

CHAPTER 181

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 07-1243

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 also SENATOR(S) Williams, Bacon, Boyd, Brophy, Gordon, Groff, Isgar, Kopp, Mitchell S., Penry, Romer, Schwartz, Shaffer, Spence, Taylor, Tochtrop, Veiga, Ward, and Windels.

AN ACT

CONCERNING FUNDING TO SUPPORT SCIENCE-ORIENTED AFTER-SCHOOL EDUCATION PROGRAMS.

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

SECTION 1. Article 48.5 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

24-48.5-109. STEM after-school education pilot grant program - fund - report - repeal. (1) **Short title.** THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO HOMEGROWN STEM WORK FORCE ACT".

(2) **Legislative declaration.** (a) THE GENERAL ASSEMBLY FINDS THAT:

(I) THE FUTURE ECONOMIC HEALTH OF THE STATE OF COLORADO DEPENDS ON THE AVAILABILITY OF AN EDUCATED WORK FORCE SKILLED IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS AND A CITIZENRY EQUIPPED TO FUNCTION IN A COMPLEX, COMPETITIVE WORLD. TO COMPETE NATIONALLY AND INTERNATIONALLY, STUDENTS GRADUATING FROM COLORADO'S SECONDARY SCHOOLS NEED A STRONG FOUNDATION IN MATHEMATICS AND SCIENCE.

(II) ACQUIRING A FOUNDATION IN MATHEMATICS AND SCIENCE AND MAINTAINING AN INTEREST IN STEM ACADEMIC FIELDS HAS PROVEN MORE DIFFICULT FOR LOW-INCOME AND MINORITY STUDENTS. IN 2004, THE PERCENTAGE OF COLORADO'S HISPANIC AND AFRICAN-AMERICAN STUDENTS WHO SCORED AT THE PROFICIENT LEVEL IN MATHEMATICS AND SCIENCE WAS TWENTY-FIVE TO FORTY-TWO PERCENTAGE POINTS LOWER, DEPENDING ON GRADE LEVEL, THAN CAUCASIAN

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

STUDENTS. A SIGNIFICANTLY SMALLER PROPORTION OF MINORITY AND LOW-INCOME STUDENTS ENROLL IN AND COMPLETE THE CHALLENGING COURSES THAT LEAD TO POSTSECONDARY EDUCATION. THIS ACHIEVEMENT GAP AND THIS PARTICIPATION GAP HAVE RESULTED IN THE UNDER-REPRESENTATION OF MINORITY GROUPS IN SCIENCE AND ENGINEERING UNDERGRADUATE PROGRAMS AND IN SCIENCE AND ENGINEERING CAREERS.

(III) COLORADO HAS A VESTED INTEREST IN DEVELOPING A WELL-EDUCATED STEM WORK FORCE AND WELL-PREPARED FUTURE BUSINESS OWNERS AND EMPLOYERS. HOWEVER, COLORADO EMPLOYERS EXPERIENCE DIFFICULTY IN FINDING SUFFICIENTLY SKILLED AND EDUCATED EMPLOYEES TO FILL HIGH-QUALITY JOBS IN STEM FIELDS. THE STEM AFTER-SCHOOL EDUCATION PILOT GRANT PROGRAM CAN HELP TO DEVELOP AND STRENGTHEN STEM SKILLS IN COLORADO'S MIDDLE SCHOOL AND HIGH SCHOOL STUDENTS, INCLUDING MINORITY AND ECONOMICALLY DISADVANTAGED STUDENTS, BY FACILITATING STEM AFTER-SCHOOL EDUCATION PROGRAMS.

(IV) WELL-DEVELOPED AND WELL-COORDINATED STEM AFTER-SCHOOL EDUCATION PROGRAMS CAN HELP PARTICIPATING STUDENTS BY:

(A) LOWERING THE DROPOUT RATE AND HELPING TO ENSURE THAT STUDENTS EARN HIGH SCHOOL DIPLOMAS;

(B) RAISING STUDENT ASSESSMENT SCORES AND CLOSING THE ACHIEVEMENT GAP FOR MINORITY AND ECONOMICALLY DISADVANTAGED STUDENTS;

(C) INCREASING THE RATE OF POSTSECONDARY MATRICULATION WITHOUT REMEDIATION AND DIRECTING MORE STUDENTS TOWARD STEM-RELATED MAJORS IN HIGHER EDUCATION INSTITUTIONS;

(D) PROVIDING MENTOR RELATIONSHIPS BETWEEN STUDENTS AND ADVISORS FROM HIGHER EDUCATION INSTITUTIONS;

(E) ENCOURAGING STUDENTS' TEAMWORK AND ACADEMIC CURIOSITY THROUGH PARTICIPATION IN STEM-RELATED EXERCISES AND COMPETITIONS; AND

(F) INTRODUCING STUDENTS TO THE COLORADO STEM COMMUNITY AND EMPLOYERS.

