

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

INTRODUCED

LLS NO. 23-1004.03 Jacob Baus x2173

SENATE BILL 23-287

SENATE SPONSORSHIP

Zenzinger and Lundeen,

HOUSE SPONSORSHIP

McLachlan and Kipp,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND, IN**
102 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

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

The bill:

- Increases the statewide base per pupil funding for the 2023-24 budget year by \$598.25, to account for inflation;
- Sets as the new statewide base per pupil funding amount of \$8,076.41 for the 2023-24 budget year; and
- Sets the target number for the 2023-24 budget year at not

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

less than \$9,070,933,129.

Current law includes a 5-year averaging provision, which determines a district's pupil count for each budget year by determining the greater of the funded pupil count for the applicable budget year or an average of one to 4 of the prior budget years. The bill provides a similar averaging provision for the institute charter schools on a per-school basis.

For the 2023-24 budget year, the bill distributes \$30 million to large rural districts and small rural districts, including district charter schools and each institute charter school whose accounting district is a large or small rural district. Large rural districts receive 55% of the appropriation, and small rural districts receive 45% of the appropriation. The bill uses the districts' funded pupil count for the 2022-23 budget year.

The bill amends eligibility criteria for the mill levy override match program to exclude an otherwise eligible school district from receiving a state-funded override mill match if the sum of the district's override mills is equal to or greater than the district's override mill capacity, as defined by statute. For the 2023-24 budget year, the bill requires the transfer of \$23,376,536 from the state education fund to the mill levy override match fund and finds that the override mill match is a program for accountable education reform.

The bill requires the general assembly to appropriate \$300,000 from the state education fund to the department of education (department) for the purpose of reimbursing schools for expenses related to replacing an American Indian mascot, and finds that reimbursing schools for these expenses is a program for accountable education reform.

The bill requires the general assembly to appropriate from the state education fund the amount necessary to provide universal screening to identify gifted children through second grade by the 2027-28 budget year and finds that universal screening is a program for accountable education reform.

The bill specifies that for the purpose of any law, with certain exceptions, that applies to or exempts a public entity or a public official, a charter school has the same status as a school district, and certain persons affiliated with the charter school have the same status as a complementary counterpart in a school district. Furthermore, the bill clarifies the application of certain laws to charter schools.

The bill permits the department of education (department), school districts, and institute charter schools to consider life-cycle costs when contracting for technology.

Under current law, every 3 years, the department is required to prepare a report and evaluation on the successes or failures of charter schools, school reform efforts, and suggested changes to laws affecting charter schools. The bill makes this an annual requirement starting in the 2023-24 budget year.

Under current law, a new at-risk measure in the public school

funding formula must be implemented in the 2023-24 budget year. The bill extends the implementation of this requirement to the 2024-25 budget year, and requires the department to conduct pre-implementation modeling and testing of total program funding using the new at-risk factor, and report modeling and testing findings to the education committees and joint budget committee.

The bill creates a public school finance task force for the purpose of examining and making recommendations concerning school finance. The task force is required to submit a report to the education committees of the senate and house of representatives and the joint budget committee by December 15, 2023. Furthermore, the task force is required to set parameters to examine the adequacy of school finance in Colorado, and the department is required to contract with two independent entities to report their findings by January 1, 2025.

The bill extends child nutrition school lunch protection program funding to be used to offset the costs incurred by a facility school in providing lunch to students who are placed in the facility and eligible to participate in the program.

The bill excludes the costs associated with providing for an independent evaluation from the 20% of the money appropriated to the Colorado imagination library program to be used by the contractor for operating costs.

The bill appropriates \$2.5 million to the mill levy equalization fund from the general fund for the 2023-24 budget year.

The bill appropriates \$500,000 to the department of education for the purpose of translating individualized education program documents if House Bill 23-1263 becomes law.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The annual total program funding of Colorado's schools is a
5 collaborative effort between school districts and the state;

6 (b) In recent years, the stabilization of the state budget has
7 required a reduction in the amount of the annual appropriation to fund the
8 state's share of total program funding for all school districts and institute
9 charter schools. This reduction is commonly referred to as the "budget
10 stabilization factor".

1 (c) The school districts' share of total program funding is
2 primarily derived from nonresidential and residential property tax
3 revenue.

4 (d) Colorado's current economic conditions are mixed. While
5 property values have grown significantly, inflation has grown at its
6 quickest pace in at least forty years. Because the school finance formula
7 grows based upon inflation, there exists increasing state obligations to
8 fund total program due to inflation that do not include a full buy-down of
9 the budget stabilization factor. Furthermore, there is an expectation that
10 inflation will not normalize until 2024, resulting in above normal
11 per-pupil funding growth until the 2025-26 budget year.

12 (e) Colorado's current economic conditions have also limited the
13 amount of state education funds available to the state for the 2023-24
14 budget year. Colorado's wage growth is currently slowing, and the latest
15 office of state planning and budgeting forecast predicts job losses in the
16 2023-24 budget year. Consequently, there is an expectation that income
17 revenue will decline for the 2023-24 budget year, which impacts the
18 money available for diversion from the state education fund.

19 (f) There is, however, a great deal of uncertainty concerning the
20 continuity and longevity of these current economic conditions. Most
21 economists consider the risk of recession to be elevated. A recession
22 would further limit money available for diversion in the state education
23 fund and reduce available general fund resources. Furthermore, a
24 recession would negatively impact the revenue available for total program
25 from local share, due to potential declining property valuations, which
26 consequently would increase the amount of money required of the state
27 to fully fund total program, despite a decrease in state revenue.

1 (2) Therefore, the general assembly declares that it is committed
2 to continuing the efforts to reduce the budget stabilization factor in
3 subsequent budget years to the degree possible, subject to the economic
4 landscape. By embracing a more measured approach, the state can avoid
5 reinstating a budget stabilization factor if the economic environment
6 takes a more negative turn than what is currently forecasted.

7 **SECTION 2.** In Colorado Revised Statutes, 22-54-104, **add**
8 (5)(a)(XXX) and (5)(g)(I)(N) as follows:

9 **22-54-104. District total program - definitions.** (5) For
10 purposes of the formulas used in this section:

11 (a) (XXX) FOR THE 2023-24 BUDGET YEAR, THE STATEWIDE BASE
12 PER PUPIL FUNDING IS \$8,076.41, WHICH IS AN AMOUNT EQUAL TO
13 \$7,478.16, SUPPLEMENTED BY \$598.25 TO ACCOUNT FOR INFLATION.

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

25 (N) THAT, FOR THE 2023-24 BUDGET YEAR, THE SUM OF THE TOTAL
26 PROGRAM FUNDING FOR ALL DISTRICTS, INCLUDING THE FUNDING FOR
27 INSTITUTE CHARTER SCHOOLS, AFTER APPLICATION OF THE BUDGET

1 STABILIZATION FACTOR, IS NOT LESS THAN NINE BILLION SEVENTY MILLION
2 NINE HUNDRED THIRTY-THREE THOUSAND ONE HUNDRED TWENTY-NINE
3 DOLLARS (\$9,070,933,129); EXCEPT THAT THE DEPARTMENT OF
4 EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MAKE
5 MID-YEAR REVISIONS TO REPLACE PROJECTIONS WITH ACTUAL FIGURES,
6 INCLUDING BUT NOT LIMITED TO ACTUAL PUPIL ENROLLMENT, ASSESSED
7 VALUATIONS, AND SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR
8 YEAR, TO DETERMINE ANY NECESSARY CHANGES IN THE AMOUNT OF THE
9 REDUCTION TO MAINTAIN A TOTAL PROGRAM FUNDING AMOUNT FOR THE
10 APPLICABLE BUDGET YEAR THAT IS CONSISTENT WITH THIS SUBSECTION
11 (5)(g)(I)(N). FOR THE 2024-25 BUDGET YEAR, THE DIFFERENCE BETWEEN
12 CALCULATED STATEWIDE TOTAL PROGRAM FUNDING AND ACTUAL
13 STATEWIDE TOTAL PROGRAM FUNDING MUST NOT EXCEED THE DIFFERENCE
14 BETWEEN CALCULATED STATEWIDE TOTAL PROGRAM FUNDING AND
15 ACTUAL STATEWIDE TOTAL PROGRAM FUNDING FOR THE 2023-24 BUDGET
16 YEAR.

17 **SECTION 3.** In Colorado Revised Statutes, 22-54-103, **amend**
18 (7)(f)(II) and (7)(f)(III); and **add** (7)(f)(II.5) and (7)(f)(II.6) as follows:

19 **22-54-103. Definitions.** As used in this article 54, unless the
20 context otherwise requires:

21 (7) "Funded pupil count" means:

22 (f) (II) Notwithstanding any provision of law to the contrary, for
23 purposes of subsection (7)(f)(I) of this section, a district's funded pupil
24 count includes the certified pupil enrollment and online pupil enrollment
25 of each operating institute charter school for which the district is the
26 accounting district, AS PROVIDED PURSUANT TO SUBSECTIONS (7)(f)(II.5)
27 AND (7)(f)(II.6) OF THIS SECTION. The department of education shall add

1 the institute charter school's certified pupil enrollment and online pupil
2 enrollment to the funded pupil count of the district prior to calculating the
3 district's total program pursuant to section 22-54-104.

4 (II.5) FOR PURPOSES OF SUBSECTION (7)(f)(II) OF THIS SECTION,
5 EACH OPERATING INSTITUTE CHARTER SCHOOL'S CERTIFIED PUPIL
6 ENROLLMENT IS THE GREATER OF:

7 (A) THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL
8 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR;

9 (B) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER
10 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND
11 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR
12 THE IMMEDIATELY PRECEDING BUDGET YEAR;

13 (C) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER
14 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND
15 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR
16 THE TWO IMMEDIATELY PRECEDING BUDGET YEARS;

17 (D) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER
18 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND
19 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR
20 THE THREE IMMEDIATELY PRECEDING BUDGET YEARS; OR

21 (E) THE AVERAGE OF THE OPERATING INSTITUTE CHARTER
22 SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND
23 THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR
24 THE FOUR IMMEDIATELY PRECEDING BUDGET YEARS.

25 (II.6) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
26 CONTRARY, FOR PURPOSES OF SUBSECTION (7)(f)(II.5) OF THIS SECTION,
27 AN OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT

1 INCLUDES ITS ONLINE PUPIL ENROLLMENT, EXCEPT FOR MULTI-DISTRICT
2 ONLINE SCHOOL PUPIL ENROLLMENT.

3 (III) The general assembly finds and declares that for the purposes
4 of section 17 of article IX of the state constitution, averaging a district's
5 pupil enrollment for the applicable budget year and the district's pupil
6 enrollment for the four immediately preceding budget years pursuant to
7 subsection (7)(f)(I)(E) of this section, AND THE AVERAGING OF AND
8 OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT AND
9 ONLINE PUPIL ENROLLMENT PURSUANT TO SUBSECTIONS (7)(f)(II.5) AND
10 (7)(f)(II.6), is a program for accountable education reform and may
11 therefore receive funding from the state education fund created in section
12 17 (4) of article IX of the state constitution.

13 **SECTION 4.** In Colorado Revised Statutes, **add 22-54-145** as
14 follows:

15 **22-54-145. Additional funding for rural schools - 2023-24**
16 **budget year - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS
17 THE CONTEXT OTHERWISE REQUIRES:

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

21 (b) "LARGE RURAL DISTRICT" MEANS A DISTRICT THAT THE
22 DEPARTMENT OF EDUCATION DETERMINES IS A RURAL DISTRICT, BASED ON
23 THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE
24 DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A
25 FUNDED PUPIL COUNT FOR THE 2022-23 BUDGET YEAR OF AT LEAST ONE
26 THOUSAND BUT FEWER THAN SIX THOUSAND FIVE HUNDRED PUPILS IN
27 KINDERGARTEN THROUGH TWELFTH GRADE.

1 (c) "PER PUPIL DISTRIBUTION AMOUNT" MEANS:

2 (I) FOR A LARGE RURAL DISTRICT, AN AMOUNT EQUAL TO THIRTY
3 MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN
4 SUBSECTION (2)(a)(I) OF THIS SECTION DIVIDED BY THE SUM OF THE TOTAL
5 FUNDED PUPIL COUNT FOR THE 2022-23 BUDGET YEAR OF ALL LARGE
6 RURAL DISTRICTS AND THE TOTAL STUDENT ENROLLMENT FOR THE
7 2022-23 BUDGET YEAR OF ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS
8 THAT HAVE A LARGE RURAL DISTRICT AS THE ACCOUNTING DISTRICT; OR

9 (II) FOR A SMALL RURAL DISTRICT, AN AMOUNT EQUAL TO THIRTY
10 MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN
11 SUBSECTION (2)(a)(II) OF THIS SECTION DIVIDED BY THE SUM OF THE
12 TOTAL FUNDED PUPIL COUNT FOR THE 2022-23 BUDGET YEAR OF ALL
13 SMALL RURAL DISTRICTS AND THE TOTAL STUDENT ENROLLMENT FOR THE
14 2022-23 BUDGET YEAR OF ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS
15 THAT HAVE A SMALL RURAL DISTRICT AS THE ACCOUNTING DISTRICT.

16 (d) "SMALL RURAL DISTRICT" MEANS A DISTRICT THAT THE
17 DEPARTMENT OF EDUCATION DETERMINES IS A RURAL DISTRICT, BASED ON
18 THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE
19 DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A
20 FUNDED PUPIL COUNT FOR THE 2022-23 BUDGET YEAR OF FEWER THAN
21 ONE THOUSAND PUPILS IN KINDERGARTEN THROUGH TWELFTH GRADE.

22 (2) (a) FOR THE 2023-24 BUDGET YEAR, THE GENERAL ASSEMBLY
23 SHALL APPROPRIATE THIRTY MILLION DOLLARS TO THE DEPARTMENT OF
24 EDUCATION TO PROVIDE ADDITIONAL FUNDING FOR LARGE RURAL
25 DISTRICTS, SMALL RURAL DISTRICTS, AND INSTITUTE CHARTER SCHOOLS.
26 THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE:

27 (I) FIFTY-FIVE PERCENT OF THE MONEY APPROPRIATED TO LARGE

1 RURAL DISTRICTS AND TO ELIGIBLE INSTITUTE CHARTER SCHOOLS THAT
2 HAVE A LARGE RURAL DISTRICT AS THEIR ACCOUNTING DISTRICT AS
3 PROVIDED IN THIS SECTION; AND

4 (II) FORTY-FIVE PERCENT OF THE MONEY APPROPRIATED TO SMALL
5 RURAL DISTRICTS AND TO ELIGIBLE INSTITUTE CHARTER SCHOOLS THAT
6 HAVE A SMALL RURAL DISTRICT AS THEIR ACCOUNTING DISTRICT AS
7 PROVIDED IN THIS SECTION.

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

17 (3) (a) THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE TO
18 EACH LARGE RURAL DISTRICT AND EACH SMALL RURAL DISTRICT AN
19 AMOUNT EQUAL TO THE APPLICABLE PER PUPIL DISTRIBUTION AMOUNT
20 MULTIPLIED BY THE LARGE RURAL DISTRICT'S OR SMALL RURAL DISTRICT'S
21 FUNDED PUPIL COUNT FOR THE 2022-23 BUDGET YEAR.

22 (b) EACH LARGE RURAL DISTRICT AND EACH SMALL RURAL
23 DISTRICT THAT IS THE AUTHORIZER FOR A CHARTER SCHOOL SHALL
24 DISTRIBUTE TO THE CHARTER SCHOOL ONE HUNDRED PERCENT OF AN
25 AMOUNT EQUAL TO THE AMOUNT RECEIVED PURSUANT TO SUBSECTION
26 (3)(a) OF THIS SECTION DIVIDED BY THE FUNDED PUPIL COUNT OF THE
27 LARGE RURAL DISTRICT OR SMALL RURAL DISTRICT FOR THE 2022-23

1 BUDGET YEAR MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN
2 THE CHARTER SCHOOL FOR THE 2022-23 BUDGET YEAR.

3 (4) THE DEPARTMENT OF EDUCATION SHALL CALCULATE FOR EACH
4 ELIGIBLE INSTITUTE CHARTER SCHOOL AND DISTRIBUTE TO THE STATE
5 CHARTER SCHOOL INSTITUTE AN AMOUNT EQUAL TO THE APPLICABLE PER
6 PUPIL DISTRIBUTION AMOUNT MULTIPLIED BY THE NUMBER OF STUDENTS
7 ENROLLED IN THE ELIGIBLE INSTITUTE CHARTER SCHOOL FOR THE 2022-23
8 BUDGET YEAR. THE STATE CHARTER SCHOOL INSTITUTE SHALL DISTRIBUTE
9 TO EACH ELIGIBLE INSTITUTE CHARTER SCHOOL ONE HUNDRED PERCENT
10 OF THE AMOUNT RECEIVED FOR THE ELIGIBLE INSTITUTE CHARTER SCHOOL
11 PURSUANT TO THIS SUBSECTION (4).

12 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

13 **SECTION 5.** In Colorado Revised Statutes, 22-54-107.9, **add** (7)
14 and (8) as follows:

15 **22-54-107.9. Override mill levy match - calculation -**
16 **distribution - fund created - legislative declaration - definitions.** (7)

17 (a) ON JULY 1, 2023, THE STATE TREASURER SHALL TRANSFER
18 TWENTY-THREE MILLION THREE HUNDRED SEVENTY-SIX THOUSAND FIVE
19 HUNDRED THIRTY-SIX DOLLARS FROM THE STATE EDUCATION FUND TO THE
20 MILL LEVY OVERRIDE MATCH FUND.

21 (b) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR THE
22 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
23 PROVIDING ELIGIBLE SCHOOL DISTRICTS AND ELIGIBLE INSTITUTE CHARTER
24 SCHOOLS AN OVERRIDE MILL MATCH PURSUANT TO THIS SECTION IS A
25 PROGRAM FOR ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE
26 RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION
27 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

1 (8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
2 CONTRARY, FOR THE 2022-23 BUDGET YEAR AND BUDGET YEARS
3 THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL NOT CALCULATE
4 AND DISTRIBUTE TO AN ELIGIBLE DISTRICT OR AN ELIGIBLE INSTITUTE
5 CHARTER SCHOOL AN OVERRIDE MILL MATCH AMOUNT AS PROVIDED IN
6 THIS SECTION IF THE SUM OF THE DISTRICT'S OVERRIDE MILLS IS EQUAL TO
7 OR GREATER THAN THE DISTRICT'S OVERRIDE MILL CAPACITY.

8 **SECTION 6.** In Colorado Revised Statutes, 22-1-133, **add** (7) as
9 follows:

10 **22-1-133. Prohibition on use of American Indian mascots -**
11 **exemptions - definitions.** (7) (a) A PUBLIC SCHOOL THAT IS IDENTIFIED
12 TO BE IN VIOLATION OF SUBSECTION (2) OF THIS SECTION FOR USING AN
13 AMERICAN INDIAN MASCOT MAY APPLY TO THE DEPARTMENT OF
14 EDUCATION FOR REIMBURSEMENT OF EXPENSES INCURRED FOR THE
15 2021-22 BUDGET YEAR THROUGH THE 2023-24 BUDGET YEAR THAT WERE
16 NECESSARY TO COMPLY WITH THIS SECTION.

17 (b) (I) ON OR AFTER JULY 1, 2023, THE DEPARTMENT OF
18 EDUCATION SHALL DISTRIBUTE FUNDS FOR REIMBURSEMENT OF EXPENSES
19 INCURRED FOR THE 2021-22 BUDGET YEAR AND THE 2022-23 BUDGET
20 YEAR THAT WERE NECESSARY TO COMPLY WITH THIS SECTION. THE
21 DEPARTMENT OF EDUCATION SHALL FULLY FUND ALL REQUESTS FOR
22 REIMBURSEMENT; EXCEPT THAT IF INSUFFICIENT FUNDS EXIST PURSUANT
23 TO THE APPROPRIATION MADE PURSUANT TO THIS SUBSECTION (7), THE
24 DEPARTMENT SHALL REIMBURSE EXPENSES PROPORTIONATELY.

25 (II) ON OR AFTER JULY 1, 2024, THE DEPARTMENT OF EDUCATION
26 SHALL DISTRIBUTE FUNDS FOR REIMBURSEMENT OF EXPENSES INCURRED
27 FOR THE 2023-24 BUDGET YEAR THAT WERE NECESSARY TO COMPLY WITH

1 THIS SECTION. THE DEPARTMENT OF EDUCATION SHALL FULLY FUND ALL
2 REQUESTS FOR REIMBURSEMENT; EXCEPT THAT IF INSUFFICIENT FUNDS
3 EXIST PURSUANT TO THE APPROPRIATION MADE PURSUANT TO THIS
4 SUBSECTION (7), THE DEPARTMENT SHALL REIMBURSE EXPENSES
5 PROPORTIONATELY.

6 (III) THE DEPARTMENT OF EDUCATION SHALL ESTABLISH A
7 PROCESS AND DEADLINES FOR RECEIVING REQUESTS FOR REIMBURSEMENT
8 PURSUANT TO THIS SUBSECTION (7), THE TIMING FOR DISBURSEMENTS, AND
9 ANY PARAMETERS NECESSARY TO DETERMINE PROPORTIONATE
10 REIMBURSEMENT.

11 (c) THE DEPARTMENT OF EDUCATION SHALL NOT REIMBURSE
12 EXPENSES INCURRED BY A PUBLIC SCHOOL FOR PAYING THE FINE
13 PURSUANT TO SUBSECTION (3) OF THIS SECTION.

14 (d) FOR THE 2023-24 BUDGET YEAR, THE GENERAL ASSEMBLY
15 SHALL APPROPRIATE THREE HUNDRED THOUSAND DOLLARS FROM THE
16 STATE EDUCATION FUND FOR THE PURPOSE OF THIS SUBSECTION (7). ANY
17 UNEXPENDED MONEY REMAINING AT THE END OF THE 2023-24 BUDGET
18 YEAR MAY BE USED BY THE DEPARTMENT OF EDUCATION THROUGH THE
19 2024-25 BUDGET YEAR WITHOUT FURTHER APPROPRIATION AND MUST NOT
20 BE USED FOR ANY OTHER PURPOSE OTHER THAN THE PURPOSES SET FORTH
21 IN THIS SUBSECTION (7).

22 (e) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR THE
23 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
24 PROVIDING REIMBURSEMENT OF EXPENSES PURSUANT TO THIS SUBSECTION
25 (7) THAT WERE INCURRED IN ORDER TO COMPLY WITH THIS SECTION IS A
26 PROGRAM FOR ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE
27 RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION

1 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

2 **SECTION 7.** In Colorado Revised Statutes, 22-1-135, **add** (3) as
3 follows:

4 **22-1-135. Terms and conditions in public school contracts -**
5 **definitions.** (3) (a) FOR CONTRACTS EXECUTED ON OR AFTER JULY 1,
6 2023, WHEN REVIEWING PROPOSALS RECEIVED AND FOR SELECTING THE
7 ENTITY TO PROVIDE TECHNOLOGY, IN ACCORDANCE WITH THE
8 PROCUREMENT LAWS APPLICABLE TO THE DEPARTMENT, SCHOOL DISTRICT,
9 OR INSTITUTE CHARTER SCHOOL, THE DEPARTMENT, SCHOOL DISTRICT, OR
10 INSTITUTE CHARTER SCHOOL MAY CONSIDER LIFE-CYCLE COST.

11 (b) FOR THE PURPOSE OF THIS SUBSECTION (3), UNLESS THE
12 CONTEXT OTHERWISE REQUIRES:

13 (I) "LIFE-CYCLE COST" MEANS THE PURCHASE COST OF
14 TECHNOLOGY MINUS THE RESALE VALUE AT THE END OF THE
15 TECHNOLOGY'S EXPECTED USEFUL LIFE, IN ADDITION TO THE
16 MAINTENANCE INCURRED DURING THE TECHNOLOGY'S EXPECTED USEFUL
17 LIFE.

18 (II) "TECHNOLOGY" MEANS ANY DEVICE, COMPUTER, HARDWARE,
19 SOFTWARE, OR RELATED ACCESSORY.

20 **SECTION 8.** In Colorado Revised Statutes, 22-20-205, **add** (5)
21 as follows:

22 **22-20-205. Gifted education - funding - legislative declaration.**

23 (5) (a) BEGINNING IN THE 2023-24 BUDGET YEAR, THE GENERAL
24 ASSEMBLY SHALL APPROPRIATE FROM THE STATE EDUCATION FUND THE
25 AMOUNT NECESSARY EACH BUDGET YEAR TO PROVIDE BY THE 2027-28
26 BUDGET YEAR FULL UNIVERSAL SCREENING OF ENROLLED STUDENTS NO
27 LATER THAN SECOND GRADE TO IDENTIFY GIFTED CHILDREN AND A

1 SECOND SCREENING OF GIFTED CHILDREN IN CONJUNCTION WITH THE
2 CREATION OF EACH CHILD'S INDIVIDUAL CAREER AND ACADEMIC PLAN.

3 (b) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR THE
4 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
5 PROVIDING FUNDS FOR UNIVERSAL SCREENING FOR THE PURPOSE OF
6 PROVIDING UNIVERSAL SCREENING OF ENROLLED STUDENTS NO LATER
7 THAN SECOND GRADE TO IDENTIFY GIFTED CHILDREN AND A SECOND
8 SCREENING OF GIFTED CHILDREN IN CONJUNCTION WITH THE CREATION OF
9 EACH CHILD'S INDIVIDUAL CAREER AND ACADEMIC PLAN PURSUANT TO
10 THIS SECTION IS A PROGRAM FOR ACCOUNTABLE EDUCATION REFORM AND
11 MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
12 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

13 **SECTION 9.** In Colorado Revised Statutes, **add 22-30.5-104.9**
14 as follows:

15 **22-30.5-104.9. Charter schools - status as public entities -**
16 **requirements - charter school boards of directors and school leaders**
17 **- duties - conflicts - applicable law - definitions.** (1) AS USED IN THIS
18 SECTION:

19 (a) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL CREATED AND
20 OPERATING PURSUANT TO THIS PART 1, AN INSTITUTE CHARTER SCHOOL
21 CREATED AND OPERATING PURSUANT TO PART 5 OF THIS ARTICLE 30.5, A
22 CHARTER SCHOOL NETWORK CREATED AND OPERATING PURSUANT TO
23 SECTION 22-30.5-104.7, A CHARTER SCHOOL COLLABORATIVE CREATED
24 AND OPERATING PURSUANT TO PART 6 OF THIS ARTICLE 30.5, OR A
25 CHARTER SCHOOL CREATED AND OPERATED BY THE COLORADO SCHOOL
26 FOR THE DEAF AND BLIND PURSUANT TO SECTION 22-80-102 (4)(b).

27 (b) "PUBLIC ENTITY" MEANS A PUBLIC BODY, LOCAL PUBLIC BODY,

1 PUBLIC CORPORATION, BODY POLITIC AND CORPORATE, POLITICAL
2 SUBDIVISION, PUBLIC UNIT, OR ANY OTHER DEFINED TERM IN LAW IN
3 WHICH SCHOOL DISTRICTS, INCLUDING CHARTER SCHOOLS, ARE EXPRESSLY
4 INCLUDED IN OR EXEMPT FROM THE PUBLIC SECTOR IN THE DEFINITION OR
5 APPLICATION OF THE DEFINED TERM.

6 (c) "PUBLIC OFFICIAL" MEANS A PUBLIC SERVANT, PUBLIC OFFICER,
7 PUBLIC OFFICE, PUBLIC POSITION, LOCAL OFFICIAL, OR ANY OTHER PERSON
8 WHO SERVES ON A BOARD VESTED WITH THE AUTHORITY OR
9 RESPONSIBILITY TO MAKE DECISIONS FOR A PUBLIC ENTITY IN THE SAME
10 MANNER THAT A SCHOOL DISTRICT BOARD OF EDUCATION OR A
11 SUPERINTENDENT OF SCHOOLS DOES FOR A SCHOOL DISTRICT.

12 (2) FOR THE PURPOSE OF ANY LAW, EXCLUDING TITLE 1, TITLE 7,
13 AND THIS TITLE 22, THAT APPLIES TO OR EXEMPTS A PUBLIC ENTITY OR
14 THAT APPLIES TO OR EXEMPTS A PUBLIC OFFICIAL:

15 (a) A CHARTER SCHOOL HAS THE SAME PUBLIC STATUS AS A PUBLIC
16 SCHOOL THAT IS GEOGRAPHICALLY LOCATED IN THE SAME SCHOOL
17 DISTRICT;

18 (b) A MEMBER OF THE BOARD OF DIRECTORS OF A CHARTER
19 SCHOOL HAS THE SAME STATUS AS A MEMBER OF A BOARD OF EDUCATION;
20 AND

21 (c) A SCHOOL LEADER OF A CHARTER SCHOOL HAS THE SAME
22 STATUS AS A SCHOOL DISTRICT SUPERINTENDENT.

