

First Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 05-0404.01 Julie Pelegrin

HOUSE BILL 05-1024

HOUSE SPONSORSHIP

Solano

SENATE SPONSORSHIP

Williams

House Committees

Education
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CREATION OF THE DROPOUT PREVENTION ACTIVITY**
102 **GRANT PROGRAM FOR THE REDUCTION OF THE STUDENT**
103 **DROPOUT RATE, AND, IN CONNECTION THEREWITH, ADDING A**
104 **LINE TO COLORADO STATE INDIVIDUAL INCOME TAX RETURN**
105 **FORMS WHEREBY INDIVIDUAL TAXPAYERS MAY MAKE**
106 **VOLUNTARY CONTRIBUTIONS TO THE DROPOUT PREVENTION**
107 **ACTIVITY GRANT FUND.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Creates the dropout prevention activity grant program ("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.

HOUSE
Amended 2nd Reading
March 24, 2005

to fund before- and after-school arts-based and vocational activity programs, with the goal of reducing the student dropout rate. Requires that for income tax years commencing on and after January 1, 2005, but before January 1, 2008, a voluntary contributor designation line for the program shall appear on individual income tax forms. Repeals the requirement for the voluntary contribution designation line, effective January 1, 2008, unless the general assembly adopts a bill to continue the designation line in the preceding regular session.

Restricts the program to public schools that include any of grades 6 through 12 ("qualified school"). Directs a qualified school that seeks funding for an arts-based or vocational activity program to apply to the board of education of the school district in which the qualified school is located ("district board") for permission to apply to the department for a grant. If the district board grants permission, directs the qualified school to submit an application to the department of education ("department") in accordance with rules adopted by the state board of education ("state board").

Directs the state board to promulgate rules for implementation of the program. Directs the department to review each grant application received and to make recommendations to the state board regarding the awarding of program grants. Establishes a priority and minimum considerations for awarding program grants. Requires the state board to award program grants in any year that moneys are received in the dropout prevention activity grant fund ("fund").

Requires the department annually to notify school districts of the amount of money credited to the fund. Creates the fund, identifies the source of moneys for the fund as moneys received through the voluntary tax contribution and any gifts, grants, or donations received by the department for implementation of the program. Authorizes the department to accept gifts, grants, and donations, and allows the department to keep up to 2% of the moneys annually appropriated from the fund to offset the administrative costs incurred in implementing the program. Directs the general assembly annually to appropriate from the fund to the department of revenue an amount equal to the department of revenue's costs incurred in administering the voluntary contributions to the fund.

Requires each qualified school that receives a program grant to report to the department, for each year in which it receives a grant, specified information concerning the arts-based or vocational activity program and the number of participating students. Directs the department to submit an annual report to the education committees of the general assembly and to the governor concerning the program, the arts-based and vocational activity programs that receive funding, the number of students that participate in the programs, and the dropout rates for the qualified schools that receive grants.

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

2 **SECTION 1.** Title 22, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW ARTICLE to read:

4 **ARTICLE 27.5**

5 **Before- and After-School Dropout Prevention Programs**

6 **22-27.5-101. Legislative declaration.** (1) THE GENERAL
7 ASSEMBLY HEREBY FINDS THAT:

8 (a) THE UNACCEPTABLY HIGH DROPOUT RATE IN PUBLIC SCHOOLS
9 IN COLORADO IS DETRIMENTAL TO THE ECONOMIC AND CULTURAL HEALTH
10 OF THE STATE, AND THE STATE SHOULD TAKE ADDITIONAL MEASURES TO
11 MORE FULLY AND PRODUCTIVELY ENGAGE STUDENTS IN PUBLIC
12 EDUCATION AND THEREBY REDUCE THIS RATE.

13 (b) OFTEN, STUDENTS WHO CHOOSE TO DROP OUT OF SCHOOL
14 PRIOR TO GRADUATION ARE BORED WITH THE STANDARD CLASSROOM
15 CURRICULUM. STUDENTS WHO ARE INVOLVED WITH EXTRACURRICULAR
16 SCHOOL ACTIVITIES BEFORE OR AFTER SCHOOL ARE MORE LIKELY TO BE
17 INVESTED IN THEIR EDUCATION AND LESS LIKELY TO DROP OUT OF SCHOOL.

