

CHAPTER 12

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 15-108

BY SENATOR(S) Steadman, Grantham, Lambert;
also REPRESENTATIVE(S) Hamner, Young, Rankin, Becker K., Fields, Kagan, Kraft-Tharp, Pettersen, Rosenthal.

AN ACT

**CONCERNING THE DIRECT APPROPRIATION OF MONEYS FOR
CERTAIN PROGRAMS IN THE DEPARTMENT OF EDUCATION.**

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

SECTION 1. In Colorado Revised Statutes, 22-10-104, **amend** (1) (c) as follows:

22-10-104. Adult education and literacy grant program - created - rules.

(1) (c) Subject to available appropriations, the state board, taking into consideration the recommendations of the office, shall award adult education and literacy grants to local education providers. The grants awarded are payable from APPROPRIATIONS FROM THE GENERAL FUND AND FROM the adult education and literacy grant fund created in section 22-10-107. The state board shall establish the amount and duration of each grant awarded and may award a grant for multiple fiscal years, subject to annual renewal. A grant recipient that receives a multi-year grant must annually submit to the office the necessary information to determine whether the grant recipient is making sufficient progress toward achieving the goals of the adult education and literacy program that were specified in the grant application. If the office finds that a grant recipient is not making sufficient progress toward achieving the goals, the state board shall not renew the grant for subsequent fiscal years.

SECTION 2. In Colorado Revised Statutes, 22-10-107, **amend** (1) (a); and **add** (1) (e) as follows:

22-10-107. Adult education and literacy grant fund - created - repeal.

(1) (a) There is ~~hereby~~ created in the state treasury the adult education and literacy grant fund, referred to in this section as the "fund", consisting of ANY MONEYS RECEIVED BY THE DEPARTMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION.

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

~~(f) Any moneys received by the department pursuant to subsection (2) of this section;~~

~~(H) Any moneys transferred to the fund pursuant to section 22-2-124 (10), as it existed before July 1, 2014; and~~

~~(III) Any moneys that the general assembly may appropriate to the fund.~~

(e) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (d) OF THIS SUBSECTION (1), THE TREASURER SHALL TRANSFER TO THE GENERAL FUND ANY OF THE MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY THAT ARE UNEXPENDED AND UNENCUMBERED AND REMAIN IN THE FUND AS OF JUNE 30, 2015.

(II) THIS PARAGRAPH (e) IS REPEALED, EFFECTIVE JULY 1, 2016.

SECTION 3. In Colorado Revised Statutes, 22-13-104, **amend** (2) as follows:

22-13-104. Turnaround leadership development programs - providers - design grants - review. (2) During the first three years that the program receives appropriations, an identified provider may apply as provided by rule for a one-time design grant to offset the costs incurred in creating or expanding the provider's turnaround leadership development programs. The department shall review the design grant applications using the criteria adopted by rule and recommend to the state board the providers that may receive design grants and the amount of the grants. The state board, taking into account the department's recommendations, may award the design grants from moneys appropriated to the school turnaround leaders development fund created pursuant to section 22-13-106 BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE PROGRAM. IN EACH OF THE FIRST THREE BUDGET YEARS IN WHICH THE PROGRAM OPERATES, THE STATE BOARD MAY DISTRIBUTE AS ONE-TIME DESIGN GRANTS NO MORE THAN APPROXIMATELY ONE-THIRD OF THE AMOUNT APPROPRIATED FOR THE PROGRAM FOR THE APPLICABLE BUDGET YEAR.

SECTION 4. In Colorado Revised Statutes, 22-13-105, **amend** (2); and **add** (5) as follows:

22-13-105. School turnaround leader grants - application - awards - report. (2) A school district, the institute, or a charter school that seeks a school turnaround leader grant must apply to the department as provided by rule of the state board. The department shall review all of the applications received and, based on the criteria adopted by rule, recommend to the state board the applicants that may receive school turnaround leader grants and the grant amounts. Subject to available appropriations, the state board, taking into account the department's recommendations, shall award school turnaround leader grants from moneys appropriated to the school turnaround leaders development fund BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE PROGRAM.

(5) THE DEPARTMENT MAY EXPEND UP TO FIVE PERCENT OF THE MONEYS ANNUALLY APPROPRIATED FOR THE PROGRAM TO OFFSET THE COSTS INCURRED IN IMPLEMENTING THE PROGRAM.

SECTION 5. In Colorado Revised Statutes, 22-13-106, **add** (1) (c) and (3) as follows:

22-13-106. School turnaround leaders development fund - created - repeal.

(1) (c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF THIS SUBSECTION (1), THE TREASURER SHALL TRANSFER ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AS OF JUNE 30, 2015, TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.

