

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

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 13-0347.01 Nicole Myers x4326

**SENATE BILL 13-260**

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**SENATE SPONSORSHIP**

**Hudak and Steadman,**

**HOUSE SPONSORSHIP**

**Hamner,**

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**Senate Committees**

Education  
Appropriations

**House Committees**

Education  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND, IN**  
102 **CONNECTION THEREWITH, MAKING AND REDUCING AN**  
103 **APPROPRIATION.**

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**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/billsummaries>.)*

The bill amends the "Public School Finance Act of 1994" (act) to modify the funding for public schools from preschool through the twelfth grade for the 2013-14 budget year, and, in some circumstances, for budget years thereafter, as follows:

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.*

HOUSE  
3rd Reading Unamended  
April 30, 2013

HOUSE  
Amended 2nd Reading  
April 29, 2013

SENATE  
3rd Reading Unamended  
April 19, 2013

SENATE  
Amended 2nd Reading  
April 18, 2013

**Statewide base per pupil funding:** For the 2013-14 budget year, the statewide base per pupil funding is increased to \$5,954.28 to account for a 1.9% inflation rate.

**Funded pupil count:** Currently, a district's funded pupil count is calculated by adding the district's on-line pupil enrollment, preschool program enrollment, supplemental kindergarten enrollment, and accelerating students through concurrent enrollment (ASCENT) program pupil enrollment, all for the applicable budget year, and the greater of the district's pupil enrollment for the current budget year or an average of the district's pupil enrollment for the current budget year and the 2, 3, or 4 immediately preceding budget years.

In addition, the bill specifies that, notwithstanding the calculation for determining funded pupil count, for the 2013-14 budget year and each budget year thereafter, a district's funded pupil count will not be less than 50 pupils.

**Negative factor:** During the 2010 and 2011 legislative sessions, the general assembly amended the act for the 2010-11 budget year and budget years thereafter to reduce the amount of the annual appropriation to fund the state's share of total program funding for all school districts and the funding for institute charter schools (total program funding) to assist in stabilizing the state budget. The general assembly accomplished the reduction to each district through a calculation that resulted in a factor, called the negative factor, to be applied to each district's total program funding amount in the applicable budget year.

For the 2013-14 budget year, the general assembly has determined that application of the negative factor to total program funding is necessary, but without an additional reduction in the amount of the annual appropriation to fund the state's share of total program funding. For the 2013-14 budget year, the bill increases the total program funding amount by a specified amount compared with the amount currently required in law to account for increases in student enrollment.

**Charter school at-risk supplemental aid:** Currently, certain qualified school districts, district charter schools, and institute charter schools receive at-risk supplemental aid (aid) in addition to the at-risk funding received pursuant to the act. A portion of the funding for the aid comes from the amount recovered by the department of education (department) from school district and charter school audits. The bill eliminates this funding source for the aid and funds the aid from the state public school fund.

**Charter school capital construction:** Currently, \$6 million from the state education fund is annually appropriated for capital construction costs for all eligible districts and for all eligible institute charter schools. For the 2013-14 budget year only, the appropriation from the state education fund for charter school capital construction costs is increased to \$7 million.

In addition to the changes to the act, the bill modifies other provisions related to funding for public schools as follows:

**"READ Act" funding:** During the 2012 legislative session, the general assembly enacted the "READ Act" and specified that, for the 2013-14 state fiscal year and for each state fiscal year thereafter, any interest or income, up to \$16 million, earned on the investment of moneys in the public school fund in excess of \$11 million, other than interest and income credited to the public school capital construction assistance fund, shall be transferred to the early literacy fund to be used for purposes of the "READ Act".

The bill eliminates the provision that authorizes the early literacy fund to receive a transfer from the public school fund and, for the 2013-14 budget year and each budget year thereafter, requires the state treasurer to annually transfer \$16 million from the state education fund to the early literacy fund for purposes of the "READ Act".

**Educator effectiveness:** The great teachers and leaders fund was created to accept moneys to be used for the implementation of the state council for educator effectiveness. For the 2013-14 fiscal year, the bill requires the state treasurer to transfer \$200,000 to the great teachers and leaders fund from the state education fund.

**"Tier B" special education funding:** "Tier B" special education funding is \$6,000 per child with one or more specific disabilities described in law. The department determines the percentage of children for which a district receives such funding based on the amount remaining from the appropriation for special education funding after several other special education funding requirements have been met. For the 2013-14 budget year and each budget year thereafter, the appropriation for special education is increased by \$20 million and is required to be used for "Tier B" special education funding.

**Colorado preschool program:** The Colorado preschool program (CPP) serves children from ages 3 to 5 who lack overall learning readiness due to one or more factors specified in law. For the 2013-14 budget year and each budget year thereafter, the bill increases the number of children who may participate in CPP by 3,200 for a total of 23,360 children who may participate in CPP statewide. The bill allows school districts to serve the total number of additional children eligible to participate in CPP pursuant to the bill with either a half-day or full-day of preschool through the CPP or through a full-day of kindergarten through preexisting school district full-day kindergarten programs.

**Expanding quality incentive program:** The bill creates, in the department and within the CPP, the expanding quality incentive program (program). Through the program, an eligible school district may apply to the department for a grant to obtain a school-readiness quality rating for the district's preschool program and, based on the quality rating that the district's preschool program achieves, receive a quality improvement

grant that the district must use to enhance the quality of the district's preschool program.

Once every 2 years, school districts, based on the recommendation of the school district's preschool program advisory council, may apply to the department to participate in the program. A school district is eligible to participate in the program only if it has established a preschool program through the CPP that is in compliance with the requirements of the CPP and is licensed by the department of human services. School districts that contract out all or any portion of the school district's preschool program to a head start or child care agency must allow the head start or child care agency to participate in the program.

A classroom that is rated with zero, one, or 2 stars will receive a quality improvement grant for 2 years to be used in furtherance of the district's quality improvement plan generated by the quality improvement rating.

Each district that participates in the program must report specified information to the department after the second year in which the district receives the quality improvement grant. In addition, the department must include certain information about the program in its annual report to the general assembly regarding the CPP. The state board of education must promulgate rules to implement and operate the program.

**Public school fund:** The bill eliminates the requirement that up to \$16 million from the interest or income earned on the public school fund be used for the "READ Act" and increases the amount of interest or income earned on the investment of the moneys in the public school fund that shall be credited to the state public school fund for distribution as provided by law from \$11 million to \$16 million.

**"BEST Act":** The bill excludes from the definition of "public school lands income" the income received from bonus payments between July 1, 2012, and June 30, 2016, under the terms of the oil and gas development lease for the Lowry Range property entered into in March 2012.

**Quality teacher recruitment:** The bill requires the department to contract at least one organization (vendors) to create a quality teacher recruitment program (recruitment program) for the state to recruit, select, train, and retain highly qualified teachers to teach in schools and school districts in Colorado that can demonstrate historic difficulty in recruiting and retaining highly qualified teachers. The department must select a vendor that:

- ! Commits to working with one or more districts in the state for at least 2 years to recruit highly qualified teachers;
- ! Has a documented history of recruiting, training, and retaining highly qualified teachers in areas of Colorado or in other states that have had historic difficulty in recruiting and retaining highly qualified teachers;

- ! Commits to hiring only teachers who are highly qualified pursuant to the United States department of education guidelines;
- ! Can demonstrate that the teachers it has worked with in the past achieve high academic growth from their students based on state achievement data or independent studies;
- ! Has a documented history of providing professional development for educators; and
- ! Commits to matching 100% of any moneys paid to the vendor through the contract.

The bill requires a vendor that enters into a contract with the department to operate a recruitment program to submit a report to the department that includes specified data and performance metrics from the prior school year. In addition, the department must contract with a third party to evaluate the recruitment program and to submit a report to the department regarding the progress of the vendor based on the same specified data and performance metrics.

**Nationally board certified teachers:** The department is required to award an annual stipend to a teacher or principal who is employed to teach in a school district, a program operated by a board of cooperative services, a district charter school, or an institute charter school, and who holds a certification from the national board for professional teaching or principal standards. The bill increases the appropriation from the state education fund for the stipends by \$1,339,200.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-54-104, **add** (5)

3 (a) (XX) as follows:

4 **22-54-104. District total program.** (5) For purposes of the  
5 formulas used in this section:

6 (a) (XX) FOR THE 2013-14 BUDGET YEAR, THE STATEWIDE BASE  
7 PER PUPIL FUNDING IS \$5,954.28, WHICH IS AN AMOUNT EQUAL TO  
8 \$5,843.26, SUPPLEMENTED BY \$111.02 TO ACCOUNT FOR INFLATION.

9 **SECTION 2.** In Colorado Revised Statutes, 22-54-103, **add**

10 (7) (e) (VI) as follows:

11 **22-54-103. Definitions.** As used in this article, unless the context

1 otherwise requires:

2 (7) "Funded pupil count" means:

3

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4 (e)(VI) NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH  
5 (e) TO THE CONTRARY, FOR THE 2013-14 BUDGET YEAR AND EACH BUDGET  
6 YEAR THEREAFTER, FOR THE PURPOSES OF THIS SUBSECTION (7), IF A  
7 DISTRICT'S FUNDED PUPIL COUNT CALCULATED PURSUANT TO THIS  
8 SUBSECTION (7) FOR A BUDGET YEAR IS FEWER THAN FIFTY PUPILS, THE  
9 DISTRICT'S FUNDED PUPIL COUNT FOR THE BUDGET YEAR IS FIFTY PUPILS.

10 **SECTION 3.** In Colorado Revised Statutes, 22-54-104, **amend**  
11 **as added by Senate Bill 13-108** (5) (g) (I) (D); and **add** (5) (g) (I) (E) as  
12 follows:

13 **22-54-104. District total program.** (5) For purposes of the  
14 formulas used in this section:

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

25 (D) That, for the 2013-14 budget year, and each budget year  
26 thereafter, the sum of the total program funding for all districts, including  
27 the funding for institute charter schools, after application of the negative

1 factor, is not less than ~~the sum of the total program funding for all~~  
2 ~~districts, including the funding for institute charter schools, after the~~  
3 ~~application of the negative factor for the immediately preceding budget~~  
4 ~~year, adjusted by the amount necessary to adjust the state average per~~  
5 ~~pupil revenues for the applicable budget year by the rate of inflation, as~~  
6 ~~defined in section 22-55-102 (7), for the calendar year ending in the~~  
7 ~~immediately preceding school district budget year~~ FIVE BILLION FIVE  
8 HUNDRED FIVE MILLION THREE HUNDRED THIRTY-TWO THOUSAND  
9 TWENTY-FOUR DOLLARS (\$5,505,332,024); except that the department of  
10 education and the staff of the legislative council shall make mid-year  
11 revisions to replace projections with actual figures including, but not  
12 limited to, actual pupil enrollment, assessed valuations, and specific  
13 ownership tax revenue from the prior year, to determine any necessary  
14 changes in the amount of the reduction to maintain a total program  
15 funding amount for the applicable budget year that is consistent with this  
16 sub-subparagraph (D).

17 (E) THAT, FOR THE 2014-15 BUDGET YEAR, AND EACH BUDGET  
18 YEAR THEREAFTER, THE SUM OF THE TOTAL PROGRAM FUNDING FOR ALL  
19 DISTRICTS, INCLUDING THE FUNDING FOR INSTITUTE CHARTER SCHOOLS,  
20 AFTER APPLICATION OF THE NEGATIVE FACTOR, IS NOT LESS THAN THE SUM  
21 OF THE TOTAL PROGRAM FUNDING FOR ALL DISTRICTS, INCLUDING THE  
22 FUNDING FOR INSTITUTE CHARTER SCHOOLS, AFTER THE APPLICATION OF  
23 THE NEGATIVE FACTOR FOR THE IMMEDIATELY PRECEDING BUDGET YEAR,  
24 ADJUSTED BY THE AMOUNT NECESSARY TO ADJUST THE STATE AVERAGE  
25 PER PUPIL REVENUES FOR THE APPLICABLE BUDGET YEAR BY THE RATE OF  
26 INFLATION, AS DEFINED IN SECTION 22-55-102 (7), FOR THE CALENDAR  
27 YEAR ENDING IN THE IMMEDIATELY PRECEDING SCHOOL DISTRICT BUDGET

1 YEAR; EXCEPT THAT THE DEPARTMENT OF EDUCATION AND THE STAFF OF  
2 THE LEGISLATIVE COUNCIL SHALL MAKE MID-YEAR REVISIONS TO REPLACE  
3 PROJECTIONS WITH ACTUAL FIGURES INCLUDING, BUT NOT LIMITED TO,  
4 ACTUAL PUPIL ENROLLMENT, ASSESSED VALUATIONS, AND SPECIFIC  
5 OWNERSHIP TAX REVENUE FROM THE PRIOR YEAR, TO DETERMINE ANY  
6 NECESSARY CHANGES IN THE AMOUNT OF THE REDUCTION TO MAINTAIN A  
7 TOTAL PROGRAM FUNDING AMOUNT FOR THE APPLICABLE BUDGET YEAR  
8 THAT IS CONSISTENT WITH THIS SUB-SUBPARAGRAPH (E).

9 **SECTION 4.** In Colorado Revised Statutes, 22-54-114, **amend**  
10 (4) (c) as follows:

11 **22-54-114. State public school fund.** (4) (c) For the 2012-13  
12 budget year ~~and each budget year thereafter~~, the general assembly shall  
13 appropriate the amount calculated for at-risk supplemental aid pursuant  
14 to sections 22-30.5-112.2 and 22-30.5-513, up to three million eight  
15 hundred thirty-nine thousand six hundred twenty-seven dollars, from any  
16 amounts recovered and received by the department of education during  
17 the applicable budget year.

18 **SECTION 5.** In Colorado Revised Statutes, 22-54-124, **amend**  
19 (3) (a) (III) (A) as follows:

20 **22-54-124. State aid for charter schools - use of state education**  
21 **fund moneys - definitions.** (3) (a) (III) (A) The total amount of state  
22 education fund moneys to be appropriated for all eligible districts and for  
23 all eligible institute charter schools for the 2003-04 through 2011-12  
24 budget years shall be an amount equal to five million dollars; except that,  
25 for the 2006-07 budget year, an additional two million eight hundred  
26 thousand dollars shall be appropriated from the state education fund and  
27 shall be used for the purposes of this section, and for the 2008-09 budget

1 year, an additional one hundred thirty-five thousand dollars shall be  
2 appropriated from the state education fund and shall be distributed  
3 pursuant to section 22-54-133, as said section existed prior to its repeal  
4 in 2010. The total amount of state education fund moneys to be  
5 appropriated for all eligible districts and for all eligible institute charter  
6 schools for the 2012-13 budget year ~~and each budget year thereafter~~ is six  
7 million dollars. THE TOTAL AMOUNT OF STATE EDUCATION FUND MONEYS  
8 TO BE APPROPRIATED FOR ALL ELIGIBLE DISTRICTS AND FOR ALL ELIGIBLE  
9 INSTITUTE CHARTER SCHOOLS FOR THE 2013-14 BUDGET YEAR AND EACH  
10 BUDGET YEAR THEREAFTER IS SEVEN MILLION DOLLARS.

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

13 **22-54-129. Facility school funding - definitions - legislative**  
14 **declaration.** (1) As used in this section, unless the context otherwise  
15 requires:

16 (e) "State average per pupil revenue" means the total program of  
17 all districts for any budget year divided by the total funded pupil count of  
18 all districts for said budget year.

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

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

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

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

1 CONSTANT YEAR-ROUND; AND

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

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

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

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

19 (c) (I) For the 2008-09 budget year and each budget year  
20 thereafter, THROUGH THE 2012-13 BUDGET YEAR, each approved facility  
21 school and state program that meets the requirements of this section shall  
22 receive education program funding, which shall be distributed pursuant  
23 to subsection (4) of this section. The amount of funding available for all  
24 approved facility schools and state programs in a budget year shall be an  
25 amount equal to the pupil enrollment of each approved facility school and  
26 state program for the applicable budget year multiplied by an amount  
27 equal to one and one-third of the state average per pupil revenue for the

1 applicable budget year.

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

13 **SECTION 7.** In Colorado Revised Statutes, 22-7-1210, **amend**  
14 (1) (d); **repeal** (1) (c); and **add** (1) (e) as follows:

15 **22-7-1210. Early literacy fund - created - repeal.** (1) The early  
16 literacy fund is hereby created in the state treasury and is referred to in  
17 this section as the "fund". The fund shall consist of:

18 (c) ~~Moneys transferred to the fund pursuant to section 22-41-102~~  
19 ~~(3)(c); and~~

20 (d) (I) ~~Any other moneys that the general assembly may~~  
21 ~~appropriate or transfer to the fund~~ FOR THE 2013-14 BUDGET YEAR AND  
22 EACH BUDGET YEAR THEREAFTER, AN AMOUNT EQUAL TO SIXTEEN  
23 MILLION DOLLARS FROM THE STATE EDUCATION FUND. ON JULY 1, 2013,  
24 AND ON JULY 1 EACH YEAR THEREAFTER, THE STATE TREASURER SHALL  
25 TRANSFER SAID AMOUNT FROM THE STATE EDUCATION FUND TO THE  
26 EARLY LITERACY FUND.

27 (II) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT,

1 FOR THE PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE  
2 CONSTITUTION, PROVIDING STUDENTS ENROLLED IN KINDERGARTEN, FIRST,  
3 SECOND, OR THIRD GRADE WITH THE INSTRUCTIONAL PROGRAMMING,  
4 INTERVENTION INSTRUCTION, AND SUPPORT NECESSARY TO ENSURE THAT  
5 STUDENTS, BY THE COMPLETION OF THIRD GRADE, CAN DEMONSTRATE A  
6 LEVEL OF COMPETENCY IN READING SKILLS THAT IS NECESSARY TO  
7 SUPPORT THEM IN ACHIEVING THE ACADEMIC STANDARDS AND  
8 EXPECTATIONS APPLICABLE TO THE FOURTH-GRADE CURRICULUM IS A  
9 PROGRAM FOR ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE  
10 RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION  
11 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

12 (e) ANY OTHER MONEYS THAT THE GENERAL ASSEMBLY MAY  
13 APPROPRIATE OR TRANSFER TO THE FUND.