23 (3) A CHARTER SCHOOL THAT IS OPERATING ON THE EFFECTIVE
24 DATE OF THIS SECTION SHALL PROVIDE THE INFORMATION REQUIRED FOR
25 AN INVENTORY OF LOCAL GOVERNMENT PURSUANT TO SECTION 24-32-116
26 TO THE DEPARTMENT OF LOCAL AFFAIRS WITHIN NINETY DAYS AFTER THE
27 EFFECTIVE DATE OF THIS SECTION. A CHARTER SCHOOL THAT BEGINS

1 OPERATING AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL PROVIDE
2 SUCH INFORMATION TO THE DEPARTMENT OF LOCAL AFFAIRS WITHIN
3 NINETY DAYS AFTER BECOMING A CHARTER SCHOOL AS DETERMINED
4 PURSUANT TO SUBSECTION (7) OF THIS SECTION.

5 (4) A PERSON WHO IS A DIRECTOR ON A CHARTER SCHOOL BOARD
6 OF DIRECTORS ON THE EFFECTIVE DATE OF THIS SECTION SHALL TAKE,
7 SIGN, AND FILE AN OATH OF OFFICE PURSUANT TO SECTION 24-12-101
8 WITHIN EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION. A
9 PERSON WHO BECOMES A DIRECTOR ON A CHARTER SCHOOL BOARD OF
10 DIRECTORS AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL TAKE,
11 SIGN, AND FILE AN OATH OF OFFICE PURSUANT TO SECTION 24-12-101 NO
12 LATER THAN EIGHTY DAYS AFTER BECOMING A DIRECTOR ON THE CHARTER
13 SCHOOL BOARD OF DIRECTORS.

14 (5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND
15 UNLESS OTHERWISE STATED IN TITLE 7, IF THERE IS A CONFLICT BETWEEN
16 A LAW THAT IS SPECIFICALLY APPLICABLE TO CHARTER SCHOOLS AND ANY
17 PROVISION IN TITLE 7, THE LAW THAT IS SPECIFICALLY APPLICABLE TO
18 CHARTER SCHOOLS PREVAILS.

19 (6) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2) OF
20 THIS SECTION, EACH CHARTER SCHOOL IS SUBJECT TO THE PROVISIONS OF
21 SECTION 1-45-117 AS A POLITICAL SUBDIVISION OF THE STATE.

22 (7) FOR PURPOSES OF ANY LAW THAT IS MADE APPLICABLE TO
23 CHARTER SCHOOLS PURSUANT TO THIS SECTION, A CHARTER SCHOOL
24 APPLICANT IS DEEMED TO HAVE BECOME A CHARTER SCHOOL ON JULY 1
25 FOLLOWING THE EXECUTION OF A CONTRACT BY THE APPLICANT.

26 **SECTION 10.** In Colorado Revised Statutes, 22-30.5-113,
27 **amend** (1) and (2) as follows:

1 **22-30.5-113. State board - department of education - duties -**
2 **charter schools - evaluation - report.** (1) Notwithstanding section
3 24-1-136 (11)(a)(I), beginning in the 2004-05 budget year, and at least
4 every three years thereafter THROUGH THE 2021-22 BUDGET YEAR, the
5 department shall prepare a report and evaluation for the governor and the
6 house and senate committees on education on the success or failure of
7 charter schools and of institute charter schools authorized pursuant to part
8 5 of this article 30.5, their relationship to other school reform efforts, and
9 suggested changes in state law necessary to strengthen or change the
10 charter school program described in this article 30.5. THE DEPARTMENT
11 IS AUTHORIZED TO COLLECT INFORMATION AS NECESSARY TO PREPARE THE
12 REPORT. BEGINNING IN THE 2023-24 BUDGET YEAR, THE DEPARTMENT
13 SHALL ANNUALLY PREPARE A REPORT AND EVALUATION DESCRIBED IN
14 THIS SUBSECTION (1).

15 (2) The state board shall compile evaluations of charter schools
16 received from local boards of education and evaluations of institute
17 charter schools prepared by the state charter school institute created in
18 section 22-30.5-503. The state board shall review AND REPORT ON
19 information regarding the statutes, regulations, and policies GOVERNING
20 CHARTER SCHOOL OVERSIGHT AND SUPPORT AND STATUTES,
21 REGULATIONS, AND POLICIES from which charter schools were released
22 pursuant to section 22-30.5-105 and from which institute charter schools
23 were released pursuant to section 22-30.5-508 to determine if the releases
24 assisted or impeded the charter schools or the institute charter schools in
25 meeting their stated goals and objectives.

26 **SECTION 11.** In Colorado Revised Statutes, 22-54-104.6,
27 **amend** (3) introductory portion, (4), (10)(b), and (12); and **add** (11.3) and

1 (11.5) as follows:

2 **22-54-104.6. Implementation of at-risk measure - working**
3 **group - creation - department duties - reports - legislative declaration**

4 **- definitions - repeal.** (3) Beginning in the ~~2023-24~~ 2024-25 budget
5 year, there is created a new at-risk measure in the public school funding
6 formula for identifying students who are at risk of below-average
7 academic outcomes because of socioeconomic disadvantage or poverty.

8 The new at-risk measure replaces the at-risk measure in effect for the
9 ~~2022-23~~ 2023-24 budget year. The new at-risk measure is designed to
10 allocate financial resources to public schools to serve the needs of at-risk
11 students. The new at-risk measure includes:

12 (4) On or before August 15, 2022, the commissioner shall
13 convene a working group to prepare for the implementation in the
14 ~~2023-24~~ 2024-25 budget year of the new at-risk measure created in
15 subsection (3) of this section.

16 (10) Not later than January 31, 2023, the commissioner shall
17 submit a report to the legislative interim committee on school finance, the
18 joint budget committee, and the education committees of the house of
19 representatives and the senate, or any successor committees, including:

20 (b) Findings and recommendations of the working group for
21 implementation of the new at-risk measure, ~~for the 2023-24 budget year~~
22 including recommendations for any legislation necessary to implement
23 the new at-risk measure, as well as financial resources needed to
24 administer the new at-risk measure;

25 (11.3) THE DEPARTMENT OF EDUCATION SHALL COLLECT DATA
26 NECESSARY TO IDENTIFY INDIVIDUAL STUDENT CENSUS BLOCK GROUPS.

27 (11.5)(a) IN ORDER TO PREPARE FOR THE IMPLEMENTATION OF THE

1 NEW AT-RISK MEASURE FOR THE 2024-25 BUDGET YEAR, THE DEPARTMENT
2 OF EDUCATION SHALL CONDUCT PRE-IMPLEMENTATION MODELING AND
3 TESTING OF THE NEW AT-RISK MEASURE USING ACTUAL STUDENT DATA
4 FOR EACH DISTRICT AND CHARTER SCHOOL. AT A MINIMUM, THE
5 DEPARTMENT SHALL SIMULATE 2024-25 BUDGET YEAR TOTAL PROGRAM
6 CALCULATIONS, INCLUDING THE NEW AT-RISK MEASURE RECOMMENDED
7 BY THE WORKING GROUP INSTEAD OF THE AT-RISK MEASURE IN EFFECT FOR
8 THE 2023-24 BUDGET YEAR.

