

SB296_L.038

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.SB17-296 be amended as follows:

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:

ARTICLE 97

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
23 A TEACHER IN A PUBLIC SCHOOL IN THE STATE.

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

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

30 (6) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT AUTHORIZED
31 BY SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION AND
32 ORGANIZED PURSUANT TO ARTICLE 30 OF THIS TITLE 22. "SCHOOL
33 DISTRICT" ALSO INCLUDES A BOARD OF COOPERATIVE SERVICES CREATED
34 PURSUANT TO ARTICLE 5 OF THIS TITLE 22, IF IT IS OPERATING A PUBLIC
35 SCHOOL; A DISTRICT CHARTER SCHOOL; AN INSTITUTE CHARTER SCHOOL;

1 AND AN ONLINE SCHOOL, AS DEFINED IN SECTION 22-30.7-102 (9.5).

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

5 **22-97-102. Computer science education grants for teachers -**
6 **creation.** (1) THERE IS CREATED IN THE DEPARTMENT A GRANT PROGRAM
7 FOR ELIGIBLE TEACHERS WHO WISH TO PURSUE ADDITIONAL
8 POSTSECONDARY EDUCATION IN ORDER TO PROVIDE COMPUTER SCIENCE
9 EDUCATION TO STUDENTS IN PUBLIC SCHOOLS. A SCHOOL DISTRICT OR A
10 SCHOOL DISTRICT ON BEHALF OF AN ELIGIBLE TEACHER OR TEACHERS MAY
11 APPLY FOR A GRANT.

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

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

23 (a) THE APPLICATION PROCESS, INCLUDING APPLICATION
24 REQUIREMENTS AND DEADLINES;

25 (b) CRITERIA FOR THE AWARD OF GRANTS, INCLUDING THE
26 PRIORITIES FOR AWARDING GRANTS CONTAINED IN SUBSECTION (4) OF THIS
27 SECTION;

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

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

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

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

34 (I) A HIGH-POVERTY STUDENT POPULATION;

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

36 (III) STUDENTS IN RURAL AREAS;

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

41 (c) GIVE PRIORITY TO GRANT APPLICATIONS FOR POSTSECONDARY
42 COURSE WORK OR TRAINING THAT ENABLES A TEACHER TO TEACH
43 COMPUTER SCIENCE, INCLUDING CONCURRENT ENROLLMENT COURSES IN



1 COMPUTER SCIENCE, AND THAT APPLIES TOWARD THE COMPLETION OF A
2 DEGREE IN COMPUTER SCIENCE, THE COMPLETION OF AN
3 INDUSTRY-RECOGNIZED CERTIFICATE IN COMPUTER SCIENCE, OR THE
4 COMPLETION OF A HIGH-QUALITY TRAINING PROGRAM, OR THAT RESULTS
5 IN THE MASTERY OF A TEACHING CONTENT AREA IN COMPUTER SCIENCE.

6 (5) THE STATE BOARD MAY AWARD GRANTS TO SCHOOL DISTRICTS
7 FOR HIGH-QUALITY TRAINING PROGRAMS OFFERED TO TEACHERS IN THE
8 DISTRICT THAT ENABLE THE TEACHERS TO TEACH COMPUTER SCIENCE
9 COURSES.

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

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

18 **22-97-103. Reporting.** (1) NO LATER THAN JANUARY 1, 2018,
19 AND NO LATER THAN EACH JANUARY 1 THEREAFTER IF THE STATE BOARD
20 HAS AWARDED A GRANT DURING THE PREVIOUS CALENDAR YEAR, THE
21 DEPARTMENT SHALL REPORT TO THE EDUCATION COMMITTEES OF THE
22 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
23 COMMITTEES.

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

25 (a) THE NUMBER OF GRANTS AWARDED DURING THE PREVIOUS
26 CALENDAR YEAR;

27 (b) THE AMOUNT OF THE GRANTS;

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

30 (d) THE USES OF THE GRANT, INCLUDING THE POSTSECONDARY
31 COURSES, DEGREES, TRAINING PROGRAMS, OR INDUSTRY-RECOGNIZED
32 CERTIFICATES COMPLETED AND THE EDUCATION PROVIDER PROVIDING THE
33 EDUCATION.

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

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

38 **22-61-103. Teacher's oath, affirmation, or pledge.** (1) Any A
39 person now holding a license to teach in the public schools in the state of
40 Colorado or who shall hereafter be issued a license to teach in such public
41 schools within the state of Colorado, except any A person employed to
42 teach in a temporary capacity who is a citizen of a nation other than the
43 United States, shall take OR SIGN the following oath, or affirmation, OR

1 WRITTEN PLEDGE:

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

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

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

12 **22-61-104. Oath, affirmation, or pledge - professors,**
13 **instructors, and teachers in state institutions of higher education.**

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

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

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

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

31 **22-61-105. Penalty.** Any A person who, being in charge of any
32 A public school, state university, college, junior college, community
33 college, or technical college within the state of Colorado, allows or
34 permits any A teacher to enter upon the discharge of his OR HER duties or
35 give instruction therein, unless such teacher shall have taken the oath or
36 affirmation OR SIGNED THE PLEDGE AS provided for in sections 22-61-103
37 and 22-61-104, is guilty of a misdemeanor and, upon conviction thereof,
38 shall MUST be punished by a fine of not more than one hundred dollars,
39 or by imprisonment in the county jail for not more than six months, or by
40 both such fine and imprisonment.

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

43 **22-32-108.5. Board of education - distribution of additional**

1 **mill levy revenue - definitions - legislative declaration.** (1) (a) THE
2 GENERAL ASSEMBLY RECOGNIZES THAT SECTION 15 OF ARTICLE IX OF THE
3 STATE CONSTITUTION GRANTS TO EACH SCHOOL DISTRICT BOARD OF
4 EDUCATION CONTROL OF INSTRUCTION IN THE SCHOOLS OF THE SCHOOL
5 DISTRICT. THE POWER OF LOCAL CONTROL OF INSTRUCTION APPLIES TO ALL
6 OF THE SCHOOLS OF THE SCHOOL DISTRICT AND THEREFORE IMPOSES ON
7 THE SCHOOL DISTRICT BOARD OF EDUCATION THE RESPONSIBILITY TO
8 ENSURE THE EQUITABLE TREATMENT OF ALL OF THE STUDENTS ENROLLED
9 IN ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT.

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

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

26 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
27 REQUIRES:

28 (a) "ADDITIONAL MILL LEVY REVENUE" MEANS THE AMOUNT OF
29 PROPERTY TAX REVENUE THAT A SCHOOL DISTRICT COLLECTS FROM MILLS
30 THAT ARE AUTHORIZED BY VOTERS BEFORE, ON, OR AFTER THE EFFECTIVE
31 DATE OF THIS SECTION AND THAT A SCHOOL DISTRICT LEVIES IN ADDITION
32 TO THE SCHOOL DISTRICT'S TOTAL PROGRAM MILL LEVY ESTABLISHED IN
33 SECTION 22-54-106 (2), NOT INCLUDING MILLS THAT A SCHOOL DISTRICT
34 MAY LEVY FOR PURPOSES OF INCURRING OR REPAYING BONDED
35 INDEBTEDNESS OR FOR PAYING AMOUNTS DUE PURSUANT TO INSTALLMENT
36 SALES AGREEMENTS OR LEASE PURCHASE AGREEMENTS ENTERED INTO AS
37 OF THE EFFECTIVE DATE OF THIS SECTION FOR WHICH ADDITIONAL MILL
38 LEVY REVENUE WAS CONTRACTUALLY COMMITTED AS OF THE EFFECTIVE
39 DATE OF THIS SECTION.

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

43 (c) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED



1 BY A SCHOOL DISTRICT AS PROVIDED IN PART 1 OF ARTICLE 30.5 OF THIS
2 TITLE 22.

3 (d) "INNOVATION SCHOOL" MEANS A SCHOOL IN WHICH A LOCAL
4 SCHOOL BOARD IMPLEMENTS AN INNOVATION PLAN AS PROVIDED IN
5 SECTION 22-32.5-104 OR A SCHOOL THAT IS INCLUDED IN AN INNOVATION
6 SCHOOL ZONE, AS DEFINED IN SECTION 22-32.5-103.

7 (e) "LOCAL SCHOOL BOARD" MEANS THE SCHOOL DISTRICT BOARD
8 OF EDUCATION OF A PARTICIPATING SCHOOL DISTRICT.

