

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 18-1266.01 Julie Pelegrin x2700

HOUSE BILL 18-1412

HOUSE SPONSORSHIP

Buckner and Lundeen,

SENATE SPONSORSHIP

Hill,

House Committees

Education
Appropriations

Senate Committees

State, Veterans, & Military Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING PROVIDING FUNDING FOR LOCAL EDUCATION PROVIDERS**
102 **TO IMPLEMENT INITIATIVES TO REDUCE THE TEACHER**
103 **SHORTAGE IN COLORADO, AND, IN CONNECTION THEREWITH,**
104 **CREATING THE RETAINING TEACHERS GRANT PROGRAM AND**
105 **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://leg.colorado.gov>.)

The bill creates the retaining teachers grant program (grant program) to assist school districts, boards of cooperative services, and

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
May 3, 2018

HOUSE
3rd Reading Unamended
April 25, 2018

HOUSE
2nd Reading Unamended
April 24, 2018

charter schools (local education providers) in implementing initiatives to improve retention of teachers. The department of education (department) is directed to implement the grant program by reviewing applications and recommending grant recipients and grant amounts to the state board of education (state board), which awards the grants. The department is also directed to provide information to local education providers concerning the grant program and provide assistance in writing grant applications if requested. Each grant is awarded for 3 years, subject to annual review by the department and renewal by the state board. The grants are paid from the retaining teachers fund created in the bill. The department must submit annual reports to the state board and to the joint budget committee and the education committees of the general assembly concerning implementation of the grant program, including an evaluation of the effectiveness of the grant program in reducing the teacher shortage in Colorado, any recommendations for changes to improve the effectiveness of the grant program, and a recommendation concerning continuation of the grant program. The grant program is repealed, effective July 1, 2022.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 98 to title
3 22 as follows:

4 **ARTICLE 98**

5 **Teacher Retention in Public Schools**

6 **22-98-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
7 FINDS THAT:

8 (a) A RECENT STUDY BY THE DEPARTMENT OF HIGHER EDUCATION
9 AND THE DEPARTMENT OF EDUCATION IDENTIFIED THE EXISTENCE OF A
10 TEACHER SHORTAGE IN COLORADO;

11 (b) THE STUDY SPECIFICALLY FOUND THAT THE INABILITY TO
12 RETAIN TEACHERS, EITHER IN A SPECIFIC SCHOOL DISTRICT OR PUBLIC
13 SCHOOL OR IN THE PROFESSION, IS A SIGNIFICANT CAUSE OF THE TEACHER
14 SHORTAGE. THE FOUR-YEAR TEACHER ATTRITION RATE FOR PUBLIC
15 SCHOOLS IN COLORADO IS SIXTEEN AND FOUR-TENTHS PERCENT, ABOUT
16 TWO PERCENT HIGHER THAN THE NATIONAL AVERAGE. THE PERCENTAGE

1 OF TEACHERS WHO PLAN TO LEAVE TEACHING IN COLORADO IS ALSO
2 ABOUT TWO PERCENT HIGHER THAN THE NATIONAL AVERAGE.

3 (c) THE COLORADO TEACHER SHORTAGE STUDY AND OTHER
4 RESEARCH HAVE IDENTIFIED SEVERAL STRATEGIES TO ADDRESS THE ISSUE
5 OF TEACHER RETENTION, INCLUDING PROVIDING ROBUST INDUCTION
6 PROGRAMS AND OTHER SIGNIFICANT SUPPORTS FOR NEW TEACHERS;
7 PROVIDING PEER REVIEW AND MENTORSHIP PROGRAMS BOTH AS SUPPORT
8 FOR NEW TEACHERS AND AS CAREER ADVANCEMENT OPPORTUNITIES FOR
9 EXPERIENCED TEACHERS; ALLOWING FLEXIBILITY IN WORK SCHEDULES TO
10 DECREASE TEACHER-STUDENT CONTACT TIME AND INCREASE TIME FOR
11 PLANNING, COLLABORATING, AND MENTORING; PROVIDING OPPORTUNITIES
12 FOR PROFESSIONAL DEVELOPMENT AND RECOGNITION FOR EXPERIENCED
13 TEACHERS; AND CREATING CAREER ADVANCEMENT PATHWAYS TO HELP IN
14 RETAINING EXPERIENCED TEACHERS; AND

15 (d) IMPLEMENTING THESE STRATEGIES REQUIRES FUNDING, AND A
16 STRATEGY THAT MAY BE EFFECTIVE IN ADDRESSING THE ISSUES IN ONE
17 SCHOOL DISTRICT OR PUBLIC SCHOOL MAY NOT BE EFFECTIVE IN ANOTHER
18 SCHOOL DISTRICT OR PUBLIC SCHOOL. BECAUSE EACH SCHOOL DISTRICT
19 AND PUBLIC SCHOOL FACES DIFFERENT CHALLENGES, EACH SCHOOL
20 DISTRICT AND PUBLIC SCHOOL NEEDS THE OPPORTUNITY TO SELECT A
21 STRATEGY THAT WILL BEST MEET THE NEEDS OF THAT SCHOOL DISTRICT
22 OR PUBLIC SCHOOL AND TO RECEIVE FUNDING TO IMPLEMENT THAT
23 STRATEGY.

24 (2) THE GENERAL ASSEMBLY THEREFORE FINDS THAT, TO
25 SIGNIFICANTLY DECREASE THE TEACHER SHORTAGE IN COLORADO AND
26 SUPPORT SCHOOL DISTRICTS AND PUBLIC SCHOOLS THAT DEMONSTRATE
27 BOTH TEACHER SHORTAGES AND THE NEED FOR FINANCIAL ASSISTANCE TO

1 ADDRESS THE SHORTAGES, IT IS NECESSARY TO ESTABLISH A GRANT
2 PROGRAM FOR SCHOOL DISTRICTS, PUBLIC SCHOOLS, AND BOARDS OF
3 COOPERATIVE SERVICES THAT OPERATE PUBLIC SCHOOLS THAT WILL
4 PROVIDE FUNDING TO THEM TO IMPLEMENT A WIDE VARIETY OF LOCALLY
5 APPROPRIATE OPTIONS TO IMPROVE THEIR ABILITY TO SUCCESSFULLY
6 RETAIN TEACHERS.

7 **22-98-102. Definitions.** AS USED IN THIS ARTICLE 98, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:

9 (1) "BOARD OF COOPERATIVE SERVICES" MEANS A BOARD OF
10 COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE
11 22.

12 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
13 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

14 (3) "FUND" MEANS THE RETAINING TEACHERS FUND CREATED IN
15 SECTION 22-98-104.

16 (4) "GRANT PROGRAM" MEANS THE RETAINING TEACHERS GRANT
17 PROGRAM CREATED IN SECTION 22-98-103.

18 (5) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
19 BOARD OF COOPERATIVE SERVICES THAT OPERATES A PUBLIC SCHOOL, A
20 CHARTER SCHOOL THAT IS AUTHORIZED BY A SCHOOL DISTRICT PURSUANT
21 TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22, OR AN INSTITUTE CHARTER
22 SCHOOL THAT IS AUTHORIZED PURSUANT TO PART 5 OF ARTICLE 30.5 OF
23 THIS TITLE 22.

24 (6) "POSTSECONDARY INSTITUTION" MEANS AN AREA TECHNICAL
25 COLLEGE, A LOCAL DISTRICT COLLEGE, OR A STATE INSTITUTION OF HIGHER
26 EDUCATION, AS DEFINED IN SECTION 23-18-102.

27 (7) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN COLORADO

1 THAT IS ORGANIZED AND EXISTING PURSUANT TO LAW BUT DOES NOT
2 INCLUDE A LOCAL COLLEGE DISTRICT.

3 (8) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
4 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
5 STATE CONSTITUTION.

6 **22-98-103. Retaining teachers grant program - created -**
7 **applications - rules.** (1) THERE IS CREATED IN THE DEPARTMENT OF
8 EDUCATION THE RETAINING TEACHERS GRANT PROGRAM TO ASSIST LOCAL
9 EDUCATION PROVIDERS IN RETAINING TEACHERS BY IMPLEMENTING ONE
10 OR MORE OF THE INITIATIVES DESCRIBED IN SUBSECTION (2) OF THIS
11 SECTION. THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM BY
12 REVIEWING GRANT APPLICATIONS AND RECOMMENDING GRANT RECIPIENTS
13 AND THE AMOUNT OF EACH GRANT TO THE STATE BOARD. SUBJECT TO
14 AVAILABLE APPROPRIATIONS, THE STATE BOARD, TAKING INTO ACCOUNT
15 THE RECOMMENDATIONS OF THE DEPARTMENT, SHALL AWARD THE GRANTS
16 FROM MONEY APPROPRIATED TO THE FUND. EACH GRANT CONTINUES FOR
17 UP TO THREE YEARS, SUBJECT TO REVIEW BY THE DEPARTMENT AS
18 PROVIDED IN SUBSECTION (6) OF THIS SECTION.