14 **SECTION 8.** In Colorado Revised Statutes, 22-9-105.7, **amend**  
15 (3) as follows:

16 **22-9-105.7. Great teachers and leaders fund - created - gifts,**  
17 **grants, and donations.** (3) (a) For fiscal years 2010-11 and 2011-12, if  
18 two hundred fifty thousand dollars is not credited to the fund through  
19 federal grants on or before September 30, 2010, the commissioner shall  
20 notify the state treasurer of the difference. As provided for in section  
21 22-54-117 (1) (g), upon receipt of such notice, the state treasurer shall  
22 transfer to the fund the amount of the difference out of the contingency  
23 reserve fund, created pursuant to section 22-54-117 for the  
24 implementation of section 22-9-105.5. If there is an insufficient amount  
25 in the contingency reserve fund, the state treasurer shall transfer to the  
26 fund any remaining amount of the difference from the state education  
27 fund, created in section 17 (4) of article IX of the state constitution for the

1 implementation of section 22-9-105.5.

2 (b) (I) **ON JULY 1, 2013**, THE STATE TREASURER SHALL TRANSFER  
3 TWO HUNDRED THOUSAND DOLLARS TO THE FUND FROM THE STATE  
4 EDUCATION FUND.

5 (II) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT,  
6 FOR THE PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE  
7 CONSTITUTION, THE IMPLEMENTATION OF THE STATE COUNCIL FOR  
8 EDUCATOR EFFECTIVENESS IS A PROGRAM FOR ACCOUNTABLE EDUCATION  
9 REFORM AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE  
10 EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE  
11 STATE CONSTITUTION.

12 **SECTION 9.** In Colorado Revised Statutes, 22-20-114, **amend**  
13 (1) (c) (I); and **add** (1) (c) (III) and (7) as follows:

14 **22-20-114. Funding of programs.** (1) Subject to the provisions  
15 of subsection (3) of this section, for the 2005-06 budget year and each  
16 budget year thereafter, the total amount appropriated to the department for  
17 the payment of costs incurred by administrative units for the provision of  
18 special education programs shall be distributed to each administrative unit  
19 that provides educational services for children with disabilities as follows:

20 (c) (I) If any amount of the total annual appropriation remains  
21 after the distributions specified in paragraphs (a), (a.5), and (b) of this  
22 subsection (1) have been made, and after the distribution of the portion  
23 of the total annual appropriation designated for high cost grants pursuant  
24 to subsection (2) of this section has been made, six thousand dollars per  
25 child with one or more disabilities, as described in subparagraph (II) of  
26 this paragraph (c), for a percentage of such children receiving special  
27 education services from the administrative unit. The department shall

1 annually determine the percentage of such children for which an  
2 administrative unit may receive additional funding pursuant to this  
3 paragraph (c) based on the amount of the remaining appropriation, THE  
4 MONEYS AVAILABLE PURSUANT TO SUB-PARAGRAPH (III) OF THIS  
5 PARAGRAPH (c), and the per-pupil amount of six thousand dollars.

6 (III) (A) FOR THE 2013-14 BUDGET YEAR AND EACH BUDGET YEAR  
7 THEREAFTER, IN ADDITION TO ANY AMOUNT THAT IS AVAILABLE PURSUANT  
8 TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), THE GENERAL ASSEMBLY  
9 SHALL APPROPRIATE TWENTY MILLION DOLLARS FROM THE STATE  
10 EDUCATION FUND TO THE DEPARTMENT FOR THE PURPOSES OF THIS  
11 PARAGRAPH (c).

12 (B) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT,  
13 FOR THE PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE  
14 CONSTITUTION, PROVIDING ADDITIONAL MONEYS TO CHILDREN WITH ONE  
15 OR MORE DISABILITIES, AS DESCRIBED IN SUBPARAGRAPH (II) OF THIS  
16 PARAGRAPH (c), FOR A PERCENTAGE OF SUCH CHILDREN RECEIVING  
17 SPECIAL EDUCATION SERVICES FROM AN ADMINISTRATIVE UNIT IS A  
18 PROGRAM FOR ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE  
19 RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION  
20 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

21 (7) IT IS THE GENERAL ASSEMBLY'S INTENT THAT, AS A RESULT OF  
22 RECEIVING AN INCREASE IN THE DISTRIBUTION OF STATE MONEYS, AN  
23 ADMINISTRATIVE UNIT, IN COMPLYING WITH THE MAINTENANCE OF EFFORT  
24 REQUIREMENT SPECIFIED IN THE FEDERAL "NO CHILD LEFT BEHIND ACT  
25 OF 2001", 20 U.S.C. SEC. 6381 ET SEQ., SHALL NOT REDUCE THE LEVEL OF  
26 STATE AND LOCAL EXPENDITURES BELOW THE LEVEL OF STATE AND LOCAL  
27 EXPENDITURES FOR THE PRECEDING BUDGET YEAR. ANY ADDITIONAL

1 APPROPRIATION OF MONEYS FOR DISTRIBUTION PURSUANT TO THIS  
2 SECTION IS INTENDED TO ALTER THE RATIO BETWEEN STATE AND LOCAL  
3 EXPENDITURES, BUT THE OVERALL LEVEL OF EXPENDITURES MAY REMAIN  
4 THE SAME, THEREBY SATISFYING THE FEDERAL MAINTENANCE OF EFFORT  
5 REQUIREMENTS.

6 **SECTION 10.** In Colorado Revised Statutes, **add** 22-28-104.3 as  
7 follows:

8 **22-28-104.3. Early childhood at-risk enhancement.**

9 (1) NOTWITHSTANDING THE NUMBER OF CHILDREN WHO MAY ANNUALLY  
10 PARTICIPATE IN THE COLORADO PRESCHOOL PROGRAM PURSUANT TO  
11 SECTION 22-28-104 (2) (a), FOR THE 2013-14 BUDGET YEAR AND EACH  
12 BUDGET YEAR THEREAFTER, AN ADDITIONAL THREE THOUSAND TWO  
13 HUNDRED CHILDREN MAY ANNUALLY PARTICIPATE IN THE COLORADO  
14 PRESCHOOL PROGRAM, FOR A TOTAL OF TWENTY-THREE THOUSAND THREE  
15 HUNDRED SIXTY CHILDREN WHO MAY ANNUALLY PARTICIPATE IN THE  
16 COLORADO PRESCHOOL PROGRAM. THE DEPARTMENT SHALL ALLOCATE  
17 THE AUTHORITY TO ENROLL THE ADDITIONAL CHILDREN IN THE SAME  
18 MANNER PROVIDED IN SECTION 22-28-104; EXCEPT THAT THE PROVISIONS  
19 OF SECTION 22-28-104 (2) (b) DO NOT APPLY.

20 (2) NOTWITHSTANDING THE PROVISIONS OF SECTION 22-28-104  
21 (2) (b), IN ALLOCATING THE AUTHORITY TO ENROLL CHILDREN IN THE  
22 COLORADO PRESCHOOL PROGRAM PURSUANT TO THIS SECTION, THE  
23 DEPARTMENT SHALL ALLOW A SCHOOL DISTRICT TO ENROLL A CHILD IN  
24 THE PROGRAM USING TWO POSITIONS SO THAT THE CHILD MAY ATTEND A  
25 FULL-DAY PRESCHOOL PORTION OF THE DISTRICT'S PRESCHOOL PROGRAM  
26 OR TO USE A PRESCHOOL PROGRAM POSITION TO ENROLL A CHILD IN A  
27 FULL-DAY OF THE DISTRICT'S EXISTING FULL-DAY KINDERGARTEN

1 PROGRAM.

2 (3) THE COLORADO PRESCHOOL PROGRAM POSITIONS THAT THE  
3 DEPARTMENT ALLOCATES TO A SCHOOL DISTRICT PURSUANT TO  
4 SUBSECTION (1) OF THIS SECTION AND THAT ARE USED TO ALLOW A CHILD  
5 TO ATTEND A HALF-DAY OR FULL-DAY OF PRESCHOOL THROUGH A  
6 DISTRICT'S PRESCHOOL PROGRAM ARE SUBJECT TO ALL OF THE  
7 REQUIREMENTS OF THIS ARTICLE; EXCEPT THAT THE PROVISIONS OF  
8 SECTION 22-28-104 (4) (b) DO NOT APPLY TO POSITIONS ALLOCATED  
9 PURSUANT TO SUBSECTION (1) OF THIS SECTION.

10 (4) IF, PURSUANT TO A DISTRICT'S AUTHORITY TO ENROLL  
11 CHILDREN IN THE COLORADO PRESCHOOL PROGRAM PURSUANT TO THIS  
12 SECTION, THE DISTRICT CHOOSES TO USE A PRESCHOOL PROGRAM POSITION  
13 TO ENROLL A CHILD IN A FULL-DAY OF THE DISTRICT'S EXISTING FULL-DAY  
14 KINDERGARTEN PROGRAM, THE DISTRICT SHALL RETAIN THE  
15 SUPPLEMENTAL KINDERGARTEN ENROLLMENT ATTRIBUTABLE TO THE  
16 CHILD ENROLLED IN A FULL-DAY OF KINDERGARTEN USING A PRESCHOOL  
17 PROGRAM POSITION AND MAY EXPEND THE SUPPLEMENTAL KINDERGARTEN  
18 ENROLLMENT ATTRIBUTABLE TO THE CHILD IN FURTHERANCE OF THE  
19 DISTRICT'S PRESCHOOL PROGRAM OR THE DISTRICT'S FULL-DAY  
20 KINDERGARTEN PROGRAM.

21

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22 **SECTION 11.** In Colorado Revised Statutes, 22-41-102, **amend**  
23 (3) (a); **repeal** (3) (c); and **add** (3) (d) as follows:

24 **22-41-102. Fund inviolate - repeal.** (3) (a) Except as provided  
25 in paragraph (b) of this subsection (3), for the 2010-11 state fiscal year  
26 ~~and each state fiscal year thereafter~~ THROUGH THE 2012-13 FISCAL YEAR,  
27 the first eleven million dollars of any interest or income earned on the

1 investment of the moneys in the public school fund shall be credited to  
2 the state public school fund created in section 22-54-114 for distribution  
3 as provided by law. ~~Prior to the 2013-14 state fiscal year,~~ Any amount of  
4 such interest and income earned on the investment of the moneys in the  
5 state public school fund in excess of eleven million dollars, other than  
6 interest and income credited to the public school capital construction  
7 assistance fund, created in section 22-43.7-104 (1), pursuant to section  
8 22-43.7-104 (2) (b) (I), shall remain in the fund and shall become part of  
9 the principal of the fund.

10 (c) ~~For the 2013-14 state fiscal year and for each state fiscal year~~  
11 ~~thereafter, any amount of interest or income earned on the investment of~~  
12 ~~moneys in the public school fund in excess of eleven million dollars,~~  
13 ~~other than interest and income credited to the public school capital~~  
14 ~~construction assistance fund, created in section 22-43.7-104 (1), pursuant~~  
15 ~~to section 22-43.7-104 (2) (b) (I), shall be credited to the early literacy~~  
16 ~~fund created in section 22-7-1210; except that the amount credited to the~~  
17 ~~early literacy fund pursuant to this paragraph (c) shall not exceed sixteen~~  
18 ~~million dollars in any state fiscal year.~~

19 (d) FOR THE 2013-14 STATE FISCAL YEAR AND EACH STATE FISCAL  
20 YEAR THEREAFTER, THE FIRST SIXTEEN MILLION DOLLARS OF ANY  
21 INTEREST OR INCOME EARNED ON THE INVESTMENT OF THE MONEYS IN THE  
22 PUBLIC SCHOOL FUND SHALL BE CREDITED TO THE STATE PUBLIC SCHOOL  
23 FUND CREATED IN SECTION 22-54-114 FOR DISTRIBUTION AS PROVIDED BY  
24 LAW. ANY AMOUNT OF SUCH INTEREST AND INCOME EARNED ON THE  
25 INVESTMENT OF THE MONEYS IN THE STATE PUBLIC SCHOOL FUND IN  
26 EXCESS OF SIXTEEN MILLION DOLLARS, OTHER THAN INTEREST AND  
27 INCOME CREDITED TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION

1 ASSISTANCE FUND, CREATED IN SECTION 22-43.7-104 (1), PURSUANT TO  
2 SECTION 22-43.7-104 (2) (b) (I), SHALL REMAIN IN THE FUND AND SHALL  
3 BECOME PART OF THE PRINCIPAL OF THE FUND.