(V) THE GENERAL ASSEMBLY THEREFORE FINDS THAT IT IS IN THE BEST INTERESTS OF COLORADO SECONDARY SCHOOL STUDENTS, ESPECIALLY MINORITY AND ECONOMICALLY DISADVANTAGED STUDENTS, TO ENCOURAGE THE FURTHER DEVELOPMENT AND EXPANSION OF STEM AFTER-SCHOOL EDUCATION PROGRAMS BY AWARDING GRANTS TO FACILITATE THE COORDINATION OF STEM AFTER-SCHOOL EDUCATION PROGRAMS AND INCREASE THE NUMBER OF COLORADO PUBLIC SCHOOLS THAT OFFER STEM AFTER-SCHOOL EDUCATION PROGRAMS.

(3) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE OF ECONOMIC

DEVELOPMENT.

(b) "FUND" MEANS THE STEM AFTER-SCHOOL EDUCATION PILOT GRANT PROGRAM FUND CREATED IN SUBSECTION (6) OF THIS SECTION.

(c) "GRANT PROGRAM" MEANS THE STEM AFTER-SCHOOL EDUCATION PILOT GRANT PROGRAM CREATED IN SUBSECTION (4) OF THIS SECTION.

(d) "PROVIDER" MEANS A NONPROFIT CORPORATION THAT COORDINATES AND SUPPORTS OPERATION OF STEM AFTER-SCHOOL EDUCATION PROGRAMS IN PUBLIC SCHOOLS THROUGHOUT COLORADO.

(e) "STEM" MEANS SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.

(f) "STEM AFTER-SCHOOL EDUCATION PROGRAM" MEANS A PROGRAM OF EDUCATIONAL ACTIVITIES AND COMPETITIONS FOCUSED ON SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS THAT OPERATES AT LEAST WEEKLY THROUGHOUT THE SCHOOL YEAR IN A PUBLIC SCHOOL FOR PUBLIC SCHOOL STUDENTS BEFORE OR AFTER REGULAR SCHOOL HOURS.

(4) Program - creation - application - notification - rules. (a) THERE IS HEREBY CREATED IN THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT THE STEM AFTER-SCHOOL EDUCATION PILOT GRANT PROGRAM FOR THE PURPOSES OF COORDINATING STEM AFTER-SCHOOL EDUCATION PROGRAMS AND INCREASING THE NUMBER OF PUBLIC SCHOOLS THAT PARTICIPATE IN THESE PROGRAMS. THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL ADMINISTER THE GRANT PROGRAM IN ACCORDANCE WITH THIS SECTION.

(b) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIRECTOR SHALL ANNUALLY AWARD GRANTS TO ONE OR MORE PROVIDERS SELECTED FROM AMONG THOSE THAT APPLY. THE DIRECTOR SHALL PROMULGATE RULES AND PROCEDURES FOR APPLYING FOR A GRANT, INCLUDING BUT NOT LIMITED TO THE FORM OF THE GRANT APPLICATION, THE TIME FRAMES FOR APPLYING, AND THE INFORMATION EACH APPLICANT SHALL PROVIDE. AT A MINIMUM, A PROVIDER WHO APPLIES TO THE GRANT PROGRAM SHALL SUBMIT THE FOLLOWING INFORMATION:

(I) A DETAILED STATEMENT SHOWING THAT THE PROVIDER MEETS THE CRITERIA SPECIFIED IN SUBSECTION (5) OF THIS SECTION; AND

(II) A DESCRIPTION OF THE STEM AFTER-SCHOOL EDUCATION PROGRAM THAT THE PROVIDER COORDINATES AND SUPPORTS.

(5) Awarding grants - rules. (a) THE DIRECTOR SHALL REVIEW EACH GRANT APPLICATION RECEIVED AND SHALL SELECT ONE OR MORE GRANT RECIPIENTS BASED ON THE FOLLOWING CRITERIA:

(I) THE PROVIDER HAS PROVIDED OR COORDINATED STEM AFTER-SCHOOL EDUCATION PROGRAMS IN SECONDARY SCHOOLS IN COLORADO FOR TEN YEARS OR MORE;

(II) THE PROVIDER WORKS WITH STEM PROGRAMS IN INSTITUTIONS OF HIGHER

EDUCATION IN COLORADO, INCLUDING INTERACTING WITH STUDENTS AT THOSE INSTITUTIONS;

(III) AT LEAST FIFTY PERCENT OF THE STUDENTS WHO PARTICIPATE IN THE STEM AFTER-SCHOOL EDUCATION PROGRAMS COORDINATED BY THE PROVIDER ARE MEMBERS OF GENDER AND RACIAL GROUPS THAT ARE UNDER-REPRESENTED IN STEM CAREERS;