19 (2) THE STATE BOARD SHALL AWARD GRANTS THROUGH THE
20 GRANT PROGRAM TO IMPLEMENT ONE OR MORE OF THE FOLLOWING
21 INITIATIVES THAT ARE DESIGNED TO IMPROVE THE ABILITY OF A LOCAL
22 EDUCATION PROVIDER TO RETAIN TEACHERS:

- 23 (a) JOB-SHARING FOR TEACHERS;
- 24 (b) PROVIDING ON-SITE EARLY CHILDHOOD CARE SERVICES FOR
25 FAMILY MEMBERS OF EDUCATORS;
- 26 (c) ROBUST TEACHER INDUCTION PROGRAMS FOR NEW TEACHERS;
- 27 (d) PEER REVIEW AND MENTORSHIP PROGRAMS AND OTHER CAREER

1 DEVELOPMENT AND ADVANCEMENT STRATEGIES;

2 (e) PROGRAMS TO PROVIDE PROFESSIONAL DEVELOPMENT FOR THE
3 CREATION AND IMPLEMENTATION OF CAREER ADVANCEMENT PATHWAYS
4 FOR MASTER TEACHER AND TEACHER LEADERSHIP POSITIONS FOR
5 EFFECTIVE TEACHERS;

6 (f) INCENTIVE PROGRAMS TO RECOGNIZE AND RETAIN HIGHLY
7 EFFECTIVE TEACHERS;

8 (g) REDUCED TEACHER-STUDENT CONTACT HOURS AND INCREASED
9 PLANNING, MENTORING, AND COLLABORATION TIME FOR NEW TEACHERS
10 AND MENTOR TEACHERS; AND

11 (h) INCREASED USE OF TECHNOLOGY IN BLENDED LEARNING
12 INITIATIVES TO CREATE OPPORTUNITIES AND FINANCIAL INCENTIVES FOR
13 TEACHER DEVELOPMENT AND CAREER ADVANCEMENT AND COST SAVINGS
14 TO SUPPORT SALARY INCREASES.

15 (3) (a) A LOCAL EDUCATION PROVIDER MAY APPLY TO THE GRANT
16 PROGRAM BY SUBMITTING AN APPLICATION TO THE DEPARTMENT IN
17 ACCORDANCE WITH THE RULES ADOPTED BY THE STATE BOARD. AT A
18 MINIMUM, THE APPLICATION MUST INCLUDE:

19 (I) EVIDENCE DESCRIBING THE LEVEL OF DIFFICULTY THAT THE
20 APPLICANT ENCOUNTERS IN RETAINING TEACHERS, THE SPECIFIC REASONS
21 FOR THE DIFFICULTY, AND A SPECIFIC ACCOUNTING OF THE GRADE LEVELS
22 AND SUBJECTS FOR WHICH THE APPLICANT IS UNABLE TO RETAIN
23 TEACHERS;

24 (II) AN ACCOUNTING OF THE EXISTING MONETARY OR OTHER
25 RESOURCES AVAILABLE TO THE APPLICANT TO USE IN IMPLEMENTING
26 INITIATIVES TO RETAIN TEACHERS;

27 (III) A DESCRIPTION OF THE INITIATIVE TO RETAIN TEACHERS THAT

1 THE APPLICANT INTENDS TO IMPLEMENT USING THE GRANT AND HOW THE
2 INITIATIVE IS DESIGNED TO ADDRESS THE SPECIFIC ISSUES CAUSING THE
3 DIFFICULTY WITH RETAINING TEACHERS;

4 (IV) THE SPECIFIC, MEASURABLE GOALS THAT THE APPLICANT
5 EXPECTS TO ACHIEVE IN IMPLEMENTING THE INITIATIVE AND HOW THE
6 APPLICANT EXPECTS TO MEASURE ATTAINMENT OF THE GOALS; AND

7 (V) THE COST OF IMPLEMENTING THE INITIATIVE AND THE
8 APPLICANT'S PLAN FOR SUSTAINING THE INITIATIVE AFTER THE GRANT
9 MONEY IS NO LONGER AVAILABLE.