18 (c) WITH THE INCREASED DIFFICULTIES IN FUNDING PUBLIC
19 EDUCATION AND INCREASED EMPHASIS ON CORE ACADEMIC SUBJECTS,
20 SCHOOLS HAVE BEEN FORCED TO FOCUS THEIR RESOURCES ON TEACHING
21 THE CORE CURRICULUM SUBJECTS OF READING, WRITING, AND
22 MATHEMATICS AND HAVE BEEN LESS ABLE TO FUND EDUCATION IN MUSIC,
23 DANCE, THEATER, AND THE VISUAL ARTS OR TO PROVIDE VOCATIONAL
24 EDUCATION.

25 (d) JUST AS ALL STUDENTS CAN LEARN, ALL STUDENTS ARE
26 TALENTED TO VARYING DEGREES IN VARYING ARTS AND ENDEAVORS. IN

1 ADDITION TO ENSURING A STUDENT HAS THE NECESSARY SKILLS IN
2 READING, WRITING, AND MATHEMATICS TO BE SUCCESSFUL IN A CAREER,
3 EDUCATING A STUDENT SHOULD INCLUDE PROVIDING THE STUDENT THE
4 OPPORTUNITY TO EXPERIENCE AND PARTICIPATE IN A WIDE RANGE OF
5 ARTISTIC AND VOCATIONAL ACTIVITIES TO ALLOW THE STUDENT TO
6 DISCOVER HIS OR HER TALENTS AND BE SUCCESSFUL IN LIFE.

7 (e) A GRANT PROGRAM TO PROVIDE ADDITIONAL FUNDING FOR
8 SCHOOLS TO SPONSOR BEFORE- AND AFTER-SCHOOL PROGRAMS IN THE
9 ARTS AND IN VOCATIONAL SUBJECTS WILL HAVE THE COMBINED BENEFITS
10 OF PROVIDING A WIDER RANGE OF ARTS AND VOCATIONAL EDUCATION,
11 EXPOSING STUDENTS TO A WIDE RANGE OF OPPORTUNITIES IN MUSIC,
12 DANCE, CREATIVE WRITING, THEATER, PHOTOGRAPHY, AND OTHER VISUAL
13 ARTS, ASSISTING STUDENTS IN OBTAINING SKILLS IN A WIDE VARIETY OF
14 VOCATIONS, ENABLING STUDENTS TO DISCOVER THEIR ARTISTIC AND
15 VOCATIONAL TALENTS, AND PROVIDING GREATER INCENTIVES FOR SOME
16 STUDENTS TO STAY IN SCHOOL.

17 **22-27.5-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
18 CONTEXT OTHERWISE REQUIRES:

19 (1) "ARTS-BASED ACTIVITY PROGRAM" MEANS A BEFORE- OR
20 AFTER-SCHOOL PROGRAM THAT PROVIDES STUDENTS WITH AN
21 OPPORTUNITY TO LEARN ABOUT AND PARTICIPATE IN AN ARTS-BASED
22 ACTIVITY, INCLUDING BUT NOT LIMITED TO THEATER, MUSIC, DANCE,
23 CREATIVE WRITING, PHOTOGRAPHY, CERAMICS, SCULPTURE, PAINTING,
24 AND ANY OTHER FORM OF VISUAL ARTS.

25 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION,
26 CREATED AND OPERATING PURSUANT TO SECTION 24-1-115, C.R.S.

27 (3) "DISTRICT BOARD" MEANS A SCHOOL DISTRICT BOARD OF

1 EDUCATION CREATED PURSUANT TO LAW.

2 (4) "DROPOUT PREVENTION ACTIVITY GRANT PROGRAM" OR
3 "GRANT PROGRAM" MEANS THE GRANT PROGRAM CREATED PURSUANT TO
4 SECTION 22-27.5-103 TO FUND BEFORE- AND AFTER-SCHOOL ARTS-BASED
5 AND VOCATIONAL ACTIVITY PROGRAMS FOR STUDENTS IN GRADES SIX
6 THROUGH TWELVE.

7 (5) "FUND" MEANS THE DROPOUT PREVENTION ACTIVITY GRANT
8 FUND CREATED PURSUANT TO SECTION 22-27.5-105.

9 (6) "QUALIFIED COMMUNITY ORGANIZATION" MEANS A NONPROFIT
10 OR NOT-FOR-PROFIT, NONSECTARIAN, COMMUNITY-BASED ORGANIZATION
11 THAT PROVIDES BEFORE- AND AFTER-SCHOOL, ARTS-BASED OR
12 VOCATIONAL ACTIVITY PROGRAMS TO LOW-INCOME YOUTH ENROLLED IN
13 GRADES SIX THROUGH TWELVE.

14 (7) "QUALIFIED SCHOOL" MEANS A PUBLIC SCHOOL, INCLUDING
15 BUT NOT LIMITED TO A CHARTER SCHOOL, THAT SERVES ANY OF GRADES
16 SIX THROUGH TWELVE AND THAT RECEIVES AN ACADEMIC RATING OF
17 "LOW" OR "UNSATISFACTORY", CALCULATED PURSUANT TO SECTION
18 22-7-604, FOR THE SCHOOL YEAR PRECEDING THE SCHOOL YEAR IN WHICH
19 THE PUBLIC SCHOOL SEEKS A GRANT THROUGH THE GRANT PROGRAM.

20 (8) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
21 CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE
22 CONSTITUTION.

23 (9) "VOCATIONAL ACTIVITY PROGRAM" MEANS A BEFORE- OR
24 AFTER-SCHOOL PROGRAM THAT PROVIDES STUDENTS WITH AN
25 OPPORTUNITY TO LEARN AND DEVELOP SKILLS IN A VARIETY OF
26 VOCATIONS, INCLUDING BUT NOT LIMITED TO CARPENTRY, PLUMBING,
27 WELDING, CULINARY ARTS, FLORAL DESIGN, AUTOMOTIVE MAINTENANCE,

1 DRIVER'S TRAINING, AND HOTEL AND RESTAURANT MANAGEMENT.

2 **22-27.5-103. Dropout prevention activity grant program -**

3 **created - applications.** (1) THERE IS HEREBY CREATED A GRANT

4 PROGRAM TO FUND BEFORE- AND AFTER-SCHOOL ARTS-BASED AND

5 VOCATIONAL ACTIVITY PROGRAMS FOR STUDENTS ENROLLED IN GRADES

6 SIX THROUGH TWELVE. THE GOAL IN FUNDING ARTS-BASED AND

7 VOCATIONAL ACTIVITY PROGRAMS IS TO REDUCE THE NUMBER OF

8 STUDENTS WHO CHOOSE TO DROP OUT OF SCHOOL PRIOR TO GRADUATION.

9 A QUALIFIED SCHOOL, WITH THE APPROVAL OF ITS DISTRICT BOARD, OR A

10 QUALIFIED COMMUNITY ORGANIZATION IN PARTNERSHIP WITH A QUALIFIED

11 SCHOOL, MAY APPLY TO THE DEPARTMENT, IN ACCORDANCE WITH

12 PROCEDURES AND TIME LINES ADOPTED BY RULE OF THE STATE BOARD, TO

13 RECEIVE MONEYS THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT

14 PROGRAM. THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM AS

15 PROVIDED IN THIS ARTICLE AND PURSUANT TO RULES ADOPTED BY THE

16 STATE BOARD.

17 (2) IN ANY YEAR IN WHICH THE DEPARTMENT OF REVENUE NOTIFIES

18 THE DEPARTMENT OF EDUCATION THAT MONEYS HAVE BEEN DESIGNATED

19 FOR THE FUND PURSUANT TO SECTION 39-22-2802, C.R.S., OR IN WHICH

20 THE DEPARTMENT OF EDUCATION RECEIVES OTHER GIFTS, GRANTS, OR

21 DONATIONS FOR THE FUND, THE DEPARTMENT OF EDUCATION SHALL

22 NOTIFY THE DISTRICT BOARDS, IN THE MANNER PROVIDED BY RULE OF THE

23 STATE BOARD, OF THE AMOUNT OF MONEY TO BE DEPOSITED IN THE FUND

24 AND AVAILABLE FOR GRANTS PURSUANT TO THIS SECTION. THE NOTICE

25 MAY ALSO SPECIFY THE TIME AND PROCEDURE FOR APPLYING FOR A GRANT

26 FROM THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM. EACH

27 DISTRICT BOARD SHALL FORWARD THE NOTICE TO THE QUALIFIED SCHOOLS

1 OF THE SCHOOL DISTRICT. THE DEPARTMENT SHALL ALSO POST THE
2 NOTICE ON THE DEPARTMENT WEBSITE AS NOTICE TO QUALIFIED
3 COMMUNITY ORGANIZATIONS THAT MAY BE INTERESTED IN APPLYING FOR
4 MONEYS THROUGH THE GRANT PROGRAM.

5 (3) (a) A QUALIFIED SCHOOL THAT CHOOSES TO SEEK A GRANT
6 THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM SHALL
7 NOTIFY ITS DISTRICT BOARD, SPECIFYING THE AMOUNT REQUESTED AND
8 DESCRIBING THE ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAM FOR
9 WHICH THE GRANT WOULD BE USED. THE DISTRICT BOARD SHALL
10 CONSIDER THE QUALIFIED SCHOOL'S REQUEST AND EITHER APPROVE OR
11 DISAPPROVE THE QUALIFIED SCHOOL'S APPLICATION. IF THE DISTRICT
12 BOARD APPROVES THE APPLICATION, THE QUALIFIED SCHOOL SHALL APPLY
13 TO THE DEPARTMENT, IN ACCORDANCE WITH THE PROCEDURES AND USING
14 THE APPLICATION FORM SPECIFIED BY RULE OF THE STATE BOARD, FOR A
15 GRANT THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM.

16 (b) EACH DISTRICT BOARD SHALL ADOPT POLICIES SPECIFYING THE
17 TIME FRAMES DURING WHICH A QUALIFIED SCHOOL MAY REQUEST AN
18 DROPOUT PREVENTION ACTIVITY GRANT AND THE PROCEDURE FOR THE
19 REQUEST. THE DISTRICT BOARD SHALL ENSURE THAT ITS POLICIES ARE
20 COORDINATED WITH THE RULES OF THE STATE BOARD TO ALLOW A
21 QUALIFIED SCHOOL TO APPLY FOR A GRANT IN ACCORDANCE WITH THE
22 RULES OF THE STATE BOARD.

23 (c) A QUALIFIED SCHOOL THAT RECEIVES A GRANT THROUGH THE
24 DROPOUT PREVENTION ACTIVITY GRANT PROGRAM SHALL USE THE MONEYS
25 RECEIVED TO PROVIDE ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAMS
26 ONLY TO STUDENTS ENROLLED IN GRADES SIX THROUGH TWELVE.

27 (4) A QUALIFIED COMMUNITY ORGANIZATION THAT CHOOSES TO

1 SEEK A GRANT THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT
2 PROGRAM SHALL ENTER INTO A PARTNERSHIP AGREEMENT WITH A
3 QUALIFIED SCHOOL PURSUANT TO WHICH THE QUALIFIED COMMUNITY
4 ORGANIZATION MAY OPERATE AN ARTS-BASED OR VOCATIONAL ACTIVITY
5 PROGRAM IN COLLABORATION WITH THE QUALIFIED SCHOOL TO STUDENTS
6 ENROLLED IN ANY OF GRADES SIX THROUGH TWELVE. AT A MINIMUM, THE
7 PARTNERSHIP AGREEMENT SHALL SPECIFY THE AMOUNT OF THE GRANT TO
8 BE REQUESTED FROM THE GRANT PROGRAM AND DESCRIBE THE
9 ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAM FOR WHICH THE GRANT
10 WOULD BE USED. THE QUALIFIED SCHOOL'S PARTICIPATION IN THE
11 PARTNERSHIP AGREEMENT SHALL BE SUBJECT TO THE APPROVAL OF THE
12 SCHOOL'S DISTRICT BOARD. A QUALIFIED COMMUNITY ORGANIZATION
13 THAT APPLIES FOR A GRANT THROUGH THE DROPOUT PREVENTION ACTIVITY
14 GRANT PROGRAM SHALL SUBMIT A COPY OF THE SIGNED PARTNERSHIP
15 AGREEMENT WITH ITS GRANT APPLICATION.

16 **22-27.5-104. Dropout prevention activity grant program - rules**
17 **- awarding grants.** (1) THE STATE BOARD SHALL PROMULGATE RULES IN
18 ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT",
19 ARTICLE 4 OF TITLE 24, C.R.S., FOR THE IMPLEMENTATION OF THE
20 DROPOUT PREVENTION ACTIVITY GRANT PROGRAM. AT A MINIMUM, THE
21 RULES SHALL SPECIFY THE PROCEDURES FOR APPLYING FOR A GRANT, THE
22 FORM OF THE GRANT APPLICATION, THE INFORMATION TO BE PROVIDED BY
23 THE APPLICANT, AND THE CRITERIA FOR AWARDING GRANTS.

24 (2) THE DEPARTMENT SHALL REVIEW EACH GRANT APPLICATION
25 RECEIVED FROM A QUALIFIED SCHOOL OR A QUALIFIED COMMUNITY
26 ORGANIZATION PURSUANT TO SECTION 22-27.5-103 AND SHALL MAKE
27 RECOMMENDATIONS TO THE STATE BOARD CONCERNING WHETHER THE

1 GRANT SHOULD BE AWARDED AND THE AMOUNT OF THE GRANT. IF THE
2 DEPARTMENT DETERMINES AN APPLICATION IS MISSING ANY INFORMATION
3 REQUIRED BY RULES TO BE INCLUDED WITH THE APPLICATION, THE
4 DEPARTMENT MAY CONTACT THE APPLICANT TO OBTAIN THE MISSING
5 INFORMATION. IN MAKING ITS RECOMMENDATIONS, IN ADDITION TO ANY
6 CRITERIA IDENTIFIED BY RULE OF THE STATE BOARD, THE DEPARTMENT
7 SHALL:

8 (a) GIVE FIRST PRIORITY TO APPLICATIONS TO FUND ARTS-BASED
9 OR VOCATIONAL ACTIVITY PROGRAMS AT QUALIFIED SCHOOLS THAT
10 EXPERIENCE HIGH DROPOUT RATES FOR THE THREE SCHOOL YEARS
11 PRECEDING THE YEAR IN WHICH THE APPLICATION IS SUBMITTED;

12 (b) CONSIDER THE PERCENTAGE OF STUDENTS ENROLLED AT THE
13 AFFECTED QUALIFIED SCHOOL WHO ARE MINORITY STUDENTS OR STUDENTS
14 WHO QUALIFY FOR FREE OR REDUCED-COST LUNCH PURSUANT TO THE
15 PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C.
16 SEC. 1751 ET SEQ., WITH THE GOAL OF FUNDING ARTS-BASED AND
17 VOCATIONAL ACTIVITY PROGRAMS AT QUALIFIED SCHOOLS THAT ENROLL
18 HIGH PERCENTAGES OF MINORITY STUDENTS AND STUDENTS WHO QUALIFY
19 FOR FREE OR REDUCED-COST LUNCH;

20 (c) CONSIDER THE FORMAT OF THE ARTS-BASED OR VOCATIONAL
21 ACTIVITY PROGRAM FOR WHICH FUNDING IS REQUESTED AND DETERMINE
22 THE COST-EFFECTIVENESS OF THE PROGRAM, THE NUMBER OF STUDENTS
23 WHO WILL BE ABLE TO PARTICIPATE, AND THE QUALITY OF THE
24 PARTICIPATORY EXPERIENCE OFFERED, WITH THE GOAL OF FUNDING
25 ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS THAT PROVIDE A
26 LARGE NUMBER OF STUDENTS THE OPPORTUNITY TO DIRECTLY
27 PARTICIPATE IN AND EXPERIENCE AN ARTS-BASED OR VOCATIONAL

1 ACTIVITY;

2 (d) CONSIDER WHETHER THE ARTS-BASED OR VOCATIONAL
3 ACTIVITY PROGRAM FOR WHICH FUNDING IS REQUESTED INCLUDES A
4 PARTNERING RELATIONSHIP WITH BUSINESSES IN THE COMMUNITY OR A
5 COMPONENT OF COMMUNITY SERVICE, WITH THE GOAL OF FUNDING THOSE
6 ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS THAT DEMONSTRATE
7 A CONNECTION WITH THE COMMUNITY OUTSIDE THE SCHOOL AND PROVIDE
8 A BENEFIT TO THAT COMMUNITY.

9 (3) IN EACH YEAR IN WHICH MONEYS ARE CREDITED TO THE FUND,
10 THE STATE BOARD SHALL AWARD GRANTS TO APPLICANTS THROUGH
11 THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM. THE STATE BOARD
12 SHALL TAKE INTO CONSIDERATION THE RECOMMENDATIONS RECEIVED
13 FROM THE DEPARTMENT. IN ADDITION TO ANY CRITERIA ADOPTED BY
14 RULE, THE STATE BOARD IN AWARDING GRANTS SHALL APPLY THE
15 PRIORITY AND CONSIDERATIONS SPECIFIED IN SUBSECTION (2) OF THIS
16 SECTION. A GRANT AWARDED PURSUANT TO THIS ARTICLE SHALL BE VALID
17 FOR ONE YEAR.

18 **22-27.5-105. Dropout prevention activity grant fund - created**
19 **- administrative costs.** (1) (a) THERE IS HEREBY CREATED IN THE STATE
20 TREASURY THE DROPOUT PREVENTION ACTIVITY GRANT FUND. THE FUND
21 SHALL CONSIST OF MONEYS COLLECTED PURSUANT TO SECTION
22 39-22-2803, C.R.S., AND ANY GIFTS, GRANTS, OR DONATIONS RECEIVED BY
23 THE DEPARTMENT FOR THE FUND PURSUANT TO SUBSECTION (2) OF THIS
24 SECTION. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL
25 APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND
26 INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE DROPOUT
27 PREVENTION ACTIVITY GRANT PROGRAM PURSUANT TO THIS ARTICLE.

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

8 (2) THE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT GIFTS,
9 GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
10 IMPLEMENTATION OF THE DROPOUT PREVENTION ACTIVITY GRANT
11 PROGRAM PURSUANT TO THIS ARTICLE. ALL PRIVATE AND PUBLIC FUNDS
12 RECEIVED THROUGH GIFTS, GRANTS, AND DONATIONS SHALL BE
13 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO
14 THE FUND.

15 (3) THE DEPARTMENT MAY EXPEND UP TO TWO PERCENT OF THE
16 MONEYS ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE DIRECT
17 AND INDIRECT COSTS INCURRED IN IMPLEMENTING THE DROPOUT
18 PREVENTION ACTIVITY GRANT PROGRAM PURSUANT TO THIS ARTICLE.

19 (4) THE GENERAL ASSEMBLY, IN ACCORDANCE WITH THE
20 PROVISIONS OF SECTION 39-22-2803, C.R.S., SHALL ANNUALLY
21 APPROPRIATE FROM THE FUND TO THE DEPARTMENT OF REVENUE AN
22 AMOUNT EQUAL TO THE COSTS INCURRED BY THE DEPARTMENT OF
23 REVENUE IN ADMINISTERING MONEYS DESIGNATED AS CONTRIBUTIONS TO
24 THE FUND.

25 **22-27.5-106. Dropout prevention activity programs - report.**

26 (1) EACH QUALIFIED SCHOOL AND QUALIFIED COMMUNITY ORGANIZATION
27 THAT RECEIVES A DROPOUT PREVENTION ACTIVITY PROGRAM GRANT

1 SHALL, IN EACH YEAR THAT IT RECEIVES THE GRANT, REPORT TO THE
2 DEPARTMENT A DESCRIPTION OF THE ARTS-BASED OR VOCATIONAL
3 ACTIVITY PROGRAM AND THE PROJECTS ACCOMPLISHED THROUGH THE
4 PROGRAM AND AN INDICATION OF THE NUMBER OF STUDENTS WHO
5 PARTICIPATED IN THE PROGRAM.

6 (2) ON OR BEFORE JANUARY 15, 2007, AND ON OR BEFORE
7 JANUARY 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL REPORT
8 TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND
9 THE SENATE AND TO THE GOVERNOR THE FOLLOWING INFORMATION FROM
10 THE PRECEDING SCHOOL YEAR:

11 (a) THE NUMBER AND AMOUNTS OF DROPOUT PREVENTION
12 ACTIVITY PROGRAM GRANTS AWARDED;

13 (b) A DESCRIPTION OF THE ARTS-BASED AND VOCATIONAL
14 ACTIVITY PROGRAMS THAT RECEIVED GRANTS;

15 (c) THE NUMBER OF STUDENTS WHO PARTICIPATED IN THE
16 ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS THAT RECEIVED
17 GRANTS; AND

18 (d) THE STUDENT DROPOUT RATES OF THE QUALIFIED SCHOOLS AT
19 WHICH THE FUNDED ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS
20 WERE OPERATED.

21 **SECTION 2.** Article 22 of title 39, Colorado Revised Statutes,
22 is amended BY THE ADDITION OF A NEW PART to read:

23 PART 28

24 DROPOUT PREVENTION ACTIVITY PROGRAMS

25 VOLUNTARY CONTRIBUTION

26 **39-22-2801. Legislative declaration.** (1) THE GENERAL
27 ASSEMBLY HEREBY FINDS THAT:

1 (a) THE DROPOUT RATE OF STUDENTS IN PUBLIC SCHOOLS OF THE
2 STATE IS UNACCEPTABLY HIGH, AND THE ECONOMIC AND CULTURAL
3 HEALTH OF THE STATE REQUIRES THAT PUBLIC SCHOOLS FIND ADDITIONAL
4 WAYS TO PRODUCTIVELY ENGAGE STUDENTS IN EDUCATION AND THEREBY
5 REDUCE THE DROPOUT RATE.

6 (b) THE CURRENT ECONOMIC SITUATION CURTAILS THE STATE'S
7 ABILITY TO FUND PUBLIC EDUCATION. THE RESTRICTIONS ON FUNDING
8 AND THE PRESSURES PLACED ON PUBLIC SCHOOLS TO TEACH THE CORE
9 CURRICULA OF READING, WRITING, AND MATHEMATICS HAVE FORCED
10 SCHOOLS TO REDUCE THEIR CLASS OFFERINGS IN THE ARTS AND IN
11 VOCATIONAL PROGRAMS.

12 (c) STUDENTS DESERVE THE OPPORTUNITY TO DISCOVER THEIR
13 TALENTS THROUGH EXPOSURE TO A WIDE VARIETY OF ARTS AND
14 VOCATIONAL ACTIVITIES, INCLUDING THEATER, MUSIC, DANCE, CREATIVE
15 WRITING, PHOTOGRAPHY, CERAMICS, SCULPTURE, PAINTING, CARPENTRY,
16 WELDING, AUTOMOTIVE MAINTENANCE, FLORAL DESIGN, AND CULINARY
17 ARTS. PARTICIPATION IN ARTS-BASED AND VOCATIONAL
18 EXTRACURRICULAR ACTIVITIES WILL ENABLE MANY STUDENTS TO RAISE
19 THEIR SELF-ESTEEM, INCREASE MANY STUDENTS' COMMITMENT TO
20 EDUCATION, AND PERSUADE STUDENTS TO CHOOSE TO STAY IN SCHOOL
21 THROUGH GRADUATION AND, IN SOME CASES, TO CONTINUE ON TO HIGHER
22 EDUCATION.

23 (d) THE RESULTS OF RECENT STATEWIDE AND SCHOOL DISTRICT
24 ELECTIONS SUGGEST THAT MANY COLORADO CITIZENS WOULD BE WILLING
25 TO PROVIDE FUNDS TO ASSIST PUBLIC SCHOOLS IN REDUCING THE STUDENT
26 DROPOUT RATE BY PROVIDING STUDENTS A WIDER EXPOSURE TO THE ARTS
27 AND TO VOCATIONAL OPPORTUNITIES THROUGH THE USE OF BEFORE- AND

1 AFTER-SCHOOL ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS.

2 (2) IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY IN
3 ENACTING THIS PART 28 TO PROVIDE THOSE COMMITTED AND CONCERNED
4 COLORADO CITIZENS THE OPPORTUNITY TO FINANCIALLY ASSIST PUBLIC
5 SCHOOLS IN REDUCING THE STUDENT DROPOUT RATE THROUGH FUNDING
6 BEFORE- AND AFTER-SCHOOL ARTS-BASED AND VOCATIONAL ACTIVITY
7 PROGRAMS.