4  
5 **SECTION 12.** In Colorado Revised Statutes, **add** article 94 to  
6 title 22 as follows:

7 **ARTICLE 94**

8 **Quality Teacher Recruitment**

9 **22-94-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
10 CONTEXT OTHERWISE REQUIRES:

11 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
12 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

13 (2) "DISTRICT" MEANS A SCHOOL DISTRICT, A GROUP OF SCHOOL  
14 DISTRICTS, OR A BOARD OF COOPERATIVE SERVICES AS DEFINED IN SECTION  
15 22-5-103 (2).

16 (3) "HIGHLY QUALIFIED" HAS THE SAME MEANING AS PROVIDED IN  
17 20 U.S.C. SEC. 7801 (23).

18 (4) "PROGRAM" MEANS A QUALITY TEACHER RECRUITMENT  
19 PROGRAM CREATED BY A VENDOR THROUGH A CONTRACT WITH THE  
20 DEPARTMENT.

21 (5) "VENDOR" MEANS A FOR-PROFIT OR NONPROFIT  
22 ORGANIZATION.

23 **22-94-102. Contract to create quality teacher recruitment**  
24 **program.** (1) THE DEPARTMENT SHALL CONTRACT WITH A VENDOR, IN  
25 PARTNERSHIP WITH A DISTRICT, TO CREATE A QUALITY TEACHER  
26 RECRUITMENT PROGRAM TO RECRUIT, SELECT, TRAIN, AND RETAIN HIGHLY  
27 QUALIFIED TEACHERS TO TEACH IN PUBLIC SCHOOLS AND IN SCHOOL

1 DISTRICTS IN THE STATE THAT CAN DEMONSTRATE A HISTORIC DIFFICULTY  
2 IN RECRUITING AND RETAINING HIGHLY QUALIFIED TEACHERS. IN  
3 CONTRACTING WITH A VENDOR IN PARTNERSHIP WITH A DISTRICT, THE  
4 DEPARTMENT SHALL ENSURE THAT THE VENDOR WILL PLACE HIGHLY  
5 QUALIFIED TEACHERS IN THE DISTRICT BY THE BEGINNING OF THE 2014-15  
6 SCHOOL YEAR.

7 (2) IN AWARDING A CONTRACT PURSUANT TO SUBSECTION (1) OF  
8 THIS SECTION, THE DEPARTMENT SHALL TAKE INTO CONSIDERATION THE  
9 NUMBER OF DISTRICTS IN WHICH THE VENDOR WILL PLACE HIGHLY  
10 QUALIFIED TEACHERS, THE NUMBER OF HIGHLY QUALIFIED TEACHERS THAT  
11 THE VENDOR WILL PLACE, AND THE POTENTIAL NUMBER OF CHILDREN WHO  
12 WILL BE TAUGHT BY THE HIGHLY QUALIFIED TEACHERS. THE DEPARTMENT  
13 SHALL ENSURE THAT IT AWARDS THE CONTRACT TO ONE OR MORE  
14 VENDORS THAT SATISFY THE FOLLOWING CRITERIA:

15 (a) THE VENDOR COMMITS TO WORKING WITH ONE OR MORE  
16 SCHOOL DISTRICTS IN THE STATE FOR AT LEAST TWO YEARS TO RECRUIT  
17 AND PLACE HIGHLY QUALIFIED TEACHERS;

18 (b) THE VENDOR HAS A DOCUMENTED HISTORY OF RECRUITING,  
19 TRAINING, AND RETAINING HIGHLY QUALIFIED TEACHERS IN AREAS OF  
20 COLORADO OR OTHER STATES THAT HAVE HAD HISTORIC DIFFICULTY IN  
21 RECRUITING AND RETAINING HIGHLY QUALIFIED TEACHERS;

22 (c) THE VENDOR COMMITS TO PLACING ONLY TEACHERS WHO ARE  
23 DEEMED HIGHLY QUALIFIED;

24 (d) THE VENDOR CAN DEMONSTRATE THAT THE TEACHERS IT HAS  
25 PLACED IN PUBLIC SCHOOLS AND SCHOOL DISTRICTS IN THE PAST, EITHER  
26 IN COLORADO OR IN OTHER STATES, ACHIEVE HIGH ACADEMIC GROWTH  
27 FROM THEIR STUDENTS BASED ON STATE ACHIEVEMENT DATA OR

1 INDEPENDENT STUDIES;

2 (e) THE VENDOR HAS A DOCUMENTED HISTORY OF PROVIDING  
3 PROFESSIONAL DEVELOPMENT FOR TEACHERS, INCLUDING INDUCTION,  
4 TRAINING, ON-GOING SUPPORT, AND EVALUATIONS; AND

5 (f) THE VENDOR COMMITS TO MATCHING NO LESS THAN ONE  
6 HUNDRED PERCENT OF ANY MONEYS THAT THE DEPARTMENT PAYS  
7 THROUGH A CONTRACT ENTERED INTO PURSUANT TO SUBSECTION (1) OF  
8 THIS SECTION. A VENDOR THAT RESPONDS TO THE DEPARTMENT'S  
9 SOLICITATION FOR A CONTRACT ISSUED PURSUANT TO SUBSECTION (1) OF  
10 THIS SECTION SHALL PROVIDE WRITTEN DOCUMENTATION FROM ONE OR  
11 MORE PRIVATE OR CORPORATE DONORS THAT PLEDGE TO MAKE GIFTS,  
12 GRANTS, OR DONATIONS TO THE VENDOR THAT, IN TOTAL, EQUAL AT LEAST  
13 THE AMOUNT THAT THE DEPARTMENT HAS SPECIFIED WILL BE AVAILABLE  
14 FOR THE PURPOSES OF A CONTRACT PURSUANT TO SUBSECTION (1) OF THIS  
15 SECTION FOR THE APPLICABLE FISCAL YEAR. THE WRITTEN  
16 DOCUMENTATION MUST ALSO INCLUDE THE DATE BY WHICH THE VENDOR  
17 WILL RECEIVE THE GIFTS, GRANTS, OR DONATIONS TO BE USED IN  
18 FURTHERANCE OF THE REQUIREMENTS OF THIS ARTICLE.

