

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0008.01 Julie Pelegrin x2700

HOUSE BILL 15-1200

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HOUSE SPONSORSHIP

Priola, Windholz

SENATE SPONSORSHIP

Hill,

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House Committees

Education  
Appropriations

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING DISTRIBUTION OF GRANT MONEYS TO LOCAL EDUCATION  
102 PROVIDERS TO FUND INCENTIVES FOR HIGHLY EFFECTIVE  
103 TEACHERS TO TEACH IN LOW-PERFORMING SCHOOLS, AND, IN  
104 CONNECTION THEREWITH, CREATING THE "GREATEST  
105 RESOURCES FOR EDUCATION ARE TEACHERS ACT" AND  
106 MAKING AN 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/billsummaries>.)*

The bill creates the highly effective teacher incentives program

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.*



1 ACT".

2 **22-97-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
3 FINDS THAT:

4 (a) RESEARCH DEMONSTRATES THAT ONE OF THE MOST IMPORTANT  
5 FACTORS IN INCREASING STUDENT LEARNING IS THE PRESENCE OF AN  
6 EFFECTIVE TEACHER IN THE CLASSROOM;

7 (b) ALTHOUGH THERE ARE EXCEPTIONS, LOW-PERFORMING  
8 SCHOOLS ARE MORE LIKELY TO HAVE MORE INEFFECTIVE AND  
9 INEXPERIENCED TEACHERS;

10 (c) THE STATE AND SCHOOL DISTRICTS HAVE ADOPTED A MORE  
11 RIGOROUS PROCESS FOR EVALUATING TEACHER EFFECTIVENESS, WHICH,  
12 WHEN FULLY IMPLEMENTED, WILL IDENTIFY TEACHERS WHO ARE HIGHLY  
13 EFFECTIVE IN THE CLASSROOM AND MORE LIKELY TO BE SUCCESSFUL IN  
14 INCREASING THE ACADEMIC ACHIEVEMENT OF THEIR STUDENTS;

15 (d) HIGHLY EFFECTIVE TEACHERS TEACHING IN LOW-PERFORMING  
16 SCHOOLS ARE ESSENTIAL TO CLOSING THE ACHIEVEMENT GAP FOR  
17 LOW-INCOME STUDENTS AND RACIAL MINORITY STUDENT GROUPS AND FOR  
18 ENSURING THAT STUDENTS IN LOW-PERFORMING SCHOOLS ATTAIN  
19 POSTSECONDARY AND WORKFORCE READINESS BY THE TIME THEY  
20 GRADUATE FROM HIGH SCHOOL; AND

21 (e) PROVIDING RESOURCES TO SCHOOL DISTRICTS AND CHARTER  
22 SCHOOLS TO ENABLE THEM TO OFFER MONETARY INCENTIVES FOR HIGHLY  
23 EFFECTIVE TEACHERS WHO CHOOSE TO TEACH IN LOW-PERFORMING  
24 SCHOOLS IS AN EFFECTIVE WAY TO INCREASE THE NUMBER OF HIGHLY  
25 EFFECTIVE TEACHERS WHO TEACH IN LOW-PERFORMING SCHOOLS.

26 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE  
27 BEST INTERESTS OF THE STATE TO CREATE A GRANT PROGRAM TO PROVIDE

1       MONEYS TO SCHOOL DISTRICTS AND CHARTER SCHOOLS TO ENABLE THEM  
2       TO ATTRACT AND RETAIN GREATER NUMBERS OF HIGHLY EFFECTIVE  
3       TEACHERS IN LOW-PERFORMING SCHOOLS, THEREBY RAISING THE  
4       ACADEMIC ACHIEVEMENT OF THE STUDENTS ENROLLED IN THOSE SCHOOLS.

5               **22-97-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
6       CONTEXT OTHERWISE REQUIRES:

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

9               (2) "FUND" MEANS THE HIGHLY EFFECTIVE TEACHER INCENTIVES  
10      FUND CREATED IN SECTION 22-97-106.

11              (3) "HIGHLY EFFECTIVE TEACHER" MEANS A TEACHER WHO, IN HIS  
12      OR HER MOST RECENT PERFORMANCE EVALUATION, RECEIVED A RATING  
13      OF HIGHLY EFFECTIVE, AS DESCRIBED IN RULES ADOPTED BY THE STATE  
14      BOARD PURSUANT TO SECTION 22-9-104.

15              (4) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A  
16      BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF  
17      THIS TITLE THAT OPERATES A PUBLIC SCHOOL, A CHARTER SCHOOL  
18      AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5  
19      OF THIS TITLE, OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE  
20      STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5  
21      OF THIS TITLE.

22              (5) "LOW-PERFORMING" MEANS THAT A PUBLIC SCHOOL, AS A  
23      RESULT OF THE MOST RECENT PERFORMANCE EVALUATION BY THE  
24      DEPARTMENT, IS REQUIRED PURSUANT TO SECTION 22-11-210 TO  
25      IMPLEMENT A SCHOOL PRIORITY IMPROVEMENT PLAN, AS DESCRIBED IN  
26      SECTION 22-11-405, OR A SCHOOL TURNAROUND PLAN, AS DESCRIBED IN  
27      SECTION 22-11-406.

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

3 (7) "TRANSFER TEACHER" MEANS A HIGHLY EFFECTIVE TEACHER  
4 WHO, IN THE FIRST YEAR OF A GRANT CYCLE:

5 (a) IS NEWLY EMPLOYED BY THE LOCAL EDUCATION PROVIDER  
6 THAT RECEIVES A GRANT PURSUANT TO THIS ARTICLE, HAVING BEEN MOST  
7 RECENTLY EMPLOYED BY:

8 (I) A SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES THAT  
9 HELD THE STATUS OF ACCREDITED WITH DISTINCTION, AS DESCRIBED IN  
10 SECTION 22-11-207, FOR THE PRECEDING SCHOOL YEAR; OR

11 (II) A CHARTER SCHOOL OR INSTITUTE CHARTER SCHOOL THAT  
12 IMPLEMENTED A PERFORMANCE PLAN, AS DESCRIBED IN SECTION  
13 22-11-403, FOR THE PRECEDING SCHOOL YEAR; OR

14 (b) IS A RETURNING EMPLOYEE OF A LOCAL EDUCATION PROVIDER  
15 THAT RECEIVES A GRANT PURSUANT TO THIS ARTICLE BUT HAS  
16 TRANSFERRED FROM A PUBLIC SCHOOL THAT IMPLEMENTED A  
17 PERFORMANCE PLAN, AS DESCRIBED IN SECTION 22-11-403, FOR THE  
18 PRECEDING SCHOOL YEAR.

19 **22-97-104. Highly effective teacher incentives program -**  
20 **created - grant awards - rules.** (1) (a) THERE IS CREATED IN THE  
21 DEPARTMENT THE HIGHLY EFFECTIVE TEACHER INCENTIVES PROGRAM TO  
22 ENABLE LOCAL EDUCATION PROVIDERS TO OFFER MONETARY INCENTIVES  
23 TO ATTRACT HIGHLY EFFECTIVE TEACHERS TO WORK IN LOW-PERFORMING  
24 SCHOOLS. LOCAL EDUCATION PROVIDERS MAY USE THE GRANT MONEYS  
25 ONLY TO PROVIDE NONBASE-BUILDING SALARY BONUSES TO HIGHLY  
26 EFFECTIVE TEACHERS WHO CHOOSE TO WORK IN LOW-PERFORMING  
27 SCHOOLS AND MEET THE QUALIFICATIONS SPECIFIED IN SECTION 22-97-105

1 (2).

2 (b) DURING THE 2015-16 BUDGET YEAR, THE DEPARTMENT SHALL  
3 PUBLICIZE TO LOCAL EDUCATION PROVIDERS AND TEACHERS THE  
4 EXISTENCE AND GOALS OF THE PROGRAM, INCLUDING THE ELIGIBILITY  
5 REQUIREMENTS AND QUALIFICATIONS FOR LOCAL EDUCATION PROVIDERS  
6 AND HIGHLY EFFECTIVE TEACHERS.

7 (2) SUBJECT TO AVAILABLE APPROPRIATIONS AND TO THE  
8 LIMITATIONS SPECIFIED IN SECTION 22-97-106 (2), THE STATE BOARD  
9 SHALL AWARD GRANTS PURSUANT TO THIS ARTICLE IN TWO-YEAR CYCLES  
10 BEGINNING WITH THE 2016-17 BUDGET YEAR. THE STATE BOARD SHALL  
11 AWARD THE GRANTS FROM THE MONEYS APPROPRIATED TO THE HIGHLY  
12 EFFECTIVE TEACHER INCENTIVES FUND CREATED IN SECTION 22-97-106.  
13 A LOCAL EDUCATION PROVIDER MAY APPLY FOR A GRANT AT THE  
14 BEGINNING OF EACH CYCLE. THE AMOUNT OF EACH GRANT IS BASED ON  
15 THE NUMBER OF ELIGIBLE HIGHLY EFFECTIVE TEACHERS THAT THE LOCAL  
16 EDUCATION PROVIDER EMPLOYS AND THE BONUS AMOUNTS THAT THE  
17 ELIGIBLE HIGHLY EFFECTIVE TEACHERS MAY RECEIVE AS DESCRIBED IN  
18 SECTION 22-97-105.

19 (3) THE DEPARTMENT SHALL REVIEW THE GRANT APPLICATIONS  
20 RECEIVED PURSUANT TO THIS SECTION TO ENSURE THAT THE LOCAL  
21 EDUCATION PROVIDER AND EACH OF THE HIGHLY EFFECTIVE TEACHERS  
22 THAT THE LOCAL EDUCATION PROVIDER EMPLOYS OR EXPECTS TO EMPLOY  
23 MEETS THE QUALIFICATIONS SPECIFIED IN THIS ARTICLE. BASED ON THE  
24 DEPARTMENT'S REVIEW, THE STATE BOARD SHALL AWARD GRANTS TO  
25 EACH LOCAL EDUCATION PROVIDER THAT QUALIFIES, SUBJECT TO  
26 AVAILABLE APPROPRIATIONS AND THE LIMITATIONS SPECIFIED IN SECTION  
27 22-97-106 (2).

1 (4) THE STATE BOARD SHALL PROMULGATE RULES PURSUANT TO  
2 THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,  
3 C.R.S., AS NECESSARY TO IMPLEMENT THIS ARTICLE.

4 **22-97-105. Highly effective teacher incentives program -**  
5 **qualifications - bonus amounts.** (1) A LOCAL EDUCATION PROVIDER  
6 MAY APPLY FOR A GRANT PURSUANT TO THIS ARTICLE IF IT OPERATES OR  
7 IS A LOW-PERFORMING ELEMENTARY, MIDDLE, OR JUNIOR HIGH SCHOOL  
8 AND IF, IN EACH SCHOOL YEAR IN WHICH IT WOULD RECEIVE GRANT  
9 MONEYS, THE LOCAL EDUCATION PROVIDER USES OBJECTIVE MEASURES OF  
10 STUDENT ACADEMIC GROWTH AS THE BASIS FOR AT LEAST FIFTY PERCENT  
11 OF THE PERFORMANCE EVALUATION OF EACH LICENSED TEACHER AND  
12 PRINCIPAL. A LOCAL EDUCATION PROVIDER THAT APPLIES FOR A GRANT  
13 PURSUANT TO THIS ARTICLE MUST SPECIFY IN THE APPLICATION THE  
14 NUMBER OF ELIGIBLE HIGHLY EFFECTIVE TEACHERS THAT IT EMPLOYS OR  
15 THAT IT EXPECTS TO EMPLOY IN LOW-PERFORMING ELEMENTARY, MIDDLE,  
16 OR JUNIOR HIGH SCHOOLS AS OF THE BEGINNING OF THE GRANT CYCLE FOR  
17 WHICH THE LOCAL EDUCATION PROVIDER IS APPLYING. THE DEPARTMENT  
18 SHALL ADJUST THE AMOUNT OF THE LOCAL EDUCATION PROVIDER'S GRANT  
19 IF THE LOCAL EDUCATION PROVIDER EMPLOYS FEWER ELIGIBLE HIGHLY  
20 EFFECTIVE TEACHERS DURING THE GRANT CYCLE THAN ARE INCLUDED IN  
21 THE GRANT APPLICATION.

