

CHAPTER 243

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 14-1292

BY REPRESENTATIVE(S) Hamner and Murray, Buckner, Court, DelGrosso, Exum, Ferrandino, Fields, Gardner, Ginal, Hullinghorst, Labuda, Landgraf, Lawrence, McCann, McLachlan, McNulty, Moreno, Navarro, Pabon, Peniston, Pettersen, Primavera, Priola, Rankin, Rosenthal, Salazar, Schafer, Szabo, Tyler, Williams, Wilson, Young, Duran, Fischer, Kraft-Tharp, Lebsack, Lee, May, Melton, Garcia, Kagan;
 also SENATOR(S) Johnston and Ulibarri, Aguilar, Cadman, Crowder, Grantham, Guzman, Heath, Herpin, Jahn, Jones, Kefalas, Kerr, King, Newell, Nicholson, Renfroe, Rivera, Roberts, Scheffel, Todd, Zenzinger.

AN ACT

CONCERNING MONEYS ALLOCATED TO THE STATE ELEMENTARY AND SECONDARY PUBLIC SCHOOL SYSTEM, AND, IN CONNECTION THEREWITH, REQUIRING INCREASED REPORTING OF THE USE OF PUBLIC MONEYS BY PUBLIC SCHOOLS, INCREASING THE FUNDING FOR PUBLIC SCHOOL CAPITAL CONSTRUCTION, INCREASING THE FUNDING FOR THE "COLORADO READ ACT", AND MAKING AN APPROPRIATION.

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

SECTION 1. Short title. This act shall be known and may be cited as the "Student Success Act".

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

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

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

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(E) That, for the 2014-15 budget year, ~~and each budget year thereafter,~~ the sum of the total program funding for all districts, including the funding for institute charter schools, after application of the negative factor ~~is not less than the sum of the total program funding for all districts, including the funding for institute charter schools, after the application of the negative factor,~~ for the immediately preceding budget year, adjusted by the amount necessary to adjust the state average per pupil revenues for the applicable budget year by the rate of inflation, as defined in section 22-55-102 (7), for the calendar year ending in the immediately preceding school district budget year IS NOT LESS THAN FIVE BILLION NINE HUNDRED ELEVEN MILLION ONE HUNDRED NINE THOUSAND TWO HUNDRED SIXTY-SEVEN DOLLARS (\$5,911,109,267); except that the department of education and the staff of the legislative council shall make mid-year revisions to replace projections with actual figures including, but not limited to, actual pupil enrollment, assessed valuations, and specific ownership tax revenue from the prior year, to determine any necessary changes in the amount of the reduction to maintain a total program funding amount for the applicable budget year that is consistent with this sub-subparagraph (E).

SECTION 3. In Colorado Revised Statutes, 22-30.5-103, **add** (1.5) as follows:

22-30.5-103. Definitions. As used in this part 1, unless the context otherwise requires:

(1.5) "AUTOMATIC WAIVER" MEANS THE WAIVER OF A STATE STATUTE OR STATE BOARD RULE:

(a) THAT IS INCLUDED ON THE LIST OF AUTOMATIC WAIVERS ADOPTED BY RULE OF THE STATE BOARD;

(b) THAT IS AVAILABLE TO EACH CHARTER SCHOOL, INCLUDING AN INSTITUTE CHARTER SCHOOL, AND IS VALID FOR THE INITIAL, OR SUBSEQUENT RENEWAL, TERM OF THE CHARTER CONTRACT; AND

(c) FOR WHICH A CHARTER SCHOOL, INCLUDING AN INSTITUTE CHARTER SCHOOL, IS NOT REQUIRED TO SUBMIT A STATEMENT THAT SPECIFIES THE MANNER IN WHICH THE CHARTER SCHOOL INTENDS TO COMPLY WITH THE INTENT OF THE AUTOMATICALLY WAIVED STATE STATUTE OR STATE BOARD RULE.

SECTION 4. In Colorado Revised Statutes, 22-30.5-104, **amend** (6) as follows:

22-30.5-104. Charter school - requirements - authority. (6) (a) Pursuant to contract, a charter school may operate free from specified school district policies and free from state rules, as provided in paragraph (b) of this subsection (6). Pursuant to contract, a local board of education may waive locally imposed school district requirements, without seeking approval of the state board; except that a charter school shall not, by contract or otherwise, operate free of the requirements contained in the "Public School Finance Act of 1994", article 54 of this title, the requirements specified in part 4 of article 11 of this title concerning school accountability committees, or the requirements contained in the "Children's Internet Protection Act", article 87 of this title.

(b) The state board shall promulgate rules ~~identifying state statutes and state rules that are automatically waived~~ THAT LIST THE AUTOMATIC WAIVERS for all charter schools. IN PROMULGATING THE LIST OF AUTOMATIC WAIVERS, THE STATE BOARD SHALL CONSIDER THE OVERALL IMPACT AND COMPLEXITY OF THE REQUIREMENTS SPECIFIED IN THE STATUTE AND THE POTENTIAL CONSEQUENCES THAT WAIVING THE STATUTE MAY HAVE ON THE PRACTICES OF A CHARTER SCHOOL. NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (b) TO THE CONTRARY, THE STATE BOARD SHALL NOT INCLUDE THE FOLLOWING STATUTES ON THE LIST OF AUTOMATIC WAIVERS:

(I) SECTION 22-9-106, CONCERNING THE PERFORMANCE EVALUATION SYSTEM FOR LICENSED PERSONNEL;

(II) SECTION 22-32-109 (1) (n) (I) AND (1) (n) (II) (B), CONCERNING THE ANNUAL SCHOOL CALENDAR; AND

(III) PART 2 OF ARTICLE 63 OF THIS TITLE, CONCERNING THE EMPLOYMENT OF LICENSED PERSONNEL.

(c) A school district, on behalf of a charter school, may apply to the state board for a waiver of a state statute or state rule that is not ~~automatically waived for charter schools by rule~~ AN AUTOMATIC WAIVER. Notwithstanding any provision of this subsection (6) to the contrary, the state board may not waive any statute or rule relating to:

(I) School accountability committees as described in section 22-11-401; ~~any statute or rule relating to~~

(II) The assessments required to be administered pursuant to section 22-7-409; ~~any statute or rule necessary to prepare the~~

(III) School performance reports pursuant to part 5 of article 11 of this title; ~~any statute or rule necessary to implement the provisions of~~

(IV) The "Public School Finance Act of 1994", article 54 of this title; or ~~any statute or rule relating to~~

(V) The "Children's Internet Protection Act", article 87 of this title.

~~(c)~~(d) Upon request of a charter applicant, the state board and the local board of education of the school district to which the charter applicant applies shall provide summaries of the state and district rules and policies to use in preparing a charter school application. The department shall prepare the summary of state rules within existing appropriations. ~~Any~~ A waiver of state rules or local school district regulations made pursuant to this subsection (6) ~~shall~~ MUST be for the term of the charter for which the waiver is made; except that a waiver of state statutes or state board rules by the state board ~~shall be~~ IS subject to periodic review as provided by state board rule and may be revoked if the waiver is deemed no longer necessary by the state board. A SCHOOL DISTRICT THAT APPLIES TO THE STATE BOARD FOR A WAIVER ON BEHALF OF A CHARTER SCHOOL IS ONLY REQUIRED TO PROVIDE A COMPLETE COPY OF THE SIGNED CHARTER CONTRACT.

SECTION 5. In Colorado Revised Statutes, 22-30.5-105, **amend** (2) (a) and (3) as follows:

22-30.5-105. Charter schools - contract contents - regulations. (2) (a) The contract between a charter school and the chartering local board of education shall reflect all agreements regarding the release of the charter school from school district policies. Each charter school's contract shall include a statement specifying the manner in which the charter school shall comply with the intent of the state statutes, state board rules, and district rules that are waived for the charter school ~~either automatically or by application.~~

(3) A contract between a charter school and the chartering local board of education shall reflect all requests for release of the charter school from state statutes and state board rules ~~THAT ARE NOT AUTOMATIC WAIVERS AND A LIST OF THE AUTOMATIC WAIVERS THAT THE CHARTER SCHOOL IS INVOKING. Within ten days after the contract is approved by the chartering local board of education, any request for release from state statutes and state board rules shall be delivered by the chartering local board of education SHALL DELIVER to the state board ANY REQUEST FOR WAIVER OF STATE STATUTES AND STATE BOARD RULES THAT ARE NOT AUTOMATIC WAIVERS. The chartering local board of education shall request the release on a form provided by the department~~ BY SUBMITTING A COMPLETE COPY OF THE SIGNED CHARTER CONTRACT. Within forty-five days after a request for release is received by the state board, the state board shall either grant or deny the request. If the state board grants the request, it may orally notify the chartering local board of education and the charter school of its decision. If the state board denies the request, it shall notify the chartering local board of education and the charter school in writing that the request is denied and specify the reasons for denial. If the chartering local board of education and the charter school do not receive notice of the state board's decision within forty-five days after submittal of the request for release, the request shall be deemed granted. If the state board denies a request for release that includes multiple state statutes or state board rules, the denial shall specify the state statutes and state board rules for which the release is denied, and the denial shall apply only to those state statutes and state board rules so specified.

SECTION 6. In Colorado Revised Statutes, 22-30.5-106, **amend** (1) (o) as follows:

22-30.5-106. Charter application - contents. (1) The charter school application is a proposed agreement upon which the charter applicant and the chartering local board of education negotiate a charter contract. At a minimum, each charter school application includes:

(o) A list of the waivers of statute, state rule, and school district policies that the proposed charter school is requesting. ~~which list explains~~ FOR EACH REQUESTED WAIVER OF A STATUTE OR STATE RULE THAT IS NOT AN AUTOMATIC WAIVER, THE CHARTER SCHOOL APPLICATION MUST STATE the rationale for ~~each~~ THE requested waiver and the manner in which the proposed charter school plans to meet the intent of the waived statute, rule, or policy.

SECTION 7. In Colorado Revised Statutes, 22-30.5-502, **add** (1.5) as follows:

22-30.5-502. Definitions. As used in this part 5, unless the context otherwise requires:

(1.5) "AUTOMATIC WAIVER" MEANS THE WAIVER OF A STATE STATUTE OR STATE BOARD RULE:

(a) THAT IS INCLUDED ON THE LIST OF AUTOMATIC WAIVERS ADOPTED BY RULE OF THE STATE BOARD;

(b) THAT IS AVAILABLE TO EACH CHARTER SCHOOL, INCLUDING EACH INSTITUTE CHARTER SCHOOL, AND IS VALID FOR THE INITIAL, OR SUBSEQUENT RENEWAL, TERM OF THE CHARTER CONTRACT; AND

(c) FOR WHICH A CHARTER SCHOOL, INCLUDING AN INSTITUTE CHARTER SCHOOL, IS NOT REQUIRED TO SUBMIT A STATEMENT THAT SPECIFIES THE MANNER IN WHICH THE CHARTER SCHOOL INTENDS TO COMPLY WITH THE INTENT OF THE AUTOMATICALLY WAIVED STATE STATUTE OR STATE BOARD RULE.

SECTION 8. In Colorado Revised Statutes, 22-30.5-507, **amend** (7) as follows:

22-30.5-507. Institute charter school - requirements - authority - rules.

(7) (a) Pursuant to the charter contract, an institute charter school may operate free from specified statutes and state board rules. The state board shall promulgate rules ~~identifying state statutes and state rules that are automatically waived~~ THAT LIST THE AUTOMATIC WAIVERS for all charter schools, including institute charter schools. IN PROMULGATING THE LIST OF AUTOMATIC WAIVERS, THE STATE BOARD SHALL CONSIDER THE OVERALL IMPACT AND COMPLEXITY OF THE REQUIREMENTS SPECIFIED IN THE STATUTE AND THE POTENTIAL CONSEQUENCES THAT WAIVING THE STATUTE MAY HAVE ON THE PRACTICES OF A CHARTER SCHOOL, INCLUDING AN INSTITUTE CHARTER SCHOOL. NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (a) TO THE CONTRARY, THE STATE BOARD SHALL NOT INCLUDE THE FOLLOWING STATUTES ON THE LIST OF AUTOMATIC WAIVERS:

(I) SECTION 22-9-106, CONCERNING THE PERFORMANCE EVALUATION SYSTEM FOR LICENSED PERSONNEL;

(II) SECTION 22-32-109(1)(n)(I) AND (1)(n)(II)(B), CONCERNING THE ANNUAL SCHOOL CALENDAR; AND

(III) PART 2 OF ARTICLE 63 OF THIS TITLE, CONCERNING THE EMPLOYMENT OF LICENSED PERSONNEL.

(b) An institute charter school may apply to the state board, through the institute, for a waiver of state statutes and state rules that are not ~~automatically waived~~ AUTOMATIC WAIVERS. The state board may waive state statutory requirements or rules promulgated by the state board; except that the state board may not waive any statute or rule relating to:

(I) School accountability committees as described in section 22-11-401; ~~any state statute or rule relating to~~

(II) The assessments required to be administered pursuant to section 22-7-409; ~~any state statute or rule necessary to prepare~~

(III) The school performance reports pursuant to part 5 of article 11 of this title; ~~or any statute or rule necessary to implement~~

(IV) The provisions of the "Public School Finance Act of 1994", article 54 of this title; ~~or any state statute or rule relating to~~

(V) The "Children's Internet Protection Act", article 87 of this title.

(c) ~~Any~~ A waiver of state statute or state board rule made pursuant to this subsection (7) ~~shall be~~ is for the term of the contract for which the waiver is made. A request for a waiver may be submitted to the institute as a part of the application for an institute charter school. IF THE INSTITUTE APPLIES TO THE STATE BOARD FOR A WAIVER ON BEHALF OF AN INSTITUTE CHARTER SCHOOL, THE INSTITUTE IS ONLY REQUIRED TO PROVIDE A COMPLETE COPY OF THE SIGNED CHARTER CONTRACT.

SECTION 9. In Colorado Revised Statutes, 22-30.5-509, **amend** (1) (o) as follows:

22-30.5-509. Institute charter school application - contents. (1) The institute charter school application is a proposed agreement upon which the institute charter applicant and the institute negotiate a charter contract. At a minimum, each institute charter school application includes:

(o) A list of the waivers of statute and state rules that the proposed institute charter school is requesting, ~~which list explains~~ FOR EACH REQUESTED WAIVER OF A STATUTE OR STATE RULE THAT IS NOT AN AUTOMATIC WAIVER, THE INSTITUTE CHARTER SCHOOL APPLICATION MUST STATE the rationale for each requested waiver and the manner in which the proposed institute charter school plans to meet the intent of the waived statute or rule;

SECTION 10. In Colorado Revised Statutes, 22-44-105, **amend as it exists until proclamation of the governor** (4); and **add** (6) as follows:

22-44-105. Budget - contents - mandatory. (4) (a) ~~Not later than July 1, 1998,~~ The state board of education, with input from the financial policies and procedures advisory committee, shall establish, ~~and~~ implement, AND MAINTAIN a statewide financial, student management, and human resource electronic data communications and reporting system that is based on a ~~redesigned~~ standard chart of accounts, a standard information system, and a standard personnel classification system. The department of education, THE STATE CHARTER SCHOOL INSTITUTE, and all DISTRICT CHARTER SCHOOLS, INSTITUTE CHARTER SCHOOLS, school districts, and boards of cooperative services in the state shall use the system to report and obtain necessary financial information.

(b) In ~~redesigning~~ IMPLEMENTING AND MAINTAINING the financial and human resource reporting system pursuant to paragraph (a) of this section, the state board of education shall adhere to, but is not limited to, the following guidelines:

(I) The ~~financial and human resource~~ reporting system ~~shall~~ MUST be based on a ~~redesigned~~ STANDARD chart of accounts that ~~will make~~ MAKES school-to-school and school district-to-school district comparisons ~~more~~ accurate and meaningful;

(II) The ~~financial and human resource~~ reporting system ~~shall~~ MUST provide standard definitions for employment positions such that full, accurate disclosure of administrative costs is made within the budgets and the financial statements of every school district; AND

(III) The ~~financial~~ reporting system ~~shall~~ MUST make it possible to collect comparable data by program and school site.

(c) Nothing in this section shall be interpreted to require accounting of salary and benefit costs by school site.

~~(d) Repealed.~~

(d) THE FINANCIAL POLICIES AND PROCEDURES ADVISORY COMMITTEE SHALL CONSIDER AND MAKE A RECOMMENDATION TO THE STATE BOARD OF EDUCATION CONCERNING WHETHER THE STANDARD CHART OF ACCOUNTS SHOULD INCLUDE THE REPORTING OF REVENUES RECEIVED AT ALL LEVELS, INCLUDING PUBLIC REVENUES RECEIVED FROM PRIVATE GIFTS, GRANTS, AND DONATIONS, AND, IF SO, HOW THE REPORTING OF REVENUES WOULD BE INCLUDED IN THE STANDARD CHART OF ACCOUNTS.

(e)(I) THE DEPARTMENT SHALL ISSUE A REQUEST FOR PROPOSALS AND CONTRACT FOR THE CREATION OF A WEB SITE VIEW THAT, AT A MINIMUM, TRANSLATES THE EXPENDITURES FOR EACH OF THE MAJOR CATEGORIES SPECIFIED IN THE CHART OF ACCOUNTS FOR SCHOOL SITES, SCHOOL DISTRICTS, THE STATE CHARTER SCHOOL INSTITUTE, AND BOARDS OF COOPERATIVE SERVICES, AS POSTED ON THE WEB SITE MAINTAINED BY EACH LOCAL EDUCATION PROVIDER PURSUANT TO SECTION 22-44-304, INTO A FORMAT THAT IS READABLE BY A LAYPERSON. THE DEPARTMENT AND THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS, IF ANY, SHALL WORK WITH THE FINANCIAL POLICIES AND PROCEDURES ADVISORY COMMITTEE AND A REPRESENTATIVE FROM THE OFFICE OF STATE PLANNING AND BUDGETING IN DESIGNING THE PRESENTATION OF DATA ON THE WEB SITE VIEW TO ENSURE THE GREATEST DEGREE OF CLARITY AND COMPARABILITY BY LAYPERSONS OF EXPENDITURES AMONG SCHOOL SITES, SCHOOL DISTRICTS, THE STATE CHARTER SCHOOL INSTITUTE, AND BOARDS OF COOPERATIVE SERVICES.

(II) THE DEPARTMENT SHALL ENSURE THAT THE WEB SITE CREATED PURSUANT TO THIS PARAGRAPH (e) IS AVAILABLE TO THE PUBLIC NO LATER THAN JULY 1, 2017, AND IS UPDATED ANNUALLY.

(6) (a) THERE IS CREATED IN THE STATE TREASURY THE FINANCIAL REPORTING FUND, REFERRED TO IN THIS SUBSECTION (6) AS THE "FUND". FOR THE 2014-15 BUDGET YEAR, THE STATE TREASURER SHALL TRANSFER THREE MILLION DOLLARS FROM THE STATE EDUCATION FUND, CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION, TO THE FUND TO OFFSET THE COSTS INCURRED BY THE DEPARTMENT IN IMPLEMENTING PARAGRAPH (e) OF SUBSECTION (4) OF THIS SECTION. THE MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT

OF EDUCATION BEGINNING IN THE 2014-15 BUDGET YEAR AND CONTINUING THROUGH THE 2017-18 BUDGET YEAR, AFTER WHICH TIME ANY MONEYS REMAINING IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION.

(b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF PARAGRAPH (e) OF SUBSECTION (4) OF THIS SECTION AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(c) THE GENERAL ASSEMBLY HEREBY DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, CREATING AND MAINTAINING THE WEB SITE DESCRIBED IN PARAGRAPH (e) OF SUBSECTION (4) OF THIS SECTION IS AN IMPORTANT ELEMENT IN IMPLEMENTING ACCOUNTABILITY REPORTING AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

SECTION 11. In Colorado Revised Statutes, 22-44-304, **amend** (1), (3) (a), and (4) as follows:

22-44-304. Financial reporting - on-line access to information - repeal.

(1) (a) Commencing July 1, 2010, and on a continuing basis thereafter, each local education provider shall post the following information on-line, in a downloadable format, for free public access:

(I) The local education provider's annual budget, adopted pursuant to section 22-44-110 (4), commencing with the budget for the 2009-10 budget year;

(II) The local education provider's annual audited financial statements, prepared pursuant to section 22-32-109 (1) (k), commencing with the audits prepared for the 2009-10 budget year;

(III) (A) The local education provider's quarterly financial statements, at a minimum, prepared pursuant to section 22-45-102, commencing with the statements for the 2010-11 budget year. ~~and~~

(B) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1, 2017.

(IV) The local education provider's salary schedules or policies, adopted pursuant to sections 22-32-109.4 and 22-63-401, commencing with those applicable to the 2010-11 budget year.

(b) (I) Additionally, commencing July 1, 2011, each local education provider shall post accounts payable check registers and credit, debit, and purchase card statements on-line, in a downloadable format, for free public access.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2017.

(c) (I) Additionally, commencing July 1, 2012, each local education provider

shall post investment performance reports or statements on-line, in a downloadable format, for free public access.

(II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2017.

(d) ADDITIONALLY, COMMENCING JULY 1, 2015, EACH LOCAL EDUCATION PROVIDER SHALL POST IN A FORMAT THAT CAN BE DOWNLOADED AND SORTED, FOR FREE PUBLIC ACCESS, THE LOCAL EDUCATION PROVIDER'S ACTUAL EXPENDITURES, INCLUDING BUT NOT LIMITED TO ACTUAL SALARY EXPENDITURES AND ACTUAL BENEFIT EXPENDITURES REPORTED BY JOB CATEGORY SPECIFIED IN THE STANDARD CHART OF ACCOUNTS, AT THE LOCAL EDUCATION PROVIDER LEVEL AND AT THE SCHOOL-SITE LEVEL.

(3) (a) Each local education provider shall update the information specified in PARAGRAPHS (a), (b), AND (c) OF subsection (1) of this section within sixty days after the local education provider's completion or receipt of the applicable report, statement, or document. EACH LOCAL EDUCATION PROVIDER SHALL UPDATE THE INFORMATION SPECIFIED IN PARAGRAPH (d) OF SUBSECTION (1) OF THIS SECTION ANNUALLY BY A DATE SPECIFIED BY THE FINANCIAL POLICIES AND PROCEDURES ADVISORY COMMITTEE.

(4) No later than July 1, ~~2010~~ 2015, the financial policies and procedures advisory committee of the department shall create a template for ~~voluntary use by~~ THAT local education providers ~~needing assistance with the on-line posting of~~ MUST USE TO POST ALL OF the information specified in subsection (1) of this section, INCLUDING BUT NOT LIMITED TO THE SITE-LEVEL REPORTING REQUIREMENTS. The template may include both the type of electronic file posted as well as the information to be included in the posting. ~~The committee may take into consideration any existing templates or reports developed by the department for purposes of financial reporting.~~

SECTION 12. In Colorado Revised Statutes, 22-30.5-112, **add** (3) (c) as follows:

22-30.5-112. Charter schools - financing - definitions - guidelines.

(3) (c) WITHIN NINETY DAYS AFTER THE END OF EACH BUDGET YEAR, EACH SCHOOL DISTRICT SHALL PROVIDE TO EACH CHARTER SCHOOL OF THE SCHOOL DISTRICT AN ITEMIZED ACCOUNTING OF ALL THE ACTUAL SPECIAL EDUCATION COSTS THAT THE SCHOOL DISTRICT INCURRED FOR THE APPLICABLE BUDGET YEAR AND THE BASIS OF ANY PER PUPIL CHARGES FOR SPECIAL EDUCATION THAT THE SCHOOL DISTRICT IMPOSED AGAINST THE CHARTER SCHOOL FOR THE APPLICABLE BUDGET YEAR.

SECTION 13. In Colorado Revised Statutes, **add** 22-2-113.8 as follows:

22-2-113.8. Department of education - additional local revenues - distribution to schools - annual report. (1) FOR THE 2014-15 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, EACH SCHOOL DISTRICT SHALL REPORT THE TOTAL AMOUNT OF ADDITIONAL LOCAL PROPERTY TAX REVENUES THE DISTRICT IS AUTHORIZED TO COLLECT IN ADDITION TO THE DISTRICT'S TOTAL PROGRAM MILL LEVY, BUT NOT INCLUDING AMOUNTS AUTHORIZED PURSUANT TO SECTION 22-40-110, ARTICLE 42 OF THIS TITLE, OR ARTICLE 43 OF THIS TITLE, AND THE

AMOUNT OF THE ADDITIONAL LOCAL PROPERTY TAX REVENUES THAT THE SCHOOL DISTRICT DISTRIBUTES DIRECTLY TO SCHOOLS OF THE SCHOOL DISTRICT, STATED AS A DOLLAR AMOUNT.

(2) THE DEPARTMENT SHALL ANNUALLY COMPILE A REPORT OF THE INFORMATION RECEIVED PURSUANT TO SUBSECTION (1) OF THIS SECTION CONCERNING THE COLLECTION OF ADDITIONAL LOCAL PROPERTY TAX REVENUES BY EACH SCHOOL DISTRICT AND THE DISTRIBUTION OF THE REVENUES TO THE SCHOOLS OF THE SCHOOL DISTRICT, INCLUDING THE CHARTER SCHOOLS. IN ADDITION TO THE COMPILED INFORMATION, THE REPORT MUST INCLUDE A COMPARISON OF THE AMOUNT OF ADDITIONAL LOCAL PROPERTY TAX REVENUES RECEIVED BY THE SCHOOL DISTRICT AND THE AMOUNT DISTRIBUTED TO THE SCHOOLS OF THE DISTRICT, INCLUDING THE CHARTER SCHOOLS, AT THE DISTRICT LEVEL AND AGGREGATED STATEWIDE.

(3) (a) THE DEPARTMENT SHALL ALLOW EACH SCHOOL DISTRICT AND EACH DISTRICT CHARTER SCHOOL TO REVIEW THE REPORT BEFORE PUBLICATION. A SCHOOL DISTRICT OR A CHARTER SCHOOL MAY REQUEST THAT THE DEPARTMENT COMPILE AN ADDENDUM TO THE REPORT THAT IS SPECIFIC TO THE REQUESTING SCHOOL DISTRICT OR CHARTER SCHOOL AND THAT EXAMINES THE OVERALL LEVEL OF FUNDING DISTRIBUTED BY THE SCHOOL DISTRICT TO THE CHARTER SCHOOLS OF THE DISTRICT, INCLUDING:

(I) CAPITAL CONSTRUCTION AND FACILITIES FUNDING;

(II) FUNDING FOR TECHNOLOGY; AND

(III) ANY OTHER FUNDING THAT THE SCHOOL DISTRICT DISTRIBUTES TO THE CHARTER SCHOOLS OF THE DISTRICT.

(b) THE DEPARTMENT SHALL SIMULTANEOUSLY PUBLISH ON THE DEPARTMENT WEB SITE THE REPORT AND ANY ADDENDA PREPARED FOR THE REPORT IN RESPONSE TO A SCHOOL DISTRICT OR CHARTER SCHOOL REQUEST.

SECTION 14. In Colorado Revised Statutes, **repeal as it will take effect upon proclamation of the governor 22-2-113.7.**

SECTION 15. In Colorado Revised Statutes, 22-43.7-104, **amend** (2) (b) (I), (3), and (3.5); and **add** (2) (d) as follows:

22-43.7-104. Public school capital construction assistance fund - creation - crediting of moneys to fund - use of fund - emergency reserve - creation - reserve account - creation and use. (2) (b) For each fiscal year commencing on or after July 1, 2008, the following moneys shall be credited to the assistance fund:

(I) (A) Unless and until the state treasurer, pursuant to sub-subparagraph (B) of this subparagraph (I), provides written notice to the joint budget committee of the general assembly that the state treasurer has determined that the use of interest or income earned on the deposit and investment of moneys in the public school fund to make lease payments under a lease-purchase agreement entered into pursuant to section 22-43.7-110 (2) will prevent the interest component of the lease payments from qualifying for exemption from federal income taxation, the greater of

thirty-five percent of the gross amount of public school lands income received during the fiscal year or ~~an amount of such income equal to the difference between the total amount of lease payments to be made by the state under the terms of lease-purchase agreements entered into pursuant to section 22-43.7-110 (2) and the total amount of matching moneys to be paid to the state as lease payments under the terms of sublease-purchase agreements entered into pursuant to section 22-43.7-110 (2)~~ FORTY MILLION DOLLARS. The moneys required to be credited to the assistance fund pursuant to this sub-subparagraph (A) may be taken from any single source or combination of sources of public school lands income.

(B) Except as otherwise provided in sub-subparagraph (C) of this subparagraph (I), if the state treasurer determines during any fiscal year that the use of interest or income earned on the deposit and investment of moneys in the public school fund to make lease payments under a lease-purchase agreement will prevent the interest component of the lease payments from qualifying for exemption from federal income taxation and provides written notice to the joint budget committee of the general assembly of the determination, for the portion of the fiscal year beginning on the date the written notice is provided to the joint budget committee and for each subsequent fiscal year, the greater of fifty percent of the gross amount of public school lands income other than interest or income earned on the deposit and investment of moneys in the public school fund received during the fiscal year or ~~an amount of such public school lands income equal to the difference between the total amount of lease payments to be made by the state under the terms of lease-purchase agreements entered into pursuant to section 22-43.7-110 (2) and the total amount of matching moneys to be paid to the state as lease payments under the terms of sublease-purchase agreements entered into pursuant to section 22-43.7-110 (2)~~ FORTY MILLION DOLLARS. The moneys required to be credited to the assistance fund pursuant to this sub-subparagraph (B) may be taken from any single source or combination of sources of public school lands income other than interest or income earned on the deposit and investment of moneys in the public school fund.

