

## CHAPTER 191

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**EDUCATION - PUBLIC SCHOOLS**

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**HOUSE BILL 95-1014**

BY REPRESENTATIVES Sullivan, Acquafresca, Agler, Allen, Anderson, Berry, Dean, Jerke, Lamborn, May, McPherson, Paschall, Prinzler, Schwarz, Sullivant, Swenson, and Tool;  
also SENATORS Norton, Alexander, Blickensderfer, Coffman, and R. Powers.

**AN ACT****CONCERNING AUTHORIZATION OF SCHOOL DISTRICTS TO ESTABLISH SALARY POLICIES.**

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

**SECTION 1.** 22-63-401, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

**22-63-401. Salary schedule - adoption - changes.** (1) The board of a school district shall adopt by resolution a salary schedule ~~which schedule~~ THAT may be by job description and job definition, A TEACHER SALARY POLICY BASED ON THE LEVEL OF PERFORMANCE DEMONSTRATED BY EACH TEACHER, OR A COMBINATION OF THE SALARY SCHEDULE AND SALARY POLICY. Such SALARY schedule, SALARY POLICY, OR COMBINATION SCHEDULE AND POLICY shall be adopted in conjunction with or prior to the adoption of the budget for the following fiscal year. The schedule, POLICY, OR COMBINATION SCHEDULE AND POLICY shall remain in effect until changed or modified by the board. All teachers employed by the district shall be subject to such salary schedule, POLICY, OR COMBINATION SCHEDULE AND POLICY.

(2) IF A DISTRICT CHOOSES TO ADOPT A SALARY SCHEDULE, the board shall place each teacher in the school district on the salary schedule at a level at least commensurate with, but not limited to, ~~his~~ EACH TEACHER'S education, prior experience, and experience in the district as provided in the salary schedule. ~~In addition to the salary schedule, nothing in this subsection (2) shall prohibit the board of a school district from making provision for pilot alternative salary policies as provided for in article 66 of this title.~~

(3) The adopted salary schedule, POLICY, OR COMBINATION SCHEDULE AND POLICY shall not be changed or modified during the school year in a manner so as to reduce

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

the salary of a teacher for such school year; but the reassignment of a teacher with a reduction in salary pursuant to section 22-63-206 (2) or (3) shall not be included within the limitations of this subsection (3).

(4) The salary or compensation of any teacher may be changed for any succeeding school year in accordance with the salary schedule, POLICY, OR COMBINATION SCHEDULE AND POLICY adopted by the employing board. There shall be no reduction in the salary of any classroom teacher unless there is a general reduction in the salaries of all teachers in the district according to the adopted salary schedule, POLICY, OR COMBINATION SCHEDULE AND POLICY.

**SECTION 2. Repeal.** Article 66 of title 22, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is repealed.

**SECTION 3.** 22-62.5-101 (4), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

**22-62.5-101. Definitions.** As used in this article, unless the context otherwise requires:

(4) "Salary ~~schedule~~ POLICY" means the general schedule of salaries for teachers, SALARY POLICY FOR TEACHERS, OR COMBINATION SCHEDULE AND POLICY, WHICHEVER IS APPROPRIATE, adopted by the board of education pursuant to section 22-63-401.

**SECTION 4.** 22-62.5-102 (1) (c), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

**22-62.5-102. Establishment of program.** (1) There is hereby established the exceptional learning program. Such program shall be administered by the state board in accordance with the provisions of this article and rules and regulations adopted by the state board. The purposes of the program are:

(c) To provide said school districts with moneys that may be used to employ said teachers at salaries above the district's salary ~~schedule~~ POLICY.

**SECTION 5.** 22-62.5-106 (1), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

**22-62.5-106. Employment of improvement teachers - payments from exceptional learning program fund.** (1) Following the designation of improvement teachers and improvement school districts pursuant to section 22-62.5-105, each such school district shall be given a list of improvement teachers. The improvement school district may employ one or more improvement teachers in accordance with established employment practices of the school district; except that the salary that may be offered to the improvement teacher may exceed by thirty percent the salary otherwise established for a teacher of similar education and experience in the school district's salary ~~schedule~~ POLICY.

**SECTION 6.** 22-63-203 (3), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

**22-63-203. Probationary teachers - renewal and nonrenewal of employment contract.** (3) A probationary teacher employed by a school district on a full-time basis shall be deemed to be reemployed for the succeeding academic year at the salary ~~which~~ THAT the probationary teacher would be entitled to receive under the general salary schedule, THE TEACHER SALARY POLICY, OR THE COMBINATION SCHEDULE AND POLICY, WHICHEVER IS APPROPRIATE, unless the board causes written notice to the contrary to be given to said teacher on or before June 1 of the academic year during which said teacher is employed. Such teacher shall be presumed to have accepted such employment for the succeeding academic year unless said teacher causes written notice to the contrary to be given to the board on or before July 1.

**SECTION 7.** 22-63-206 (2) and (4), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended to read:

**22-63-206. Transfer - compensation.** (2) Notwithstanding the provisions of subsection (1) of this section, a teacher who has been occupying an administrative position may be assigned to another position for which he OR SHE is qualified with a reduction in salary if a vacancy exists in such position; except that, IF THE SCHOOL DISTRICT HAS ADOPTED A GENERAL SALARY SCHEDULE OR A COMBINATION SALARY SCHEDULE AND POLICY, said teacher shall be placed on the ~~general salary~~ schedule at the position to which ~~he~~ SAID TEACHER would have been entitled had he OR SHE been on or remained on ~~such~~ THE schedule during the time he OR SHE was occupying the administrative position, but there shall be no reduction in salary during said school year.

(4) A teacher may enter into an agreement for an economic work-learn program leave of absence with a board of education ~~which~~ THAT shall not affect ~~his~~ THE TEACHER'S employment status, ~~his~~ position on the salary schedule IF THE SCHOOL DISTRICT HAS ADOPTED A GENERAL SALARY SCHEDULE OR COMBINATION SALARY SCHEDULE AND POLICY, or ~~his~~ insurance and retirement benefits.

**SECTION 8. Effective date.** This act shall take effect July 1, 1995.

**SECTION 9. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 25, 1995