

## CHAPTER 233

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**EDUCATION - PUBLIC SCHOOLS**


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## SENATE BILL 18-085

BY SENATOR(S) Todd, Coram, Merrifield, Zenzinger, Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Moreno, Priola, Sonnenberg, Tate, Williams A., Grantham; also REPRESENTATIVE(S) McLachlan, Arndt, Becker K., Bridges, Buckner, Coleman, Esgar, Exum, Ginal, Gray, Hamner, Herod, Jackson, Kennedy, Kraft-Tharp, Lee, Lontine, Melton, Michaelson Jenet, Roberts, Rosenthal, Salazar, Valdez, Winter, Young, Duran, Hooton, Pettersen, Singer, Wilson.

## AN ACT

**CONCERNING PROVIDING FINANCIAL INCENTIVES FOR EDUCATORS TO WORK IN RURAL AREAS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, **amend** 23-76-101 as follows:

**23-76-101. Legislative declaration.** (1) The general assembly finds that:

(a) Teachers have a great impact on student achievement. Evidence shows that ~~teacher~~ THE QUALITY OF TEACHERS can account for the majority of variances in student learning and test scores.

(b) The teaching and learning conditions under which teachers practice their profession, though often overlooked, are essential elements to student achievement and ~~teacher~~ retention. These conditions must be systematically studied and addressed for Colorado to develop a critical mass of teachers who are well prepared to teach and who will remain in hardest-to-staff schools long enough to make a significant difference for students and their families.

(c) Research ~~also~~ demonstrates that the negative effects of ~~teacher~~ shortages ~~and~~ OF TEACHERS AND SPECIAL SERVICES PROVIDERS, AS WELL AS distribution challenges, have a disproportionate impact on geographic areas of the state that are classified as "rural". ~~leaving~~ AS A RESULT, children in ~~those~~ RURAL areas ARE more likely to be taught by fewer teachers who must cover an increasingly larger number of subjects AND HAVE LIMITED ACCESS TO CRITICAL SUPPORT SERVICES OFFERED BY

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*Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

## SPECIAL SERVICES PROVIDERS.

(d) APPROVED ALTERNATIVE TEACHER PREPARATION PROGRAMS ARE CRITICAL FOR FILLING TEACHER SHORTAGES IN RURAL SCHOOLS AND SCHOOL DISTRICTS ACROSS COLORADO. RURAL SCHOOL LEADERS ARE ABLE TO PLACE QUALIFIED TEACHER CANDIDATES, INCLUDING MEMBERS OF THEIR OWN COMMUNITIES, IN CLASSROOMS THROUGH THESE ALTERNATIVE TEACHER PREPARATION PROGRAMS. SUCH PROGRAMS PROVIDE THE NECESSARY SUPPORT AND COACHING TO AN INDIVIDUAL DURING HIS OR HER YEAR-LONG TRAINING AND ALLOW ALTERNATIVE TEACHER CANDIDATES TO EARN INITIAL TEACHER LICENSURE WHILE SERVING IN CLASSROOMS. BY HELPING TO FILL IMMEDIATE NEEDS IN HARD-TO-STAFF RURAL SCHOOLS AND SCHOOL DISTRICTS, AND BY RECEIVING THE NECESSARY TRAINING, ALTERNATIVE TEACHER CANDIDATES ARE ABLE TO CREATE A POSITIVE, LONGITUDINAL IMPACT ON STUDENTS AND THEIR FAMILIES.

(e) SINCE THE BEGINNING OF ALTERNATIVE TEACHER PREPARATION PATHWAYS IN COLORADO, THE NUMBER OF ALTERNATIVE TEACHER CANDIDATES HAS INCREASED STEADILY, WITH ONE OUT OF EVERY FOUR ALTERNATIVE TEACHER CANDIDATES NOW COMPLETING AN ALTERNATIVE TEACHER PREPARATION PROGRAM.

(2) The general assembly further finds and declares that, for purposes of section 17 of article IX of the state constitution, implementation of measures designed to improve ~~teacher~~ THE quality, recruitment, and retention OF TEACHERS AND SPECIAL SERVICES PROVIDERS in the rural areas of Colorado through this ~~article~~ ARTICLE 76 is a critical element of accountable education reform, accountable programs to meet state academic standards, and performance incentives for teachers AND SPECIAL SERVICES PROVIDERS and, therefore, may receive funding from the state education fund created in section 17 (4) of article IX of the state constitution.