9 (b) NOT LATER THAN JANUARY 5, 2024, THE COMMISSIONER OF
10 EDUCATION SHALL SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF
11 THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
12 COMMITTEES, AND THE JOINT BUDGET COMMITTEE, INCLUDING:

13 (I) A SUMMARY OF THE OUTCOMES OF THE MODELING AND TESTING
14 USING THE NEW AT-RISK MEASURE, AND THE ANTICIPATED EFFECTS ON THE
15 COST OF TOTAL PROGRAM FUNDING;

16 (II) AN IDENTIFICATION OF ISSUES ENCOUNTERED IN THE
17 MODELING AND TESTING USING THE NEW AT-RISK MEASURE; AND

18 (III) RECOMMENDATIONS FOR ANY LEGISLATION NECESSARY TO
19 IMPLEMENT THE NEW AT-RISK MEASURE FOR THE 2024-25 BUDGET YEAR,
20 AS WELL AS FINANCIAL RESOURCES NEEDED TO ADMINISTER THE NEW
21 AT-RISK MEASURE.

22 (12) ~~This section is~~ SUBSECTIONS (4) TO (11) OF THIS SECTION ARE
23 repealed, effective July 1, 2025.

24 **SECTION 12.** In Colorado Revised Statutes, **add** 22-54-104.7 as
25 follows:

26 **22-54-104.7. Public school finance - task force - creation -**
27 **duties - report - definitions - repeal.** (1) NO LATER THAN JULY 1, 2023,

1 THE COMMISSIONER SHALL CREATE AND CONVENE THE PUBLIC SCHOOL
2 FINANCE TASK FORCE.

3 (a) THE TASK FORCE MEMBERSHIP CONSISTS OF THE FOLLOWING
4 VOTING MEMBERS:

5 (I) APPOINTED BY THE PRESIDENT OF THE SENATE:

6 (A) ONE MEMBER WHO IS A SUPERINTENDENT OF A SCHOOL
7 DISTRICT WHOSE DISTRICT PERCENTAGE OF AT-RISK PUPILS IS GREATER
8 THAN THE STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS;

9 (B) ONE MEMBER WHO IS A CHIEF FINANCIAL OFFICER OF A SCHOOL
10 DISTRICT WHOSE DISTRICT PERCENTAGE OF ENGLISH LANGUAGE LEARNER
11 PUPILS IS GREATER THAN THE STATEWIDE AVERAGE PERCENTAGE OF
12 ENGLISH LANGUAGE LEARNER PUPILS;

13 (C) ONE MEMBER WHO REPRESENTS AN ORGANIZATION THAT
14 REPRESENTS TEACHERS;

15 (D) ONE MEMBER WHO REPRESENTS AN ORGANIZATION WITH
16 EXPERTISE IN SCHOOL FINANCE; AND

17 (E) ONE MEMBER WHO IS A PRINCIPAL;

18 (II) APPOINTED BY THE MINORITY LEADER OF THE SENATE:

19 (A) ONE MEMBER WHO IS A SUPERINTENDENT OF A SCHOOL
20 DISTRICT WHOSE AVERAGE ASSESSED PROPERTY VALUE IS LESS THAN THE
21 STATEWIDE AVERAGE OF ASSESSED PROPERTY VALUE;

22 (B) ONE MEMBER WHO IS A SCHOOL LEADER OF A CHARTER
23 SCHOOL THAT IS A DISTRICT CHARTER SCHOOL WITHIN A RURAL SCHOOL
24 DISTRICT OR SMALL RURAL SCHOOL DISTRICT, OR AN INSTITUTE CHARTER
25 SCHOOL THAT IS LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF A
26 RURAL SCHOOL DISTRICT OR SMALL RURAL SCHOOL DISTRICT;

27 (C) ONE MEMBER WHO REPRESENTS AN ORGANIZATION WITH

1 EXPERTISE IN SCHOOL FINANCE; AND

2 (D) ONE MEMBER WHO REPRESENTS AN ORGANIZATION THAT
3 REPRESENTS CHILDREN AND FAMILIES;

4 (III) APPOINTED BY THE SPEAKER OF THE HOUSE OF
5 REPRESENTATIVES:

6 (A) ONE MEMBER WHO IS A SUPERINTENDENT OF A RURAL SCHOOL
7 DISTRICT OR SMALL RURAL SCHOOL DISTRICT;

8 (B) ONE MEMBER WHO IS A SCHOOL LEADER OF A CHARTER
9 SCHOOL WITH A PERCENTAGE OF ENGLISH LANGUAGE LEARNER PUPILS
10 THAT IS GREATER THAN THE STATEWIDE AVERAGE PERCENTAGE OF
11 ENGLISH LANGUAGE LEARNER PUPILS IN CHARTER SCHOOLS;

12 (C) TWO MEMBERS WHO REPRESENT ORGANIZATIONS WITH
13 EXPERTISE IN SCHOOL FINANCE; AND

14 (D) ONE MEMBER WHO IS A TEACHER;

15 (IV) APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF
16 REPRESENTATIVES:

17 (A) ONE MEMBER WHO IS A CHIEF FINANCIAL OFFICER OF A SMALL
18 RURAL SCHOOL DISTRICT;

19 (B) ONE MEMBER WHO REPRESENTS THE CHARTER SCHOOL
20 INSTITUTE; AND

21 (C) ONE MEMBER WHO REPRESENTS AN ORGANIZATION WITH
22 EXPERTISE IN BUSINESS AND KINDERGARTEN THROUGH TWELFTH GRADE
23 EDUCATION.

24 (b) THE TASK FORCE MEMBERSHIP CONSISTS OF THE FOLLOWING
25 NON-VOTING MEMBERS:

26 (I) THE DIRECTOR OF THE LEGISLATIVE COUNCIL STAFF, OR THE
27 DIRECTOR'S DESIGNEE;

1 (II) THE DIRECTOR OF THE JOINT BUDGET COMMITTEE STAFF, OR
2 THE DIRECTOR'S DESIGNEE; AND

3 (III) THE COMMISSIONER'S DESIGNEE FROM THE DEPARTMENT OF
4 EDUCATION WHO HAS TECHNICAL EXPERTISE IN SCHOOL FINANCE.

5 (3) AT THE FIRST TASK FORCE MEETING, THE TASK FORCE SHALL
6 ELECT A VOTING MEMBER TO SERVE AS CHAIR OF THE TASK FORCE;
7 ESTABLISH PROCEDURES, INCLUDING PROCEDURES PERMITTING REMOTE
8 PARTICIPATION; DEVELOP BEST PRACTICES FOR MEETINGS; AND CREATE AN
9 ENGAGEMENT PLAN FOR STAKEHOLDERS AND EXPERTS TO INFORM AND
10 SUPPORT THE TASK FORCE. THE TASK FORCE SHALL MEET AT THE CALL OF
11 THE CHAIR AT LEAST SIX TIMES FOLLOWING THE FIRST MEETING FROM JULY
12 2023 THROUGH DECEMBER 2023. THE TASK FORCE IS A STATE PUBLIC
13 BODY FOR PURPOSES OF SECTION 24-6-402, AND MEETINGS OF THE TASK
14 FORCE ARE SUBJECT TO SECTION 24-6-402. THE TASK FORCE IS SUBJECT TO
15 THE PROVISIONS OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF
16 ARTICLE 72 OF TITLE 24.