(C) If, after making a determination and providing notice pursuant to sub-subparagraph (B) of this subparagraph (I), the state treasurer makes a new determination during any fiscal year that the use of interest or income earned on the deposit and investment of moneys in the public school fund to make lease payments under a lease-purchase agreement entered into pursuant to section 22-43.7-110 (2) will not prevent the interest component of the lease payments from qualifying for exemption from federal income taxation and the state treasurer provides written notice to the joint budget committee of the general assembly that the state treasurer has made a new determination and is rescinding the determination made pursuant to said sub-subparagraph (B) as of the date the written notice is provided, for the portion of the fiscal year beginning on the date the written notice is provided to the joint budget committee and for each subsequent fiscal year, the greater of thirty-five percent of the gross amount of public school lands income received during the fiscal year or ~~an amount of such income equal to the difference between the total amount of lease payments to be made by the state under the terms of lease-purchase agreements entered into pursuant to section 22-43.7-110 (2) and the total amount of matching moneys to be paid to the state as lease payments under the terms of sublease-purchase agreements entered into pursuant to section 22-43.7-110 (2)~~ FORTY MILLION DOLLARS. The moneys required to be credited to the assistance fund pursuant to this sub-subparagraph (C) may be taken from any single source or

combination of sources of public school lands income.

(d) BEGINNING JANUARY 1, 2014, THE STATE TREASURER, AS PROVIDED IN SECTION 39-28.8-305 (1) (a), C.R.S., SHALL ANNUALLY CREDIT TO THE ASSISTANCE FUND THE FIRST FORTY MILLION DOLLARS RECEIVED AND COLLECTED FROM THE EXCISE TAX ON RETAIL MARIJUANA IMPOSED PURSUANT TO PART 3 OF ARTICLE 28.8 OF TITLE 39, C.R.S. THE STATE TREASURER SHALL CREDIT TWELVE AND FIVE-TENTHS PERCENT OF THE AMOUNT ANNUALLY CREDITED PURSUANT TO THIS PARAGRAPH (d) TO THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT, WHICH ACCOUNT IS CREATED WITHIN THE ASSISTANCE FUND.

(3) Subject to annual appropriation, the department may expend moneys in the assistance fund to pay the direct and indirect administrative costs, including but not limited to the costs of conducting or contracting for the financial assistance priority assessment required by section 22-43.7-108 (1), incurred by the division, and the board, AND THE DEPARTMENT in exercising their powers and duties pursuant to this article. Any moneys in the assistance fund not appropriated for a fiscal year to the department for administrative costs before the fiscal year commences are hereby continuously appropriated to the board for the purpose of providing financial assistance, making payments required by section 22-43.7-114, and paying any transaction costs necessarily incurred in connection with the provision of financial assistance as authorized by this article; except that the use of any assistance fund moneys to make lease payments required by lease-purchase agreements entered into pursuant to section 22-43.7-110 (2) shall be subject to annual appropriation by the general assembly.

(3.5) In determining the amount of financial assistance that it provides and in so doing managing the balance of the assistance fund, the board shall ensure that, effective June 30, 2013, and effective each June 30 thereafter, the balance of the assistance fund, NOT INCLUDING THE AMOUNTS CREDITED TO THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT PURSUANT TO PARAGRAPH (d) OF SUBSECTION (2) OF THIS SECTION, is at least equal to the total amount of payments to be made by the state during the next fiscal year under the terms of any lease-purchase agreements entered into pursuant to section 22-43.7-110 (2) less the amount of any school district matching moneys and any federal moneys to be received for the purpose of making the payments.

SECTION 16. In Colorado Revised Statutes, add 22-43.7-110.3 as follows:

22-43.7-110.3. Department - charter school facilities assistance account - distribution - definitions. (1) SUBJECT TO ANNUAL APPROPRIATIONS, THE DEPARTMENT SHALL DISTRIBUTE THE MONEYS CREDITED TO THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT CREATED IN SECTION 22-43.7-104 (2) (d) AS PROVIDED IN THIS SECTION. A QUALIFIED CHARTER SCHOOL MAY USE MONEYS RECEIVED FROM THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT FOR CAPITAL CONSTRUCTION PURPOSES.

(2)(a) THE DEPARTMENT SHALL ANNUALLY DISTRIBUTE THE MONEYS CREDITED TO THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT BASED ON EACH SCHOOL DISTRICT'S CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT AND EACH INSTITUTE CHARTER SCHOOL'S CERTIFIED PUPIL ENROLLMENT FOR THE APPLICABLE FISCAL

YEAR.

(b) (I) EACH SCHOOL DISTRICT THAT PROVIDES FUNDING PURSUANT TO SECTION 22-30.5-112 OR 22-30.5-112.1 TO AT LEAST ONE QUALIFIED CHARTER SCHOOL IN A FISCAL YEAR SHALL, FOR THAT FISCAL YEAR, RECEIVE AN AMOUNT EQUAL TO THE PERCENTAGE OF THE TOTAL CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT FOR ALL QUALIFIED CHARTER SCHOOLS STATEWIDE FOR THE APPLICABLE FISCAL YEAR THAT IS ATTRIBUTABLE TO THE DISTRICT'S CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT, MULTIPLIED BY THE AMOUNT CREDITED TO THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT FOR THE APPLICABLE FISCAL YEAR.

(II) A SCHOOL DISTRICT SHALL DISTRIBUTE THE MONEYS RECEIVED PURSUANT TO THIS PARAGRAPH (b) TO EACH QUALIFIED CHARTER SCHOOL OF THE SCHOOL DISTRICT IN AN AMOUNT EQUAL TO THE PERCENTAGE OF THE SCHOOL DISTRICT'S CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT THAT IS ATTRIBUTABLE TO PUPILS EXPECTED TO BE ENROLLED IN THE QUALIFIED CHARTER SCHOOL, MULTIPLIED BY THE TOTAL AMOUNT OF MONEYS RECEIVED BY THE SCHOOL DISTRICT PURSUANT TO THIS PARAGRAPH (b) FOR THE APPLICABLE FISCAL YEAR. THE SCHOOL DISTRICT SHALL NOT RETAIN ANY PORTION OF THE MONEYS RECEIVED PURSUANT TO THIS PARAGRAPH (b) TO DEFRAY ADMINISTRATIVE EXPENSES OR FOR ANY OTHER PURPOSE.

