

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 12-0494.01 Jane Ritter x4342

HOUSE BILL 12-1261

HOUSE SPONSORSHIP

Solano, Massey, Todd

SENATE SPONSORSHIP

Bacon,

House Committees

Education
Appropriations

Senate Committees

Education
Appropriations

A BILL FOR AN ACT

101 **CONCERNING EFFECTIVE EDUCATORS IN LOW-PERFORMING,**
102 **HIGH-NEEDS SCHOOLS, AND, IN CONNECTION THEREWITH,**
103 **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://www.leg.state.co.us/billsummaries>.)

The bill provides that highly effective and effective educators, as rated by the statewide performance evaluation system to be implemented, and satisfactory educators, as rated by the current system, are given the first opportunity to apply, interview, and be considered for available

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.*

SENATE
3rd Reading Unamended
May 9, 2012

SENATE
Amended 2nd Reading
May 8, 2012

HOUSE
3rd Reading Unamended
April 2, 2012

HOUSE
Amended 2nd Reading
March 29, 2012

positions in low-performing, high-needs schools. The effective educators in low-performing, high-needs schools grant program (grant program) is created to help schools recruit and retain educators with highly effective, effective, and satisfactory performance evaluation ratings. The grant program will take effect with the 2013-14 school year. The state board of education is authorized to promulgate rules for the implementation and administration of the grant program. The effective educators in low-performing, high-needs schools compensation fund is established to fund the grant program. The department of education is authorized to accept gifts, grants, and donations to fund the grant program.

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

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

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

9 (b) Teachers who are truly highly qualified teach well-designed,
10 standards-based lessons and are able to teach those lessons successfully
11 because they know how and why their students learn. These teachers
12 work effectively with their colleagues to push and lead school
13 improvement and work steadily to sharpen their skills and increase their
14 knowledge because they believe it is part of their professional
15 responsibility to do so.

16 (c) National board certification is a nationally accepted sign of
17 quality in the education profession and offers a nationwide standard for
18 evaluating and encouraging quality teachers and principals. It is a means
19 to recognize and reward the accomplished teachers and principals the
20 state needs to build competitive, world-class schools. National board

1 certified teachers and principals advance the quality of teaching and
2 learning by maintaining high and rigorous standards for what
3 accomplished teachers and principals should know and be able to do.

4 (2) The general assembly further finds and declares that, for
5 purposes of section 17 of article IX of the state constitution,
6 implementation of measures designed to improve teacher and principal
7 quality, recruitment, and retention is a critical element of accountable
8 education reform, accountable programs to meet state academic
9 standards, and performance incentives for teachers and principals and,
10 therefore, may receive funding from the state education fund created in
11 section 17 (4) of article IX of the state constitution.

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

14 **22-2-502. Definitions.** As used in this part 5, unless the context
15 otherwise requires:

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

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

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

23 **22-2-504. National board for professional teaching and**
24 **principal standards certification compensation - study.** (1) Beginning
25 with the 2009-10 school year and ending with the 2011-12 school year,
26 the department, subject to available appropriations, shall award an annual
27 stipend of one thousand six hundred dollars to any teacher OR PRINCIPAL

1 who is employed to teach in a school district, a program operated by a
2 board of cooperative services, a charter school authorized by a school
3 district pursuant to part 1 of article 30.5 of this title, or a charter school
4 authorized by the state charter school institute pursuant to part 5 of article
5 30.5 of this title, and who holds a certification from the national board for
6 professional teaching OR PRINCIPAL standards. For any stipends that are
7 awarded, the department shall allocate the stipend moneys to the school
8 district that employs the teacher OR PRINCIPAL who is to receive the
9 stipend, and the school district shall then make payment directly to the
10 eligible teacher OR PRINCIPAL. A school district may, at its discretion,
11 withhold any required employer retirement and medicare contributions
12 associated with the stipend pursuant to this section from the one thousand
13 six hundred dollar stipend amount. For any stipends that are awarded, the
14 stipend shall be:

- 15 (a) Payable on May 1, 2009, and each May 1 thereafter;
- 16 (b) Prorated for less than full-time employment;
- 17 (c) Considered regular salary under section 24-51-101 (42) (a),
18 C.R.S.; and
- 19 (d) In addition to, and not in lieu of, any existing compensation
20 being awarded at the local level to a teacher OR PRINCIPAL who holds a
21 certification from the national board for professional teaching OR
22 PRINCIPAL standards.

23 (2) Beginning with the 2009-10 school year, and ending with the
24 2011-12 school year, subject to available appropriations, an additional
25 annual stipend of three thousand two hundred dollars shall be awarded to
26 any teacher OR PRINCIPAL who meets the criteria set forth in subsection
27 (1) of this section and who is employed as of May 1 in a given school

1 year in a LOW-PERFORMING, HIGH-NEEDS school. ~~that is required to~~
2 ~~implement a priority improvement or turnaround plan pursuant to section~~
3 ~~22-11-405 or 22-11-406, respectively.~~ Subject to available appropriations,
4 a teacher OR PRINCIPAL shall continue to receive the additional stipend
5 award pursuant to this subsection (2) if he or she remains employed in a
6 school that was previously ~~required to implement a priority improvement~~
7 ~~or turnaround plan but improves~~ A LOW-PERFORMING, HIGH-NEEDS
8 SCHOOL BUT IMPROVED sufficiently to implement an improvement or
9 performance plan pursuant to section ~~22-11-404 or 22-11-403,~~
10 ~~respectively~~ 22-11-210. The additional stipend for such teachers AND
11 PRINCIPALS shall be subject to the same restrictions and requirements as
12 set forth in subsection (1) of this section.

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

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

1 act.

2 **SECTION 5. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly (August
5 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
6 referendum petition is filed pursuant to section 1 (3) of article V of the
7 state constitution against this act or an item, section, or part of this act
8 within such period, then the act, item, section, or part will not take effect
9 unless approved by the people at the general election to be held in
10 November 2012 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.