22 (2) TO BE ELIGIBLE TO RECEIVE A SALARY BONUS PURSUANT TO  
23 THIS SECTION, A TEACHER MUST:

24 (a) BE A HIGHLY EFFECTIVE TEACHER;

25 (b) IN EACH SCHOOL YEAR IN WHICH THE TEACHER RECEIVES THE  
26 SALARY BONUS, BE EMPLOYED IN A LOW-PERFORMING ELEMENTARY,  
27 MIDDLE, OR JUNIOR HIGH SCHOOL; AND

1 (c) MAINTAIN A PERFORMANCE EVALUATION RATING OF EFFECTIVE  
2 OR HIGHER, AS DESCRIBED IN STATE BOARD RULES ADOPTED PURSUANT TO  
3 SECTION 22-9-104, FOR THE PERIOD DURING WHICH THE TEACHER  
4 RECEIVES THE SALARY BONUS.

5 (3) IN EACH SCHOOL YEAR IN WHICH A HIGHLY EFFECTIVE TEACHER  
6 MEETS THE QUALIFICATIONS SPECIFIED IN SUBSECTION (2) OF THIS SECTION  
7 AND IS EMPLOYED BY A LOCAL EDUCATION PROVIDER THAT RECEIVES A  
8 GRANT PURSUANT TO THIS ARTICLE, THE HIGHLY EFFECTIVE TEACHER  
9 RECEIVES A NONBASE-BUILDING SALARY BONUS IN ONE OF THE FOLLOWING  
10 AMOUNTS:

11 (a) TWELVE THOUSAND DOLLARS IF THE HIGHLY EFFECTIVE  
12 TEACHER IS A TRANSFER TEACHER WHO IS TEACHING IN A  
13 LOW-PERFORMING ELEMENTARY SCHOOL;

14 (b) EIGHT THOUSAND DOLLARS IF THE HIGHLY EFFECTIVE TEACHER  
15 IS A TRANSFER TEACHER WHO IS TEACHING IN A LOW-PERFORMING MIDDLE  
16 OR JUNIOR HIGH SCHOOL;

17 (c) SIX THOUSAND DOLLARS IF THE HIGHLY EFFECTIVE TEACHER IS  
18 NOT A TRANSFER TEACHER BUT IS TEACHING IN A LOW-PERFORMING  
19 ELEMENTARY SCHOOL FOR THE SECOND OR SUBSEQUENT CONSECUTIVE  
20 SCHOOL YEAR; OR

21 (d) THREE THOUSAND DOLLARS IF THE HIGHLY EFFECTIVE  
22 TEACHER IS NOT A TRANSFER TEACHER BUT IS TEACHING IN A  
23 LOW-PERFORMING MIDDLE OR JUNIOR HIGH SCHOOL FOR THE SECOND OR  
24 SUBSEQUENT CONSECUTIVE SCHOOL YEAR.

25 (4) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (3) OF THIS  
26 SECTION TO THE CONTRARY, IF A LOCAL EDUCATION PROVIDER RECEIVES  
27 A GRANT FOR A SECOND GRANT CYCLE, A HIGHLY EFFECTIVE TEACHER



1 WHO RECEIVED A SALARY BONUS AS A TRANSFER TEACHER IN THE FIRST  
2 GRANT CYCLE WILL CONTINUE TO RECEIVE THE SALARY BONUS AMOUNT  
3 FOR A TRANSFER TEACHER IN THE SECOND GRANT CYCLE SO LONG AS THE  
4 HIGHLY EFFECTIVE TEACHER IS EMPLOYED BY THE LOCAL EDUCATION  
5 PROVIDER AND CONTINUES TO MEET THE QUALIFICATIONS FOR RECEIVING  
6 A SALARY BONUS SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

7 (5) A TEACHER WHO CHANGES EMPLOYMENT TO ANOTHER LOCAL  
8 EDUCATION PROVIDER TO QUALIFY FOR A SALARY BONUS PURSUANT TO  
9 THIS ARTICLE RETAINS THE YEARS OF SERVICE THE TEACHER  
10 ACCUMULATED AS AN EMPLOYEE OF THE PREVIOUS LOCAL EDUCATION  
11 PROVIDER FOR PURPOSES OF PLACEMENT ON THE SALARY SCHEDULE OR  
12 WITHIN THE SALARY POLICY OF THE HIRING LOCAL EDUCATION PROVIDER.

