

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0183.01 Julie Pelegrin

SENATE BILL 10-017

SENATE SPONSORSHIP

King K.,

HOUSE SPONSORSHIP

Stephens,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 CONCERNING ASSISTANCE TO SCHOOL DISTRICTS FOR IMPLEMENTING
102 WEIGHTED STUDENT FUNDING FORMULAS.

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 <http://www.leg.state.co.us/billssummaries>.)

Interim Committee to Study School Finance. The bill makes legislative findings concerning the benefits of implementing weighted student funding formulas at the school district level. The bill creates in the department of education (department) a grant program to provide moneys to school districts for designing weighted student funding

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.

formulas and providing professional development for implementation of the formulas. The department will review the applications to ensure they meet the minimum specified requirements and award grants in the order applications are received. The grant program will be funded from any federal moneys or gifts, grants, or donations received by the department for the grant program. The commissioner of education will inform the revisor of statutes on July 1, 2011, that the department has or has not received sufficient moneys to implement the grant program, and the grant program will repeal on July 1, 2011, if the department has not received sufficient moneys by that date to implement the grant program.

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

2 **SECTION 1.** Part 1 of article 2 of title 22, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **22-2-138. Weighted student funding - legislative declaration**
6 **- grants - repeal.** (1) THE GENERAL ASSEMBLY FINDS THAT:

7 (a) INCREASED AUTONOMY FOR PUBLIC SCHOOLS THROUGH THE
8 USE OF WEIGHTED STUDENT FUNDING BY SCHOOL DISTRICTS HAS BEEN
9 SHOWN TO RAISE THE LEVEL OF ACADEMIC ACHIEVEMENT IN THE PUBLIC
10 SCHOOLS BY ENSURING THAT THE MONEYS APPROPRIATED TO ADDRESS
11 THE INDIVIDUAL NEEDS OF CERTAIN STUDENTS FOLLOWS THOSE STUDENTS
12 INTO THEIR RESPECTIVE SCHOOLS;

13 (b) THE USE OF A DISTRICT-LEVEL WEIGHTED STUDENT FUNDING
14 FORMULA DIRECTS THE INCREMENTALLY INCREASED FUNDING PROVIDED
15 FOR CERTAIN STUDENTS BASED ON IDENTIFIED STUDENT CHARACTERISTICS
16 INTO EACH STUDENT'S RESPECTIVE PUBLIC SCHOOL WHERE THE PERSONNEL
17 AT THAT SCHOOL CAN USE THOSE MONEYS DIRECTLY TO BENEFIT THE
18 PARTICULAR STUDENT;

19 (c) USING A WEIGHTED STUDENT FUNDING FORMULA TO DRIVE
20 RESOURCES INTO EACH PUBLIC SCHOOL ENABLES THE SCHOOL TO DEVELOP

1 THE SPECIFIC PROGRAMS IT NEEDS TO ADDRESS EACH STUDENT'S UNIQUE
2 NEEDS AND ENHANCE EACH STUDENT'S ACADEMIC GROWTH;

3 (d) TO SUCCESSFULLY IMPLEMENT A WELL-PLANNED WEIGHTED
4 STUDENT FUNDING FORMULA, SCHOOL DISTRICTS NEED TO PROVIDE
5 INCREASED STAFF DEVELOPMENT THAT WILL EMPOWER THE PERSONNEL
6 LEADING EACH PUBLIC SCHOOL TO EXERCISE THE INCREASED AUTONOMY
7 THAT THE PUBLIC SCHOOL RECEIVES DUE TO APPLICATION OF THE
8 WEIGHTED STUDENT FUNDING FORMULA;

9 (e) THE DESIGN AND IMPLEMENTATION OF A SCHOOL DISTRICT
10 BUDGET THAT INCLUDES SIGNIFICANT USE OF A WEIGHTED STUDENT
11 FUNDING FORMULA ARE CHALLENGING ENTREPRENEURIAL TASKS THAT
12 REQUIRE RESOURCES BOTH FOR PLANNING AND FOR PROFESSIONAL
13 DEVELOPMENT TO HELP ENSURE SUCCESSFUL IMPLEMENTATION.

