

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

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 17-1110.02 Julie Pelegrin x2700

**HOUSE BILL 17-1375**

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**HOUSE SPONSORSHIP**

**Pettersen and Sias,**

**SENATE SPONSORSHIP**

**Hill and Williams A.,**

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**House Committees**  
Education

**Senate Committees**  
State, Veterans, & Military Affairs

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**A BILL FOR AN ACT**

101      **CONCERNING MEASURES TO INCREASE TRANSPARENT EQUITY IN**  
102            **EDUCATING STUDENTS IN PUBLIC SCHOOLS, AND, IN CONNECTION**  
103            **THEREWITH, REQUIRING SCHOOL DISTRICTS TO DISTRIBUTE**  
104            **MILL LEVY REVENUE TO MEET THE NEEDS OF STUDENTS,**  
105            **CREATING A FUND TO PROVIDE EQUALIZING MONEY TO**  
106            **INSTITUTE CHARTER SCHOOLS, AND REQUIRING SCHOOL**  
107            **DISTRICTS AND CHARTER SCHOOLS TO POST A LIST OF**  
108            **STATUTORY WAIVERS RECEIVED.**

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**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*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
2nd Reading Unamended  
May 9, 2017

HOUSE  
Amended 3rd Reading  
May 9, 2017

HOUSE  
Amended 2nd Reading  
May 8, 2017

<http://leg.colorado.gov>.)

Beginning in the 2019-20 budget year, the bill requires school districts that collect revenue from mill levies in addition to the total program mill levy and that authorize an innovation school or a charter school to:

- ! adopt a plan for distributing the revenue to the schools of the school district for the benefit of the students enrolled in the school district; or
- ! distribute 95% of the per pupil amount of the revenue to the innovation schools and charter schools of the school district (per pupil distribution).

The bill specifies the requirements for the plan and requirements that apply if the school district makes a per pupil distribution. In adopting a plan or making a per pupil distribution, the school district may distribute a portion of the revenue specifically for specified underserved populations.

If a school district is distributing a portion of the mill levy revenue to the charter schools or innovation schools of the school district during the 2016-17 budget year, it must maintain the same distribution amount for the 2017-18 and 2018-19 budget years.

By July 1, 2018, each school district that chooses to adopt a plan must post the plan on the school district's website. If the school district chooses to distribute 95% of the per pupil amount, the school district must post a notice of such intent by July 1, 2018, and, starting July 1, 2019, must post the amount received in revenue, the amount distributed for underserved populations, and the amount distributed to each charter school and each innovation school.

Commencing July 1, 2018, the charter school institute and each school district, board of cooperative services, and charter school must post on its website a link to certain federal tax forms and schedules filed by the institute, school district, board of cooperative services, or charter school.

Commencing July 1, 2017, each school district and each charter school must post a list of the waivers of state statute that it has received and, for each nonautomatic waiver, the plan for meeting the intent of the statute. The department of education, the state charter school institute, and a statewide association of charter schools must create a standardized description of each of the statutes for which the state board of education grants an automatic waiver and the rationale for granting the automatic waiver. Starting July 1, 2018, each charter school must post the description and rationale for each of the automatic waivers it is invoking.

The bill creates the mill levy equalization fund, consisting of such money as the general assembly may appropriate to it, to provide additional funding for institute charter schools.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add 22-32-108.5** as  
3 follows:

4           **22-32-108.5. Board of education - distribution of additional**  
5 **mill levy revenue - definitions - legislative declaration.** (1) (a) THE

6 GENERAL ASSEMBLY RECOGNIZES THAT SECTION 15 OF ARTICLE IX OF THE  
7 STATE CONSTITUTION GRANTS TO EACH SCHOOL DISTRICT BOARD OF  
8 EDUCATION CONTROL OF INSTRUCTION IN THE SCHOOLS OF THE SCHOOL  
9 DISTRICT. THE POWER OF LOCAL CONTROL OF INSTRUCTION APPLIES TO ALL  
10 OF THE SCHOOLS OF THE SCHOOL DISTRICT AND THEREFORE IMPOSES ON  
11 THE SCHOOL DISTRICT BOARD OF EDUCATION THE RESPONSIBILITY TO  
12 ENSURE THE EQUITABLE TREATMENT OF ALL OF THE STUDENTS ENROLLED  
13 IN ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT.

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

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

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

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

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

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

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

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

1 (e) "LOCAL SCHOOL BOARD" MEANS THE SCHOOL DISTRICT BOARD  
2 OF EDUCATION OF A PARTICIPATING SCHOOL DISTRICT.

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

5 (I) COLLECTS ADDITIONAL MILL LEVY REVENUE; AND

6 (II) IS DESIGNATED AS A SCHOOL DISTRICT OF INNOVATION AS  
7 PROVIDED IN ARTICLE 32.5 OF THIS TITLE 22 OR AUTHORIZES AT LEAST ONE  
8 CHARTER SCHOOL AS PROVIDED IN PART 1 OF ARTICLE 30.5 OF THIS TITLE  
9 22.

10 (g) "PER PUPIL MILL LEVY SHARE" MEANS AN AMOUNT EQUAL TO  
11 THE TOTAL AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT A  
12 PARTICIPATING SCHOOL DISTRICT COLLECTS FOR A BUDGET YEAR DIVIDED  
13 BY THE SCHOOL DISTRICT'S FUNDED PUPIL COUNT, AS DEFINED IN SECTION  
14 22-54-103, FOR THAT BUDGET YEAR.

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

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

27 (j) "TYPE" MEANS THE STATUS OF A SCHOOL OF THE SCHOOL

1 DISTRICT AS A TRADITIONAL, CHARTER, INNOVATION, OR MAGNET SCHOOL  
2 OR AS OPERATING UNDER SOME OTHER ORGANIZATIONAL OR GOVERNANCE  
3 STRUCTURE. "TYPE" DOES NOT INCLUDE A SCHOOL'S STATUS AS AN  
4 ALTERNATIVE EDUCATION CAMPUS OR OTHER ALTERNATIVE HIGH SCHOOL  
5 OR STATUS BASED ON THE GRADE LEVELS THE SCHOOL SERVES OR THE  
6 TYPE OF PERFORMANCE PLAN THE SCHOOL OPERATES UNDER AS DESCRIBED  
7 IN PART 4 OF ARTICLE 11 OF THIS TITLE 22.

8 (3) FOR THE 2019-20 BUDGET YEAR AND FOR EACH BUDGET YEAR  
9 THEREAFTER, THE LOCAL SCHOOL BOARD OF EACH PARTICIPATING SCHOOL  
10 DISTRICT SHALL EITHER IMPLEMENT A PLAN FOR USING AND DISTRIBUTING  
11 THE ADDITIONAL MILL LEVY REVENUE THAT THE PARTICIPATING SCHOOL  
12 DISTRICT COLLECTS FOR EACH BUDGET YEAR, AS DESCRIBED IN  
13 SUBSECTION (4) OF THIS SECTION, OR DISTRIBUTE TO EACH CHARTER  
14 SCHOOL AND INNOVATION SCHOOL OF THE PARTICIPATING SCHOOL  
15 DISTRICT AN AMOUNT EQUAL TO AT LEAST NINETY-FIVE PERCENT OF THE  
16 PARTICIPATING SCHOOL DISTRICT'S PER PUPIL MILL LEVY SHARE FOR THE  
17 APPLICABLE BUDGET YEAR MULTIPLIED BY THE NUMBER OF STUDENTS  
18 ENROLLED IN THE CHARTER SCHOOL OR THE INNOVATION SCHOOL FOR THE  
19 APPLICABLE BUDGET YEAR, AS DESCRIBED IN SUBSECTION (5) OF THIS  
20 SECTION.

21 (4) (a) A LOCAL SCHOOL BOARD THAT CHOOSES TO ADOPT A PLAN  
22 MUST ADOPT THE PLAN BY JULY 1, 2018. SUBJECT TO STATUTORY LIMITS  
23 OR REQUIREMENTS THAT APPLY TO SPECIFIC MILL LEVY AUTHORIZATIONS  
24 AND ANY PURPOSES SPECIFICALLY APPROVED BY VOTERS IN APPROVING  
25 ADDITIONAL MILL LEVY REVENUE, THE PLAN MUST ENSURE THAT THE  
26 ADDITIONAL MILL LEVY REVENUE IS DISTRIBUTED TO, OR OTHERWISE USED  
27 FOR PROGRAMS THAT BENEFIT, THE SCHOOLS OF THE PARTICIPATING

