

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0482.01 Julie Pelegrin x2700

HOUSE BILL 14-1292

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A BILL FOR AN ACT

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

Bill Summary

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

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.

[http://www.leg.state.co.us/bills/summaries.](http://www.leg.state.co.us/bills/summaries/))

Reduction in the negative factor. Under current law, for the 2014-15 budget year, the sum of total program funding for all school districts and institute charter schools, after application of the negative factor, is an amount equal to the final sum of total program funding for the 2013-14 budget year increased by the amount required to adjust the state average per pupil revenues for the 2014-15 budget year by inflation. The bill increases total program funding for the 2014-15 budget year by an additional \$100 million.

Implementation fund. The bill creates the implementation fund (fund) to assist school districts, boards of cooperative services that operate public schools, the state charter school institute, and charter schools (local education providers) in implementing accountability, early literacy, and educator evaluation statutes (education policy plan) and in implementing initiatives and projects to improve educational practice. The fund consists of \$40 million transferred to the fund from the state education fund on July 1, 2014. The department of education (department) is authorized to use 2% of the moneys in the fund to offset the administrative costs of distributing the moneys in the fund and to provide technical support for local education providers in implementing the education policy plan.

Each local education provider receives an allocation from the fund on a per pupil basis. A local education provider may use the moneys only to implement the education policy plan as specified in the bill, initiatives and projects to improve educational practice, and school safety requirements. The fund is repealed, effective July 1, 2018.

Average daily membership. Under current law, funding for school districts and institute charter schools is based on the number of pupils enrolled on a specified count date each school year. Beginning with the 2018-19 budget year, the bill directs the department to calculate funding for school districts and institute charter schools based on the district's or institute charter school's average daily membership, preschool program average daily membership, at-risk pupil average daily membership, on-line average daily membership, ASCENT program average daily membership, and funded membership (collectively referred to as "membership") for the funding averaging period. The funding averaging period is the 4 quarters of the preceding budget year plus the first quarter of the current budget year.

The department must create a data system in the 2014-15 budget year to calculate membership. During the 2015-16 budget year, the department will work with school districts on a volunteer basis to develop and test practices for collecting data and implementing the average daily membership calculation. Beginning in the 2016-17 budget year, each district and institute charter school, in accordance with rule, but no more

than twice per budget year, must report the data required to calculate membership. For the 2016-17 and 2017-18 budget years, each district and institute charter school will continue to receive funding calculated based on pupil enrollment, but the department must also calculate funding based on membership for comparison purposes. Beginning in the 2018-19 budget year and for budget years thereafter, each district's and institute charter school's funding is based on calculations that use membership, rather than single-day pupil enrollment.

Beginning in the 2018-19 budget year, if a school district's membership calculated for the first half of a budget year increases over the preceding funding averaging period, the department will recalculate the school district's total program funding for the remainder of the budget year using the school district's membership for the first half of the then-current budget year.

Under current law, payments of state share of total program for the first several months of the budget year are based on estimated enrollments. When the department receives actual numbers, it recalculates each school district's total program and adjusts each school district's payments accordingly. This process will continue in the 2018-19 budget year and budget years thereafter. The department will recalculate total program and payments of state share after it receives the membership data for the first quarter of each budget year. For the 2018-19 budget year and budget years thereafter, the bill creates the actual membership reserve account within the state public school fund that consists of a one-time appropriation of \$20 million. The department may use the moneys in the actual membership reserve account to make payments of the state's share of total program to a district and payments to an institute charter school if the district's projected funded membership, plus institute charter school membership if the district is an accounting district, is less than the actual funded membership plus institute charter school membership, and the amount appropriated to the state public school fund is insufficient to cover the full amount of the state's share of total program funding and institute charter school funding for the applicable budget year. If the general assembly makes a supplemental appropriation to fully fund the state's share of total program and institute charter school funding for the applicable budget year, the department must restore the balance of the actual membership reserve account before using the supplemental appropriation to make payments to districts and institute charter schools.

Beginning in the 2018-19 budget year, a new institute charter school's funding will be based on the projected membership for the first school day. If the new institute charter school's membership for the first quarter of the budget year is different from the projections, the department shall recalculate the institute charter school's funding based on the membership for the first quarter of the then-current budget year. In the second year of operation or in a budget year in which an institute

charter school increases its program by at least one grade level, if the membership for the first quarter of the school year is greater than the membership for the funding averaging period, the department will recalculate the institute charter school's funding based on the membership for the first quarter of the then-current budget year. In any other budget year, the department will recalculate an institute charter school's funding halfway through the budget year on the same basis that it would recalculate a school district's total program.

Beginning in the 2018-19 budget year, a school district that authorizes a charter school shall calculate the charter school's funding based on the charter school's membership. A school district must calculate and recalculate the funding for a district charter school on the same basis that the department recalculates the funding for an institute charter school.

The general assembly must appropriate moneys for the mid-year increases in funding for school districts, district charter schools, and institute charter schools.

For the 2018-19 budget year, the department must submit to the joint budget committee an estimate of the reduction in the state's share of total program funding that will occur as a result of calculating funding based on membership rather than the one-day pupil enrollment count. It is the general assembly's intent in the 2018-19 budget year to appropriate an amount equal to the reduction to the department. The department will distribute the amount to districts and the state charter school institute on a per pupil basis. Each district and the institute must distribute the per pupil amounts to the charter schools it has authorized.

Reporting of elementary and secondary education expenditures. Under current law, the state board of education (state board) must implement a statewide financial, student management, and human resource electronic data communications and reporting system (reporting system). Under the bill, the reporting system, including the standard chart of accounts, must require the reporting of expenditures, including salary and benefit expenditures by job classification, at the school-site level. The bill specifies how certain expenditures must be reported. The site-level requirements and new reporting requirements take effect beginning in the 2015-16 budget year.

The department will create, either directly or by contract, a web site view that translates the reported expenditures for schools, school districts, boards of cooperative services, and the state charter school institute into a format that is readable by a layperson, provides school performance data, and correlates the financial information with the academic performance data. The web site must be available to the public by July 1, 2017.

Each school district that authorizes a charter school must, at the end of each budget year, provide to the charter school an accounting of

the special education costs for the budget year. The department must annually publish a report concerning the amounts of mill levy override revenues collected by school districts and the distribution of the revenues to the schools of the district, including charter schools.

Public school capital construction. Beginning in the 2014-15 fiscal year, the state treasurer must annually transfer the first \$40 million collected as excise taxes on recreational marijuana (transferred moneys) to the public school capital construction assistance fund (assistance fund). Under the bill, the state treasurer must credit 75% of the transferred moneys to the full-day kindergarten facility capital construction account that the bill creates within the assistance fund, 12.5% of the transferred moneys to the technology assistance account that the bill creates within the assistance fund, and 12.5% of the transferred moneys to the charter school facilities assistance account that the bill creates within the assistance fund. The bill repeals the existing full-day kindergarten facility capital construction fund. The public school capital construction assistance board (BEST board) may use the moneys in the full-day kindergarten facility capital construction account only to provide financial assistance for full-day kindergarten facilities.

The state board, based on recommendations from the department, will distribute the moneys credited to the technology assistance account to school districts, boards of cooperative services, charter schools, and the school for the deaf and the blind based on applications received. An applicant may use the moneys to upgrade technology infrastructure or purchase technology. The department will recommend applicants to the state board based on prioritizing criteria specified in the bill. The department will distribute the moneys credited to the charter school facilities assistance account to qualified charter schools based on the certified pupil enrollment in qualified charter schools.

The bill strengthens the requirement that the BEST board adopt rules to help ensure that members avoid conflicts of interest.

One of the existing duties of the BEST board is to review applications for financial assistance for public school capital construction and to recommend to the state board those applicants that should receive assistance. The bill requires the BEST board to create a standard rubric for reviewing and evaluating applications that the BEST board and the division must use. The BEST board must communicate the standard rubric to potential applicants and must keep the completed rubrics for each application on file. The BEST board must also provide copies of the completed rubrics to the state board upon request.

