

NOTE: The governor signed this measure on 6/6/2016.

An Act

SENATE BILL 16-104

BY SENATOR(S) Todd and Sonnenberg, Garcia, Johnston, Kerr, Merrifield, Newell, Aguilar, Carroll, Crowder, Donovan, Grantham, Guzman, Heath, Hill, Hodge, Jahn, Jones, Kefalas, Martinez Humenik, Roberts, Steadman, Tate, Ulibarri, Woods;
also REPRESENTATIVE(S) Becker J., Rankin, Arndt, Brown, Danielson, Esgar, Fields, Garnett, Ginal, Hamner, Kraft-Tharp, Lee, Lontine, Melton, Mitsch Bush, Pabon, Pettersen, Priola, Rosenthal, Ryden, Salazar, Singer, Vigil, Williams, Wilson, Windholz, Young.

CONCERNING INCENTIVES TO BECOME A TEACHER IN A RURAL SCHOOL DISTRICT OF COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** article 76 to title 23 as follows:

ARTICLE 76 **Teachers in Rural Colorado**

23-76-101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(a) TEACHERS HAVE A GREAT IMPACT ON STUDENT ACHIEVEMENT. EVIDENCE SHOWS THAT TEACHER QUALITY CAN ACCOUNT FOR THE MAJORITY OF VARIANCES IN STUDENT LEARNING AND TEST SCORES.

(b) THE TEACHING AND LEARNING CONDITIONS UNDER WHICH TEACHERS PRACTICE THEIR PROFESSION, THOUGH OFTEN OVERLOOKED, ARE ESSENTIAL ELEMENTS TO STUDENT ACHIEVEMENT AND TEACHER RETENTION. THESE CONDITIONS MUST BE SYSTEMATICALLY STUDIED AND ADDRESSED FOR COLORADO TO DEVELOP A CRITICAL MASS OF TEACHERS WHO ARE WELL PREPARED TO TEACH AND WHO WILL REMAIN IN HARDEST-TO-STAFF SCHOOLS LONG ENOUGH TO MAKE A SIGNIFICANT DIFFERENCE FOR STUDENTS AND THEIR FAMILIES.

(c) RESEARCH ALSO DEMONSTRATES THAT THE NEGATIVE EFFECTS OF TEACHER SHORTAGES AND DISTRIBUTION CHALLENGES HAVE A DISPROPORTIONATE IMPACT ON GEOGRAPHIC AREAS OF THE STATE THAT ARE CLASSIFIED AS "RURAL", LEAVING CHILDREN IN THOSE AREAS MORE LIKELY TO BE TAUGHT BY FEWER TEACHERS WHO MUST COVER AN INCREASINGLY LARGER NUMBER OF SUBJECTS.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, IMPLEMENTATION OF MEASURES DESIGNED TO IMPROVE TEACHER QUALITY, RECRUITMENT, AND RETENTION IN THE RURAL AREAS OF COLORADO THROUGH THIS ARTICLE IS A CRITICAL ELEMENT OF ACCOUNTABLE EDUCATION REFORM, ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS, AND PERFORMANCE INCENTIVES FOR TEACHERS AND, THEREFORE, MAY RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

23-76-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COMMISSION" MEANS THE COLORADO COMMISSION ON HIGHER EDUCATION CREATED IN SECTION 23-1-102.

(2) "EDUCATOR PREPARATION PROGRAM" MEANS AN EDUCATOR PREPARATION PROGRAM APPROVED BY THE COMMISSION PURSUANT TO SECTION 23-1-121 AND THAT UPON COMPLETION LEADS TO A RECOMMENDATION FOR LICENSURE BY AN ACCEPTED INSTITUTION OF

HIGHER EDUCATION IN COLORADO.

(3) "INSTITUTION OF HIGHER EDUCATION" MEANS A PUBLIC, PRIVATE, OR PROPRIETARY POSTSECONDARY INSTITUTION AUTHORIZED BY THE COMMISSION TO OFFER EDUCATOR PREPARATION PROGRAMS.

(4) "RURAL SCHOOL OR SCHOOL DISTRICT" MEANS A SCHOOL OR SCHOOL DISTRICT THAT THE DEPARTMENT OF EDUCATION HAS DETERMINED TO BE RURAL. "RURAL SCHOOL OR SCHOOL DISTRICT" INCLUDES A CHARTER SCHOOL OR INSTITUTE CHARTER SCHOOL THAT FALLS WITHIN THE GEOGRAPHIC RANGE OF A RURAL SCHOOL DISTRICT, AS DETERMINED BY THE DEPARTMENT OF EDUCATION.

