

SB256_L.058

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee_____
DateCommittee on Education.

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

SB09-256 be amended as follows:

- 1 Amend reengrossed bill, page 6, strike lines 3 through 27.
- 2 Strike page 7.
- 3 Page 8, strike lines 1 through 14.
- 4 Renumber succeeding sections accordingly.
- 5 Page 9, strike lines 22 through 27.
- 6 Strike page 10.
- 7 Page 11, strike lines 1 through 15.
- 8 Renumber succeeding sections accordingly.
- 9 Page 63, after line 3, insert the following:
 - 10 "SECTION 31. Part 3 of article 11 of title 22, Colorado Revised
 - 11 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
 - 12 read:
 - 13 **22-11-306. Centers of excellence awards.** (1) (a) THE STATE
 - 14 BOARD SHALL ANNUALLY PRESENT FINANCIAL AWARDS TO PUBLIC
 - 15 SCHOOLS IN THE STATE THAT ENROLL A STUDENT POPULATION OF WHICH
 - 16 AT LEAST SEVENTY-FIVE PERCENT ARE AT-RISK PUPILS, AS DEFINED IN



1 SECTION 22-54-103 (1.5), AND THAT DEMONSTRATE THE HIGHEST RATES
2 OF STUDENT ACADEMIC GROWTH, AS DETERMINED BY THE DEPARTMENT
3 BASED UPON THE STATISTICAL MODEL ADOPTED PURSUANT TO SECTION
4 22-7-604.3 (3) (a).

5 (b) AWARDS ISSUED PURSUANT TO THIS SECTION SHALL BE KNOWN
6 AS "CENTERS OF EXCELLENCE AWARDS".

7 (2) A SCHOOL THAT RECEIVES AN AWARD PURSUANT TO THIS
8 SECTION SHALL NOT QUALIFY FOR AN AWARD PURSUANT TO SECTION
9 22-11-305.

10 (3) NOTWITHSTANDING THE PROVISIONS OF SECTIONS 22-11-302
11 (2) (a) AND 22-11-305 (3), OF THE MONEYS AVAILABLE FOR AWARDS
12 PURSUANT TO THIS PART 3, IN THE 2009-10 BUDGET YEAR AND BUDGET
13 YEARS THEREAFTER, TWO HUNDRED FIFTY THOUSAND DOLLARS SHALL BE
14 AWARDED TO SCHOOLS ANNUALLY PURSUANT TO THIS SECTION. THE
15 DEPARTMENT SHALL APPORTION THE REMAINDER BETWEEN THE "JOHN
16 IRWIN SCHOOLS OF EXCELLENCE AWARDS" AND THE "GOVERNOR'S
17 DISTINGUISHED IMPROVEMENT AWARDS" AS PROVIDED IN SECTIONS
18 22-11-302 (2) (a) AND 22-11-305 (3), RESPECTIVELY.

19 SECTION 32. 22-11-304, Colorado Revised Statutes, is amended
20 to read:

21 **22-11-304. School awards program fund - creation -**
22 **contributions.** (1) (a) The department is hereby authorized to receive
23 grants, gifts, and donations from any source, public or private, to fund
24 financial awards to public schools pursuant to the program established in
25 this part 3. All public and private grants, gifts, and donations received by
26 the department pursuant to this section shall be transmitted to the state
27 treasurer who shall credit the same, in addition to any appropriations
28 made by the general assembly AND THE MONEYS TRANSFERRED PURSUANT
29 TO SUBSECTION (2) OF THIS SECTION, to the school awards program fund,
30 which is hereby created in the state treasury.

31 (b) Moneys in the school awards program fund shall be subject to
32 appropriation by the general assembly to the department of education for
33 purposes of making financial awards pursuant to the provisions of this
34 part 3. At the end of any fiscal year, all unexpended and unencumbered
35 moneys in the school awards program fund shall remain therein and shall



1 not be credited or transferred to the general fund or any other fund.
2 However, in accordance with section 24-36-114, C.R.S., all interest
3 derived from the deposit and investment of moneys in the fund shall be
4 credited to the general fund. Any moneys credited to the school awards
5 program fund shall be used exclusively for awards and shall not be used
6 to pay for the expenses of the department in administering the program
7 established in this part 3.

8 (2) ON JULY 1, 2009, THE STATE TREASURER SHALL TRANSFER
9 FROM THE READ-TO-ACHIEVE CASH FUND CREATED IN SECTION 22-7-908
10 TO THE SCHOOL AWARDS PROGRAM FUND THE AMOUNT OF TWO HUNDRED
11 FIFTY THOUSAND DOLLARS TO BE AWARDED PURSUANT TO SECTION
12 22-11-306 AS "CENTERS OF EXCELLENCE AWARDS".

13 SECTION 33. 22-7-611 (1), (2), and (3) (a), Colorado Revised
14 Statutes, are amended to read:

15 **22-7-611. Closing the achievement gap program - strategies -**
16 **assistance - criteria - rule-making.** (1) As used in this section, unless
17 the context otherwise requires, "eligible school" means a public school
18 that HAS BEEN IDENTIFIED BY RULE OF THE STATE BOARD AS HAVING A
19 SIGNIFICANT ACHIEVEMENT GAP.

20 ~~(a) Has received an academic performance rating of~~
21 ~~"unsatisfactory" pursuant to section 22-7-604 (5), or~~

22 ~~(b) Has been identified by rule of the state board as having a~~
23 ~~significant achievement gap.~~

24 (2) There is hereby established in the department the closing the
25 achievement gap program, referred to in this section as the "program", to
26 provide extensive assistance to an eligible school. ~~that is at risk of being~~
27 ~~converted into an independent charter school pursuant to the provisions~~
28 ~~of part 3 of article 30.5 of this title.~~

29 (3) The department shall prepare and distribute to each eligible
30 school an outline of different strategies the school may implement to
31 improve academic achievement. The department shall provide the outline
32 by April 1 of the school year preceding the school year in which the
33 eligible school intends to participate in the program. The outline may
34 include, but need not be limited to, the following strategies:



1 (a) Using disaggregated school STUDENT data to set academic
2 improvement targets in reading, writing, mathematics, and science;

3 SECTION 34. 22-7-613 (1), Colorado Revised Statutes, is
4 amended to read:

5 22-7-613. Closing the achievement gap cash fund - creation.
6 (1) (a) The department is authorized to seek and accept gifts, grants, and
7 donations from private or public sources for the purposes of
8 implementing sections ~~22-7-611~~ and ~~22-7-612~~ SECTION 22-7-611. All
9 private and public funds received through gifts, grants, or donations shall
10 be transmitted to the state treasurer, who shall credit the same to the
11 closing the achievement gap cash fund, which fund is hereby created and
12 referred to in this section as the "fund". The moneys in the fund shall be
13 continuously appropriated to the department.

14 (b) ON JULY 1, 2009, THE STATE TREASURER SHALL TRANSFER
15 FROM THE READ-TO-ACHIEVE CASH FUND CREATED IN SECTION 22-7-908
16 TO THE CLOSING THE ACHIEVEMENT GAP CASH FUND THE AMOUNT OF ONE
17 MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS FOR THE PURPOSES
18 OF IMPLEMENTING SECTION 22-7-611.

19 SECTION 35. 22-7-908, Colorado Revised Statutes, is amended
20 BY THE ADDITION OF A NEW SUBSECTION to read:

21 22-7-908. Reach-to-achieve cash fund - created.
22 (4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
23 CONTRARY, ON JULY 1, 2009, THE STATE TREASURER SHALL TRANSFER
24 FROM THE CASH FUND:

25 (a) TO THE CLOSING THE ACHIEVEMENT GAP CASH FUND CREATED
26 IN SECTION 22-7-613 THE AMOUNT OF ONE MILLION SEVEN HUNDRED FIFTY
27 THOUSAND DOLLARS; AND

28 (b) TO THE SCHOOL AWARDS PROGRAM FUND CREATED IN SECTION
29 22-11-304 THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS.

30 SECTION 36. Part 6 of article 11 of title 22, Colorado Revised
31 Statutes, as enacted in Senate Bill 09-163, is amended BY THE
32 ADDITION OF A NEW SECTION to read:



1 **22-11-603.5. Centers of excellence awards.** (1) (a) THE STATE
2 BOARD SHALL ANNUALLY PRESENT FINANCIAL AWARDS TO PUBLIC
3 SCHOOLS IN THE STATE THAT ENROLL A STUDENT POPULATION OF WHICH
4 AT LEAST SEVENTY-FIVE PERCENT ARE AT-RISK PUPILS, AS DEFINED IN
5 SECTION 22-54-103 (1.5), AND THAT DEMONSTRATE THE HIGHEST RATES
6 OF STUDENT LONGITUDINAL GROWTH, AS MEASURED BY THE COLORADO
7 GROWTHMODEL. THE TECHNICAL ADVISORY PANEL CONVENED PURSUANT
8 TO SECTION 22-11-202 SHALL RECOMMEND TO THE STATE BOARD, AND
9 THE STATE BOARD SHALL ESTABLISH BY RULE, THE METHOD BY WHICH TO
10 IDENTIFY SCHOOLS THAT QUALIFY FOR AN AWARD PURSUANT TO THIS
11 SECTION.