Under current law, each school district, board of cooperative services, or charter school that receives financial assistance in the form of a lease-purchase agreement must provide a certain percentage of matching funds. The statute specifies several criteria that the BEST board must use in deciding the percentage of matching funds that an applicant

must provide. For school districts and boards of cooperative services, the bill adds to these criteria consideration of a school district's remaining capacity to issue capital construction bonds.

Under current law, certain district charter schools and institute charter schools qualify for funding for capital construction. The total amount available to these charter schools is \$7 million. The bill increases the total amount available to \$20 million in the 2014-15 budget year and for budget years thereafter.

English Language Proficiency Act. The bill repeals and reenacts the existing English Language Proficiency Act (ELPA). Under the existing ELPA, funding for a student with limited English proficiency is limited to 2 years, and funds are allocated to school districts, the state charter school institute, and facility schools based on students' levels of English proficiency.

The new ELPA uses the term "English language learner" (ELL) rather than "student with limited English proficiency" and uses the term "local education provider", which includes a school district, the state charter school institute, or a facility school. Under the new ELPA, the time for funding expands to 5 years, and each ELL is funded at the same level. The funding allocation is based on certification of the number of ELLs that a local education provider enrolls.

Each local education provider must:

- ! Use the ELPA moneys it receives only to pay for the English language proficiency program;
- ! Identify and assess ELLs;
- ! Report to the department the number of ELLs, the number of non-English languages spoken by ELLs, and the number of ELLs who speak each language;
- ! Provide an English language proficiency program that meets specific requirements for each ELL;
- ! Submit to the department a budget for the ELPA moneys the local education provider receives;
- ! Report its use of ELPA moneys; and
- ! Provide assurances that the local education provider is complying with state and federal laws.

The department must:

- ! Identify the English language proficiency assessments that local education providers will use to identify ELLs, which may be the same assessments used under existing law;
- ! Annually review the statewide levels of proficiency on the statewide assessments for the ELLs who are required to take the statewide assessment;
- ! Identify accommodations that a local education provider must allow on statewide assessments;
- ! Monitor, based on the proficiency levels achieved by the

local education provider's ELLs, all aspects of each local education provider's implementation of its English language proficiency program;

- ! Identify which students are appropriately counted as ELLs and appropriately allocate the ELPA moneys to local education providers;
- ! Disaggregate and report academic performance data for ELLs; and
- ! Review the ELPA budgets received from local education providers.

The state board is directed to adopt rules as necessary to implement the ELPA, but the existing rules remain in effect to the extent they continue to be appropriate. The state board may adopt measures that are specific to the English language proficiency assessments, which measures the department must use to determine a local education provider's level of achievement in meeting the English language development and academic achievement goals for ELLs. In monitoring the local education providers' implementation of the new ELPA, the department cannot require the local education providers to submit data that they already submit under existing federal or state statutes or rules.

The bill creates the English language proficiency act excellence awards program (excellence awards program). The department makes awards by identifying the local education providers and charter schools that achieve the highest English language and academic growth with regard to ELLs and the highest academic achievement for ELLs who successfully transition out of the English language proficiency program. The excellence awards program is funded by state education fund moneys in the amount of \$5 million.

The bill creates the professional development and student support program (support program) to provide moneys to local education providers to: Offset the costs incurred in meeting the ELPA reporting requirements; provide professional development activities for all educators who may work with ELLs; and expand programs to help students who are or have been identified as ELLs in achieving greater content proficiency. The department distributes the support program moneys to local education providers based on the percentage of the statewide number of ELLs that each local education provider enrolls. Each school district and the state charter school institute must distribute the per pupil amount to the charter schools that it authorizes. The support program is funded by state education fund moneys in the amount of \$30 million.

Early literacy fund. The bill directs the state treasurer to transfer \$20 million from the state general fund to the early literacy fund on July 1, 2014, and on July 1 each year thereafter.

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

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

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

6 **22-54-104. District total program.** (5) For purposes of the
7 formulas used in this section:

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

18 (E) That, for the 2014-15 budget year, ~~and each budget year~~
19 ~~thereafter~~, the sum of the total program funding for all districts, including
20 the funding for institute charter schools, after application of the negative
21 factor, is not less than the sum of the total program funding for all
22 districts, including the funding for institute charter schools, after the
23 application of the negative factor, ~~for the immediately preceding budget~~
24 ~~year, adjusted by the amount necessary to adjust the state average per~~
25 ~~pupil revenues for the applicable budget year by the rate of inflation, as~~
26 ~~defined in section 22-55-102 (7), for the calendar year ending in the~~

1 immediately preceding school district budget year IS NOT LESS THAN FIVE
2 BILLION NINE HUNDRED ELEVEN MILLION ONE HUNDRED NINE THOUSAND
3 TWO HUNDRED SIXTY-SEVEN DOLLARS (\$5,911,109,267); except that the
4 department of education and the staff of the legislative council shall make
5 mid-year revisions to replace projections with actual figures including,
6 but not limited to, actual pupil enrollment, assessed valuations, and
7 specific ownership tax revenue from the prior year, to determine any
8 necessary changes in the amount of the reduction to maintain a total
9 program funding amount for the applicable budget year that is consistent
10 with this sub-subparagraph (E).

11

12 **SECTION 3.** In Colorado Revised Statutes, **add** 22-54-136 as
13 follows:

14 **22-54-136. Student count collection system study - report -**
15 **repeal.** (1) THE DEPARTMENT OF EDUCATION SHALL WORK WITH
16 DISTRICTS AND THE STATE CHARTER SCHOOL INSTITUTE TO STUDY THE
17 FEASIBILITY, DESIGN, AND COST OF CREATING A STATEWIDE SYSTEM FOR
18 COLLECTING STUDENT ENROLLMENT COUNTS FOR PURPOSES OF THIS
19 ARTICLE. AT A MINIMUM, THE DEPARTMENT SHALL CONSIDER THE
20 FEASIBILITY AND COST OF CREATING A CENTRALIZED STUDENT COUNT
21 COLLECTION SYSTEM THAT COLLECTS INFORMATION FROM SCHOOL
22 DISTRICTS AND THE INSTITUTE AS COMPARED WITH A SYSTEM THAT
23 ENABLES THE DEPARTMENT TO RECEIVE INFORMATION THROUGH THE
24 VARIOUS SYSTEMS THAT DISTRICTS AND THE INSTITUTE CHOOSE TO USE.
25 THE DEPARTMENT SHALL REPORT THE FINDINGS OF THE STUDY TO THE
26 JOINT BUDGET COMMITTEE AND TO THE EDUCATION COMMITTEES OF THE
27 SENATE AND THE HOUSE OF REPRESENTATIVES AT A MEETING SCHEDULED

1 IN NOVEMBER OR DECEMBER OF 2014 AS REQUIRED IN SECTION 2-7-203,
2 C.R.S. THE DEPARTMENT SHALL INCLUDE IN ITS REPORT A REVIEW OF THE
3 CAPABILITIES OF THE PROPOSED STUDENT COUNT COLLECTION SYSTEM,
4 INCLUDING THE ABILITY TO IDENTIFY AND ACCURATELY FUND STUDENT
5 POPULATIONS THAT HAVE A HIGH DEGREE OF MOBILITY WITHIN THE
6 SCHOOL YEAR, AND THE COSTS TO THE STATE, DISTRICTS, AND THE
7 INSTITUTE TO IMPLEMENT THE PROPOSED SYSTEM.

8 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

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

11 **22-44-105. Budget - contents - mandatory.** (4) (a) ~~Not later than~~
12 ~~July 1, 1998;~~ The state board of education, with input from the financial
13 policies and procedures advisory committee, shall establish, ~~and~~
14 implement, AND MAINTAIN a statewide financial, student management,
15 and human resource electronic data communications and reporting system
16 that is based on a ~~redesigned~~ standard chart of accounts, a standard
17 information system, and a standard personnel classification system. THE
18 REPORTING SYSTEM MUST INCLUDE TO THE FULLEST EXTENT POSSIBLE
19 COMPARABLE REPORTING OF EXPENDITURES AT THE SCHOOL-SITE LEVEL
20 AS WELL AS AT THE SCHOOL DISTRICT LEVEL, AT THE BOARD OF
21 COOPERATIVE SERVICES LEVEL, AND BY THE STATE CHARTER SCHOOL
22 INSTITUTE. The department of education, THE STATE CHARTER SCHOOL
23 INSTITUTE, and all DISTRICT CHARTER SCHOOLS, INSTITUTE CHARTER
24 SCHOOLS, school districts, and boards of cooperative services in the state
25 shall use the system to report and obtain necessary financial information.

26 (b) In ~~redesigning~~ IMPLEMENTING AND MAINTAINING the financial
27 and human resource reporting system pursuant to paragraph (a) of this

1 section, the state board of education shall adhere to, but is not limited to,
2 the following guidelines:

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

7 (II) THE REPORTING SYSTEM, INCLUDING THE STANDARD CHART OF
8 ACCOUNTS, MUST REQUIRE THE REPORTING OF EXPENDITURES, INCLUDING
9 BUT NOT LIMITED TO SALARY AND BENEFIT EXPENDITURES REPORTED BY
10 JOB CLASSIFICATIONS SPECIFIED IN THE COMMON CHART OF ACCOUNTS, AT
11 THE SCHOOL-SITE LEVEL;

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

16 ~~(H)~~ (IV) The ~~financial~~ reporting system ~~shall~~ MUST make it
17 possible to collect comparable data by program and school site;

18 (V) THE REPORTING SYSTEM MUST REQUIRE EACH CHARTER
19 SCHOOL, EACH SCHOOL DISTRICT, EACH BOARD OF COOPERATIVE SERVICES,
20 AND THE STATE CHARTER SCHOOL INSTITUTE TO REPORT ACTUAL SALARY
21 AMOUNTS BY JOB CLASSIFICATION WHEN REPORTING SALARY
22 EXPENDITURES AND REQUIRE EACH CHARTER SCHOOL, EACH SCHOOL
23 DISTRICT, EACH BOARD OF COOPERATIVE SERVICES, AND THE STATE
24 CHARTER SCHOOL INSTITUTE TO REPORT BENEFIT EXPENDITURES BY TYPE
25 OF BENEFIT; AND

26 (VI) THE REPORTING SYSTEM MUST REQUIRE EACH SCHOOL
27 DISTRICT TO REPORT THE TOTAL AMOUNT OF ADDITIONAL LOCAL

1 PROPERTY TAX REVENUES THE DISTRICT IS AUTHORIZED TO COLLECT IN
2 ADDITION TO THE DISTRICT'S TOTAL PROGRAM MILL LEVY, BUT NOT
3 INCLUDING AMOUNTS AUTHORIZED PURSUANT TO SECTION 22-40-110,
4 ARTICLE 42 OF THIS TITLE, OR ARTICLE 43 OF THIS TITLE, AND THE AMOUNT
5 OF THE ADDITIONAL LOCAL PROPERTY TAX REVENUES THAT THE SCHOOL
6 DISTRICT DISTRIBUTES DIRECTLY TO SCHOOLS OF THE SCHOOL DISTRICT,
7 STATED AS A DOLLAR AMOUNT.

8 (c) A SCHOOL DISTRICT THAT CONSISTS OF ONLY ONE SCHOOL
9 BUILDING THAT HOUSES SEVERAL GRADE LEVELS MAY COMPLY WITH THE
10 REQUIREMENTS OF THIS SECTION BY REPORTING EXPENDITURES AND
11 OTHER REQUIRED INFORMATION IN TOTAL FOR ALL OF THE GRADE LEVELS
12 HOUSED IN THE BUILDING AND IS NOT REQUIRED TO DISAGGREGATE
13 EXPENDITURES AND OTHER INFORMATION FOR THE INDIVIDUALLY CODED
14 SCHOOLS LOCATED WITHIN THE BUILDING.

15 (d) IN COMPLYING WITH THE REQUIREMENTS OF THIS SECTION,
16 EACH SCHOOL DISTRICT, EACH BOARD OF COOPERATIVE SERVICES, AND
17 THE INSTITUTE SHALL ALLOCATE CENTRALIZED ADMINISTRATIVE COSTS
18 AMONG ITS PUBLIC SCHOOLS BY CALCULATING THE PER PUPIL AMOUNT OF
19 THE TOTAL ADMINISTRATIVE COSTS AND MULTIPLYING THE PER PUPIL
20 AMOUNT BY THE NUMBER OF STUDENTS ENROLLED IN EACH PUBLIC
21 SCHOOL.

22 (e) (I) NO LATER THAN JULY 1, 2015, THE STATE BOARD, BASED ON
23 RECOMMENDATIONS OF THE FINANCIAL POLICIES AND PROCEDURES
24 ADVISORY COMMITTEE, SHALL ADOPT GUIDELINES AS NECESSARY TO
25 UPDATE THE REPORTING SYSTEM TO REFLECT SITE-LEVEL REPORTING
26 REQUIREMENTS AND THE REQUIREMENTS SPECIFIED IN SUBPARAGRAPHS
27 (II), (V), AND (VI) OF PARAGRAPH (b) OF THIS SUBSECTION (4). ■ ■ THE

1 SITE-LEVEL REPORTING REQUIREMENTS AND THE REQUIREMENTS SPECIFIED
2 IN SUBPARAGRAPHS (II) AND (V) OF PARAGRAPH (b) OF THIS SUBSECTION
3 (4) ARE EFFECTIVE FOR THE 2015-16 BUDGET YEAR AND BUDGET YEARS
4 THEREAFTER. THE REPORTING REQUIREMENTS SPECIFIED IN
5 SUBPARAGRAPH (VI) OF PARAGRAPH (b) OF THIS SUBSECTION (4) ARE
6 EFFECTIVE FOR THE 2014-15 BUDGET YEAR AND BUDGET YEARS
7 THEREAFTER.

8 (II) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE STATE
9 BOARD AND THE DEPARTMENT OF EDUCATION WILL IMPLEMENT THE
10 SITE-LEVEL REPORTING REQUIREMENTS AND THE REQUIREMENTS SPECIFIED
11 IN SUBPARAGRAPHS (II), (V), AND (VI) OF PARAGRAPH (b) OF THIS
12 SUBSECTION (4) IN A MANNER THAT, TO THE GREATEST EXTENT POSSIBLE,
13 DOES NOT INCREASE THE FINANCIAL AND PERSONNEL COSTS THAT SCHOOL
14 DISTRICTS, BOARDS OF COOPERATIVE SERVICES, THE INSTITUTE, AND
15 CHARTER SCHOOLS INCUR IN COMPLYING WITH THIS SUBSECTION (4).

16 ~~(e) (f) Nothing in this section shall be interpreted to require~~
17 ~~accounting of salary and benefit costs by school site~~ FOR THE 2016-17
18 BUDGET YEAR AND BUDGET YEARS THEREAFTER, THE DEPARTMENT OF
19 EDUCATION SHALL COLLECT, REVIEW, STANDARDIZE, AND PUBLISH THE
20 DATA REPORTED BY THE STATE CHARTER SCHOOL INSTITUTE, CHARTER
21 SCHOOLS, SCHOOL DISTRICTS, AND BOARDS OF COOPERATIVE SERVICES
22 PURSUANT TO THIS SUBSECTION (4) TO ENSURE THE GREATEST LEVEL OF
23 TRANSPARENCY AND COMPARABILITY OF EXPENDITURES AMONG SCHOOL
24 SITES, SCHOOL DISTRICTS, THE STATE CHARTER SCHOOL INSTITUTE, AND
25 BOARDS OF COOPERATIVE SERVICES.

26 ~~(d) Repealed.~~

27 (g) (I) THE DEPARTMENT SHALL CREATE OR CONTRACT FOR THE

1 CREATION OF A WEB SITE VIEW THAT, AT A MINIMUM:

2 (A) TRANSLATES THE REPORTED EXPENDITURES FOR SCHOOL
3 SITES, SCHOOL DISTRICTS, THE STATE CHARTER SCHOOL INSTITUTE, AND
4 BOARDS OF COOPERATIVE SERVICES INTO A FORMAT THAT IS READABLE BY
5 A LAYPERSON;

6 (B) REPORTS ACADEMIC PERFORMANCE DATA FOR EACH PUBLIC
7 SCHOOL INCLUDING THE SCHOOL'S MEDIAN GROWTH PERCENTILE, ACT
8 SCORES, COLLEGE REMEDIATION RATES, STUDENT SUSPENSION RATES, AND
9 ATTENDANCE RATES; AND

10 (C) CORRELATES REPORTED EXPENDITURES AND ACADEMIC
11 PERFORMANCE DATA FOR SCHOOL SITES, SCHOOL DISTRICTS, THE STATE
12 CHARTER SCHOOL INSTITUTE, AND BOARDS OF COOPERATIVE SERVICES.

13 (II) THE DEPARTMENT SHALL ENSURE THAT THE WEB SITE CREATED
14 PURSUANT TO THIS PARAGRAPH (g) IS AVAILABLE TO THE PUBLIC NO LATER
15 THAN JULY 1, 2017.

16 **SECTION 5.** In Colorado Revised Statutes, 22-30.5-112, **add** (3)
17 (c) as follows:

18 **22-30.5-112. Charter schools - financing - definitions -**
19 **guidelines.** (3) (c) WITHIN NINETY DAYS AFTER THE END OF EACH
20 BUDGET YEAR, EACH SCHOOL DISTRICT SHALL PROVIDE TO EACH CHARTER
21 SCHOOL OF THE SCHOOL DISTRICT AN ITEMIZED ACCOUNTING OF ALL THE
22 ACTUAL SPECIAL EDUCATION COSTS THAT THE SCHOOL DISTRICT INCURRED
23 FOR THE APPLICABLE BUDGET YEAR AND THE BASIS OF ANY PER PUPIL
24 CHARGES FOR SPECIAL EDUCATION THAT THE SCHOOL DISTRICT IMPOSED
25 AGAINST THE CHARTER SCHOOL FOR THE APPLICABLE BUDGET YEAR.

26 **SECTION 6.** In Colorado Revised Statutes, **add** 22-2-113.8 as
27 follows:

1 **22-2-113.8. Department of education - additional local**
2 **revenues - distribution to schools - annual report.** (1) **FOR THE**
3 **2014-15 BUDGET YEAR AND BUDGET YEARS THEREAFTER, THE**
4 DEPARTMENT SHALL ANNUALLY COMPILE A REPORT OF THE INFORMATION
5 RECEIVED PURSUANT TO SECTION 22-44-105 (4) (b) (VI) CONCERNING THE
6 COLLECTION OF ADDITIONAL LOCAL PROPERTY TAX REVENUES BY EACH
7 SCHOOL DISTRICT AND THE DISTRIBUTION OF THE REVENUES TO THE
8 SCHOOLS OF THE SCHOOL DISTRICT, INCLUDING THE CHARTER SCHOOLS. IN
9 ADDITION TO THE COMPILED INFORMATION, THE REPORT MUST INCLUDE A
10 COMPARISON OF THE AMOUNT OF ADDITIONAL LOCAL PROPERTY TAX
11 REVENUES RECEIVED BY THE SCHOOL DISTRICT AND THE AMOUNT
12 DISTRIBUTED TO THE SCHOOLS OF THE DISTRICT, INCLUDING THE CHARTER
13 SCHOOLS, AT THE DISTRICT LEVEL AND AGGREGATED STATEWIDE.

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

- 21 (I) CAPITAL CONSTRUCTION AND FACILITIES FUNDING;
- 22 (II) FUNDING FOR TECHNOLOGY; AND
- 23 (III) ANY OTHER FUNDING THAT THE SCHOOL DISTRICT
- 24 DISTRIBUTES TO THE CHARTER SCHOOLS OF THE DISTRICT.

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

1 REQUEST.

2 **SECTION 7.** In Colorado Revised Statutes, **repeal as it will take**
3 **effect upon proclamation of the governor 22-2-113.7.**

4 **SECTION 8.** In Colorado Revised Statutes, 22-43.7-104, **amend**
5 (2) (b) (I), (3), and (3.5); and **add** (2) (d) as follows:

6 **22-43.7-104. Public school capital construction assistance fund**
7 **- creation - crediting of moneys to fund - use of fund - emergency**
8 **reserve - creation - reserve account - creation and use.** (2) (b) For
9 each fiscal year commencing on or after July 1, 2008, the following
10 moneys shall be credited to the assistance fund:

11 (I) (A) Unless and until the state treasurer, pursuant to
12 sub-subparagraph (B) of this subparagraph (I), provides written notice to
13 the joint budget committee of the general assembly that the state treasurer
14 has determined that the use of interest or income earned on the deposit
15 and investment of moneys in the public school fund to make lease
16 payments under a lease-purchase agreement entered into pursuant to
17 section 22-43.7-110 (2) will prevent the interest component of the lease
18 payments from qualifying for exemption from federal income taxation,
19 the greater of thirty-five percent of the gross amount of public school
20 lands income received during the fiscal year or ~~an amount of such income~~
21 ~~equal to the difference between the total amount of lease payments to be~~
22 ~~made by the state under the terms of lease-purchase agreements entered~~
23 ~~into pursuant to section 22-43.7-110 (2) and the total amount of matching~~
24 ~~moneys to be paid to the state as lease payments under the terms of~~
25 ~~sublease-purchase agreements entered into pursuant to section~~
26 ~~22-43.7-110 (2)~~ FORTY MILLION DOLLARS. The moneys required to be
27 credited to the assistance fund pursuant to this sub-subparagraph (A) may

1 be taken from any single source or combination of sources of public
2 school lands income.

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

26 (C) If, after making a determination and providing notice pursuant
27 to sub-subparagraph (B) of this subparagraph (I), the state treasurer

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

23 (d) FOR EACH FISCAL YEAR COMMENCING ON OR AFTER JULY 1,
24 2014, THE STATE TREASURER, AS PROVIDED IN SECTION 39-28.8-305 (1)
25 (a), C.R.S., SHALL TRANSFER TO THE ASSISTANCE FUND THE FIRST FORTY
26 MILLION DOLLARS ANNUALLY RECEIVED AND COLLECTED AS AN EXCISE
27 TAX ON RETAIL MARIJUANA PURSUANT TO PART 3 OF ARTICLE 28.8 OF

1 TITLE 39, C.R.S. THE STATE TREASURER SHALL CREDIT THE AMOUNTS
2 ANNUALLY TRANSFERRED TO THE ASSISTANCE FUND PURSUANT TO THIS
3 PARAGRAPH (d) AS FOLLOWS:

4 (I) SEVENTY-FIVE PERCENT TO THE FULL-DAY KINDERGARTEN
5 CAPITAL CONSTRUCTION ACCOUNT, WHICH ACCOUNT IS CREATED WITHIN
6 THE ASSISTANCE FUND;

7 (II) TWELVE AND FIVE-TENTHS PERCENT TO THE TECHNOLOGY
8 ASSISTANCE ACCOUNT, WHICH ACCOUNT IS CREATED WITHIN THE
9 ASSISTANCE FUND; AND

10 (III) TWELVE AND FIVE-TENTHS PERCENT TO THE CHARTER SCHOOL
11 FACILITIES ASSISTANCE ACCOUNT, WHICH ACCOUNT IS CREATED WITHIN
12 THE ASSISTANCE FUND.

