

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0806.01 Julie Pelegrin x2700

HOUSE BILL 16-1162

HOUSE SPONSORSHIP

Navarro,

SENATE SPONSORSHIP

(None),

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING REQUIRING ADVANCE PUBLIC NOTICE OF SALARY
102 INCREASES FOR ADMINISTRATORS OF LOW-PERFORMING PUBLIC
103 EDUCATION ENTITIES.

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/bills summaries>.)

If the governing board of a school district or a public school is considering a salary increase for the superintendent of the school district or the principal or vice principal of the public school and the school district or public school is operating under a priority improvement plan or a turnaround plan, the bill requires publication of notice of the proposal

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.

at least 7 days before the meeting at which the governing board will discuss the salary increase proposal. If the governing board of the school district or the public school decides to grant the salary increase, the governing board must publish notice of the salary increase at least 7 days before the meeting at which the governing board will take action on the salary increase. The governing board must allow public testimony at the meeting at which it takes action on the salary increase. Each of the required notices must be published in a publication that is competent to publish legal notices.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-32-109, **add** (1)
3 (f) (IV) as follows:

4 **22-32-109. Board of education - specific duties.** (1) In addition
5 to any other duty required to be performed by law, each board of
6 education shall have and perform the following specific duties:

7 (f) (IV) IF THE BOARD OF EDUCATION OF A SCHOOL DISTRICT THAT
8 IS ACCREDITED WITH PRIORITY IMPROVEMENT PLAN AS DESCRIBED IN
9 SECTION 22-11-305 OR ACCREDITED WITH TURNAROUND PLAN AS
10 DESCRIBED IN SECTION 22-11-306 IS CONSIDERING A SALARY INCREASE
11 FOR THE SCHOOL DISTRICT SUPERINTENDENT, THE BOARD OF EDUCATION
12 MUST PUBLISH NOTICE OF THE PROPOSAL TO INCREASE THE SALARY AT
13 LEAST SEVEN DAYS BEFORE THE PUBLIC MEETING AT WHICH THE BOARD
14 WILL DISCUSS THE SALARY INCREASE PROPOSAL. IF THE BOARD OF
15 EDUCATION DECIDES TO GRANT A SALARY INCREASE TO THE SCHOOL
16 DISTRICT SUPERINTENDENT, THE BOARD OF EDUCATION MUST PUBLISH
17 NOTICE OF THE SALARY INCREASE AT LEAST SEVEN DAYS BEFORE THE
18 PUBLIC MEETING AT WHICH THE BOARD OF EDUCATION WILL TAKE ACTION
19 ON THE PROPOSED SALARY INCREASE. THE BOARD OF EDUCATION MUST
20 ALLOW PUBLIC COMMENT ON THE PROPOSED SALARY INCREASE AT THAT

1 MEETING. EACH NOTICE REQUIRED IN THIS SUBPARAGRAPH (IV) MUST
2 INCLUDE THE TIME, DATE, AND PLACE OF THE PUBLIC MEETING AND MUST
3 BE PUBLISHED IN A NEWSPAPER WITHIN THE SCHOOL DISTRICT THAT IS
4 COMPETENT TO PUBLISH LEGAL NOTICES AS PROVIDED IN PART 1 OF
5 ARTICLE 70 OF TITLE 24, C.R.S.

6 **SECTION 2.** In Colorado Revised Statutes, 22-32-126, **add** (6)
7 as follows:

8 **22-32-126. Principals - employment and authority.** (6) A
9 BOARD OF EDUCATION THAT IS CONSIDERING A SALARY INCREASE FOR THE
10 PRINCIPAL OR A VICE PRINCIPAL OF A SCHOOL THAT IS OPERATING UNDER
11 A PRIORITY IMPROVEMENT PLAN DESCRIBED IN SECTION 22-11-405 OR A
12 TURNAROUND PLAN DESCRIBED IN SECTION 22-11-406 MUST PUBLISH
13 NOTICE OF THE SALARY INCREASE PROPOSAL AT LEAST SEVEN DAYS
14 BEFORE THE PUBLIC MEETING AT WHICH THE BOARD WILL DISCUSS THE
15 SALARY INCREASE PROPOSAL. IF THE BOARD OF EDUCATION DECIDES TO
16 GRANT A SALARY INCREASE TO THE PRINCIPAL OR VICE PRINCIPAL, THE
17 BOARD OF EDUCATION MUST PUBLISH NOTICE OF THE SALARY INCREASE AT
18 LEAST SEVEN DAYS BEFORE THE PUBLIC MEETING AT WHICH THE BOARD OF
19 EDUCATION WILL TAKE ACTION ON THE PROPOSED SALARY INCREASE. THE
20 BOARD OF EDUCATION MUST ALLOW PUBLIC COMMENT ON THE PROPOSED
21 SALARY INCREASE AT THAT MEETING. EACH NOTICE REQUIRED IN THIS
22 SUBSECTION (6) MUST INCLUDE THE TIME, DATE, AND PLACE OF THE
23 PUBLIC MEETING AND MUST BE PUBLISHED IN A NEWSPAPER WITHIN THE
24 SCHOOL DISTRICT THAT IS COMPETENT TO PUBLISH LEGAL NOTICES AS
25 PROVIDED IN PART 1 OF ARTICLE 70 OF TITLE 24, C.R.S.

