

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 17-1051.02 Brita Darling x2241

SENATE BILL 17-296

SENATE SPONSORSHIP

Hill,

HOUSE SPONSORSHIP

Pettersen,

Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 **CONCERNING FINANCING PUBLIC SCHOOLS.**

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://leg.colorado.gov>.)

The bill sets the statewide base per pupil funding amount for the 2017-18 budget year at \$6,546.20, which is an inflationary increase of 2.8%, and establishes the minimum amount of total program funding for the 2017-18 budget year.

The bill requires that the sum of the total program funding for all schools for the 2017-18 budget year is not less than \$6,585,800,182.

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.*

SENATE
3rd Reading Unamended
May 8, 2017

SENATE
Amended 2nd Reading
May 5, 2017

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-54-104, **amend**
3 (5)(g)(I) introductory portion; and **add** (5)(a)(XXIV) and (5)(g)(I)(H) as
4 follows:

5 **22-54-104. District total program - definitions.** (5) For
6 purposes of the formulas used in this section:

7 (a)(XXIV) FOR THE 2017-18 BUDGET YEAR, THE STATEWIDE BASE
8 PER PUPIL FUNDING IS \$6,546.20, WHICH IS AN AMOUNT EQUAL TO
9 \$6,367.90, SUPPLEMENTED BY \$178.30 TO ACCOUNT FOR INFLATION.

10 (g) (I) For the 2010-11 budget year and each budget year
11 thereafter, the general assembly determines that stabilization of the state
12 budget requires a reduction in the amount of the annual appropriation to
13 fund the state's share of total program funding for all districts and the
14 funding for institute charter schools. The department of education shall
15 implement the reduction in total program funding through the application
16 of a negative factor as provided in this ~~paragraph (g)~~ SUBSECTION
17 (5)(g)(I). For the 2010-11 budget year and each budget year thereafter, the
18 department of education and the staff of the legislative council shall
19 determine, based on budget projections, the amount of such reduction to
20 ensure the following:

21
22 (H) THAT, FOR THE 2017-18 BUDGET YEAR, THE SUM OF THE TOTAL
23 PROGRAM FUNDING FOR ALL DISTRICTS, INCLUDING THE FUNDING FOR
24 INSTITUTE CHARTER SCHOOLS, AFTER APPLICATION OF THE BUDGET
25 ADJUSTMENT, IS NOT LESS THAN SIX BILLION SIX HUNDRED THIRTY-FOUR
26 MILLION SIX HUNDRED THOUSAND ONE HUNDRED EIGHTY-TWO DOLLARS
27 (\$6,634,600,182); EXCEPT THAT THE DEPARTMENT OF EDUCATION AND

1 THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MAKE MID-YEAR
2 REVISIONS TO REPLACE PROJECTIONS WITH ACTUAL FIGURES, INCLUDING
3 BUT NOT LIMITED TO ACTUAL PUPIL ENROLLMENT, ASSESSED VALUATIONS,
4 AND SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR YEAR, TO
5 DETERMINE ANY NECESSARY CHANGES IN THE AMOUNT OF THE REDUCTION
6 TO MAINTAIN A TOTAL PROGRAM FUNDING AMOUNT FOR THE APPLICABLE
7 BUDGET YEAR THAT IS CONSISTENT WITH THIS SUBSECTION (5)(g)(I)(H).
8 FOR THE 2018-19 BUDGET YEAR, THE DIFFERENCE BETWEEN CALCULATED
9 STATEWIDE TOTAL PROGRAM FUNDING AND ACTUAL STATEWIDE TOTAL
10 PROGRAM FUNDING MUST NOT EXCEED THE DIFFERENCE BETWEEN
11 CALCULATED STATEWIDE TOTAL PROGRAM FUNDING AND ACTUAL
12 STATEWIDE TOTAL PROGRAM FUNDING FOR THE 2017-18 BUDGET YEAR.

13
14 **SECTION 2.** In Colorado Revised Statutes, 22-45-103, amend
15 (1) introductory portion and (1)(k) as follows:

16 **22-45-103. Funds.** (1) The following funds are created for each
17 school district for purposes specified in this article ARTICLE 45:

18 **(k) Total program reserve fund.** A school district shall deposit
19 the property tax revenues that it collects from a tax levy imposed pursuant
20 to section 22-54-107 (5) in the total program reserve fund of the district.
21 The district may expend money from the total program reserve fund only
22 to offset the amount of a reduction in the district's state share caused by
23 application of the ~~negative factor~~ BUDGET ADJUSTMENT pursuant to
24 section 22-54-104 (5)(g); except that, in a budget year in which the school
25 district levies for its total program the number of mills calculated
26 pursuant to section 22-54-106 (2)(a)(II), if the balance of the total
27 program reserve fund exceeds an amount equal to the district's total

1 program for that budget year multiplied by the negative factor BUDGET
2 ADJUSTMENT calculated pursuant to section 22-54-104 (5)(g) for that
3 budget year, the district may expend the amount of the excess balance.
4 Any money remaining in the fund at the end of a fiscal year must remain
5 in the fund and may be used in future years only as provided in this
6 paragraph (k) SUBSECTION (1)(k).

7 **SECTION 3.** In Colorado Revised Statutes, 22-54-104, amend
8 (4.5)(c)(III) introductory portion, (4.7)(c) introductory portion, (5)(g)(I)
9 introductory portion, (5)(g)(I)(B), (5)(g)(I)(C), (5)(g)(I)(D), (5)(g)(I)(E),
10 (5)(g)(I)(F), (5)(g)(I)(G), (5)(g)(II)(A), (5)(g)(II)(B), (5)(g)(VII)
11 introductory portion, (5)(g)(VII)(A), and (5)(g)(VII)(B) as follows:

12 **22-54-104. District total program - definitions.** (4.5) A district's
13 online funding shall be determined in accordance with the following
14 formulas:

15 (c) (III) In any budget year in which the provisions of paragraph
16 (g) of subsection (5) SUBSECTION (5)(g) of this section apply, the
17 department of education shall calculate a district's reduction amount for
18 online funding by multiplying the negative factor BUDGET ADJUSTMENT
19 calculated for the applicable budget year pursuant to sub-subparagraph
20 (A) of subparagraph (II) of paragraph (g) of subsection (5) SUBSECTION
21 (5)(g)(II)(A) of this section by the district's online funding calculated
22 pursuant to subparagraph (II) of this paragraph (c) SUBSECTION
23 (4.5)(c)(II) OF THIS SECTION for the applicable budget year. A district's
24 online funding for the applicable budget year shall be the greater of:

25 (4.7) (c) In any budget year in which the provisions of paragraph
26 (g) of subsection (5) SUBSECTION (5)(g) of this section apply, the
27 department of education shall calculate a district's reduction amount for

1 extended high school funding by multiplying the ~~negative factor~~ BUDGET
2 ADJUSTMENT calculated for the applicable budget year pursuant to
3 sub-subparagraph (A) of subparagraph (II) of paragraph (g) of subsection
4 (5) SUBSECTION (5)(g)(II)(A) of this section by the amount of the district's
5 extended high school funding calculated pursuant to paragraph (b) of this
6 subsection (4.7) SUBSECTION (4.7)(b) OF THIS SECTION for the applicable
7 budget year. A district's extended high school funding for the applicable
8 budget year shall be the greater of:

9 (5) For purposes of the formulas used in this section:

10 (g) (I) For the 2010-11 budget year and each budget year
11 thereafter, the general assembly determines that stabilization of the state
12 budget requires a reduction in the amount of AN ADJUSTMENT TO the
13 annual appropriation to fund the state's share of total program funding for
14 all districts and the funding for institute charter schools. The department
15 of education shall implement the reduction in total program funding
16 through the application of a ~~negative factor~~ BUDGET ADJUSTMENT as
17 provided in this paragraph (g) SUBSECTION (5)(g). For the 2010-11 budget
18 year and each budget year thereafter, the department of education and the
19 staff of the legislative council shall determine, based on budget
20 projections, the amount of such reduction to ensure the following:

21 (B) That, for the 2011-12 budget year, the sum of the total
22 program funding for all districts, including the funding for institute
23 charter schools, after application of the ~~negative factor~~ BUDGET
24 ADJUSTMENT, is not less than five billion two hundred twenty-nine
25 million five hundred sixty thousand three hundred forty-six dollars
26 (\$5,229,560,346); except that the department of education and the staff
27 of the legislative council shall make mid-year revisions to replace

1 projections with actual figures including, but not limited to, actual pupil
2 enrollment, assessed valuations, and specific ownership tax revenue from
3 the prior year, to determine any necessary changes in the amount of the
4 reduction to maintain a total program funding amount for the 2011-12
5 budget year that is consistent with this ~~sub-subparagraph (B)~~ SUBSECTION
6 (5)(g)(I)(B).

7 (C) That, for the 2012-13 budget year, the sum of the total
8 program funding for all districts, including the funding for institute
9 charter schools, after application of the ~~negative factor~~ BUDGET
10 ADJUSTMENT, is not less than five billion two hundred ninety-four million
11 thirty-three thousand four hundred forty-nine dollars (\$5,294,033,449);
12 except that the department of education and the staff of the legislative
13 council shall make mid-year revisions to replace projections with actual
14 figures including, but not limited to, actual pupil enrollment, assessed
15 valuations, and specific ownership tax revenue from the prior year, to
16 determine any necessary changes in the amount of the reduction to
17 maintain a total program funding amount for the 2012-13 budget year that
18 is consistent with this ~~sub-subparagraph (C)~~ SUBSECTION (5)(g)(I)(C).

19 (D) That, for the 2013-14 budget year, the sum of the total
20 program funding for all districts, including the funding for institute
21 charter schools, after application of the ~~negative factor~~ BUDGET
22 ADJUSTMENT, is not less than five billion five hundred twenty-four
23 million forty-six thousand seven hundred sixty-seven dollars
24 (\$5,524,046,767); except that the department of education and the staff
25 of the legislative council shall make mid-year revisions to replace
26 projections with actual figures including, but not limited to, actual pupil
27 enrollment, assessed valuations, and specific ownership tax revenue from

1 the prior year, to determine any necessary changes in the amount of the
2 reduction to maintain a total program funding amount for the applicable
3 budget year that is consistent with this ~~sub-subparagraph (D)~~ SUBSECTION
4 (5)(g)(I)(D).

5 (E) That, for the 2014-15 budget year, the sum of the total
6 program funding for all districts, including the funding for institute
7 charter schools, after application of the ~~negative factor~~ BUDGET
8 ADJUSTMENT, is not less than five billion nine hundred thirty million
9 ninety-one thousand six hundred sixty dollars (\$5,930,091,660); except
10 that the department of education and the staff of the legislative council
11 shall make mid-year revisions to replace projections with actual figures
12 including, but not limited to, actual pupil enrollment, assessed valuations,
13 and specific ownership tax revenue from the prior year, to determine any
14 necessary changes in the amount of the reduction to maintain a total
15 program funding amount for the applicable budget year that is consistent
16 with this ~~sub-subparagraph (E)~~ SUBSECTION (5)(g)(I)(E). For the 2015-16
17 budget year, the difference between calculated statewide total program
18 funding and actual statewide total program funding must not exceed the
19 difference between calculated statewide total program funding and actual
20 statewide total program funding for the 2014-15 budget year.

21 (F) That, for the 2015-16 budget year, the sum of the total
22 program funding for all districts, including the funding for institute
23 charter schools, after application of the ~~negative factor~~ BUDGET
24 ADJUSTMENT, is not less than six billion two hundred thirty-three million
25 eight hundred thirty-five thousand forty-four dollars (\$6,233,835,044);
26 except that the department of education and the staff of the legislative
27 council shall make mid-year revisions to replace projections with actual

1 figures, including but not limited to actual pupil enrollment, assessed
2 valuations, and specific ownership tax revenue from the prior year, to
3 determine any necessary changes in the amount of the reduction to
4 maintain a total program funding amount for the applicable budget year
5 that is consistent with this ~~sub-subparagraph (F)~~ SUBSECTION (5)(g)(I)(F).
6 For the 2016-17 budget year, the difference between calculated statewide
7 total program funding and actual statewide total program funding must
8 not exceed the difference between calculated statewide total program
9 funding and actual statewide total program funding for the 2015-16
10 budget year.

11 (G) That, for the 2016-17 budget year, the sum of the total
12 program funding for all districts, including the funding for institute
13 charter schools, after application of the ~~negative factor~~ BUDGET
14 ADJUSTMENT, is not less than six billion three hundred ninety-four million
15 five hundred twenty-eight thousand nine hundred thirty-one dollars
16 (\$6,394,528,931); except that the department of education and the staff
17 of the legislative council shall make mid-year revisions to replace
18 projections with actual figures, including but not limited to actual pupil
19 enrollment, assessed valuations, and specific ownership tax revenue from
20 the prior year, to determine any necessary changes in the amount of the
21 reduction to maintain a total program funding amount for the applicable
22 budget year that is consistent with this ~~sub-subparagraph (G)~~ SUBSECTION
23 (5)(g)(I)(G). For the 2017-18 budget year, the difference between
24 calculated statewide total program funding and actual statewide total
25 program funding must not exceed the difference between calculated
26 statewide total program funding and actual statewide total program
27 funding for the 2016-17 budget year.

1 (II) For the 2010-11 budget year and each budget year thereafter,
2 the department of education shall:

3 (A) Calculate the ~~negative factor~~ BUDGET ADJUSTMENT for the
4 applicable budget year by dividing the reduction in total program funding
5 for the applicable budget year, as specified in subparagraph (f) of this
6 paragraph (g) SUBSECTION (5)(g)(I) OF THIS SECTION, by the sum of the
7 total program funding amounts of all districts as calculated pursuant to
8 subsection (2) of this section, including the funding for institute charter
9 schools, for the applicable budget year; and

10 (B) Calculate each district's and each institute charter school's
11 reduction amount by multiplying the ~~negative factor~~ BUDGET
12 ADJUSTMENT by the district's total program funding calculated pursuant
13 to subsection (2) of this section for the applicable budget year for the
14 district and for any institute charter school located within the district.

15 (VII) As used in this paragraph (g) SUBSECTION (5)(g), unless the
16 context otherwise requires:

17 (A) "Actual statewide total program funding" means the sum of
18 the total program funding for all districts, including the funding for
19 institute charter schools, as calculated pursuant to subsection (2) of this
20 section, after application of the ~~negative factor~~ BUDGET ADJUSTMENT
21 pursuant to this paragraph (g) SUBSECTION (5)(g).

22 (B) "Calculated statewide total program funding" means the sum
23 of the total program funding for all districts, including the funding for
24 institute charter schools, as calculated pursuant to subsection (2) of this
25 section, before application of the ~~negative factor~~ BUDGET ADJUSTMENT
26 pursuant to this paragraph (g) SUBSECTION (5)(g).

27 **SECTION 4.** In Colorado Revised Statutes, 22-54-117, **amend**

1 (1)(a)(VIII) as follows:

2 **22-54-117. Contingency reserve - capital construction**
3 **expenditures reserve - fund - lottery proceeds contingency reserve.**

4 (1) (a) For the 2007-08 fiscal year and fiscal years thereafter, the general
5 assembly shall annually determine the amount to appropriate to the
6 contingency reserve fund, which is hereby created in the state treasury. In
7 deciding the amount to appropriate to the contingency reserve fund, the
8 general assembly may take into consideration any recommendations made
9 by the department of education, but nothing in this section obligates the
10 general assembly to provide supplemental assistance to all districts that
11 are found to be in need or to fully fund the total amount of such need. The
12 state board may approve and order payments from the contingency
13 reserve fund for supplemental assistance to districts determined to be in
14 need as the result of any or all of the following circumstances:

15 (VIII) Commencing with the 2016-17 budget year, unusual
16 financial burden caused by a significant reduction in the assessed value
17 of real property in a district whose state share of total program funding
18 pursuant to section 22-54-106 before the application of the ~~negative~~
19 ~~factor~~ BUDGET ADJUSTMENT pursuant to section 22-54-104 (5)(g) was less
20 than one-half of one percent of the district's total program funding in the
21 previous budget year, causing the district to receive a state share that is
22 one-half of one percent of total program funding or greater before
23 application of the ~~negative factor~~ BUDGET ADJUSTMENT in the budget year
24 in which the assessed value is reduced. The amount of supplemental
25 assistance paid pursuant to this ~~subparagraph~~ (VIII) SUBSECTION
26 (1)(a)(VIII) shall not exceed twenty-five percent of the amount of the
27 reduction in the district's state share as a result of the ~~negative factor~~

1 BUDGET ADJUSTMENT. A school district may receive supplemental
2 assistance pursuant to this subparagraph (VIII) SUBSECTION (1)(a)(VIII)
3 only one time.

4 **SECTION 5.** In Colorado Revised Statutes, **add** article 97 to title
5 22 as follows:

6 **ARTICLE 97**

7 **Teacher Grants for Computer Science Education**

8 **22-97-101. Definitions.** AS USED IN THIS ARTICLE 97, UNLESS THE
9 CONTEXT OTHERWISE REQUIRES:

10 (1) "COMPUTER SCIENCE EDUCATION" MEANS THE STUDY OF
11 COMPUTERS, ALGORITHMIC PROCESSES, AND COMPUTER PROGRAMMING
12 AND CODING, INCLUDING THEIR PRINCIPLES, THEIR HARDWARE AND
13 SOFTWARE DESIGNS, THEIR APPLICATIONS, AND THEIR IMPACT ON SOCIETY.

14 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
15 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

16 (3) "ELIGIBLE TEACHER" MEANS A PERSON WHO IS EMPLOYED AS
17 A TEACHER IN A PUBLIC SCHOOL IN THE STATE.

18 (4) "GRANT PROGRAM" MEANS THE GRANT PROGRAM ESTABLISHED
19 PURSUANT TO SECTION 22-97-102.

20 (5) "PUBLIC SCHOOL" HAS THE SAME MEANING AS PROVIDED IN
21 SECTION 22-1-101 AND INCLUDES, BUT IS NOT LIMITED TO, A DISTRICT
22 CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, AND AN ONLINE
23 SCHOOL, AS DEFINED IN SECTION 22-30.7-102 (9.5).

24 (6) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT AUTHORIZED
25 BY SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION AND
26 ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE 22. "SCHOOL
27 DISTRICT" ALSO INCLUDES A BOARD OF COOPERATIVE SERVICES CREATED

1 PURSUANT TO ARTICLE 5 OF THIS TITLE 22, IF IT IS OPERATING A PUBLIC
2 SCHOOL; A DISTRICT CHARTER SCHOOL; AN INSTITUTE CHARTER SCHOOL;
3 AND AN ONLINE SCHOOL, AS DEFINED IN SECTION 22-30.7-102 (9.5).

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

7 **22-97-102. Computer science education grants for teachers -**
8 **creation.** (1) THERE IS CREATED IN THE DEPARTMENT A GRANT PROGRAM
9 FOR ELIGIBLE TEACHERS WHO WISH TO PURSUE ADDITIONAL
10 POSTSECONDARY EDUCATION IN ORDER TO PROVIDE COMPUTER SCIENCE
11 EDUCATION TO STUDENTS IN PUBLIC SCHOOLS. A SCHOOL DISTRICT OR A
12 SCHOOL DISTRICT ON BEHALF OF AN ELIGIBLE TEACHER OR TEACHERS MAY
13 APPLY FOR A GRANT.

14 (2) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM IN
15 ACCORDANCE WITH STATE BOARD RULES. THE DEPARTMENT SHALL
16 ACCEPT AND REVIEW GRANT APPLICATIONS RECEIVED FROM SCHOOL
17 DISTRICTS OR SCHOOL DISTRICTS ON BEHALF OF AN ELIGIBLE TEACHER OR
18 TEACHERS AND SHALL MAKE RECOMMENDATIONS TO THE STATE BOARD
19 FOR THE AWARD OF GRANTS. IN MAKING ITS RECOMMENDATIONS, THE
20 DEPARTMENT MAY CONSIDER THE PRIORITIES CONTAINED IN SUBSECTION
21 (4) OF THIS SECTION.

22 (3) PURSUANT TO ARTICLE 4 OF TITLE 24, THE STATE BOARD SHALL
23 PROMULGATE RULES NECESSARY FOR THE IMPLEMENTATION OF THE GRANT
24 PROGRAM, INCLUDING RULES RELATING TO:

25 (a) THE APPLICATION PROCESS, INCLUDING APPLICATION
26 REQUIREMENTS AND DEADLINES;

27 (b) CRITERIA FOR THE AWARD OF GRANTS, INCLUDING THE

1 PRIORITIES FOR AWARDING GRANTS CONTAINED IN SUBSECTION (4) OF THIS
2 SECTION;

3 (c) THE AMOUNT AND DURATION OF THE GRANTS; AND

4 (d) THE APPROVED USES OF THE GRANT, INCLUDING TUITION, FEES,
5 TRAINING PROGRAM COSTS, AND BOOKS AND MATERIALS.

6 (4) IN AWARDING GRANTS, THE STATE BOARD MAY:

7 (a) GIVE PRIORITY TO GRANT APPLICATIONS THAT BENEFIT A
8 TEACHER OR TEACHERS IN A SCHOOL DISTRICT THAT SERVES:

9 (I) A HIGH-POVERTY STUDENT POPULATION;

10 (II) A HIGH NUMBER OF MINORITY STUDENTS; OR

11 (III) STUDENTS IN RURAL AREAS;

12 (b) GIVE PRIORITY TO GRANT APPLICATIONS THAT BENEFIT A
13 TEACHER OR TEACHERS WHO INTEND TO CONTINUE TEACHING IN PUBLIC
14 SCHOOLS IN COLORADO AFTER COMPLETING POSTSECONDARY EDUCATION
15 OBTAINED THROUGH THE GRANT PROGRAM; AND

16 (c) GIVE PRIORITY TO GRANT APPLICATIONS FOR POSTSECONDARY
17 COURSE WORK OR TRAINING THAT ENABLES A TEACHER TO TEACH
18 COMPUTER SCIENCE, INCLUDING CONCURRENT ENROLLMENT COURSES IN
19 COMPUTER SCIENCE, AND THAT APPLIES TOWARD THE COMPLETION OF A
20 DEGREE IN COMPUTER SCIENCE, THE COMPLETION OF AN
21 INDUSTRY-RECOGNIZED CERTIFICATE IN COMPUTER SCIENCE, OR THE
22 COMPLETION OF A HIGH-QUALITY TRAINING PROGRAM, OR THAT RESULTS
23 IN THE MASTERY OF A TEACHING CONTENT AREA IN COMPUTER SCIENCE.

24 (5) THE STATE BOARD MAY AWARD GRANTS TO SCHOOL DISTRICTS
25 FOR HIGH-QUALITY TRAINING PROGRAMS OFFERED TO TEACHERS IN THE
26 DISTRICT THAT ENABLE THE TEACHERS TO TEACH COMPUTER SCIENCE
27 COURSES.

1 (6) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD
2 SHALL ANNUALLY AWARD GRANTS.

3 (7) THE GENERAL ASSEMBLY DECLARES THAT, FOR PURPOSES OF
4 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, COMPUTER
5 SCIENCE EDUCATION GRANTS FOR TEACHERS ARE AN IMPORTANT ELEMENT
6 IN EXPANDING TECHNOLOGY EDUCATION AND MAY THEREFORE RECEIVE
7 FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4)
8 OF ARTICLE IX OF THE STATE CONSTITUTION.

9 **22-97-103. Reporting.** (1) NO LATER THAN JANUARY 1, 2018,
10 AND NO LATER THAN EACH JANUARY 1 THEREAFTER IF THE STATE BOARD
11 HAS AWARDED A GRANT DURING THE PREVIOUS CALENDAR YEAR, THE
12 DEPARTMENT SHALL REPORT TO THE EDUCATION COMMITTEES OF THE
13 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
14 COMMITTEES.

15 (2) AT A MINIMUM, THE REPORT MUST INCLUDE:

16 (a) THE NUMBER OF GRANTS AWARDED DURING THE PREVIOUS
17 CALENDAR YEAR;

18 (b) THE AMOUNT OF THE GRANTS;

19 (c) THE NUMBER OF TEACHERS IN EACH SCHOOL DISTRICT WHO
20 BENEFITTED FROM THE GRANT; AND

21 (d) THE USES OF THE GRANT, INCLUDING THE POSTSECONDARY
22 COURSES, DEGREES, TRAINING PROGRAMS, OR INDUSTRY-RECOGNIZED
23 CERTIFICATES COMPLETED AND THE EDUCATION PROVIDER PROVIDING THE
24 EDUCATION.

25 (3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT
26 REQUIRED IN THIS SECTION CONTINUES INDEFINITELY.

27 **SECTION 6.** In Colorado Revised Statutes, **amend** 22-61-103 as

1 follows:

2 **22-61-103. Teacher's oath, affirmation, or pledge.** (1) Any A
3 person now holding a license to teach in the public schools in the state of
4 Colorado or who shall hereafter be issued a license to teach in such public
5 schools within the state of Colorado, except any A person employed to
6 teach in a temporary capacity who is a citizen of a nation other than the
7 United States, shall take OR SIGN the following oath, or affirmation, OR
8 WRITTEN PLEDGE:

9 "I solemnly (swear) (affirm) (PLEDGE) that I will uphold the
10 constitution of the United States and the constitution of the
11 state of Colorado, and I will faithfully perform the duties of
12 the position upon which I am about to enter."

13 (2) ~~The said oath or affirmation shall be administered by any A~~
14 ~~person authorized to administer oaths in the state of Colorado SHALL~~
15 ~~ADMINISTER THE OATH OR AFFIRMATION, OR THE TEACHER MUST SIGN THE~~
16 ~~PLEDGE.~~

17 **SECTION 7.** In Colorado Revised Statutes, **amend** 22-61-104 as
18 follows:

19 **22-61-104. Oath, affirmation, or pledge - professors,**
20 **instructors, and teachers in state institutions of higher education.**

21 (1) Every person employed to teach in any A state university, college,
22 junior college, community college, or technical college in the state of
23 Colorado, before entering upon or continuing the discharge of his OR HER
24 duties, shall take OR SIGN the following oath, or affirmation, OR WRITTEN
25 PLEDGE; except that ~~no~~ A person employed to teach in a temporary
26 capacity who is a citizen of a nation other than the United States ~~shall be~~
27 ~~IS NOT~~ required to take such oath or affirmation OR SIGN SUCH PLEDGE:

1 "I solemnly (swear) (affirm) (PLEDGE) that I will uphold the
2 constitution of the United States and the constitution of the
3 state of Colorado, and I will faithfully perform the duties of
4 the position upon which I am about to enter."

5 (2) ~~The said oath or affirmation shall be administered by any A~~
6 person authorized to administer oaths in the state of Colorado SHALL
7 ADMINISTER THE OATH OR AFFIRMATION, OR THE PROFESSOR, INSTRUCTOR,
8 OR TEACHER MUST SIGN THE PLEDGE.

9 **SECTION 8.** In Colorado Revised Statutes, **amend** 22-61-105 as
10 follows:

11 **22-61-105. Penalty.** ~~Any~~ A person who, being in charge of ~~any~~
12 A public school, state university, college, junior college, community
13 college, or technical college within the state of Colorado, allows or
14 permits ~~any~~ A teacher to enter upon the discharge of his OR HER duties or
15 give instruction therein, unless such teacher shall have taken the oath or
16 affirmation OR SIGNED THE PLEDGE AS provided ~~for~~ in sections 22-61-103
17 and 22-61-104, is guilty of a misdemeanor and, upon conviction thereof,
18 ~~shall~~ MUST be punished by a fine of not more than one hundred dollars,
19 or by imprisonment in the county jail for not more than six months, or by
20 both such fine and imprisonment.

21 **SECTION 9.** In Colorado Revised Statutes, **add** 22-32-108.5 as
22 follows:

23 **22-32-108.5. Board of education - distribution of additional**
24 **mill levy revenue - definitions - legislative declaration.** (1) (a) THE
25 GENERAL ASSEMBLY RECOGNIZES THAT SECTION 15 OF ARTICLE IX OF THE
26 STATE CONSTITUTION GRANTS TO EACH SCHOOL DISTRICT BOARD OF
27 EDUCATION CONTROL OF INSTRUCTION IN THE SCHOOLS OF THE SCHOOL

1 DISTRICT. THE POWER OF LOCAL CONTROL OF INSTRUCTION APPLIES TO ALL
2 OF THE SCHOOLS OF THE SCHOOL DISTRICT AND THEREFORE IMPOSES ON
3 THE SCHOOL DISTRICT BOARD OF EDUCATION THE RESPONSIBILITY TO
4 ENSURE THE EQUITABLE TREATMENT OF ALL OF THE STUDENTS ENROLLED
5 IN ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT.

6 (b) THE GENERAL ASSEMBLY FURTHER FINDS THAT SECTION 2 OF
7 ARTICLE IX OF THE STATE CONSTITUTION REQUIRES THE GENERAL
8 ASSEMBLY TO PROVIDE FOR THE MAINTENANCE OF A THOROUGH AND
9 UNIFORM SYSTEM OF FREE PUBLIC SCHOOLS THROUGHOUT THE STATE.
10 REQUIRING EACH SCHOOL DISTRICT BOARD OF EDUCATION TO EQUITABLY
11 USE AND DISTRIBUTE ITS RESOURCES TO MEET THE NEEDS OF ALL
12 STUDENTS ENROLLED IN ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT
13 SUPPORTS GREATER UNIFORMITY IN PROVIDING PUBLIC EDUCATION
14 SERVICES WITHIN EACH SCHOOL DISTRICT AND THROUGHOUT THE STATE.

15 (c) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT EACH
16 SCHOOL DISTRICT BOARD OF EDUCATION HAS THE DUTY TO ENSURE THAT
17 THE SCHOOL DISTRICT USES AND ALLOCATES ITS RESOURCES IN A MANNER
18 THAT RESULTS IN THE EQUITABLE TREATMENT OF ALL STUDENTS
19 ENROLLED IN THE SCHOOL DISTRICT, ACCORDING TO THEIR INDIVIDUAL
20 NEEDS, REGARDLESS OF THE TYPE OF SCHOOL OF THE SCHOOL DISTRICT IN
21 WHICH EACH STUDENT IS ENROLLED.

22 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
23 REQUIRES:

24 (a) "ADDITIONAL MILL LEVY REVENUE" MEANS THE AMOUNT OF
25 PROPERTY TAX REVENUE THAT A SCHOOL DISTRICT COLLECTS FROM MILLS
26 THAT ARE AUTHORIZED BY VOTERS BEFORE, ON, OR AFTER THE EFFECTIVE
27 DATE OF THIS SECTION AND THAT A SCHOOL DISTRICT LEVIES IN ADDITION

1 TO THE SCHOOL DISTRICT'S TOTAL PROGRAM MILL LEVY ESTABLISHED IN
2 SECTION 22-54-106 (2), NOT INCLUDING MILLS THAT A SCHOOL DISTRICT
3 MAY LEVY FOR PURPOSES OF INCURRING OR REPAYING BONDED
4 INDEBTEDNESS OR FOR PAYING AMOUNTS DUE PURSUANT TO INSTALLMENT
5 SALES AGREEMENTS OR LEASE PURCHASE AGREEMENTS ENTERED INTO AS
6 OF THE EFFECTIVE DATE OF THIS SECTION FOR WHICH ADDITIONAL MILL
7 LEVY REVENUE WAS CONTRACTUALLY COMMITTED AS OF THE EFFECTIVE
8 DATE OF THIS SECTION.

9 (b) "ALTERNATIVE EDUCATION CAMPUS" MEANS A PUBLIC SCHOOL
10 THAT IS DESIGNATED BY THE STATE BOARD OF EDUCATION AS AN
11 ALTERNATIVE EDUCATION CAMPUS PURSUANT TO SECTION 22-7-604.5.

12 (c) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED
13 BY A SCHOOL DISTRICT AS PROVIDED IN PART 1 OF ARTICLE 30.5 OF THIS
14 TITLE 22.

15 (d) "INNOVATION SCHOOL" MEANS A SCHOOL IN WHICH A LOCAL
16 SCHOOL BOARD IMPLEMENTS AN INNOVATION PLAN AS PROVIDED IN
17 SECTION 22-32.5-104 OR A SCHOOL THAT IS INCLUDED IN AN INNOVATION
18 SCHOOL ZONE, AS DEFINED IN SECTION 22-32.5-103.

19 (e) "LOCAL SCHOOL BOARD" MEANS THE SCHOOL DISTRICT BOARD
20 OF EDUCATION OF A PARTICIPATING SCHOOL DISTRICT.

21 (f) "PARTICIPATING SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT
22 THAT, ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION:

23 (I) COLLECTS ADDITIONAL MILL LEVY REVENUE; AND

24 (II) IS DESIGNATED AS A SCHOOL DISTRICT OF INNOVATION AS
25 PROVIDED IN ARTICLE 32.5 OF THIS TITLE 22 OR AUTHORIZES AT LEAST ONE
26 CHARTER SCHOOL AS PROVIDED IN PART 1 OF ARTICLE 30.5 OF THIS TITLE
27 22.

1 (g) "PER PUPIL MILL LEVY SHARE" MEANS AN AMOUNT EQUAL TO
2 THE TOTAL AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A
3 PARTICIPATING SCHOOL DISTRICT COLLECTS FOR A BUDGET YEAR DIVIDED
4 BY THE SCHOOL DISTRICT'S FUNDED PUPIL COUNT, AS DEFINED IN SECTION
5 22-54-103, FOR THAT BUDGET YEAR.

6 (h) "PER PUPIL PROGRAM SHARE" MEANS AN AMOUNT EQUAL TO
7 THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE ALLOCATED TO A
8 PROGRAM IN A PARTICIPATING SCHOOL DISTRICT'S PLAN, DIVIDED BY THE
9 TOTAL NUMBER OF STUDENTS ENROLLED IN THE SCHOOLS OF THE
10 PARTICIPATING SCHOOL DISTRICT WHO ARE ELIGIBLE TO PARTICIPATE IN
11 THE PROGRAM, MULTIPLIED BY THE NUMBER OF ELIGIBLE STUDENTS
12 ENROLLED IN A CHARTER SCHOOL OR SCHOOL OF INNOVATION THAT
13 CHOOSES TO RECEIVE THE PER PUPIL PROGRAM SHARE IN LIEU OF
14 PARTICIPATING IN THE PROGRAM.

15 (i) "PLAN" MEANS THE PLAN FOR USING AND DISTRIBUTING
16 ADDITIONAL MILL LEVY REVENUE AS DESCRIBED IN THIS SECTION THAT IS
17 ADOPTED BY A LOCAL SCHOOL BOARD .

18 (j) "TYPE" MEANS THE STATUS OF A SCHOOL OF THE SCHOOL
19 DISTRICT AS A TRADITIONAL, CHARTER, INNOVATION, OR MAGNET SCHOOL
20 OR AS OPERATING UNDER SOME OTHER ORGANIZATIONAL OR GOVERNANCE
21 STRUCTURE. "TYPE" DOES NOT INCLUDE A SCHOOL'S STATUS AS AN
22 ALTERNATIVE EDUCATION CAMPUS OR OTHER ALTERNATIVE HIGH SCHOOL
23 OR STATUS BASED ON THE GRADE LEVELS THE SCHOOL SERVES OR THE
24 TYPE OF PERFORMANCE PLAN THE SCHOOL OPERATES UNDER AS DESCRIBED
25 IN PART 4 OF ARTICLE 11 OF THIS TITLE 22.

26 (3) FOR THE 2019-20 BUDGET YEAR AND FOR EACH BUDGET YEAR
27 THEREAFTER, THE LOCAL SCHOOL BOARD OF EACH PARTICIPATING SCHOOL

1 DISTRICT SHALL EITHER IMPLEMENT A PLAN FOR USING AND DISTRIBUTING
2 THE ADDITIONAL MILL LEVY REVENUE THAT THE PARTICIPATING SCHOOL
3 DISTRICT COLLECTS FOR EACH BUDGET YEAR, AS DESCRIBED IN
4 SUBSECTION (4) OF THIS SECTION, OR DISTRIBUTE TO EACH CHARTER
5 SCHOOL AND INNOVATION SCHOOL OF THE PARTICIPATING SCHOOL
6 DISTRICT AN AMOUNT EQUAL TO AT LEAST NINETY-FIVE PERCENT OF THE
7 PARTICIPATING SCHOOL DISTRICT'S PER PUPIL MILL LEVY SHARE FOR THE
8 APPLICABLE BUDGET YEAR MULTIPLIED BY THE NUMBER OF STUDENTS
9 ENROLLED IN THE CHARTER SCHOOL OR THE INNOVATION SCHOOL FOR THE
10 APPLICABLE BUDGET YEAR, AS DESCRIBED IN SUBSECTION (5) OF THIS
11 SECTION.

12 (4) (a) A LOCAL SCHOOL BOARD THAT CHOOSES TO ADOPT A PLAN
13 MUST ADOPT THE PLAN BY JULY 1, 2018. SUBJECT TO STATUTORY LIMITS
14 OR REQUIREMENTS THAT APPLY TO SPECIFIC MILL LEVY AUTHORIZATIONS
15 AND ANY PURPOSES SPECIFICALLY APPROVED BY VOTERS IN APPROVING
16 ADDITIONAL MILL LEVY REVENUE, THE PLAN MUST ENSURE THAT THE
17 ADDITIONAL MILL LEVY REVENUE IS DISTRIBUTED TO, OR OTHERWISE USED
18 FOR PROGRAMS THAT BENEFIT, THE SCHOOLS OF THE PARTICIPATING
19 SCHOOL DISTRICT BASED ON MEETING THE NEEDS OF AND EQUITABLY
20 SUPPORTING THE EDUCATION OF ALL OF THE STUDENTS ENROLLED IN ALL
21 OF THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT, REGARDLESS
22 OF THE TYPE OF SCHOOL IN WHICH EACH STUDENT IS ENROLLED. FOR EACH
23 PROGRAM INCLUDED IN THE PLAN, A CHARTER SCHOOL OR INNOVATION
24 SCHOOL MAY CHOOSE TO RECEIVE THE PER PUPIL PROGRAM SHARE IN LIEU
25 OF PARTICIPATING IN THE PROGRAM, IN WHICH CASE THE PARTICIPATING
26 SCHOOL DISTRICT SHALL DISTRIBUTE TO THE CHARTER SCHOOL OR
27 INNOVATION SCHOOL THE PER PUPIL PROGRAM SHARE. THE CHARTER

1 SCHOOL OR INNOVATION SCHOOL SHALL USE THE PER PUPIL PROGRAM
2 SHARE TO PROVIDE A PROGRAM OR SERVICES, AS SELECTED BY THE
3 CHARTER SCHOOL OR INNOVATION SCHOOL, TO BENEFIT THE STUDENTS
4 FOR WHOM IT RECEIVED THE PER PUPIL PROGRAM SHARE. THE LOCAL
5 SCHOOL BOARD SHALL ENSURE THAT THE DETERMINATION OF THE
6 AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A SCHOOL OF THE
7 PARTICIPATING SCHOOL DISTRICT RECEIVES AS A DISTRIBUTION OR
8 THROUGH PARTICIPATION IN A PROGRAM IS NOT BASED ON AND DOES NOT
9 TAKE INTO ACCOUNT THE SCHOOL'S TYPE. THE LOCAL SCHOOL BOARD
10 SHALL ENSURE THAT EQUITABLE DISTRIBUTION OF THE ADDITIONAL MILL
11 LEVY REVENUE IS FULLY IMPLEMENTED IN THE 2019-20 BUDGET YEAR AND
12 IN EACH BUDGET YEAR THEREAFTER.

13 (b) THROUGH THE PLAN, A LOCAL BOARD OF EDUCATION MAY USE
14 THE ADDITIONAL MILL LEVY REVENUE TO PROVIDE ADDITIONAL PER PUPIL
15 FUNDING TO STUDENTS ENROLLED IN ALTERNATIVE EDUCATION
16 CAMPUSES, STUDENTS WHO QUALIFY FOR FREE OR REDUCED-PRICE MEALS
17 UNDER THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH
18 ACT", 42 U.S.C. SEC. 1751 ET SEQ., STUDENTS IDENTIFIED AS ENGLISH
19 LANGUAGE LEARNERS PURSUANT TO SECTION 22-24-105, AND STUDENTS
20 WHO HAVE INDIVIDUALIZED EDUCATION PROGRAMS UNDER PART 1 OF
21 ARTICLE 20 OF THIS TITLE 22, SO LONG AS THE AMOUNT DISTRIBUTED FOR
22 THE BENEFIT OF EACH STUDENT IS THE SAME REGARDLESS OF THE TYPE OF
23 SCHOOL IN WHICH THE STUDENT IS ENROLLED.

24 (c) EACH PLAN MUST REQUIRE THE LOCAL SCHOOL BOARD TO
25 EQUITABLY DISTRIBUTE ALL OF THE PARTICIPATING SCHOOL DISTRICT'S
26 ADDITIONAL MILL LEVY REVENUE THAT IS NOT DISTRIBUTED FOR SPECIFIC
27 PROGRAMS OR STUDENT POPULATIONS, AS PROVIDED IN SUBSECTIONS

1 (4)(a) AND (4)(b) OF THIS SECTION, TO THE SCHOOLS OF THE
2 PARTICIPATING SCHOOL DISTRICT IN DIRECT PROPORTION TO THE NUMBER
3 OF STUDENTS ENROLLED IN EACH SCHOOL. THE DISTRIBUTION MUST
4 INCLUDE ALL OF THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT
5 WITHOUT REGARD TO TYPE OF SCHOOL.

6 (d) EACH PLAN MUST:

7 (I) IDENTIFY THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE
8 THAT THE PARTICIPATING SCHOOL DISTRICT SPENDS ON ADMINISTRATIVE
9 SERVICES OR OTHER DISTRICT-LEVEL USES AS SPECIFICALLY AUTHORIZED
10 IN THIS SUBSECTION (4);

11 (II) DESCRIBE EACH OF THE ADMINISTRATIVE SERVICES OR OTHER
12 DISTRICT-LEVEL USES; AND

13 (III) SPECIFY HOW THE ADMINISTRATIVE SERVICES OR OTHER
14 DISTRICT-LEVEL USES BENEFIT ALL OF THE STUDENTS ENROLLED IN THE
15 SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT.

16 (e) EACH LOCAL SCHOOL BOARD THAT ADOPTS A PLAN SHALL
17 PERIODICALLY REVIEW THE PLAN AND UPDATE IT AS NECESSARY TO
18 ENSURE THAT THE ADDITIONAL MILL LEVY REVENUE THAT THE
19 PARTICIPATING SCHOOL DISTRICT COLLECTS IS EQUITABLY DISTRIBUTED
20 AS PROVIDED IN SUBSECTIONS (4)(a) TO (4)(c) OF THIS SECTION TO THE
21 SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT TO BENEFIT ALL OF THE
22 STUDENTS ENROLLED IN ALL OF THE SCHOOLS OF THE PARTICIPATING
23 SCHOOL DISTRICT.

24 (f) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (4) TO
25 THE CONTRARY, A LOCAL SCHOOL BOARD MAY, BUT IS NOT REQUIRED TO,
26 DISTRIBUTE A PORTION OF THE ADDITIONAL MILL LEVY REVENUE TO A
27 MULTI-DISTRICT ONLINE SCHOOL OF THE PARTICIPATING SCHOOL DISTRICT.

1 (5) (a) BEGINNING IN THE 2019-20 BUDGET YEAR AND IN EACH
2 BUDGET YEAR THEREAFTER, THE LOCAL SCHOOL BOARD OF A
3 PARTICIPATING SCHOOL DISTRICT THAT CHOOSES NOT TO ADOPT A PLAN
4 SHALL DISTRIBUTE TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL
5 OF THE PARTICIPATING SCHOOL DISTRICT AN AMOUNT EQUAL TO AT LEAST
6 NINETY-FIVE PERCENT OF THE PARTICIPATING SCHOOL DISTRICT'S PER
7 PUPIL MILL LEVY SHARE FOR THE APPLICABLE BUDGET YEAR MULTIPLIED
8 BY THE NUMBER OF STUDENTS ENROLLED IN THE CHARTER SCHOOL OR THE
9 INNOVATION SCHOOL FOR THE APPLICABLE BUDGET YEAR. IN COUNTING
10 THE NUMBER OF PUPILS ENROLLED IN A CHARTER SCHOOL OR INNOVATION
11 SCHOOL, THE SCHOOL DISTRICT SHALL COUNT A PUPIL ENROLLED IN
12 KINDERGARTEN OR IN A PRESCHOOL PROGRAM AS AT LEAST A HALF-DAY
13 PUPIL AND MAY, AT THE SCHOOL DISTRICT'S DISCRETION, COUNT A PUPIL
14 WHO IS INCLUDED IN THE SCHOOL DISTRICT'S ONLINE PUPIL ENROLLMENT,
15 AS DEFINED IN SECTION 22-54-103.

16 (b) IF A LOCAL SCHOOL BOARD HAS IN PLACE OR ADOPTS A
17 WRITTEN POLICY THAT DIRECTS THE PARTICIPATING SCHOOL DISTRICT TO
18 DISTRIBUTE ANY PORTION OF ITS ADDITIONAL MILL LEVY REVENUE TO
19 SPECIFICALLY BENEFIT STUDENTS ENROLLED IN ALTERNATIVE EDUCATION
20 CAMPUSES, STUDENTS WHO QUALIFY FOR FREE OR REDUCED-PRICE MEALS
21 UNDER THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH
22 ACT", 42 U.S.C. SEC. 1751 ET SEQ., STUDENTS WHO ARE IDENTIFIED AS
23 ENGLISH LANGUAGE LEARNERS UNDER SECTION 22-24-105, OR STUDENTS
24 WHO HAVE INDIVIDUALIZED EDUCATION PROGRAMS UNDER PART 1 OF
25 ARTICLE 20 OF THIS TITLE 22, THE PARTICIPATING SCHOOL DISTRICT MAY
26 CONTINUE DISTRIBUTING THE REVENUE FOR THESE PURPOSES, SO LONG AS:

27 (I) THE AMOUNT DISTRIBUTED FOR EACH STUDENT IS THE SAME

1 REGARDSLESS OF THE TYPE OF SCHOOL IN WHICH THE STUDENT IS
2 ENROLLED; AND

3 (II) THE PARTICIPATING SCHOOL DISTRICT DISTRIBUTES ANY
4 AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT REMAINS AFTER
5 DISTRIBUTION FOR THESE PURPOSES IN ACCORDANCE WITH SUBSECTION
6 (5)(a) OF THIS SECTION.

7 (6) IF A LOCAL SCHOOL BOARD DISTRIBUTES A PORTION OF THE
8 TOTAL ADDITIONAL MILL LEVY REVENUE THAT IT COLLECTS FOR THE
9 2016-17 BUDGET YEAR TO THE CHARTER SCHOOLS OR INNOVATION
10 SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT BY PERCENTAGE, BY
11 DISTRIBUTION OF A PER PUPIL AMOUNT, OR BY A COMBINATION OF
12 PERCENTAGE AND PER PUPIL AMOUNT, THE LOCAL SCHOOL BOARD SHALL
13 ENSURE THAT THE PERCENTAGE OF THE TOTAL ADDITIONAL MILL LEVY
14 REVENUE AND THE PER PUPIL AMOUNT THAT IS DISTRIBUTES TO THE
15 CHARTER SCHOOLS AND INNOVATION SCHOOLS OF THE PARTICIPATING
16 SCHOOL DISTRICT IS NOT REDUCED FOR THE 2017-18 AND 2018-19 BUDGET
17 YEARS. AN AUTHORIZING SCHOOL DISTRICT OR THE CHARTER SCHOOL MAY
18 RENEGOTIATE CONTRACT PROVISIONS CONCERNING SERVICES OR FEES FOR
19 SERVICES AS A MATERIAL REVISION TO THE CHARTER CONTRACT, SUBJECT
20 TO THE PROVISIONS OF SECTION 22-30.5-105 (4), WHICH RENEGOTIATION
21 SHALL NOT INCLUDE NEGOTIATIONS REGARDING REAUTHORIZATION OF
22 THE CHARTER SCHOOL.

23 (7) THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A
24 CHARTER SCHOOL RECEIVES PURSUANT TO THIS SECTION IS IN ADDITION TO
25 THE AMOUNT OF MONEY THAT THE CHARTER SCHOOL RECEIVES FROM THE
26 SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22.
27 THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT AN INNOVATION

1 SCHOOL RECEIVES PURSUANT TO THIS SECTION IS IN ADDITION TO ANY
2 AMOUNT OF MONEY THAT THE INNOVATION SCHOOL RECEIVES THROUGH
3 THE SCHOOL'S INNOVATION PLAN AS PROVIDED IN ARTICLE 32.5 OF THIS
4 TITLE 22.

5 (8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
6 CONTRARY, IF A SCHOOL DISTRICT AUTHORIZES A CHARTER SCHOOL THAT
7 IS PHYSICALLY LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF
8 ANOTHER SCHOOL DISTRICT, THE CHARTERING SCHOOL DISTRICT IS NOT
9 REQUIRED TO INCLUDE IN THE PLAN DESCRIBED IN SUBSECTION (4) OF THIS
10 SECTION OR IN THE DISTRIBUTION DESCRIBED IN SUBSECTION (5) OF THIS
11 SECTION ANY AMOUNT OF ADDITIONAL MILL LEVY REVENUE FOR STUDENTS
12 WHO ARE ENROLLED IN THE CHARTER SCHOOL BUT DO NOT RESIDE WITHIN
13 THE BOUNDARIES OF THE SCHOOL DISTRICT.

14 (9) BEGINNING JULY 1, 2018, EACH PARTICIPATING SCHOOL
15 DISTRICT SHALL:

16 (a) IF THE LOCAL SCHOOL BOARD CHOOSES TO ADOPT A PLAN, POST
17 A COPY OF THE PLAN ON THE PARTICIPATING SCHOOL DISTRICT'S WEBSITE
18 AS PROVIDED IN SECTION 22-44-304 AND ANNUALLY UPDATE THE PLAN AS
19 NECESSARY; OR

20 (b) IF THE LOCAL SCHOOL BOARD CHOOSES NOT TO ADOPT A PLAN,
21 FOR THE 2018-19 BUDGET YEAR, POST A STATEMENT OF INTENT TO
22 DISTRIBUTE THE ADDITIONAL MILL LEVY REVENUE AS PROVIDED IN
23 SUBSECTION (5) OF THIS SECTION AND, FOR THE 2019-20 BUDGET YEAR
24 AND ANNUALLY FOR EACH BUDGET YEAR THEREAFTER, POST THE TOTAL
25 AMOUNT OF ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE
26 PARTICIPATING SCHOOL DISTRICT FOR EACH PROPERTY TAX YEAR, THE
27 AMOUNT DISTRIBUTED TO SUPPORT SPECIFIC STUDENT POPULATIONS AS

1 DESCRIBED IN SUBSECTION (5)(b) OF THIS SECTION, AND THE TOTAL
2 AMOUNT DISTRIBUTED TO SUPPORT SAID STUDENT POPULATIONS AND ON
3 A PER-PUPIL BASIS TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL,
4 AS A PERCENTAGE AND AS A DOLLAR AMOUNT.

5 **SECTION 10.** In Colorado Revised Statutes, 22-30.5-105,
6 **amend** (5) as follows:

7 **22-30.5-105. Charter schools - contract contents - regulations.**

8 (5) ~~Any~~ A term included in a charter contract that would require a charter
9 school to waive or otherwise forgo receipt of any amount of ADDITIONAL
10 MILL LEVY REVENUE DUE TO THE CHARTER SCHOOL AS PROVIDED IN
11 SECTION 22-32-108.5 OR ANY AMOUNT OF operational or capital
12 construction ~~funds~~ MONEY provided to the charter school pursuant to the
13 provisions of this ~~article~~ ARTICLE 30.5 or pursuant to any other provision
14 of law is hereby declared null and void as against public policy and is
15 unenforceable. In no event shall this subsection (5) be construed to
16 prohibit ~~any~~ A charter school from contracting with its chartering local
17 board of education for the purchase of services, including but not limited
18 to the purchase of educational services.

19 **SECTION 11.** In Colorado Revised Statutes, **amend** 22-44-303
20 as follows:

21 **22-44-303. Definitions.** As used in this part 3, unless the context
22 otherwise requires:

23 (1) "BOARD OF COOPERATIVE SERVICES" OR "BOCES" MEANS A
24 BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF
25 THIS TITLE 22.

26 (2) "CHARTER SCHOOL" MEANS A DISTRICT CHARTER SCHOOL
27 AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22 OR

1 AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 5 OF
2 ARTICLE 30.5 OF THIS TITLE 22.

3 ~~(1) (3) "Department" means the department of education created~~
4 ~~and operating pursuant to section 24-1-115. C.R.S.~~

5 ~~(2) "Local education provider" means:~~

6 ~~(a) A school district, other than a junior college district, organized~~
7 ~~and existing pursuant to law;~~

8 ~~(b) A board of cooperative services created pursuant to article 5~~
9 ~~of this title;~~

10 ~~(c) The state charter school institute established pursuant to~~
11 ~~section 22-30.5-503;~~

12 ~~(d) A district charter school authorized pursuant to part 1 of article~~
13 ~~30.5 of this title; or~~

14 ~~(e) An institute charter school authorized pursuant to part 5 of~~
15 ~~article 30.5 of this title.~~

16 (4) "INSTITUTE" MEANS THE STATE CHARTER SCHOOL INSTITUTE
17 ESTABLISHED PURSUANT TO SECTION 22-30.5-503.

18 (5) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT, OTHER THAN
19 A LOCAL COLLEGE DISTRICT, ORGANIZED AND EXISTING AS PROVIDED BY
20 LAW.

21 **SECTION 12.** In Colorado Revised Statutes, **amend** 22-44-304
22 as follows:

23 **22-44-304. Financial reporting - online access to information**
24 **- repeal.** (1) (a) Commencing July 1, 2010, and on a continuing basis
25 thereafter, THE INSTITUTE AND each local education provider SCHOOL
26 DISTRICT, BOARD OF COOPERATIVE SERVICES, AND CHARTER SCHOOL shall
27 post the following information online, in a downloadable format, for free

1 public access:

2 (I) The ~~local education provider's~~ INSTITUTE'S, SCHOOL DISTRICT'S,
3 BOCES'S, OR CHARTER SCHOOL'S annual budget, adopted pursuant to
4 section 22-44-110 (4), commencing with the budget for the 2009-10
5 budget year;

6 (II) The ~~local education provider's~~ INSTITUTE'S, SCHOOL
7 DISTRICT'S, BOCES'S, OR CHARTER SCHOOL'S annual audited financial
8 statements, prepared pursuant to section 22-32-109 (1)(k), commencing
9 with the audits prepared for the 2009-10 budget year;

10 (III) (A) The ~~local education provider's~~ INSTITUTE'S, SCHOOL
11 DISTRICT'S, BOCES'S, OR CHARTER SCHOOL'S quarterly financial
12 statements, at a minimum, prepared pursuant to section 22-45-102,
13 commencing with the statements for the 2010-11 budget year.

14 (B) This ~~subparagraph (H)~~ SUBSECTION (1)(a)(III) is repealed,
15 effective July 1, 2017.

16 (IV) The ~~local education provider's~~ INSTITUTE'S, SCHOOL
17 DISTRICT'S, BOCES'S, OR CHARTER SCHOOL'S salary schedules or policies,
18 adopted pursuant to sections 22-32-109.4 and 22-63-401, commencing
19 with those applicable to the 2010-11 budget year.

20 (b) (I) Additionally, commencing July 1, 2011, THE INSTITUTE
21 AND each ~~local education provider~~ SCHOOL DISTRICT, BOARD OF
22 COOPERATIVE SERVICES, AND CHARTER SCHOOL shall post accounts
23 payable check registers and credit, debit, and purchase card statements
24 online, in a downloadable format, for free public access.

25 (II) This ~~paragraph (b)~~ SUBSECTION (1)(b) is repealed, effective
26 July 1, 2017.

27 (c) (I) Additionally, commencing July 1, 2012, THE INSTITUTE AND

1 each local education provider SCHOOL DISTRICT, BOARD OF COOPERATIVE
2 SERVICES, AND CHARTER SCHOOL shall post investment performance
3 reports or statements online, in a downloadable format, for free public
4 access.

5 (II) This ~~paragraph (c)~~ SUBSECTION (1)(c) is repealed, effective
6 July 1, 2017.

7 (d) (I) Additionally, commencing July 1, 2015, THE INSTITUTE
8 AND each local education provider SCHOOL DISTRICT, BOARD OF
9 COOPERATIVE SERVICES, AND CHARTER SCHOOL shall post in a format that
10 can be downloaded and sorted, for free public access, the local education
11 provider's INSTITUTE'S, SCHOOL DISTRICT'S, BOCES'S, OR CHARTER
12 SCHOOL'S actual expenditures, including but not limited to actual salary
13 expenditures and actual benefit expenditures reported by job category
14 specified in the standard chart of accounts, at the local education provider
15 INSTITUTE, SCHOOL DISTRICT, AND BOCES level and at the school-site
16 level.

17 (II) Notwithstanding any provision of ~~subparagraph (I) of this~~
18 ~~paragraph (d)~~ SUBSECTION (1)(d)(I) OF THIS SECTION to the contrary, a
19 school district that the department determines is rural, based on the
20 geographic size of the school district and the distance of the school
21 district from the nearest large, urbanized area, and that enrolls fewer than
22 one thousand students in kindergarten through twelfth grade is not
23 required to report expenditures at the school-site level except for those
24 school-site level expenditures that the school district charges any portion
25 of to a district charter school.

26 (e) ADDITIONALLY, COMMENCING JULY 1, 2018, THE INSTITUTE
27 AND EACH SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, AND

1 CHARTER SCHOOL SHALL POST ON ITS WEBSITE FOR FREE PUBLIC ACCESS
2 AN EASILY ACCESSIBLE LINK TO THE FEDERAL FORM 990, 990-EZ, OR
3 990-PF AND ANY ASSOCIATED SCHEDULES THAT THE INSTITUTE, SCHOOL
4 DISTRICT, BOARD OF COOPERATIVE SERVICES, OR CHARTER SCHOOL FILES,
5 IF ANY.

6 (f) ADDITIONALLY, COMMENCING JULY 1, 2018, AND ON A
7 CONTINUING BASIS THEREAFTER, EACH SCHOOL DISTRICT, IF REQUIRED IN
8 SECTION 22-32-108.5, SHALL:

9 (I) POST A COPY OF THE SCHOOL DISTRICT'S PLAN FOR
10 DISTRIBUTING THE ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE
11 SCHOOL DISTRICT; OR

12 (II) FOR THE 2018-19 BUDGET YEAR, POST A STATEMENT OF
13 INTENT TO DISTRIBUTE THE ADDITIONAL MILL LEVY REVENUE TO THE
14 CHARTER SCHOOLS AND INNOVATION SCHOOLS OF THE SCHOOL DISTRICT
15 ON A PER-PUPIL BASIS AND, FOR THE 2019-20 BUDGET YEAR AND FOR EACH
16 BUDGET YEAR THEREAFTER, A STATEMENT OF THE TOTAL AMOUNT OF
17 ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE SCHOOL DISTRICT
18 FOR EACH PROPERTY TAX YEAR, THE AMOUNT DISTRIBUTED TO SUPPORT
19 SPECIFIC STUDENT POPULATIONS AS DESCRIBED IN SECTION 22-32-108.5
20 (5)(b), AND THE TOTAL AMOUNT DISTRIBUTED FOR SAID STUDENT
21 POPULATIONS AND ON A PER-PUPIL BASIS TO EACH CHARTER SCHOOL AND
22 INNOVATION SCHOOL OF THE SCHOOL DISTRICT, AS A PERCENTAGE AND AS
23 A DOLLAR AMOUNT.

24 (2) ~~Nothing in this section shall direct or require a local education~~
25 ~~provider~~ THIS SECTION DOES NOT DIRECT OR REQUIRE THE INSTITUTE OR
26 A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, OR CHARTER
27 SCHOOL to post online, pursuant to subsection (1) of this section, personal

1 information relating to payroll, including but not limited to payroll
2 deductions or contributions, or any other information that is confidential
3 or otherwise protected from public disclosure pursuant to state or federal
4 law.

5 (3) (a) THE INSTITUTE AND ~~each local education provider~~ SCHOOL
6 DISTRICT, BOARD OF COOPERATIVE SERVICES, AND CHARTER SCHOOL shall
7 update the information specified in ~~paragraphs (a), (b), and (c) of~~
8 ~~subsection (1)~~ SUBSECTIONS (1)(a) TO (1)(c) AND SUBSECTION (1)(e) of
9 this section within sixty days after the ~~local education provider's~~
10 INSTITUTE'S, SCHOOL DISTRICT'S, BOCES'S, OR CHARTER SCHOOL'S
11 completion or receipt of the applicable report, statement, or document.

12 THE INSTITUTE AND ~~each local education provider~~ SCHOOL DISTRICT,
13 BOCES, AND CHARTER SCHOOL shall update the information specified in
14 ~~paragraph (d) of subsection (1)~~ SUBSECTION (1)(d) of this section annually
15 by a date specified by the financial policies and procedures advisory
16 committee. EACH SCHOOL DISTRICT SHALL UPDATE THE INFORMATION
17 SPECIFIED IN SUBSECTION (1)(f) OF THIS SECTION WITHIN THIRTY DAYS
18 AFTER THE SCHOOL DISTRICT BOARD OF EDUCATION ADOPTS A NEW OR
19 UPDATED PLAN FOR DISTRIBUTION OF ADDITIONAL MILL LEVY REVENUE
20 OR, IF THE SCHOOL DISTRICT DISTRIBUTES THE ADDITIONAL MILL LEVY
21 REVENUE ON A PER-PUPIL BASIS TO THE CHARTER SCHOOLS AND
22 INNOVATION SCHOOLS OF THE SCHOOL DISTRICT, WITHIN THIRTY DAYS
23 AFTER THE END OF EACH BUDGET YEAR.

24 (b) ~~A local education provider~~ THE INSTITUTE AND EACH SCHOOL
25 DISTRICT, BOCES, AND CHARTER SCHOOL shall maintain the prior two
26 budget years' financial information online, in a downloadable format, for
27 free public access, until the end of the ~~local education provider's~~

1 INSTITUTE'S, SCHOOL DISTRICT'S, BOCES'S, OR CHARTER SCHOOL'S current
2 budget year.

3 (4) No later than July 1, 2015, the financial policies and
4 procedures advisory committee of the department shall create a template
5 that ~~local education providers~~ THE INSTITUTE AND SCHOOL DISTRICTS,
6 BOCES, AND CHARTER SCHOOLS must use to post all of the information
7 specified in subsection (1) of this section, including but not limited to the
8 site-level reporting requirements. The template may include both the type
9 of electronic file posted as well as the information to be included in the
10 posting.

11 (5) In addition to the information required in subsection (1) of this
12 section, ~~a local education provider~~ THE INSTITUTE AND EACH SCHOOL
13 DISTRICT, BOCES, AND CHARTER SCHOOL shall provide a link to the
14 department's website or the location information for the department's
15 website where a member of the public may access information or reports
16 that are submitted directly to the department.

17 **SECTION 13.** In Colorado Revised Statutes, **add 22-44-305** as
18 follows:

19 **22-44-305. Waivers of state statute - reporting.**

20 (1) (a) COMMENCING JULY 1, 2017, AND ON A CONTINUING BASIS
21 THEREAFTER, EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL POST,
22 IN A LOCATION AND FORMAT THAT CAN BE EASILY ACCESSED AND
23 DOWNLOADED, FOR FREE PUBLIC ACCESS ON ITS WEBSITE MAINTAINED
24 PURSUANT TO THIS PART 3 A LIST OF THE STATUTES FOR WHICH THE
25 SCHOOL DISTRICT OR CHARTER SCHOOL HAS RECEIVED A WAIVER FROM
26 THE STATE BOARD OF EDUCATION AND, FOR EACH WAIVER THAT IS NOT AN
27 AUTOMATIC WAIVER, A COPY OF THE PLAN THAT EXPLAINS THE MANNER

1 IN WHICH THE LOCAL EDUCATION PROVIDER WILL MEET THE INTENT OF THE
2 WAIVED STATUTE.

3 (b) COMMENCING JULY 1, 2018, EACH CHARTER SCHOOL SHALL
4 POST, IN A LOCATION AND FORMAT THAT CAN BE EASILY ACCESSED AND
5 DOWNLOADED, FOR FREE PUBLIC ACCESS ON ITS WEBSITE THE
6 STANDARDIZED DESCRIPTION AND RATIONALE CREATED PURSUANT TO
7 SUBSECTION (2) OF THIS SECTION FOR EACH OF THE AUTOMATIC WAIVERS
8 THAT IT INVOKES. EACH CHARTER SCHOOL SHALL POST WITH THE LIST OF
9 AUTOMATIC WAIVERS THE NAME OF AND CONTACT INFORMATION FOR A
10 PERSON EMPLOYED BY THE CHARTER SCHOOL AND AVAILABLE DURING
11 REGULAR SCHOOL HOURS WHO CAN PROVIDE ADDITIONAL INFORMATION
12 CONCERNING THE CHARTER SCHOOL'S AUTOMATIC WAIVERS.

13 (c) IN LISTING ITS WAIVERS, A SCHOOL DISTRICT SHALL INCLUDE
14 WAIVERS GRANTED TO THE SCHOOL DISTRICT AS A WHOLE AND WAIVERS
15 GRANTED TO ONE OR MORE SCHOOLS OF THE SCHOOL DISTRICT, OTHER
16 THAN A CHARTER SCHOOL. THE SCHOOL DISTRICT SHALL LIST SEPARATELY
17 EACH WAIVER GRANTED TO AN INNOVATION SCHOOL OR TO SCHOOLS IN AN
18 INNOVATION SCHOOL ZONE, AS DEFINED IN SECTION 22-32.5-103.

19 (2) BY JULY 1, 2018, THE DEPARTMENT AND THE INSTITUTE,
20 WORKING WITH A STATEWIDE ASSOCIATION THAT REPRESENTS CHARTER
21 SCHOOLS, SHALL DEVELOP A STANDARDIZED DESCRIPTION FOR EACH
22 STATUTE THAT THE STATE BOARD OF EDUCATION INCLUDES IN THE LIST OF
23 AUTOMATIC WAIVERS FOR CHARTER SCHOOLS PURSUANT TO SECTION
24 22-30.5-104(6) AND THE RATIONALE FOR INCLUDING THE STATUTE ON THE
25 LIST OF AUTOMATIC WAIVERS.

26 (3) EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL UPDATE
27 THE INFORMATION PROVIDED PURSUANT TO SUBSECTION (1) OF THIS

1 SECTION WITHIN THIRTY DAYS AFTER A WAIVER IS REVOKED OR A NEW
2 WAIVER IS GRANTED.

3 **SECTION 14.** In Colorado Revised Statutes, 22-2-117, **amend**
4 (1)(b)(IV) and (1)(b)(V); and **add** (1)(b)(VI) as follows:

5 **22-2-117. Additional power - state board - waiver of**
6 **requirements - rules.** (1) (b) The state board shall not waive any of the
7 requirements specified in any of the following statutory provisions:

8 (IV) Any provision of this ~~title~~ TITLE 22 that relates to
9 fingerprinting and criminal history record checks of educators and school
10 personnel; ~~or~~

11 (V) The "Children's Internet Protection Act", article 87 of this ~~title~~
12 TITLE 22; OR

13 (VI) THE REQUIREMENT TO POST ON THE INTERNET THE STATUTES
14 FOR WHICH WAIVERS ARE GRANTED AS PROVIDED IN SECTION 22-44-305.