17 (4)(a) THE TASK FORCE MEMBERS SERVE WITHOUT COMPENSATION
18 BUT MAY BE REIMBURSED FOR EXPENSES DIRECTLY RELATING TO THEIR
19 SERVICE ON THE TASK FORCE.

20 (b) IF A VACANCY OCCURS, THE ORIGINAL APPOINTING AUTHORITY
21 SHALL PROMPTLY APPOINT A NEW MEMBER WHO MEETS THE SAME
22 REQUIREMENTS AS THE MEMBER WHO VACATED THE TASK FORCE.

23 (5)(a) THE DEPARTMENT OF EDUCATION SHALL PROVIDE TO THE
24 TASK FORCE STAFF SUPPORT, MEETING SPACE, AND AUDIO-VISUAL
25 COMMUNICATION TECHNOLOGY RESOURCES, UPON REQUEST OF THE CHAIR.

26 (b) THE DEPARTMENT SHALL CONTRACT WITH A THIRD-PARTY
27 ENTITY WITH EXPERTISE IN TASK FORCE FACILITATION, STAKEHOLDER

1 INPUT, AND SCHOOL FINANCE POLICY TO ASSIST WITH THE
2 ADMINISTRATION OF THE TASK FORCE AND DRAFTING THE REPORT
3 PURSUANT TO SUBSECTION (7) OF THIS SECTION.

4 (6) THE TASK FORCE SHALL EXAMINE AND MAKE
5 RECOMMENDATIONS CONCERNING MAKING THE SCHOOL FINANCE
6 FORMULA MORE ADEQUATE, TRANSPARENT, EQUITABLE, AND
7 STUDENT-CENTERED, INCLUDING MAKING FINDINGS AND
8 RECOMMENDATIONS FOR THE FOLLOWING CHANGES TO OCCUR FOR THE
9 2024-25 BUDGET YEAR:

10 (a) MAKING THE FORMULA SIMPLER AND MORE UNDERSTANDABLE
11 AND TRANSPARENT, INCLUDING ELIMINATING THE USE OF MULTIPLICATIVE
12 INDEXES FOR COST OF LIVING, PERSONNEL AND NON-PERSONNEL COSTS,
13 AND DISTRICT SIZE;

14 (b) REDUCING THE REGRESSIVE IMPACT OF THE FORMULA,
15 INCLUDING RECALIBRATING THE COST OF LIVING FACTOR, CAPPING THE
16 COST OF LIVING FACTOR, OR ALTERNATIVE METHODS TO ACCOUNT FOR THE
17 COST OF LIVING, INCLUDING THROUGH CATEGORICAL FUNDING. A
18 RECOMMENDATION CONCERNING A REVISED COST OF LIVING FACTOR MUST
19 BE ABLE TO REGULARLY CHANGE AS A RESULT OF THE BIENNIAL COST OF
20 LIVING STUDY.

21 (c) PRIORITIZING STUDENT NEEDS IN THE FORMULA, INCLUDING
22 MEASURES, TO THE EXTENT POSSIBLE, THAT ALIGN THE AT-RISK FACTOR,
23 ENGLISH LANGUAGE LEARNER FACTOR, AND SPECIAL EDUCATION
24 CATEGORICAL FUNDING BASED UPON AVAILABLE EVIDENCE-BASED
25 RESEARCH ON STUDENT-CENTERED FUNDING THAT HAS A DIRECT IMPACT
26 ON STUDENT OUTCOMES;

27 (d) REVISING THE SIZE FACTOR TO INCORPORATE CONSIDERATIONS

1 OTHER THAN OR IN ADDITION TO STUDENT ENROLLMENT, INCLUDING THE
2 REMOTENESS OF A SCHOOL DISTRICT; AND

3 (e) SECURING EQUALIZATION IN MILL LEVY OVERRIDES FOR
4 INSTITUTE CHARTER SCHOOLS BASED UPON THE SCHOOL DISTRICT WHERE
5 THE INSTITUTE CHARTER SCHOOL IS GEOGRAPHICALLY LOCATED,
6 INCLUDING CONSIDERATIONS FOR STUDENTS WHO DO NOT RESIDE IN THE
7 SCHOOL DISTRICT WHERE THE INSTITUTE CHARTER SCHOOL IS
8 GEOGRAPHICALLY LOCATED, MULTI-DISTRICT ONLINE PROGRAMS, AND
9 TOTAL PROGRAM FUNDING.

10 (7) (a) NOT LATER THAN DECEMBER 15, 2023, THE TASK FORCE
11 SHALL SUBMIT A REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE
12 EDUCATION COMMITTEES OF THE SENATE AND HOUSE OF
13 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND THE JOINT
14 BUDGET COMMITTEE.

15 (b) THE TASK FORCE'S REPORT MUST INCLUDE FINDINGS OF ACTUAL
16 OUTCOMES ON SCHOOL DISTRICTS AND INSTITUTE CHARTER SCHOOLS IF
17 THE RECOMMENDATIONS WERE ADOPTED.

18 (8) (a) NOT LATER THAN DECEMBER 15, 2023, THE TASK FORCE
19 SHALL DEVELOP THE PARAMETERS FOR A STUDY TO EXAMINE AND MAKE
20 RECOMMENDATIONS CONCERNING THE COMPONENTS AND COSTS
21 NECESSARY TO ADEQUATELY PROVIDE COLORADO STUDENTS A FREE AND
22 UNIFORM PUBLIC EDUCATION.

23 (b) NOT LATER THAN FEBRUARY 1, 2024, THE DEPARTMENT OF
24 EDUCATION SHALL CONTRACT WITH TWO INDEPENDENT ENTITIES, EACH OF
25 WHOM SHALL CONDUCT A STUDY AND PUBLISH A REPORT CONCERNING THE
26 PARAMETERS DEVELOPED BY THE TASK FORCE PURSUANT TO SUBSECTION
27 (8)(a) OF THIS SECTION.

1 (c) IN SELECTING THE TWO INDEPENDENT ENTITIES, THE
2 DEPARTMENT OF EDUCATION SHALL SELECT ENTITIES THAT REPRESENT
3 DIFFERENT PERSPECTIVES CONCERNING SCHOOL FINANCE FOR THE
4 PURPOSE OF GENERATING DIFFERENT EXAMINATIONS AND
5 RECOMMENDATIONS CONCERNING THE COMPONENTS AND COSTS
6 NECESSARY TO ADEQUATELY PROVIDE COLORADO STUDENTS A FREE AND
7 UNIFORM PUBLIC EDUCATION.

8 (d) NOT LATER THAN JANUARY 1, 2025, THE TWO INDEPENDENT
9 ENTITIES SHALL SUBMIT THEIR REPORTS OF FINDINGS AND
10 RECOMMENDATIONS TO THE TASK FORCE. NOT LATER THAN JANUARY 3,
11 2025, THE COMMISSIONER SHALL SUBMIT THE REPORTS TO THE EDUCATION
12 COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY
13 SUCCESSOR COMMITTEES, AND THE JOINT BUDGET COMMITTEE.