14 (2) (a) THERE IS HEREBY CREATED IN THE DEPARTMENT A
15 WEIGHTED STUDENT FUNDING PLANNING GRANT PROGRAM, REFERRED TO
16 IN THIS SECTION AS THE "GRANT PROGRAM", TO PROVIDE RESOURCES FOR
17 SCHOOL DISTRICTS THAT CHOOSE TO CREATE AND IMPLEMENT A WEIGHTED
18 STUDENT FUNDING FORMULA. A SCHOOL DISTRICT MAY APPLY TO THE
19 DEPARTMENT FOR A ONE-TIME GRANT OF UP TO ONE HUNDRED THOUSAND
20 DOLLARS FOR USE IN CREATING A WEIGHTED STUDENT FUNDING FORMULA
21 OR PROVIDING PROFESSIONAL DEVELOPMENT TO PRINCIPALS OR OTHER
22 ADMINISTRATORS FOR IMPLEMENTATION OF A WEIGHTED STUDENT
23 FUNDING FORMULA, OR FOR BOTH DESIGN AND PROFESSIONAL
24 DEVELOPMENT. IMPLEMENTATION OF THE GRANT PROGRAM AND THE
25 AWARDING OF GRANTS SHALL BE SUBJECT TO THE RECEIPT OF SUFFICIENT
26 MONEYS PURSUANT TO SUBSECTION (3) OF THIS SECTION.

27 (b) A SCHOOL DISTRICT THAT CHOOSES TO APPLY FOR A GRANT

1 SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT BEGINNING AUGUST
2 1 OF THE APPLICABLE BUDGET YEAR. EACH APPLICATION SHALL SPECIFY
3 THE GRANT AMOUNT THE DISTRICT IS REQUESTING AND HOW THE DISTRICT
4 WILL USE THE GRANT MONEYS, INCLUDING:

5 (I) WHETHER THE SCHOOL DISTRICT ALREADY USES A WEIGHTED
6 STUDENT FUNDING FORMULA IN ALLOCATING MONEYS TO THE PUBLIC
7 SCHOOLS OF THE SCHOOL DISTRICT;

8 (II) THE TIME FRAME FOR IMPLEMENTING A WEIGHTED STUDENT
9 FUNDING FORMULA IF ONE IS NOT ALREADY IN USE AND THE PROCESS THAT
10 THE SCHOOL DISTRICT WILL USE TO DESIGN THE FORMULA;

11 (III) THE TYPE OF PROFESSIONAL DEVELOPMENT, IF ANY, THAT THE
12 SCHOOL DISTRICT SEEKS TO PROVIDE WITH THE GRANT MONEYS.

13 (c) THE DEPARTMENT SHALL REVIEW THE APPLICATIONS AND,
14 SUBJECT TO THE RECEIPT OF MONEYS PURSUANT TO SUBSECTION (3) OF
15 THIS SECTION, AWARD ONE-TIME GRANTS TO SCHOOL DISTRICTS PURSUANT
16 TO THIS SECTION. AN INDIVIDUAL GRANT SHALL NOT EXCEED ONE
17 HUNDRED THOUSAND DOLLARS. THE DEPARTMENT SHALL PAY THE GRANT
18 MONEYS FROM ANY MONEYS RECEIVED PURSUANT TO SUBSECTION (3) OF
19 THIS SECTION BASED ON THE ORDER IN WHICH THE DEPARTMENT RECEIVES
20 THE GRANT APPLICATIONS.

21 (3) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND FEDERAL
22 MONEYS AND OTHER GIFTS, GRANTS, AND DONATIONS TO IMPLEMENT THE
23 GRANT PROGRAM; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A
24 GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE
25 INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THE
26 GENERAL ASSEMBLY SHALL NOT APPROPRIATE STATE MONEYS FOR THE
27 IMPLEMENTATION OF THE GRANT PROGRAM.

1 (4) (a) ON JULY 1, 2011, OR AS SOON AS POSSIBLE THEREAFTER,
2 THE COMMISSIONER OF EDUCATION SHALL PROVIDE WRITTEN NOTICE TO
3 THE REVISOR OF STATUTES THAT THE DEPARTMENT, AS OF JULY 1, 2011,
4 HAS OR HAS NOT RECEIVED FEDERAL MONEYS AND ALLOCATED SAID
5 MONEYS TO THE GRANT PROGRAM OR THAT THE DEPARTMENT, AS OF SAID
6 DATE, HAS OR HAS NOT RECEIVED A SUFFICIENT AMOUNT IN OTHER GIFTS,
7 GRANTS, OR DONATIONS TO IMPLEMENT THE GRANT PROGRAM.

8 (b) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011, IF THE
9 REVISOR OF STATUTES RECEIVES NOTICE FROM THE COMMISSIONER
10 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (4) THAT THE
11 DEPARTMENT, AS OF SAID DATE, HAS NOT RECEIVED AND ALLOCATED
12 SUFFICIENT FEDERAL MONEYS OR RECEIVED A SUFFICIENT AMOUNT IN
13 OTHER GIFTS, GRANTS, OR DONATIONS TO IMPLEMENT THE GRANT
14 PROGRAM.

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