**SECTION 2.** In Colorado Revised Statutes, 23-76-102, **amend** the introductory portion; and **add** (5) as follows:

**23-76-102. Definitions.** As used in this ~~article~~ ARTICLE 76, unless the context otherwise requires:

(5) "SPECIAL SERVICES PROVIDER" MEANS A PERSON, OTHER THAN A TEACHER, PRINCIPAL, OR ADMINISTRATOR, WHO PROVIDES PROFESSIONAL SERVICES IN DIRECT SUPPORT OF AN INSTRUCTIONAL PROGRAM. "SPECIAL SERVICES PROVIDERS" INCLUDES SPEECH LANGUAGE PATHOLOGISTS, PSYCHOLOGISTS, AUDIOLOGISTS, OCCUPATIONAL THERAPISTS, PHYSICAL THERAPISTS, COUNSELORS, NURSES, AND SOCIAL WORKERS.

**SECTION 3.** In Colorado Revised Statutes, **amend** 23-76-106 as follows:

**23-76-106. National board certified teacher stipends - concurrent enrollment stipends.** (1) The department of higher education shall annually provide up to ~~twenty~~ SIXTY financial stipends, not to exceed six thousand dollars each, to any:

(a) Teacher in a rural school or school district who is seeking certification as a national board certified teacher;

(b) ~~TEACHER IN A RURAL SCHOOL OR SCHOOL DISTRICT WHO IS seeking certification as a concurrent enrollment teacher or is a teacher furthering his or her professional development plan through continuing education.~~ AND WHO NEEDS ADDITIONAL COURSE WORK OR CREDENTIALS TO OBTAIN SUCH CERTIFICATION;

(c) TEACHER COMPLETING AN ALTERNATIVE LICENSURE PROGRAM APPROVED BY THE DEPARTMENT OF EDUCATION PURSUANT TO ARTICLE 60.5 OF TITLE 22 THAT LEADS TO INITIAL LICENSURE IN THE STATE OF COLORADO AND FULL-TIME EMPLOYMENT AS A TEACHER IN A RURAL SCHOOL OR SCHOOL DISTRICT THAT SERVES RURAL SCHOOLS; OR

(d) INDIVIDUAL SEEKING TO COMPLETE THE REQUIRED COURSE WORK LEADING TO CERTIFICATION AS A SPECIAL SERVICES PROVIDER AND EMPLOYMENT IN A RURAL SCHOOL OR SCHOOL DISTRICT THAT IS PROVIDING SERVICES TO RURAL SCHOOLS.

(1.5) IF IN ANY ONE FISCAL YEAR, THE NUMBER OF STIPEND APPLICATIONS SUBMITTED PURSUANT TO THIS SECTION EXCEEDS THE TOTAL AMOUNT OF STIPENDS AVAILABLE, THE DEPARTMENT OF HIGHER EDUCATION SHALL GIVE PRIORITY FOR STIPEND AWARDS TO TEACHERS. AFTER ALL TEACHER APPLICATIONS HAVE BEEN FUNDED, STIPENDS MAY THEN BE AWARDED TO SPECIAL SERVICES PROVIDERS, SUBJECT TO AVAILABLE APPROPRIATIONS.

(2) The stipends may be used to offset application fees, evaluation costs, tuition costs, and any ADDITIONAL costs associated with ~~continuing education that are~~ OBTAINING INITIAL LICENSURE OR in support of a teacher's OR SPECIAL SERVICES PROVIDER's professional development plan; EXCEPT THAT THE STIPENDS MAY ONLY BE USED TO OFFSET COSTS ASSOCIATED WITH AN INSTITUTION OF HIGHER EDUCATION OR AN ALTERNATIVE LICENSURE PROGRAM THAT IS APPROVED BY THE STATE BOARD OF EDUCATION.

(3) The financial stipends awarded should, to the extent practicable, include persons with disabilities and take into consideration the geographic, racial, and ethnic diversity of the state.

(4) A teacher OR A SPECIAL SERVICES PROVIDER who receives a stipend pursuant to this section must commit to ~~teach for a total~~ BECOME OR REMAIN EMPLOYED IN A RURAL SCHOOL OR SCHOOL DISTRICT THAT SERVES RURAL SCHOOLS IN THE STATE OF COLORADO FOR A MINIMUM of three years. ~~in his or her rural school or school district.~~

**SECTION 4. Appropriation.** (1) For the 2018-19 state fiscal year, \$240,000 is appropriated to the department of education. This appropriation is from the state education fund created in section 17 (4) (a) of article IX of the state constitution. The department may use this appropriation for transfer to the department of higher education for rural teacher recruitment, retention, and professional development.

(2) For the 2018-19 state fiscal year, \$240,000 is appropriated to the department of higher education. This appropriation is from reappropriated funds received from the department of education under subsection (1) of this section. To implement this act, the department of higher education may use this appropriation for rural teacher recruitment, retention, and professional development.

**SECTION 5. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 24, 2018