19 (3) THE VENDOR WITH WHICH THE DEPARTMENT CONTRACTS TO  
20 OPERATE A PROGRAM PURSUANT TO THIS ARTICLE SHALL USE ANY MONEYS  
21 PAID TO THE VENDOR IN CONNECTION WITH THE CONTRACT TO RECRUIT,  
22 TRAIN, AND PLACE HIGHLY QUALIFIED TEACHERS TO TEACH IN PUBLIC  
23 SCHOOLS OR SCHOOL DISTRICTS IN COLORADO THAT HAVE HAD HISTORIC  
24 DIFFICULTY IN RECRUITING AND RETAINING HIGHLY QUALIFIED TEACHERS.  
25 THE VENDOR SHALL PROVIDE THE NECESSARY ADMINISTRATIVE SERVICES  
26 TO OPERATE THE PROGRAM AND SHALL NOT USE ANY STATE MONEYS FOR  
27 THESE PURPOSES.

1           **22-94-103. Annual reports.** (1) A VENDOR THAT ENTERS INTO A  
2 CONTRACT WITH THE DEPARTMENT TO ESTABLISH AND OPERATE A  
3 PROGRAM PURSUANT TO THIS ARTICLE SHALL, FOR THE DURATION OF THE  
4 CONTRACT, SUBMIT A REPORT TO THE DEPARTMENT THAT INCLUDES THE  
5 DATA AND PERFORMANCE METRICS FROM THE PRIOR SCHOOL YEAR AS  
6 SPECIFIED IN SUBSECTION (3) OF THIS SECTION.

7           (2) IN ADDITION TO THE REPORT REQUIRED PURSUANT TO  
8 SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT SHALL CONTRACT  
9 WITH A THIRD PARTY TO EVALUATE AND SUBMIT TO THE DEPARTMENT A  
10 REPORT AFTER THE FIRST YEAR OF THE PROGRAM AND A FINAL REPORT  
11 AFTER THE SECOND YEAR OF THE PROGRAM REGARDING THE PROGRESS OF  
12 THE VENDOR BASED ON THE DATA AND PERFORMANCE METRICS SPECIFIED  
13 IN SUBSECTION (3) OF THIS SECTION. THE DEPARTMENT MAY USE UP TO  
14 TWO PERCENT OF THE MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY  
15 FOR THE PURPOSES OF THIS ARTICLE IN THE APPLICABLE FISCAL YEAR TO  
16 CONTRACT FOR THE REPORT REQUIRED IN THIS SUBSECTION (2).

17           (3) THE REPORTS REQUIRED IN SUBSECTIONS (1) AND (2) OF THIS  
18 SECTION MUST INCLUDE BUT NEED NOT BE LIMITED TO:

19           (a) THE NUMBER OF STUDENTS IN THE STATE WHO ARE TAUGHT BY  
20 TEACHERS WHO ARE PLACED IN PUBLIC SCHOOLS OR DISTRICTS IN THE  
21 STATE THROUGH A PROGRAM;

22           (b) THE AVERAGE LENGTH OF TIME THAT TEACHERS PLACED IN  
23 DISTRICTS THROUGH A PROGRAM REMAIN IN THE DISTRICT IN WHICH THEY  
24 ARE PLACED;

25           (c) THE NAMES OF THE PUBLIC SCHOOLS AND DISTRICTS IN WHICH  
26 TEACHERS ARE PLACED THROUGH A PROGRAM;

27           (d) THE SUBJECTS AND GRADE LEVELS TAUGHT BY THE TEACHERS

1 WHO ARE PLACED THROUGH THE PROGRAM; AND

2 (e) THE EFFECTIVENESS RATINGS OF THE TEACHERS PLACED  
3 THROUGH THE PROGRAM PURSUANT TO SECTION 22-9-106.

4 (4) THE DEPARTMENT SHALL SUBMIT AN ANNUAL REPORT TO THE  
5 OFFICE OF THE GOVERNOR, THE STATE BOARD OF EDUCATION, AND THE  
6 MEMBERS OF THE EDUCATION COMMITTEES OF THE HOUSE OF  
7 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES,  
8 SUMMARIZING THE FINDINGS FROM THE TWO REPORTS SUBMITTED TO THE  
9 DEPARTMENT PURSUANT TO THIS SECTION.

10 **SECTION 13. In Colorado Revised Statutes, 24-75-220, add (4)**  
11 **as follows:**

12 **24-75-220. Transfer of general fund surplus to state education**  
13 **fund. (4) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,**  
14 **ON THE DATE ON WHICH THE STATE CONTROLLER PUBLISHES THE**  
15 **COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE STATE FOR THE**  
16 **FISCAL YEAR 2013-14, AFTER MAKING THE TRANSFER REQUIRED PURSUANT**  
17 **TO SECTION 24-75-222, AS ENACTED IN SENATE BILL 13-236, THE STATE**  
18 **TREASURER SHALL TRANSFER TO THE STATE EDUCATION FUND CREATED**  
19 **IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION,**  
20 **SEVENTY-FIVE PERCENT OF THE REMAINING GENERAL FUND SURPLUS**  
21 **DESIGNATED IN ACCORDANCE WITH SECTION 24-75-201 (1) FOR THE**  
22 **FISCAL YEAR 2013-14.**

23 **SECTION 14. Appropriation - adjustments to the 2013 long**  
24 **bill. (1)** For the implementation of this act, appropriations made in the  
25 annual general appropriation act to the department of education for the  
26 fiscal year beginning July 1, 2013, are adjusted as follows:

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

1 created in section 17 (4) (a) of article IX of the state constitution, for the  
2 state share of districts' total program funding, is increased by  
3 \$40,240,757.

4 (b) The cash funds appropriation from the state education fund  
5 created in section 17 (4) (a) of article IX of the state constitution, for the  
6 state share of districts' total program funding, is increased by \$11,602,977  
7 to support additional Colorado preschool program participants authorized  
8 in section 22-28-104.3, Colorado Revised Statutes.

