

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0008.01 Julie Pelegrin x2700

HOUSE BILL 15-1200

HOUSE SPONSORSHIP

Priola, Windholz

SENATE SPONSORSHIP

Hill,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING DISTRIBUTION OF GRANT MONEYS TO LOCAL EDUCATION**
102 **PROVIDERS TO FUND INCENTIVES FOR HIGHLY EFFECTIVE**
103 **TEACHERS TO TEACH IN LOW-PERFORMING SCHOOLS, AND, IN**
104 **CONNECTION THEREWITH, CREATING THE "GREATEST**
105 **RESOURCES FOR EDUCATION ARE TEACHERS ACT" AND**
106 **MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

The bill creates the highly effective teacher incentives program

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 ACT".

2 **22-97-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY
3 FINDS THAT:

4 (a) RESEARCH DEMONSTRATES THAT ONE OF THE MOST IMPORTANT
5 FACTORS IN INCREASING STUDENT LEARNING IS THE PRESENCE OF AN
6 EFFECTIVE TEACHER IN THE CLASSROOM;

7 (b) ALTHOUGH THERE ARE EXCEPTIONS, LOW-PERFORMING
8 SCHOOLS ARE MORE LIKELY TO HAVE MORE INEFFECTIVE AND
9 INEXPERIENCED TEACHERS;

10 (c) THE STATE AND SCHOOL DISTRICTS HAVE ADOPTED A MORE
11 RIGOROUS PROCESS FOR EVALUATING TEACHER EFFECTIVENESS, WHICH,
12 WHEN FULLY IMPLEMENTED, WILL IDENTIFY TEACHERS WHO ARE HIGHLY
13 EFFECTIVE IN THE CLASSROOM AND MORE LIKELY TO BE SUCCESSFUL IN
14 INCREASING THE ACADEMIC ACHIEVEMENT OF THEIR STUDENTS;

15 (d) HIGHLY EFFECTIVE TEACHERS TEACHING IN LOW-PERFORMING
16 SCHOOLS ARE ESSENTIAL TO CLOSING THE ACHIEVEMENT GAP FOR
17 LOW-INCOME STUDENTS AND RACIAL MINORITY STUDENT GROUPS AND FOR
18 ENSURING THAT STUDENTS IN LOW-PERFORMING SCHOOLS ATTAIN
19 POSTSECONDARY AND WORKFORCE READINESS BY THE TIME THEY
20 GRADUATE FROM HIGH SCHOOL; AND

21 (e) PROVIDING RESOURCES TO SCHOOL DISTRICTS AND CHARTER
22 SCHOOLS TO ENABLE THEM TO OFFER MONETARY INCENTIVES FOR HIGHLY
23 EFFECTIVE TEACHERS WHO CHOOSE TO TEACH IN LOW-PERFORMING
24 SCHOOLS IS AN EFFECTIVE WAY TO INCREASE THE NUMBER OF HIGHLY
25 EFFECTIVE TEACHERS WHO TEACH IN LOW-PERFORMING SCHOOLS.

26 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE
27 BEST INTERESTS OF THE STATE TO CREATE A GRANT PROGRAM TO PROVIDE

1 MONEYS TO SCHOOL DISTRICTS AND CHARTER SCHOOLS TO ENABLE THEM
2 TO ATTRACT AND RETAIN GREATER NUMBERS OF HIGHLY EFFECTIVE
3 TEACHERS IN LOW-PERFORMING SCHOOLS, THEREBY RAISING THE
4 ACADEMIC ACHIEVEMENT OF THE STUDENTS ENROLLED IN THOSE
5 SCHOOLS.

6 **22-97-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
7 CONTEXT OTHERWISE REQUIRES:

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

10 (2) "FUND" MEANS THE HIGHLY EFFECTIVE TEACHER INCENTIVES
11 FUND CREATED IN SECTION 22-97-106.

12 (3) "HIGHLY EFFECTIVE TEACHER" MEANS:

13 (a) A TEACHER WHO, IN HIS OR HER MOST RECENT PERFORMANCE
14 EVALUATION, RECEIVED A RATING OF HIGHLY EFFECTIVE, AS DESCRIBED
15 IN RULES ADOPTED BY THE STATE BOARD PURSUANT TO SECTION 22-9-104;
16 OR

17 (b) A TEACHER WHO HOLDS A CURRENT CERTIFICATION FROM THE
18 NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS.

19 (4) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
20 BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF
21 THIS TITLE THAT OPERATES A PUBLIC SCHOOL, A CHARTER SCHOOL
22 AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE
23 30.5 OF THIS TITLE, OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY
24 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
25 30.5 OF THIS TITLE.

26 (5) "LOW-PERFORMING" MEANS THAT A PUBLIC SCHOOL, AS A
27 RESULT OF THE MOST RECENT PERFORMANCE EVALUATION BY THE

1 DEPARTMENT, IS REQUIRED PURSUANT TO SECTION 22-11-210 TO
2 IMPLEMENT A SCHOOL PRIORITY IMPROVEMENT PLAN, AS DESCRIBED IN
3 SECTION 22-11-405, OR A SCHOOL TURNAROUND PLAN, AS DESCRIBED IN
4 SECTION 22-11-406.

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

7 (7) "TRANSFER TEACHER" MEANS A HIGHLY EFFECTIVE TEACHER
8 WHO, IN THE FIRST YEAR OF A GRANT CYCLE:

9 (a) IS NEWLY EMPLOYED BY THE LOCAL EDUCATION PROVIDER
10 THAT RECEIVES A GRANT PURSUANT TO THIS ARTICLE, HAVING BEEN MOST
11 RECENTLY EMPLOYED BY:

12 (I) A SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES
13 THAT HELD THE STATUS OF ACCREDITED WITH DISTINCTION, AS DESCRIBED
14 IN SECTION 22-11-207, FOR THE PRECEDING SCHOOL YEAR; OR

15 (II) A CHARTER SCHOOL OR INSTITUTE CHARTER SCHOOL THAT
16 IMPLEMENTED A PERFORMANCE PLAN, AS DESCRIBED IN SECTION
17 22-11-403, FOR THE PRECEDING SCHOOL YEAR; OR

18 (b) IS A RETURNING EMPLOYEE OF A LOCAL EDUCATION PROVIDER
19 THAT RECEIVES A GRANT PURSUANT TO THIS ARTICLE BUT HAS
20 TRANSFERRED FROM A PUBLIC SCHOOL THAT IMPLEMENTED A
21 PERFORMANCE PLAN, AS DESCRIBED IN SECTION 22-11-403, FOR THE
22 PRECEDING SCHOOL YEAR.

23 **22-97-104. Highly effective teacher incentives program -**
24 **created - grant awards - rules.** (1) (a) THERE IS CREATED IN THE
25 DEPARTMENT THE HIGHLY EFFECTIVE TEACHER INCENTIVES PROGRAM TO
26 ENABLE LOCAL EDUCATION PROVIDERS TO OFFER MONETARY INCENTIVES
27 TO ATTRACT HIGHLY EFFECTIVE TEACHERS TO WORK IN LOW-PERFORMING

1 SCHOOLS. LOCAL EDUCATION PROVIDERS MAY USE THE GRANT MONEYS
2 ONLY TO PROVIDE NONBASE-BUILDING SALARY BONUSES TO HIGHLY
3 EFFECTIVE TEACHERS WHO CHOOSE TO WORK IN LOW-PERFORMING
4 SCHOOLS AND MEET THE QUALIFICATIONS SPECIFIED IN SECTION 22-97-105
5 (2).

6 (b) DURING THE 2015-16 BUDGET YEAR, THE DEPARTMENT SHALL
7 PUBLICIZE TO LOCAL EDUCATION PROVIDERS AND TEACHERS THE
8 EXISTENCE AND GOALS OF THE PROGRAM, INCLUDING THE ELIGIBILITY
9 REQUIREMENTS AND QUALIFICATIONS FOR LOCAL EDUCATION PROVIDERS
10 AND HIGHLY EFFECTIVE TEACHERS.

11 (2) SUBJECT TO AVAILABLE APPROPRIATIONS AND TO THE
12 LIMITATIONS SPECIFIED IN SECTION 22-97-106 (2), THE STATE BOARD
13 SHALL AWARD GRANTS PURSUANT TO THIS ARTICLE IN TWO-YEAR CYCLES
14 BEGINNING WITH THE 2016-17 BUDGET YEAR. THE STATE BOARD SHALL
15 AWARD THE GRANTS FROM THE MONEYS APPROPRIATED TO THE HIGHLY
16 EFFECTIVE TEACHER INCENTIVES FUND CREATED IN SECTION 22-97-106.
17 A LOCAL EDUCATION PROVIDER MAY APPLY FOR A GRANT AT THE
18 BEGINNING OF EACH CYCLE. THE AMOUNT OF EACH GRANT IS BASED ON
19 THE NUMBER OF ELIGIBLE HIGHLY EFFECTIVE TEACHERS THAT THE LOCAL
20 EDUCATION PROVIDER EMPLOYS AND THE BONUS AMOUNTS THAT THE
21 ELIGIBLE HIGHLY EFFECTIVE TEACHERS MAY RECEIVE AS DESCRIBED IN
22 SECTION 22-97-105.