SECTION 6. In Colorado Revised Statutes, 22-24-107, **amend** (1); and **add** (4) (c) and (4) (d) as follows:

22-24-107. English language proficiency act excellence award program - created - rules - legislative declaration - repeal. (1) There is created in the department the English language proficiency act excellence award program to award grants to local education providers and charter schools that achieve the highest English language and academic growth among English language learners and the highest academic achievement for English language learners who transition out of the English language proficiency program. The department shall administer the program by annually identifying, based on rules of the state board, the local education providers and charter schools that qualify for grants and distributing the moneys ~~appropriated to the excellence awards fund created in subsection (4) of this section~~ THAT THE GENERAL ASSEMBLY APPROPRIATES TO THE DEPARTMENT FOR THE PROGRAM. The state board by rule shall set the grant amount based on the student enrollment of the local education providers and charter schools that qualify for grants and the concentration of English language learners enrolled by the local education providers and charter schools as a percentage of the total student enrollment. Subject to available appropriations, the department shall distribute the moneys in accordance with the rules to the local education providers and charter schools that qualify for the grants.

(4) (c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF THIS SUBSECTION (4), THE TREASURER SHALL TRANSFER ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AS OF JUNE 30, 2015, TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

(d) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2016.

SECTION 7. In Colorado Revised Statutes, 22-24-108, **amend** (2) (a) introductory portion, (2) (a) (I) introductory portion, and (2) (a) (II) introductory portion; and **add** (3) (c) and (3) (d) as follows:

22-24-108. Professional development and student support program - created - rules - repeal. (2) (a) The department shall distribute the amount ~~appropriated~~ THAT THE GENERAL ASSEMBLY ANNUALLY APPROPRIATES for the support program as follows:

(I) Seventy-five percent of the amount annually appropriated ~~from the fund~~ to

local education providers to provide services to English language learners, and professional development activities for educators who work with English language learners, who:

(II) The remainder of the amount annually appropriated ~~from the fund~~ to local education providers to provide services to, and to provide professional development activities for educators who work with, English language learners who comprehend and speak English and one or more other languages but whose English language development and comprehension is:

(3) (c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF THIS SUBSECTION (3), THE TREASURER SHALL TRANSFER ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AS OF JUNE 30, 2015, TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

(d) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2016.

SECTION 8. In Colorado Revised Statutes, 24-90-405, **add** (2) as follows:

24-90-405. Administration of the grants program - powers and duties of the state librarian. (2) FOR ANY GIVEN FISCAL YEAR, THE STATE LIBRARIAN MAY EXPEND NO MORE THAN TWO AND ONE-HALF PERCENT OF THE MONEYS THAT THE GENERAL ASSEMBLY APPROPRIATES FOR THIS PART 4 FOR THE ADMINISTRATIVE COSTS OF THE STATE LIBRARIAN IN ADMINISTERING THIS PART 4. FOR ANY GIVEN FISCAL YEAR, IF THE ADMINISTRATIVE COSTS AMOUNT TO LESS THAN TWO AND ONE-HALF PERCENT OF THE AMOUNT OF THE APPROPRIATION, THE STATE LIBRARIAN MAY DISTRIBUTE THE DIFFERENCE BETWEEN AN AMOUNT EQUAL TO TWO AND ONE-HALF PERCENT OF THE AMOUNT OF THE APPROPRIATION AND THE AMOUNT OF ADMINISTRATIVE COSTS ACTUALLY INCURRED TO THE REGIONAL LIBRARY SERVICE SYSTEM TO ASSIST PUBLICLY SUPPORTED LIBRARIES IN MEETING THE ELIGIBILITY CRITERIA UNDER THIS PART 4.

SECTION 9. In Colorado Revised Statutes, 24-90-407, **amend** (1) and (2) as follows:

24-90-407. State grants to publicly supported libraries fund - creation - source of funds - appropriations - administrative costs - repeal. (1) There is ~~hereby~~ created in the state treasury the state grants to publicly supported libraries fund, which fund ~~shall be~~ is administered by the state librarian and which ~~shall consist of all moneys appropriated to said fund by the general assembly and~~ CONSISTS OF all moneys ~~collected by~~ THAT the state librarian COLLECTS for purposes of this part 4 from federal grants and other contributions, grants, gifts, bequests, and donations received from individuals, private organizations, or foundations. ~~Such moneys shall be transmitted~~ THE STATE LIBRARIAN SHALL TRANSMIT THE COLLECTED MONEYS to the state treasurer to be credited to the fund.

(2) (a) All moneys in ~~said~~ THE fund ~~shall be~~ ARE subject to annual appropriation by the general assembly. IN ADDITION TO ANY MONEYS CREDITED TO THE FUND, THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE MONEYS TO THE DEPARTMENT OF EDUCATION FOR THE PURPOSES OF THIS PART 4. For any given fiscal year, THE

STATE LIBRARIAN SHALL EXPEND no more than two and one-half percent of the moneys appropriated from said fund for this part 4 shall be expended for the administrative costs of the state librarian in administering this part 4. For any given fiscal year, if said THE administrative costs amount to less than two and one-half percent of the appropriation made AMOUNT APPROPRIATED, the state librarian may distribute the difference between an amount equal to two and one-half percent of the amount of the appropriation made APPROPRIATED and the amount of administrative costs actually incurred to the regional library service system to assist publicly supported libraries in meeting the eligibility criteria under this part 4.

(b) (I) THE TREASURER SHALL TRANSFER TO THE GENERAL FUND ANY OF THE MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY THAT ARE UNEXPENDED AND UNENCUMBERED AND REMAIN IN THE FUND AS OF JUNE 30, 2015.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2016.

SECTION 10. 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: March 13, 2015