(c) (I) THE STATE CHARTER SCHOOL INSTITUTE, IN EACH FISCAL YEAR IN WHICH IT DISTRIBUTES MONEYS TO AT LEAST ONE INSTITUTE CHARTER SCHOOL THAT IS A QUALIFIED CHARTER SCHOOL, SHALL, FOR THAT FISCAL YEAR, RECEIVE AN AMOUNT EQUAL TO THE PERCENTAGE OF THE TOTAL CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT FOR ALL QUALIFIED CHARTER SCHOOLS FOR THE APPLICABLE FISCAL YEAR THAT IS ATTRIBUTABLE TO INSTITUTE CHARTER SCHOOLS THAT ARE QUALIFIED CHARTER SCHOOLS, MULTIPLIED BY THE AMOUNT CREDITED TO THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT FOR THE APPLICABLE FISCAL YEAR.

(II) THE STATE CHARTER SCHOOL INSTITUTE SHALL DISTRIBUTE THE MONEYS RECEIVED PURSUANT TO THIS PARAGRAPH (c) TO EACH INSTITUTE CHARTER SCHOOL THAT IS A QUALIFIED CHARTER SCHOOL IN AN AMOUNT EQUAL TO THE PERCENTAGE OF THE TOTAL INSTITUTE CHARTER SCHOOL CERTIFIED PUPIL ENROLLMENT THAT IS ATTRIBUTABLE TO PUPILS EXPECTED TO BE ENROLLED IN THE QUALIFIED INSTITUTE CHARTER SCHOOL, MULTIPLIED BY THE TOTAL AMOUNT OF MONEYS RECEIVED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO THIS PARAGRAPH (c) FOR THE APPLICABLE FISCAL YEAR. THE STATE CHARTER SCHOOL INSTITUTE SHALL NOT RETAIN ANY PORTION OF THE MONEYS RECEIVED PURSUANT TO THIS PARAGRAPH (c) TO DEFRAY ADMINISTRATIVE EXPENSES OR FOR ANY OTHER PURPOSE.

(d) AS USED IN THIS SECTION:

(I) "CAPITAL CONSTRUCTION" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54-124 (1) (a).

(II) "DISTRICT'S CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54-124 (1) (c).

(III) "INSTITUTE CHARTER SCHOOL'S CERTIFIED PUPIL ENROLLMENT" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54-124 (1) (c.5).

(IV) "QUALIFIED CHARTER SCHOOL" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-54-124 (1) (f.6).

(V) "TOTAL CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT" MEANS THE PUPIL ENROLLMENT CERTIFIED BY THE DEPARTMENT PURSUANT TO SECTION 22-54-124 (3) (b).

SECTION 17. In Colorado Revised Statutes, 22-54-124, **amend** (3) (a) as follows:

22-54-124. State aid for charter schools - use of state education fund moneys - definitions. (3) (a) (I) and (II) Repealed.

(III) (A) The total amount of state education fund moneys to be appropriated for all eligible districts and for all eligible institute charter schools for the 2003-04 through 2011-12 budget years shall be an amount equal to five million dollars; except that, for the 2006-07 budget year, an additional two million eight hundred thousand dollars shall be appropriated from the state education fund and shall be used for the purposes of this section, and for the 2008-09 budget year, an additional one hundred thirty-five thousand dollars shall be appropriated from the state education fund and shall be distributed pursuant to section 22-54-133, as said section existed prior to its repeal in 2010. The total amount of state education fund moneys to be appropriated for all eligible districts and for all eligible institute charter schools for the 2012-13 budget year is six million dollars. The total amount of state education fund moneys to be appropriated for all eligible districts and for all eligible institute charter schools for the 2013-14 budget year ~~and each budget year thereafter~~ is seven million dollars.

(B) Repealed.

(IV) (A) THE TOTAL AMOUNT OF STATE EDUCATION FUND MONEYS TO BE APPROPRIATED FOR ALL ELIGIBLE DISTRICTS AND FOR ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS FOR THE 2014-15 BUDGET YEAR IS THIRTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS.

(B) THE TOTAL AMOUNT OF STATE EDUCATION FUND MONEYS TO BE APPROPRIATED FOR ALL ELIGIBLE DISTRICTS AND ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS FOR THE 2015-16 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER IS TWENTY MILLION DOLLARS.

~~(V)~~ (V) For the 2004-05 budget year, and each budget year thereafter, the amount of state education fund moneys to be distributed to any eligible district and any eligible institute charter school shall be an amount equal to the percentage of the sum of the district's certified charter school pupil enrollment and the institute charter school's certified pupil enrollment for all eligible districts and eligible institute charter schools in the state that is attributable to the eligible district or eligible institute charter school multiplied by the total amount of state education fund moneys distributed to all eligible districts and eligible institute charter schools for the same budget year pursuant to ~~sub-subparagraph (A) of this subparagraph~~ SUBPARAGRAPHS (III) AND (IV) OF THIS PARAGRAPH (a).

SECTION 18. In Colorado Revised Statutes, 22-30.5-407, **amend** (2) (a) (III), (2) (a) (IV), (2) (c), (4) (d) introductory portion, and (4) (d) (II); and **add** (2) (a) (I.5) and (2) (a) (V) as follows:

22-30.5-407. State charter school debt reserve fund - creation - use of fund moneys - legislative declaration. (2) (a) There is hereby created in the state treasury the state charter school debt reserve fund. The fund shall consist of the following moneys:

(I.5) SIX MILLION FIVE HUNDRED THOUSAND DOLLARS THAT ARE TRANSFERRED FROM THE STATE EDUCATION FUND TO THE STATE CHARTER SCHOOL DEBT RESERVE FUND ON JULY 1, 2014;

(III) Moneys transferred from the state education fund to the state charter school debt reserve fund pursuant to paragraph (d) of subsection (4) of this section; ~~and~~

(IV) Moneys credited to the fund by the state treasurer pursuant to section 22-30.5-408 (2) (c) (II); AND

(V) INTEREST AND INCOME CREDITED TO THE FUND PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (2).

