A BILL FOR AN ACT
CONCERNING THE FINANCING OF 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.)

Section 1 of the bill increases the statewide base per pupil funding for the 2019-20 budget year by $182.76 to account for inflation, for a new statewide base per pupil funding of $6,951.53.

Section 2 sets the minimum district total program funding for the 2019-20 budget year. The district total program funding reflects a $102 million reduction in the dollar amount of the budget stabilization factor over the prior budget year.

Section 3 amends the professional development and student
support program (program) for English language learners and educators who work with English language learners to distribute money appropriated for the program's services and educator professional development activities proportionately, based on the level of English language proficiency of the students served by the program.

Section 4, for the 2019-20 budget year, distributes $25 million on a per pupil basis to large rural school districts and small rural school districts, including district charter schools and each institute charter school whose accounting district is a large or small rural school district. Large rural school districts share 55% of the appropriation, and small rural school districts share 45% of the appropriation. The bill bases the distribution on a school district's funded pupil count for the 2018-19 budget year. The bill specifies the intended uses of the money.

Section 5 distributes $5 million to school districts, including district charter schools and the state charter school institute schools, to address behavioral health issues in schools. Each school district and the state charter school institute receive an initial allocation of $20,000. The remaining appropriation is then distributed on a per pupil basis to the school district and state charter school institute based on the school district's total funded pupil count for the 2018-19 budget year and the total student enrollment in institute charter schools for the 2018-19 budget year.

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

SECTION 1. In Colorado Revised Statutes, 22-54-104, add (5)(a)(XXVI) as follows:

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

(a)(XXVI) For the 2019-20 budget year, the statewide base per pupil funding is $6,951.53, which is an amount equal to $6,768.77, supplemented by $182.76 to account for inflation.

SECTION 2. In Colorado Revised Statutes, 22-54-104, add (5)(g)(I)(J) as follows:

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

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

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

22-24-108. Professional development and student support program - created - rules. (2) (a) The department shall distribute the amount that the general assembly annually appropriates for the support program as follows:

(I) Seventy-five percent A portion of the amount annually appropriated to local education providers to provide services to English language learners, and professional development activities for educators who work with English language learners, BASED ON THE PERCENTAGE OF CERTIFIED ENGLISH LANGUAGE LEARNERS who:

(A) Speak a language other than English and do not comprehend or speak English; and

(B) Comprehend or speak some English but whose primary comprehension or speech is in a language other than English; and

(C) ARE ELIGIBLE FOR FUNDING PURSUANT TO THE TIME LIMIT SPECIFIED IN SECTION 22-24-104 (2); AND

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

SECTION 4. In Colorado Revised Statutes, add 22-54-141 as follows:
22-54-141. Additional funding for rural schools - 2019-20

budget year - definitions - repeal. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ELIGIBLE INSTITUTE CHARTER SCHOOL" MEANS AN INSTITUTE CHARTER SCHOOL THAT HAS A SMALL RURAL DISTRICT OR A LARGE RURAL DISTRICT AS ITS ACCOUNTING DISTRICT.

(b) "LARGE RURAL DISTRICT" MEANS A DISTRICT THAT THE DEPARTMENT OF EDUCATION DETERMINES IS A RURAL DISTRICT, BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A FUNDED PUPIL COUNT FOR THE 2018-19 BUDGET YEAR OF AT LEAST ONE THOUSAND BUT FEWER THAN SIX THOUSAND FIVE HUNDRED PUPILS IN KINDERGARTEN THROUGH TWELFTH GRADE.

(c) "PER PUPIL DISTRIBUTION AMOUNT" MEANS:

(I) FOR A LARGE RURAL DISTRICT, AN AMOUNT EQUAL TO TWENTY-FIVE MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN SUBSECTION (2)(a)(I) OF THIS SECTION AND THEN DIVIDED BY THE SUM OF THE TOTAL FUNDED PUPIL COUNT FOR THE 2018-19 BUDGET YEAR OF ALL LARGE RURAL DISTRICTS AND THE TOTAL STUDENT ENROLLMENT FOR THE 2018-19 BUDGET YEAR OF ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS THAT HAVE A LARGE RURAL DISTRICT AS THE ACCOUNTING DISTRICT; OR

(II) FOR A SMALL RURAL DISTRICT, AN AMOUNT EQUAL TO TWENTY-FIVE MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN SUBSECTION (2)(a)(II) OF THIS SECTION AND THEN DIVIDED BY THE SUM OF THE TOTAL FUNDED PUPIL COUNT FOR THE 2018-19 BUDGET YEAR OF ALL SMALL RURAL DISTRICTS AND THE TOTAL STUDENT
ENROLLMENT FOR THE 2018-19 BUDGET YEAR OF ALL ELIGIBLE INSTITUTE
CHARTER SCHOOLS THAT HAVE A SMALL RURAL DISTRICT AS THE
ACCOUNTING DISTRICT.

(d) "SMALL RURAL DISTRICT" MEANS A DISTRICT THAT THE
DEPARTMENT OF EDUCATION DETERMINES IS A RURAL DISTRICT, BASED ON
THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE
DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A
FUNDED PUPIL COUNT FOR THE 2018-19 BUDGET YEAR OF FEWER THAN
ONE THOUSAND PUPILS IN KINDERGARTEN THROUGH TWELFTH GRADE.

(2) (a) FOR THE 2019-20 BUDGET YEAR, THE GENERAL ASSEMBLY
SHALL APPROPRIATE TWENTY-FIVE MILLION DOLLARS TO THE DEPARTMENT
OF EDUCATION TO PROVIDE ADDITIONAL FUNDING FOR LARGE RURAL
DISTRICTS, SMALL RURAL DISTRICTS, AND INSTITUTE CHARTER SCHOOLS.
THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE:

(I) FIFTY-FIVE PERCENT OF THE MONEY APPROPRIATED TO LARGE
RURAL DISTRICTS AND TO ELIGIBLE INSTITUTE CHARTER SCHOOLS AS
PROVIDED IN THIS SECTION; AND

(II) FORTY-FIVE PERCENT OF THE MONEY APPROPRIATED TO SMALL
RURAL DISTRICTS AND TO ELIGIBLE INSTITUTE CHARTER SCHOOLS AS
PROVIDED IN THIS SECTION.

(b) LARGE RURAL DISTRICTS, SMALL RURAL DISTRICTS, DISTRICT
CHARTER SCHOOLS, AND ELIGIBLE INSTITUTE CHARTER SCHOOLS THAT
RECEIVE MONEY PURSUANT TO THIS SECTION MAY USE THE MONEY ONLY
FOR NONRECURRING EXPENSES FOR THE PURPOSE OF IMPROVING STUDENT
LEARNING AND THE EDUCATIONAL ENVIRONMENT, INCLUDING BUT NOT
LIMITED TO INITIATIVES THAT HELP ATTRACT EDUCATOR EMPLOYEES,
INITIATIVES TO IMPROVE EDUCATOR TRAINING, INITIATIVES TO RETAIN
EDUCATORS, LOAN FORGIVENESS FOR EDUCATORS AND STAFF, AND TECHNOLOGY.

(3) (a) The Department of Education shall distribute to each large rural district and each small rural district an amount equal to the applicable per pupil distribution amount multiplied by the large rural district’s or small rural district’s funded pupil count for the 2018-19 budget year.

(b) Each large rural district and each small rural district that is the authorizer for a charter school shall distribute to the charter school one hundred percent of an amount equal to the amount received pursuant to subsection (3)(a) of this section divided by the funded pupil count of the large rural district or small rural district for the 2018-19 budget year and then multiplied by the number of students enrolled in the charter school for the 2018-19 budget year.

(4) The Department of Education shall calculate for each eligible institute charter school and distribute to the state charter school institute an amount equal to the applicable per pupil distribution amount multiplied by the number of students enrolled in the eligible institute charter school for the 2018-19 budget year. The state charter school institute shall distribute to each eligible institute charter school one hundred percent of the amount received for the eligible institute charter school pursuant to this subsection (4).

(5) This section is repealed, effective July 1, 2020.

SECTION 5. In Colorado Revised Statutes, add 22-54-142 as follows:
22-54-142. Additional funding to address behavioral health issues in schools - 2019-20 budget year - repeal. (1) For the 2019-20 budget year, the general assembly shall appropriate five million dollars to the department of education to provide additional funding to address behavioral health issues in public schools and to create safe, positive, and successful school environments. The department of education shall distribute the behavioral health funding as provided in subsection (2) of this section.

(2) (a) Of the amount appropriated, the department shall first allocate twenty thousand dollars to each district and to the state charter school institute. The department shall then allocate the remainder of the amount appropriated to each district and the state charter school institute by dividing the remainder of the amount appropriated by the sum of the total funded pupil count for the 2018-19 budget year of all districts and the total number of students enrolled in institute charter schools and multiplying that per pupil amount by the funded pupil count for the 2018-19 budget year for each district or the total pupil enrollment in institute charter schools for the 2018-19 budget year, as applicable.

(b) The department shall distribute to each district and the state charter school institute the initial twenty thousand dollar allocation along with the district's or state charter school institute's per pupil share of the remaining appropriation as a lump sum at the beginning of the 2019-20 budget year.

(3) (a) Each district that is the authorizer for a charter
SCHOOL SHALL DISTRIBUTE TO THE CHARTER SCHOOL ONE HUNDRED
PERCENT OF AN AMOUNT EQUAL TO THE TOTAL AMOUNT RECEIVED
PURSUANT TO SUBSECTION (2) OF THIS SECTION DIVIDED BY THE FUNDED
PUPIL COUNT OF THE DISTRICT FOR THE 2018-19 BUDGET YEAR AND THEN
MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN THE CHARTER
SCHOOL FOR THE 2018-19 BUDGET YEAR.

(b) THE DEPARTMENT OF EDUCATION SHALL CALCULATE FOR EACH
INSTITUTE CHARTER SCHOOL AND DISTRIBUTE TO THE STATE CHARTER
SCHOOL INSTITUTE AN AMOUNT EQUAL TO THE TOTAL AMOUNT RECEIVED
BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO SUBSECTION (2)
OF THIS SECTION DIVIDED BY THE TOTAL ENROLLMENT IN INSTITUTE
CHARTER SCHOOLS FOR THE 2018-19 BUDGET YEAR AND THEN MULTIPLIED
BY THE NUMBER OF STUDENTS ENROLLED IN EACH INSTITUTE CHARTER
SCHOOL FOR THE 2018-19 BUDGET YEAR. THE STATE CHARTER SCHOOL
INSTITUTE SHALL DISTRIBUTE TO EACH INSTITUTE CHARTER SCHOOL ONE
HUNDRED PERCENT OF THE AMOUNT RECEIVED FOR THE INSTITUTE
CHARTER SCHOOL PURSUANT TO THIS SUBSECTION (3).

(4) EACH DISTRICT, DISTRICT CHARTER SCHOOL, AND INSTITUTE
CHARTER SCHOOL THAT RECEIVES A DISTRIBUTION OF MONEY PURSUANT
TO THIS SECTION MAY USE THE MONEY ONLY FOR NONRECURRING
EXPENSES TO ADDRESS BEHAVIORAL HEALTH ISSUES IN SCHOOLS AND TO
CREATE A SAFE, POSITIVE, AND SUCCESSFUL LEARNING ENVIRONMENT FOR
STUDENTS, INCLUDING BUT NOT LIMITED TO PROVIDING STAFF SUPPORTS,
PEER MENTORS, BULLYING PREVENTION ACTIVITIES, SPEAKERS AND
PROGRAMS, STUDENT ADVISING OR COUNSELING, AND SUMMER
OPPORTUNITIES FOR STUDENTS.

(5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2020.
SECTION 6. **Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.