  
17 EDUCATORS AND ADMINISTRATORS.

18 **22-16-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
19 CONTEXT OTHERWISE REQUIRES:

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

22 (2) "CONSORTIUM" MEANS A VOLUNTARY GROUP OF LOCAL  
23 EDUCATION PROVIDERS THAT COLLABORATE IN DESIGNING, CREATING,  
24 AND APPLYING MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH.

25 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
26 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

27 (4) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A

1 BOCES THAT OPERATES A PUBLIC SCHOOL, A CHARTER SCHOOL  
2 AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5  
3 OF THIS TITLE, OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE  
4 STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5  
5 OF THIS TITLE.

6 (5) "MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH"  
7 MEANS METHODS OF MEASURING STUDENT ACADEMIC GROWTH THAT:

8 (a) ARE BASED ON SETTING MEASURABLE GOALS OR OBJECTIVES  
9 FOR A SPECIFIC TEACHING ASSIGNMENT OR CLASS, WHICH GOALS AND  
10 OBJECTIVES ARE SET IN A PARTICIPATORY MANNER AND ALIGNED WITH  
11 THE SUBJECT MATTER TAUGHT; AND

12 (b) ENABLE EDUCATORS TO EVALUATE THE BASELINE  
13 PERFORMANCE OF STUDENTS AND THE MEASURABLE GAIN IN STUDENT  
14 PERFORMANCE DURING THE COURSE OF INSTRUCTION.

15 (6) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION  
16 CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE  
17 CONSTITUTION.

18 **22-16-103. Multiple measures of student academic growth -**  
19 **implementation grants - rules.** (1) A LOCAL EDUCATION PROVIDER MAY  
20 APPLY TO THE DEPARTMENT FOR AN IMPLEMENTATION GRANT TO ASSIST  
21 THE LOCAL EDUCATION PROVIDER IN CREATING AND APPLYING MULTIPLE  
22 MEASURES OF STUDENT ACADEMIC GROWTH FOR USE IN EVALUATING THE  
23 PERFORMANCE OF THE LOCAL EDUCATION PROVIDER AND OF PUBLIC  
24 SCHOOLS, IF THE LOCAL EDUCATION PROVIDER IS A SCHOOL DISTRICT OR  
25 A BOCES, AND FOR USE IN MEASURING EDUCATOR EFFECTIVENESS. TO  
26 APPLY FOR AN IMPLEMENTATION GRANT, A LOCAL EDUCATION PROVIDER  
27 MUST, AT A MINIMUM:

1 (a) SUBMIT TO THE DEPARTMENT A PLAN THAT DESCRIBES HOW  
2 THE LOCAL EDUCATION PROVIDER INTENDS TO:

3 (I) BUILD EDUCATOR AND ADMINISTRATIVE LEADERSHIP CAPACITY  
4 CONCERNING MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH AND  
5 TO DEVELOP AND IMPLEMENT A PROCESS FOR CREATING AND APPLYING  
6 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH IN A MANNER THAT  
7 SIMULTANEOUSLY ENHANCES CLASSROOM ASSESSMENT, FORMATIVE  
8 ASSESSMENT PRACTICE, AND STANDARDS-BASED INSTRUCTION AND  
9 INCREASES STUDENT ACADEMIC GROWTH; AND

10 (II) USE THE MULTIPLE MEASURES OF STUDENT ACADEMIC  
11 GROWTH TO EVALUATE THE PERFORMANCE OF THE LOCAL EDUCATION  
12 PROVIDER AND PUBLIC SCHOOLS, IF THE LOCAL EDUCATION PROVIDER IS A  
13 SCHOOL DISTRICT OR A BOCES, AND TO MEASURE EDUCATOR  
14 EFFECTIVENESS;

15 (b) EXPLAIN THE LOCAL EDUCATION PROVIDER'S NEED FOR AN  
16 IMPLEMENTATION GRANT;

17 (c) CONTRIBUTE TO THE STATE RESOURCE BANK, CREATED  
18 PURSUANT TO SECTION 22-9-105.5 (11), RESOURCES AND MATERIALS THE  
19 LOCAL EDUCATION PROVIDER DEVELOPS USING THE IMPLEMENTATION  
20 GRANT;

21 (d) INDICATE WHETHER, AND IF SO, HOW, THE LOCAL EDUCATION  
22 PROVIDER INTENDS TO PARTICIPATE WITH OTHER LOCAL EDUCATION  
23 PROVIDERS IN A CONSORTIUM OR OTHER COLLABORATIVE EFFORTS AMONG  
24 LOCAL EDUCATION PROVIDERS TO SHARE EXPERIENCES AND BEST  
25 PRACTICES IN CREATING AND APPLYING MULTIPLE MEASURES OF STUDENT  
26 ACADEMIC GROWTH; AND

27 (e) AGREE TO PARTICIPATE IN AN EXTERNAL EVALUATION OF THE

1 LOCAL EDUCATION PROVIDER'S EFFORTS IN CREATING AND APPLYING  
2 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH.