8 **39-22-2802. Voluntary contribution designation - procedure.**

9 FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2005,
10 BUT PRIOR TO JANUARY 1, 2008, THE COLORADO STATE INDIVIDUAL
11 INCOME TAX RETURN FORM SHALL CONTAIN A LINE WHEREBY EACH
12 INDIVIDUAL TAXPAYER MAY DESIGNATE THE AMOUNT OF THE
13 CONTRIBUTION, IF ANY, THE INDIVIDUAL WISHES TO MAKE TO THE
14 DROPOUT PREVENTION ACTIVITY GRANT FUND CREATED IN SECTION
15 22-27.5-105, C.R.S.

16 **39-22-2803. Contributions credited to the dropout prevention**

17 **activity grant fund.** THE DEPARTMENT OF REVENUE SHALL DETERMINE
18 ANNUALLY THE TOTAL AMOUNT DESIGNATED PURSUANT TO SECTION
19 39-22-2802 AND SHALL REPORT THAT AMOUNT TO THE DEPARTMENT OF
20 EDUCATION, THE STATE TREASURER, AND THE GENERAL ASSEMBLY. THE
21 STATE TREASURER SHALL CREDIT THAT AMOUNT TO THE DROPOUT
22 PREVENTION ACTIVITY GRANT FUND CREATED IN SECTION 22-27.5-105,
23 C.R.S. THE GENERAL ASSEMBLY SHALL APPROPRIATE ANNUALLY FROM
24 THE DROPOUT PREVENTION ACTIVITY GRANT FUND TO THE DEPARTMENT OF
25 REVENUE ITS COSTS OF ADMINISTERING MONEYS DESIGNATED AS
26 CONTRIBUTIONS TO THE FUND. ALL MONEYS CREDITED TO THE FUND,
27 AFTER SUBTRACTING THE APPROPRIATION TO THE DEPARTMENT OF

1 REVENUE, SHALL BE USED FOR THE PURPOSES SET FORTH IN SECTION
2 22-27.5-105, C.R.S.

3 **39-22-2804. Repeal of part.** THIS PART 28 IS REPEALED,
4 EFFECTIVE JANUARY 1, 2009, UNLESS THE VOLUNTARY CONTRIBUTION TO
5 THE DROPOUT PREVENTION ACTIVITY GRANT FUND ESTABLISHED BY
6 SECTIONS 39-22-2802 AND 39-22-2803 IS CONTINUED OR REESTABLISHED
7 BY THE GENERAL ASSEMBLY ACTING BY BILL DURING THE FIRST REGULAR
8 SESSION OF THE SIXTY-SIXTH GENERAL ASSEMBLY. PRIOR TO OR DURING
9 THE SESSION, THE COMMITTEE ON FINANCE IN EACH HOUSE OF THE
10 GENERAL ASSEMBLY SHALL HOLD A HEARING REGARDING THE POSSIBLE
11 TERMINATION, CONTINUATION, OR REESTABLISHMENT OF THE VOLUNTARY
12 CONTRIBUTION TO THE FUND AS PROVIDED FOR IN THIS PART 28.

13 **SECTION 3. Effective date.** This act shall take effect at 12:01
14 a.m. on the day following the expiration of the ninety-day period after
15 final adjournment of the general assembly that is allowed for submitting
16 a referendum petition pursuant to article V, section 1 (3) of the state
17 constitution (August 10, 2005, if adjournment sine die is on May 11,
18 2005); except that, if a referendum petition is filed against this act or an
19 item, section, or part of this act within such period, then the act, item,
20 section, or part, if approved by the people, shall take effect on the date of
21 the official declaration of the vote thereon by proclamation of the
22 governor.