

CHAPTER 287

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 01-1365

BY REPRESENTATIVE(S) Dean, Hefley, Borodkin, Coleman, Mace, Spence, Tapia, Williams S., Clapp, Crane, Fritz, Jahn, Lawrence, Lee, Paschall, Rhodes, Rippy, Scott, and Stafford;
also SENATOR(S) Matsunaka, Anderson, Dyer (Durango), Epps, Hagedorn, Hanna, Lamborn, Takis, Taylor, and Teck.

AN ACT

CONCERNING THE CREATION OF THE SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANT PROGRAM,
AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds that:

(a) Section 17 of article IX of the state constitution, which was approved by the registered electors of this state at the 2000 general election, creates the state education fund and specifies the purposes for which moneys in the fund may be used;

(b) The specified uses of the state education fund include, but are not limited to, appropriation of moneys for expanding technology education;

(c) Creation of a grant program to support the establishment and operation of science and technology education centers will result in an expansion of technology education in this state;

(d) Appropriation of state education fund moneys for the purposes specified in this act complies with the requirements of section 17 (4) (b) of article IX of the state constitution.

SECTION 2. Article 81 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 2
SCIENCE AND TECHNOLOGY EDUCATION CENTERS**

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

22-81-201. Legislative declaration. THE GENERAL ASSEMBLY HEREBY FINDS THAT ONE OF THE GREATEST CHALLENGES FACING SCHOOLS AND TEACHERS IS DETERMINING HOW TO STIMULATE AND ENGAGE STUDENTS SO THAT THEY ACTIVELY SEEK LEARNING EXPERIENCES, ESPECIALLY IN THE AREAS OF MATH AND SCIENCE AND TECHNOLOGY. THE GENERAL ASSEMBLY FINDS THAT TOO FEW STUDENTS ARE INTERESTED IN PURSUING CAREERS IN MATH AND SCIENCE AND TECHNOLOGY AND THAT THIS LACK OF INTEREST HAS THE POTENTIAL FOR CREATING A SHORTAGE OF PERSONS WHO ARE INTERESTED IN OR CAPABLE OF DISCOVERING THE ANSWERS TO THE QUESTIONS OF INCREASING POPULATION, DECREASING AVAILABILITY OF RESOURCES, INCREASING LOSS OF NATURAL HABITATS, AND DECREASING EFFECTIVENESS OF ANTIBIOTICS AND OTHER ISSUES THAT CHALLENGE SOCIETY'S FUTURE. THE GENERAL ASSEMBLY FURTHER RECOGNIZES THE INHERENT EXCITEMENT OF SPACE EXPLORATION AND THE OPPORTUNITY IT PROVIDES FOR INTEGRATING MATH AND SCIENCE SKILLS AND THE USE OF TECHNOLOGY INTO REAL-LIFE APPLICATIONS AND STIMULATING STUDENTS' NATURAL CURIOSITY AND DESIRE TO LEARN. THE GENERAL ASSEMBLY THEREFORE FINDS THAT FACILITATING THE CREATION OF OPPORTUNITIES FOR STUDENTS TO PARTICIPATE IN SCIENCE AND TECHNOLOGY EDUCATION ACTIVITIES THAT CENTER ON SIMULATED SPACE EXPLORATION ACTIVITIES PROMOTES THE BEST INTERESTS OF BOTH STUDENTS AND THE STATE.

22-81-202. Definitions. AS USED IN THIS PART 2, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADVISORY BOARD" MEANS THE SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANTS ADVISORY BOARD CREATED IN SECTION 22-81-204.

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

(3) "GRANT PROGRAM" MEANS THE SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANT PROGRAM CREATED IN SECTION 22-81-203.

(4) "SCIENCE AND TECHNOLOGY EDUCATION" MEANS EDUCATIONAL ACTIVITIES THAT INTEGRATE AND STIMULATE LEARNING, PARTICULARLY IN THE AREAS OF MATH AND SCIENCE, THROUGH SPACE FLIGHT SIMULATIONS OR THROUGH OTHER SIMULATIONS RELATED TO ASTRONOMY OR SPACE EXPLORATION.

(5) "SCIENCE AND TECHNOLOGY EDUCATION CENTER" MEANS A NONPROFIT CENTER OPERATED BY ANY PERSON OR ENTITY OR GROUP OF PERSONS OR ENTITIES, INCLUDING BUT NOT LIMITED TO ANY NONPROFIT CORPORATION THAT PROMOTES AVIATION AND AEROSPACE EDUCATION, THAT PROVIDES SCIENCE AND TECHNOLOGY EDUCATION ACTIVITIES, MATERIALS, AND EDUCATIONAL WORKSHOPS FOR STUDENTS AND THEIR TEACHERS.

(6) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

22-81-203. Science and technology education center grant program - created - applications - awards. (1) THERE IS HEREBY CREATED THE SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANT PROGRAM TO PROVIDE DEVELOPMENT AND

OPERATING MONEYS IN THE FORM OF MATCHING FUNDS FOR EXISTING OR PROPOSED NONPROFIT SCIENCE AND TECHNOLOGY EDUCATION CENTERS. AT A MINIMUM, EACH SCIENCE AND TECHNOLOGY EDUCATION CENTER THAT RECEIVES A GRANT SHALL PROVIDE SCIENCE AND TECHNOLOGY EDUCATION ACTIVITIES TO STUDENTS ENROLLED IN PUBLIC SCHOOLS IN THE STATE AND MATERIALS AND EDUCATIONAL WORKSHOPS TO TEACHERS EMPLOYED BY SCHOOL DISTRICTS. ANY SCIENCE AND TECHNOLOGY EDUCATION CENTER THAT RECEIVES A GRANT MAY ALSO PROVIDE SCIENCE AND TECHNOLOGY EDUCATION ACTIVITIES, MATERIALS, AND EDUCATIONAL WORKSHOPS TO OTHER PERSONS WITHIN THE STATE.

(2) (a) BEGINNING ON OR BEFORE JANUARY 2, 2002, THE STATE BOARD, BASED ON THE RECOMMENDATIONS OF THE SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANTS PROGRAM ADVISORY BOARD CREATED IN SECTION 22-81-204, SHALL, SUBJECT TO AVAILABLE APPROPRIATIONS, ANNUALLY AWARD ONE OR MORE SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANTS FOR THE DEVELOPMENT AND OPERATION OF SCIENCE AND TECHNOLOGY EDUCATION CENTERS.

(b) AN EXISTING SCIENCE AND TECHNOLOGY EDUCATION CENTER OR A PERSON OR ENTITY OR GROUP OF PERSONS OR ENTITIES PROPOSING THE ESTABLISHMENT OF A SCIENCE AND TECHNOLOGY EDUCATION CENTER MAY APPLY FOR A SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANT PURSUANT TO PROCEDURES AND TIME LINES SPECIFIED BY RULE OF THE STATE BOARD. AT A MINIMUM, THE APPLICATION SHALL INCLUDE:

(I) THE ACTUAL OR PROPOSED LOCATION OF THE SCIENCE AND TECHNOLOGY EDUCATION CENTER;

(II) EVIDENCE THAT ESTABLISHMENT AND ONGOING OPERATION OF THE SCIENCE AND TECHNOLOGY EDUCATION CENTER HAS THE SUPPORT OF THE EDUCATION PROVIDERS AND BUSINESSES WITHIN THE COMMUNITY IN WHICH THE SCIENCE AND TECHNOLOGY EDUCATION CENTER IS OR WILL BE LOCATED;

(III) EVIDENCE THAT THE PROPOSED OR OPERATING SCIENCE AND TECHNOLOGY EDUCATION CENTER HAS THE ENDORSEMENT OF A NATIONAL SCIENCE AND TECHNOLOGY EDUCATION PROGRAM THAT HAS BEEN IN OPERATION IN THE UNITED STATES FOR AT LEAST FIVE YEARS;

(IV) EVIDENCE THAT THE PROPOSED OR OPERATING SCIENCE AND TECHNOLOGY EDUCATION CENTER HAS SECURED THE USE OF A FACILITY;

(V) A DESCRIPTION OF THE EQUIPMENT AND TECHNOLOGY THAT IS OR WILL BE PROVIDED AND THE ACTIVITIES AND RANGE OF PROGRAMS THAT ARE OR WILL BE OFFERED BY THE SCIENCE AND TECHNOLOGY EDUCATION CENTER;

(VI) EVIDENCE OF THE RECEIPT OF, OR A COMMITMENT FOR, THE MATCHING FUNDS NECESSARY TO OBTAIN MONEYS THROUGH THE GRANT PROGRAM UNDER THE APPLICANT'S PLAN TO OBTAIN SUCH MATCHING FUNDS;

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

(3) (a) THE STATE BOARD, IN SELECTING ONE OR MORE SCIENCE AND TECHNOLOGY

EDUCATION CENTERS FOR RECEIPT OF A GRANT, SHALL CONSIDER:

(I) WHETHER THE SCIENCE AND TECHNOLOGY EDUCATION CENTER IS OR WILL BE LOCATED IN AN AREA OF THE STATE THAT IS EASILY ACCESSIBLE TO A LARGE NUMBER OF STUDENTS; AND

(II) THE FACILITY, EQUIPMENT, AND TECHNOLOGY THAT ARE OR WILL BE PROVIDED AND THE ACTIVITIES AND RANGE OF PROGRAMS THAT ARE OR WILL BE OFFERED BY THE SCIENCE AND TECHNOLOGY EDUCATION CENTER.

(b) THE ADVISORY BOARD MAY NOT RECOMMEND AND THE STATE BOARD MAY NOT AWARD A SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANT TO ANY APPLICANT THAT FAILS TO PROVIDE THE INFORMATION SPECIFIED IN SUBPARAGRAPHS (II) AND (III) OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION.

(4) (a) A SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANT SHALL BE PAYABLE FROM MONEYS APPROPRIATED TO THE SCIENCE AND TECHNOLOGY EDUCATION FUND CREATED IN SECTION 22-81-206.

(b) THE STATE BOARD, BASED ON RECOMMENDATIONS OF THE ADVISORY COMMITTEE, SHALL SPECIFY THE AMOUNT TO BE AWARDED TO EACH SCIENCE AND TECHNOLOGY EDUCATION CENTER THAT IS SELECTED TO RECEIVE A GRANT. THE AMOUNT AWARDED TO A NEW SCIENCE AND TECHNOLOGY EDUCATION CENTER FOR START-UP COSTS SHALL NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS FOR ONE FISCAL YEAR AND MAY NOT BE RENEWED. THE AMOUNT AWARDED TO AN OPERATING SCIENCE AND TECHNOLOGY EDUCATION CENTER FOR OPERATING COSTS SHALL NOT EXCEED TWO HUNDRED THOUSAND DOLLARS FOR ONE FISCAL YEAR.

(c) EACH SCIENCE AND TECHNOLOGY EDUCATION CENTER THAT RECEIVES A GRANT PURSUANT TO THE GRANT PROGRAM SHALL DEMONSTRATE, PRIOR TO RECEIVING ANY ACTUAL MONEYS, THAT THE CENTER HAS RECEIVED, OR HAS A WRITTEN COMMITMENT FOR, MATCHING FUNDS FROM OTHER PUBLIC OR PRIVATE SOURCES IN THE AMOUNT OF A DOLLAR-FOR-DOLLAR MATCH WITH THE AMOUNT OF THE GRANT.

22-81-204. Science and technology education center grants advisory board - created - duties - repeal. (1) THERE IS HEREBY CREATED THE SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANTS ADVISORY BOARD WHICH SHALL CONSIST OF FIVE MEMBERS AS FOLLOWS:

(a) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE;

(b) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; AND

(c) THREE MEMBERS APPOINTED BY THE GOVERNOR.

(2) THE MEMBERS OF THE ADVISORY BOARD SHALL SERVE TWO-YEAR TERMS AND MAY SERVE UP TO TWO CONSECUTIVE TWO-YEAR TERMS; EXCEPT THAT, OF THE MEMBERS INITIALLY APPOINTED, THE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE SHALL SERVE A ONE-YEAR TERM AND ONE OF THE MEMBERS APPOINTED BY THE GOVERNOR SHALL SERVE A ONE-YEAR TERM. MEMBERS OF THE ADVISORY

BOARD, INCLUDING ANY LEGISLATIVE MEMBERS, SHALL SERVE WITHOUT COMPENSATION; EXCEPT THAT THEY MAY BE REIMBURSED FOR ACTUAL EXPENSES INCURRED IN FULFILLING THEIR DUTIES.

(3) (a) THE ADVISORY BOARD SHALL REVIEW THE GRANT APPLICATIONS RECEIVED PURSUANT TO THIS PART 2 AND SHALL ANNUALLY SUBMIT TO THE STATE BOARD, BY A DATE SPECIFIED BY RULE OF THE STATE BOARD, A LIST OF RECOMMENDED GRANT RECIPIENTS AND THE RECOMMENDED AMOUNT OF EACH GRANT, IN ACCORDANCE WITH THE LIMITATIONS SPECIFIED IN SECTION 22-81-203 (4) (b). THE STATE BOARD, WITHIN THIRTY DAYS AFTER RECEIVING THE RECOMMENDATIONS OF THE ADVISORY BOARD, SHALL SELECT THE GRANT RECIPIENTS AND SPECIFY THE AMOUNT TO BE AWARDED TO EACH RECIPIENT, IN ACCORDANCE WITH THE LIMITATIONS SPECIFIED IN SECTION 22-81-203 (4) (b).

(b) IN REVIEWING THE APPLICATIONS AND MAKING RECOMMENDATIONS, THE ADVISORY BOARD SHALL APPLY THE CRITERIA AND REQUIREMENTS SPECIFIED IN SECTION 22-81-203 (3).

(4) THE DEPARTMENT SHALL FORWARD TO THE ADVISORY BOARD ALL GRANT APPLICATIONS RECEIVED PURSUANT TO THIS PART 2. UPON REQUEST OF THE ADVISORY BOARD, THE DEPARTMENT SHALL PROVIDE STAFF ASSISTANCE IN REVIEWING THE GRANT APPLICATIONS AND PREPARING THE LIST OF RECOMMENDED RECIPIENTS AND GRANT AMOUNTS.

(5) (a) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011.

(b) PRIOR TO SAID REPEAL, THE SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANTS ADVISORY BOARD SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 2-3-1203, C.R.S.

22-81-205. State board - rules - donations. (1) THE STATE BOARD, PURSUANT TO ARTICLE 4 OF TITLE 24, C.R.S., SHALL PROMULGATE SUCH RULES AS ARE REQUIRED IN THIS PART 2 AND SUCH ADDITIONAL RULES AS MAY BE REQUIRED FOR IMPLEMENTATION OF THE GRANT PROGRAM.

(2) THE DEPARTMENT SHALL SOLICIT SUCH PUBLIC AND PRIVATE GIFTS, GRANTS, AND DONATIONS AS MAY BE AVAILABLE TO FUND THE GRANT PROGRAM. ANY MONEYS SO RECEIVED SHALL BE CREDITED TO THE SCIENCE AND TECHNOLOGY EDUCATION FUND CREATED IN SECTION 22-81-206.

22-81-206. Science and technology education fund - creation. THERE IS HEREBY CREATED IN THE STATE TREASURY THE SCIENCE AND TECHNOLOGY EDUCATION FUND, REFERRED TO IN THIS SECTION AS THE "FUND", FOR PAYMENT OF SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANTS AWARDED PURSUANT TO SECTION 22-81-203. THE FUND SHALL CONSIST OF SUCH MONEYS AS MAY BE APPROPRIATED THERETO BY THE GENERAL ASSEMBLY AND SUCH MONEYS AS MAY BE CREDITED THERETO PURSUANT TO SECTION 22-81-205 (2). MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE PURPOSES SPECIFIED IN THIS PART 2. THE DEPARTMENT MAY EXPEND UP TO TWO PERCENT OF THE MONEYS ANNUALLY APPROPRIATED TO THE FUND TO OFFSET THE COSTS INCURRED IN IMPLEMENTING THE GRANT PROGRAM. ALL INTEREST DERIVED

FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND SHALL REMAIN THEREIN AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

SECTION 3. 22-81-101, Colorado Revised Statutes, is amended to read:

22-81-101. Short title. This ~~article~~ PART 1 shall be known and may be cited as the "Pre-K-16 Mathematics, Science, and Technology Improvement Act of 1990".

SECTION 4. The introductory portion to 22-81-103, Colorado Revised Statutes, is amended to read:

22-81-103. Definitions. As used in this ~~article~~ PART 1, unless the context otherwise requires:

SECTION 5. 2-3-1203 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(x) JULY 1, 2011: THE SCIENCE AND TECHNOLOGY EDUCATION CENTER GRANTS ADVISORY BOARD, CREATED IN SECTION 22-81-204, C.R.S.

SECTION 6. Appropriation. In addition to any other appropriation, for the fiscal year beginning July 1, 2001, there is hereby appropriated, out of any moneys in the state education fund, created in section 17 (4) of article IX of the state constitution, not otherwise appropriated, to the science and technology education fund created in section 22-81-206, Colorado Revised Statutes, the sum of one million four hundred thousand dollars (\$1,400,000), and such sum, or so much thereof as may be necessary, is further appropriated to the department of education, for the implementation of this act.

SECTION 7. 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 5, 2001