13 (3) Subject to annual appropriation, the department may expend
14 moneys in the assistance fund to pay the direct and indirect administrative
15 costs, including but not limited to the costs of conducting or contracting
16 for the financial assistance priority assessment required by section
17 22-43.7-108 (1), incurred by the division, ~~and~~ the board, AND THE
18 DEPARTMENT in exercising their powers and duties pursuant to this article.
19 Any moneys in the assistance fund not appropriated for a fiscal year to the
20 department for administrative costs before the fiscal year commences are
21 hereby continuously appropriated to the board for the purpose of
22 providing financial assistance, making payments required by section
23 22-43.7-114, and paying any transaction costs necessarily incurred in
24 connection with the provision of financial assistance as authorized by this
25 article; except that:

26 (a) The use of any assistance fund moneys to make lease payments
27 required by lease-purchase agreements entered into pursuant to section

1 22-43.7-110 (2) shall be subject to annual appropriation by the general
2 assembly;

3 (b) THE BOARD SHALL USE THE MONEYS CREDITED TO THE
4 FULL-DAY KINDERGARTEN FACILITY CAPITAL CONSTRUCTION ACCOUNT
5 PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (d) OF SUBSECTION (2)
6 OF THIS SECTION TO PROVIDE FINANCIAL ASSISTANCE AS PROVIDED IN PART
7 2 OF THIS ARTICLE; AND

8 (c) THE MONEYS CREDITED TO THE TECHNOLOGY ASSISTANCE
9 ACCOUNT PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (d) OF
10 SUBSECTION (2) OF THIS SECTION AND TO THE CHARTER SCHOOL FACILITIES
11 ASSISTANCE ACCOUNT PURSUANT TO SUBPARAGRAPH (III) OF PARAGRAPH
12 (d) OF SUBSECTION (2) OF THIS SECTION ARE CONTINUOUSLY
13 APPROPRIATED TO THE DEPARTMENT FOR DISTRIBUTION AS PROVIDED IN
14 SECTION 22-43.7-110.3.

15 (3.5) In determining the amount of financial assistance that it
16 provides and in so doing managing the balance of the assistance fund, the
17 board shall ensure that, effective June 30, 2013, and effective each June
18 30 thereafter, the balance of the assistance fund, NOT INCLUDING THE
19 AMOUNTS CREDITED TO THE FULL-DAY KINDERGARTEN FACILITY CAPITAL
20 CONSTRUCTION ACCOUNT, THE TECHNOLOGY ASSISTANCE ACCOUNT, AND
21 THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT PURSUANT TO
22 PARAGRAPH (d) OF SUBSECTION (2) OF THIS SECTION, is at least equal to
23 the total amount of payments to be made by the state during the next
24 fiscal year under the terms of any lease-purchase agreements entered into
25 pursuant to section 22-43.7-110 (2) less the amount of any school district
26 matching moneys and any federal moneys to be received for the purpose
27 of making the payments.

1 **SECTION 9.** In Colorado Revised Statutes, 22-43.7-106, **amend**
2 (2) (i) (I) introductory portion and (2) (i) (I) (A); and **add** (2) (i) (I) (A.5)
3 and (2) (i) (I) (A.7) as follows:

4 **22-43.7-106. Public school capital construction assistance**
5 **board - creation - general powers and duties - rules.** (2) The function
6 of the board is to protect the health and safety of students, teachers, and
7 other persons using public school facilities and maximize student
8 achievement by ensuring that the condition and capacity of public school
9 facilities are sufficient to provide a safe and uncrowded environment that
10 is conducive to students' learning. In performing its function, the board
11 shall ensure the most equitable, efficient, and effective use of state
12 revenues dedicated to provide financial assistance for capital construction
13 projects pursuant to the provisions of this article by assessing public
14 school capital construction needs throughout the state and providing
15 expert recommendations based on objective criteria to the state board
16 regarding the appropriate prioritization and allocation of such financial
17 assistance. To further the performance of its function, the board, in
18 addition to any other powers and duties specified in this article, has the
19 following powers and duties:

20 (i) (I) To promulgate such rules, in accordance with article 4 of
21 title 24, C.R.S., as are necessary and proper for the administration of this
22 article, ~~including but not~~ WHICH RULES MUST INCLUDE BUT NEED NOT BE
23 limited to:

24 (A) Conflict of interest rules for board members IN ACCORDANCE
25 WITH THE PROVISIONS OF ARTICLE 18 OF TITLE 24, C.R.S.;

26 (A.5) A PROCESS BY WHICH THE BOARD MUST REVIEW AND
27 RESOLVE POSSIBLE CONFLICTS OF INTEREST OF BOARD MEMBERS,

1 INCLUDING MEASURES TO ENFORCE THE CONFLICT OF INTEREST RULES;
2 (A.7) A PROCESS FOR DOCUMENTING AND MAINTAINING
3 DISCLOSURES OF CONFLICTS OF INTEREST BY BOARD MEMBERS TO ENSURE
4 THAT A BOARD MEMBER RECUSES HIMSELF OR HERSELF FROM VOTING ON
5 A PROJECT IF THE BOARD MEMBER HAS A PREVIOUS INVOLVEMENT WITH AN
6 APPLICANT OR PROJECT;

7 **SECTION 10.** In Colorado Revised Statutes, 22-43.7-109,
8 **amend** (6) and (7) (a); and **add** (9) (a) (III.5) and (9) (b) (III.5) as
9 follows:

10 **22-43.7-109. Financial assistance for public school capital**
11 **construction - application requirements - evaluation criteria - local**
12 **match requirements.** (6) (a) The board may request that the division
13 undertake a preliminary review of any or all applications for financial
14 assistance, and the board may also request that any department, agency,
15 or institution of state government with expertise or experience in
16 construction management provide assistance to the board with regard to
17 the evaluation of such applications for financial assistance.

18 (b) THE BOARD SHALL ADOPT A STANDARD EVALUATION RUBRIC
19 THAT THE BOARD AND THE DIVISION SHALL USE IN REVIEWING ALL
20 APPLICATIONS FOR FINANCIAL ASSISTANCE. AT A MINIMUM, THE
21 EVALUATION RUBRIC MUST INCLUDE CONSIDERATION OF THE CRITERIA
22 SPECIFIED IN THIS SECTION AND MUST EVALUATE THE ADEQUACY OF THE
23 PROPOSED CONSTRUCTION PROJECT TO ADDRESS THE APPLICANT'S NEEDS
24 AND THE APPLICANT'S FINANCIAL CAPACITY TO ADDRESS CONSTRUCTION
25 NEEDS IN ADDITION TO RECEIVING FINANCIAL ASSISTANCE PURSUANT TO
26 THIS PART 1. THE BOARD SHALL COMMUNICATE TO POTENTIAL APPLICANTS
27 THE EVALUATION CRITERIA INCLUDED IN THE EVALUATION RUBRIC.

1 (c) THE BOARD SHALL RETAIN A COPY OF THE COMPLETED
2 EVALUATION RUBRIC FOR EACH APPLICATION AS DOCUMENTATION IN
3 SUPPORT OF THE LIST OF PRIORITIZED PUBLIC SCHOOL FACILITY CAPITAL
4 CONSTRUCTION PROJECTS THAT THE BOARD SUBMITS TO THE STATE BOARD
5 PURSUANT TO SUBSECTION (7) OF THIS SECTION.

6 (7) (a) Pursuant to the timelines established pursuant to subsection
7 (2) of this section for any fiscal year for which financial assistance is to
8 be awarded, and after prioritizing public school facility capital
9 construction projects as specified in subsection (5) of this section, the
10 board shall submit to the state board a prioritized list of projects for which
11 the board recommends the provision of financial assistance AND COPIES
12 OF THE COMPLETED EVALUATION RUBRIC FOR EACH PROJECT INCLUDED ON
13 THE LIST. The prioritized list must include the board's recommendation as
14 to the amount and type of financial assistance to be provided and a
15 statement of the source and amount of applicant matching moneys for
16 each recommended project based upon information provided by the
17 applicant. The board may recommend that any specific project only
18 receive financial assistance if another higher priority project or group of
19 projects becomes ineligible for financial assistance due to the inability of
20 an applicant to raise required matching moneys by a deadline prescribed
21 by the board as a condition of a financial assistance award for the higher
22 priority project or group of projects. The state board shall review and
23 make decisions regarding the prioritized list no later than June 20 of each
24 year and may approve, disapprove, or modify the provision of financial
25 assistance for any project recommended by the board if the state board
26 concludes that the board misinterpreted the results of the prioritization
27 assessment conducted pursuant to section 22-43.7-108 or misapplied the

1 prioritization criteria specified in subsection (5) of this section. To
2 FACILITATE ITS REVIEW, THE STATE BOARD MAY REQUEST AND THE BOARD
3 MUST PROVIDE COPIES OF THE COMPLETED EVALUATION RUBRICS FOR
4 PROJECTS THAT THE BOARD DID NOT INCLUDE ON THE PRIORITIZED LIST.
5 The state board shall specifically explain in writing its reasons for finding
6 that the board misinterpreted the results of the priority assessment or
7 misapplied the prioritization criteria when disapproving or modifying any
8 financial assistance award recommended by the board.

9 (9) Except as otherwise provided in subsection (10) of this
10 section, the board may recommend, and the state board may approve
11 financial assistance that does not involve a lease-purchase agreement for,
12 or recommend to the capital development committee the approval of
13 financial assistance that involves a lease-purchase agreement for, a public
14 school facility capital construction project only if the applicant provides
15 matching moneys in an amount equal to a percentage of the total
16 financing for the project determined by the board after consideration of
17 the applicant's financial capacity, as determined by the following factors:

18 (a) With respect to a school district's application for financial
19 assistance:

20 (III.5) THE SCHOOL DISTRICT'S REMAINING CAPACITY TO ISSUE
21 BONDS WITHIN THE SCHOOL DISTRICT'S BONDED INDEBTEDNESS LIMIT
22 CALCULATED PURSUANT TO SECTION 22-42-104;

23 (b) With respect to a board of cooperative services' application for
24 financial assistance:

25 (III.5) THE AVERAGE REMAINING CAPACITY OF ALL MEMBERS OF
26 THE BOARD OF COOPERATIVE SERVICES PARTICIPATING IN THE CAPITAL
27 CONSTRUCTION PROJECT TO ISSUE BONDS WITHIN EACH SCHOOL DISTRICT'S

1 BONDED INDEBTEDNESS LIMIT CALCULATED PURSUANT TO SECTION
2 22-42-104;

3 **SECTION 11.** In Colorado Revised Statutes, **add 22-43.7-110.3**
4 as follows:

5 **22-43.7-110.3. Department - technology assistance account -**
6 **charter school facilities assistance account - distribution - definitions.**

7 (1) (a) THE DEPARTMENT, SUBJECT TO THE APPROVAL OF THE STATE
8 BOARD, SHALL DISTRIBUTE THE MONEYS CREDITED TO THE TECHNOLOGY
9 ASSISTANCE ACCOUNT CREATED IN SECTION 22-43.7-104 (2) (d) (II) AS
10 PROVIDED IN SUBSECTION (2) OF THIS SECTION. AN APPLICANT MAY USE
11 MONEYS RECEIVED FROM THE TECHNOLOGY ASSISTANCE ACCOUNT TO
12 UPGRADE TECHNOLOGY INFRASTRUCTURE OR PURCHASE TECHNOLOGY,
13 INCLUDING HARDWARE AND SOFTWARE, FOR USE IN ADMINISTERING
14 STATEWIDE ASSESSMENTS AND OTHER CLASSROOM USES.

15 (b) THE DEPARTMENT SHALL DISTRIBUTE THE MONEYS CREDITED
16 TO THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT CREATED IN
17 SECTION 22-43.7-104 (2) (d) (III) AS PROVIDED IN SUBSECTION (3) OF THIS
18 SECTION. A QUALIFIED CHARTER SCHOOL MAY USE MONEYS RECEIVED
19 FROM THE CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT FOR
20 CAPITAL CONSTRUCTION PURPOSES.

21 (2) (a) THE DEPARTMENT SHALL ESTABLISH AN ANNUAL TIMELINE
22 BY WHICH AN APPLICANT MAY APPLY FOR A GRANT FROM THE
23 TECHNOLOGY ASSISTANCE ACCOUNT. AT A MINIMUM, THE TIMELINE MUST
24 SPECIFY:

25 (I) THE DEADLINE FOR APPLICANTS TO SUBMIT GRANT
26 APPLICATIONS TO THE DEPARTMENT;

27 (II) THE PERIOD DURING WHICH THE DEPARTMENT REVIEWS THE

1 GRANT APPLICATIONS; AND

2 (III) THE DEADLINE BY WHICH THE DEPARTMENT SUBMITS TO THE
3 STATE BOARD A PRIORITIZED LIST OF THE APPLICATIONS THAT THE
4 DEPARTMENT RECOMMENDS FOR GRANT AWARDS.

5 (b) TECHNOLOGY GRANT APPLICATIONS MUST BE IN THE FORM
6 DESCRIBED BY THE DEPARTMENT AND MUST INCLUDE:

7 (I) A DESCRIPTION OF THE PURPOSE FOR WHICH THE TECHNOLOGY
8 GRANT IS SOUGHT, INCLUDING A DESCRIPTION OF HOW ANY NEWLY
9 PURCHASED TECHNOLOGY WOULD BE USED AND THE EXTENT TO WHICH IT
10 WOULD BE INTEGRATED INTO THE CURRICULA THAT THE APPLICANT
11 PROVIDES;

12 (II) A DESCRIPTION OF THE TECHNOLOGY RESOURCES AVAILABLE
13 TO THE APPLICANT, INCLUDING THE APPLICANT'S LEVEL OF BROADBAND
14 ACCESS, AND THE EXISTING USE OF TECHNOLOGY WITHIN THE APPLICANT'S
15 CLASSROOMS, INCLUDING THE EXTENT TO WHICH THE USE OF TECHNOLOGY
16 IS INTEGRATED INTO THE CURRICULA THAT THE APPLICANT PROVIDES;

17 (III) A DESCRIPTION OF THE FINANCIAL RESOURCES AVAILABLE TO
18 THE APPLICANT TO PROVIDE ACCESS TO TECHNOLOGY FOR USE IN THE
19 CLASSROOM; AND

20 (IV) ANY ADDITIONAL INFORMATION REQUESTED BY THE
21 DEPARTMENT TO EVALUATE THE APPLICATION.

22 (c) THE DEPARTMENT, TAKING INTO ACCOUNT ANY TECHNOLOGY
23 NEEDS ASSESSMENT THAT THE DEPARTMENT HAS COMPLETED WITHIN FIVE
24 YEARS PRECEDING SUBMISSION OF THE APPLICATION, SHALL IDENTIFY THE
25 APPLICATIONS THAT IT RECOMMENDS FOR A GRANT AWARD BASED ON
26 EACH APPLICANT'S DEGREE OF FINANCIAL AND TECHNOLOGICAL NEED AND
27 EACH APPLICANT'S ACCESS TO OTHER FINANCIAL RESOURCES. THE

1 DEPARTMENT SHALL PRIORITIZE APPLICATIONS THAT IT RECOMMENDS FOR
2 TECHNOLOGY GRANTS BASED ON THE FOLLOWING CRITERIA:

3 (I) PROJECTS THAT IMPROVE THE APPLICANT'S TECHNOLOGY
4 INFRASTRUCTURE AND ABILITY TO SUPPORT TECHNOLOGICAL
5 APPLICATIONS;

6 (II) PROJECTS THAT IMPROVE THE APPLICANT'S ABILITY TO
7 ADMINISTER STATEWIDE ASSESSMENTS; AND

8 (III) PROJECTS THAT INCREASE THE EXTENT TO WHICH THE
9 APPLICANT IS ABLE TO INTEGRATE THE USE OF TECHNOLOGY INTO
10 CLASSROOM INSTRUCTION AND DELIVERY OF THE CURRICULA.

11 (d) IN ACCORDANCE WITH THE TIMELINES THAT THE DEPARTMENT
12 ESTABLISHES PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2), THE
13 DEPARTMENT SHALL SUBMIT TO THE STATE BOARD THE PRIORITIZED LIST
14 OF THE APPLICATIONS THAT THE DEPARTMENT RECOMMENDS FOR GRANT
15 AWARDS. THE PRIORITIZED LIST MUST INCLUDE THE DEPARTMENT'S
16 RECOMMENDATION AS TO THE AMOUNT AND DURATION OF EACH GRANT.
17 THE STATE BOARD SHALL REVIEW THE PRIORITIZED LIST AND, SUBJECT TO
18 AVAILABLE APPROPRIATIONS, AWARD GRANTS AS IT DEEMS APPROPRIATE.
19 THE TECHNOLOGY GRANTS ARE PAYABLE FROM THE TECHNOLOGY
20 ASSISTANCE ACCOUNT.

21 (3) (a) THE DEPARTMENT SHALL ANNUALLY DISTRIBUTE THE
22 MONEYS CREDITED TO THE CHARTER SCHOOL FACILITIES ASSISTANCE
23 ACCOUNT BASED ON EACH SCHOOL DISTRICT'S CERTIFIED CHARTER SCHOOL
24 PUPIL ENROLLMENT AND EACH INSTITUTE CHARTER SCHOOL'S CERTIFIED
25 PUPIL ENROLLMENT FOR THE APPLICABLE FISCAL YEAR.

26 (b) (I) EACH SCHOOL DISTRICT THAT PROVIDES FUNDING
27 PURSUANT TO SECTION 22-30.5-112 OR 22-30.5-112.1 TO AT LEAST ONE

1 QUALIFIED CHARTER SCHOOL IN A FISCAL YEAR SHALL, FOR THAT FISCAL
2 YEAR, RECEIVE AN AMOUNT EQUAL TO THE PERCENTAGE OF THE TOTAL
3 CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT FOR ALL QUALIFIED
4 CHARTER SCHOOLS STATEWIDE FOR THE APPLICABLE FISCAL YEAR THAT IS
5 ATTRIBUTABLE TO THE DISTRICT'S CERTIFIED CHARTER SCHOOL PUPIL
6 ENROLLMENT, MULTIPLIED BY THE AMOUNT CREDITED TO THE CHARTER
7 SCHOOL FACILITIES ASSISTANCE ACCOUNT FOR THE APPLICABLE FISCAL
8 YEAR.

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

20 (c) (I) THE STATE CHARTER SCHOOL INSTITUTE, IN EACH FISCAL
21 YEAR IN WHICH IT DISTRIBUTES MONEYS TO AT LEAST ONE INSTITUTE
22 CHARTER SCHOOL THAT IS A QUALIFIED CHARTER SCHOOL, SHALL, FOR
23 THAT FISCAL YEAR, RECEIVE AN AMOUNT EQUAL TO THE PERCENTAGE OF
24 THE TOTAL CERTIFIED CHARTER SCHOOL PUPIL ENROLLMENT FOR ALL
25 QUALIFIED CHARTER SCHOOLS FOR THE APPLICABLE FISCAL YEAR THAT IS
26 ATTRIBUTABLE TO INSTITUTE CHARTER SCHOOLS THAT ARE QUALIFIED
27 CHARTER SCHOOLS, MULTIPLIED BY THE AMOUNT CREDITED TO THE

1 CHARTER SCHOOL FACILITIES ASSISTANCE ACCOUNT FOR THE APPLICABLE
2 FISCAL YEAR.

3 (II) THE STATE CHARTER SCHOOL INSTITUTE SHALL DISTRIBUTE
4 THE MONEYS RECEIVED PURSUANT TO THIS PARAGRAPH (c) TO EACH
5 INSTITUTE CHARTER SCHOOL THAT IS A QUALIFIED CHARTER SCHOOL IN AN
6 AMOUNT EQUAL TO THE PERCENTAGE OF THE TOTAL INSTITUTE CHARTER
7 SCHOOL CERTIFIED PUPIL ENROLLMENT THAT IS ATTRIBUTABLE TO PUPILS
8 EXPECTED TO BE ENROLLED IN THE QUALIFIED INSTITUTE CHARTER
9 SCHOOL, MULTIPLIED BY THE TOTAL AMOUNT OF MONEYS RECEIVED BY
10 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO THIS PARAGRAPH
11 (c) FOR THE APPLICABLE FISCAL YEAR. THE STATE CHARTER SCHOOL
12 INSTITUTE SHALL NOT RETAIN ANY PORTION OF THE MONEYS RECEIVED
13 PURSUANT TO THIS PARAGRAPH (c) TO DEFRAID ADMINISTRATIVE EXPENSES
14 OR FOR ANY OTHER PURPOSE.

15 (d) AS USED IN THIS SUBSECTION (3):

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

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

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

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

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

1 **SECTION 12.** In Colorado Revised Statutes, **amend** 22-43.7-201
2 as follows:

3 **22-43.7-201. Full-day kindergarten facility capital**
4 **construction account - grants - definitions.** (1) ~~(a) There is hereby~~
5 ~~established in the state treasury the full-day kindergarten facility capital~~
6 ~~construction fund, referred to in this part 2 as the "fund". The fund shall~~
7 ~~consist of any moneys annually appropriated thereto by the general~~
8 ~~assembly for the purposes of this part 2. All interest and income earned~~
9 ~~on the deposit of moneys in the fund shall be credited to the fund. Except~~
10 ~~as otherwise provided in paragraph (b) of this subsection (1), any~~
11 ~~unexpended and unencumbered moneys remaining in the fund at the end~~
12 ~~of a budget year shall remain in the fund and shall not be credited or~~
13 ~~transferred to the general fund or any other fund.~~

14 ~~(b) On June 30, 2011, the state treasurer shall transfer the balance~~
15 ~~of moneys in the fund to the state education fund created in section 17 (4)~~
16 ~~of article IX of the state constitution.~~

17 (2) The public school capital construction assistance board shall
18 use the moneys in the ~~fund~~ FULL-DAY KINDERGARTEN FACILITY CAPITAL
19 CONSTRUCTION ACCOUNT CREATED WITHIN THE ASSISTANCE FUND
20 PURSUANT TO SECTION 22-43.7-104 (4.5), REFERRED TO IN THIS SECTION
21 AS THE "ACCOUNT", to provide grants or matching grants to ~~any~~ A school
22 district or institute charter school that is undertaking a capital construction
23 project to renovate a facility, rent a facility, or provide a temporary
24 auxiliary facility that will be used in conjunction with providing a full-day
25 kindergarten program. The board shall award a grant or matching grant
26 pursuant to this part 2 to a school district or institute charter school only
27 if, without the grant or matching grant, the school district or institute

1 charter school would be unable to provide a facility in which to offer a
2 full day of kindergarten to more students than were offered a full day of
3 kindergarten in the 2007-08 budget year. For purposes of this part 2,
4 "temporary auxiliary facility" means a temporary building that will be
5 placed on the same campus as a main educational facility.

6 (3) Each budget year, the board shall use fifty percent of the
7 moneys in the ~~fund~~ ACCOUNT to provide grants pursuant to this part 2 and
8 fifty percent of the moneys in the ~~fund~~ ACCOUNT to provide matching
9 grants pursuant to this part 2.

10 **SECTION 13.** In Colorado Revised Statutes, 22-54-124, **amend**
11 (3) (a) as follows:

12 **22-54-124. State aid for charter schools - use of state education**
13 **fund moneys - definitions.** (3) (a) (I) and (II) Repealed.