10 (b) A LOCAL EDUCATION PROVIDER IS ENCOURAGED TO PARTNER
11 WITH OTHER LOCAL EDUCATION PROVIDERS OR WITH ONE OR MORE
12 POSTSECONDARY INSTITUTIONS TO APPLY FOR A GRANT. AT THE REQUEST
13 OF A LOCAL EDUCATION PROVIDER, THE DEPARTMENT SHALL PROVIDE
14 TECHNICAL ASSISTANCE IN WRITING THE GRANT APPLICATION AND IN
15 COMPLYING WITH THE ANNUAL REVIEW REQUIREMENTS DESCRIBED IN
16 SUBSECTION (6) OF THIS SECTION.

17 (4) IN RECOMMENDING AND SELECTING GRANT RECIPIENTS, THE
18 DEPARTMENT AND THE STATE BOARD SHALL PRIORITIZE THE APPLICANTS
19 BASED ON THE DEMONSTRATION OF A HIGH NUMBER OF POSITIONS FOR
20 WHICH AN APPLICANT IS UNABLE TO RETAIN TEACHERS AND EVIDENCE OF
21 A HIGH RATE OF TEACHER TURNOVER IF THE APPLICANT IS A
22 LOW-PERFORMING SCHOOL OR WITHIN THE LOW-PERFORMING SCHOOLS
23 OPERATED BY THE APPLICANT. IN ADDITION, THE DEPARTMENT AND THE
24 STATE BOARD, AT A MINIMUM, SHALL CONSIDER:

25 (a) THE APPLICANT'S CAPACITY TO SUCCESSFULLY IMPLEMENT THE
26 PROPOSED INITIATIVE AND THE LIKELIHOOD THAT THE PROPOSED
27 INITIATIVE WILL INCREASE THE APPLICANT'S ABILITY TO RETAIN

1 TEACHERS;

2 (b) THE COST-EFFECTIVENESS AND QUALITY OF THE PROPOSED
3 INITIATIVE; AND

4 (c) THE APPLICANT'S PLAN FOR SUSTAINING IMPLEMENTATION OF
5 THE INITIATIVE AFTER THE GRANT MONEY IS NO LONGER AVAILABLE.

6 (5) EACH GRANT RECIPIENT SHALL USE THE GRANT MONEY TO
7 SUPPLEMENT, NOT SUPPLANT, RESOURCES THAT THE GRANT RECIPIENT
8 APPLIES TO TEACHER RETENTION INITIATIVES BEFORE RECEIVING THE
9 GRANT. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT EACH GRANT
10 RECIPIENT USE THE GRANT MONEY FOR NEW TEACHER RETENTION
11 INITIATIVES OR TO EXPAND EXISTING TEACHER RETENTION INITIATIVES, AS
12 DESCRIBED IN THIS SECTION.

13 (6) (a) EACH GRANT AWARDED THROUGH THE GRANT PROGRAM
14 CONTINUES FOR THREE BUDGET YEARS, SUBJECT TO ANNUAL REVIEW BY
15 THE DEPARTMENT AND RENEWAL BY THE STATE BOARD. THE DEPARTMENT
16 SHALL ANNUALLY REVIEW THE PROGRESS ACHIEVED BY EACH GRANT
17 RECIPIENT IN ATTAINING THE GOALS OF THE INITIATIVE FUNDED BY THE
18 GRANT AND RECOMMEND TO THE STATE BOARD THAT THE GRANT BE
19 EXTENDED OR REVOKED. TAKING INTO CONSIDERATION THE
20 RECOMMENDATIONS OF THE DEPARTMENT, THE STATE BOARD SHALL
21 EXTEND THE GRANT ONLY IF THE STATE BOARD DETERMINES THAT THE
22 GRANT RECIPIENT IS MAKING ADEQUATE PROGRESS TOWARD ACHIEVING
23 THE GOALS OF THE INITIATIVE.

24 (b) THE DEPARTMENT SHALL MONITOR AND, IF NECESSARY, AUDIT,
25 EACH GRANT RECIPIENT'S USE OF THE GRANT MONEY TO IMPLEMENT THE
26 FUNDED INITIATIVE. THE GRANT RECIPIENT SHALL SUBMIT INFORMATION
27 CONCERNING THE USE OF THE GRANT MONEY TO THE DEPARTMENT AS

1 REQUIRED BY STATE BOARD RULE.

2 (c) THE DEPARTMENT SHALL PROVIDE INFORMATION TO THE LOCAL
3 EDUCATION PROVIDERS CONCERNING THE GRANT PROGRAM, THE
4 REQUIREMENTS FOR APPLYING FOR A GRANT, THE INITIATIVES THAT A
5 LOCAL EDUCATION PROVIDER MAY IMPLEMENT USING GRANT MONEY, AND
6 THE AVAILABILITY OF ASSISTANCE IN WRITING GRANT APPLICATIONS.

