



**HOUSE JOINT RESOLUTION 09-1020**

**BY REPRESENTATIVE(S) Middleton, Todd, Massey, Ferrandino, Benefield, Kerr A., Merrifield, Peniston, Pommer, Scanlan, Solano, Casso, Court, Fischer, Labuda, McFadyen, Pace, Priola, Roberts, Ryden, Schafer S., Soper, Vigil, Acree, Apuan, Carroll T.; also SENATOR(S) Romer, Groff, Heath, Hodge, Hudak, Morse, Newell, Schwartz, Williams.**

**CONCERNING THE CREATION OF AN INTERIM COMMITTEE TO STUDY THE FINANCING OF PUBLIC SCHOOLS.**

WHEREAS, Section 2 of article IX of the Colorado Constitution requires "the establishment and maintenance of a thorough and uniform system of free public schools throughout the state"; and

WHEREAS, The General Assembly has declared: "It is the obligation of all Coloradans to provide all children with schools that reflect high expectations, and create conditions in all schools where these expectations can be met"; and

WHEREAS, The primary purpose of the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, was to promote inter-district fiscal equity among all of Colorado's school districts; and

WHEREAS, The "Public School Finance Act of 1994" should not only be monitored over time to ensure that equity is maintained or improved, but also to ensure that school finance funding is adequate to meet the standards set by the Colorado Constitution and the General Assembly as stated above, and that it promotes education reform; and

WHEREAS, Education funding in Colorado has not kept pace with student growth and inflation, and even under the provisions of Amendment 23 will not reach 1988 funding levels by the year 2011; and

WHEREAS, Colorado school districts have experienced significant cuts in funding for the 2008-09 and 2009-10 fiscal years, and are struggling to sustain current levels of programs and services; and

WHEREAS, Examining the adequacy of funding for public education from preschool through twelfth grade will require the state to focus both on the adequacy, quality, and equitability of inputs, as well as on monitoring the outcomes in public education, such as the graduation rate, narrowing the achievement gap, academic growth of minority, at-risk, English-language learning, special needs and gifted and talented students, and other measurable educational results; and

WHEREAS, The General Assembly in the 2008 regular legislative session enacted the "Preschool to Postsecondary Education Alignment Act", part 10 of article 7 of title 22, Colorado Revised Statutes, which requires the state board of education, in collaboration with the school districts and charter schools throughout the state, to set standards and design assessments to help schools ensure that each student enrolled in a public school in the state grows academically from school readiness through the elementary and secondary grades to the point where he or she can demonstrate achievement of the level of postsecondary and workforce readiness that will enable the student to successfully transition into postsecondary education or into the workforce without the need for remediation; and

WHEREAS, The "Preschool to Postsecondary Education Alignment Act" represents a sea change in education policy in Colorado in that it requires the state board of education and the Colorado commission on higher education to work collaboratively in adopting a description of postsecondary and workforce readiness and in ensuring that the expectations for elementary through secondary education are aligned with

the expectations for postsecondary education, thereby significantly improving each student's likelihood of academic success beyond high school; and

WHEREAS, The success of the "Preschool to Postsecondary Education Alignment Act" and other education reforms depends in great part on teacher quality and continuing professional development, and, therefore, Colorado's finance policy should be designed with the goal of allowing Colorado, its schools, and its districts to attract, retain, and train a teaching corps second to none in the nation; and

WHEREAS, The ultimate goal of public education is to ensure that each student is prepared to achieve his or her full potential, and, to this end, the system of preschool through twelfth grade public education should strive to help each student achieve mastery of both knowledge and skills and to become life-long learners; and

WHEREAS, Toward that goal, the "Preschool to Postsecondary Education Alignment Act" along with other education reforms enacted by the General Assembly, the potential for additional federal dollars under the "Race for the Top" grant program, the proceedings of the Governor's P-20 Coordinating Council, and the advent of other public and private education reform initiatives have placed Colorado in an historic position to create a new, lasting, and comprehensive vision for a twenty-first century education system; and

WHEREAS, The Colorado General Assembly, being duly elected and geographically diverse, is the proper locus of decision-making in developing such a clear, actionable vision for a twenty-first century public education system, designed with the best interest of students first and foremost, rather than budget savings or minimization; and

WHEREAS, School districts have encountered and will continue to incur additional costs in achieving proficiency for all students; and

WHEREAS, It is possible that the distribution of moneys for public education from preschool through the twelfth grade pursuant to the "Public School Finance Act of 1994" could be modified to help teachers, schools, school districts, and the state better meet and exceed the goals of public education, though it is also the case that current levels of funding do not allow school districts to provide a twenty-first century education for Colorado's students; and

WHEREAS, Implementing a new, reconfigured school finance act without adding significant new resources to fill such a funding gap, in addition to the larger gap created by the sunset of the extra one-percent requirement of Amendment 23 and the expiration of Referendum C, would require the legislature to pit various groups of children, including urban, rural, special needs, English-language learners, gifted and talented, and at-risk, against each other in a manner that is detrimental to all; and

WHEREAS, To assist school districts and charter schools in implementing the "Preschool to Postsecondary Education Alignment Act", it is appropriate for the state to consider changes to the "Public School Finance Act of 1994" that will take into account the costs of implementing education reform and an actionable vision for a twenty-first century public education system and that will provide incentives and rewards that recognize schools that demonstrate progress in raising the level of student achievement; and