14 (III) (A) The total amount of state education fund moneys to be
15 appropriated for all eligible districts and for all eligible institute charter
16 schools for the 2003-04 through 2011-12 budget years shall be an amount
17 equal to five million dollars; except that, for the 2006-07 budget year, an
18 additional two million eight hundred thousand dollars shall be
19 appropriated from the state education fund and shall be used for the
20 purposes of this section, and for the 2008-09 budget year, an additional
21 one hundred thirty-five thousand dollars shall be appropriated from the
22 state education fund and shall be distributed pursuant to section
23 22-54-133, as said section existed prior to its repeal in 2010. The total
24 amount of state education fund moneys to be appropriated for all eligible
25 districts and for all eligible institute charter schools for the 2012-13
26 budget year is six million dollars. The total amount of state education
27 fund moneys to be appropriated for all eligible districts and for all eligible

1 institute charter schools for the 2013-14 budget year and each budget year
2 thereafter is seven million dollars.

3 (B) Repealed.

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

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

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

24
25 **SECTION 14.** In Colorado Revised Statutes, 22-30.5-407,
26 **amend** (2) (a) (III), (2) (a) (IV), (2) (c), (4) (d) introductory portion, and
27 (4) (d) (II); and **add** (2) (a) (I.5) and (2) (a) (V) as follows:

1 **22-30.5-407. State charter school debt reserve fund - creation**

2 **- use of fund moneys - legislative declaration.** (2) (a) There is hereby
3 created in the state treasury the state charter school debt reserve fund. The
4 fund shall consist of the following moneys:

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

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

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

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

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

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

16 (II) If, in any given fiscal year, the state treasurer determines that
17 after withholding the maximum amount of charter school per pupil
18 facilities aid program moneys that may be withheld pursuant to
19 subparagraph (I) of this paragraph (d) the portion of the state charter
20 school debt reserve fund that is not the state charter school interest
21 savings account will not be restored to a ~~one million dollar~~ balance OF
22 SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS or the state charter
23 school interest savings account will not be restored to the balance in the
24 account prior to the state treasurer's expenditure of moneys from the
25 account, each charter school that is not relying upon the state charter
26 school debt reserve fund and the provisions of section 22-30.5-408 with
27 respect to bonds issued on its behalf by the Colorado educational and

1 cultural facilities authority shall have its payment reduced by the same
2 percentage and by a maximum of ten percent.

3 **SECTION 15.** In Colorado Revised Statutes, 22-30.5-408,
4 **amend** (2) (a) and (2) (c) (II) as follows:

5 **22-30.5-408. Replenishment of qualified charter school debt**
6 **service reserve funds - additional responsibilities - state treasurer -**
7 **qualified charter schools - definitions.** (2) (a) If the Colorado
8 educational and cultural facilities authority has issued qualified charter
9 school bonds on behalf of any qualified charter school that fails
10 immediately to restore its qualified charter school debt service reserve
11 fund to the applicable qualified charter school debt service reserve fund
12 requirement, the board of directors of the authority shall submit to the
13 governor a certificate certifying any amount of moneys required to restore
14 the qualified charter school debt service reserve fund to the applicable
15 qualified charter school debt service reserve fund requirement. The
16 governor shall submit a request for appropriations in an amount sufficient
17 to restore any or all qualified charter school debt reserve funds to their
18 respective qualified charter school debt service reserve fund requirements
19 and the general assembly may, but shall not be required to, appropriate
20 moneys for said purpose. If, in its sole discretion, the general assembly
21 appropriates any moneys for said purpose, the aggregate outstanding
22 principal amount of bonds for which moneys may be appropriated for said
23 purpose shall not exceed ~~four~~ FIVE hundred million dollars.

24 (c) (II) Any net proceeds from the sale of property securing the
25 bonds for which the qualified charter school debt reserve fund is
26 established shall be used to reimburse the state treasurer for any costs
27 incurred in connection with the sale of such property. The state treasurer

1 shall credit any additional net proceeds from the sale of such property to
2 the state charter school debt reserve fund to restore the fund to a balance
3 of ~~one~~ SEVEN million FIVE HUNDRED THOUSAND dollars. The state
4 treasurer shall credit any remaining net proceeds from the sale of such
5 property to the state charter school interest savings account in the state
6 charter school debt reserve fund.

7 **SECTION 16.** In Colorado Revised Statutes, 22-7-1210, **amend**
8 (1) (d) (I) as follows:

9 **22-7-1210. Early literacy fund - created - repeal.** (1) The early
10 literacy fund is hereby created in the state treasury and is referred to in
11 this section as the "fund". The fund shall consist of:

12 (d) (I) For the 2013-14 budget year, ~~and each budget year~~
13 ~~thereafter~~, an amount equal to sixteen million dollars from the state
14 education fund, ~~AND FOR THE 2014-15 BUDGET YEAR, AND BUDGET YEARS~~
15 ~~THEREAFTER, AN AMOUNT EQUAL TO THIRTY-SIX MILLION DOLLARS FROM~~
16 ~~THE STATE EDUCATION FUND. On July 1, 2013, and on July 1 each year~~
17 ~~thereafter, the state treasurer shall transfer said THE APPROPRIATE amount~~
18 from the state education fund to the early literacy fund.

19 **SECTION 17. Appropriation - adjustments to 2014 long bill.**

20 (1) For the implementation of this act, appropriations made in the annual
21 general appropriation act to the department of education for the fiscal
22 year beginning July 1, 2014, are adjusted as follows:

23 (a) The cash funds appropriation from the state education fund
24 created in section 17 (4) (a) of article IX of the state constitution, for the
25 state share of districts' total program funding, is increased by
26 \$152,358,980.

27 (b) The cash funds appropriation from the state education fund

1 created in section 17 (4) (a) of article IX of the state constitution, for
2 hold-harmless full-day kindergarten funding, is increased by \$193,196.

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

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

16 (3) In addition to any other appropriation, there is hereby
17 appropriated, out of any moneys in the state education fund created in
18 section 17 (4) (a) of article IX of the state constitution, not otherwise
19 appropriated, to the department of education, for the fiscal year beginning
20 July 1, 2014, the sum of \$250,000, or so much thereof as may be
21 necessary, to be allocated to the public school finance unit for the
22 implementation of section 22-54-136, Colorado Revised Statutes.

23 (4) In addition to any other appropriation, there is hereby
24 appropriated, out of any moneys in the state education fund created in
25 section 17 (4) (a) of article IX of the state constitution, not otherwise
26 appropriated, to the department of education, for the fiscal year beginning
27 July 1, 2014, the sum of \$237,265 and 1.5 FTE, or so much thereof as

1 may be necessary, to be allocated to the public school finance unit for the
2 implementation of section 22-44-105 (4), Colorado Revised Statutes.

3 (5) In addition to any other appropriation, there is hereby
4 appropriated, out of any moneys in the public school capital construction
5 assistance fund created in section 22-43.7-104 (1), Colorado Revised
6 Statutes, not otherwise appropriated, to the department of education, for
7 the fiscal year beginning July 1, 2014, the sum of \$47,467 and 0.5 FTE,
8 or so much thereof as may be necessary, to be allocated to the division of
9 public school capital construction assistance, for the implementation of
10 this act.

11 **SECTION 18. Appropriation to the department of education**
12 **for the fiscal year beginning July 1, 2014.** In section 2 of House Bill
13 14-1336, **amend** Part III (2) (A) Footnote 5, as follows:

14 **Section 2. Appropriation.**

15 5 Department of Education, Assistance to Public Schools, Public
16 School Finance, State Share of Districts' Total Program Funding
17 -- Pursuant to Section 22-35-108 (2) (a), C.R.S., the purpose of
18 this footnote is to specify what portion of this appropriation is
19 intended to be available for the Accelerating Students Through
20 Concurrent Enrollment (ASCENT) Program for FY 2014-15. It is
21 the intent of the General Assembly that the Department of
22 Education be authorized to utilize up to ~~\$4,419,336~~ \$4,536,864 of
23 this appropriation to fund qualified students designated as
24 ASCENT Program participants. This amount is calculated based
25 on an estimated 708 FTE participants funded at a rate of ~~\$6,242~~
26 \$6,408 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.

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