13 (6) A LOCAL EDUCATION PROVIDER THAT RECEIVES A GRANT  
14 PURSUANT TO THIS ARTICLE AND THAT WAS PAYING INCENTIVES TO  
15 HIGHLY EFFECTIVE TEACHERS WHO TEACH IN LOW-PERFORMING SCHOOLS  
16 BEFORE RECEIVING THE GRANT MUST PAY THE BONUS AMOUNTS SPECIFIED  
17 IN THIS SECTION IN ADDITION TO THE OTHER INCENTIVES IT PROVIDES.

18 **22-97-106. Highly effective teacher incentives fund - created**  
19 **- legislative declaration.** (1) (a) THERE IS CREATED IN THE STATE  
20 TREASURY THE HIGHLY EFFECTIVE TEACHER INCENTIVES FUND, WHICH  
21 CONSISTS OF A ONE-TIME APPROPRIATION OF FOUR MILLION DOLLARS IN  
22 THE 2015-16 BUDGET YEAR FROM THE STATE EDUCATION FUND CREATED  
23 IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION. THE  
24 MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED TO THE  
25 DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH  
26 IMPLEMENTING THIS ARTICLE. THE DEPARTMENT MAY EXPEND UP TO TWO  
27 PERCENT OF THE MONEYS APPROPRIATED TO THE FUND TO OFFSET THE

1 COSTS INCURRED IN IMPLEMENTING THIS ARTICLE.

2 (b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND  
3 NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE AS PROVIDED BY LAW.  
4 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED  
5 FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE  
6 FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN  
7 THE FUND AT THE END OF A FISCAL YEAR REMAIN IN THE FUND AND SHALL  
8 NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER  
9 FUND.

10 (2) SUBJECT TO RECEIVING APPLICATIONS FROM LOCAL EDUCATION  
11 PROVIDERS THAT MEET THE REQUIREMENTS OF THIS ARTICLE, THE STATE  
12 BOARD SHALL AWARD UP TO TWO MILLION DOLLARS IN GRANTS TO LOCAL  
13 EDUCATION PROVIDERS PURSUANT TO THIS ARTICLE IN THE FIRST GRANT  
14 CYCLE, WHICH BEGINS IN THE 2016-17 BUDGET YEAR. SUBJECT TO  
15 RECEIVING APPLICATIONS FROM LOCAL EDUCATION PROVIDERS THAT MEET  
16 THE REQUIREMENTS OF THIS ARTICLE, THE STATE BOARD SHALL AWARD  
17 THE AMOUNT REMAINING IN THE FUND AS OF JUNE 30, 2018, AS GRANTS TO  
18 LOCAL EDUCATION PROVIDERS PURSUANT TO THIS ARTICLE IN THE SECOND  
19 GRANT CYCLE, WHICH BEGINS IN THE 2018-19 BUDGET YEAR.

20 (3) THE GENERAL ASSEMBLY DECLARES THAT, FOR PURPOSES OF  
21 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE HIGHLY  
22 EFFECTIVE TEACHER INCENTIVES PROGRAM IS AN IMPORTANT ELEMENT IN  
23 IMPLEMENTING ACCOUNTABLE EDUCATION REFORM AND FOR  
24 ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND  
25 MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND  
26 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

27 **22-97-107. Report.** (1) NO LATER THAN DECEMBER 15, 2019, THE

1 DEPARTMENT SHALL PREPARE AND SUBMIT TO THE EDUCATION  
2 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR  
3 ANY SUCCESSOR COMMITTEES, A REPORT ON THE IMPLEMENTATION OF  
4 THIS ARTICLE. AT A MINIMUM, THE REPORT MUST INCLUDE:

5 (a) A LIST OF THE LOCAL EDUCATION PROVIDERS THAT RECEIVED  
6 GRANTS PURSUANT TO THIS ARTICLE, THE AMOUNT OF THE BONUSES PAID  
7 BY EACH LOCAL EDUCATION PROVIDER, AND THE PUBLIC SCHOOLS IN  
8 WHICH THE HIGHLY EFFECTIVE TEACHERS TAUGHT;

9 (b) THE NUMBER OF HIGHLY EFFECTIVE TEACHERS THAT RECEIVED  
10 BONUSES PURSUANT TO THIS ARTICLE, THE SUBJECT AREAS IN WHICH THE  
11 HIGHLY EFFECTIVE TEACHERS TAUGHT, THE NUMBER OF STUDENTS WHO  
12 WERE TAUGHT BY HIGHLY EFFECTIVE TEACHERS THAT RECEIVED BONUSES,  
13 AND THE ACADEMIC GROWTH OF THE STUDENTS WHO WERE TAUGHT BY  
14 HIGHLY EFFECTIVE TEACHERS THAT RECEIVED BONUSES;

15 (c) THE NUMBER OF HIGHLY EFFECTIVE TEACHERS THAT RECEIVED  
16 BONUSES PURSUANT TO THIS ARTICLE IN BOTH OF THE GRANT CYCLES AND  
17 TAUGHT AT THE SAME LOW-PERFORMING SCHOOL FOR THE DURATION OF  
18 BOTH GRANT CYCLES; AND

19 (d) FOR EACH PUBLIC SCHOOL IN WHICH A HIGHLY EFFECTIVE  
20 TEACHER WHO RECEIVED BONUSES TAUGHT, THE TYPE OF PERFORMANCE  
21 PLAN THAT THE PUBLIC SCHOOL IMPLEMENTED IN EACH SCHOOL YEAR  
22 BEGINNING WITH THE SCHOOL YEAR BEFORE A HIGHLY EFFECTIVE TEACHER  
23 TEACHING IN THE SCHOOL RECEIVED A BONUS AND CONTINUING THROUGH  
24 EACH YEAR IN WHICH THE HIGHLY EFFECTIVE TEACHER RECEIVED A  
25 BONUS.

26 **SECTION 2.** In Colorado Revised Statutes, 24-51-101, **amend**  
27 (42) (b) as follows:

1           **24-51-101. Definitions.** As used in this article, unless the context  
2 otherwise requires and except as otherwise defined in part 17 of this  
3 article:

4           (42) (b) "Salary" does not include: Commissions; compensation  
5 for unused sick leave converted at any time to cash payments;  
6 compensation for unused sick, annual, vacation, administrative, or other  
7 accumulated paid leave contributed to a health savings account as defined  
8 in 26 U.S.C. sec. 223, as amended, or a retirement health savings  
9 program; housing allowances; uniform allowances; automobile usage;  
10 insurance premiums; dependent care assistance; reimbursement for  
11 expenses incurred; tuition or any other fringe benefits, regardless of  
12 federal taxation; A HIGHLY EFFECTIVE TEACHER SALARY BONUS RECEIVED  
13 PURSUANT TO SECTION 22-97-105, C.R.S.; bonuses for services not  
14 actually rendered, including, but not limited to, early retirement  
15 inducements, Christmas bonuses, cash awards, honorariums and  
16 severance pay, damages, except for retroactive salary payments paid  
17 pursuant to court orders or arbitration awards or litigation and grievance  
18 settlements, or payments beyond the date of a member's death.

19           **SECTION 3. Appropriation.** For the 2015-16 state fiscal year,  
20 \$4,000,000 is appropriated to the highly effective teacher incentives fund  
21 created in section 22-97-106, C.R.S. This appropriation is from the state  
22 education fund created in section 17 (4) of article IX of the state  
23 constitution. The department of education is responsible for the  
24 accounting related to this appropriation.

25           **SECTION 4. Act subject to petition - effective date.** This act  
26 takes effect at 12:01 a.m. on the day following the expiration of the  
27 ninety-day period after final adjournment of the general assembly (August

1 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a  
2 referendum petition is filed pursuant to section 1 (3) of article V of the  
3 state constitution against this act or an item, section, or part of this act  
4 within such period, then the act, item, section, or part will not take effect  
5 unless approved by the people at the general election to be held in  
6 November 2016 and, in such case, will take effect on the date of the  
7 official declaration of the vote thereon by the governor.