

CHAPTER 310

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 08-1386

BY REPRESENTATIVE(S) Merrifield, Buescher, Carroll T., Casso, Fischer, Gagliardi, Kerr A., Madden, Massey, Middleton, Peniston, Primavera, Romanoff, Scanlan, Solano, Stafford, Summers, Todd, and Weissmann;
also SENATOR(S) Spence, Bacon, Gibbs, Groff, Morse, Penry, Tupa, Ward, Wiens, Williams, and Windels.

AN ACT

CONCERNING CREATION OF A SCHOOL LEADERSHIP PROGRAM WITHIN THE DEPARTMENT OF EDUCATION, 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 and declares that:

(a) New expectations and standards for student achievement in Colorado require high levels of collaboration and teamwork in which learning communities, teachers, administrators, and support staff learn and apply new strategies to improve their practices with the ultimate goal of increasing student achievement and closing the achievement gap;

(b) In addition to quality classroom teaching, principal leadership is a strong predictor of student achievement, and each principal in the state must possess the skills and knowledge to lead the principal's school toward increasing student achievement and closing the achievement gap;

(c) A school principal sets the vision and cultural direction of the school; each building leader takes responsibility for instructional leadership and professional development activities while maintaining a safe school environment and evaluating staff members;

(d) Principals increasingly take on significant budgetary and management responsibilities as schools attempt to meet students' growing needs with limited resources;

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

(e) In recent years, various efforts toward education reform have placed growing demands on school principals to demonstrate leadership by producing tangible, measurable improvements in student achievement;

(f) Colorado has an insufficient number of highly qualified candidates for principal positions, and struggling schools, in particular, find it difficult to find highly qualified candidates to serve as principals;

(g) Although Colorado has a statutory process for licensing teachers and principals, the state does not have a comprehensive leadership development system that identifies, recruits, trains, and inducts persons who have a proven record of improving student performance and closing achievement gaps;

(h) The general assembly has resolved to align the public education system from preschool through postsecondary and workforce readiness, with an objective of universal proficiency for all students, and this alignment requires a renewed focus and emphasis on leadership in kindergarten through twelfth grade school administration; and

(i) A statewide investment in kindergarten through twelfth grade school administrative leadership will yield a high rate of return in the form of increased achievement by Colorado students.

(2) The general assembly finds, therefore, that the state should create a comprehensive school leadership academy program within the department of education that includes:

(a) Coursework, coaching, and evaluation components that are aligned with state licensure standards; and

(b) Leadership and professional development for school principals.

SECTION 2. Title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 13
School Leadership Academy Program

22-13-101. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "BOARD" MEANS THE SCHOOL LEADERSHIP ACADEMY BOARD CREATED PURSUANT TO SECTION 22-13-103.

(2) "COMMISSIONER" MEANS THE OFFICE OF THE COMMISSIONER OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

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

(4) "PROGRAM" MEANS THE SCHOOL LEADERSHIP ACADEMY PROGRAM CREATED PURSUANT TO SECTION 22-13-102.

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

22-13-102. School leadership academy program - created. (1) THERE IS HEREBY CREATED WITHIN THE DEPARTMENT THE SCHOOL LEADERSHIP ACADEMY PROGRAM. THE PURPOSE OF THE PROGRAM IS TO PROVIDE A COMPREHENSIVE LEADERSHIP AND PROFESSIONAL DEVELOPMENT SYSTEM THAT IDENTIFIES, RECRUITS, TRAINS, AND INDUCTS QUALIFIED PERSONS FOR LEADERSHIP POSITIONS IN PUBLIC SCHOOLS. THE DEPARTMENT SHALL ADMINISTER THE PROGRAM IN ACCORDANCE WITH THIS ARTICLE.

(2) (a) THE DEPARTMENT MAY SOLICIT AND ACCEPT GIFTS, GRANTS, AND DONATIONS FROM PUBLIC AND PRIVATE SOURCES TO FUND THE PROGRAM.

(b) TO THE EXTENT PERMITTED BY LAW, THE DEPARTMENT MAY, AT ITS DISCRETION, DIRECT OTHER MONEYS TO FUND THE PROGRAM.

(c) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, THE DEPARTMENT SHALL NOT TAKE ANY MEASURES TO IMPLEMENT THE PROGRAM UNTIL SUCH TIME AS THE DEPARTMENT HAS RECEIVED AT LEAST FIFTY THOUSAND DOLLARS FROM GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSES OF THE PROGRAM.

(d) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE PROGRAM IS AN IMPORTANT ELEMENT OF AN ACCOUNTABLE PROGRAM TO MEET STATE ACADEMIC STANDARDS AND THEREFORE MAY RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

22-13-103. School leadership academy board - created - duties - reports - repeal. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE SCHOOL LEADERSHIP ACADEMY BOARD, WHICH SHALL CONSIST OF FOURTEEN MEMBERS APPOINTED BY THE COMMISSIONER AS FOLLOWS:

(a) ONE MEMBER WHO REPRESENTS THE DEPARTMENT;

(b) ONE MEMBER WHO IS A PRINCIPAL OF AN ELEMENTARY SCHOOL;

(c) ONE MEMBER WHO IS A PRINCIPAL OF A MIDDLE, JUNIOR HIGH, OR HIGH SCHOOL;

(d) ONE MEMBER WHO IS A SUPERINTENDENT OF A SCHOOL DISTRICT;

(e) ONE MEMBER WHO IS A DEAN OF AN EDUCATION PREPARATION PROGRAM AT A COLORADO INSTITUTION OF HIGHER EDUCATION;

(f) ONE MEMBER WHO REPRESENTS BOARDS OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE;

(g) ONE MEMBER WHO REPRESENTS A STATEWIDE ASSOCIATION OF SCHOOL EXECUTIVES;

(h) ONE MEMBER WHO REPRESENTS A NATIONAL ORGANIZATION THAT PROVIDES PROFESSIONAL DEVELOPMENT TRAINING TO SCHOOL PRINCIPALS;

(i) ONE MEMBER WHO REPRESENTS A STATEWIDE ORGANIZATION OF TEACHERS;

(j) ONE MEMBER WHO REPRESENTS A STATEWIDE ORGANIZATION OF SCHOOL DISTRICT BOARDS OF EDUCATION; AND

(k) FOUR MEMBERS WHO SHALL BE APPOINTED AT THE DISCRETION OF THE COMMISSIONER.

(2) THE COMMISSIONER SHALL MAKE INITIAL APPOINTMENTS TO THE BOARD ON OR BEFORE SEPTEMBER 1, 2008.

(3) THE COMMISSIONER SHALL APPOINT A CHAIR, A VICE-CHAIR, AND A SECRETARY OF THE BOARD. THE DEPARTMENT MAY PROVIDE STAFF TO SUPPORT THE BOARD AS NECESSARY.

(4) EACH MEMBER OF THE BOARD SHALL SERVE A TERM OF THREE YEARS. THE COMMISSIONER MAY APPOINT ANY MEMBER OF THE BOARD TO SUCCEED HIMSELF OR HERSELF ON THE BOARD. VACANCIES SHALL BE FILLED BY APPOINTMENT OF THE COMMISSIONER.

(5) THE COMMISSIONER SHALL CONSIDER ETHNICITY, GENDER, AND GEOGRAPHIC REPRESENTATION IN APPOINTING THE MEMBERS OF THE BOARD.

(6) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION; EXCEPT THAT THE DEPARTMENT MAY REIMBURSE A MEMBER OF THE BOARD FOR TRAVEL EXPENSES AT THE DISCRETION OF THE DEPARTMENT.

(7) (a) ON OR BEFORE JULY 1, 2009, THE BOARD SHALL ADOPT POLICIES AND PROCEDURES FOR THE PURPOSES OF THIS SECTION AND SUBMIT THE POLICIES AND PROCEDURES TO THE STATE BOARD FOR ITS APPROVAL PURSUANT TO SUBSECTION (12) OF THIS SECTION. THE BOARD SHALL IMMEDIATELY INCORPORATE ANY CHANGES TO THE POLICIES AND PROCEDURES THAT ARE RECOMMENDED BY THE STATE BOARD AFTER ITS REVIEW OF THE POLICIES AND PROCEDURES PURSUANT TO SUBSECTION (12) OF THIS SECTION.