23-76-103. Rural education coordinator - request for proposals - reporting requirements. (1) (a) ON OR BEFORE JULY 1, 2017, THE DEPARTMENT OF HIGHER EDUCATION SHALL ESTABLISH ONE RURAL EDUCATION COORDINATOR TO REPRESENT A RURAL REGION OF THE STATE. THE RURAL EDUCATION COORDINATOR MUST BE BASED IN AN INSTITUTION OF HIGHER EDUCATION. THE PURPOSE OF THE RURAL EDUCATION COORDINATOR IS TO:

(I) PROVIDE AN EMPHASIS ON ACCESS TO TEACHER PREPARATION PROGRAMS THAT FOCUS ON RURAL EDUCATION;

(II) INCREASE RURAL TEACHER RECRUITMENT;

(III) DEVELOP AN EDUCATOR PIPELINE TO RURAL SCHOOLS AND SCHOOL DISTRICTS; AND

(IV) PROVIDE SUPPORT MECHANISMS FOR RURAL SCHOOLS AND SCHOOL DISTRICTS, BOARDS OF COOPERATIVE SERVICES, AND ALTERNATIVE EDUCATOR PREPARATION PROVIDERS.

(b) ON OR BEFORE SEPTEMBER 1, 2016, THE DEPARTMENT OF HIGHER EDUCATION, IN COLLABORATION WITH THE DEPARTMENT OF EDUCATION, THE COMMISSION, AND INTERESTED REPRESENTATIVES FROM THE EDUCATION COMMUNITY AND RURAL AREAS OF COLORADO, SHALL DEVELOP AND RELEASE A REQUEST FOR PROPOSALS TO FUND A RURAL EDUCATION COORDINATOR. THE REQUEST FOR PROPOSALS MUST INCLUDE CRITERIA FOR SELECTION, TIMELINES, DATA COLLECTION REQUIREMENTS,

AND REPORTING REQUIREMENTS.

(c) ON OR BEFORE JANUARY 1, 2017, THE DEPARTMENT OF HIGHER EDUCATION SHALL SELECT AN INSTITUTION OF HIGHER EDUCATION TO HOUSE A RURAL EDUCATION COORDINATOR FOR FIVE YEARS, BASED ON AVAILABLE APPROPRIATIONS. AN INSTITUTION OF HIGHER EDUCATION THAT HAS AN EXISTING RURAL EDUCATION COORDINATOR IS ELIGIBLE TO BE SELECTED BY THE DEPARTMENT OF HIGHER EDUCATION FOR FUNDING PURSUANT TO THIS SECTION.

(2) THE SELECTED INSTITUTION OF HIGHER EDUCATION SHALL COLLECT DATA ON THE WORK OF THE RURAL EDUCATION COORDINATOR, AS REQUIRED PER THE REQUEST FOR PROPOSALS, AND PROVIDE A WRITTEN SUMMARY REPORT ANNUALLY TO THE DEPARTMENT OF HIGHER EDUCATION. PRIOR TO THE COMPLETION OF THE FIVE-YEAR FUNDING PERIOD, THE DEPARTMENT OF HIGHER EDUCATION AND THE DEPARTMENT OF EDUCATION SHALL EVALUATE THE EFFECTIVENESS OF THE FUNDED RURAL EDUCATION COORDINATOR AND MAKE RECOMMENDATIONS FOR CONTINUED FUNDING.

23-76-104. Student teachers in rural areas - financial incentives. BEGINNING JANUARY 1, 2017, THE DEPARTMENT OF HIGHER EDUCATION SHALL PROVIDE UP TO FORTY FINANCIAL STIPENDS ANNUALLY, NOT TO EXCEED TWO THOUSAND EIGHT HUNDRED DOLLARS PER STUDENT, TO OFFSET TUITION COSTS FOR INDIVIDUALS IN APPROVED EDUCATOR PREPARATION PROGRAMS WHO AGREE TO STUDENT TEACH IN A RURAL SCHOOL OR RURAL SCHOOL DISTRICT OF THE STUDENT TEACHER'S CHOICE. THE FINANCIAL STIPENDS AWARDED SHOULD, TO THE EXTENT PRACTICABLE, INCLUDE PERSONS WITH DISABILITIES AND TAKE INTO CONSIDERATION THE GEOGRAPHIC, RACIAL, AND ETHNIC DIVERSITY OF THE STATE. MONEY FOR THE STIPENDS MUST BE ALLOCATED FROM THE DEPARTMENT OF HIGHER EDUCATION TO THE INSTITUTION OF HIGHER EDUCATION TO BE CREDITED TO THE STUDENT'S ACCOUNT. A STUDENT TEACHER WHO RECEIVES A FINANCIAL STIPEND PURSUANT TO THIS SECTION MUST AGREE TO WORK IN A RURAL SCHOOL OR RURAL SCHOOL DISTRICT FOR AT LEAST TWO YEARS, UNLESS HE OR SHE CAN DEMONSTRATE EXTENUATING CIRCUMSTANCES THAT SUCH EMPLOYMENT WOULD IMPOSE A HARDSHIP ON HIM OR HER. IF A RECIPIENT OF A FINANCIAL STIPEND AWARDED PURSUANT TO THIS SECTION DOES NOT ACCEPT AN OFFER OF EMPLOYMENT TO TEACH IN A RURAL SCHOOL OR RURAL SCHOOL DISTRICT AFTER THE COMPLETION OF HIS OR HER STUDENT TEACHING, HE OR SHE MAY, AS DETERMINED BY THE DEPARTMENT OF

