

An Act

HOUSE BILL 12-1261

BY REPRESENTATIVE(S) Solano, Massey, Todd, Casso, Court, Ferrandino, Fields, Fischer, Hamner, Hullinghorst, Jones, Kefalas, Kerr A., Labuda, Lee, Miklosi, Peniston, Ryden, Schafer S., Singer, Tyler, Vigil, Williams A., Wilson, Young, Summers;
also SENATOR(S) Bacon, Heath, Newell, Williams S.

CONCERNING EFFECTIVE EDUCATORS IN LOW-PERFORMING, HIGH-NEEDS SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds that:

(a) Research demonstrates that the negative effects of teacher and principal shortages and distribution challenges have a disproportionate impact on the nation's most disadvantaged students, leaving poor and minority children more likely to be taught by less-qualified and under-prepared teachers.

(b) Teachers who are truly highly qualified teach well-designed, standards-based lessons and are able to teach those lessons successfully

because they know how and why their students learn. These teachers work effectively with their colleagues to push and lead school improvement and work steadily to sharpen their skills and increase their knowledge because they believe it is part of their professional responsibility to do so.

(c) National board certification is a nationally accepted sign of quality in the education profession and offers a nationwide standard for evaluating and encouraging quality teachers and principals. It is a means to recognize and reward the accomplished teachers and principals the state needs to build competitive, world-class schools. National board certified teachers and principals advance the quality of teaching and learning by maintaining high and rigorous standards for what accomplished teachers and principals should know and be able to do.

(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 and principal quality, recruitment, and retention is a critical element of accountable education reform, accountable programs to meet state academic standards, and performance incentives for teachers and principals and, therefore, may receive funding from the state education fund created in section 17 (4) of article IX of the state constitution.

SECTION 2. In Colorado Revised Statutes, **amend** 22-2-502 as follows:

22-2-502. Definitions. As used in this part 5, unless the context otherwise requires:

(1) "Department" means the department of education created and existing pursuant to section 24-1-115, C.R.S.

(2) "LOW-PERFORMING, HIGH-NEEDS SCHOOL" MEANS A SCHOOL THAT IS REQUIRED TO SUBMIT A PRIORITY IMPROVEMENT OR TURNAROUND PLAN PURSUANT TO SECTION 22-11-210.

SECTION 3. In Colorado Revised Statutes, 22-2-504, **amend** (1) and (2); and **add** (4) as follows:

22-2-504. National board for professional teaching and principal

standards certification compensation - study. (1) Beginning with the 2009-10 school year ~~and ending with the 2011-12 school year~~, the department, subject to available appropriations, shall award an annual stipend of one thousand six hundred dollars to any teacher OR PRINCIPAL who is employed ~~to teach~~ in a school district, a program operated by a board of cooperative services, a charter school authorized by a school district pursuant to part 1 of article 30.5 of this title, or a charter school authorized by the state charter school institute pursuant to part 5 of article 30.5 of this title, and who holds a certification from the national board for professional teaching OR PRINCIPAL standards. For any stipends that are awarded, the department shall allocate the stipend moneys to the school district that employs the teacher OR PRINCIPAL who is to receive the stipend, and the school district shall then make payment directly to the eligible teacher OR PRINCIPAL. A school district may, at its discretion, withhold any required employer retirement and medicare contributions associated with the stipend pursuant to this section from the one thousand six hundred dollar stipend amount. For any stipends that are awarded, the stipend shall be:

(a) Payable on May 1, 2009, and each May 1 thereafter;

(b) Prorated for less than full-time employment;

(c) Considered regular salary under section 24-51-101 (42) (a), C.R.S.; and

(d) In addition to, and not in lieu of, any existing compensation being awarded at the local level to a teacher OR PRINCIPAL who holds a certification from the national board for professional teaching OR PRINCIPAL standards.

(2) Beginning with the 2009-10 school year, ~~and ending with the 2011-12 school year~~, subject to available appropriations, an additional annual stipend of three thousand two hundred dollars shall be awarded to any teacher OR PRINCIPAL who meets the criteria set forth in subsection (1) of this section and who is employed as of May 1 in a given school year in a LOW-PERFORMING, HIGH-NEEDS school. ~~that is required to implement a priority improvement or turnaround plan pursuant to section 22-11-405 or 22-11-406, respectively.~~ Subject to available appropriations, a teacher OR PRINCIPAL shall continue to receive the additional stipend award pursuant to this subsection (2) if he or she remains employed in a school that was

~~previously required to implement a priority improvement or turnaround plan but improves~~ A LOW-PERFORMING, HIGH-NEEDS SCHOOL BUT IMPROVED sufficiently to implement an improvement or performance plan pursuant to section ~~22-11-404 or 22-11-403, respectively~~ 22-11-210. The additional stipend for such teachers AND PRINCIPALS shall be subject to the same restrictions and requirements as set forth in subsection (1) of this section.

(4) IF INSUFFICIENT FUNDING IS AVAILABLE TO AWARD A STIPEND PURSUANT TO SUBSECTION (1) OF THIS SECTION TO ALL TEACHERS AND PRINCIPALS WHO HOLD A CERTIFICATION FROM THE NATIONAL BOARD FOR PROFESSIONAL TEACHING OR PRINCIPAL STANDARDS, STIPENDS SHALL BE AWARDED ONLY TO THOSE TEACHERS AND PRINCIPALS WHO MEET THE CRITERIA OF SUBSECTION (1) OF THIS SECTION AND WHO ARE EMPLOYED IN A LOW-PERFORMING, HIGH-NEEDS SCHOOL.

SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) of article IX of the state constitution, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2012, the sum of \$604,800, or so much thereof as may be necessary, for allocation to the professional development and instructional support programs, for stipends for nationally board certified teachers related to the implementation of this act.

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO