

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

ENGROSSED

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

LLS NO. 21-0235.02 Julie Pelegrin x2700

SENATE BILL 21-172

SENATE SPONSORSHIP

Danielson and Garcia,

HOUSE SPONSORSHIP

Gonzales-Gutierrez and Ortiz,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING CREATION OF A FUND TO ASSIST IN INCREASING THE**
102 **AMOUNTS PAID TO PERSONS EMPLOYED BY LOCAL EDUCATION**
103 **PROVIDERS.**

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://leg.colorado.gov>.)

The bill creates the educator pay raise fund (fund), which consists of money that the general assembly may appropriate or transfer to the fund. The department of education must distribute any money appropriated from the fund to assist school districts, charter schools, and boards of cooperative services in increasing teacher salaries and the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
2nd Reading Unamended
March 22, 2021

hourly wage paid to other employees.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 55.5 to
3 title 22 as follows:

4 **ARTICLE 55.5**

5 **Educator Pay Raise Funding**

6 **22-55.5-101. Legislative declaration.** (1) THE GENERAL
7 ASSEMBLY FINDS THAT:

8 (a) RESEARCH DEMONSTRATES THAT, WHEN CONSIDERING THE
9 ELEMENTS OF THE EDUCATION SYSTEM WITHIN PUBLIC SCHOOLS, THE
10 CLASSROOM TEACHER HAS THE MOST SIGNIFICANT EFFECT ON A STUDENT'S
11 LEARNING AND ACADEMIC GROWTH;

12 (b) EACH ADULT WORKING WITHIN A SCHOOL AND INTERACTING
13 WITH STUDENTS HAS THE POTENTIAL TO POSITIVELY INFLUENCE THE
14 STUDENTS WITHIN THE SCHOOL AND INCREASE LEARNING AND ACADEMIC
15 GROWTH;

16 (c) FOR THE 2019-20 SCHOOL YEAR, THE DEPARTMENT OF
17 EDUCATION REPORTED THAT COLORADO HAD AN AVERAGE TEACHER
18 SALARY OF ABOUT FIFTY-SEVEN THOUSAND SEVEN HUNDRED DOLLARS;

19 (d) IN 2020-21, SCHOOL DISTRICTS AND CHARTER SCHOOLS IN
20 COLORADO PAID A MINIMUM TEACHER SALARY THAT RANGED FROM A LOW
21 OF ABOUT TWENTY-FIVE THOUSAND DOLLARS TO A HIGH OF ABOUT
22 FIFTY-THREE THOUSAND DOLLARS;

23 (e) FOR THE 2020-21 SCHOOL YEAR, OF THE ONE HUNDRED
24 SEVENTY-EIGHT SCHOOL DISTRICTS IN THE STATE, ALL BUT THIRTY
25 REPORTED A MINIMUM TEACHER SALARY OF LESS THAN FORTY THOUSAND

1 DOLLARS;

2 (f) MANY OF THESE SCHOOL DISTRICTS ARE RURAL SCHOOL
3 DISTRICTS WITH LOW ASSESSED PROPERTY VALUE AND THEREFORE
4 LIMITED ABILITY TO RAISE LOCAL PROPERTY TAX REVENUE; AND

5 (g) THE TOTAL PROGRAM AMOUNT CALCULATED FOR EACH SCHOOL
6 DISTRICT PURSUANT TO SECTION 22-54-104, WHICH REPRESENTS THE
7 FINANCIAL BASE OF SUPPORT FOR EACH SCHOOL DISTRICT, HAS BEEN
8 REDUCED FOR MOST SCHOOL DISTRICTS BY THE BUDGET STABILIZATION
9 FACTOR EACH BUDGET YEAR SINCE THE 2010-11 BUDGET YEAR, FURTHER
10 RESTRICTING THE ABILITY OF SOME SCHOOL DISTRICTS TO INCREASE THEIR
11 TEACHER SALARIES AND THE HOURLY WAGE FOR OTHER EMPLOYEES.

12 (2) IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY TO
13 ESTABLISH A FUND TO ASSIST SCHOOL DISTRICTS AND CHARTER SCHOOLS
14 IN INCREASING THE SALARY PAID TO TEACHERS AND THE HOURLY WAGE
15 PAID TO NONLICENSED EMPLOYEES.

16 **22-55.5-102. Definitions.** AS USED IN THIS ARTICLE 55.5, UNLESS
17 THE CONTEXT OTHERWISE REQUIRES:

18 (1) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED
19 BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS
20 TITLE 22 OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE STATE
21 CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF
22 THIS TITLE 22.

23 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
24 CREATED IN SECTION 24-1-115.

25 (3) "EDUCATOR" MEANS A TEACHER EMPLOYED BY A SCHOOL
26 DISTRICT OR CHARTER SCHOOL OR AN EMPLOYEE OF A SCHOOL DISTRICT OR
27 CHARTER SCHOOL.

1 (4) "EMPLOYEE" MEANS A PERSON EMPLOYED BY A SCHOOL
2 DISTRICT OR CHARTER SCHOOL WHO PROVIDES PARAPROFESSIONAL
3 SERVICES, CLERICAL SERVICES, CUSTODIAL AND MAINTENANCE SERVICES,
4 FOOD SERVICES, TRANSPORTATION SERVICES, TECHNICAL SERVICES,
5 SKILLED TRADE SERVICES, SECURITY SERVICES, OR HEALTH AND STUDENT
6 SERVICES.

7 (5) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT AUTHORIZED
8 BY SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION AND
9 ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE 22. "SCHOOL
10 DISTRICT" ALSO INCLUDES A BOARD OF COOPERATIVE SERVICES CREATED
11 PURSUANT TO ARTICLE 5 OF THIS TITLE 22 IF IT IS OPERATING A PUBLIC
12 SCHOOL.

13 (6) "TEACHER" MEANS AN INDIVIDUAL WHO IS EMPLOYED BY A
14 SCHOOL DISTRICT OR CHARTER SCHOOL TO INSTRUCT, DIRECT, OR
15 SUPERVISE THE INSTRUCTIONAL PROGRAM OR TO PROVIDE SERVICES AS A
16 SCHOOL NURSE AND WHO MAY HOLD A TEACHER'S LICENSE OR A SPECIAL
17 SERVICES LICENSE ISSUED PURSUANT TO ARTICLE 60.5 OF THIS TITLE 22.
18 "TEACHER" DOES NOT INCLUDE A PERSON WHO HOLDS AN AUTHORIZATION
19 ISSUED PURSUANT TO SECTION 22-60.5-111 OR WHO HOLDS A PRINCIPAL
20 OR AN ADMINISTRATOR LICENSE AND IS EMPLOYED AS A PRINCIPAL OF A
21 SCHOOL OR AN ADMINISTRATIVE OFFICER OF A SCHOOL DISTRICT.

22 **22-55.5-103. Educator pay raise fund - created.** THE EDUCATOR
23 PAY RAISE FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS
24 OF MONEY THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO
25 THE FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
26 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
27 FUND TO THE FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE

1 GENERAL ASSEMBLY, THE DEPARTMENT SHALL DISTRIBUTE MONEY FROM
2 THE FUND TO ASSIST SCHOOL DISTRICTS AND CHARTER SCHOOLS TO
3 INCREASE THE SALARY PAID TO TEACHERS AND THE HOURLY WAGE PAID
4 TO NONLICENSED EMPLOYEES.

5 **SECTION 2. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety.