

CHAPTER 148

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 05-1024

BY REPRESENTATIVE(S) Solano, Borodkin, Coleman, Frangas, Gallegos, Green, Hodge, Jahn, Madden, Marshall, McFadyen, Merrifield, Paccione, Plant, Pommer, Riesberg, Todd, Vigil, Romanoff, Carroll T., and Hefley;
also SENATOR(S) Williams, Gordon, Groff, Grossman, Sandoval, Shaffer, Tupa, Veiga, and Windels.

AN ACT

CONCERNING CREATION OF THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM FOR THE REDUCTION OF THE STUDENT DROPOUT RATE, AND, IN CONNECTION THEREWITH, ADDING A LINE TO COLORADO STATE INDIVIDUAL INCOME TAX RETURN FORMS WHEREBY INDIVIDUAL TAXPAYERS MAY MAKE VOLUNTARY CONTRIBUTIONS TO THE DROPOUT PREVENTION ACTIVITY GRANT FUND.

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 27.5**Before- and After-School Dropout Prevention Programs**

22-27.5-101. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) THE UNACCEPTABLY HIGH DROPOUT RATE IN PUBLIC SCHOOLS IN COLORADO IS DETRIMENTAL TO THE ECONOMIC AND CULTURAL HEALTH OF THE STATE, AND THE STATE SHOULD TAKE ADDITIONAL MEASURES TO MORE FULLY AND PRODUCTIVELY ENGAGE STUDENTS IN PUBLIC EDUCATION AND THEREBY REDUCE THIS RATE.

(b) OFTEN, STUDENTS WHO CHOOSE TO DROP OUT OF SCHOOL PRIOR TO GRADUATION ARE BORED WITH THE STANDARD CLASSROOM CURRICULUM. STUDENTS WHO ARE INVOLVED WITH EXTRACURRICULAR SCHOOL ACTIVITIES BEFORE OR AFTER SCHOOL ARE MORE LIKELY TO BE INVESTED IN THEIR EDUCATION AND LESS LIKELY TO DROP OUT OF SCHOOL.

(c) WITH THE INCREASED DIFFICULTIES IN FUNDING PUBLIC EDUCATION AND

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

INCREASED EMPHASIS ON CORE ACADEMIC SUBJECTS, SCHOOLS HAVE BEEN FORCED TO FOCUS THEIR RESOURCES ON TEACHING THE CORE CURRICULUM SUBJECTS OF READING, WRITING, AND MATHEMATICS AND HAVE BEEN LESS ABLE TO FUND EDUCATION IN MUSIC, DANCE, THEATER, AND THE VISUAL ARTS OR TO PROVIDE VOCATIONAL EDUCATION.

(d) JUST AS ALL STUDENTS CAN LEARN, ALL STUDENTS ARE TALENTED TO VARYING DEGREES IN VARYING ARTS AND ENDEAVORS. IN ADDITION TO ENSURING A STUDENT HAS THE NECESSARY SKILLS IN READING, WRITING, AND MATHEMATICS TO BE SUCCESSFUL IN A CAREER, EDUCATING A STUDENT SHOULD INCLUDE PROVIDING THE STUDENT THE OPPORTUNITY TO EXPERIENCE AND PARTICIPATE IN A WIDE RANGE OF ARTISTIC AND VOCATIONAL ACTIVITIES TO ALLOW THE STUDENT TO DISCOVER HIS OR HER TALENTS AND BE SUCCESSFUL IN LIFE.

(e) A GRANT PROGRAM TO PROVIDE ADDITIONAL FUNDING FOR SCHOOLS TO SPONSOR BEFORE- AND AFTER-SCHOOL PROGRAMS IN THE ARTS AND IN VOCATIONAL SUBJECTS WILL HAVE THE COMBINED BENEFITS OF PROVIDING A WIDER RANGE OF ARTS AND VOCATIONAL EDUCATION, EXPOSING STUDENTS TO A WIDE RANGE OF OPPORTUNITIES IN MUSIC, DANCE, CREATIVE WRITING, THEATER, PHOTOGRAPHY, AND OTHER VISUAL ARTS, ASSISTING STUDENTS IN OBTAINING SKILLS IN A WIDE VARIETY OF VOCATIONS, ENABLING STUDENTS TO DISCOVER THEIR ARTISTIC AND VOCATIONAL TALENTS, AND PROVIDING GREATER INCENTIVES FOR SOME STUDENTS TO STAY IN SCHOOL.

22-27.5-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ARTS-BASED ACTIVITY PROGRAM" MEANS A BEFORE- OR AFTER-SCHOOL PROGRAM THAT PROVIDES STUDENTS WITH AN OPPORTUNITY TO LEARN ABOUT AND PARTICIPATE IN AN ARTS-BASED ACTIVITY, INCLUDING BUT NOT LIMITED TO THEATER, MUSIC, DANCE, CREATIVE WRITING, PHOTOGRAPHY, CERAMICS, SCULPTURE, PAINTING, AND ANY OTHER FORM OF VISUAL ARTS.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION, CREATED AND OPERATING PURSUANT TO SECTION 24-1-115, C.R.S.

(3) "DISTRICT BOARD" MEANS A SCHOOL DISTRICT BOARD OF EDUCATION CREATED PURSUANT TO LAW.

(4) "DROPOUT PREVENTION ACTIVITY GRANT PROGRAM" OR "GRANT PROGRAM" MEANS THE GRANT PROGRAM CREATED PURSUANT TO SECTION 22-27.5-103 TO FUND BEFORE- AND AFTER-SCHOOL ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS FOR STUDENTS IN GRADES SIX THROUGH TWELVE.

(5) "FUND" MEANS THE DROPOUT PREVENTION ACTIVITY GRANT FUND CREATED PURSUANT TO SECTION 22-27.5-105.

(6) "QUALIFIED COMMUNITY ORGANIZATION" MEANS A NONPROFIT OR NOT-FOR-PROFIT, NONSECTARIAN, COMMUNITY-BASED ORGANIZATION THAT PROVIDES BEFORE- AND AFTER-SCHOOL, ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAMS TO LOW-INCOME YOUTH ENROLLED IN GRADES SIX THROUGH TWELVE.

(7) "QUALIFIED SCHOOL" MEANS A PUBLIC SCHOOL, INCLUDING BUT NOT LIMITED TO A CHARTER SCHOOL, THAT SERVES ANY OF GRADES SIX THROUGH TWELVE AND THAT RECEIVES AN ACADEMIC RATING OF "LOW" OR "UNSATISFACTORY", CALCULATED PURSUANT TO SECTION 22-7-604, FOR THE SCHOOL YEAR PRECEDING THE SCHOOL YEAR IN WHICH THE PUBLIC SCHOOL SEEKS A GRANT THROUGH THE GRANT PROGRAM.

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

(9) "VOCATIONAL ACTIVITY PROGRAM" MEANS A BEFORE- OR AFTER-SCHOOL PROGRAM THAT PROVIDES STUDENTS WITH AN OPPORTUNITY TO LEARN AND DEVELOP SKILLS IN A VARIETY OF VOCATIONS, INCLUDING BUT NOT LIMITED TO CARPENTRY, PLUMBING, WELDING, CULINARY ARTS, FLORAL DESIGN, AUTOMOTIVE MAINTENANCE, DRIVER'S TRAINING, AND HOTEL AND RESTAURANT MANAGEMENT.

22-27.5-103. Dropout prevention activity grant program - created - applications. (1) THERE IS HEREBY CREATED A GRANT PROGRAM TO FUND BEFORE- AND AFTER-SCHOOL ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS FOR STUDENTS ENROLLED IN GRADES SIX THROUGH TWELVE. THE GOAL IN FUNDING ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS IS TO REDUCE THE NUMBER OF STUDENTS WHO CHOOSE TO DROP OUT OF SCHOOL PRIOR TO GRADUATION. A QUALIFIED SCHOOL, WITH THE APPROVAL OF ITS DISTRICT BOARD, OR A QUALIFIED COMMUNITY ORGANIZATION IN PARTNERSHIP WITH A QUALIFIED SCHOOL, MAY APPLY TO THE DEPARTMENT, IN ACCORDANCE WITH PROCEDURES AND TIME LINES ADOPTED BY RULE OF THE STATE BOARD, TO RECEIVE MONEYS THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM. THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM AS PROVIDED IN THIS ARTICLE AND PURSUANT TO RULES ADOPTED BY THE STATE BOARD.