(b) THE POLICIES AND PROCEDURES ADOPTED BY THE BOARD PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (7) SHALL INCLUDE:

(I) MEASURES TO ENSURE THE AVAILABILITY OF THE PROGRAM TO INDIVIDUALS RESIDING IN RURAL SCHOOL DISTRICTS, INCLUDING BUT NOT LIMITED TO MEASURES TO FACILITATE INDIVIDUALS' PARTICIPATION IN THE PROGRAM VIA THE INTERNET; AND

(II) CRITERIA FOR THE DEPARTMENT TO USE IN SELECTING PARTICIPANTS FOR THE PRINCIPAL ACADEMY CREATED IN SECTION 22-13-104. THE CRITERIA SHALL

INCLUDE CONSIDERATION OF:

(A) LIMITED PROGRAM RESOURCES; AND

(B) ETHNICITY, GENDER, AND GEOGRAPHIC REPRESENTATION.

(8) THE BOARD SHALL MEET AT LEAST TWICE EACH YEAR TO MONITOR THE PROGRESS OF THE PROGRAM AND REVIEW THE APPROPRIATENESS OF EXISTING POLICIES AND PROCEDURES ADOPTED BY THE BOARD PURSUANT TO SUBSECTION (7) OF THIS SECTION. THE BOARD MAY ADVISE THE STATE BOARD OR THE COMMISSIONER AT ANY TIME REGARDING ISSUES THAT REQUIRE THE TIMELY ATTENTION OF THE STATE BOARD OR THE COMMISSIONER.

(9) ON OR BEFORE JANUARY 1, 2009, THE BOARD SHALL SET FORTH CURRICULAR COMPONENTS FOR THE PROGRAM.

(10) ON AND AFTER JULY 1, 2009, PURSUANT TO SECTION 22-60.5-304 (3), THE BOARD SHALL ADVISE THE STATE BOARD CONCERNING THE PROMULGATION OF RULES AND REGULATIONS ESTABLISHING STANDARDS AND CRITERIA FOR THE APPROVAL OF PROPOSED INDUCTION PROGRAMS FOR INITIAL PRINCIPAL LICENSEES AND FOR THE REVIEW OF APPROVED INDUCTION PROGRAMS FOR INITIAL PRINCIPAL LICENSEES.

(11)(a) ON OR BEFORE FEBRUARY 1, 2010, AND ON OR BEFORE FEBRUARY 1 EACH YEAR THEREAFTER, THE BOARD SHALL REPORT TO THE COMMISSIONER AND TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. THE BOARD SHALL MAKE THE REPORT PUBLICLY AVAILABLE THROUGH THE DEPARTMENT'S WEB SITE. THE REPORT SHALL, AT A MINIMUM, INCLUDE:

(I) A SUMMARY OF THE OPERATIONS AND ACTIVITIES OF THE PROGRAM DURING THE PRECEDING FISCAL YEAR, INCLUDING BUT NOT LIMITED TO DEMOGRAPHIC INFORMATION REGARDING THE PARTICIPANTS IN THE PROGRAM; AND

(II) RECOMMENDATIONS OF THE BOARD REGARDING MEASURES, IF ANY, THAT ARE REQUIRED TO ENSURE THAT THE LEADERSHIP AND PROFESSIONAL DEVELOPMENT SYSTEM PROVIDED BY THE PROGRAM ARE ALIGNED WITH CURRENT STANDARDS FOR PROFESSIONAL EDUCATOR LICENSES, INCLUDING BUT NOT LIMITED TO THE PROVISIONS OF SECTION 22-2-109 (6) AND ARTICLE 60.5 OF THIS TITLE.

(b) BEFORE MAKING RECOMMENDATIONS PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (11), THE BOARD SHALL HOLD A PUBLIC HEARING FOR THE PURPOSE OF HEARING TESTIMONY FROM EDUCATION STAKEHOLDERS CONCERNING THE CONTENT OF THE RECOMMENDATIONS.