23 (3) THE DEPARTMENT SHALL REVIEW THE GRANT APPLICATIONS
24 RECEIVED PURSUANT TO THIS SECTION TO ENSURE THAT THE LOCAL
25 EDUCATION PROVIDER AND EACH OF THE HIGHLY EFFECTIVE TEACHERS
26 THAT THE LOCAL EDUCATION PROVIDER EMPLOYS OR EXPECTS TO EMPLOY
27 MEETS THE QUALIFICATIONS SPECIFIED IN THIS ARTICLE. BASED ON THE

1 DEPARTMENT'S REVIEW, THE STATE BOARD SHALL AWARD GRANTS TO
2 EACH LOCAL EDUCATION PROVIDER THAT QUALIFIES, SUBJECT TO
3 AVAILABLE APPROPRIATIONS AND THE LIMITATIONS SPECIFIED IN SECTION
4 22-97-106 (2).

5 (4) THE STATE BOARD SHALL PROMULGATE RULES PURSUANT TO
6 THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
7 C.R.S., AS NECESSARY TO IMPLEMENT THIS ARTICLE.

8 **22-97-105. Highly effective teacher incentives program -**
9 **qualifications - bonus amounts.** (1) A LOCAL EDUCATION PROVIDER

10 MAY APPLY FOR A GRANT PURSUANT TO THIS ARTICLE IF IT OPERATES OR
11 IS A LOW-PERFORMING ELEMENTARY SCHOOL. A LOCAL EDUCATION
12 PROVIDER THAT APPLIES FOR A GRANT PURSUANT TO THIS ARTICLE MUST
13 SPECIFY IN THE APPLICATION THE NUMBER OF ELIGIBLE HIGHLY EFFECTIVE
14 TEACHERS THAT IT EMPLOYS OR THAT IT EXPECTS TO EMPLOY IN
15 LOW-PERFORMING ELEMENTARY SCHOOLS AS OF THE BEGINNING OF
16 THE GRANT CYCLE FOR WHICH THE LOCAL EDUCATION PROVIDER IS
17 APPLYING. THE DEPARTMENT SHALL ADJUST THE AMOUNT OF THE LOCAL
18 EDUCATION PROVIDER'S GRANT IF THE LOCAL EDUCATION PROVIDER
19 EMPLOYS FEWER ELIGIBLE HIGHLY EFFECTIVE TEACHERS DURING THE
20 GRANT CYCLE THAN ARE INCLUDED IN THE GRANT APPLICATION.

21 (2) TO BE ELIGIBLE TO RECEIVE A SALARY BONUS PURSUANT TO
22 THIS SECTION, A TEACHER MUST:

- 23 (a) BE A HIGHLY EFFECTIVE TEACHER;
- 24 (b) IN EACH SCHOOL YEAR IN WHICH THE TEACHER RECEIVES THE
25 SALARY BONUS, BE EMPLOYED IN A LOW-PERFORMING ELEMENTARY
26 SCHOOL; AND

27 (c) MAINTAIN A PERFORMANCE EVALUATION RATING OF EFFECTIVE

1 OR HIGHER, AS DESCRIBED IN STATE BOARD RULES ADOPTED PURSUANT TO
2 SECTION 22-9-104, FOR THE PERIOD DURING WHICH THE TEACHER
3 RECEIVES THE SALARY BONUS.

4 (3) IN EACH SCHOOL YEAR IN WHICH A HIGHLY EFFECTIVE
5 TEACHER MEETS THE QUALIFICATIONS SPECIFIED IN SUBSECTION (2) OF
6 THIS SECTION AND IS EMPLOYED BY A LOCAL EDUCATION PROVIDER THAT
7 RECEIVES A GRANT PURSUANT TO THIS ARTICLE, THE HIGHLY EFFECTIVE
8 TEACHER RECEIVES A NONBASE-BUILDING SALARY BONUS IN ONE OF THE
9 FOLLOWING AMOUNTS:

10 (a) TWELVE THOUSAND DOLLARS IF THE HIGHLY EFFECTIVE
11 TEACHER IS A TRANSFER TEACHER WHO IS TEACHING IN A
12 LOW-PERFORMING ELEMENTARY SCHOOL; OR

13 
14 (b) SIX THOUSAND DOLLARS IF THE HIGHLY EFFECTIVE TEACHER
15 IS NOT A TRANSFER TEACHER BUT IS TEACHING IN A LOW-PERFORMING
16 ELEMENTARY SCHOOL FOR THE SECOND OR SUBSEQUENT CONSECUTIVE
17 SCHOOL YEAR.