WHEREAS, The General Assembly will need to know how much money is necessary to implement an actionable vision for a twenty-first century education, to continue educational reforms, and to fund a standards-based education system; and

WHEREAS, In addition to considering changes to the "Public School Finance Act of 1994" in an effort to implement education reform, it is also critical to consider changes that would allow school districts to continue to offer services or restore services that were scaled back or eliminated due to recent decreases in funding for public education from preschool through the twelfth grade; and

WHEREAS, Time is of the essence to consider challenges relative to the current school finance system; now, therefore,

*Be It Resolved by the House of Representatives of the Sixty-seventh General Assembly of the State of Colorado, the Senate concurring herein:*

(1) That there shall be a committee to work in the interim after the First Regular Session of the Sixty-seventh General Assembly to study the funding for students in public schools statewide, to determine necessary modifications to the "Public School Finance Act of 1994" to fund education reform, to analyze the needs of public school facilities throughout the state, and to determine appropriate funding factors and formulas and the allocation of resources that will ensure that all students in public schools in the state are receiving a thorough and uniform education. The interim committee shall consider, but need not be limited to considering, the following:

(a) The impact of recent state and federal education reforms on the ability of school districts and the state to meet their legal and constitutional obligations with respect to public education under the current school finance funding structure;

(b) Whether, in the pursuit of academic achievement, there are any legislative or constitutional barriers working in concert with the current "Public School Finance Act of 1994" that have created difficulties for school districts or the state to meet their obligations to all students attending public schools;

(c) The components of a new school finance act that would maximize the ability of school districts and the state to better meet and exceed education standards for all students attending public schools;

(d) The ways in which funding for public schools could be modified to ensure not only the equitable distribution of moneys, but also to ensure the funding necessary to meet the mandates and standards established by federal and state law;

(e) Methods to ensure that funding for public schools is focused on keeping students in school through graduation and on adequately preparing students to attend college, participate in career or technical training, or enter the workforce;

(f) Ways in which the "Public School Finance Act of 1994" could be modified to improve Colorado schools' and districts' ability to attract, retain, mentor, induct, and train high-quality teachers and principals; and

(g) Incentives to increase attendance rates and retain students over the course of a school year;

(h) Incentives to encourage school districts to work with all schools within the district's jurisdiction, including charter schools, on-line schools, and alternative schools, to provide the curricula to ensure that each student attains the level of academic achievement and preparation that the student needs to continue into his or her chosen post-graduation path;

(i) Methods to provide appropriate support and funding for learning to proficiency as opposed to funding based on increments of time spent in the classroom;

(j) Possible strategies to align resource allocation more closely with individual student needs, including, but not necessarily limited to, an examination of the methods of identifying and providing appropriate services and educational opportunities for at-risk, special needs, English-language learning, and gifted and talented students;

(k) Investments in effective strategies to bring about education reform and increased student achievement, including, but not necessarily limited to, concurrent enrollment, implementing a longer school day or school year, and early graduation;

(l) Whether the current system by which school districts pay for capital facility needs is thorough and uniform;

(m) Methods to provide appropriate support and funding for regional service areas;

(n) The consequences to students from both a geographic and demographic perspective of implementing a new school finance act under current budget conditions, without the addition of new revenues; and

(o) How current reform efforts, both those already statutorily enacted and those proposed by various councils and public and private sources, could be synthesized into a new school finance act with other necessary supporting legislation to create an actionable vision for Colorado's twenty-first century public education system that could and would be enacted only upon the provision of new resources by the voters of the state of Colorado;

(2) That the interim committee shall consist of ten members appointed by the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate as follows:

(a) The Speaker of the House of Representatives shall appoint three representatives, one of whom shall be named chair of the committee, and the Minority Leader of the House of Representatives shall appoint two representatives; and

(b) The President of the Senate shall appoint three senators, one of whom shall be named vice-chair of the committee, and the Minority Leader of the Senate shall appoint two senators;

(3) That the interim committee shall submit a written report of its findings and recommendations to the Education Committees of the House of Representatives and the Senate by January 15, 2010;

(4) That the members of the interim committee shall be compensated as provided in section 2-2-307, Colorado Revised Statutes, for attendance at meetings of the interim committee;

(5) That any member of the interim committee may sponsor legislation recommended for introduction by the committee. Such legislation shall be subject to the limitations imposed by the Joint Rules of the House of Representatives and the Senate regarding legislation recommended by interim committees.

(6) That the Legislative Council Staff and the Office of Legislative Legal Services shall be available to assist the interim committee in carrying out its duties;

(7) That, to aid the committee in its work, the Legislative Council Staff shall have the authority to solicit input from the members of the public, including but not necessarily limited to:

(a) Those members of the public with expertise related to school finance issues;

(b) Representatives of school districts, such as school administrators, teachers, charter school representatives, and school board members;

(c) Stakeholders representing all aspects of public education, such as school districts and their employees, educators, students, parents, statewide associations, education-related organizations, foundations, school board members, members of the State Board of Education, the Governor's P-20 Council, and the Colorado Department of Education; and

(d) Any other stakeholders representing education issues or experts related to school finance issues;

(8) That all expenditures incurred while conducting the work of the interim committee shall be approved by the chair of the Legislative Council

and paid by vouchers and warrants drawn as provided by law from moneys allocated to the Legislative Council for legislative studies from appropriations made by the General Assembly.

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Terrance D. Carroll  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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CHIEF CLERK OF THE HOUSE  
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Karen Goldman  
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