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

11 (I) COLLECTS ADDITIONAL MILL LEVY REVENUE; AND

12 (II) IS DESIGNATED AS A SCHOOL DISTRICT OF INNOVATION AS
13 PROVIDED IN ARTICLE 32.5 OF THIS TITLE 22 OR AUTHORIZES AT LEAST ONE
14 CHARTER SCHOOL AS PROVIDED IN PART 1 OF ARTICLE 30.5 OF THIS TITLE
15 22.

16 (g) "PER PUPIL MILL LEVY SHARE" MEANS AN AMOUNT EQUAL TO
17 THE TOTAL AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A
18 PARTICIPATING SCHOOL DISTRICT COLLECTS FOR A BUDGET YEAR DIVIDED
19 BY THE SCHOOL DISTRICT'S FUNDED PUPIL COUNT, AS DEFINED IN SECTION
20 22-54-103, FOR THAT BUDGET YEAR.

21 (h) "PER PUPIL PROGRAM SHARE" MEANS AN AMOUNT EQUAL TO
22 THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE ALLOCATED TO A
23 PROGRAM IN A PARTICIPATING SCHOOL DISTRICT'S PLAN, DIVIDED BY THE
24 TOTAL NUMBER OF STUDENTS ENROLLED IN THE SCHOOLS OF THE
25 PARTICIPATING SCHOOL DISTRICT WHO ARE ELIGIBLE TO PARTICIPATE IN
26 THE PROGRAM, MULTIPLIED BY THE NUMBER OF ELIGIBLE STUDENTS
27 ENROLLED IN A CHARTER SCHOOL OR SCHOOL OF INNOVATION THAT
28 CHOOSES TO RECEIVE THE PER PUPIL PROGRAM SHARE IN LIEU OF
29 PARTICIPATING IN THE PROGRAM.

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

33 (j) "TYPE" MEANS THE STATUS OF A SCHOOL OF THE SCHOOL
34 DISTRICT AS A TRADITIONAL, CHARTER, INNOVATION, OR MAGNET SCHOOL
35 OR AS OPERATING UNDER SOME OTHER ORGANIZATIONAL OR GOVERNANCE
36 STRUCTURE. "TYPE" DOES NOT INCLUDE A SCHOOL'S STATUS AS AN
37 ALTERNATIVE EDUCATION CAMPUS OR OTHER ALTERNATIVE HIGH SCHOOL
38 OR STATUS BASED ON THE GRADE LEVELS THE SCHOOL SERVES OR THE
39 TYPE OF PERFORMANCE PLAN THE SCHOOL OPERATES UNDER AS DESCRIBED
40 IN PART 4 OF ARTICLE 11 OF THIS TITLE 22.

41 (3) FOR THE 2019-20 BUDGET YEAR AND FOR EACH BUDGET YEAR
42 THEREAFTER, THE LOCAL SCHOOL BOARD OF EACH PARTICIPATING SCHOOL
43 DISTRICT SHALL EITHER IMPLEMENT A PLAN FOR USING AND DISTRIBUTING