26 **SECTION 3.** In Colorado Revised Statutes, 22-30.5-111, **add** (4)
27 as follows:

1 **22-30.5-111. Charter schools - employees - principal salaries.**

2 (4) IF THE GOVERNING BOARD OF A CHARTER SCHOOL THAT IS OPERATING
3 UNDER A PRIORITY IMPROVEMENT PLAN DESCRIBED IN SECTION 22-11-405
4 OR A TURNAROUND PLAN DESCRIBED IN SECTION 22-11-406 IS
5 CONSIDERING A SALARY INCREASE FOR THE PRINCIPAL OR A VICE
6 PRINCIPAL OF THE CHARTER SCHOOL, THE GOVERNING BOARD MUST
7 PUBLISH NOTICE OF THE SALARY INCREASE PROPOSAL AT LEAST SEVEN
8 DAYS BEFORE THE PUBLIC MEETING AT WHICH THE BOARD WILL DISCUSS
9 THE SALARY INCREASE PROPOSAL. IF THE GOVERNING BOARD DECIDES TO
10 GRANT A SALARY INCREASE TO THE PRINCIPAL OR VICE PRINCIPAL, THE
11 GOVERNING BOARD MUST PUBLISH NOTICE OF THE SALARY INCREASE AT
12 LEAST SEVEN DAYS BEFORE THE PUBLIC MEETING AT WHICH THE
13 GOVERNING BOARD WILL TAKE ACTION ON THE PROPOSED SALARY
14 INCREASE. THE GOVERNING BOARD MUST ALLOW PUBLIC COMMENT ON
15 THE PROPOSED SALARY INCREASE AT THAT MEETING. EACH NOTICE
16 REQUIRED IN THIS SUBSECTION (4) MUST INCLUDE THE TIME, DATE, AND
17 PLACE OF THE PUBLIC MEETING AND MUST BE PUBLISHED IN A NEWSPAPER
18 THAT IS COMPETENT TO PUBLISH LEGAL NOTICES AS PROVIDED IN PART 1
19 OF ARTICLE 70 OF TITLE 24, C.R.S., AND THAT IS LOCATED WITHIN THE
20 SCHOOL DISTRICT IN WHICH THE CHARTER SCHOOL IS LOCATED.

21 **SECTION 4.** In Colorado Revised Statutes, **amend 22-30.5-512**
22 as follows:

23 **22-30.5-512. Institute charter schools - employees - principal**
24 **salaries.** (1) A local board of education shall determine by policy or by
25 negotiated agreement, if one exists, the employment status of school
26 district employees employed by an institute charter school who seek to
27 return to employment with public schools in the school district.

1 Employees of an institute charter school shall be members of the public
2 employees' retirement association. The institute charter school and the
3 employee shall contribute the appropriate respective amounts as required
4 by the funds of such association.

5 (2) IF THE GOVERNING BOARD OF AN INSTITUTE CHARTER SCHOOL
6 THAT IS OPERATING UNDER A PRIORITY IMPROVEMENT PLAN DESCRIBED IN
7 SECTION 22-11-405 OR A TURNAROUND PLAN DESCRIBED IN SECTION
8 22-11-406 IS CONSIDERING A SALARY INCREASE FOR THE PRINCIPAL OR A
9 VICE PRINCIPAL OF THE INSTITUTE CHARTER SCHOOL, THE GOVERNING
10 BOARD MUST PUBLISH NOTICE OF THE SALARY INCREASE PROPOSAL AT
11 LEAST SEVEN DAYS BEFORE THE PUBLIC MEETING AT WHICH THE BOARD
12 WILL TAKE ACTION ON THE SALARY INCREASE PROPOSAL. IF THE
13 GOVERNING BOARD DECIDES TO GRANT A SALARY INCREASE TO THE
14 PRINCIPAL OR VICE PRINCIPAL, THE GOVERNING BOARD MUST PUBLISH
15 NOTICE OF THE SALARY INCREASE AT LEAST SEVEN DAYS BEFORE THE
16 PUBLIC MEETING AT WHICH THE GOVERNING BOARD WILL TAKE ACTION ON
17 THE PROPOSED SALARY INCREASE. THE GOVERNING BOARD MUST ALLOW
18 PUBLIC COMMENT ON THE PROPOSED SALARY INCREASE AT THAT MEETING.
19 EACH NOTICE REQUIRED IN THIS SUBSECTION (2) MUST INCLUDE THE TIME,
20 DATE, AND PLACE OF THE PUBLIC MEETING AND MUST BE PUBLISHED IN A
21 NEWSPAPER THAT IS COMPETENT TO PUBLISH LEGAL NOTICES AS PROVIDED
22 IN PART 1 OF ARTICLE 70 OF TITLE 24, C.R.S., AND THAT IS LOCATED
23 WITHIN THE SCHOOL DISTRICT IN WHICH THE INSTITUTE CHARTER SCHOOL
24 IS LOCATED.

25 **SECTION 5. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly (August

1 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within such period, then the act, item, section, or part will not take effect
5 unless approved by the people at the general election to be held in
6 November 2016 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.