

Bills Related to School Finance as of March 3, 2017

Signed Bills

(Note: Most summaries apply to the bills as introduced)

[SB17-052](#) Statutory Revision Committee Colorado Department of Education
Governor Signed

The bill implements 2 recommendations related to title 22 from the department of education to the statutory revision committee. The first recommendation is to change the single remaining statutory reference in title 22 that names October 1 as a mileage or pupil enrollment count date to the 'pupil enrollment count day, as defined in section 22-54-103 (10.5)' in order to conform with the rest of the references in title 22. The second recommendation is to delete from statute the phrases 'accredited independent school' and 'accredited nonpublic school' because the state board of education does not accredit either type of school.

[SB17-160](#) Supplemental Appropriations Department of Education
Governor Signed
Legal Services, CORE, Contingency Reserve Fund (1,235,956)

[SB17-173](#) School Finance Mid-year Adjustments
Governor Signed

The general assembly recognizes that the actual funded pupil count and the actual at-risk pupil count were less than anticipated during the 2016 legislative session. In addition, local property tax and specific ownership tax receipts were less than anticipated, reducing the local share of total program funding. The bill reflects the general assembly's intent to maintain the state share of school districts' total program funding at the level of the original appropriation during the 2016 legislative session, and to adjust total program funding, after application of the negative factor, to reflect a reduction in the negative factor. The bill appropriates \$3,950 cash funds from the state education fund to align the hold-harmless full-day kindergarten funding with the change in total program funding. (Note: This summary applies to the reengrossed version of this bill as introduced in the second house.)

Bills In Progress

[HB17-1042](#) Increasing Funding For Full-day Kindergarten

Refer Unamended to Appropriations

Under existing law, the 'Public School Finance Act of 1994' funds kindergarten students as half-day pupils plus the supplemental kindergarten enrollment, which is an additional .08 of a full-day pupil. The bill increases the supplemental kindergarten enrollment for the 2017-18 budget year and each budget year thereafter to .16 of a full-day pupil.

[HB17-1082](#) BEST Building Excellent Schools Today Act Technology Grant Funding

Refer Amended to Appropriations

State law requires the first \$40 million of retail marijuana excise tax revenue annually collected to be credited to the public school capital construction assistance fund (assistance fund). Sections 2 and 5 of the bill require the next \$5 million of retail marijuana excise tax revenue to be credited to a newly created technology grant account of the assistance fund for the purpose of providing 'Building Excellent Schools Today Act' (BEST) financial assistance in the form of technology grants to public schools as specified in section 4. Sections 3 and 4 define the term 'technology' for purposes of both the existing statute that gives high priority to BEST applications for projects that are designed to incorporate technology into the educational environment and the new technology grant program to include hardware, devices, or equipment necessary for individual student learning and classroom instruction, including access to electronic instructional materials, or necessary for professional use by a classroom teacher. ~~For additional clarification, section 1 amends the definition of 'capital construction' used for purposes of BEST to include 'technology', as defined in the bill. Section 4 also requires the public school capital construction assistance board, when evaluating applications for BEST financial assistance, to consider the extent to which retail marijuana excise tax revenue credited to the public school capital construction assistance fund is derived from each county of the state.~~

[HB17-1194](#) Technical Changes For P-tech Schools

Refer Unamended to House Committee of the Whole

The bill amends the definition of pathways in technology early college (p-tech) high school to include a p-tech program that operates within a host school. In addition, in applying school accreditation requirements and reporting graduation rates, a p-tech student is counted as a high school graduate in the year in which the student completes the local education provider's or host school's minimum high school graduation requirements. A p-tech school or the host school shall notify the department of education prior to a p-tech student's twelfth-grade year if the student will be enrolled in the p-tech school for grades 13 or 14.

[HB17-1182](#) Charter School And District Student Revenue True Up

Assigned to Education

The bill requires a charter school to reimburse the chartering school district or another school district, whichever is applicable, for excess student revenue attributable to a student who was enrolled in the charter school on the pupil enrollment count day and who subsequently enrolled in a non-charter school of the chartering school district or of another school district in the same budget year. The bill defines student revenue. Excess student revenue is the amount of student revenue proportionate to the time the student remained in the school before changing schools. To determine the amount of the reimbursement, the bill requires the chartering school district to prepare an accounting for each charter school of the school district at the end of the budget year. The accounting identifies students who transferred between a charter school and a non-charter school of the school district after the pupil enrollment count day, and students who transferred from a charter school to a non-charter school of a different school district after the pupil enrollment count day. Based on the accounting, the

bill requires each charter school of the school district to reimburse the chartering school district for excess student revenue for students who transferred from the charter school to a non-charter school in the chartering school district in the same budget year. The amount of the charter school's reimbursement to the chartering school district is reduced by the total amount of excess student revenue attributable to students who started in a non-charter school of the school district and transferred to the charter school in the same budget year; except that the chartering school district is not required to reimburse the charter school if the calculation results in a negative number. Further, each charter school of the school district is required to reimburse the chartering school district for excess student revenue for a student who transferred from the charter school to a non-charter school of a different school district in the same budget year. The chartering school district shall pay the excess student revenue received from the charter school to the school district in which the student subsequently enrolled.