3 (2) THE DEPARTMENT SHALL REVIEW THE GRANT APPLICATIONS IT  
4 RECEIVES AND RECOMMEND TO THE STATE BOARD THE LOCAL EDUCATION  
5 PROVIDERS THAT SHOULD RECEIVE IMPLEMENTATION GRANTS. SUBJECT TO  
6 AVAILABLE APPROPRIATIONS, THE STATE BOARD SHALL AWARD THE  
7 IMPLEMENTATION GRANTS, TAKING INTO ACCOUNT THE DEPARTMENT'S  
8 RECOMMENDATIONS. THE DEPARTMENT AND THE STATE BOARD SHALL  
9 BASE THEIR RECOMMENDATIONS AND DECISIONS ON THE QUALITY OF EACH  
10 APPLICANT'S PLAN AND EACH APPLICANT'S DEGREE OF FINANCIAL NEED.

11 (3) THE DEPARTMENT SHALL CONTRACT WITH AN ENTITY TO  
12 EVALUATE EACH GRANTEE'S SUCCESS IN CREATING AND APPLYING  
13 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH AND IN USING THE  
14 MEASURES OF STUDENT ACADEMIC GROWTH TO EVALUATE THE  
15 PERFORMANCE OF THE LOCAL EDUCATION PROVIDER AND OF PUBLIC  
16 SCHOOLS, IF THE LOCAL EDUCATION PROVIDER IS A SCHOOL DISTRICT OR  
17 A BOCES, AND TO MEASURE EDUCATOR EFFECTIVENESS. AT A MINIMUM,  
18 THE EVALUATION MUST INCLUDE:

19 (a) FORMATIVE AND SUMMATIVE EVALUATIONS OF THE  
20 IMPLEMENTATION OF THE LOCAL EDUCATION PROVIDER'S PLAN;

21 (b) THE QUALITY OF THE MULTIPLE MEASURES OF STUDENT  
22 ACADEMIC GROWTH AND THE PROCESS FOR CREATING AND APPLYING  
23 THEM THAT THE LOCAL EDUCATION PROVIDER ADOPTS AND IMPLEMENTS;

24 (c) ASSOCIATED IMPROVEMENTS, IF ANY, IN THE LOCAL  
25 EDUCATION PROVIDER'S INSTRUCTION AND ASSESSMENT PRACTICES;

26 (d) THE IMPACT THAT IMPLEMENTING A PROCESS FOR CREATING  
27 AND APPLYING MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH HAS



1 ON STUDENT ACADEMIC GROWTH;

2 (e) THE EFFECTIVENESS OF USING THE MULTIPLE MEASURES OF  
3 STUDENT ACADEMIC GROWTH TO EVALUATE THE PERFORMANCE OF LOCAL  
4 EDUCATION PROVIDERS AND PUBLIC SCHOOLS AND TO MEASURE  
5 EDUCATOR EFFECTIVENESS AND THE LIKELY USEFULNESS OF APPLYING THE  
6 MULTIPLE MEASURES OF STUDENT ACADEMIC GROWTH TO EVALUATE THE  
7 PERFORMANCE OF PUBLIC SCHOOLS AND LOCAL EDUCATION PROVIDERS  
8 STATEWIDE.

9 (4) THE DEPARTMENT SHALL ANNUALLY SUMMARIZE THE  
10 EVALUATIONS COMPLETED PURSUANT TO SUBSECTION (3) OF THIS SECTION  
11 AND SUBMIT THE SUMMARY TO THE EDUCATION COMMITTEES OF THE  
12 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR  
13 COMMITTEES.

14 (5) THE STATE BOARD AND THE DEPARTMENT SHALL NOT RETAIN  
15 OR EXPEND AS ADMINISTRATIVE EXPENSES ANY OF THE AMOUNT  
16 APPROPRIATED TO IMPLEMENT THIS SECTION; EXCEPT THAT THE  
17 DEPARTMENT MAY ANNUALLY USE UP TO ONE HUNDRED THOUSAND  
18 DOLLARS OF THE AMOUNT ANNUALLY APPROPRIATED TO IMPLEMENT THIS  
19 SECTION TO PAY THE COSTS INCURRED IN CONTRACTING WITH AN ENTITY  
20 AS REQUIRED IN SUBSECTION (3) OF THIS SECTION AND IN COMPLETING THE  
21 SUMMARY OF EVALUATIONS REQUIRED IN SUBSECTION (4) OF THIS  
22 SECTION.

23 **SECTION 2. Appropriation.** For the 2016-17 state fiscal year,  
24 \$20,000,000 is appropriated to the department of education. This  
25 appropriation is from the state education fund created in section 17 (4) of  
26 article IX of the state constitution. To implement this act, the department  
27 may use this appropriation for implementation grants to assist the local

1 education provider in implementing a process for creating and applying  
2 multiple measures of student academic growth for use in evaluating the  
3 performance of public schools, local education providers, and educators  
4 as provided in section 22-16-103, C.R.S.

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.