

CHAPTER 19

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 19-1008

BY REPRESENTATIVE(S) Kraft-Tharp and Larson, Soper, Beckman, Bird, Buckner, Buentello, Caraveo, Carver, Catlin, Cutter, Duran, Esgar, Exum, Galindo, Garnett, Geitner, Gonzales-Gutierrez, Gray, Hansen, Hooton, Jackson, Kennedy, Kipp, Lontine, McCluskie, McKean, McLachlan, Melton, Michaelson Jenet, Mullica, Neville, Pelton, Rich, Roberts, Saine, Sandridge, Singer, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Valdez D., Van Winkle, Weissman, Williams D., Becker; also SENATOR(S) Todd and Lundeen, Bridges, Coram, Court, Crowder, Donovan, Fenberg, Fields, Foote, Gardner, Ginal, Hill, Hisey, Lee, Marble, Priola, Rankin, Rodriguez, Smallwood, Sonnenberg, Story, Tate, Williams A., Woodward, Garcia.

AN ACT

CONCERNING THE PROVISION OF GRANTS FOR CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION THROUGH THE "BUILDING EXCELLENT SCHOOLS TODAY ACT".

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

SECTION 1. In Colorado Revised Statutes, 22-43.7-103, **amend** (6); and **add** (6.7) as follows:

22-43.7-103. Definitions. As used in this article 43.7, unless the context otherwise requires:

(6) "Capital construction" has the same meaning as set forth in section 24-30-1301 (2); except that the term also includes technology, as defined in section 22-43.7-109 (5)(a)(I)(B), AND CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION.

(6.7) "CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION" MEANS:

(a) NEW CONSTRUCTION OR RETROFITTING OF PUBLIC SCHOOL FACILITIES FOR CAREER AND TECHNICAL EDUCATION PROGRAMS THAT SATISFY THE STANDARDS PRESCRIBED IN SECTION 23-8-103 (2); AND

(b) EQUIPMENT NECESSARY FOR INDIVIDUAL STUDENT LEARNING AND CLASSROOM INSTRUCTION, INCLUDING EQUIPMENT THAT PROVIDES ACCESS TO INSTRUCTIONAL MATERIALS OR THAT IS NECESSARY FOR PROFESSIONAL USE BY A

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

CLASSROOM TEACHER.

SECTION 2. In Colorado Revised Statutes, 22-43.7-109, **amend** (5)(b); and **add** (5)(b.5) and (14) as follows:

22-43.7-109. Financial assistance for public school capital construction - application requirements - evaluation criteria - local match requirements - technology grants - career and technical education capital construction grants - rules - definition. (5) The board, taking into consideration the financial assistance priority assessment conducted pursuant to section 22-43.7-108, shall prioritize applications that describe public school facility capital construction projects deemed eligible for financial assistance based on the following criteria, in descending order of importance:

(b) Projects that will relieve overcrowding in public school facilities, including but not limited to projects that will allow students to move from temporary instructional facilities into permanent facilities; ~~and~~

(b.5) PROJECTS THAT WILL PROVIDE CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION IN PUBLIC SCHOOL FACILITIES; AND

(14) FOR FISCAL YEAR 2019-20 AND FOR EACH SUCCEEDING FISCAL YEAR, THE BOARD, WITH THE SUPPORT OF THE DIVISION AND SUBJECT TO THE APPROVAL OF THE STATE BOARD REGARDING FINANCIAL ASSISTANCE AWARDS AS SPECIFIED IN THIS SECTION, MAY PROVIDE FINANCIAL ASSISTANCE IN THE FORM OF CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANTS. IN CONJUNCTION WITH ITS ESTABLISHMENT OF AN ANNUAL FINANCIAL ASSISTANCE TIMELINE AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION, THE BOARD SHALL ANNUALLY NOTIFY ALL POTENTIAL APPLICANTS, BY SUCH MEANS AS THE BOARD DEEMS APPROPRIATE, THAT IT WILL ACCEPT AND CONSIDER APPLICATIONS FOR FINANCIAL ASSISTANCE IN THE FORM OF CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANTS. TO BE ELIGIBLE FOR A CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANT, AN APPLICANT FOR FINANCIAL ASSISTANCE MUST APPLY SPECIFICALLY FOR THAT GRANT IN ACCORDANCE WITH THE FINANCIAL ASSISTANCE TIMELINE ESTABLISHED BY THE BOARD PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION AND MUST SUBMIT AN APPLICATION IN THE FORM PRESCRIBED BY THE BOARD PURSUANT TO SUBSECTION (4) OF THIS SECTION. THE BOARD MAY AWARD CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANTS TO FUND CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION PROJECTS. IN AWARDING GRANTS, THE BOARD SHALL CONSIDER WHETHER EACH GRANT APPLICATION DESCRIBES A CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION PROJECT THAT CONCERNS A PROFESSIONAL FIELD THAT IS IDENTIFIED AS A KEY INDUSTRY IN THE MOST RECENT ANNUAL COLORADO TALENT REPORT PRODUCED BY THE STATE WORK FORCE DEVELOPMENT COUNCIL PURSUANT TO SECTION 24-46.3-103 (3). NOTHING IN THIS SUBSECTION (14) PROHIBITS THE BOARD FROM CONSIDERING OTHER FACTORS IN AWARDING AND DENYING CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANTS.

SECTION 3. In Colorado Revised Statutes, 22-43.7-111, **amend** (1)(a)(III), (1)(a)(IV), and (1)(d) introductory portion as follows:

22-43.7-111. Reporting requirements - auditing by state auditor.

(1) Notwithstanding section 24-1-136 (11)(a)(I), no later than February 15, 2010, and no later than each February 15 thereafter, the board shall present a written report to the education and finance committees of the house of representatives and the senate and the capital development committee, or any successor committees, regarding the provision of financial assistance to applicants pursuant to this article 43.7. The report must include, at a minimum:

(a) An accounting of the financial assistance provided through the prior fiscal year that includes:

(III) A list of the public school facility capital construction projects for which financial assistance has been provided, which must include:

(A) A sublist of projects for which financial assistance has been provided in the form of technology grants pursuant to section 22-43.7-109 (13);

(B) A SUBLIST OF PROJECTS FOR WHICH FINANCIAL ASSISTANCE HAS BEEN PROVIDED IN THE FORM OF CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANTS PURSUANT TO SECTION 22-43.7-109 (14);

(C) A brief description of each project;

(D) A statement of the amount and type of financial assistance provided for each project and, where applicable, the amount of financial assistance committed to be provided for but not yet provided for each project;

(E) A statement of the amount of matching ~~moneys~~ MONEY provided by the applicant for each project and, where applicable, the amount of matching ~~moneys~~ MONEY committed to be provided by the applicant but not yet provided for each project; and

(F) A summary of the reasons of the board and the state board for providing financial assistance for the project; and

(IV) A list of the public school facility capital construction projects for which financial assistance has been provided during the prior fiscal year, which must include:

(A) A sublist of projects for which financial assistance has been provided in the form of technology grants pursuant to section 22-43.7-109 (13);

(B) A SUBLIST OF PROJECTS FOR WHICH FINANCIAL ASSISTANCE HAS BEEN PROVIDED IN THE FORM OF CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANTS PURSUANT TO SECTION 22-43.7-109 (14);

(C) A brief description of each project;

(D) A statement of the amount and type of financial assistance provided for each project; and

(E) A statement of the amount of matching ~~moneys~~ MONEY provided by the applicant for each project.

(d) A list of the financial assistance applications for public school facility capital construction that were denied financial assistance during the prior fiscal year, which must include a sublist of denied applications for projects for which financial assistance in the form of technology grants was requested pursuant to section 22-43.7-109 (13) AND A SUBLIST OF DENIED APPLICATIONS FOR WHICH FINANCIAL ASSISTANCE IN THE FORM OF CAREER AND TECHNICAL EDUCATION CAPITAL CONSTRUCTION GRANTS WAS REQUESTED PURSUANT TO SECTION 22-43.7-109 (14), AND that includes for each project:

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 7, 2019