

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

May 8, 2017
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB17-296 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 2, lines 24 and 25, strike "NEGATIVE
2 FACTOR," and substitute "BUDGET ADJUSTMENT,".

3 Page 3, line 7, after the period add "FOR THE 2018-19 BUDGET YEAR, THE
4 DIFFERENCE BETWEEN CALCULATED STATEWIDE TOTAL PROGRAM
5 FUNDING AND ACTUAL STATEWIDE TOTAL PROGRAM FUNDING MUST NOT
6 EXCEED THE DIFFERENCE BETWEEN CALCULATED STATEWIDE TOTAL
7 PROGRAM FUNDING AND ACTUAL STATEWIDE TOTAL PROGRAM FUNDING
8 FOR THE 2017-18 BUDGET YEAR.".

9 Page 11, after line 23 insert:
10 "SECTION 6. In Colorado Revised Statutes, add article 97 to
11 title 22 as follows:

12 **ARTICLE 97**

13 **Teacher Grants for Computer Science Education**

14 **22-97-101. Definitions.** AS USED IN THIS ARTICLE 97, UNLESS THE
15 CONTEXT OTHERWISE REQUIRES:

16 (1) "COMPUTER SCIENCE EDUCATION" MEANS THE STUDY OF
17 COMPUTERS, ALGORITHMIC PROCESSES, AND COMPUTER PROGRAMMING
18 AND CODING, INCLUDING THEIR PRINCIPLES, THEIR HARDWARE AND
19 SOFTWARE DESIGNS, THEIR APPLICATIONS, AND THEIR IMPACT ON SOCIETY.

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

22 (3) "ELIGIBLE TEACHER" MEANS A PERSON WHO IS EMPLOYED AS

1 A TEACHER IN A PUBLIC SCHOOL IN THE STATE.
2 (4) "GRANT PROGRAM" MEANS THE GRANT PROGRAM ESTABLISHED
3 PURSUANT TO SECTION 22-97-102.
4 (5) "PUBLIC SCHOOL" HAS THE SAME MEANING AS PROVIDED IN
5 SECTION 22-1-101 AND INCLUDES, BUT IS NOT LIMITED TO, A DISTRICT
6 CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, AND AN ONLINE
7 SCHOOL, AS DEFINED IN SECTION 22-30.7-102 (9.5).
8 (6) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT AUTHORIZED
9 BY SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION AND
10 ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE 22. "SCHOOL
11 DISTRICT" ALSO INCLUDES A BOARD OF COOPERATIVE SERVICES CREATED
12 PURSUANT TO ARTICLE 5 OF THIS TITLE 22, IF IT IS OPERATING A PUBLIC
13 SCHOOL; A DISTRICT CHARTER SCHOOL; AN INSTITUTE CHARTER SCHOOL;
14 AND AN ONLINE SCHOOL, AS DEFINED IN SECTION 22-30.7-102 (9.5).
15 (7) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
16 CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
17 STATE CONSTITUTION.
18 **22-97-102. Computer science education grants for teachers -**
19 **creation.** (1) THERE IS CREATED IN THE DEPARTMENT A GRANT PROGRAM
20 FOR ELIGIBLE TEACHERS WHO WISH TO PURSUE ADDITIONAL
21 POSTSECONDARY EDUCATION IN ORDER TO PROVIDE COMPUTER SCIENCE
22 EDUCATION TO STUDENTS IN PUBLIC SCHOOLS. A SCHOOL DISTRICT OR A
23 SCHOOL DISTRICT ON BEHALF OF AN ELIGIBLE TEACHER OR TEACHERS MAY
24 APPLY FOR A GRANT.
25 (2) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM IN
26 ACCORDANCE WITH STATE BOARD RULES. THE DEPARTMENT SHALL
27 ACCEPT AND REVIEW GRANT APPLICATIONS RECEIVED FROM SCHOOL
28 DISTRICTS OR SCHOOL DISTRICTS ON BEHALF OF AN ELIGIBLE TEACHER OR
29 TEACHERS AND SHALL MAKE RECOMMENDATIONS TO THE STATE BOARD
30 FOR THE AWARD OF GRANTS. IN MAKING ITS RECOMMENDATIONS, THE
31 DEPARTMENT MAY CONSIDER THE PRIORITIES CONTAINED IN SUBSECTION
32 (4) OF THIS SECTION.
33 (3) PURSUANT TO ARTICLE 4 OF TITLE 24, THE STATE BOARD SHALL
34 PROMULGATE RULES NECESSARY FOR THE IMPLEMENTATION OF THE GRANT
35 PROGRAM, INCLUDING RULES RELATING TO:
36 (a) THE APPLICATION PROCESS, INCLUDING APPLICATION
37 REQUIREMENTS AND DEADLINES;
38 (b) CRITERIA FOR THE AWARD OF GRANTS, INCLUDING THE
39 PRIORITIES FOR AWARDED GRANTS CONTAINED IN SUBSECTION (4) OF THIS
40 SECTION;
41 (c) THE AMOUNT AND DURATION OF THE GRANTS; AND

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

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

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

6 (I) A HIGH-POVERTY STUDENT POPULATION;
7 (II) A HIGH NUMBER OF MINORITY STUDENTS; OR
8 (III) STUDENTS IN RURAL AREAS;

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

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

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

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

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

33 **22-97-103. Reporting.** (1) NO LATER THAN JANUARY 1, 2018,
34 AND NO LATER THAN EACH JANUARY 1 THEREAFTER IF THE STATE BOARD
35 HAS AWARDED A GRANT DURING THE PREVIOUS CALENDAR YEAR, THE
36 DEPARTMENT SHALL REPORT TO THE EDUCATION COMMITTEES OF THE
37 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
38 COMMITTEES.

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

40 (a) THE NUMBER OF GRANTS AWARDED DURING THE PREVIOUS
41 CALENDAR YEAR;

- 1 (b) THE AMOUNT OF THE GRANTS;
2 (c) THE NUMBER OF TEACHERS IN EACH SCHOOL DISTRICT WHO
3 BENEFITTED FROM THE GRANT; AND
4 (d) THE USES OF THE GRANT, INCLUDING THE POSTSECONDARY
5 COURSES, DEGREES, TRAINING PROGRAMS, OR INDUSTRY-RECOGNIZED
6 CERTIFICATES COMPLETED AND THE EDUCATION PROVIDER PROVIDING THE
7 EDUCATION.
8 (3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT
9 REQUIRED IN THIS SECTION CONTINUES INDEFINITELY.

10 **SECTION 7.** In Colorado Revised Statutes, **amend** 22-61-103 as
11 follows:

12 **22-61-103. Teacher's oath, affirmation, or pledge.** (1) ~~Any~~ A
13 person now holding a license to teach in the public schools in the state of
14 Colorado or who shall hereafter be issued a license to teach in such public
15 schools within the state of Colorado, except ~~any~~ A person employed to
16 teach in a temporary capacity who is a citizen of a nation other than the
17 United States, shall take OR SIGN the following oath, ~~or~~ affirmation, OR
18 WRITTEN PLEDGE:

19 "I solemnly (swear) (affirm) (PLEDGE) that I will uphold the
20 constitution of the United States and the constitution of the
21 state of Colorado, and I will faithfully perform the duties of
22 the position upon which I am about to enter."

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

27 **SECTION 8.** In Colorado Revised Statutes, **amend** 22-61-104 as
28 follows:

29 **22-61-104. Oath, affirmation, or pledge - professors,**
30 **instructors, and teachers in state institutions of higher education.**

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

38 "I solemnly (swear) (affirm) (PLEDGE) that I will uphold the
39 constitution of the United States and the constitution of the
40 state of Colorado, and I will faithfully perform the duties of
41 the position upon which I am about to enter."

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

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

7 **22-61-105. Penalty.** ~~Any~~ A person who, being in charge of ~~any~~
8 A public school, state university, college, junior college, community
9 college, or technical college within the state of Colorado, allows or
10 permits ~~any~~ A teacher to enter upon the discharge of his OR HER duties or
11 give instruction therein, unless such teacher shall have taken the oath or
12 affirmation OR SIGNED THE PLEDGE AS provided ~~for~~ in sections 22-61-103
13 and 22-61-104, is guilty of a misdemeanor and, upon conviction thereof,
14 ~~shall~~ MUST be punished by a fine of not more than one hundred dollars,
15 or by imprisonment in the county jail for not more than six months, or by
16 both such fine and imprisonment.

17 **SECTION 10.** In Colorado Revised Statutes, **add** 22-32-108.5 as
18 follows:

19 **22-32-108.5. Board of education - distribution of additional**
20 **mill levy revenue - definitions - legislative declaration.** (1) (a) THE
21 GENERAL ASSEMBLY RECOGNIZES THAT SECTION 15 OF ARTICLE IX OF THE
22 STATE CONSTITUTION GRANTS TO EACH SCHOOL DISTRICT BOARD OF
23 EDUCATION CONTROL OF INSTRUCTION IN THE SCHOOLS OF THE SCHOOL
24 DISTRICT. THE POWER OF LOCAL CONTROL OF INSTRUCTION APPLIES TO ALL
25 OF THE SCHOOLS OF THE SCHOOL DISTRICT AND THEREFORE IMPOSES ON
26 THE SCHOOL DISTRICT BOARD OF EDUCATION THE RESPONSIBILITY TO
27 ENSURE THE EQUITABLE TREATMENT OF ALL OF THE STUDENTS ENROLLED
28 IN ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT.

29 (b) THE GENERAL ASSEMBLY FURTHER FINDS THAT SECTION 2 OF
30 ARTICLE IX OF THE STATE CONSTITUTION REQUIRES THE GENERAL
31 ASSEMBLY TO PROVIDE FOR THE MAINTENANCE OF A THOROUGH AND
32 UNIFORM SYSTEM OF FREE PUBLIC SCHOOLS THROUGHOUT THE STATE.
33 REQUIRING EACH SCHOOL DISTRICT BOARD OF EDUCATION TO EQUITABLY
34 USE AND DISTRIBUTE ITS RESOURCES TO MEET THE NEEDS OF ALL
35 STUDENTS ENROLLED IN ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT
36 SUPPORTS GREATER UNIFORMITY IN PROVIDING PUBLIC EDUCATION
37 SERVICES WITHIN EACH SCHOOL DISTRICT AND THROUGHOUT THE STATE.

38 (c) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT EACH
39 SCHOOL DISTRICT BOARD OF EDUCATION HAS THE DUTY TO ENSURE THAT
40 THE SCHOOL DISTRICT USES AND ALLOCATES ITS RESOURCES IN A MANNER
41 THAT RESULTS IN THE EQUITABLE TREATMENT OF ALL STUDENTS

1 ENROLLED IN THE SCHOOL DISTRICT, ACCORDING TO THEIR INDIVIDUAL
2 NEEDS, REGARDLESS OF THE TYPE OF SCHOOL OF THE SCHOOL DISTRICT IN
3 WHICH EACH STUDENT IS ENROLLED.

4 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
5 REQUIRES:

6 (a) "ADDITIONAL MILL LEVY REVENUE" MEANS THE AMOUNT OF
7 PROPERTY TAX REVENUE THAT A SCHOOL DISTRICT COLLECTS FROM MILLS
8 THAT ARE AUTHORIZED BY VOTERS BEFORE, ON, OR AFTER THE EFFECTIVE
9 DATE OF THIS SECTION AND THAT A SCHOOL DISTRICT LEVIES IN ADDITION
10 TO THE SCHOOL DISTRICT'S TOTAL PROGRAM MILL LEVY ESTABLISHED IN
11 SECTION 22-54-106 (2), NOT INCLUDING MILLS THAT A SCHOOL DISTRICT
12 MAY LEVY FOR PURPOSES OF INCURRING OR REPAYING BONDED
13 INDEBTEDNESS OR FOR PAYING AMOUNTS DUE PURSUANT TO INSTALLMENT
14 SALES AGREEMENTS OR LEASE PURCHASE AGREEMENTS ENTERED INTO AS
15 OF THE EFFECTIVE DATE OF THIS SECTION FOR WHICH ADDITIONAL MILL
16 LEVY REVENUE WAS CONTRACTUALLY COMMITTED AS OF THE EFFECTIVE
17 DATE OF THIS SECTION.

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

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

24 (d) "INNOVATION SCHOOL" MEANS A SCHOOL IN WHICH A LOCAL
25 SCHOOL BOARD IMPLEMENTS AN INNOVATION PLAN AS PROVIDED IN
26 SECTION 22-32.5-104 OR A SCHOOL THAT IS INCLUDED IN AN INNOVATION
27 SCHOOL ZONE, AS DEFINED IN SECTION 22-32.5-103.

28 (e) "LOCAL SCHOOL BOARD" MEANS THE SCHOOL DISTRICT BOARD
29 OF EDUCATION OF A PARTICIPATING SCHOOL DISTRICT.

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

32 (I) COLLECTS ADDITIONAL MILL LEVY REVENUE; AND

33 (II) IS DESIGNATED AS A SCHOOL DISTRICT OF INNOVATION AS
34 PROVIDED IN ARTICLE 32.5 OF THIS TITLE 22 OR AUTHORIZES AT LEAST ONE
35 CHARTER SCHOOL AS PROVIDED IN PART 1 OF ARTICLE 30.5 OF THIS TITLE
36 22.

37 (g) "PER PUPIL MILL LEVY SHARE" MEANS AN AMOUNT EQUAL TO
38 THE TOTAL AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A
39 PARTICIPATING SCHOOL DISTRICT COLLECTS FOR A BUDGET YEAR DIVIDED
40 BY THE SCHOOL DISTRICT'S FUNDED PUPIL COUNT, AS DEFINED IN SECTION
41 22-54-103, FOR THAT BUDGET YEAR.

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

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

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

21 (3) FOR THE 2019-20 BUDGET YEAR AND FOR EACH BUDGET YEAR
22 THEREAFTER, THE LOCAL SCHOOL BOARD OF EACH PARTICIPATING SCHOOL
23 DISTRICT SHALL EITHER IMPLEMENT A PLAN FOR USING AND DISTRIBUTING
24 THE ADDITIONAL MILL LEVY REVENUE THAT THE PARTICIPATING SCHOOL
25 DISTRICT COLLECTS FOR EACH BUDGET YEAR, AS DESCRIBED IN
26 SUBSECTION (4) OF THIS SECTION, OR DISTRIBUTE TO EACH CHARTER
27 SCHOOL AND INNOVATION SCHOOL OF THE PARTICIPATING SCHOOL
28 DISTRICT AN AMOUNT EQUAL TO AT LEAST NINETY-FIVE PERCENT OF THE
29 PARTICIPATING SCHOOL DISTRICT'S PER PUPIL MILL LEVY SHARE FOR THE
30 APPLICABLE BUDGET YEAR MULTIPLIED BY THE NUMBER OF STUDENTS
31 ENROLLED IN THE CHARTER SCHOOL OR THE INNOVATION SCHOOL FOR THE
32 APPLICABLE BUDGET YEAR, AS DESCRIBED IN SUBSECTION (5) OF THIS
33 SECTION.

34 (4) (a) A LOCAL SCHOOL BOARD THAT CHOOSES TO ADOPT A PLAN
35 MUST ADOPT THE PLAN BY JULY 1, 2018. SUBJECT TO STATUTORY LIMITS
36 OR REQUIREMENTS THAT APPLY TO SPECIFIC MILL LEVY AUTHORIZATIONS
37 AND ANY PURPOSES SPECIFICALLY APPROVED BY VOTERS IN APPROVING
38 ADDITIONAL MILL LEVY REVENUE, THE PLAN MUST ENSURE THAT THE
39 ADDITIONAL MILL LEVY REVENUE IS DISTRIBUTED TO, OR OTHERWISE USED
40 FOR PROGRAMS THAT BENEFIT, THE SCHOOLS OF THE PARTICIPATING
41 SCHOOL DISTRICT BASED ON MEETING THE NEEDS OF AND EQUITABLY

1 SUPPORTING THE EDUCATION OF ALL OF THE STUDENTS ENROLLED IN ALL
2 OF THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT, REGARDLESS
3 OF THE TYPE OF SCHOOL IN WHICH EACH STUDENT IS ENROLLED. FOR EACH
4 PROGRAM INCLUDED IN THE PLAN, A CHARTER SCHOOL OR INNOVATION
5 SCHOOL MAY CHOOSE TO RECEIVE THE PER PUPIL PROGRAM SHARE IN LIEU
6 OF PARTICIPATING IN THE PROGRAM, IN WHICH CASE THE PARTICIPATING
7 SCHOOL DISTRICT SHALL DISTRIBUTE TO THE CHARTER SCHOOL OR
8 INNOVATION SCHOOL THE PER PUPIL PROGRAM SHARE. THE CHARTER
9 SCHOOL OR INNOVATION SCHOOL SHALL USE THE PER PUPIL PROGRAM
10 SHARE TO PROVIDE A PROGRAM OR SERVICES, AS SELECTED BY THE
11 CHARTER SCHOOL OR INNOVATION SCHOOL, TO BENEFIT THE STUDENTS
12 FOR WHOM IT RECEIVED THE PER PUPIL PROGRAM SHARE. THE LOCAL
13 SCHOOL BOARD SHALL ENSURE THAT THE DETERMINATION OF THE
14 AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A SCHOOL OF THE
15 PARTICIPATING SCHOOL DISTRICT RECEIVES AS A DISTRIBUTION OR
16 THROUGH PARTICIPATION IN A PROGRAM IS NOT BASED ON AND DOES NOT
17 TAKE INTO ACCOUNT THE SCHOOL'S TYPE. THE LOCAL SCHOOL BOARD
18 SHALL ENSURE THAT EQUITABLE DISTRIBUTION OF THE ADDITIONAL MILL
19 LEVY REVENUE IS FULLY IMPLEMENTED IN THE 2019-20 BUDGET YEAR AND
20 IN EACH BUDGET YEAR THEREAFTER.

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

32 (c) EACH PLAN MUST REQUIRE THE LOCAL SCHOOL BOARD TO
33 EQUITABLY DISTRIBUTE ALL OF THE PARTICIPATING SCHOOL DISTRICT'S
34 ADDITIONAL MILL LEVY REVENUE THAT IS NOT DISTRIBUTED FOR SPECIFIC
35 PROGRAMS OR STUDENT POPULATIONS, AS PROVIDED IN SUBSECTIONS
36 (4)(a) AND (4)(b) OF THIS SECTION, TO THE SCHOOLS OF THE
37 PARTICIPATING SCHOOL DISTRICT IN DIRECT PROPORTION TO THE NUMBER
38 OF STUDENTS ENROLLED IN EACH SCHOOL. THE DISTRIBUTION MUST
39 INCLUDE ALL OF THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT
40 WITHOUT REGARD TO TYPE OF SCHOOL.

41 (d) EACH PLAN MUST:

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

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

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

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

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

22 (5) (a) BEGINNING IN THE 2019-20 BUDGET YEAR AND IN EACH
23 BUDGET YEAR THEREAFTER, THE LOCAL SCHOOL BOARD OF A
24 PARTICIPATING SCHOOL DISTRICT THAT CHOOSES NOT TO ADOPT A PLAN
25 SHALL DISTRIBUTE TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL
26 OF THE PARTICIPATING SCHOOL DISTRICT AN AMOUNT EQUAL TO AT LEAST
27 NINETY-FIVE PERCENT OF THE PARTICIPATING SCHOOL DISTRICT'S PER
28 PUPIL MILL LEVY SHARE FOR THE APPLICABLE BUDGET YEAR MULTIPLIED
29 BY THE NUMBER OF STUDENTS ENROLLED IN THE CHARTER SCHOOL OR THE
30 INNOVATION SCHOOL FOR THE APPLICABLE BUDGET YEAR. IN COUNTING
31 THE NUMBER OF PUPILS ENROLLED IN A CHARTER SCHOOL OR INNOVATION
32 SCHOOL, THE SCHOOL DISTRICT SHALL COUNT A PUPIL ENROLLED IN
33 KINDERGARTEN OR IN A PRESCHOOL PROGRAM AS AT LEAST A HALF-DAY
34 PUPIL AND MAY, AT THE SCHOOL DISTRICT'S DISCRETION, COUNT A PUPIL
35 WHO IS INCLUDED IN THE SCHOOL DISTRICT'S ONLINE PUPIL ENROLLMENT,
36 AS DEFINED IN SECTION 22-54-103.

37 (b) IF A LOCAL SCHOOL BOARD HAS IN PLACE OR ADOPTS A
38 WRITTEN POLICY THAT DIRECTS THE PARTICIPATING SCHOOL DISTRICT TO
39 DISTRIBUTE ANY PORTION OF ITS ADDITIONAL MILL LEVY REVENUE TO
40 SPECIFICALLY BENEFIT STUDENTS ENROLLED IN ALTERNATIVE EDUCATION
41 CAMPUSES, STUDENTS WHO QUALIFY FOR FREE OR REDUCED-PRICE MEALS

1 UNDER THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH
2 ACT", 42 U.S.C. SEC. 1751 ET SEQ., STUDENTS WHO ARE IDENTIFIED AS
3 ENGLISH LANGUAGE LEARNERS UNDER SECTION 22-24-105, OR STUDENTS
4 WHO HAVE INDIVIDUALIZED EDUCATION PROGRAMS UNDER PART 1 OF
5 ARTICLE 20 OF THIS TITLE 22, THE PARTICIPATING SCHOOL DISTRICT MAY
6 CONTINUE DISTRIBUTING THE REVENUE FOR THESE PURPOSES, SO LONG AS:

7 (I) THE AMOUNT DISTRIBUTED FOR EACH STUDENT IS THE SAME
8 REGARDLESS OF THE TYPE OF SCHOOL IN WHICH THE STUDENT IS
9 ENROLLED; AND

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

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

30 (7) THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A
31 CHARTER SCHOOL RECEIVES PURSUANT TO THIS SECTION IS IN ADDITION TO
32 THE AMOUNT OF MONEY THAT THE CHARTER SCHOOL RECEIVES FROM THE
33 SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22.
34 THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT AN INNOVATION
35 SCHOOL RECEIVES PURSUANT TO THIS SECTION IS IN ADDITION TO ANY
36 AMOUNT OF MONEY THAT THE INNOVATION SCHOOL RECEIVES THROUGH
37 THE SCHOOL'S INNOVATION PLAN AS PROVIDED IN ARTICLE 32.5 OF THIS
38 TITLE 22.

39 (8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
40 CONTRARY, IF A SCHOOL DISTRICT AUTHORIZES A CHARTER SCHOOL THAT
41 IS PHYSICALLY LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF

1 ANOTHER SCHOOL DISTRICT, THE CHARTERING SCHOOL DISTRICT IS NOT
2 REQUIRED TO INCLUDE IN THE PLAN DESCRIBED IN SUBSECTION (4) OF THIS
3 SECTION OR IN THE DISTRIBUTION DESCRIBED IN SUBSECTION (5) OF THIS
4 SECTION ANY AMOUNT OF ADDITIONAL MILL LEVY REVENUE FOR STUDENTS
5 WHO ARE ENROLLED IN THE CHARTER SCHOOL BUT DO NOT RESIDE WITHIN
6 THE BOUNDARIES OF THE SCHOOL DISTRICT.

7 (9) BEGINNING JULY 1, 2018, EACH PARTICIPATING SCHOOL
8 DISTRICT SHALL:

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

13 (b) IF THE LOCAL SCHOOL BOARD CHOOSES NOT TO ADOPT A PLAN,
14 FOR THE 2018-19 BUDGET YEAR, POST A STATEMENT OF INTENT TO
15 DISTRIBUTE THE ADDITIONAL MILL LEVY REVENUE AS PROVIDED IN
16 SUBSECTION (5) OF THIS SECTION AND, FOR THE 2019-20 BUDGET YEAR
17 AND ANNUALLY FOR EACH BUDGET YEAR THEREAFTER, POST THE TOTAL
18 AMOUNT OF ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE
19 PARTICIPATING SCHOOL DISTRICT FOR EACH PROPERTY TAX YEAR, THE
20 AMOUNT DISTRIBUTED TO SUPPORT SPECIFIC STUDENT POPULATIONS AS
21 DESCRIBED IN SUBSECTION (5)(b) OF THIS SECTION, AND THE TOTAL
22 AMOUNT DISTRIBUTED TO SUPPORT SAID STUDENT POPULATIONS AND ON
23 A PER-PUPIL BASIS TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL,
24 AS A PERCENTAGE AND AS A DOLLAR AMOUNT.

25 **SECTION 11.** In Colorado Revised Statutes, 22-30.5-105,
26 **amend** (5) as follows:

27 **22-30.5-105. Charter schools - contract contents - regulations.**

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

39 **SECTION 12.** In Colorado Revised Statutes, **amend** 22-44-303
40 as follows:

41 **22-44-303. Definitions.** As used in this part 3, unless the context

1 otherwise requires:

2 (1) "BOARD OF COOPERATIVE SERVICES" OR "BOCES" MEANS A
3 BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF
4 THIS TITLE 22.

5 (2) "CHARTER SCHOOL" MEANS A DISTRICT CHARTER SCHOOL
6 AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22 OR
7 AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 5 OF
8 ARTICLE 30.5 OF THIS TITLE 22.

9 ~~(3)~~ (3) "Department" means the department of education created
10 and operating pursuant to section 24-1-115. ~~C.R.S.~~

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

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

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

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

18 ~~(d) A district charter school authorized pursuant to part 1 of article~~
19 ~~30.5 of this title; or~~

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

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

24 (5) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT, OTHER THAN
25 A LOCAL COLLEGE DISTRICT, ORGANIZED AND EXISTING AS PROVIDED BY
26 LAW.

27 **SECTION 13.** In Colorado Revised Statutes, **amend** 22-44-304
28 as follows:

29 **22-44-304. Financial reporting - online access to information**
30 **- repeal.** (1) (a) Commencing July 1, 2010, and on a continuing basis
31 thereafter, THE INSTITUTE AND each ~~local education provider~~ SCHOOL
32 DISTRICT, BOARD OF COOPERATIVE SERVICES, AND CHARTER SCHOOL shall
33 post the following information online, in a downloadable format, for free
34 public access:

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

39 (II) The ~~local education provider's~~ INSTITUTE'S, SCHOOL
40 DISTRICT'S, BOCES'S, OR CHARTER SCHOOL'S annual audited financial
41 statements, prepared pursuant to section 22-32-109 (1)(k), commencing

1 with the audits prepared for the 2009-10 budget year;

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

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

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

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

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

19 (c) (I) Additionally, commencing July 1, 2012, THE INSTITUTE AND
20 each ~~local education provider~~ SCHOOL DISTRICT, BOARD OF COOPERATIVE
21 SERVICES, AND CHARTER SCHOOL shall post investment performance
22 reports or statements online, in a downloadable format, for free public
23 access.

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

26 (d) (I) Additionally, commencing July 1, 2015, THE INSTITUTE
27 AND each ~~local education provider~~ SCHOOL DISTRICT, BOARD OF
28 COOPERATIVE SERVICES, AND CHARTER SCHOOL shall post in a format that
29 can be downloaded and sorted, for free public access, the ~~local education~~
30 ~~provider's~~ INSTITUTE'S, SCHOOL DISTRICT'S, BOCES'S, OR CHARTER
31 SCHOOL'S actual expenditures, including but not limited to actual salary
32 expenditures and actual benefit expenditures reported by job category
33 specified in the standard chart of accounts, at the ~~local education provider~~
34 INSTITUTE, SCHOOL DISTRICT, AND BOCES level and at the school-site
35 level.

36 (II) Notwithstanding any provision of ~~subparagraph (f) of this~~
37 ~~paragraph (d)~~ SUBSECTION (1)(d)(I) OF THIS SECTION to the contrary, a
38 school district that the department determines is rural, based on the
39 geographic size of the school district and the distance of the school
40 district from the nearest large, urbanized area, and that enrolls fewer than
41 one thousand students in kindergarten through twelfth grade is not

1 required to report expenditures at the school-site level except for those
2 school-site level expenditures that the school district charges any portion
3 of to a district charter school.

4 (e) ADDITIONALLY, COMMENCING JULY 1, 2018, THE INSTITUTE
5 AND EACH SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, AND
6 CHARTER SCHOOL SHALL POST ON ITS WEBSITE FOR FREE PUBLIC ACCESS
7 AN EASILY ACCESSIBLE LINK TO THE FEDERAL FORM 990, 990-EZ, OR
8 990-PF AND ANY ASSOCIATED SCHEDULES THAT THE INSTITUTE, SCHOOL
9 DISTRICT, BOARD OF COOPERATIVE SERVICES, OR CHARTER SCHOOL FILES,
10 IF ANY.

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

14 (I) POST A COPY OF THE SCHOOL DISTRICT'S PLAN FOR
15 DISTRIBUTING THE ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE
16 SCHOOL DISTRICT; OR

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

29 (2) ~~Nothing in this section shall direct or require a local education~~
30 ~~provider~~ THIS SECTION DOES NOT DIRECT OR REQUIRE THE INSTITUTE OR
31 A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, OR CHARTER
32 SCHOOL to post online, pursuant to subsection (1) of this section, personal
33 information relating to payroll, including but not limited to payroll
34 deductions or contributions, or any other information that is confidential
35 or otherwise protected from public disclosure pursuant to state or federal
36 law.

37 (3) (a) THE INSTITUTE AND ~~each local education provider~~ SCHOOL
38 DISTRICT, BOARD OF COOPERATIVE SERVICES, AND CHARTER SCHOOL shall
39 update the information specified in ~~paragraphs (a), (b), and (c) of~~
40 ~~subsection (1)~~ SUBSECTIONS (1)(a) TO (1)(c) AND SUBSECTION (1)(e) of
41 this section within sixty days after the ~~local education provider's~~

1 INSTITUTE'S, SCHOOL DISTRICT'S, BOCES'S, OR CHARTER SCHOOL'S
2 completion or receipt of the applicable report, statement, or document.
3 THE INSTITUTE AND ~~each local education provider~~ SCHOOL DISTRICT,
4 BOCES, AND CHARTER SCHOOL shall update the information specified in
5 ~~paragraph (d) of subsection (1)~~ SUBSECTION (1)(d) of this section annually
6 by a date specified by the financial policies and procedures advisory
7 committee. EACH SCHOOL DISTRICT SHALL UPDATE THE INFORMATION
8 SPECIFIED IN SUBSECTION (1)(f) OF THIS SECTION WITHIN THIRTY DAYS
9 AFTER THE SCHOOL DISTRICT BOARD OF EDUCATION ADOPTS A NEW OR
10 UPDATED PLAN FOR DISTRIBUTION OF ADDITIONAL MILL LEVY REVENUE
11 OR, IF THE SCHOOL DISTRICT DISTRIBUTES THE ADDITIONAL MILL LEVY
12 REVENUE ON A PER-PUPIL BASIS TO THE CHARTER SCHOOLS AND
13 INNOVATION SCHOOLS OF THE SCHOOL DISTRICT, WITHIN THIRTY DAYS
14 AFTER THE END OF EACH BUDGET YEAR.

15 (b) ~~A local education provider~~ THE INSTITUTE AND EACH SCHOOL
16 DISTRICT, BOCES, AND CHARTER SCHOOL shall maintain the prior two
17 budget years' financial information online, in a downloadable format, for
18 free public access, until the end of the ~~local education provider's~~
19 INSTITUTE'S, SCHOOL DISTRICT'S, BOCES'S, OR CHARTER SCHOOL'S current
20 budget year.

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

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

35 **SECTION 14.** In Colorado Revised Statutes, **add 22-44-305** as
36 follows:

37 **22-44-305. Waivers of state statute - reporting.**

38 (1) (a) COMMENCING JULY 1, 2017, AND ON A CONTINUING BASIS
39 THEREAFTER, EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL POST,
40 IN A LOCATION AND FORMAT THAT CAN BE EASILY ACCESSED AND
41 DOWNLOADED, FOR FREE PUBLIC ACCESS ON ITS WEBSITE MAINTAINED

1 PURSUANT TO THIS PART 3 A LIST OF THE STATUTES FOR WHICH THE
2 SCHOOL DISTRICT OR CHARTER SCHOOL HAS RECEIVED A WAIVER FROM
3 THE STATE BOARD OF EDUCATION AND, FOR EACH WAIVER THAT IS NOT AN
4 AUTOMATIC WAIVER, A COPY OF THE PLAN THAT EXPLAINS THE MANNER
5 IN WHICH THE LOCAL EDUCATION PROVIDER WILL MEET THE INTENT OF THE
6 WAIVED STATUTE.

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

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

23 (2) BY JULY 1, 2018, THE DEPARTMENT AND THE INSTITUTE,
24 WORKING WITH A STATEWIDE ASSOCIATION THAT REPRESENTS CHARTER
25 SCHOOLS, SHALL DEVELOP A STANDARDIZED DESCRIPTION FOR EACH
26 STATUTE THAT THE STATE BOARD OF EDUCATION INCLUDES IN THE LIST OF
27 AUTOMATIC WAIVERS FOR CHARTER SCHOOLS PURSUANT TO SECTION
28 22-30.5-104(6) AND THE RATIONALE FOR INCLUDING THE STATUTE ON THE
29 LIST OF AUTOMATIC WAIVERS.

30 (3) EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL UPDATE
31 THE INFORMATION PROVIDED PURSUANT TO SUBSECTION (1) OF THIS
32 SECTION WITHIN THIRTY DAYS AFTER A WAIVER IS REVOKED OR A NEW
33 WAIVER IS GRANTED.

34 **SECTION 15.** In Colorado Revised Statutes, 22-2-117, **amend**
35 (1)(b)(IV) and (1)(b)(V); and **add** (1)(b)(VI) as follows:

36 **22-2-117. Additional power - state board - waiver of**
37 **requirements - rules.** (1) (b) The state board shall not waive any of the
38 requirements specified in any of the following statutory provisions:

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

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

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

5 **SECTION 16.** In Colorado Revised Statutes, 22-30.5-104,
6 **amend** (6)(b), (6)(c)(IV), and (6)(c)(V); and **add** (6)(c)(VI) as follows:
7 **22-30.5-104. Charter school - requirements - authority - rules.**

8 (6) (b) The state board shall promulgate rules that list the automatic
9 waivers for all charter schools. In promulgating the list of automatic
10 waivers, the state board shall consider the overall impact and complexity
11 of the requirements specified in the statute and the potential consequences
12 that waiving the statute may have on the practices of a charter school. IN
13 ACCORDANCE WITH ITS RULE-MAKING AUTHORITY, THE STATE BOARD MAY
14 REVIEW THE LIST OF AUTOMATIC WAIVERS AT ITS DISCRETION.
15 Notwithstanding any provision of this ~~paragraph (b)~~ SUBSECTION (6)(b)
16 to the contrary, the state board shall not include the following statutes on
17 the list of automatic waivers:

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

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

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

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

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

29 (c) A school district, on behalf of a charter school, may apply to
30 the state board for a waiver of a state statute or state rule that is not an
31 automatic waiver. Notwithstanding any provision of this subsection (6)
32 to the contrary, the state board may not waive any statute or rule relating
33 to:

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

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

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

40 **SECTION 17.** In Colorado Revised Statutes, 22-30.5-507,
41 **amend** (7)(a), (7)(b)(IV), and (7)(b)(V); and **add** (7)(b)(VI) as follows:

1 **22-30.5-507. Institute charter school - requirements -**
2 **authority - rules.** (7) (a) Pursuant to the charter contract, an institute
3 charter school may operate free from specified statutes and state board
4 rules. The state board shall promulgate rules that list the automatic
5 waivers for all charter schools, including institute charter schools. In
6 promulgating the list of automatic waivers, the state board shall consider
7 the overall impact and complexity of the requirements specified in the
8 statute and the potential consequences that waiving the statute may have
9 on the practices of a charter school, including an institute charter school.
10 IN ACCORDANCE WITH ITS RULE-MAKING AUTHORITY, THE STATE BOARD
11 MAY REVIEW THE LIST OF AUTOMATIC WAIVERS AT ITS DISCRETION.
12 Notwithstanding any provision of this ~~paragraph (a)~~ SUBSECTION (7)(a)
13 to the contrary, the state board shall not include the following statutes on
14 the list of automatic waivers:
15 (I) Section 22-9-106, concerning the performance evaluation
16 system for licensed personnel;
17 (I.5) SECTION 22-32-109 (1)(b), CONCERNING PROCEDURES FOR
18 COMPETITIVE BIDDING IN THE PURCHASE OF GOODS AND SERVICES, EXCEPT
19 PROFESSIONAL SERVICES;
20 (II) Section 22-32-109 (1)(n)(I) and (1)(n)(II)(B), concerning the
21 annual school calendar; ~~and~~
22 (II.5) SECTION 22-32-110 (1)(y), CONCERNING THE POWER TO
23 ACCEPT AND EXPEND GIFTS, DONATIONS, OR GRANTS; AND
24 (III) Part 2 of article 63 of this ~~title~~ TITLE 22, concerning the
25 employment of licensed personnel.
26 (b) An institute charter school may apply to the state board,
27 through the institute, for a waiver of state statutes and state rules that are
28 not automatic waivers. The state board may waive state statutory
29 requirements or rules promulgated by the state board; except that the state
30 board may not waive any statute or rule relating to:
31 (IV) The provisions of the "Public School Finance Act of 1994",
32 article 54 of this ~~title~~; ~~or~~ TITLE 22;
33 (V) The "Children's Internet Protection Act", article 87 of this ~~title~~
34 TITLE 22; OR
35 (VI) THE REQUIREMENT TO POST ON THE INTERNET THE STATUTES
36 FOR WHICH WAIVERS ARE GRANTED AS PROVIDED IN SECTION 22-44-305.
37 **SECTION 18.** In Colorado Revised Statutes, **add** 22-30.5-513.1
38 as follows:
39 **22-30.5-513.1. Mill levy equalization - fund created -**
40 **legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT SCHOOL
41 DISTRICTS RECEIVE SIGNIFICANT OPERATING REVENUE FROM MILL LEVIES

1 THAT ARE IN ADDITION TO THE SCHOOL DISTRICTS' TOTAL PROGRAM MILL
2 LEVY. THIS ADDITIONAL REVENUE HELPS SCHOOL DISTRICTS OFFSET THE
3 EFFECTS OF THE BUDGET ADJUSTMENT IMPOSED BY SECTION 22-54-104
4 (5)(g). THE GENERAL ASSEMBLY FURTHER FINDS THAT INSTITUTE CHARTER
5 SCHOOLS DO NOT HAVE ACCESS TO ADDITIONAL REVENUE FROM A LOCAL
6 PROPERTY TAX MILL LEVY. THE GENERAL ASSEMBLY FINDS, THEREFORE,
7 THAT IT IS APPROPRIATE TO CONSIDER ADDITIONAL STATE EQUALIZATION
8 FUNDING FOR INSTITUTE CHARTER SCHOOLS.

9 (2) (a) THE MILL LEVY EQUALIZATION FUND, REFERRED TO IN THIS
10 SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY.
11 THE FUND CONSISTS OF ANY AMOUNT THAT THE GENERAL ASSEMBLY MAY
12 APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL
13 CREDIT TO THE FUND ALL INTEREST AND INCOME DERIVED FROM THE
14 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND.

15 (b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
16 ASSEMBLY, THE INSTITUTE SHALL ANNUALLY DISTRIBUTE THE MONEY
17 APPROPRIATED OR TRANSFERRED TO THE FUND TO THE INSTITUTE CHARTER
18 SCHOOLS ON AN EQUAL PER-PUPIL BASIS; EXCEPT THAT, IN ANY BUDGET
19 YEAR, AN INSTITUTE CHARTER SCHOOL SHALL NOT RECEIVE A PER PUPIL
20 AMOUNT THAT IS GREATER THAN THE TOTAL AMOUNT OF ADDITIONAL
21 MILL LEVY REVENUE, AS DEFINED IN SECTION 22-32-108.5, THAT THE
22 ACCOUNTING DISTRICT FOR THE INSTITUTE CHARTER SCHOOL IS
23 AUTHORIZED TO COLLECT, DIVIDED BY THE FUNDED PUPIL COUNT, AS
24 DEFINED IN SECTION 22-54-103, OF THE ACCOUNTING DISTRICT FOR THE
25 APPLICABLE BUDGET YEAR. THE MONEY DISTRIBUTED PURSUANT TO THIS
26 SECTION IS IN ADDITION TO MONEY DISTRIBUTED TO INSTITUTE CHARTER
27 SCHOOLS PURSUANT TO SECTION 22-30.5-513.

28 **SECTION 19.** In Colorado Revised Statutes, 2-2-1902, **amend**
29 **as added by House Bill 17-1340** (1)(j)(II) and (1)(j)(IV) as follows:

30 **2-2-1902. School finance study - issues - hiring consultant.**

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

33 (j) The level of funding for education that is available from the
34 local resources available to each local education provider and the amount
35 of local resources that each district charter school and each institute
36 charter school receives, including consideration of:

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

1 (IV) Other sources of funding for public education, INCLUDING
2 PUBLIC AND PRIVATE GIFTS, GRANTS, AND DONATIONS, available to each
3 institute charter school and each school district, or available to schools of
4 a school district, including district charter schools, individually or by
5 campus, and the amount received from each source; and

6 **SECTION 20. Appropriation.** For the 2017-18 state fiscal year,
7 \$500,000 is appropriated to the department of education. This
8 appropriation is from the state education fund created in section 17 (4)(a)
9 of article IX of the state constitution and is based on an assumption that
10 the department will require an additional 0.4 FTE. To implement this act,
11 the department may use this appropriation for computer science education
12 grants for teachers pursuant to section 22-97-102, C.R.S.

13 **SECTION 21. Effective date.** This act takes effect upon passage;
14 except that section 19 of this act takes effect only if House Bill 17-1340
15 becomes law, and it takes effect either upon the effective date of this act
16 or House Bill 17-1340, whichever is later."

17 Renumber succeeding section accordingly.

** ** ** ** **