12 (b) AWARDS ISSUED PURSUANT TO THIS SECTION SHALL BE KNOWN
13 AS "CENTERS OF EXCELLENCE AWARDS".

14 (2) A SCHOOL THAT RECEIVES AN AWARD PURSUANT TO THIS
15 SECTION SHALL NOT QUALIFY FOR AN AWARD PURSUANT TO SECTION
16 22-11-603.

17 (3) NOTWITHSTANDING THE PROVISIONS OF SECTIONS 22-11-602
18 (2) AND 22-11-603 (2), OF THE MONEYS AVAILABLE FOR AWARDS
19 PURSUANT TO THIS PART 3, IN THE 2009-10 BUDGET YEAR AND BUDGET
20 YEARS THEREAFTER, TWO HUNDRED FIFTY THOUSAND DOLLARS SHALL BE
21 AWARDED TO SCHOOLS ANNUALLY PURSUANT TO THIS SECTION. THE
22 DEPARTMENT SHALL APPORTION THE REMAINDER BETWEEN THE "JOHN
23 IRWIN SCHOOLS OF EXCELLENCE AWARDS" AND THE "GOVERNOR'S
24 DISTINGUISHED IMPROVEMENT AWARDS" AS PROVIDED IN SECTIONS
25 22-11-602 (2) AND 22-11-603 (2), RESPECTIVELY.

26 **SECTION 37.** 22-11-605 (1), Colorado Revised Statutes, as
27 enacted in Senate Bill 09-163, is amended, and the said 22-11-605 is
28 further amended BY THE ADDITION OF A NEW SUBSECTION, to
29 read:

30 **22-11-605. School awards program fund - creation -**
31 **contributions.** (1) The department is hereby authorized to receive gifts,
32 grants, and donations from any source, public or private, to fund financial
33 awards to public schools pursuant to the program established in this part
34 6. The department shall transmit all public and private gifts, grants, and
35 donations received pursuant to this section to the state treasurer who shall
36 credit the same, in addition to any appropriations made by the general



1 assembly AND THE AMOUNT TRANSFERRED PURSUANT TO SUBSECTION (3)
2 OF THIS SECTION, to the school awards program fund, which is hereby
3 created in the state treasury and referred to in this section as the "fund".

4 (3) ON JULY 1, 2009, THE STATE TREASURER SHALL TRANSFER
5 FROM THE READ-TO-ACHIEVE CASH FUND CREATED IN SECTION 22-7-908
6 TO THE SCHOOL AWARDS PROGRAM FUND THE AMOUNT OF TWO HUNDRED
7 FIFTY THOUSAND DOLLARS TO BE AWARDED PURSUANT TO SECTION
8 22-11-603.5 AS "CENTERS OF EXCELLENCE AWARDS".

9 SECTION 38. 22-7-908, Colorado Revised Statutes, is amended
10 BY THE ADDITION OF A NEW SUBSECTION to read:

11 22-7-908. Reach-to-achieve cash fund - created.

12 (4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
13 CONTRARY, ON JULY 1, 2009, THE STATE TREASURER SHALL TRANSFER
14 FROM THE CASH FUND:

15 (a) TO THE CLOSING THE ACHIEVEMENT GAP CASH FUND CREATED
16 IN SECTION 22-7-613 THE AMOUNT OF ONE MILLION SEVEN HUNDRED FIFTY
17 THOUSAND DOLLARS; AND

18 (b) TO THE SCHOOL AWARDS PROGRAM FUND CREATED IN SECTION
19 22-11-605 THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS."

20 Renumber succeeding sections accordingly.

21 Page 64, strike lines 12 through 17.

22 Reletter succeeding paragraphs accordingly.

23 Page 66, after line 1, insert the following:

24 "SECTION 40. Effective date. (1) This act shall take effect
25 upon passage; except that:

26 (a) Sections 31, 32, and 35 of this act shall not take effect if
27 Senate Bill 09-163 is enacted and becomes law; and

28 (b) Sections 36 through 38 shall take effect only if Senate Bill
29 09-163 is enacted and becomes law."



1 Renumber succeeding section accordingly.

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