EDUCATION ON A CASE-BY-CASE BASIS, REIMBURSE THE DEPARTMENT OF HIGHER EDUCATION FOR TWO-THIRDS OF THE AMOUNT OF THE FINANCIAL STIPEND THAT HE OR SHE RECEIVED. IF A RECIPIENT OF A FINANCIAL STIPEND AWARDED PURSUANT TO THIS SECTION ACCEPTS AN OFFER OF EMPLOYMENT TO TEACH IN A RURAL SCHOOL OR RURAL SCHOOL DISTRICT BUT ONLY TEACHES IN A RURAL SCHOOL OR RURAL SCHOOL DISTRICT FOR ONE YEAR AND NOT THE REQUIRED TWO YEARS, HE OR SHE MAY, AS DETERMINED BY THE DEPARTMENT OF EDUCATION ON A CASE-BY-CASE BASIS, REIMBURSE THE DEPARTMENT OF HIGHER EDUCATION FOR ONE-THIRD OF THE AMOUNT OF THE FINANCIAL STIPEND HE OR SHE RECEIVED.

23-76-105. Teacher cadet program. ON OR BEFORE JULY 1, 2017, THE DEPARTMENT OF HIGHER EDUCATION SHALL ESTABLISH TEACHER CADET PROGRAMS IN IDENTIFIED RURAL SCHOOLS AND SCHOOL DISTRICTS. MONEY MAY BE PROVIDED TO LOCAL SCHOOL DISTRICTS, CHARTER SCHOOLS, OR THE CHARTER SCHOOL INSTITUTE, ANY OF WHICH MAY CONTRACT WITH A BOARD OF COOPERATIVE SERVICES TO IDENTIFY AND SUPPORT HIGH SCHOOL STUDENTS WHO ARE INTERESTED IN PURSUING TEACHING CAREERS IN RURAL COLORADO AND STUDENTS, INCLUDING STUDENTS WITH DISABILITIES, WHO REFLECT THE GEOGRAPHIC, RACIAL, AND ETHNIC DIVERSITY OF THE STATE. THE DEPARTMENT OF HIGHER EDUCATION AND THE DEPARTMENT OF EDUCATION SHALL EVALUATE THE EFFECTIVENESS OF THE TEACHER CADET PROGRAM EVERY FIVE YEARS.

23-76-106. National board certified teacher stipends - concurrent enrollment stipends - continuing education stipends. THE DEPARTMENT OF HIGHER EDUCATION SHALL ANNUALLY PROVIDE UP TO TWENTY FINANCIAL STIPENDS, NOT TO EXCEED SIX THOUSAND DOLLARS EACH, TO ANY TEACHER IN A RURAL SCHOOL OR SCHOOL DISTRICT WHO IS SEEKING CERTIFICATION AS A NATIONAL BOARD CERTIFIED TEACHER, SEEKING CERTIFICATION AS A CONCURRENT ENROLLMENT TEACHER, OR IS A TEACHER FURTHERING HIS OR HER PROFESSIONAL DEVELOPMENT PLAN THROUGH CONTINUING EDUCATION. THE STIPENDS MAY BE USED TO OFFSET APPLICATION FEES, EVALUATION COSTS, TUITION COSTS, AND ANY COSTS ASSOCIATED WITH CONTINUING EDUCATION THAT ARE IN SUPPORT OF A TEACHER'S PROFESSIONAL DEVELOPMENT PLAN. THE FINANCIAL STIPENDS AWARDED SHOULD, TO THE EXTENT PRACTICABLE, INCLUDE PERSONS WITH DISABILITIES AND TAKE INTO CONSIDERATION THE GEOGRAPHIC, RACIAL, AND ETHNIC DIVERSITY OF THE STATE. A TEACHER WHO RECEIVES A STIPEND PURSUANT TO THIS SECTION MUST COMMIT TO TEACH FOR A TOTAL OF

THREE YEARS IN HIS OR HER RURAL SCHOOL OR SCHOOL DISTRICT.

SECTION 2. Appropriation - adjustments to 2016 long bill.

(1) To implement this act, appropriations made in the annual general appropriation act for the 2016-17 state fiscal year to the department of education are adjusted as follows:

(a) The cash funds appropriation from the state public school fund created in Section 22-54-114 (1), C.R.S., for the state share of districts' total program funding is increased by \$441,095; and

(b) The general fund appropriation for the state share of districts' total program funding is decreased by \$441,095.

(2) For the 2016-17 state fiscal year, \$441,095 is appropriated to the department of higher education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.3 FTE. To implement this act, the department may use this appropriation for rural teacher recruitment, retention, and professional development programs.

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Bill L. Cadman
PRESIDENT OF
THE SENATE

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO