

## CHAPTER 152

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**EDUCATION - UNIVERSITIES AND COLLEGES**


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**SENATE BILL 05-191**

BY SENATOR(S) Hillman, Entz, Isgar, Kester, Taylor, Bacon, Gordon, Groff, Grossman, Johnson, Jones, Keller, Mitchell, Sandoval, Shaffer, Spence, Teck, Tochtrop, Tupa, Veiga, Wiens, Williams, Windels, Evans, Hanna, and Tapia; also REPRESENTATIVE(S) Merrifield, Brophy, Gallegos, Hoppe, Larson, Massey, Berens, Boyd, Buescher, Carroll T., Coleman, Frangas, Green, Hodge, Jahn, McFadyen, Paccione, Penry, Pommer, Romanoff, Rose, Solano, Stafford, and Todd.

**AN ACT**

**CONCERNING THE TEACHER LOAN FORGIVENESS PILOT PROGRAM, AND, IN CONNECTION THEREWITH, PROMOTING RECRUITMENT OF TEACHERS TO TEACH IN HIGH-POVERTY PUBLIC SCHOOLS IN RURAL SCHOOL DISTRICTS.**

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

**SECTION 1.** 23-3.9-101 (4), Colorado Revised Statutes, is amended, and the said 23-3.9-101 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

**23-3.9-101. Definitions.** As used in this article, unless the context otherwise requires:

(3.5) "HIGH-POVERTY SCHOOL" MEANS A PUBLIC SCHOOL AT WHICH THE NUMBER OF PUPILS ENROLLED WHO ARE ELIGIBLE FOR FREE LUNCH PURSUANT TO THE PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., IS AT LEAST EQUAL TO OR GREATER THAN TWENTY-EIGHT PERCENT OF THE SCHOOL'S STUDENT ENROLLMENT.

(4) "Qualified position" means:

(a) A TEACHING POSITION IN A HIGH-POVERTY SCHOOL THAT IS A COLORADO ELEMENTARY PUBLIC SCHOOL IN A RURAL SCHOOL DISTRICT OR IN A FACILITY SCHOOL THAT IS IN A RURAL SCHOOL DISTRICT; OR

(b) A teaching position in math, science, special education, or linguistically diverse education in a Colorado public school or a facility school.

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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.*

(5) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT THAT DOES NOT INCLUDE WITHIN ITS GEOGRAPHIC BOUNDARIES A MUNICIPALITY EXCEEDING ONE THOUSAND PERSONS AND THAT IS CHARACTERIZED BY SPARSE, WIDESPREAD POPULATIONS.

**SECTION 2.** 23-3.9-102 (2) (c) (II) and (2) (d), Colorado Revised Statutes, are amended, and the said 23-3.9-102 (2) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

**23-3.9-102. Teacher loan forgiveness pilot program - administration - fund - conditions.** (2) In addition to any qualifications specified by the commission, to qualify for the teacher loan forgiveness pilot program, a teacher shall:

(c) (II) Be fully qualified under a training program approved by a federal court or agency or the state department of education; ~~and~~

(d) (I) Contract for the teacher's first year of teaching in a qualified position, AS DEFINED IN SECTION 23-3.9-101 (4) (b), no earlier than June 2001, and no later than the end of the ~~2005-06~~ 2008-09 academic year; or

(II) If the teacher is not a first-year teacher, contract to teach in a qualified position, AS DEFINED IN SECTION 23-3.9-101 (4) (b), no earlier than June 2004, and no later than the end of the ~~2005-06~~ 2008-09 academic year; OR

(III) CONTRACT TO TEACH IN A QUALIFIED POSITION, AS DEFINED IN SECTION 23-3.9-101 (4) (a), ON OR AFTER JUNE 1, 2005, AND NO LATER THAN THE END OF THE 2008-09 ACADEMIC YEAR;

(e) WORK AT LEAST HALF-TIME IN A QUALIFIED POSITION IF EMPLOYED IN A RURAL SCHOOL DISTRICT, OR, BEGINNING WITH THE FALL SEMESTER OF THE 2005-06 ACADEMIC YEAR, FULL-TIME IN A QUALIFIED POSITION IF EMPLOYED IN A SCHOOL DISTRICT OTHER THAN A RURAL SCHOOL DISTRICT; AND

(f) BE LIABLE FOR AN OUTSTANDING BALANCE ON A COLLEGEINVEST LOAN OR A LOAN THROUGH A LENDER WITH AN AGREEMENT WITH COLLEGEINVEST TO OFFER LOANS.

**SECTION 3.** 23-3.9-102, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

**23-3.9-102. Teacher loan forgiveness pilot program - administration - fund - conditions.** (4) IF A TEACHER QUALIFIES FOR THE TEACHER LOAN FORGIVENESS PILOT PROGRAM THROUGH EMPLOYMENT IN A HIGH-POVERTY ELEMENTARY SCHOOL IN A RURAL SCHOOL DISTRICT AND IN A SUBSEQUENT ACADEMIC YEAR THE SCHOOL NO LONGER MEETS THE CRITERIA TO BE CLASSIFIED AS A HIGH-POVERTY ELEMENTARY SCHOOL IN A RURAL SCHOOL DISTRICT, THE TEACHER MAY CONTINUE TO PARTICIPATE IN THE TEACHER LOAN FORGIVENESS PILOT PROGRAM IF HE OR SHE CONTINUES TO TEACH AT THE SAME SCHOOL.

(5) IF A TEACHER QUALIFIES FOR THE TEACHER LOAN FORGIVENESS PILOT PROGRAM

THROUGH EMPLOYMENT IN A HIGH-POVERTY ELEMENTARY SCHOOL IN A RURAL SCHOOL DISTRICT AND SUBSEQUENTLY TRANSFERS TO A NONQUALIFYING SCHOOL, HE OR SHE FORFEITS PARTICIPANT STATUS UNDER THIS SECTION.

(6) THE DEPARTMENT OF EDUCATION SHALL ANNUALLY IDENTIFY THE PUBLIC SCHOOLS IN THE STATE THAT QUALIFY AS HIGH-POVERTY ELEMENTARY SCHOOLS IN RURAL SCHOOL DISTRICTS.

**SECTION 4.** 23-3.9-104, Colorado Revised Statutes, is amended to read:

**23-3.9-104. Repeal.** This article is repealed, effective July 1, ~~2008~~ 2013.

**SECTION 5. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 10, 2005, if adjournment sine die is on May 11, 2005); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 24, 2005