

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 11, 2013
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB13-260 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 5, line 9, strike "**amend**".
- 2 Page 5, strike line 10 and substitute "**add** (7) (e) (VI) as follows:".
- 3 Page 6, strike lines 2 through 27.
- 4 Strike page 7.
- 5 Page 8, strike lines 1 through 3.
- 6 Page 8, line 4, strike "(V)" and substitute "(e)(VI)", and strike "(f)" and
7 substitute "(e)".
- 8 Page 9, line 7, strike "_____;" and substitute "FIVE BILLION FIVE HUNDRED
9 MILLION TWO HUNDRED SEVENTY-SIX THOUSAND SEVEN HUNDRED
10 NINETY-FOUR DOLLARS (\$5,500,276,794);".
- 11 Page 11, line 4, strike "and each budget year thereafter" and substitute
12 "~~and each budget year thereafter~~".
- 13 Page 11, strike lines 5 through 8 and substitute "million dollars. THE
14 TOTAL AMOUNT OF STATE EDUCATION FUND MONEYS TO BE APPROPRIATED
15 FOR ALL ELIGIBLE DISTRICTS AND FOR ALL ELIGIBLE INSTITUTE CHARTER
16 SCHOOLS FOR THE 2013-14 BUDGET YEAR AND EACH BUDGET YEAR
17 THEREAFTER IS SEVEN MILLION DOLLARS."

1 Page 11, after line 8 insert:

2 "SECTION 6. In Colorado Revised Statutes, 22-54-129, **amend**
3 (2); **repeal** (1) (e); and **add** (1) (g) as follows:

4 **22-54-129. Facility school funding - definitions - legislative**
5 **declaration.** (1) As used in this section, unless the context otherwise
6 requires:

7 (e) ~~"State average per pupil revenue" means the total program of~~
8 ~~all districts for any budget year divided by the total funded pupil count of~~
9 ~~all districts for said budget year.~~

10 (g) "STATEWIDE BASE PER PUPIL FUNDING" MEANS THE AMOUNT
11 ANNUALLY SPECIFIED IN SECTION 22-54-104 (5) (a).

12 (2) (a) THE GENERAL ASSEMBLY FINDS THAT:

13 (I) THE UNIQUE ENVIRONMENTS OF APPROVED FACILITY SCHOOLS
14 AND STATE PROGRAMS AND THE POPULATION OF STUDENTS THAT THEY
15 SERVE CREATE OBSTACLES TO LEARNING AND ACADEMIC GROWTH THAT
16 OTHER PUBLIC SCHOOLS AND STUDENTS DO NOT ENCOUNTER;

17 (II) BECAUSE APPROVED FACILITY SCHOOLS AND STATE PROGRAMS
18 MUST OPERATE YEAR-ROUND, THEIR NEED FOR FUNDING REMAINS
19 CONSTANT YEAR-ROUND; AND

20 (III) ALTHOUGH STUDENTS IN APPROVED FACILITY SCHOOLS MAY
21 OR MAY NOT BE ECONOMICALLY AT-RISK, THE CIRCUMSTANCES THAT
22 HAVE RESULTED IN THEIR PLACEMENT IN APPROVED FACILITY SCHOOLS
23 AND STATE PROGRAMS MAKE IT LIKELY THAT THEY ARE ACADEMICALLY
24 AT-RISK AND REQUIRE COSTLY EDUCATIONAL SUPPORT SERVICES TO
25 ACHIEVE ACADEMIC GROWTH.

26 (b) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS
27 APPROPRIATE TO FUND APPROVED FACILITY SCHOOLS AND STATE
28 PROGRAMS:

29 (I) BY AN ADDITIONAL ONE-THIRD ABOVE THE STATEWIDE BASE
30 PER PUPIL FUNDING AMOUNT TO RECOGNIZE THE INCREASED COSTS OF
31 EDUCATING STUDENTS IN APPROVED FACILITY SCHOOLS AND STATE
32 PROGRAMS YEAR-ROUND; AND

33 (II) BY AN ADDITIONAL FORTY PERCENT ABOVE THE STATEWIDE
34 BASE PER PUPIL FUNDING AMOUNT TO OFFSET THE INCREASED COSTS
35 INHERENT IN PROVIDING EDUCATION SERVICES TO THE STUDENTS WHO ARE
36 PLACED IN APPROVED FACILITY SCHOOLS AND STATE PROGRAMS.

37 (c) (I) For the 2008-09 budget year ~~and each budget year~~
38 ~~thereafter~~, THROUGH THE 2012-13 BUDGET YEAR, each approved facility
39 school and state program that meets the requirements of this section shall
40 receive education program funding, which shall be distributed pursuant

1 to subsection (4) of this section. The amount of funding available for all
2 approved facility schools and state programs in a budget year shall be an
3 amount equal to the pupil enrollment of each approved facility school and
4 state program for the applicable budget year multiplied by an amount
5 equal to one and one-third of the state average per pupil revenue for the
6 applicable budget year.

7 (II) FOR THE 2013-14 BUDGET YEAR AND EACH BUDGET YEAR
8 THEREAFTER, EACH APPROVED FACILITY SCHOOL AND STATE PROGRAM
9 THAT MEETS THE REQUIREMENTS OF THIS SECTION MUST RECEIVE
10 EDUCATION PROGRAM FUNDING, WHICH MUST BE DISTRIBUTED PURSUANT
11 TO SUBSECTION (4) OF THIS SECTION. THE AMOUNT OF FUNDING
12 AVAILABLE FOR ALL APPROVED FACILITY SCHOOLS AND STATE PROGRAMS
13 IN A BUDGET YEAR IS AN AMOUNT EQUAL TO THE PUPIL ENROLLMENT OF
14 EACH APPROVED FACILITY SCHOOL AND STATE PROGRAM FOR THE
15 APPLICABLE BUDGET YEAR MULTIPLIED BY AN AMOUNT EQUAL TO ONE
16 AND SEVENTY-THREE HUNDREDTHS OF THE STATEWIDE BASE PER PUPIL
17 FUNDING FOR THE APPLICABLE BUDGET YEAR."

18 Renumber succeeding sections accordingly.

19 Page 22, strike lines 10 through 18.

20 Renumber succeeding sections accordingly.

21 Page 26, after line 23 insert:

22 "SECTION 14. In Colorado Revised Statutes, 24-75-220, **add** (4)
23 as follows:

24 **24-75-220. Transfer of general fund surplus to state education**
25 **fund.** (4) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,
26 ON THE DATE ON WHICH THE STATE CONTROLLER PUBLISHES THE
27 COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE STATE FOR THE
28 FISCAL YEAR 2013-14, AFTER MAKING THE TRANSFER REQUIRED PURSUANT
29 TO SECTION 24-75-222, AS ENACTED IN SENATE BILL 13-236, THE STATE
30 TREASURER SHALL TRANSFER TO THE STATE EDUCATION FUND CREATED
31 IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION, ONE-HALF
32 OF THE REMAINING GENERAL FUND SURPLUS DESIGNATED IN ACCORDANCE
33 WITH SECTION 24-75-201 (1) FOR THE FISCAL YEAR 2013-14."

34 Renumber succeeding sections accordingly.

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