(12) ON OR BEFORE OCTOBER 1, 2009, THE STATE BOARD SHALL REVIEW THE POLICIES AND PROCEDURES ADOPTED BY THE SCHOOL LEADERSHIP ACADEMY BOARD PURSUANT TO SUBSECTION (7) OF THIS SECTION AND EITHER APPROVE OR RECOMMEND CHANGES TO THE POLICIES AND PROCEDURES.

(13)(a) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017.

(b) PRIOR TO SAID REPEAL, THE BOARD APPOINTED PURSUANT TO THIS SECTION SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

22-13-104. Principal academy - created. (1) THE PROGRAM SHALL INCLUDE A PRINCIPAL ACADEMY THAT SHALL INCLUDE THE FOLLOWING THREE COMPONENTS:

(a) A TRAINING PROGRAM FOR PRACTICING PRINCIPALS OF PUBLIC SCHOOLS WITHIN THE STATE; AND

(b) AN ENTRY-LEVEL TRAINING PROGRAM THAT IS ALIGNED WITH THE STANDARDS AND CRITERIA ESTABLISHED BY RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD PURSUANT TO SECTION 22-60.5-304 (3) FOR THE APPROVAL OF PROPOSED INDUCTION PROGRAMS FOR INITIAL PRINCIPAL LICENSEES AND FOR THE REVIEW OF APPROVED INDUCTION PROGRAMS FOR INITIAL PRINCIPAL LICENSEES.

(2) A SCHOOL DISTRICT MAY NOMINATE AN INDIVIDUAL TO BE A PARTICIPANT IN THE PRINCIPAL ACADEMY, BUT A NOMINATION BY A SCHOOL DISTRICT SHALL NOT BE A PREREQUISITE TO AN INDIVIDUAL BECOMING A PARTICIPANT IN THE PROGRAM.

(3) IN SELECTING PARTICIPANTS FOR THE PRINCIPAL ACADEMY, THE DEPARTMENT SHALL USE THE CRITERIA ADOPTED BY THE BOARD PURSUANT TO SECTION 22-13-103 (7) (b).

SECTION 3. 2-3-1203 (3) (dd), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH 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:

(dd) July 1, 2017:

(X) THE SCHOOL LEADERSHIP ACADEMY BOARD, CREATED PURSUANT TO SECTION 22-13-103, C.R.S.

SECTION 4. 22-60.5-304 (3), Colorado Revised Statutes, is amended to read:

22-60.5-304. Approved induction programs - initial principal licensees. (3) (a) The state board of education shall, by rule and regulation, establish standards and criteria for the approval of proposed induction programs for initial principal licensees and for the review of approved induction programs for initial principal licensees. Such rules and regulations shall provide for such standards and criteria to be fully implemented on and after July 1, 1999, and shall provide for the gradual implementation of such standards and criteria over the five-year period prior to said date. Such standards and criteria shall, at a minimum, provide multiple approaches and options in regard to the provision of approved induction programs which take into consideration factors which the state board of education deems appropriate. Such factors shall include, but shall not be limited to, the setting categories and geographical location of school districts, the costs of providing approved induction programs, and the availability of state moneys to fund, in whole or in part, approved induction programs.

(b) ON AND AFTER JULY 1, 2009, IN PROMULGATING RULES AND REGULATIONS ESTABLISHING STANDARDS AND CRITERIA PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3), THE STATE BOARD SHALL CONSULT WITH THE SCHOOL LEADERSHIP ACADEMY BOARD ESTABLISHED PURSUANT TO SECTION 22-13-103.

SECTION 5. Appropriation. In addition to any other appropriation, there is hereby appropriated, to the department of education, assistance to public schools, grant programs, distributions, and other assistance, for the school leadership academy program, for the fiscal year beginning July 1, 2008, the sum of one hundred thirty-seven thousand nine hundred eighty-three dollars (\$137,983) cash funds and 1.5 FTE, or so much thereof as may be necessary, for the implementation of this act. Of said sum, eighty-seven thousand nine hundred eighty-three dollars (\$87,983) shall be from the state education fund created in section 17 (4) of article IX of the state constitution, and fifty thousand dollars (\$50,000) shall be from gifts, grants, and donations.

SECTION 6. 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 6, 2008, if adjournment sine die is on May 7, 2008); 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 27, 2008