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

11 (4) (a) A LOCAL SCHOOL BOARD THAT CHOOSES TO ADOPT A PLAN
12 MUST ADOPT THE PLAN BY JULY 1, 2018. SUBJECT TO STATUTORY LIMITS
13 OR REQUIREMENTS THAT APPLY TO SPECIFIC MILL LEVY AUTHORIZATIONS
14 AND ANY PURPOSES SPECIFICALLY APPROVED BY VOTERS IN APPROVING
15 ADDITIONAL MILL LEVY REVENUE, THE PLAN MUST ENSURE THAT THE
16 ADDITIONAL MILL LEVY REVENUE IS DISTRIBUTED TO, OR OTHERWISE USED
17 FOR PROGRAMS THAT BENEFIT, THE SCHOOLS OF THE PARTICIPATING
18 SCHOOL DISTRICT BASED ON MEETING THE NEEDS OF AND EQUITABLY
19 SUPPORTING THE EDUCATION OF ALL OF THE STUDENTS ENROLLED IN ALL
20 OF THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT, REGARDLESS
21 OF THE TYPE OF SCHOOL IN WHICH EACH STUDENT IS ENROLLED. FOR EACH
22 PROGRAM INCLUDED IN THE PLAN, A CHARTER SCHOOL OR INNOVATION
23 SCHOOL MAY CHOOSE TO RECEIVE THE PER PUPIL PROGRAM SHARE IN LIEU
24 OF PARTICIPATING IN THE PROGRAM, IN WHICH CASE THE PARTICIPATING
25 SCHOOL DISTRICT SHALL DISTRIBUTE TO THE CHARTER SCHOOL OR
26 INNOVATION SCHOOL THE PER PUPIL PROGRAM SHARE. THE CHARTER
27 SCHOOL OR INNOVATION SCHOOL SHALL USE THE PER PUPIL PROGRAM
28 SHARE TO PROVIDE A PROGRAM OR SERVICES, AS SELECTED BY THE
29 CHARTER SCHOOL OR INNOVATION SCHOOL, FOR THE STUDENTS FOR WHOM
30 IT RECEIVED THE PER PUPIL PROGRAM SHARE. THE LOCAL SCHOOL BOARD
31 SHALL ENSURE THAT THE DETERMINATION OF THE AMOUNT OF
32 ADDITIONAL MILL LEVY REVENUE THAT A SCHOOL OF THE PARTICIPATING
33 SCHOOL DISTRICT RECEIVES AS A DISTRIBUTION OR THROUGH
34 PARTICIPATION IN A PROGRAM IS NOT BASED ON AND DOES NOT TAKE INTO
35 ACCOUNT THE SCHOOL'S TYPE. THE LOCAL SCHOOL BOARD SHALL ENSURE
36 THAT EQUITABLE DISTRIBUTION OF THE ADDITIONAL MILL LEVY REVENUE
37 IS FULLY IMPLEMENTED IN THE 2019-20 BUDGET YEAR AND IN EACH
38 BUDGET YEAR THEREAFTER.

39 (b) THROUGH THE PLAN, A LOCAL BOARD OF EDUCATION MAY USE
40 THE ADDITIONAL MILL LEVY REVENUE TO PROVIDE ADDITIONAL PER PUPIL
41 FUNDING TO STUDENTS ENROLLED IN ALTERNATIVE EDUCATION
42 CAMPUSES, STUDENTS WHO QUALIFY FOR FREE OR REDUCED-PRICE MEALS
43 UNDER THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH



1 Act", 42 U.S.C. SEC. 1751 ET SEQ., STUDENTS IDENTIFIED AS ENGLISH
2 LANGUAGE LEARNERS PURSUANT TO SECTION 22-24-105, AND STUDENTS
3 WHO HAVE INDIVIDUALIZED EDUCATION PROGRAMS UNDER PART 1 OF
4 ARTICLE 20 OF THIS TITLE 22, SO LONG AS THE AMOUNT DISTRIBUTED FOR
5 THE BENEFIT OF EACH STUDENT IS THE SAME REGARDLESS OF THE TYPE OF
6 SCHOOL IN WHICH THE STUDENT IS ENROLLED.

7 (c) EACH PLAN MUST REQUIRE THE LOCAL SCHOOL BOARD TO
8 EQUITABLY DISTRIBUTE ALL OF THE PARTICIPATING SCHOOL DISTRICT'S
9 ADDITIONAL MILL LEVY REVENUE THAT IS NOT DISTRIBUTED FOR SPECIFIC
10 PROGRAMS OR STUDENT POPULATIONS, AS PROVIDED IN SUBSECTIONS
11 (4)(a) AND (4)(b) OF THIS SECTION, TO THE SCHOOLS OF THE
12 PARTICIPATING SCHOOL DISTRICT IN DIRECT PROPORTION TO THE NUMBER
13 OF STUDENTS ENROLLED IN EACH SCHOOL. THE DISTRIBUTION MUST
14 INCLUDE ALL OF THE SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT
15 WITHOUT REGARD TO TYPE OF SCHOOL.

16 (d) EACH PLAN MUST:

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

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

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

26 (e) EACH LOCAL SCHOOL BOARD THAT ADOPTS A PLAN SHALL
27 PERIODICALLY REVIEW THE PLAN AND UPDATE IT AS NECESSARY TO
28 ENSURE THAT THE ADDITIONAL MILL LEVY REVENUE THAT THE
29 PARTICIPATING SCHOOL DISTRICT COLLECTS IS EQUITABLY DISTRIBUTED
30 AS PROVIDED IN SUBSECTIONS (4)(a) TO (4)(c) OF THIS SECTION TO THE
31 SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT TO BENEFIT ALL OF THE
32 STUDENTS ENROLLED IN ALL OF THE SCHOOLS OF THE PARTICIPATING
33 SCHOOL DISTRICT.