9 (c) The cash funds appropriation from the state education fund  
10 created in section 17 (4) (a) of article IX of the state constitution, for  
11 hold-harmless full-day kindergarten funding, is increased by \$51,248.

12 (d) The cash funds appropriation from the state education fund  
13 created in section 17 (4) (a) of article IX of the state constitution, for state  
14 aid to charter school facilities, is increased by \$1,000,000.

15 (e) The cash funds appropriation from the early literacy fund  
16 created in section 22-7-1210 (1), Colorado Revised Statutes, from interest  
17 and income earned on the investment of moneys in the public school fund  
18 that is credited to the early literacy fund pursuant to section 22-41-102 (3)  
19 (c), Colorado Revised Statutes, for the early literacy competitive grant  
20 program, is decreased by \$566,062.

21 (f) The cash funds appropriation from the early literacy fund  
22 created in section 22-7-1210 (1), Colorado Revised Statutes, from interest  
23 and income earned on the investment of moneys in the public school fund  
24 that is credited to the early literacy fund pursuant to section 22-41-102 (3)  
25 (c), Colorado Revised Statutes, for early literacy program per pupil  
26 intervention funding, is decreased by \$9,850,000.

27 (g) 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 special education programs for children with disabilities, is increased by  
3 \$20,000,000 pursuant to section 22-20-114 (c) (III) (A), Colorado  
4 Revised Statutes.

5 (h) The cash funds appropriation from the state education fund  
6 created in section 17 (4) (a) of article IX of the state constitution, for  
7 facility school funding, is increased by \$2,506,290 pursuant to section  
8 22-54-129, Colorado Revised Statutes.

9 (i) The cash funds appropriation from the state education fund  
10 created in section 17 (4) (a) of article IX of the state constitution, for  
11 stipends for nationally board certified teachers, is increased by  
12 \$1,339,200.

13 (j) The cash funds appropriation from the state public school fund  
14 created in section 22-54-114 (1), Colorado Revised Statutes, from audit  
15 recoveries that are credited to the fund pursuant to section 22-54-114 (4),  
16 Colorado Revised Statutes, for at-risk supplemental aid, is decreased by  
17 \$3,839,627.

18 ==  
19 (2) In addition to any other appropriation, there is hereby  
20 appropriated, out of any moneys in the early literacy fund created in  
21 section 22-7-1210 (1), Colorado Revised Statutes, not otherwise  
22 appropriated, to the department of education, for the fiscal year beginning  
23 July 1, 2013, the sum of \$16,000,000, or so much thereof as may be  
24 necessary, to be allocated to the early literacy program. Said sum is from  
25 moneys transferred from the state education fund created in section 17 (4)  
26 (a) of article IX of the state constitution pursuant to section 22-7-1210 (1)  
27 (d) (I), Colorado Revised Statutes, to be allocated as follows:

1           (a) \$566,062 for the early literacy competitive grant program; and

2           (b) \$15,433,938 for early literacy program per pupil intervention  
3 funding.

4           (3) In addition to any other appropriation, there is hereby  
5 appropriated, out of any moneys in the state education fund created in  
6 section 17 (4) (a) of article IX of the state constitution, not otherwise  
7 appropriated, to the department of education, for the fiscal year beginning  
8 July 1, 2013, the sum of \$3,000,000, or so much thereof as may be  
9 necessary, to be allocated to grant programs, distributions, and other  
10 assistance for the quality teacher recruitment program.

11           (4) In addition to any other appropriation, there is hereby  
12 appropriated, out of any moneys in the great teachers and leaders fund  
13 created in section 22-9-105.7 (1), Colorado Revised Statutes, not  
14 otherwise appropriated, to the department of education, for the fiscal year  
15 beginning July 1, 2013, the sum of \$200,000, or so much thereof as may  
16 be necessary, to be allocated to management and administration for  
17 educator effectiveness implementation. Said sum is from moneys  
18 transferred from the state education fund created in section 17 (4) (a) of  
19 article IX of the state constitution pursuant to section 22-9-105.7 (3) (b)  
20 (I), Colorado Revised Statutes.

21           (5) In addition to any other appropriation, there is hereby  
22 appropriated, out of any moneys in the general fund, not otherwise  
23 appropriated, to the department of human services, for the fiscal year  
24 beginning July 1, 2013, the sum of \$43,898 and 0.7 FTE, or so much  
25 thereof as may be necessary, to be allocated to the division of child care  
26 for child care licensing and administration activities.

27           (6) In addition to any other appropriation, there is hereby

1 appropriated, out of any moneys in the state public school fund created in  
2 section 22-54-114 (1), Colorado Revised Statutes, not otherwise  
3 appropriated, to the department of education, for the fiscal year beginning  
4 July 1, 2013, the sum of \$3,839,627, or so much thereof as may be  
5 necessary, to be allocated for at-risk supplemental aid. This amount shall  
6 be from interest and income earned on the investment of moneys in the  
7 public school fund that is credited to the state public school fund pursuant  
8 to section 22-41-102 (3) (d), Colorado Revised Statutes.

9 **SECTION 15. Appropriation to the department of education**  
10 **for the fiscal year beginning July 1, 2013.** In section 2 of Senate Bill  
11 **13-230, amend Part III (2) (A) Footnote 4, as follows:**

12 **Section 2. Appropriation.**  
13 **4 Department of Education, Assistance to Public Schools, Public**  
14 **School Finance, State Share of Districts' Total Program Funding**  
15 **-- Pursuant to Section 22-35-108 (2) (a), C.R.S., the purpose of**  
16 **this footnote is to specify what portion of this appropriation is**  
17 **intended to be available for the Accelerating Students Through**  
18 **Concurrent Enrollment (ASCENT) Program for FY 2013-14. It is**  
19 **the intent of the General Assembly that the Department of**  
20 **Education be authorized to utilize up to ~~\$2,709,450~~ \$2,727,900 of**  
21 **this appropriation to fund qualified students designated as**  
22 **ASCENT Program participants. This amount is calculated based**  
23 **on an estimated 450 FTE participants funded at a rate of ~~\$6,021~~**  
24 **\$6,062 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.**

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