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Charting the Capitol 2017 Legislative Session Recap

2017 Legislative Session: A Success for Charter Schools

Now that the dust has settled on the final frenetic days of the 2017 legislative session, we wanted to be sure to follow up with a few additional details related not only to the landmark [House Bill 17-1375](#) on equal mill sharing but also to other education legislation of note.

Additionally, join us on Tuesday, May 16 at 10:00 AM for a webinar where we will provide more information about how legislation passed during the 2017 Colorado General Assembly may impact your school. [Click here to RSVP for this important webinar.](#)

Finally and as always, don't hesitate to contact us at the information provided at the end of this newsletter should you have any questions or concerns.

[Summary of HB17-1375's Charter School Impact](#)

[Other 2017 Legislative News of Note](#)

[Learn More about the 2017 Legislative Session and What it Means for Your School](#)

Summary of [HB17-1375's Charter School Impact](#)

- Opens up access to potentially \$34 million in additional mill levy override (MLO) revenue each year for charter schools across the state beginning with the 2019-20 school year.
- Solidifies over \$40 million in existing MLO revenue so charters can have greater assurance they can continue relying on it into the future.
- Establishes a framework for state CSI equalization to which funds can be added in future years (the General Assembly did not allocate any actual dollars to the fund this year) to help level the playing field for students attending CSI schools.

[HB17-1375's Key Provisions:](#)

- By 2019-20, all school districts with charter schools or innovation schools *and* mill levy overrides must either share at least 95% of those mills with their charters and innovation schools or develop a district-wide plan for the equitable sharing of mills that meets the needs of, and equitably supports, the education of all the students enrolled in all of the schools of the district, **regardless of the type of public school in which the student is enrolled.**
- The bill applies to all mills passed "before, on or after" the effective date of the statute, meaning that it does capture all prior mills a district may have passed.
- If a district chooses to go the plan route, it must:
 - Be published for public scrutiny by July 1, 2018.
 - Be fully implemented beginning with the 2019-20 school year and every year thereafter.
 - For each program included in the plan, a charter school or innovation school may either participate in the program or instead choose to receive their per pupil program

share to apply toward a program or services of their choosing.

- A district may devote additional resources toward certain historically underserved student populations - i.e. FRL, AECs, ELL, SPED - so long as the amount distributed for the benefit of each student is the same regardless of the type of school in which the student is enrolled.
 - For any revenue not devoted to either a program or historically underserved student population, the district must equitably distribute the remainder to all the schools of the school district in direct proportion to the number of students enrolled in each school.
- If a district chooses to go the 95% route:
 - It may still devote additional resources toward certain historically underserved student populations - i.e. FRL, AECs, ELL, SPED - so long as the amount distributed for the benefit of each student is the same regardless of the type of school in which the student is enrolled.
 - It must publicly report the calculation of how they are reaching the 95% threshold.
 - Regardless of which path a district chooses, the current mill amount it shares with its charters and innovation schools must be maintained for the 2017-18 and 2018-19 school years.
 - The amount of additional mill revenue a charter receives must be in addition to any other money the charter receives pursuant to the provisions of the Colorado Charter Schools Act.
 - If a charter contract included any sort of term that would require a charter school to waive or otherwise forgo any amount of additional mill revenue, that provision would be considered null and void.

HB17-1375 Transparency Elements:

- Beginning in 2018, anyone who files a 990 will need to post a link to it on their financial transparency website.
- By July 1, 2017, schools and districts who have waivers from state statute will need to post on their website an easily accessible list of those waivers along with a copy of the associated replacement plans.
- Beginning in 2018, each charter school will need to post a copy of a standardized document developed by the League, CSI and CDE that explains the automatic waivers and the rationale for why these waivers were added to the automatic waiver list in the first place.

HB17-1375 and CSI Schools:

HB17-1375 creates the structure for a fund to help equalize funding for CSI schools out of recognition that they have no access to local tax revenue. Subject to annual appropriation by the legislature (which appropriation was not allocated this year), any money placed in this fund would be distributed by CSI to its schools on an equal per-pupil basis, except that no CSI school could receive more on a per-pupil basis than the schools of its geographic school district are currently receiving from locally-raised mill levy overrides. While unfortunate that the General Assembly did not allocate actual dollars toward the fund this year, this is an important first step and one we can continue to build upon to make the case for why resources are desperately needed in this fund. Know that the League continues to see this as a top priority, and will continue to fight for these dollars moving forward.

Other 2017 Legislative News of Note

- **Senate Bill 17-296**: Sets the average per-pupil funding increase at \$242 per student for the 2017-18 school year.
- **House Bill 17-1340**: Creates a legislative interim committee on school finance to study our state's school finance system over the next two years and make legislative recommendations for how it can be reworked and improved.
- **House 17-1181**: Eliminates 9th-grade PARCC testing and replaces it with the PSAT beginning in the 2017-18 school year.

Learn More About the 2017 Legislative Session and What it Means for Your School

Legislative Session Recap Webinar - Tuesday, May 16

Join us on Tuesday, May 16 at 10:00 AM for a webinar where we will provide more information about how legislation passed during the 2017 Colorado General Assembly may impact your school.

[Click here to RSVP for this important webinar.](#) Space is limited!

Chalkbeat Colorado Legislative Tracker

Interested in a complete rundown of all education-related bills from this session and how they fared? [Click here](#) for a comprehensive list from our friends at *Chalkbeat Colorado*, and don't hesitate to contact us should you have any questions about specific legislation mentioned here.

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