(c) All interest and income derived from the deposit and investment of moneys in the state charter school debt reserve fund ~~shall be~~ ON OR BEFORE JUNE 30, 2014, IS CREDITED TO THE STATE EDUCATION FUND AND ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE STATE CHARTER SCHOOL DEBT RESERVE FUND ON AND AFTER JULY 1, 2014, IS CREDITED TO THE STATE CHARTER SCHOOL DEBT RESERVE FUND; ~~except that all interest and income derived from the deposit and investment of moneys in the state charter school interest savings account shall be credited to the account in accordance with paragraph (b) of this subsection (2). At the end of any fiscal year, all unexpended and unencumbered moneys in the state charter school debt reserve fund and the account shall remain in the fund and the account respectively.~~

(4) (d) If the state treasurer expends moneys from the portion of the state charter school debt reserve fund that is not the state charter school interest savings account or if the state treasurer expends moneys from the state charter school interest savings account for purposes other than the payment of the administrative costs of the state treasurer, the state treasurer shall withhold charter school per pupil facilities aid program moneys to the extent necessary to restore that portion of the state charter school debt reserve fund, by the transfer of all withheld amounts from the state education fund to that portion of the state charter school debt reserve fund, to a ~~one million dollar~~ balance OF SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS and to the extent necessary to restore the state charter school interest savings account, by the transfer of all withheld amounts from the state education fund to the state charter school interest savings account, to the balance prior to expenditure of moneys from the account, in accordance with the following requirements:

(II) If, in any given fiscal year, the state treasurer determines that after withholding the maximum amount of charter school per pupil facilities aid program

moneys that may be withheld pursuant to subparagraph (I) of this paragraph (d) the portion of the state charter school debt reserve fund that is not the state charter school interest savings account will not be restored to a ~~one million dollar~~ balance OF SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS or the state charter school interest savings account will not be restored to the balance in the account prior to the state treasurer's expenditure of moneys from the account, each charter school that is not relying upon the state charter school debt reserve fund and the provisions of section 22-30.5-408 with respect to bonds issued on its behalf by the Colorado educational and cultural facilities authority shall have its payment reduced by the same percentage and by a maximum of ten percent.

SECTION 19. In Colorado Revised Statutes, 22-30.5-408, **amend** (2) (a) and (2) (c) (II) as follows:

22-30.5-408. Replenishment of qualified charter school debt service reserve funds - additional responsibilities - state treasurer - qualified charter schools - definitions. (2) (a) If the Colorado educational and cultural facilities authority has issued qualified charter school bonds on behalf of any qualified charter school that fails immediately to restore its qualified charter school debt service reserve fund to the applicable qualified charter school debt service reserve fund requirement, the board of directors of the authority shall submit to the governor a certificate certifying any amount of moneys required to restore the qualified charter school debt service reserve fund to the applicable qualified charter school debt service reserve fund requirement. The governor shall submit a request for appropriations in an amount sufficient to restore any or all qualified charter school debt reserve funds to their respective qualified charter school debt service reserve fund requirements and the general assembly may, but shall not be required to, appropriate moneys for said purpose. If, in its sole discretion, the general assembly appropriates any moneys for said purpose, the aggregate outstanding principal amount of bonds for which moneys may be appropriated for said purpose shall not exceed ~~four~~ FIVE hundred million dollars.

(c) (II) Any net proceeds from the sale of property securing the bonds for which the qualified charter school debt reserve fund is established shall be used to reimburse the state treasurer for any costs incurred in connection with the sale of such property. The state treasurer shall credit any additional net proceeds from the sale of such property to the state charter school debt reserve fund to restore the fund to a balance of ~~one~~ SEVEN million FIVE HUNDRED THOUSAND dollars. The state treasurer shall credit any remaining net proceeds from the sale of such property to the state charter school interest savings account in the state charter school debt reserve fund.

SECTION 20. In Colorado Revised Statutes, 22-7-1210, **amend** (1) (d) (I) as follows:

22-7-1210. Early literacy fund - created - repeal. (1) The early literacy fund is hereby created in the state treasury and is referred to in this section as the "fund". The fund shall consist of:

(d) (I) For the 2013-14 budget year, ~~and each budget year thereafter,~~ an amount equal to sixteen million dollars from the state education fund, ~~AND FOR THE 2014-15~~

BUDGET YEAR, AND EACH BUDGET YEAR THEREAFTER, AN AMOUNT EQUAL TO THIRTY-SIX MILLION DOLLARS FROM THE STATE EDUCATION FUND. On July 1, 2013, and on July 1 each year thereafter, the state treasurer shall transfer ~~said~~ THE APPROPRIATE amount from the state education fund to the early literacy fund.

SECTION 21. Appropriation - adjustments to 2014 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of education for the fiscal year beginning July 1, 2014, are adjusted as follows:

(a) The cash funds appropriation from the state education fund created in section 17 (4) (a) of article IX of the state constitution, for the state share of districts' total program funding, is increased by \$152,358,980.

(b) The cash funds appropriation from the state education fund created in section 17 (4) (a) of article IX of the state constitution, for hold-harmless full-day kindergarten funding, is increased by \$193,196.

(c) The cash funds appropriation from the state education fund created in section 17 (4) (a) of article IX of the state constitution, for state aid to charter school facilities, is increased by \$6,500,000.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the early literacy fund created in section 22-7-1210 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2014, the sum of \$20,000,000, or so much thereof as may be necessary, to be allocated to the early literacy program for early literacy program per pupil intervention funding. Said sum is from moneys transferred from the state education fund created in section 17 (4) (a) of article IX of the state constitution pursuant to section 22-7-1210 (1) (d) (I), Colorado Revised Statutes.

SECTION 22. Appropriation to the department of education for the fiscal year beginning July 1, 2014. In section 2 of House Bill 14-1336, amend Part III (2) (A) Footnote 5, as follows:

Section 2. **Appropriation.**

5 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- Pursuant to Section 22-35-108 (2) (a), C.R.S., the purpose of this footnote is to specify what portion of this appropriation is intended to be available for the Accelerating Students Through Concurrent Enrollment (ASCENT) Program for FY 2014-15. It is the intent of the General Assembly that the Department of Education be authorized to utilize up to ~~\$4,419,336~~ \$4,536,864 of this appropriation to fund qualified students designated as ASCENT Program participants. This amount is calculated based on an estimated 708 FTE participants funded at a rate of ~~\$6,242~~ \$6,408 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.

SECTION 23. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 21, 2014