

CHAPTER 236

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 09-1240

BY REPRESENTATIVE(S) Miklosi, Apuan, Baumgardner, Bradford, Casso, Court, Fischer, Frangas, Gerou, Green, Kerr A., Labuda, McGihon, McNulty, Murray, Nikkel, Pace, Primavera, Priola, Ryden, Scanlan, Schafer S., Solano, Stephens, Summers, Tipton, Todd, Vigil, Waller, Weissmann;
 also SENATOR(S) Foster, Bacon, Carroll M., Gibbs, Groff, Heath, Hodge, Hudak, Isgar, King K., Kopp, Morse, Newell, Penry, Sandoval, Schwartz, Shaffer B., Tapia, Tochtrop, Williams.

AN ACT**CONCERNING CREATING THE COLORADO TEACHER OF THE YEAR PROGRAM.***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 61.5
Colorado Teacher of the Year

22-61.5-101. Short title. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO TEACHER OF THE YEAR ACT".

22-61.5-102. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) AN EFFECTIVE TEACHER PROVIDING QUALITY INSTRUCTION IS THE SINGLE, GREATEST FACTOR INFLUENCING STUDENT ACHIEVEMENT, HAVING A GREATER IMPACT THAN THE CHARACTERISTICS OF A CHILD, INCLUDING POVERTY, RACE, OR FAMILY HISTORY. FURTHER, QUALITY INSTRUCTION IN THE CLASSROOM IS THE MOST DIRECT WAY TO PROVIDE EQUAL OPPORTUNITIES IN EDUCATION, ESPECIALLY FOR AT-RISK STUDENTS. A REVIEW OF THE WORLD'S TOP SCHOOL SYSTEMS SUGGESTS THAT THREE THINGS MATTER MOST IN EDUCATION: RECRUITING THE RIGHT PEOPLE TO BECOME TEACHERS; DEVELOPING THESE PEOPLE INTO EFFECTIVE INSTRUCTORS; AND ENSURING THAT THE EDUCATIONAL SYSTEM IS ABLE TO DELIVER THE BEST POSSIBLE INSTRUCTION FOR EVERY CHILD.

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

(b) THE STATE'S LONG-TERM SUCCESS IN ACHIEVING MANY OF THE EDUCATIONAL GOALS COLORADO HAS IDENTIFIED FOR ITS STUDENTS WILL REQUIRE A FUNDAMENTAL TRANSFORMATION OF THE TEACHING PROFESSION. MAKING A LONG-TERM COMMITMENT TO RESHAPING THE WAY IN WHICH COLORADO ATTRACTS, TRAINS, SUPPORTS, AND RETAINS TEACHERS IS THE BEST WAY TO TACKLE PROBLEMS IN EDUCATION, INCLUDING THE ACHIEVEMENT GAP, HIGH DROPOUT RATES, AND LOW GRADUATION RATES. THIS COMMITMENT WILL REQUIRE NEW PARTNERSHIPS BETWEEN THE GOVERNMENT AND THE PRIVATE SECTOR AND AMONG THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HIGHER EDUCATION, SCHOOL DISTRICTS, AND EDUCATIONAL MEMBERSHIP ASSOCIATIONS, AS WELL AS A VARIETY OF OTHER STAKEHOLDERS, INCLUDING, BUT NOT LIMITED TO, ELECTED OFFICIALS, BUSINESS LEADERS, AND COMMUNITY LEADERS THROUGHOUT THE STATE.

(2) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT COLORADO IS COMMITTED TO HONORING THE NOBILITY OF THE TEACHING PROFESSION. ONE OF THE SIMPLEST AND YET MOST PROFOUND WAYS TO SHOW THE STATE'S COMMITMENT TO TEACHING IS FOR COLORADO TO JOIN OTHER STATES THAT HAVE ELEVATED BOTH THE RECOGNITION AND THE ROLE OF THE TEACHER NAMED TEACHER OF THE YEAR AND TO ESTABLISH THE COLORADO TEACHER OF THE YEAR PROGRAM.

22-61.5-103. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AWARD RECIPIENT" MEANS THE TEACHER NAMED COLORADO TEACHER OF THE YEAR.