15 **SECTION 15.** In Colorado Revised Statutes, 22-30.5-104,
16 **amend** (6)(b), (6)(c)(IV), and (6)(c)(V); and **add** (6)(c)(VI) as follows:

17 **22-30.5-104. Charter school - requirements - authority - rules.**

18 (6) (b) The state board shall promulgate rules that list the automatic
19 waivers for all charter schools. In promulgating the list of automatic
20 waivers, the state board shall consider the overall impact and complexity
21 of the requirements specified in the statute and the potential consequences
22 that waiving the statute may have on the practices of a charter school. IN
23 ACCORDANCE WITH ITS RULE-MAKING AUTHORITY, THE STATE BOARD MAY
24 REVIEW THE LIST OF AUTOMATIC WAIVERS AT ITS DISCRETION.
25 Notwithstanding any provision of this ~~paragraph (b)~~ SUBSECTION (6)(b)
26 to the contrary, the state board shall not include the following statutes on
27 the list of automatic waivers:

1 (I) Section 22-9-106, concerning the performance evaluation
2 system for licensed personnel;

3 (I.5) SECTION 22-32-109 (1)(b), CONCERNING PROCEDURES FOR
4 COMPETITIVE BIDDING IN THE PURCHASE OF GOODS AND SERVICES, EXCEPT
5 PROFESSIONAL SERVICES;

6 (II) Section 22-32-109 (1)(n), concerning the annual school
7 calendar and teacher-pupil contact hours; and

8 (II.5) SECTION 22-32-110 (1)(y), CONCERNING THE POWER TO
9 ACCEPT AND EXPEND GIFTS, DONATIONS, OR GRANTS; AND

10 (III) Part 2 of article 63 of this ~~title~~ TITLE 22, concerning the
11 employment of licensed personnel.

12 (c) A school district, on behalf of a charter school, may apply to
13 the state board for a waiver of a state statute or state rule that is not an
14 automatic waiver. Notwithstanding any provision of this subsection (6)
15 to the contrary, the state board may not waive any statute or rule relating
16 to:

17 (IV) The "Public School Finance Act of 1994", article 54 of this
18 ~~title; or~~ TITLE 22;

19 (V) The "Children's Internet Protection Act", article 87 of this ~~title~~
20 TITLE 22; OR

21 (VI) THE REQUIREMENT TO POST ON THE INTERNET THE STATUTES
22 FOR WHICH WAIVERS ARE GRANTED AS PROVIDED IN SECTION 22-44-305.

23 **SECTION 16.** In Colorado Revised Statutes, 22-30.5-507,
24 **amend** (7)(a), (7)(b)(IV), and (7)(b)(V); and **add** (7)(b)(VI) as follows:

25 **22-30.5-507. Institute charter school - requirements -**
26 **authority - rules.** (7) (a) Pursuant to the charter contract, an institute
27 charter school may operate free from specified statutes and state board

1 rules. The state board shall promulgate rules that list the automatic
2 waivers for all charter schools, including institute charter schools. In
3 promulgating the list of automatic waivers, the state board shall consider
4 the overall impact and complexity of the requirements specified in the
5 statute and the potential consequences that waiving the statute may have
6 on the practices of a charter school, including an institute charter school.

7 IN ACCORDANCE WITH ITS RULE-MAKING AUTHORITY, THE STATE BOARD
8 MAY REVIEW THE LIST OF AUTOMATIC WAIVERS AT ITS DISCRETION.

9 Notwithstanding any provision of this ~~paragraph (a)~~ SUBSECTION (7)(a)
10 to the contrary, the state board shall not include the following statutes on
11 the list of automatic waivers:

12 (I) Section 22-9-106, concerning the performance evaluation
13 system for licensed personnel;

14 (I.5) SECTION 22-32-109 (1)(b), CONCERNING PROCEDURES FOR
15 COMPETITIVE BIDDING IN THE PURCHASE OF GOODS AND SERVICES, EXCEPT
16 PROFESSIONAL SERVICES;

17 (II) Section 22-32-109 (1)(n)(I) and (1)(n)(II)(B), concerning the
18 annual school calendar; ~~and~~

19 (II.5) SECTION 22-32-110 (1)(y), CONCERNING THE POWER TO
20 ACCEPT AND EXPEND GIFTS, DONATIONS, OR GRANTS; AND

21 (III) Part 2 of article 63 of this ~~title~~ TITLE 22, concerning the
22 employment of licensed personnel.

23 (b) An institute charter school may apply to the state board,
24 through the institute, for a waiver of state statutes and state rules that are
25 not automatic waivers. The state board may waive state statutory
26 requirements or rules promulgated by the state board; except that the state
27 board may not waive any statute or rule relating to:

1 (IV) The provisions of the "Public School Finance Act of 1994",
2 article 54 of this ~~title~~; or TITLE 22;

3 (V) The "Children's Internet Protection Act", article 87 of this ~~title~~
4 TITLE 22; OR

5 (VI) THE REQUIREMENT TO POST ON THE INTERNET THE STATUTES
6 FOR WHICH WAIVERS ARE GRANTED AS PROVIDED IN SECTION 22-44-305.

7 **SECTION 17.** In Colorado Revised Statutes, **add 22-30.5-513.1**
8 as follows:

9 **22-30.5-513.1. Mill levy equalization - fund created -**
10 **legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT SCHOOL
11 DISTRICTS RECEIVE SIGNIFICANT OPERATING REVENUE FROM MILL LEVIES
12 THAT ARE IN ADDITION TO THE SCHOOL DISTRICTS' TOTAL PROGRAM MILL
13 LEVY. THIS ADDITIONAL REVENUE HELPS SCHOOL DISTRICTS OFFSET THE
14 EFFECTS OF THE BUDGET ADJUSTMENT IMPOSED BY SECTION 22-54-104
15 (5)(g). THE GENERAL ASSEMBLY FURTHER FINDS THAT INSTITUTE CHARTER
16 SCHOOLS DO NOT HAVE ACCESS TO ADDITIONAL REVENUE FROM A LOCAL
17 PROPERTY TAX MILL LEVY. THE GENERAL ASSEMBLY FINDS, THEREFORE,
18 THAT IT IS APPROPRIATE TO CONSIDER ADDITIONAL STATE EQUALIZATION
19 FUNDING FOR INSTITUTE CHARTER SCHOOLS.

20 (2) (a) THE MILL LEVY EQUALIZATION FUND, REFERRED TO IN THIS
21 SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY.
22 THE FUND CONSISTS OF ANY AMOUNT THAT THE GENERAL ASSEMBLY MAY
23 APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL
24 CREDIT TO THE FUND ALL INTEREST AND INCOME DERIVED FROM THE
25 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND.

26 (b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
27 ASSEMBLY, THE INSTITUTE SHALL ANNUALLY DISTRIBUTE THE MONEY

1 APPROPRIATED OR TRANSFERRED TO THE FUND TO THE INSTITUTE CHARTER
2 SCHOOLS ON AN EQUAL PER-PUPIL BASIS; EXCEPT THAT, IN ANY BUDGET
3 YEAR, AN INSTITUTE CHARTER SCHOOL SHALL NOT RECEIVE A PER PUPIL
4 AMOUNT THAT IS GREATER THAN THE TOTAL AMOUNT OF ADDITIONAL
5 MILL LEVY REVENUE, AS DEFINED IN SECTION 22-32-108.5, THAT THE
6 ACCOUNTING DISTRICT FOR THE INSTITUTE CHARTER SCHOOL IS
7 AUTHORIZED TO COLLECT, DIVIDED BY THE FUNDED PUPIL COUNT, AS
8 DEFINED IN SECTION 22-54-103, OF THE ACCOUNTING DISTRICT FOR THE
9 APPLICABLE BUDGET YEAR. THE MONEY DISTRIBUTED PURSUANT TO THIS
10 SECTION IS IN ADDITION TO MONEY DISTRIBUTED TO INSTITUTE CHARTER
11 SCHOOLS PURSUANT TO SECTION 22-30.5-513.

12 **SECTION 18.** In Colorado Revised Statutes, 2-2-1902, **amend**
13 **as added by House Bill 17-1340** (1)(j)(II) and (1)(j)(IV) as follows:

14 **2-2-1902. School finance study - issues - hiring consultant.**

15 (1) The interim committee shall, at a minimum, study the following
16 issues:

17 (j) The level of funding for education that is available from the
18 local resources available to each local education provider and the amount
19 of local resources that each district charter school and each institute
20 charter school receives, including consideration of:

21 (II) Strategies for equalizing mill levies in school districts and
22 public schools across the state AND FOR ENSURING THAT AUTHORIZATION
23 FOR ADDITIONAL MILL LEVIES FOR OPERATING PURPOSES COMPLIES WITH
24 THE CONSTITUTIONAL REQUIREMENT OF MAINTAINING A THOROUGH AND
25 UNIFORM STATEWIDE EDUCATION SYSTEM;

26 (IV) Other sources of funding for public education, INCLUDING
27 PUBLIC AND PRIVATE GIFTS, GRANTS, AND DONATIONS, available to each

1 institute charter school and each school district, or available to schools of
2 a school district, including district charter schools, individually or by
3 campus, and the amount received from each source; and

4 **SECTION 19. Appropriation.** For the 2017-18 state fiscal year,
5 \$500,000 is appropriated to the department of education. This
6 appropriation is from the state education fund created in section 17 (4)(a)
7 of article IX of the state constitution and is based on an assumption that
8 the department will require an additional 0.4 FTE. To implement this act,
9 the department may use this appropriation for computer science education
10 grants for teachers pursuant to section 22-97-102, C.R.S.

11 **SECTION 20. Effective date.** This act takes effect upon passage;
12 except that section 19 of this act takes effect only if House Bill 17-1340
13 becomes law, and it takes effect either upon the effective date of this act
14 or House Bill 17-1340, whichever is later.

15 **SECTION 21. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.