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

38 (5) (a) BEGINNING IN THE 2019-20 BUDGET YEAR AND IN EACH
39 BUDGET YEAR THEREAFTER, THE LOCAL SCHOOL BOARD OF A
40 PARTICIPATING SCHOOL DISTRICT THAT CHOOSES NOT TO ADOPT A PLAN
41 SHALL DISTRIBUTE TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL
42 OF THE PARTICIPATING SCHOOL DISTRICT AN AMOUNT EQUAL TO AT LEAST
43 NINETY-FIVE PERCENT OF THE PARTICIPATING SCHOOL DISTRICT'S PER

1 PUPIL MILL LEVY SHARE FOR THE APPLICABLE BUDGET YEAR MULTIPLIED
2 BY THE NUMBER OF STUDENTS ENROLLED IN THE CHARTER SCHOOL OR THE
3 INNOVATION SCHOOL FOR THE APPLICABLE BUDGET YEAR. IN COUNTING
4 THE NUMBER OF PUPILS ENROLLED IN A CHARTER SCHOOL OR INNOVATION
5 SCHOOL, THE SCHOOL DISTRICT SHALL COUNT A PUPIL ENROLLED IN
6 KINDERGARTEN OR IN A PRESCHOOL PROGRAM AS AT LEAST A HALF-DAY
7 PUPIL AND MAY, AT THE SCHOOL DISTRICT'S DISCRETION, COUNT A PUPIL
8 WHO IS INCLUDED IN THE SCHOOL DISTRICT'S ONLINE PUPIL ENROLLMENT,
9 AS DEFINED IN SECTION 22-54-103.

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

21 (I) THE AMOUNT DISTRIBUTED FOR EACH STUDENT IS THE SAME
22 REGARDLESS OF THE TYPE OF SCHOOL IN WHICH THE STUDENT IS
23 ENROLLED; AND

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

28 (6) IF A LOCAL SCHOOL BOARD DISTRIBUTES A PORTION OF THE
29 TOTAL ADDITIONAL MILL LEVY REVENUE THAT IT COLLECTS FOR THE
30 2016-17 BUDGET YEAR TO THE CHARTER SCHOOLS OR INNOVATION
31 SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT BY PERCENTAGE, BY
32 DISTRIBUTION OF A PER PUPIL AMOUNT, OR BY A COMBINATION OF
33 PERCENTAGE AND PER PUPIL AMOUNT, THE LOCAL SCHOOL BOARD SHALL
34 ENSURE THAT THE PERCENTAGE OF THE TOTAL ADDITIONAL MILL LEVY
35 REVENUE AND THE PER PUPIL AMOUNT THAT IS DISTRIBUTED TO THE
36 CHARTER SCHOOLS AND INNOVATION SCHOOLS OF THE PARTICIPATING
37 SCHOOL DISTRICT IS NOT REDUCED FOR THE 2017-18 AND 2018-19 BUDGET
38 YEARS. AN AUTHORIZING SCHOOL DISTRICT OR THE CHARTER SCHOOL MAY
39 RENEGOTIATE CONTRACT PROVISIONS CONCERNING SERVICES OR FEES FOR
40 SERVICES AS A MATERIAL REVISION TO THE CHARTER CONTRACT, SUBJECT
41 TO THE PROVISIONS OF SECTION 22-30.5-105 (4), WHICH RENEGOTIATION
42 SHALL NOT INCLUDE NEGOTIATIONS REGARDING REAUTHORIZATION OF
43 THE CHARTER SCHOOL.

1 (7) THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A
2 CHARTER SCHOOL RECEIVES PURSUANT TO THIS SECTION IS IN ADDITION TO
3 THE AMOUNT OF MONEY THAT THE CHARTER SCHOOL RECEIVES FROM THE
4 SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22.
5 THE AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT AN INNOVATION
6 SCHOOL RECEIVES PURSUANT TO THIS SECTION IS IN ADDITION TO ANY
7 AMOUNT OF MONEY THAT THE INNOVATION SCHOOL RECEIVES THROUGH
8 THE SCHOOL'S INNOVATION PLAN AS PROVIDED IN ARTICLE 32.5 OF THIS
9 TITLE 22.