(2) "COLORADO TEACHER OF THE YEAR" MEANS THE COLORADO TEACHER NAMED TEACHER OF THE YEAR IN THE STATE PROGRAM ADMINISTERED BY THE DEPARTMENT AND COORDINATED THROUGH THE NATIONAL TEACHER OF THE YEAR PROGRAM.

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

(4) "PROGRAM" MEANS THE COLORADO TEACHER OF THE YEAR PROGRAM DESCRIBED IN THIS ARTICLE.

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

22-61.5-104. Colorado teacher of the year program - created - administration - rules. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE COLORADO TEACHER OF THE YEAR PROGRAM TO HONOR AND REWARD THE TEACHER NAMED ANNUALLY AS THE COLORADO TEACHER OF THE YEAR. THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

(2) THE STATE BOARD SHALL ADOPT RULES NECESSARY FOR THE CREATION AND IMPLEMENTATION OF THE PROGRAM. ELEMENTS OF THE PROGRAM MAY INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING:

(a) THE PROGRAM MAY REWARD THE AWARD RECIPIENT WITH GIFTS, SERVICES,

AND OPPORTUNITIES THAT MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

(I) A SABBATICAL FROM TEACHING RESPONSIBILITIES THAT INCLUDES MONEYS AWARDED TO THE AWARD RECIPIENT'S EMPLOYER FOR THE PURPOSE OF HIRING A SUBSTITUTE TEACHER DURING THE AWARD RECIPIENT'S SABBATICAL;

(II) A CASH GIFT;

(III) TRAVEL AND LODGING EXPENSES;

(IV) A COMPUTER;

(V) SUPPLIES AND EQUIPMENT FOR THE AWARD RECIPIENT'S CLASSROOM OR SCHOOL; AND

(VI) THE OPPORTUNITY TO RECEIVE ADDITIONAL TRAINING OR EDUCATION.

(b) DURING HIS OR HER TENURE AS COLORADO TEACHER OF THE YEAR, THE AWARD RECIPIENT MAY PARTICIPATE IN ACTIVITIES THAT MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

(I) PARTICIPATING IN LOCAL, REGIONAL, AND NATIONAL EVENTS RELATED TO THE AWARD RECIPIENT'S DESIGNATION AS COLORADO TEACHER OF THE YEAR;

(II) PROMOTING THE TEACHING PROFESSION;

(III) TEACHING BEST PRACTICES TO OTHER TEACHERS;

(IV) TEACHING TEMPORARILY IN OTHER PUBLIC SCHOOLS OR SCHOOL DISTRICTS;

(V) MENTORING STUDENTS IN TEACHER PREPARATION PROGRAMS AND SUPPORTING NEWER TEACHERS IN COLORADO;

(VI) COLLABORATING WITH INSTITUTIONS OF HIGHER EDUCATION IN SCHOLARLY RESEARCH AND TEACHING; AND

(VII) PARTICIPATING IN SPECIAL PROJECTS RELATING TO EDUCATION THAT ARE IMPORTANT TO THE AWARD RECIPIENT.

(3) THE DEPARTMENT MAY COLLABORATE WITH A PRIVATE ENTITY IN IMPLEMENTING THE PROGRAM AND MAY ACCEPT SERVICES AND IN-KIND DONATIONS FROM THE PRIVATE ENTITY.

22-61.5-105. Colorado teacher of the year fund - created. (1) (a) THE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSES OF THIS ARTICLE; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS ARTICLE OR ANY OTHER LAW OF THE STATE. THE DEPARTMENT SHALL TRANSMIT ALL MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE COLORADO TEACHER OF THE YEAR FUND, WHICH FUND IS HEREBY CREATED AND

REFERRED TO IN THIS SECTION AS THE "FUND". THE MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE PROGRAM.

(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.

(c) 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 MAY EXPEND UP TO TEN PERCENT OF THE MONEYS ANNUALLY CREDITED TO THE FUND TO OFFSET THE COSTS INCURRED IN IMPLEMENTING THE PROGRAM.

SECTION 2. Act subject to petition - 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 5, 2009, if adjournment sine die is on May 6, 2009); 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 5, 2009