## SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

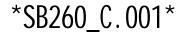
<u>April 11, 2013</u> Date

Committee on Education.

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

<u>SB13-260</u> be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> 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.
- Page 8, line 4, strike "(V)" and substitute "(e)(VI)", and strike "(f)" and
  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);".
- Page 11, line 4, strike "and each budget year thereafter" and substitute
  "and each budget year thereafter".
- Page 11, strike lines 5 through 8 and substitute "million dollars. THE
  TOTAL AMOUNT OF STATE EDUCATION FUND MONEYS TO BE APPROPRIATED
  FOR ALL ELIGIBLE DISTRICTS AND FOR ALL ELIGIBLE INSTITUTE CHARTER
  SCHOOLS FOR THE 2013-14 BUDGET YEAR AND EACH BUDGET YEAR
  THEREAFTER IS SEVEN MILLION DOLLARS.".



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:

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

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

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

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

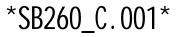
(III) ALTHOUGH STUDENTS IN APPROVED FACILITY SCHOOLS MAY
OR MAY NOT BE ECONOMICALLY AT-RISK, THE CIRCUMSTANCES THAT
HAVE RESULTED IN THEIR PLACEMENT IN APPROVED FACILITY SCHOOLS
AND STATE PROGRAMS MAKE IT LIKELY THAT THEY ARE ACADEMICALLY
AT-RISK AND REQUIRE COSTLY EDUCATIONAL SUPPORT SERVICES TO
ACHIEVE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

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

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

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

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



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