

**First Regular Session  
Sixty-third General Assembly  
STATE OF COLORADO**

**REENGROSSED**

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

LLS NO. 01-0687.01 Jerry Barry

**HOUSE BILL 01-1324**

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**HOUSE SPONSORSHIP**

**Hefley,**

**SENATE SPONSORSHIP**

**Andrews,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING AN INCENTIVE PROGRAM FOR TEACHERS, AND MAKING**  
102 **AN APPROPRIATION IN CONNECTION THEREWITH.**

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**Bill Summary**

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

Establishes a teacher pay incentive program ("program") to provide grants to schools that receive academic performance grades of "D" or "F" and to provide additional grants to such schools if they subsequently receive an academic improvement grade of "A" or "B".

Specifies that the grants may only be used to give bonuses to teachers and that the principal of the school determines who receives the bonuses and the amounts. Limits the use of the bonuses to:

- Rewarding measurable outstanding teacher performance;

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  
3rd Reading Unamended  
April 19, 2001

HOUSE  
Amended 2nd Reading  
April 18, 2001

- Offering money to recruit and retain teachers with master certificates; and
- Offering money to recruit and retain teachers in subjects identified by the state board of education as hard-to-fill.

Directs the department of education to report in February, 2005, on the impact of the program. Repeals the program effective July 1, 2005.

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

2 **SECTION 1.** Part 6 of article 7 of title 22, Colorado Revised  
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

4 **22-7-607.5. Teacher pay incentive program - repeal.** (1) AS  
5 USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

6 (a) "ELIGIBLE SCHOOL" MEANS A PUBLIC SCHOOL THAT RECEIVES  
7 AN ACADEMIC PERFORMANCE GRADE OF "D" OR "F", PURSUANT TO SECTION  
8 22-7-604, FOR THE 2000-01 SCHOOL YEAR.

9 (b) "PROGRAM" MEANS THE TEACHER PAY INCENTIVE PROGRAM  
10 ESTABLISHED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

11 (c) "TEACHER" MEANS A PERSON WHO IS LICENSED PURSUANT TO  
12 ARTICLE 60.5 OF THIS TITLE, OR AUTHORIZED BY A LETTER OF  
13 AUTHORIZATION ISSUED PURSUANT TO SECTION 22-60.5-111, TO TEACH  
14 AND IS PRIMARILY ENGAGED IN TEACHING DURING THE MAJORITY OF A  
15 SCHOOL DAY.

16 (2) THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT THE  
17 TEACHER PAY INCENTIVE PROGRAM TO PROVIDE MONEYS TO SCHOOL  
18 DISTRICTS WITH POORLY PERFORMING SCHOOLS TO RECRUIT AND MAINTAIN  
19 QUALITY TEACHERS. IN THE FIRST SCHOOL YEAR FOLLOWING THE YEAR  
20 THAT A PUBLIC SCHOOL BECOMES AN ELIGIBLE SCHOOL, AND FOR THREE  
21 SUBSEQUENT SCHOOL YEARS, AN ELIGIBLE SCHOOL SHALL RECEIVE A  
22 GRANT FROM THE PROGRAM IN THE AMOUNT OF THIRTY THOUSAND

1 DOLLARS PER SCHOOL YEAR. IF, IN ANY SCHOOL YEAR DURING THE PERIOD  
2 IN WHICH THE ELIGIBLE SCHOOL RECEIVES GRANTS, THE ELIGIBLE SCHOOL  
3 RECEIVES A SCHOOL IMPROVEMENT GRADE OF "A", THE ELIGIBLE SCHOOL  
4 SHALL RECEIVE AN ADDITIONAL AWARD OF TWENTY THOUSAND DOLLARS.  
5 IF, IN ANY SCHOOL YEAR DURING THE PERIOD IN WHICH THE ELIGIBLE  
6 SCHOOL RECEIVES GRANTS, THE ELIGIBLE SCHOOL RECEIVES A SCHOOL  
7 IMPROVEMENT GRADE OF "B", THE ELIGIBLE SCHOOL SHALL RECEIVE AN  
8 ADDITIONAL AWARD OF TEN THOUSAND DOLLARS.

9 (3) (a) MONEYS RECEIVED FROM AN AWARD UNDER THIS SECTION  
10 SHALL BE PAID ONLY AS BONUSES TO TEACHERS OR FOR THE PAYMENT OF  
11 THE COSTS OF OTHER BENEFITS ASSOCIATED WITH A BONUS PAID TO A  
12 TEACHER. THE DISTRICT SCHOOL BOARD OF ANY SCHOOL DISTRICT WITH  
13 AN ELIGIBLE SCHOOL SHALL DETERMINE IN ACCORDANCE WITH THIS  
14 SECTION THE POLICIES AND PROCEDURES BY WHICH TEACHERS  
15 SHALL RECEIVE A BONUS AND THE AMOUNT OF THE BONUS; EXCEPT THAT  
16 THE MINIMUM AMOUNT OF A YEARLY BONUS TO A TEACHER SHALL BE ONE  
17 THOUSAND DOLLARS. THE BONUSES MAY ONLY BE USED TO:

18 (I) REWARD OUTSTANDING TEACHER PERFORMANCE;  
19 (II) OFFER A RECRUITMENT BONUS TO ENCOURAGE A TEACHER WHO  
20 HOLDS A MASTER CERTIFICATE PURSUANT TO SECTION 22-60.5-202 TO  
21 TEACH AT THE ELIGIBLE SCHOOL OR A RETENTION BONUS TO SUCH A  
22 TEACHER WHO HAS TAUGHT AT THE SCHOOL FOR AT LEAST ONE SCHOOL  
23 YEAR;

24 (III) OFFER A RECRUITMENT BONUS TO ENCOURAGE A TEACHER IN  
25 A HARD-TO-RECRUIT SUBJECT OR A RETENTION BONUS TO SUCH A TEACHER  
26 WHO HAS TAUGHT AT THE SCHOOL FOR AT LEAST ONE SCHOOL YEAR; OR

27 (IV) DEFRAY HOUSING AND LIVING EXPENSES IF AN ELIGIBLE

1 SCHOOL RESIDES IN A COMMUNITY WITH A LACK OF ADEQUATE  
2 AFFORDABLE HOUSING..

3 (b) (I) TO GIVE A BONUS UNDER SUBPARAGRAPH (I) OF PARAGRAPH  
4 (a) OF THIS SUBSECTION (3), THE DISTRICT SCHOOL BOARD OR DISTRICT  
5 SUPERINTENDENT MUST SPECIFICALLY IDENTIFY A DATA-DRIVEN  
6 EVALUATION AND PERFORMANCE TOOL BASED UPON THE RESULTS OF  
7 STUDENT PERFORMANCE ON THE ASSESSMENTS ADMINISTERED PURSUANT  
8 TO SECTION 22-7-409 THAT WAS USED TO DETERMINE WHICH TEACHERS  
9 SHOULD RECEIVE THE BONUS.

10 (II) TO GIVE A RECRUITMENT BONUS UNDER SUBPARAGRAPH (II) OR  
11 (III) OF PARAGRAPH (a) OF THIS SUBSECTION (3), THE DISTRICT SCHOOL  
12 BOARD OR DISTRICT SUPERINTENDENT MUST IDENTIFY AN OPEN TEACHING  
13 POSITION THAT IS FILLED BY A NEW TEACHER.

14 (III) THE STATE BOARD SHALL DETERMINE BY RULE WHAT SUBJECTS  
15 CONSTITUTE HARD-TO-RECRUIT SUBJECTS FOR PURPOSES OF  
16 SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (3).

17 (c) ANY MONEYS RECEIVED BY A TEACHER AS A BONUS PURSUANT  
18 TO THIS SECTION SHALL BE IN ADDITION TO ANY OTHER SALARY DUE SUCH  
19 TEACHER PURSUANT TO THE SALARY SCHEDULE OR POLICY ADOPTED  
20 PURSUANT TO SECTION 22-63-401.

21 (4) DURING FEBRUARY, 2005, THE DEPARTMENT SHALL REPORT TO  
22 THE GOVERNOR AND TO THE EDUCATION COMMITTEES OF THE SENATE AND  
23 THE HOUSE OF REPRESENTATIVES ON THE PROGRAM. SUCH REPORT SHALL  
24 INCLUDE BUT NEED NOT BE LIMITED TO:

25 (a) WHETHER THE PROGRAM HAD AN IMPACT ON TEACHER  
26 RECRUITMENT, RETENTION, AND QUALITY;

27 (b) HOW THE CHANGES IN THE OVERALL STANDARDIZED, WEIGHTED

1 SCORES FOR PUBLIC SCHOOLS RECEIVING AWARDS COMPARED TO PUBLIC  
2 SCHOOLS THAT DID NOT RECEIVE THE AWARDS;

3 (c) WHETHER THERE WAS ANY DIFFERENCE IN THE OVERALL  
4 STANDARDIZED, WEIGHTED SCORES FOR ELIGIBLE SCHOOLS THAT USED  
5 MONEYS MOSTLY FOR RECRUITMENT AND RETENTION RATHER THAN  
6 BONUSES; AND

7 (d) WHETHER THE DEPARTMENT RECOMMENDS THAT THE PROGRAM  
8 SHOULD BE CONTINUED.

9 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2005.

10 **SECTION 2. Appropriation.** In addition to any other  
11 appropriation, there is hereby appropriated, out of any moneys in the state  
12 education fund, created pursuant to section 17 of article IX of the state  
13 constitution, not otherwise appropriated, to the department of education,  
14 for the fiscal year beginning July 1, 2001, the sum of twelve million six  
15 hundred thirty thousand dollars (\$12,630,000), or so much thereof as may  
16 be necessary, for the implementation of this act.

17 **SECTION 3. Safety clause.** The general assembly hereby finds,  
18 determines, and declares that this act is necessary for the immediate  
19 preservation of the public peace, health, and safety.