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

22 (b) THROUGH THE PLAN, A LOCAL BOARD OF EDUCATION MAY USE  
23 THE ADDITIONAL MILL LEVY REVENUE TO PROVIDE ADDITIONAL PER PUPIL  
24 FUNDING TO STUDENTS ENROLLED IN ALTERNATIVE EDUCATION  
25 CAMPUSES, STUDENTS WHO QUALIFY FOR FREE OR REDUCED-PRICE MEALS  
26 UNDER THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH  
27 ACT", 42 U.S.C. SEC. 1751 ET SEQ., STUDENTS IDENTIFIED AS ENGLISH

1 LANGUAGE LEARNERS PURSUANT TO SECTION 22-24-105, AND STUDENTS  
2 WHO HAVE INDIVIDUALIZED EDUCATION PROGRAMS UNDER PART 1 OF  
3 ARTICLE 20 OF THIS TITLE 22, SO LONG AS THE AMOUNT DISTRIBUTED FOR  
4 THE BENEFIT OF EACH STUDENT IS THE SAME REGARDLESS OF THE TYPE OF  
5 SCHOOL IN WHICH THE STUDENT IS ENROLLED.

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

15 (d) EACH PLAN MUST:

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

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

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

25 (e) EACH LOCAL SCHOOL BOARD THAT ADOPTS A PLAN SHALL  
26 PERIODICALLY REVIEW THE PLAN AND UPDATE IT AS NECESSARY TO  
27 ENSURE THAT THE ADDITIONAL MILL LEVY REVENUE THAT THE



1 PARTICIPATING SCHOOL DISTRICT COLLECTS IS EQUITABLY DISTRIBUTED  
2 AS PROVIDED IN SUBSECTIONS (4)(a) TO (4)(c) OF THIS SECTION TO THE  
3 SCHOOLS OF THE PARTICIPATING SCHOOL DISTRICT TO BENEFIT ALL OF THE  
4 STUDENTS ENROLLED IN ALL OF THE SCHOOLS OF THE PARTICIPATING  
5 SCHOOL DISTRICT.

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

10 (5) (a) BEGINNING IN THE 2019-20 BUDGET YEAR AND IN EACH  
11 BUDGET YEAR THEREAFTER, THE LOCAL SCHOOL BOARD OF A  
12 PARTICIPATING SCHOOL DISTRICT THAT CHOOSES NOT TO ADOPT A PLAN  
13 SHALL DISTRIBUTE TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL  
14 OF THE PARTICIPATING SCHOOL DISTRICT AN AMOUNT EQUAL TO AT LEAST  
15 NINETY-FIVE PERCENT OF THE PARTICIPATING SCHOOL DISTRICT'S PER  
16 PUPIL MILL LEVY SHARE FOR THE APPLICABLE BUDGET YEAR MULTIPLIED  
17 BY THE NUMBER OF STUDENTS ENROLLED IN THE CHARTER SCHOOL OR THE  
18 INNOVATION SCHOOL FOR THE APPLICABLE BUDGET YEAR. IN COUNTING  
19 THE NUMBER OF PUPILS ENROLLED IN A CHARTER SCHOOL OR INNOVATION  
20 SCHOOL, THE SCHOOL DISTRICT SHALL COUNT A PUPIL ENROLLED IN  
21 KINDERGARTEN OR IN A PRESCHOOL PROGRAM AS AT LEAST A HALF-DAY  
22 PUPIL AND MAY, AT THE SCHOOL DISTRICT'S DISCRETION, COUNT A PUPIL  
23 WHO IS INCLUDED IN THE SCHOOL DISTRICT'S ONLINE PUPIL ENROLLMENT,  
24 AS DEFINED IN SECTION 22-54-103.

25 (b) IF A LOCAL SCHOOL BOARD HAS IN PLACE OR ADOPTS A  
26 WRITTEN POLICY THAT DIRECTS THE PARTICIPATING SCHOOL DISTRICT TO  
27 DISTRIBUTE ANY PORTION OF ITS ADDITIONAL MILL LEVY REVENUE TO

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

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

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

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

1 SERVICES AS A MATERIAL REVISION TO THE CHARTER CONTRACT, SUBJECT  
2 TO THE PROVISIONS OF SECTION 22-30.5-105 (4), WHICH RENEGOTIATION  
3 SHALL NOT INCLUDE NEGOTIATIONS REGARDING REAUTHORIZATION OF  
4 THE CHARTER SCHOOL.

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

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

23 (9) BEGINNING JULY 1, 2018, EACH PARTICIPATING SCHOOL  
24 DISTRICT SHALL:

25 (a) IF THE LOCAL SCHOOL BOARD CHOOSES TO ADOPT A PLAN, POST  
26 A COPY OF THE PLAN ON THE PARTICIPATING SCHOOL DISTRICT'S WEBSITE  
27 AS PROVIDED IN SECTION 22-44-304 AND ANNUALLY UPDATE THE PLAN AS

1 NECESSARY; OR

2 (b) IF THE LOCAL SCHOOL BOARD CHOOSES NOT TO ADOPT A PLAN,  
3 FOR THE 2018-19 BUDGET YEAR, POST A STATEMENT OF INTENT TO  
4 DISTRIBUTE THE ADDITIONAL MILL LEVY REVENUE AS PROVIDED IN  
5 SUBSECTION (5) OF THIS SECTION AND, FOR THE 2019-20 BUDGET YEAR  
6 AND ANNUALLY FOR EACH BUDGET YEAR THEREAFTER, POST THE TOTAL  
7 AMOUNT OF ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE  
8 PARTICIPATING SCHOOL DISTRICT FOR EACH PROPERTY TAX YEAR, THE  
9 AMOUNT DISTRIBUTED TO SUPPORT SPECIFIC STUDENT POPULATIONS AS  
10 DESCRIBED IN SUBSECTION (5)(b) OF THIS SECTION, AND THE TOTAL  
11 AMOUNT DISTRIBUTED TO SUPPORT SAID STUDENT POPULATIONS AND ON  
12 A PER-PUPIL BASIS TO EACH CHARTER SCHOOL AND INNOVATION SCHOOL,  
13 AS A PERCENTAGE AND AS A DOLLAR AMOUNT.

14 (10) A CHARTER SCHOOL THAT RECEIVES ANY AMOUNT OF  
15 ADDITIONAL MILL LEVY REVENUE PURSUANT TO THIS SECTION SHALL  
16 ENSURE THAT THE CHARTER SCHOOL ADMISSIONS POLICY IS IN  
17 COMPLIANCE WITH SECTION 22-30.5-104 (3).

18 **SECTION 2.** In Colorado Revised Statutes, 22-30.5-105, **amend**  
19 (5) as follows:

20 **22-30.5-105. Charter schools - contract contents - regulations.**

21 (5) ~~Any~~ A term included in a charter contract that would require a charter  
22 school to waive or otherwise forgo receipt of any amount of ADDITIONAL  
23 MILL LEVY REVENUE DUE TO THE CHARTER SCHOOL AS PROVIDED IN  
24 SECTION 22-32-108.5 OR ANY AMOUNT OF operational or capital  
25 construction ~~funds~~ MONEY provided to the charter school pursuant to the  
26 provisions of this ~~article~~ ARTICLE 30.5 or pursuant to any other provision  
27 of law is hereby declared null and void as against public policy and is

1 unenforceable. In no event shall this subsection (5) be construed to  
2 prohibit any A charter school from contracting with its chartering local  
3 board of education for the purchase of services, including but not limited  
4 to the purchase of educational services.

5 **SECTION 3.** In Colorado Revised Statutes, **amend** 22-44-303 as  
6 follows:

7 **22-44-303. Definitions.** As used in this part 3, unless the context  
8 otherwise requires:

9 (1) "BOARD OF COOPERATIVE SERVICES" OR "BOCES" MEANS A  
10 BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF  
11 THIS TITLE 22.

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

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

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

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

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

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

25 ~~(d) A district charter school authorized pursuant to part 1 of article~~  
26 ~~30.5 of this title; or~~

27 ~~(e) An institute charter school authorized pursuant to part 5 of~~

1 ~~article 30.5 of this title.~~

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

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

7 **SECTION 4.** In Colorado Revised Statutes, **amend** 22-44-304 as  
8 follows:

9 **22-44-304. Financial reporting - online access to information**  
10 **- repeal.** (1) (a) Commencing July 1, 2010, and on a continuing basis  
11 thereafter, THE INSTITUTE AND each ~~local education provider~~ SCHOOL  
12 DISTRICT, BOARD OF COOPERATIVE SERVICES, AND CHARTER SCHOOL shall  
13 post the following information online, in a downloadable format, for free  
14 public access:

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

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

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

27 (B) This ~~subparagraph (II)~~ SUBSECTION (1)(a)(III) is repealed,

1 effective July 1, 2017.

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

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

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

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

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

20 (d) (I) Additionally, commencing July 1, 2015, THE INSTITUTE  
21 AND each ~~local education provider~~ SCHOOL DISTRICT, BOARD OF  
22 COOPERATIVE SERVICES, AND CHARTER SCHOOL shall post in a format that  
23 can be downloaded and sorted, for free public access, the ~~local education~~  
24 ~~provider's~~ INSTITUTE'S, SCHOOL DISTRICT'S, BOCES'S, OR CHARTER  
25 SCHOOL'S actual expenditures, including but not limited to actual salary  
26 expenditures and actual benefit expenditures reported by job category  
27 specified in the standard chart of accounts, at the ~~local education provider~~

1 INSTITUTE, SCHOOL DISTRICT, AND BOCES level and at the school-site  
2 level.

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

12 (e) ADDITIONALLY, COMMENCING JULY 1, 2018, THE INSTITUTE  
13 AND EACH SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, AND  
14 CHARTER SCHOOL SHALL POST ON ITS WEBSITE FOR FREE PUBLIC ACCESS  
15 AN EASILY ACCESSIBLE LINK TO THE FEDERAL FORM 990, 990-EZ, OR  
16 990-PF AND ANY ASSOCIATED SCHEDULES THAT THE INSTITUTE, SCHOOL  
17 DISTRICT, BOARD OF COOPERATIVE SERVICES, OR CHARTER SCHOOL FILES,  
18 IF ANY.

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

22 (I) POST A COPY OF THE SCHOOL DISTRICT'S PLAN FOR  
23 DISTRIBUTING THE ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE  
24 SCHOOL DISTRICT; OR

25 (II) FOR THE 2018-19 BUDGET YEAR, POST A STATEMENT OF  
26 INTENT TO DISTRIBUTE THE ADDITIONAL MILL LEVY REVENUE TO THE  
27 CHARTER SCHOOLS AND INNOVATION SCHOOLS OF THE SCHOOL DISTRICT



1 ON A PER-PUPIL BASIS AND, FOR THE 2019-20 BUDGET YEAR AND FOR EACH  
2 BUDGET YEAR THEREAFTER, A STATEMENT OF THE TOTAL AMOUNT OF  
3 ADDITIONAL MILL LEVY REVENUE COLLECTED BY THE SCHOOL DISTRICT  
4 FOR EACH PROPERTY TAX YEAR, THE AMOUNT DISTRIBUTED TO SUPPORT  
5 SPECIFIC STUDENT POPULATIONS AS DESCRIBED IN SECTION 22-32-108.5  
6 (5)(b), AND THE TOTAL AMOUNT DISTRIBUTED FOR SAID STUDENT  
7 POPULATIONS AND ON A PER-PUPIL BASIS TO EACH CHARTER SCHOOL AND  
8 INNOVATION SCHOOL OF THE SCHOOL DISTRICT, AS A PERCENTAGE AND AS  
9 A DOLLAR AMOUNT.

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

18 (3) (a) THE INSTITUTE AND each ~~local education provider~~ SCHOOL  
19 DISTRICT, BOARD OF COOPERATIVE SERVICES, AND CHARTER SCHOOL shall  
20 update the information specified in ~~paragraphs (a), (b), and (c) of~~  
21 ~~subsection (1)~~ SUBSECTIONS (1)(a) TO (1)(c) AND SUBSECTION (1)(e) of  
22 this section within sixty days after the ~~local education provider's~~  
23 INSTITUTE'S, SCHOOL DISTRICT'S, BOCES'S, OR CHARTER SCHOOL'S  
24 completion or receipt of the applicable report, statement, or document.  
25 THE INSTITUTE AND each ~~local education provider~~ SCHOOL DISTRICT,  
26 BOCES, AND CHARTER SCHOOL shall update the information specified in  
27 ~~paragraph (d) of subsection (1)~~ SUBSECTION (1)(d) of this section annually

1 by a date specified by the financial policies and procedures advisory  
2 committee. EACH SCHOOL DISTRICT SHALL UPDATE THE INFORMATION  
3 SPECIFIED IN SUBSECTION (1)(f) OF THIS SECTION WITHIN THIRTY DAYS  
4 AFTER THE SCHOOL DISTRICT BOARD OF EDUCATION ADOPTS A NEW OR  
5 UPDATED PLAN FOR DISTRIBUTION OF ADDITIONAL MILL LEVY REVENUE  
6 OR, IF THE SCHOOL DISTRICT DISTRIBUTES THE ADDITIONAL MILL LEVY  
7 REVENUE ON A PER-PUPIL BASIS TO THE CHARTER SCHOOLS AND  
8 INNOVATION SCHOOLS OF THE SCHOOL DISTRICT, WITHIN THIRTY DAYS  
9 AFTER THE END OF EACH BUDGET YEAR.

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

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

24 (5) In addition to the information required in subsection (1) of this  
25 section, ~~a local education provider~~ THE INSTITUTE AND EACH SCHOOL  
26 DISTRICT, BOCES, AND CHARTER SCHOOL shall provide a link to the  
27 department's website or the location information for the department's

1 website where a member of the public may access information or reports  
2 that are submitted directly to the department.

3 **SECTION 5.** In Colorado Revised Statutes, **add** 22-44-305 as  
4 follows:

5 **22-44-305. Waivers of state statute - reporting.**

6 (1) (a) COMMENCING JULY 1, 2017, AND ON A CONTINUING BASIS  
7 THEREAFTER, EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL POST,  
8 IN A LOCATION AND FORMAT THAT CAN BE EASILY ACCESSED AND  
9 DOWNLOADED, FOR FREE PUBLIC ACCESS ON ITS WEBSITE MAINTAINED  
10 PURSUANT TO THIS PART 3 A LIST OF THE STATUTES FOR WHICH THE  
11 SCHOOL DISTRICT OR CHARTER SCHOOL HAS RECEIVED A WAIVER FROM  
12 THE STATE BOARD OF EDUCATION AND, FOR EACH WAIVER THAT IS NOT AN  
13 AUTOMATIC WAIVER, A COPY OF THE PLAN THAT EXPLAINS THE MANNER  
14 IN WHICH THE SCHOOL DISTRICT OR CHARTER SCHOOL WILL MEET THE  
15 INTENT OF THE WAIVED STATUTE.

16 (b) COMMENCING JULY 1, 2018, EACH CHARTER SCHOOL SHALL  
17 POST, IN A LOCATION AND FORMAT THAT CAN BE EASILY ACCESSED AND  
18 DOWNLOADED, FOR FREE PUBLIC ACCESS ON ITS WEBSITE THE  
19 STANDARDIZED DESCRIPTION AND RATIONALE CREATED PURSUANT TO  
20 SUBSECTION (2) OF THIS SECTION FOR EACH OF THE AUTOMATIC WAIVERS  
21 THAT IT INVOKES. EACH CHARTER SCHOOL SHALL POST WITH THE LIST OF  
22 AUTOMATIC WAIVERS THE NAME OF AND CONTACT INFORMATION FOR A  
23 PERSON EMPLOYED BY THE CHARTER SCHOOL AND AVAILABLE DURING  
24 REGULAR SCHOOL HOURS WHO CAN PROVIDE ADDITIONAL INFORMATION  
25 CONCERNING THE CHARTER SCHOOL'S AUTOMATIC WAIVERS.

26 (c) IN LISTING ITS WAIVERS, A SCHOOL DISTRICT SHALL INCLUDE  
27 WAIVERS GRANTED TO THE SCHOOL DISTRICT AS A WHOLE AND WAIVERS

1 GRANTED TO ONE OR MORE SCHOOLS OF THE SCHOOL DISTRICT, OTHER  
2 THAN A CHARTER SCHOOL. THE SCHOOL DISTRICT SHALL LIST SEPARATELY  
3 EACH WAIVER GRANTED TO AN INNOVATION SCHOOL OR TO SCHOOLS IN AN  
4 INNOVATION SCHOOL ZONE, AS DEFINED IN SECTION 22-32.5-103.

5 (2) BY JULY 1, 2018, THE DEPARTMENT AND THE INSTITUTE,  
6 WORKING WITH A STATEWIDE ASSOCIATION THAT REPRESENTS CHARTER  
7 SCHOOLS, SHALL DEVELOP A STANDARDIZED DESCRIPTION FOR EACH  
8 STATUTE THAT THE STATE BOARD OF EDUCATION INCLUDES IN THE LIST OF  
9 AUTOMATIC WAIVERS FOR CHARTER SCHOOLS PURSUANT TO SECTION  
10 22-30.5-104 (6) AND THE RATIONALE FOR INCLUDING THE STATUTE ON THE  
11 LIST OF AUTOMATIC WAIVERS.

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

16 **SECTION 6.** In Colorado Revised Statutes, 22-2-117, **amend**  
17 (1)(b)(IV) and (1)(b)(V); and **add** (1)(b)(VI) as follows:

18 **22-2-117. Additional power - state board - waiver of**  
19 **requirements - rules.** (1) (b) The state board shall not waive any of the  
20 requirements specified in any of the following statutory provisions:

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

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

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

1           **SECTION 7.** In Colorado Revised Statutes, 22-30.5-104, **amend**  
2 (6)(b), (6)(c)(IV), and (6)(c)(V); and **add** (6)(c)(VI) as follows:

3           **22-30.5-104. Charter school - requirements - authority - rules.**

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

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

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

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

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

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

25           (c) A school district, on behalf of a charter school, may apply to  
26 the state board for a waiver of a state statute or state rule that is not an  
27 automatic waiver. Notwithstanding any provision of this subsection (6)

1 to the contrary, the state board may not waive any statute or rule relating  
2 to:

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

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

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

9 **SECTION 8.** In Colorado Revised Statutes, 22-30.5-507, **amend**  
10 (7)(a), (7)(b)(IV), and (7)(b)(V); and **add** (7)(b)(VI) as follows:

11 **22-30.5-507. Institute charter school - requirements -**  
12 **authority - rules.** (7) (a) Pursuant to the charter contract, an institute  
13 charter school may operate free from specified statutes and state board  
14 rules. The state board shall promulgate rules that list the automatic  
15 waivers for all charter schools, including institute charter schools. In  
16 promulgating the list of automatic waivers, the state board shall consider  
17 the overall impact and complexity of the requirements specified in the  
18 statute and the potential consequences that waiving the statute may have  
19 on the practices of a charter school, including an institute charter school.  
20 IN ACCORDANCE WITH ITS RULE-MAKING AUTHORITY, THE STATE BOARD  
21 MAY REVIEW THE LIST OF AUTOMATIC WAIVERS AT ITS DISCRETION.  
22 Notwithstanding any provision of this ~~paragraph (a)~~ SUBSECTION (7)(a)  
23 to the contrary, the state board shall not include the following statutes on  
24 the list of automatic waivers:

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

27 (I.5) SECTION 22-32-109 (1)(b), CONCERNING PROCEDURES FOR

1 COMPETITIVE BIDDING IN THE PURCHASE OF GOODS AND SERVICES, EXCEPT  
2 PROFESSIONAL SERVICES;

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

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

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

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

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

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

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

20 **SECTION 9.** In Colorado Revised Statutes, ~~add~~ 22-30.5-513.1  
21 as follows:

22 **22-30.5-513.1. Mill levy equalization - fund created -**  
23 **legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT SCHOOL  
24 DISTRICTS RECEIVE SIGNIFICANT OPERATING REVENUE FROM MILL LEVIES  
25 THAT ARE IN ADDITION TO THE SCHOOL DISTRICTS' TOTAL PROGRAM MILL  
26 LEVY. THIS ADDITIONAL REVENUE HELPS SCHOOL DISTRICTS OFFSET THE  
27 EFFECTS OF THE BUDGET ADJUSTMENT IMPOSED BY SECTION 22-54-104

1 (5)(g). THE GENERAL ASSEMBLY FURTHER FINDS THAT INSTITUTE CHARTER  
2 SCHOOLS DO NOT HAVE ACCESS TO ADDITIONAL REVENUE FROM A LOCAL  
3 PROPERTY TAX MILL LEVY. THE GENERAL ASSEMBLY FINDS, THEREFORE,  
4 THAT IT IS APPROPRIATE TO CONSIDER ADDITIONAL STATE EQUALIZATION  
5 FUNDING FOR INSTITUTE CHARTER SCHOOLS.

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

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

25 **SECTION 10. Safety clause.** The general assembly hereby finds,  
26 determines, and declares that this act is necessary for the immediate  
27 preservation of the public peace, health, and safety.