7 (7) THE STATE BOARD SHALL PROMULGATE RULES IN ACCORDANCE
8 WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE
9 24, AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM. IN
10 PROMULGATING RULES FOR REPORTING INFORMATION CONCERNING THE
11 USE OF GRANT MONEY, THE STATE BOARD SHALL ENSURE THAT THE
12 REPORTING REQUIREMENTS ARE AS MINIMAL AND EFFICIENT FOR GRANT
13 RECIPIENTS AS POSSIBLE TO IMPLEMENT THE GRANT PROGRAM.

14 **22-98-104. Retaining teachers fund - created.** (1) THE
15 RETAINING TEACHERS FUND IS HEREBY CREATED IN THE STATE TREASURY.
16 THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY MAY
17 APPROPRIATE OR TRANSFER TO THE FUND.

18 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
19 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
20 FUND TO THE FUND.

21 (3) THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO
22 THE DEPARTMENT TO IMPLEMENT THE GRANT PROGRAM. IN EACH BUDGET
23 YEAR, THE DEPARTMENT MAY USE UP TO TWO PERCENT OF THE AMOUNT
24 APPROPRIATED TO THE FUND FOR THE DIRECT COSTS INCURRED IN
25 IMPLEMENTING THE GRANT PROGRAM, INCLUDING ANY COSTS INCURRED
26 IN PROVIDING TECHNICAL SUPPORT TO LOCAL EDUCATION PROVIDERS AS
27 PROVIDED IN SECTION 22-98-103 (3)(b).

1 (4) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED
2 AND UNENCUMBERED MONEY IN THE FUND ON JULY 1, 2022, TO THE
3 GENERAL FUND.

4 **22-98-105. Report.** (1) NOTWITHSTANDING SECTION 24-1-136
5 (11)(a)(I), ON OR BEFORE JANUARY 15, 2019, AND ON OR BEFORE JANUARY
6 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT TO THE
7 STATE BOARD, THE JOINT BUDGET COMMITTEE, AND THE EDUCATION
8 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR
9 ANY SUCCESSOR COMMITTEES, A REPORT CONCERNING IMPLEMENTATION
10 OF THE GRANT PROGRAM. AT A MINIMUM, THE REPORT MUST INCLUDE:

11 (a) THE NAME OF EACH GRANT RECIPIENT AND THE AMOUNT OF
12 EACH GRANT;

13 (b) A DESCRIPTION OF THE INITIATIVE TO BE IMPLEMENTED WITH
14 EACH GRANT AND A REPORT OF THE PROGRESS MADE BY EACH GRANT
15 RECIPIENT IN ACHIEVING THE GOALS OF THE INITIATIVE;

16 (c) FOR THE REPORTS SUBMITTED IN 2021 AND 2022, AN
17 EVALUATION OF THE EFFECT OF THE GRANT PROGRAM IN IMPROVING
18 TEACHER RETENTION BY LOCAL EDUCATION PROVIDERS AND IN REDUCING
19 THE OVERALL TEACHER SHORTAGE IN THE STATE;

20 (d) ANY RECOMMENDATIONS FOR LEGISLATIVE CHANGES TO
21 IMPROVE THE EFFECTIVENESS OF THE GRANT PROGRAM; AND

22 (e) FOR THE REPORT SUBMITTED IN 2022, A RECOMMENDATION
23 CONCERNING WHETHER TO CONTINUE THE GRANT PROGRAM.

24 **22-98-106. Repeal of article.** THIS ARTICLE 98 IS REPEALED,
25 EFFECTIVE JULY 1, 2022.

26 **SECTION 2. Appropriation.** For the 2018-19 state fiscal year,
27 \$3,000,000 is appropriated to the retaining teachers fund created in

1 section 22-98-104, C.R.S., for use by the department of education. This
2 appropriation is from the general fund. To implement this act, the
3 department may use this appropriation to implement the retaining teachers
4 grant program created in article 98 of title 22, C.R.S.

5 **SECTION 3. 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, and safety.