(IV) OVER NINETY PERCENT OF THE HIGH SCHOOL SENIORS WHO PARTICIPATE IN THE STEM AFTER-SCHOOL EDUCATION PROGRAMS COORDINATED BY THE PROVIDER GRADUATE FROM HIGH SCHOOL;

(V) THE PROVIDER REQUIRES PARENT OR LEGAL GUARDIAN PARTICIPATION IN THE STEM AFTER-SCHOOL EDUCATION PROGRAMS IT COORDINATES;

(VI) THE STEM AFTER-SCHOOL EDUCATION PROGRAMS COORDINATED BY THE PROVIDER PROVIDE TUTORING AND MENTORING RELATIONSHIPS FOR THE PARTICIPATING STUDENTS; AND

(VII) THE STEM AFTER-SCHOOL EDUCATION PROGRAMS COORDINATED BY THE PROVIDER USE TRAINED TEACHERS TO FACILITATE AND LEAD THE PROGRAMS.

(b) EACH PROVIDER THAT RECEIVES A GRANT SHALL UTILIZE THE MONEYS AS FOLLOWS:

(I) THE PROVIDER MAY USE NO MORE THAN TWENTY-FIVE PERCENT OF THE GRANT MONEYS FOR ADMINISTRATIVE AND PERSONNEL COSTS ASSOCIATED WITH COORDINATING AND SUPPORTING THE STEM AFTER-SCHOOL EDUCATION PROGRAM AND ASSOCIATED EVENTS.

(II) THE PROVIDER SHALL USE AT LEAST SEVENTY-FIVE PERCENT OF THE GRANT MONEYS AS GRANTS TO SECONDARY SCHOOLS TO ASSIST THEM IN PARTICIPATING IN THE STEM AFTER-SCHOOL EDUCATION PROGRAM. A SECONDARY SCHOOL MAY USE THE GRANT MONEY TO OFFSET THE COSTS ASSOCIATED WITH HIRING TEACHERS OR MENTORS AND PARTICIPATING IN STEM-BASED PROJECTS, EVENTS, AND COMPETITIONS OR FOR OTHER COSTS DIRECTLY RELATED TO PARTICIPATING IN THE STEM AFTER-SCHOOL EDUCATION PROGRAM.

(6) STEM after-school education pilot grant program fund - creation.

(a) THE DIRECTOR IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION. THE DIRECTOR SHALL TRANSMIT TO THE STATE TREASURER ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS PURSUANT TO THIS SECTION, AND THE STATE TREASURER SHALL CREDIT THE SAME TO THE STEM AFTER-SCHOOL EDUCATION PILOT GRANT PROGRAM FUND, WHICH FUND IS HEREBY CREATED IN THE STATE TREASURY. 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 THIS SECTION.

(b) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSES OF THIS SECTION 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. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (8) OF THIS SECTION, 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 TO THE GENERAL FUND OR ANOTHER FUND.

(7) **Report.** (a) ON OR BEFORE JULY 1, 2008, AND ON OR BEFORE JULY 1 EACH YEAR THEREAFTER, EACH GRANT RECIPIENT SHALL REPORT IN WRITING TO THE DIRECTOR CONCERNING THE USE OF THE GRANT MONEYS. THE REPORT SHALL INCLUDE, IN ADDITION TO ANY OTHER INFORMATION REQUIRED PURSUANT TO RULES OF THE DIRECTOR:

(I) A DESCRIPTION OF THE STEM AFTER-SCHOOL EDUCATION PROGRAM COORDINATED AND SUPPORTED BY THE GRANT RECIPIENT;

(II) THE NAME OF THE SCHOOL DISTRICTS AND INDIVIDUAL SCHOOLS PARTICIPATING IN THE STEM AFTER-SCHOOL EDUCATION PROGRAM;

(III) AN ITEMIZED EXPLANATION OF THE USE OF THE GRANT MONEYS PURSUANT TO PARAGRAPH (b) OF SUBSECTION (5) OF THIS SECTION; AND

(IV) ANY DATA KNOWN TO THE GRANT RECIPIENT CONCERNING THE ACADEMIC PERFORMANCE, MATRICULATION, OR POSTSECONDARY EDUCATION PLANS OF THE STUDENTS PARTICIPATING IN THE STEM AFTER-SCHOOL EDUCATION PROGRAM.

(b) THE DIRECTOR SHALL REPORT ANNUALLY TO THE BUSINESS AFFAIRS AND LABOR COMMITTEES AND THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND TO THE GOVERNOR WITH A SUMMARY OF THE REPORTS RECEIVED FROM THE GRANT RECIPIENTS.

(8) **Repeal of section.** THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2010. THE STATE TREASURER SHALL CREDIT ANY UNENCUMBERED AND UNEXPENDED MONEYS REMAINING IN THE FUND AS OF SAID DATE TO THE STATE GENERAL FUND.

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: May 2, 2007