18 
19 (4) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (3) OF THIS
20 SECTION TO THE CONTRARY, IF A LOCAL EDUCATION PROVIDER RECEIVES
21 A GRANT FOR A SECOND GRANT CYCLE, A HIGHLY EFFECTIVE TEACHER
22 WHO RECEIVED A SALARY BONUS AS A TRANSFER TEACHER IN THE FIRST
23 GRANT CYCLE WILL CONTINUE TO RECEIVE THE SALARY BONUS AMOUNT
24 FOR A TRANSFER TEACHER IN THE SECOND GRANT CYCLE SO LONG AS THE
25 HIGHLY EFFECTIVE TEACHER IS EMPLOYED BY THE LOCAL EDUCATION
26 PROVIDER AND CONTINUES TO MEET THE QUALIFICATIONS FOR RECEIVING
27 A SALARY BONUS SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

1 (5) A TEACHER WHO CHANGES EMPLOYMENT TO ANOTHER LOCAL
2 EDUCATION PROVIDER TO QUALIFY FOR A SALARY BONUS PURSUANT TO
3 THIS ARTICLE RETAINS THE YEARS OF SERVICE THE TEACHER
4 ACCUMULATED AS AN EMPLOYEE OF THE PREVIOUS LOCAL EDUCATION
5 PROVIDER FOR PURPOSES OF PLACEMENT ON THE SALARY SCHEDULE OR
6 WITHIN THE SALARY POLICY OF THE HIRING LOCAL EDUCATION PROVIDER.

7 (6) A LOCAL EDUCATION PROVIDER THAT RECEIVES A GRANT
8 PURSUANT TO THIS ARTICLE AND THAT WAS PAYING INCENTIVES TO
9 HIGHLY EFFECTIVE TEACHERS WHO TEACH IN LOW-PERFORMING SCHOOLS
10 BEFORE RECEIVING THE GRANT MUST PAY THE BONUS AMOUNTS SPECIFIED
11 IN THIS SECTION IN ADDITION TO THE OTHER INCENTIVES IT PROVIDES.

12 **22-97-106. Highly effective teacher incentives fund - created**
13 **- legislative declaration.** (1) (a) THERE IS CREATED IN THE STATE
14 TREASURY THE HIGHLY EFFECTIVE TEACHER INCENTIVES FUND, WHICH
15 CONSISTS OF A ONE-TIME APPROPRIATION OF FOUR MILLION DOLLARS IN
16 THE 2015-16 BUDGET YEAR FROM THE STATE EDUCATION FUND CREATED
17 IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION. THE
18 MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED TO THE
19 DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
20 IMPLEMENTING THIS ARTICLE. THE DEPARTMENT MAY EXPEND UP TO TWO
21 PERCENT OF THE MONEYS APPROPRIATED TO THE FUND TO OFFSET THE
22 COSTS INCURRED IN IMPLEMENTING THIS ARTICLE.

23 (b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND
24 NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE AS PROVIDED BY LAW.
25 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME
26 DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO
27 THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING

1 IN THE FUND AT THE END OF A FISCAL YEAR REMAIN IN THE FUND AND
2 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
3 ANOTHER FUND.

4 (2) SUBJECT TO RECEIVING APPLICATIONS FROM LOCAL
5 EDUCATION PROVIDERS THAT MEET THE REQUIREMENTS OF THIS ARTICLE,
6 THE STATE BOARD SHALL AWARD UP TO TWO MILLION DOLLARS IN GRANTS
7 TO LOCAL EDUCATION PROVIDERS PURSUANT TO THIS ARTICLE IN THE
8 FIRST GRANT CYCLE, WHICH BEGINS IN THE 2016-17 BUDGET YEAR.

9 SUBJECT TO RECEIVING APPLICATIONS FROM LOCAL EDUCATION
10 PROVIDERS THAT MEET THE REQUIREMENTS OF THIS ARTICLE, THE STATE
11 BOARD SHALL AWARD THE AMOUNT REMAINING IN THE FUND AS OF JUNE
12 30, 2018, AS GRANTS TO LOCAL EDUCATION PROVIDERS PURSUANT TO THIS
13 ARTICLE IN THE SECOND GRANT CYCLE, WHICH BEGINS IN THE 2018-19
14 BUDGET YEAR.