14 (9) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
15 REQUIRES:

16 (a) "COMMISSIONER" MEANS THE COMMISSIONER OF EDUCATION
17 APPOINTED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE
18 CONSTITUTION.

19 (b) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
20 COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL,
21 BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE
22 FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A FUNDED
23 PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ONE THOUSAND PUPILS OR
24 MORE BUT LESS THAN SIX THOUSAND FIVE HUNDRED PUPILS.

25 (c) "SMALL RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT
26 IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS
27 SMALL RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE

1 DISTANCE FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD
2 A FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF LESS THAN ONE
3 THOUSAND PUPILS.

4 (d) "TASK FORCE" MEANS THE PUBLIC SCHOOL FINANCE TASK
5 FORCE CREATED PURSUANT TO THIS SECTION.

6 (10) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

7 **SECTION 13.** In Colorado Revised Statutes, 22-82.9-103, **add**
8 (1.5) as follows:

9 **22-82.9-103. Definitions.** As used in this part 1, unless the
10 context otherwise requires:

11 (1.5) "FACILITY SCHOOL" MEANS AN EDUCATIONAL PROGRAM
12 THAT IS OPERATED BY A FACILITY TO PROVIDE EDUCATIONAL SERVICES TO
13 STUDENTS PLACED IN THE FACILITY AND THAT, PURSUANT TO SECTION
14 22-2-407 (2), HAS BEEN PLACED ON THE LIST OF FACILITY SCHOOLS THAT
15 ARE APPROVED TO RECEIVE REIMBURSEMENT FOR PROVIDING
16 EDUCATIONAL SERVICES TO STUDENTS PLACED IN A FACILITY.

17 **SECTION 14.** In Colorado Revised Statutes, 22-82.9-104,
18 **amend** (4)(a) as follows:

19 **22-82.9-104. Child nutrition school lunch protection program**
20 **- creation - administration - objectives.** (4) The objectives of the
21 program are to:

22 (a) Eliminate the reduced price paid by Colorado students who are
23 enrolled in state-subsidized early childhood education programs
24 administered by public schools or in kindergarten through twelfth grade
25 and who are participating in the school lunch program, AND TO ELIMINATE
26 THE REDUCED PRICE PAID BY COLORADO STUDENTS WHO ARE RECEIVING
27 EDUCATIONAL SERVICES FROM A FACILITY SCHOOL AND WHO ARE

1 PARTICIPATING IN THE SCHOOL LUNCH PROGRAM;

2 **SECTION 15.** In Colorado Revised Statutes, 22-82.9-105,
3 **amend** (1) as follows:

4 **22-82.9-105. Program funding.** (1) For each fiscal year, the
5 general assembly shall make an appropriation by separate line item in the
6 annual general appropriation bill to allow school food authorities to
7 provide lunches at no charge for children in state-subsidized early
8 childhood education programs administered by public schools or in
9 kindergarten through twelfth grade, participating in the school lunch
10 program, who would otherwise be required to pay a reduced price for
11 lunch AND TO OFFSET THE COSTS INCURRED BY A FACILITY SCHOOL IN
12 PROVIDING LUNCH TO STUDENTS WHO ARE PLACED IN THE FACILITY AND
13 ARE ELIGIBLE TO PARTICIPATE IN THE SCHOOL LUNCH PROGRAM. The
14 appropriation to the department for the program must be in addition to
15 any appropriation made by the general assembly pursuant to section
16 22-54-123 or 22-54-123.5 (1). The department may expend not more than
17 two percent of the money annually appropriated for the program to offset
18 the direct and indirect costs incurred by the department in implementing
19 the program pursuant to this part 1.

20 **SECTION 16.** In Colorado Revised Statutes, **amend** 22-82.9-106
21 as follows:

22 **22-82.9-106. Program - procedures.** The department shall
23 develop procedures to allocate and disburse the moneys in the program
24 among participating school food authorities AND FACILITY SCHOOLS each
25 year, in an equitable manner and in compliance with the requirements of
26 the federal "Richard B. Russell National School Lunch Act", 42 U.S.C.
27 sec. 1751 et seq.

1 **SECTION 17.** In Colorado Revised Statutes, 24-32-116, **amend**
2 (1)(d); and **add** (3)(c) as follows:

3 **24-32-116. Inventory of local governmental entities -**
4 **information required - definitions.** (1) As used in this section, unless
5 the context otherwise requires:

6 (d) "Local governmental entity" means a city, county, city and
7 county, special district, school district, CHARTER SCHOOL, AS DEFINED IN
8 SECTION 22-30.5-104.9, or other unit of local government.

9 (3) (c) NOTWITHSTANDING THE DATE SPECIFIED IN SUBSECTION
10 (3)(a) OF THIS SECTION, A LOCAL GOVERNMENTAL ENTITY THAT IS A
11 CHARTER SCHOOL SHALL SUBMIT THE INFORMATION REQUIRED IN
12 SUBSECTIONS (3)(a)(I) TO (3)(a)(V) OF THIS SECTION TO THE DEPARTMENT
13 OF EDUCATION NO LATER THAN THE DATE SPECIFIED IN SECTION
14 22-30.5-104.9 OR NO LATER THAN NINETY DAYS AFTER BECOMING A
15 CHARTER SCHOOL PURSUANT TO SECTION 22-30.5-104.9 (7) AND SHALL
16 UPDATE SUCH INFORMATION PURSUANT TO SUBSECTION (3)(b) OF THIS
17 SECTION.

18 **SECTION 18.** In Colorado Revised Statutes, 24-90-120, **amend**
19 (6)(c) as follows:

20 **24-90-120. Colorado imagination library program - creation**
21 **- request for proposal - state librarian duties - report - legislative**
22 **declaration - definitions.** (6) (c) Twenty percent of money appropriated
23 for the 2021-22 state fiscal year, and each fiscal year thereafter, may be
24 used for the contractor operating the program for duties set forth in
25 subsections (2)(a) to ~~(2)(f)~~ (2)(d) AND (2)(f) of this section.

26 **SECTION 19. Appropriation.** (1) For the 2023-24 state fiscal
27 year, \$2,500,000 is appropriated to the mill levy equalization fund created

1 in section 22-30.5-513.1 (2)(a), C.R.S. This appropriation is from the
2 general fund. The department of education is responsible for accounting
3 related to this appropriation.

4 (2) For the 2023-24 state fiscal year, \$2,500,000 is appropriated
5 to the department of education. This appropriation is from reappropriated
6 funds in the mill levy equalization fund pursuant to subsection (1) of this
7 section. To implement this act, the department may use the appropriation
8 for charter school institute mill levy equalization.

9 **SECTION 20. Appropriation.** For the 2023-24 state fiscal year,
10 \$500,000 is appropriated to the department of education for the purpose
11 of implementing section 22-20-108 (4.8), C.R.S. This appropriation is
12 from the state education fund.

13 **SECTION 21. Effective date.** (1) Except as otherwise provided
14 in this section, this act takes effect upon passage.

15 (2) Section 20 of this act takes effect only if House Bill 23-1263
16 becomes law.

17 **SECTION 22. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, or safety.