SB17-061 Additional Funding Charter School Operating Costs

Senate Second Reading Laid Over to 03/06/2017 - No Amendment

Beginning in the 2017-18 budget year, the bill requires a school district to distribute revenue it receives from ongoing local property tax mill levies equally, on a per-student basis, to the school district charter schools. Under specified circumstances, the school district may distribute the revenue using a different calculation. The bill does not require a school district to redistribute to charter schools any amount of the mill levy revenue that it distributed in budget years before the 2017-18 budget year. The bill directs the department of education to calculate a mill levy equalization payment for each institute charter school in the amount of the per pupil share of the mill levy overrides of an institute charter school's accounting district. The state will pay the mill levy equalization amounts, subject to annual appropriations.

SB17-200 Reward Excellence With Annual Redirected Dollars

Assigned to Education

The bill creates the 'Rewarding Excellence With Annual Redirected Dollars Act' or 'REWARD Act' (program) to award excellence funding to school districts that achieve a level of success in student performance above that of their peer districts. The bill defines 'school district' to include school districts and the state charter school institute (institute). The bill directs the department of education (department) to annually identify peer school districts by categorizing all school districts as either non-rural or rural, as defined in the bill, and then group the school districts within those categories based on demographically similar student populations. Once peer school districts are identified, the department shall compare those school districts to determine which school districts outperform their peer school districts using objective measures of student performance. The bill includes eligibility criteria for participation in the program. The department shall annually award excellence funding to the top 10 highest-performing non-rural school districts and to the top 10 highest-performing rural school districts, for a total of 20 districts. The program is funded by redirecting 1% of statewide total program funding, after application of the negative factor, for the applicable budget year. The department shall reduce the state's share of total program funding for the applicable budget year by the amount of excellence funding, proportionately reducing each school district's state share of total program funding. The department shall distribute 35% of the excellence funding to the top 20 highest-performing school districts in equal shares, and the remaining 65% of excellence funding to those school districts on a per-pupil basis. School districts, including the institute, shall transfer to a district charter school or an institute charter school 100% of the charter school's per-pupil allocation of the total amount of excellence funding received by the school district or the institute. The program is implemented beginning in the 2018-19 budget year, and excellence funding is based on the school districts' student performance in the budget year immediately preceding the applicable budget year. The department shall reduce the amount of excellence funding by the department's reasonable and necessary direct costs incurred in implementing the program.

Bills Postponed Indefinitely

HB17-1089 Parent Choice In Low-performing School Districts

Postpone Indefinitely

The bill identifies a school district that is accredited with priority improvement plan or accredited with turnaround plan for 5 consecutive school years as a chronically low-performing school district. A chronically low-performing school district must establish a parent choice program under which it creates a parent choice account for the parent of each student who resides within and is enrolled in the school district. The school district must deposit into each account the per-pupil amount of the state share of total program and the per-pupil share of categorical program funding, as applicable to the student, that the school district receives for the school year and may deposit the per-pupil amount of the local share of total program that the school district collects for the school year. If the school district does not deposit the per-pupil amount of the local share, it is not authorized to collect property tax for that school year, but the state share is calculated as if the school district collected the property tax. A parent may withdraw money from his or her account only to purchase educational services for the parent's child. Educational services include enrolling the child in certain public schools, including online schools, of a school district other than the chronically low-performing school district or in certain institute charter schools. A parent may also choose to enroll his or her student in a public school of the chronically low-performing school district, in which case the school district is not required to deposit money in the parent's account while the student is enrolled in the public school.

HB17-1146 Parents' Rights Related To Minors

Postpone Indefinitely

The bill allows qualified, per school district policy, employees to dispense over-the-counter medications to a student if the student's parent or legal guardian provided the school district with written general authorization to dispense such over-the-counter medications during a specified academic year. The bill allows a parent or legal guardian to opt out of the collection and storage by a local education provider of any type of data related to his or her child.

SB17-029

Funding For Full-day Kindergarten

Postpone Indefinitely

Under existing law, the 'Public School Finance Act of 1994' funds kindergarten students as half-day pupils plus the supplemental kindergarten enrollment. Under existing law, the supplemental kindergarten enrollment is an additional .08 of a full-day pupil. The bill increases the supplemental kindergarten enrollment for the 2017-18 budget year and each budget year thereafter to .15 of a full-day pupil. The bill expresses the general assembly's intent to increase funding annually for full-day kindergarten starting in the 2018-19 budget year and continuing through the 2022-23 budget year so that by the 2022-23 budget year, the general assembly is funding kindergarten students as full-day pupils. Pursuant to referendum C passed by the voters in 2005, the state is currently authorized to retain and spend up to a capped amount of revenues each year that would otherwise be refunded in accordance with the taxpayer's bill of rights. Subject to a vote of the people, the bill authorizes the state to retain and spend all additional excess revenues beginning in the 2017-18 fiscal year. The general assembly is required to appropriate the additional retained money first to fund kindergarten pupils as full-day pupils and then to fund the state's share of total program funding. The state treasurer must transfer any amount of remaining additional excess revenues to the state education fund. The director of research of the legislative council must prepare an annual report concerning how the retained excess revenues are expended. The secretary of state is directed to place the question of whether to allow the state to retain excess revenues on the ballot for the 2017 general election.

SB17-119 Restoration Of School District Mill Levies

Postpone Indefinitely

The bill requires each school district that has obtained voter approval to retain and spend revenues in excess of the property tax revenue limitation imposed on the school district by section 20 of article X of the state constitution to restore the number of mills it levies for purposes of total program funding under the 'Public School Finance Act of 1994' to the number of mills levied in the property tax year immediately preceding the year in which the school district received the voter approval. The mill levies are restored in equal increments over 5 years. A school district is not allowed to levy a number of mills that would exceed the school district's total program as calculated before application of the negative factor.