

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 22-0660.01 Julie Pelegrin x2700

**SENATE BILL 22-069**

**SENATE SPONSORSHIP**

**Story**, Gonzales, Jaquez Lewis, Bridges, Buckner, Danielson, Fields, Kolker, Pettersen

**HOUSE SPONSORSHIP**

**McLachlan and Froelich**, Bacon, Bennett, Cutter, Duran, Jodeh, Kipp, Ricks, Titone, Young

**Senate Committees**

Education  
Appropriations

**House Committees**

**A BILL FOR AN ACT**

101     **CONCERNING \_\_\_\_\_ THE USE OF STUDENT ACADEMIC MEASURES IN**  
102             **EVALUATING THE PERFORMANCE OF LICENSED PERSONNEL FOR**  
103             **THE 2021-22 AND 2022-23 SCHOOL YEARS, AND, IN CONNECTION**  
104             **THEREWITH, MAKING AN 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://leg.colorado.gov>.)*

When disruptions in the delivery of instruction due to a disaster emergency occur during a school year, the bill prohibits a school district or board of cooperative services from considering student growth

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

SENATE  
3rd Reading Unamended  
May 3, 2022

SENATE  
Amended 2nd Reading  
May 2, 2022

measures or other student performance measures in evaluating the performance of licensed educators until the disruptions have ceased for 2 consecutive school years and a baseline for student growth and performance can be reestablished. The bill makes an exception to allow the school district or board of cooperative services to use the measures in a school year in which there are disruptions in the delivery of instruction due to a disaster emergency, after consulting with the school district's or board's advisory personnel performance evaluation council.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds that:

4 (a) The significant and repeated disruptions in the delivery of  
5 instruction caused by the COVID-19 pandemic have caused and continue  
6 to cause a high level of student learning loss;

7 (b) Educators have risen to the challenge of overcoming the  
8 effects of these disruptions, working harder and longer and with more  
9 creativity than was ever before required of them; and

10 (c) Despite the extraordinary efforts of educators, student  
11 performance on assessments has likely declined because of the continued  
12 disruptions, but these declines are not related to the effectiveness of  
13 educators' performance and should not negatively impact the evaluation  
14 of their performance.

15 (2) The general assembly therefore finds that, to preserve  
16 confidence in the integrity of the licensed personnel performance  
17 evaluation system, it is necessary to prohibit the use of student academic  
18 growth measures and other student performance measures as factors in  
19 evaluating licensed personnel performance until the disruptions in the  
20 delivery of instruction have ceased for a sufficient number of school years  
21 in order to reestablish a valid baseline for student academic growth and

1 performance and begin measuring student academic growth and  
2 performance against that baseline.

3 SECTION 2. In Colorado Revised Statutes, 22-9-106, amend (9)  
4 as follows:

5 22-9-106. Local boards of education - duties - performance  
6 evaluation system - compliance - rules - repeal.

7 (9) (a) Notwithstanding any provision of this article 9 or any provision  
8 of state board rule that implements this article 9 to the contrary:

9 (I) For the 2020-21 school year, evaluation ratings for licensed  
10 personnel must not include consideration of student academic growth  
11 measures or other student performance measures; AND

12 (II) FOR THE 2021-22 AND 2022-23 SCHOOL YEARS, EVALUATION  
13 RATINGS FOR LICENSED PERSONNEL MUST NOT INCLUDE MEASURES OF  
14 STUDENT ACADEMIC GROWTH DERIVED FROM THE COLORADO GROWTH  
15 MODEL CREATED PURSUANT TO SECTION 22-11-202 OR CONSIDERATION OF  
16 THE PERFORMANCE PLAN TYPE IMPLEMENTED BY A SCHOOL DISTRICT OR  
17 A BOARD OF COOPERATIVE SERVICES PURSUANT TO SECTION 22-11-208 OR  
18 BY A SCHOOL PURSUANT TO SECTION 22-11-210, INCLUDING  
19 CONSIDERATION OF PERFORMANCE OR STUDENT ACADEMIC GROWTH  
20 WITHIN THE SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, OR  
21 SCHOOL.

22 (b) This subsection (9) is repealed, effective July 1, 2022 JULY 1,  
23 2024. \_\_\_\_\_

24 SECTION 3. Appropriation. For the 2022-23 state fiscal year,  
25 \$21,265 is appropriated to the department of education. This  
26 appropriation is from the general fund. To implement this act, the  
27 department may use this appropriation for educator effectiveness unit

1 administration.

2           **SECTION 4. Safety clause.** The general assembly hereby finds,  
3 determines, and declares that this act is necessary for the immediate  
4 preservation of the public peace, health, or safety.