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

19 (9) BEGINNING JULY 1, 2018, EACH PARTICIPATING SCHOOL
20 DISTRICT SHALL:

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

25 (b) IF THE LOCAL SCHOOL BOARD CHOOSES NOT TO ADOPT A PLAN,
26 FOR THE 2018-19 BUDGET YEAR, POST A STATEMENT OF INTENT TO
27 DISTRIBUTE THE ADDITIONAL MILL LEVY REVENUE AS PROVIDED IN
28 SUBSECTION (5) OF THIS SECTION AND, FOR THE 2019-20 BUDGET YEAR
29 AND ANNUALLY FOR EACH BUDGET YEAR THEREAFTER, POST THE TOTAL
30 AMOUNT OF ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE
31 PARTICIPATING SCHOOL DISTRICT FOR EACH PROPERTY TAX YEAR, THE
32 AMOUNT DISTRIBUTED TO SUPPORT SPECIFIC STUDENT POPULATIONS AS
33 DESCRIBED IN SUBSECTION (5)(b) OF THIS SECTION, AND THE TOTAL
34 AMOUNT DISTRIBUTED TO SUPPORT SAID STUDENT POPULATIONS AND ON
35 A PER-PUPIL BASIS TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL,
36 AS A PERCENTAGE AND AS A DOLLAR AMOUNT.

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

39 **22-30.5-105. Charter schools - contract contents - regulations.**

40 (5) ~~Any~~ A term included in a charter contract that would require a charter
41 school to waive or otherwise forgo receipt of any amount of ADDITIONAL
42 MILL LEVY REVENUE DUE TO THE CHARTER SCHOOL AS PROVIDED IN
43 SECTION 22-32-108.5 OR ANY AMOUNT OF operational or capital



1 construction funds MONEY provided to the charter school pursuant to the
2 provisions of this article ARTICLE 30.5 or pursuant to any other provision
3 of law is hereby declared null and void as against public policy and is
4 unenforceable. In no event shall this subsection (5) be construed to
5 prohibit any A charter school from contracting with its chartering local
6 board of education for the purchase of services, including but not limited
7 to the purchase of educational services.

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

10 **22-44-303. Definitions.** As used in this part 3, unless the context
11 otherwise requires:

12 (1) "BOARD OF COOPERATIVE SERVICES" OR "BOCES" MEANS A
13 BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF
14 THIS TITLE 22.

15 (2) "CHARTER SCHOOL" MEANS A DISTRICT CHARTER SCHOOL
16 AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22 OR
17 AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 5 OF
18 ARTICLE 30.5 OF THIS TITLE 22.

19 (1) (3) "Department" means the department of education created
20 and operating pursuant to section 24-1-115. ~~C.R.S.~~

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

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

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

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

28 ~~(d) A district charter school authorized pursuant to part 1 of article~~
29 ~~30.5 of this title; or~~

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

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

34 (5) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT, OTHER THAN
35 A LOCAL COLLEGE DISTRICT, ORGANIZED AND EXISTING AS PROVIDED BY
36 LAW.

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

39 **22-44-304. Financial reporting - online access to information**
40 **- repeal.** (1) (a) Commencing July 1, 2010, and on a continuing basis
41 thereafter, THE INSTITUTE AND each local education provider SCHOOL
42 DISTRICT, BOARD OF COOPERATIVE SERVICES, AND CHARTER SCHOOL shall
43 post the following information online, in a downloadable format, for free



1 public access:

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

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

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

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

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

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

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

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

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

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

1 (II) Notwithstanding any provision of subparagraph (f) of this
2 paragraph (d) SUBSECTION (1)(d)(I) OF THIS SECTION to the contrary, a
3 school district that the department determines is rural, based on the
4 geographic size of the school district and the distance of the school
5 district from the nearest large, urbanized area, and that enrolls fewer than
6 one thousand students in kindergarten through twelfth grade is not
7 required to report expenditures at the school-site level except for those
8 school-site level expenditures that the school district charges any portion
9 of to a district charter school.

10 (e) ADDITIONALLY, COMMENCING JULY 1, 2018, THE INSTITUTE
11 AND EACH SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, AND
12 CHARTER SCHOOL SHALL POST ON ITS WEBSITE FOR FREE PUBLIC ACCESS
13 A LINK TO THE FEDERAL FORM 990, 990-EZ, OR 990-PF AND ANY
14 ASSOCIATED SCHEDULES THAT THE INSTITUTE, SCHOOL DISTRICT, BOARD
15 OF COOPERATIVE SERVICES, OR CHARTER SCHOOL FILES, IF ANY.

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

19 (I) POST A COPY OF THE SCHOOL DISTRICT'S PLAN FOR
20 DISTRIBUTING THE ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE
21 SCHOOL DISTRICT; OR

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

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

42 (3) (a) ~~THE INSTITUTE AND each local education provider~~ SCHOOL
43 DISTRICT, BOARD OF COOPERATIVE SERVICES, AND CHARTER SCHOOL shall

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

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

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

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

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

40 **22-44-305. Waivers of state statute - reporting.**

41 (1) (a) COMMENCING JULY 1, 2017, AND ON A CONTINUING BASIS
42 THEREAFTER, EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL POST,
43 IN A FORMAT THAT CAN BE EASILY DOWNLOADED, FOR FREE PUBLIC

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

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

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



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

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

5 **22-30.5-104. Charter school - requirements - authority - rules.**

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

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

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

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

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

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

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

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

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

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

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

40 **22-30.5-507. Institute charter school - requirements -**

41 **authority - rules.** (7) (a) Pursuant to the charter contract, an institute
42 charter school may operate free from specified statutes and state board
43 rules. The state board shall promulgate rules that list the automatic



1 waivers for all charter schools, including institute charter schools. In
2 promulgating the list of automatic waivers, the state board shall consider
3 the overall impact and complexity of the requirements specified in the
4 statute and the potential consequences that waiving the statute may have
5 on the practices of a charter school, including an institute charter school.
6 IN ACCORDANCE WITH ITS RULE-MAKING AUTHORITY, THE STATE BOARD
7 MAY REVIEW THE LIST OF AUTOMATIC WAIVERS AT ITS DISCRETION.
8 Notwithstanding any provision of this paragraph (a) SUBSECTION (7)(a)
9 to the contrary, the state board shall not include the following statutes on
10 the list of automatic waivers:

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

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

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

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

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

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

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

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

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

33 **SECTION 18.** In Colorado Revised Statutes, add 22-30.5-513.1
34 as follows:

35 **22-30.5-513.1. Mill levy equalization - fund created -**
36 **legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT SCHOOL
37 DISTRICTS RECEIVE SIGNIFICANT OPERATING REVENUE FROM MILL LEVIES
38 THAT ARE IN ADDITION TO THE SCHOOL DISTRICTS' TOTAL PROGRAM MILL
39 LEVY. THIS ADDITIONAL REVENUE HELPS SCHOOL DISTRICTS OFFSET THE
40 EFFECTS OF THE BUDGET ADJUSTMENT IMPOSED BY SECTION 22-54-104
41 (5)(g). THE GENERAL ASSEMBLY FURTHER FINDS THAT INSTITUTE CHARTER
42 SCHOOLS DO NOT HAVE ACCESS TO ADDITIONAL REVENUE FROM A LOCAL
43 PROPERTY TAX MILL LEVY. THE GENERAL ASSEMBLY FINDS, THEREFORE,

1 THAT IT IS APPROPRIATE TO CONSIDER ADDITIONAL STATE EQUALIZATION
2 FUNDING FOR INSTITUTE CHARTER SCHOOLS.

3 (2) (a) THE MILL LEVY EQUALIZATION FUND, REFERRED TO IN THIS
4 SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY.
5 THE FUND CONSISTS OF ANY AMOUNT THAT THE GENERAL ASSEMBLY MAY
6 APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL
7 CREDIT TO THE FUND ALL INTEREST AND INCOME DERIVED FROM THE
8 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND.

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

22 **SECTION 19. Appropriation.** For the 2017-18 state fiscal year,
23 \$500,000 is appropriated to the department of education. This
24 appropriation is from the state education fund created in section 17 (4)(a)
25 of article IX of the state constitution and is based on an assumption that
26 the department will require an additional 0.4 FTE. To implement this act,
27 the department may use this appropriation for computer science education
28 grants for teachers pursuant to section 22-97-102, C.R.S."

29 Renumber succeeding section accordingly.

** ** ** ** **