

CHAPTER 240

---

**EDUCATION - PUBLIC SCHOOLS**

---

**HOUSE BILL 01-1163**

BY REPRESENTATIVE(S) Marshall, Dean, Groff, King, Saliman, Spence, Bacon, Borodkin, Clapp, Cloer, Coleman, Crane, Garcia, Hefley, Hodge, Jahn, Larson, Madden, Miller, Paschall, Plant, Ragsdale, Romanoff, Sanchez, Snook, Stafford, Tapia, Veiga, Vigil, Webster, Williams S., Williams T.;  
also SENATOR(S) Matsunaka, Tate, Tupa, and Hernandez.

**AN ACT**

CONCERNING THE INTEGRATION OF INFORMATION TECHNOLOGY EDUCATION INTO THE PUBLIC SCHOOL CURRICULUM.

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

**SECTION 1.** Title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 81.5**

**Colorado Information Technology  
Education Grant Program**

**22-81.5-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO INFORMATION TECHNOLOGY EDUCATION ACT".

**22-81.5-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

(a) THE USE OF INFORMATION TECHNOLOGY AND DIGITAL ELECTRONICS HAS ACHIEVED SUCH A HIGH LEVEL OF Pervasiveness IN SOCIETY THAT ANY PERSON WHO IS UNFAMILIAR WITH OR LACKS KNOWLEDGE IN THE USE OF TECHNOLOGICAL OR DIGITAL EQUIPMENT OR SYSTEMS IS AT A DISTINCT DISADVANTAGE BOTH ECONOMICALLY AND IN TERMS OF AVAILABLE CAREER OPPORTUNITIES;

(b) THERE IS A GROWING LIKELIHOOD OF THE CREATION OF A "DIGITAL DIVIDE", SEPARATING CHILDREN WHOSE SOCIO-ECONOMIC SITUATION LIMITS THEIR ACCESS TO

---

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

TECHNOLOGICAL OR DIGITAL EQUIPMENT OR SYSTEMS FROM THOSE CHILDREN WHO USE SUCH EQUIPMENT OR SYSTEMS ON A REGULAR BASIS;

(c) CREATION OF A DIGITAL DIVIDE MAY RESULT IN FURTHER SUPPRESSING THE ABILITY OF CHILDREN WHO ARE ECONOMICALLY DISADVANTAGED TO IMPROVE THEIR STATUS AND POSITION IN SOCIETY, COMPOUNDING AND PERPETUATING THE EXISTING CYCLE OF POVERTY EXPERIENCED BY SOME PERSONS;

(d) GREATER INTEGRATION OF INFORMATION TECHNOLOGY EDUCATION INTO THE PUBLIC SCHOOL CURRICULUM WILL HELP COMBAT THE GROWING DIGITAL DIVIDE AND PROVIDE TECHNOLOGICAL AND DIGITAL ACCESS FOR STUDENTS WHO DO NOT HAVE ACCESS TO SUCH TECHNOLOGY IN THEIR HOMES;

(e) GREATER INTEGRATION OF INFORMATION TECHNOLOGY EDUCATION INTO THE PUBLIC SCHOOL CURRICULUM WILL WORK TO THE BENEFIT OF ALL STUDENTS, REGARDLESS OF WHETHER THEY ANTICIPATE GOING ON TO POSTSECONDARY STUDIES AFTER GRADUATION OR IMMEDIATELY EMBARKING ON A CAREER;

(f) THE FIELD OF HIGH TECHNOLOGY DESIGN, CREATION, MAINTENANCE, AND APPLICATION IS ONE OF THE FASTEST GROWING INDUSTRIES IN THE UNITED STATES;

(g) COLORADO, DUE TO THE HIGH CONCENTRATION OF INFORMATION TECHNOLOGY INDUSTRY IN THE STATE, HAS EXPERIENCED AND CONTINUES TO EXPERIENCE A SHORTAGE OF WELL-EDUCATED, WELL-PREPARED PERSONS IN THE INFORMATION TECHNOLOGY FIELD;

(h) IT IS THEREFORE APPROPRIATE AND IN THE BEST INTERESTS OF THE STUDENTS AND BUSINESSES IN COLORADO TO PROVIDE FINANCIAL INCENTIVES TO ASSIST PUBLIC SCHOOLS IN ACHIEVING A GREATER INTEGRATION OF INFORMATION TECHNOLOGY EDUCATION IN THE NINTH-GRADE THROUGH TWELFTH-GRADE CURRICULUM.