15 (3) THE GENERAL ASSEMBLY DECLARES THAT, FOR PURPOSES OF
16 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE HIGHLY
17 EFFECTIVE TEACHER INCENTIVES PROGRAM IS AN IMPORTANT ELEMENT IN
18 IMPLEMENTING ACCOUNTABLE EDUCATION REFORM AND FOR
19 ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND
20 MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
21 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

22 **22-97-107. Report.** (1) NO LATER THAN DECEMBER 15, 2019, THE
23 DEPARTMENT SHALL PREPARE AND SUBMIT TO THE EDUCATION
24 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR
25 ANY SUCCESSOR COMMITTEES, A REPORT ON THE IMPLEMENTATION OF
26 THIS ARTICLE. AT A MINIMUM, THE REPORT MUST INCLUDE:

27 (a) A LIST OF THE LOCAL EDUCATION PROVIDERS THAT RECEIVED

1 GRANTS PURSUANT TO THIS ARTICLE, THE AMOUNT OF THE BONUSES PAID
2 BY EACH LOCAL EDUCATION PROVIDER, AND THE PUBLIC SCHOOLS IN
3 WHICH THE HIGHLY EFFECTIVE TEACHERS TAUGHT;

4 (b) THE NUMBER OF HIGHLY EFFECTIVE TEACHERS THAT RECEIVED
5 BONUSES PURSUANT TO THIS ARTICLE, THE SUBJECT AREAS IN WHICH THE
6 HIGHLY EFFECTIVE TEACHERS TAUGHT, THE NUMBER OF STUDENTS WHO
7 WERE TAUGHT BY HIGHLY EFFECTIVE TEACHERS THAT RECEIVED BONUSES,
8 AND THE ACADEMIC GROWTH OF THE STUDENTS WHO WERE TAUGHT BY
9 HIGHLY EFFECTIVE TEACHERS THAT RECEIVED BONUSES;

10 (c) THE NUMBER OF HIGHLY EFFECTIVE TEACHERS THAT RECEIVED
11 BONUSES PURSUANT TO THIS ARTICLE IN BOTH OF THE GRANT CYCLES AND
12 TAUGHT AT THE SAME LOW-PERFORMING SCHOOL FOR THE DURATION OF
13 BOTH GRANT CYCLES; AND

14 (d) FOR EACH PUBLIC SCHOOL IN WHICH A HIGHLY EFFECTIVE
15 TEACHER WHO RECEIVED BONUSES TAUGHT, THE TYPE OF PERFORMANCE
16 PLAN THAT THE PUBLIC SCHOOL IMPLEMENTED IN EACH SCHOOL YEAR
17 BEGINNING WITH THE SCHOOL YEAR BEFORE A HIGHLY EFFECTIVE
18 TEACHER TEACHING IN THE SCHOOL RECEIVED A BONUS AND CONTINUING
19 THROUGH EACH YEAR IN WHICH THE HIGHLY EFFECTIVE TEACHER
20 RECEIVED A BONUS.

21 **SECTION 2.** In Colorado Revised Statutes, 24-51-101, **amend**
22 (42) (b) as follows:

23 **24-51-101. Definitions.** As used in this article, unless the context
24 otherwise requires and except as otherwise defined in part 17 of this
25 article:

26 (42) (b) "Salary" does not include: Commissions; compensation
27 for unused sick leave converted at any time to cash payments;

1 compensation for unused sick, annual, vacation, administrative, or other
2 accumulated paid leave contributed to a health savings account as defined
3 in 26 U.S.C. sec. 223, as amended, or a retirement health savings
4 program; housing allowances; uniform allowances; automobile usage;
5 insurance premiums; dependent care assistance; reimbursement for
6 expenses incurred; tuition or any other fringe benefits, regardless of
7 federal taxation; A HIGHLY EFFECTIVE TEACHER SALARY BONUS RECEIVED
8 PURSUANT TO SECTION 22-97-105, C.R.S.; bonuses for services not
9 actually rendered, including, but not limited to, early retirement
10 inducements, Christmas bonuses, cash awards, honorariums and
11 severance pay, damages, except for retroactive salary payments paid
12 pursuant to court orders or arbitration awards or litigation and grievance
13 settlements, or payments beyond the date of a member's death.

14 **SECTION 3. Appropriation.** For the 2015-16 state fiscal year,
15 \$4,000,000 is appropriated to the highly effective teacher incentives fund
16 created in section 22-97-106, C.R.S. This appropriation is from the state
17 education fund created in section 17 (4) of article IX of the state
18 constitution. The department of education is responsible for the
19 accounting related to this appropriation.

20 **SECTION 4. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly
23 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,
24 if a referendum petition is filed pursuant to section 1 (3) of article V of
25 the state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

- 1 November 2016 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.