(2) IN ANY YEAR IN WHICH THE DEPARTMENT OF REVENUE NOTIFIES THE DEPARTMENT OF EDUCATION THAT MONEYS HAVE BEEN DESIGNATED FOR THE FUND PURSUANT TO SECTION 39-22-2802, C.R.S., OR IN WHICH THE DEPARTMENT OF EDUCATION RECEIVES OTHER GIFTS, GRANTS, OR DONATIONS FOR THE FUND, THE DEPARTMENT OF EDUCATION SHALL NOTIFY THE DISTRICT BOARDS, IN THE MANNER PROVIDED BY RULE OF THE STATE BOARD, OF THE AMOUNT OF MONEY TO BE DEPOSITED IN THE FUND AND AVAILABLE FOR GRANTS PURSUANT TO THIS SECTION. THE NOTICE MAY ALSO SPECIFY THE TIME AND PROCEDURE FOR APPLYING FOR A GRANT FROM THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM. EACH DISTRICT BOARD SHALL FORWARD THE NOTICE TO THE QUALIFIED SCHOOLS OF THE SCHOOL DISTRICT. THE DEPARTMENT SHALL ALSO POST THE NOTICE ON THE DEPARTMENT WEBSITE AS NOTICE TO QUALIFIED COMMUNITY ORGANIZATIONS THAT MAY BE INTERESTED IN APPLYING FOR MONEYS THROUGH THE GRANT PROGRAM.

(3) (a) A QUALIFIED SCHOOL THAT CHOOSES TO SEEK A GRANT THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM SHALL NOTIFY ITS DISTRICT BOARD, SPECIFYING THE AMOUNT REQUESTED AND DESCRIBING THE ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAM FOR WHICH THE GRANT WOULD BE USED. THE DISTRICT BOARD SHALL CONSIDER THE QUALIFIED SCHOOL'S REQUEST AND EITHER APPROVE OR DISAPPROVE THE QUALIFIED SCHOOL'S APPLICATION. IF THE DISTRICT BOARD APPROVES THE APPLICATION, THE QUALIFIED SCHOOL SHALL APPLY TO THE DEPARTMENT, IN ACCORDANCE WITH THE PROCEDURES AND USING THE APPLICATION

FORM SPECIFIED BY RULE OF THE STATE BOARD, FOR A GRANT THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM.

(b) EACH DISTRICT BOARD SHALL ADOPT POLICIES SPECIFYING THE TIME FRAMES DURING WHICH A QUALIFIED SCHOOL MAY REQUEST A DROPOUT PREVENTION ACTIVITY GRANT AND THE PROCEDURE FOR THE REQUEST. THE DISTRICT BOARD SHALL ENSURE THAT ITS POLICIES ARE COORDINATED WITH THE RULES OF THE STATE BOARD TO ALLOW A QUALIFIED SCHOOL TO APPLY FOR A GRANT IN ACCORDANCE WITH THE RULES OF THE STATE BOARD.

(c) A QUALIFIED SCHOOL THAT RECEIVES A GRANT THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM SHALL USE THE MONEYS RECEIVED TO PROVIDE ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAMS ONLY TO STUDENTS ENROLLED IN GRADES SIX THROUGH TWELVE.

(4) A QUALIFIED COMMUNITY ORGANIZATION THAT CHOOSES TO SEEK A GRANT THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM SHALL ENTER INTO A PARTNERSHIP AGREEMENT WITH A QUALIFIED SCHOOL PURSUANT TO WHICH THE QUALIFIED COMMUNITY ORGANIZATION MAY OPERATE AN ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAM IN COLLABORATION WITH THE QUALIFIED SCHOOL FOR STUDENTS ENROLLED IN ANY OF GRADES SIX THROUGH TWELVE. AT A MINIMUM, THE PARTNERSHIP AGREEMENT SHALL SPECIFY THE AMOUNT OF THE GRANT TO BE REQUESTED FROM THE GRANT PROGRAM AND DESCRIBE THE ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAM FOR WHICH THE GRANT WOULD BE USED. THE QUALIFIED SCHOOL'S PARTICIPATION IN THE PARTNERSHIP AGREEMENT SHALL BE SUBJECT TO THE APPROVAL OF THE SCHOOL'S DISTRICT BOARD. A QUALIFIED COMMUNITY ORGANIZATION THAT APPLIES FOR A GRANT THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM SHALL SUBMIT A COPY OF THE SIGNED PARTNERSHIP AGREEMENT WITH ITS GRANT APPLICATION.

22-27.5-104. Dropout prevention activity grant program - rules - awarding grants. (1) THE STATE BOARD SHALL PROMULGATE RULES IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., FOR THE IMPLEMENTATION OF THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM. AT A MINIMUM, THE RULES SHALL SPECIFY THE PROCEDURES FOR APPLYING FOR A GRANT, THE FORM OF THE GRANT APPLICATION, THE INFORMATION TO BE PROVIDED BY THE APPLICANT, AND THE CRITERIA FOR AWARDING GRANTS.

(2) THE DEPARTMENT SHALL REVIEW EACH GRANT APPLICATION RECEIVED FROM A QUALIFIED SCHOOL OR A QUALIFIED COMMUNITY ORGANIZATION PURSUANT TO SECTION 22-27.5-103 AND SHALL MAKE RECOMMENDATIONS TO THE STATE BOARD CONCERNING WHETHER THE GRANT SHOULD BE AWARDED AND THE AMOUNT OF THE GRANT. IF THE DEPARTMENT DETERMINES AN APPLICATION IS MISSING ANY INFORMATION REQUIRED BY RULES TO BE INCLUDED WITH THE APPLICATION, THE DEPARTMENT MAY CONTACT THE APPLICANT TO OBTAIN THE MISSING INFORMATION. IN MAKING ITS RECOMMENDATIONS, IN ADDITION TO ANY CRITERIA IDENTIFIED BY RULE OF THE STATE BOARD, THE DEPARTMENT SHALL:

(a) GIVE FIRST PRIORITY TO APPLICATIONS TO FUND ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAMS AT QUALIFIED SCHOOLS THAT EXPERIENCE HIGH DROPOUT RATES FOR THE THREE SCHOOL YEARS PRECEDING THE YEAR IN WHICH THE APPLICATION IS

SUBMITTED;

(b) CONSIDER THE PERCENTAGE OF STUDENTS ENROLLED AT THE AFFECTED QUALIFIED SCHOOL WHO ARE MINORITY STUDENTS OR STUDENTS WHO QUALIFY FOR FREE OR REDUCED-COST LUNCH PURSUANT TO THE PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., WITH THE GOAL OF FUNDING ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS AT QUALIFIED SCHOOLS THAT ENROLL HIGH PERCENTAGES OF MINORITY STUDENTS AND STUDENTS WHO QUALIFY FOR FREE OR REDUCED-COST LUNCH;

(c) CONSIDER THE FORMAT OF THE ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAM FOR WHICH FUNDING IS REQUESTED AND DETERMINE THE COST-EFFECTIVENESS OF THE PROGRAM, THE NUMBER OF STUDENTS WHO WILL BE ABLE TO PARTICIPATE, AND THE QUALITY OF THE PARTICIPATORY EXPERIENCE OFFERED, WITH THE GOAL OF FUNDING ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS THAT PROVIDE A LARGE NUMBER OF STUDENTS THE OPPORTUNITY TO DIRECTLY PARTICIPATE IN AND EXPERIENCE AN ARTS-BASED OR VOCATIONAL ACTIVITY;

(d) CONSIDER WHETHER THE ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAM FOR WHICH FUNDING IS REQUESTED INCLUDES A PARTNERING RELATIONSHIP WITH BUSINESSES IN THE COMMUNITY OR A COMPONENT OF COMMUNITY SERVICE, WITH THE GOAL OF FUNDING THOSE ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS THAT DEMONSTRATE A CONNECTION WITH THE COMMUNITY OUTSIDE THE SCHOOL AND PROVIDE A BENEFIT TO THAT COMMUNITY.

(3) IN EACH YEAR IN WHICH MONEYS ARE CREDITED TO THE FUND, THE STATE BOARD SHALL AWARD GRANTS TO APPLICANTS THROUGH THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM. THE STATE BOARD SHALL TAKE INTO CONSIDERATION THE RECOMMENDATIONS RECEIVED FROM THE DEPARTMENT. IN ADDITION TO ANY CRITERIA ADOPTED BY RULE, THE STATE BOARD IN AWARDING GRANTS SHALL APPLY THE PRIORITY AND CONSIDERATIONS SPECIFIED IN SUBSECTION (2) OF THIS SECTION. A GRANT AWARDED PURSUANT TO THIS ARTICLE SHALL BE VALID FOR ONE YEAR.

22-27.5-105. Dropout prevention activity grant fund - created - administrative costs. (1) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE DROPOUT PREVENTION ACTIVITY GRANT FUND. THE FUND SHALL CONSIST OF MONEYS COLLECTED PURSUANT TO SECTION 39-22-2803, C.R.S., AND ANY GIFTS, GRANTS, OR DONATIONS RECEIVED BY THE DEPARTMENT FOR THE FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM PURSUANT TO THIS ARTICLE.

(b) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(2) THE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE IMPLEMENTATION OF THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM PURSUANT TO THIS ARTICLE. ALL PRIVATE AND PUBLIC FUNDS RECEIVED THROUGH GIFTS, GRANTS, AND DONATIONS SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND.

(3) THE DEPARTMENT MAY EXPEND UP TO TWO PERCENT OF THE MONEYS ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE DIRECT AND INDIRECT COSTS INCURRED IN IMPLEMENTING THE DROPOUT PREVENTION ACTIVITY GRANT PROGRAM PURSUANT TO THIS ARTICLE.

(4) THE GENERAL ASSEMBLY, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 39-22-2803, C.R.S., SHALL ANNUALLY APPROPRIATE FROM THE FUND TO THE DEPARTMENT OF REVENUE AN AMOUNT EQUAL TO THE COSTS INCURRED BY THE DEPARTMENT OF REVENUE IN ADMINISTERING MONEYS DESIGNATED AS CONTRIBUTIONS TO THE FUND.

22-27.5-106. Dropout prevention activity programs - report. (1) EACH QUALIFIED SCHOOL AND QUALIFIED COMMUNITY ORGANIZATION THAT RECEIVES A DROPOUT PREVENTION ACTIVITY PROGRAM GRANT SHALL, IN EACH YEAR THAT IT RECEIVES THE GRANT, REPORT TO THE DEPARTMENT A DESCRIPTION OF THE ARTS-BASED OR VOCATIONAL ACTIVITY PROGRAM AND THE PROJECTS ACCOMPLISHED THROUGH THE PROGRAM AND AN INDICATION OF THE NUMBER OF STUDENTS WHO PARTICIPATED IN THE PROGRAM.

(2) ON OR BEFORE JANUARY 15, 2007, AND ON OR BEFORE JANUARY 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AND TO THE GOVERNOR THE FOLLOWING INFORMATION FROM THE PRECEDING SCHOOL YEAR:

(a) THE NUMBER AND AMOUNTS OF DROPOUT PREVENTION ACTIVITY PROGRAM GRANTS AWARDED;

(b) A DESCRIPTION OF THE ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS THAT RECEIVED GRANTS;

(c) THE NUMBER OF STUDENTS WHO PARTICIPATED IN THE ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS THAT RECEIVED GRANTS; AND

(d) THE STUDENT DROPOUT RATES OF THE QUALIFIED SCHOOLS AT WHICH THE FUNDED ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS WERE OPERATED.

SECTION 2. Article 22 of title 39, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

PART 28
DROPOUT PREVENTION ACTIVITY PROGRAMS
VOLUNTARY CONTRIBUTION

39-22-2801. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY

FINDS THAT:

(a) THE DROPOUT RATE OF STUDENTS IN PUBLIC SCHOOLS OF THE STATE IS UNACCEPTABLY HIGH, AND THE ECONOMIC AND CULTURAL HEALTH OF THE STATE REQUIRES THAT PUBLIC SCHOOLS FIND ADDITIONAL WAYS TO PRODUCTIVELY ENGAGE STUDENTS IN EDUCATION AND THEREBY REDUCE THE DROPOUT RATE.

(b) THE CURRENT ECONOMIC SITUATION CURTAILS THE STATE'S ABILITY TO FUND PUBLIC EDUCATION. THE RESTRICTIONS ON FUNDING AND THE PRESSURES PLACED ON PUBLIC SCHOOLS TO TEACH THE CORE CURRICULA OF READING, WRITING, AND MATHEMATICS HAVE FORCED SCHOOLS TO REDUCE THEIR CLASS OFFERINGS IN THE ARTS AND IN VOCATIONAL PROGRAMS.

(c) STUDENTS DESERVE THE OPPORTUNITY TO DISCOVER THEIR TALENTS THROUGH EXPOSURE TO A WIDE VARIETY OF ARTS AND VOCATIONAL ACTIVITIES, INCLUDING THEATER, MUSIC, DANCE, CREATIVE WRITING, PHOTOGRAPHY, CERAMICS, SCULPTURE, PAINTING, CARPENTRY, WELDING, AUTOMOTIVE MAINTENANCE, FLORAL DESIGN, AND CULINARY ARTS. PARTICIPATION IN ARTS-BASED AND VOCATIONAL EXTRACURRICULAR ACTIVITIES WILL ENABLE MANY STUDENTS TO RAISE THEIR SELF-ESTEEM, INCREASE MANY STUDENTS' COMMITMENT TO EDUCATION, AND PERSUADE STUDENTS TO CHOOSE TO STAY IN SCHOOL THROUGH GRADUATION AND, IN SOME CASES, TO CONTINUE ON TO HIGHER EDUCATION.

(d) THE RESULTS OF RECENT STATEWIDE AND SCHOOL DISTRICT ELECTIONS SUGGEST THAT MANY COLORADO CITIZENS WOULD BE WILLING TO PROVIDE FUNDS TO ASSIST PUBLIC SCHOOLS IN REDUCING THE STUDENT DROPOUT RATE BY PROVIDING STUDENTS A WIDER EXPOSURE TO THE ARTS AND TO VOCATIONAL OPPORTUNITIES THROUGH THE USE OF BEFORE- AND AFTER-SCHOOL ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS.

(2) IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY IN ENACTING THIS PART 28 TO PROVIDE THOSE COMMITTED AND CONCERNED COLORADO CITIZENS THE OPPORTUNITY TO FINANCIALLY ASSIST PUBLIC SCHOOLS IN REDUCING THE STUDENT DROPOUT RATE THROUGH FUNDING BEFORE- AND AFTER-SCHOOL ARTS-BASED AND VOCATIONAL ACTIVITY PROGRAMS.

39-22-2802. Voluntary contribution designation - procedure. FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2005, BUT PRIOR TO JANUARY 1, 2008, THE COLORADO STATE INDIVIDUAL INCOME TAX RETURN FORM SHALL CONTAIN A LINE WHEREBY EACH INDIVIDUAL TAXPAYER MAY DESIGNATE THE AMOUNT OF THE CONTRIBUTION, IF ANY, THE INDIVIDUAL WISHES TO MAKE TO THE DROPOUT PREVENTION ACTIVITY GRANT FUND CREATED IN SECTION 22-27.5-105, C.R.S.

39-22-2803. Contributions credited to the dropout prevention activity grant fund. THE DEPARTMENT OF REVENUE SHALL DETERMINE ANNUALLY THE TOTAL AMOUNT DESIGNATED PURSUANT TO SECTION 39-22-2802 AND SHALL REPORT THAT AMOUNT TO THE DEPARTMENT OF EDUCATION, THE STATE TREASURER, AND THE GENERAL ASSEMBLY. THE STATE TREASURER SHALL CREDIT THAT AMOUNT TO THE DROPOUT PREVENTION ACTIVITY GRANT FUND CREATED IN SECTION 22-27.5-105, C.R.S. THE GENERAL ASSEMBLY SHALL APPROPRIATE ANNUALLY FROM THE DROPOUT PREVENTION ACTIVITY GRANT FUND TO THE DEPARTMENT OF REVENUE ITS COSTS OF

ADMINISTERING MONEYS DESIGNATED AS CONTRIBUTIONS TO THE FUND. ALL MONEYS CREDITED TO THE FUND, AFTER SUBTRACTING THE APPROPRIATION TO THE DEPARTMENT OF REVENUE, SHALL BE USED FOR THE PURPOSES SET FORTH IN SECTION 22-27.5-105, C.R.S.

39-22-2804. Repeal of part. THIS PART 28 IS REPEALED, EFFECTIVE JANUARY 1, 2009, UNLESS THE VOLUNTARY CONTRIBUTION TO THE DROPOUT PREVENTION ACTIVITY GRANT FUND ESTABLISHED BY SECTIONS 39-22-2802 AND 39-22-2803 IS CONTINUED OR REESTABLISHED BY THE GENERAL ASSEMBLY ACTING BY BILL PRIOR TO SAID DATE.

SECTION 3. 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 24, 2005