(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT, FOR PURPOSES OF THIS ARTICLE, ANY SCHOOL THAT PROVIDES EDUCATIONAL SERVICES TO STUDENTS WHO ARE INCLUDED ON THE ROLL OF OUT-OF-DISTRICT PLACED CHILDREN AND RECEIVES A PORTION OF THE PER PUPIL OPERATING REVENUES OF A SCHOOL DISTRICT IN EXCHANGE FOR PROVIDING SUCH SERVICES SHALL BE CONSIDERED ELIGIBLE UNDER THIS ARTICLE.

**22-81.5-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION CREATED IN SECTION 24-1-115, C.R.S.

(2) "FACILITY SCHOOL" MEANS A SCHOOL THAT IS OPERATED BY A RESIDENTIAL CHILD CARE FACILITY, A RESIDENTIAL TREATMENT CENTER, OR ANOTHER FACILITY INCLUDED ON THE FACILITY LIST MAINTAINED BY THE STATE BOARD PURSUANT TO SECTION 22-2-107 (1) (p) AND THAT RECEIVES A PORTION OF THE PER PUPIL OPERATING REVENUES OF ONE OR MORE SCHOOL DISTRICTS TO PROVIDE EDUCATIONAL SERVICES FOR CHILDREN WHO ARE INCLUDED ON THE ROLL OF OUT-OF-DISTRICT PLACED CHILDREN;

(3) "GRANT PROGRAM" MEANS THE COLORADO INFORMATION TECHNOLOGY EDUCATION GRANT PROGRAM CREATED IN SECTION 22-81.5-104.

(4) "INFORMATION TECHNOLOGY EDUCATION" MEANS EDUCATION IN THE DEVELOPMENT, DESIGN, USE, MAINTENANCE, REPAIR, AND APPLICATION OF INFORMATION TECHNOLOGY SYSTEMS OR EQUIPMENT, INCLUDING BUT NOT LIMITED TO COMPUTERS, THE INTERNET, TELECOMMUNICATIONS DEVICES AND NETWORKS, AND MULTI-MEDIA TECHNIQUES.

(5) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

**22-81.5-104. Colorado information technology education grant program - created - rules.** (1) THERE IS HEREBY CREATED THE COLORADO INFORMATION TECHNOLOGY EDUCATION GRANT PROGRAM TO PROVIDE MONEYS TO SCHOOL DISTRICTS, CHARTER SCHOOLS, AND FACILITY SCHOOLS TO USE IN INTEGRATING INFORMATION TECHNOLOGY EDUCATION INTO THE PUBLIC SCHOOL CURRICULUM FOR GRADES NINE THROUGH TWELVE. THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM THROUGH THE ACCEPTANCE, REVIEW, AND RECOMMENDATION OF APPLICATIONS SUBMITTED PURSUANT TO SECTION 22-81.5-105. THE STATE BOARD SHALL SELECT THE GRANT RECIPIENTS BASED ON THE DEPARTMENT'S RECOMMENDATIONS.

(2) GRANTS AWARDED THROUGH THE GRANT PROGRAM SHALL CONTINUE FOR TWO FISCAL YEARS AND MAY BE RENEWED AS PROVIDED BY RULE OF THE STATE BOARD. GRANTS AWARDED THROUGH THE GRANT PROGRAM SHALL BE PAID OUT OF ANY MONEYS APPROPRIATED OR CREDITED TO THE INFORMATION TECHNOLOGY EDUCATION FUND CREATED IN SECTION 22-81.5-107. A SCHOOL DISTRICT, CHARTER SCHOOL, OR FACILITY SCHOOL SHALL USE ANY MONEYS OBTAINED THROUGH THE GRANT PROGRAM TO INTEGRATE INFORMATION TECHNOLOGY EDUCATION INTO THE NINTH-GRADE THROUGH TWELFTH-GRADE CURRICULUM. IN THE CASE OF A SCHOOL DISTRICT, SUCH INTEGRATION SHALL BE ACCOMPLISHED IN ONE OR MORE PUBLIC SCHOOLS IN THE DISTRICT. IT IS THE INTENT OF THE GENERAL ASSEMBLY TO ALLOW FLEXIBILITY TO SCHOOL DISTRICTS, CHARTER SCHOOLS, AND FACILITY SCHOOLS IN DETERMINING HOW TO INTEGRATE INFORMATION TECHNOLOGY INTO THE CURRICULUM AND THE DEGREE OF INTEGRATION. THE SCHOOL DISTRICT, CHARTER SCHOOL, OR FACILITY SCHOOL MAY CONTRACT WITH ONE OR MORE PRIVATE ENTITIES FOR ASSISTANCE IN INTEGRATING INFORMATION TECHNOLOGY EDUCATION INTO THE CURRICULUM. IN ADDITION, SCHOOL DISTRICTS, CHARTER SCHOOLS, AND FACILITY SCHOOLS ARE ENCOURAGED TO PARTNER WITH BUSINESSES FOR ASSISTANCE IN INTEGRATING INFORMATION TECHNOLOGY EDUCATION INTO THE CURRICULUM.

(3) THE STATE BOARD SHALL ADOPT RULES FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE GRANT PROGRAM AS PROVIDED IN THIS ARTICLE. THE FIRST GRANTS SHALL BE AWARDED THROUGH THE GRANT PROGRAM FOR THE 2002-03 ACADEMIC YEAR, SO LONG AS MONEYS ARE APPROPRIATED TO THE INFORMATION TECHNOLOGY EDUCATION FUND FOR IMPLEMENTATION OF THE GRANT PROGRAM. GRANTS SHALL BE AWARDED ANNUALLY THEREAFTER, BASED ON AVAILABLE APPROPRIATIONS.

**22-81.5-105. Information technology education grants - applications -**

**criteria for awards.** (1) ANY SCHOOL DISTRICT, CHARTER SCHOOL, OR FACILITY SCHOOL THAT SEEKS TO PARTICIPATE IN THE GRANT PROGRAM SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT IN THE FORM AND ACCORDING TO DEADLINES ESTABLISHED BY RULE OF THE STATE BOARD. THE APPLICATION SHALL INCLUDE THE FOLLOWING INFORMATION:

(a) IF THE APPLICANT IS A SCHOOL DISTRICT, THE NAMES OF THE SCHOOLS THAT WILL RECEIVE THE BENEFITS OF THE GRANT;

(b) THE CURRENT LEVEL OF INFORMATION TECHNOLOGY EDUCATION INTEGRATION AT THE CHARTER SCHOOL, FACILITY SCHOOL, OR RECIPIENT SCHOOLS;

(c) THE SCHOOL DISTRICT'S, CHARTER SCHOOL'S, OR FACILITY SCHOOL'S PLAN FOR INTEGRATING INFORMATION TECHNOLOGY EDUCATION INTO THE NINTH-GRADE THROUGH TWELFTH-GRADE CURRICULUM, INCLUDING ANY SPECIFIC METHOD OR PROGRAM TO BE USED, AND ANY ENTITIES WITH WHOM THE SCHOOL DISTRICT, CHARTER SCHOOL, OR FACILITY SCHOOL PLANS TO CONTRACT OR COOPERATE IN ACHIEVING THE INTEGRATION;

(d) THE SPECIFIC, MEASURABLE GOALS TO BE ACHIEVED THROUGH THE INTEGRATION OF INFORMATION TECHNOLOGY EDUCATION INTO THE CURRICULUM, A DEADLINE FOR ACHIEVING THOSE GOALS, AND A PROPOSED METHOD OF MEASURING WHETHER THE GOALS WERE ACHIEVED;

(e) ANY BUSINESSES WITH WHICH THE SCHOOL DISTRICT, THE CHARTER SCHOOL, THE FACILITY SCHOOL, OR THE RECIPIENT SCHOOL HAS PARTNERED TO IMPROVE THE AVAILABILITY AND INTEGRATION OF INFORMATION TECHNOLOGY EDUCATION WITHIN THE CURRICULUM;

(f) ANY OTHER INFORMATION THAT MAY BE SPECIFIED BY RULE OF THE STATE BOARD.

(2) IN RECOMMENDING AND AWARDING GRANTS THROUGH THE PROGRAM, THE DEPARTMENT AND THE STATE BOARD SHALL CONSIDER THE FOLLOWING CRITERIA:

(a) THE DEGREE TO WHICH INFORMATION TECHNOLOGY EDUCATION IS ALREADY INTEGRATED INTO THE CURRICULUM OF THE APPLYING SCHOOL DISTRICT, CHARTER SCHOOL, OR FACILITY SCHOOL TO ENSURE THAT THOSE SCHOOL DISTRICTS, CHARTER SCHOOLS, AND FACILITY SCHOOLS WITH THE LEAST DEGREE OF INTEGRATION RECEIVE THE GRANTS FIRST;

(b) THE DEGREE TO WHICH THE APPLYING SCHOOL DISTRICT'S, CHARTER SCHOOL'S, OR FACILITY SCHOOL'S PROPOSED PLAN FOR USING THE GRANT MONEYS WILL RESULT IN INTEGRATION OF INFORMATION TECHNOLOGY EDUCATION INTO THE CURRICULUM AND THE SCOPE OF THE INFORMATION TECHNOLOGY EDUCATION TO BE INTEGRATED;

(c) ANY OTHER FINANCIAL RESOURCES AVAILABLE TO THE APPLYING SCHOOL DISTRICT, CHARTER SCHOOL, OR FACILITY SCHOOL FOR INTEGRATING INFORMATION TECHNOLOGY EDUCATION INTO THE CURRICULUM;

(d) THE DEGREE TO WHICH THE APPLYING SCHOOL DISTRICT, CHARTER SCHOOL,

FACILITY SCHOOL, OR PROPOSED RECIPIENT SCHOOL IS COOPERATING OR PARTNERING WITH BUSINESSES TO IMPROVE THE AVAILABILITY AND INTEGRATION OF INFORMATION TECHNOLOGY EDUCATION IN THE CURRICULUM. THE DEPARTMENT AND THE STATE BOARD SHALL APPLY THIS CRITERIA WITH THE GOAL OF ENCOURAGING SUCH PARTNERSHIPS.

(e) THE VALIDITY, CLARITY, AND MEASURABILITY OF THE GOALS ESTABLISHED BY THE APPLYING SCHOOL DISTRICT, CHARTER SCHOOL, OR FACILITY SCHOOL AND THE VALIDITY OF THE PROPOSED METHODS FOR MEASURING ACHIEVEMENT OF THE GOALS;

(f) ANY OTHER CRITERIA ESTABLISHED BY RULE OF THE STATE BOARD TO ENSURE THAT GRANTS ARE AWARDED TO SCHOOL DISTRICTS, CHARTER SCHOOLS, AND FACILITY SCHOOLS THAT DEMONSTRATE THE GREATEST NEED AND THE MOST VALID, EFFECTIVE PLAN FOR INTEGRATING INFORMATION TECHNOLOGY EDUCATION INTO THE CURRICULUM.

(3) IN AWARDING GRANTS THROUGH THE GRANT PROGRAM, THE STATE BOARD SHALL ENSURE, TO THE EXTENT POSSIBLE, THAT THE GRANTS ARE AWARDED TO SCHOOL DISTRICTS, CHARTER SCHOOLS, AND FACILITY SCHOOLS IN ALL AREAS OF THE STATE.

(4) IF A FACILITY SCHOOL RECEIVES ONE OR MORE GRANTS PURSUANT TO THIS SECTION AND THE FACILITY SCHOOL SUBSEQUENTLY CEASES OPERATIONS, ANY HARDWARE OR SOFTWARE PURCHASED USING THE GRANT MONEYS RECEIVED SHALL REVERT TO THE SCHOOL DISTRICT IN WHICH THE FACILITY SCHOOL WAS LOCATED.

(5) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO LIMIT OR OTHERWISE AFFECT ANY SCHOOL DISTRICT'S ABILITY TO ENTER INTO AN AGREEMENT WITH OR RECEIVE FUNDS FROM ANY PRIVATE ENTITY.

**22-81.5-106. Reports.** (1) EACH SCHOOL DISTRICT, CHARTER SCHOOL, AND FACILITY SCHOOL THAT RECEIVES A GRANT THROUGH THE GRANT PROGRAM SHALL, BY THE CLOSE OF EACH ACADEMIC YEAR FOR WHICH THE GRANT WAS AWARDED, SUBMIT TO THE DEPARTMENT A REPORT SPECIFYING THE FOLLOWING INFORMATION:

(a) THE MANNER IN WHICH THE GRANT MONEYS WERE USED;

(b) THE PROGRESS MADE TOWARD ACHIEVING THE GOALS SPECIFIED IN THE GRANT RECIPIENT'S APPLICATION;

(c) ANY ADDITIONAL ENTITIES AND BUSINESSES WITH WHOM THE GRANT RECIPIENT HAS CONTRACTED OR PARTNERED WITH THE GOAL OF ACHIEVING GREATER INTEGRATION OF INFORMATION TECHNOLOGY EDUCATION IN THE NINTH-GRADE THROUGH TWELFTH-GRADE CURRICULUM;

(d) THE RECIPIENT SCHOOL DISTRICT'S, CHARTER SCHOOL'S, OR FACILITY SCHOOL'S PLAN FOR CONTINUING THE INTEGRATION OF INFORMATION TECHNOLOGY EDUCATION INTO THE CURRICULUM, REGARDLESS OF WHETHER THE GRANT IS RENEWED;

(e) ANY OTHER INFORMATION SPECIFIED BY RULE OF THE STATE BOARD.

(2) ON OR BEFORE JANUARY 15, 2003, AND ON OR BEFORE EACH JANUARY 15 THEREAFTER, THE DEPARTMENT SHALL SUBMIT TO THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES A REPORT ON THE IMPLEMENTATION OF THE GRANT PROGRAM. THE REPORT, AT A MINIMUM, SHALL INCLUDE THE FOLLOWING INFORMATION:

(a) THE NUMBER OF SCHOOL DISTRICTS, CHARTER SCHOOLS, AND FACILITY SCHOOLS RECEIVING GRANTS THROUGH THE PROGRAM AND THE AMOUNTS OF EACH GRANT;

(b) THE GOALS ESTABLISHED BY THE GRANT RECIPIENTS AND THE DEGREE TO WHICH THOSE GOALS WERE ACHIEVED;

(c) THE ENTITIES AND BUSINESSES WITH WHOM SCHOOL DISTRICTS, CHARTER SCHOOLS, FACILITY SCHOOLS, AND RECIPIENT PUBLIC SCHOOLS ARE CONTRACTING AND PARTNERING FOR THE INTEGRATION OF INFORMATION EDUCATION TECHNOLOGY INTO THE NINTH-GRADE THROUGH TWELFTH-GRADE CURRICULUM;

(d) THE DEGREE TO AND MANNER IN WHICH INFORMATION TECHNOLOGY EDUCATION IS INTEGRATED INTO THE NINTH-GRADE THROUGH TWELFTH-GRADE CURRICULUM IN SCHOOL DISTRICTS, CHARTER SCHOOLS, AND FACILITY SCHOOLS THROUGHOUT THE STATE.

(3) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2) OF THIS SECTION, THE DEPARTMENT NEED NOT SUBMIT A REPORT FOR ANY ACADEMIC YEAR IN WHICH NO GRANTS ARE MADE THROUGH THE GRANT PROGRAM.

**22-81.5-107. Information technology education fund - created.** (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE INFORMATION TECHNOLOGY EDUCATION FUND, REFERRED TO IN THIS SECTION AS THE "FUND", FOR THE PURPOSE OF FUNDING INFORMATION TECHNOLOGY EDUCATION GRANTS THROUGH THE GRANT PROGRAM. THE FUND SHALL CONSIST OF ALL MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY AND ANY GIFTS, GRANTS, DONATIONS, AND OTHER MONEYS RECEIVED BY THE DEPARTMENT FOR IMPLEMENTATION OF THE GRANT PROGRAM. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT REVERT OR BE CREDITED OR TRANSFERRED TO THE GENERAL FUND NOR BE TRANSFERRED TO ANY OTHER FUND. ANY INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED TO THE GENERAL FUND.

(2) THE DEPARTMENT SHALL SEEK AND APPLY FOR ANY AVAILABLE GRANT MONEYS FOR IMPLEMENTATION OF THE GRANT PROGRAM. ANY MONEYS SO OBTAINED SHALL BE CREDITED TO THE FUND FOR USE IN IMPLEMENTING THE GRANT PROGRAM. THE DEPARTMENT MAY RETAIN UP TO ONE PERCENT OF THE MONEYS ANNUALLY APPROPRIATED TO THE FUND TO OFFSET THE ACTUAL ADMINISTRATIVE COSTS INCURRED IN ADMINISTERING THE GRANT PROGRAM.

**SECTION 2. 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: June 1, 2001