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Charting the Capitol Legislative Updates - May 7, 2014

Over the Finish Line!

We did it! After many weeks of fierce debate and intense negotiations, the 2014 school finance package finally made its way across the finish line moments ago - *and with all the charter pieces still intact!*

The Student Success Act ([HB 14-1292](#)) cleared the Senate late last week with near unanimous support. Conference committee work was needed to make necessary reductions to protect the State Education Fund's end balance, but through it all we were able to maintain all of the favorable charter provisions we had been advocating for. The legislation is now headed to the Governor's desk where his signature is expected!

THANK YOU to everyone who helped make this success possible. It was a true team effort, and everyone who took some time over the past four months to respond to an action alert, contact your legislator or come down to the Capitol to testify deserves credit for this victory. We could not have done it without you!

We'll be following up in the coming weeks with a more in-depth analysis of how this and other legislation from this session will impact your charter school. Until then please see below for a brief rundown of some of the session's more significant charter milestones.

Facilities Dollars

After hovering in the \$5 - \$7 million range for over a decade, during this legislative session the state's [Charter School Capital Construction Fund](#) saw, by far, its biggest ever increase. Beginning with the 2014-15 school year, the Charter School Capital Construction Fund will grow from \$7 million to at least \$13.5 million (and possibly as high as \$18.5 million*). In 2015-16 the fund is slated to grow again to at least \$20 million (and possibly as high as \$25 million*).

It goes without saying that this represents a big victory for Colorado charter schools. At a base of \$13.5 million, eligible charter schools stand to receive approximately \$170 per student in capital construction support next year, up from just \$95 per student this year.

Additionally, the League's advocacy efforts successfully helped raise the cap on the state's [Moral Obligation Program](#) from \$400 million to \$500 million. This is the first increase to the cap in 8 years! As a result of this increase more Colorado charter schools will be able to take advantage of this innovative program that enables charters to work with the state to obtain more favorable bond financing

terms.

**The reason for the Capital Construction range is that \$5 million of the dollars are tied to the marijuana excise tax, and it's very difficult to predict how much of that \$5 million is actually going to materialize this year or in future years. Current revenue projections have a long way to go before anywhere close to that \$5 million can reasonably be expected.*

Per-Pupil Funding

While certainly not solely a charter benefit, the buy-down of the negative factor that occurred this session is also something with substantial implications for charter schools. As a result of this buy-down, next year's statewide per-pupil average will eclipse \$7,000 for the first time since the recession. The statewide per-pupil average will increase from \$6,652 this year to \$7,019 next year. Click [here](#) for an analysis of what this additional funding should mean on a district-by-district basis.

Transparency

In addition to the charter capital construction funding contained in HB 14-1292, there are also a couple of key transparency provisions that will go a long way toward helping charters continue the push for basic equity.

The first of these is the creation of an annual report to be developed by the Colorado Department of Education that, starting with the 2014-15 school year, will compile in one place the amount of mill levy revenue each district brings in and how much of that gets shared with their charters.

The second is the stipulation that, within 90 days of the end of the budget year, districts will now be required to provide their charters with an itemized accounting of all district special education (SPED) costs along with the basis for any SPED charges imposed against their charters.

In addition, the overall legislation calls for the creation of a statewide website that will begin to report standardized expenditure information down to the school level. Charters have long been reporting on just this sort of site-level information, and so we welcome a shift in this direction from the larger K-12 community believing that it will not only help us all remain more accountable, but that it will also provide a valuable means of school-by-school comparison.

Equity

As another piece of the equity puzzle, the League also successfully pushed for legislation ([HB 14-1314](#)) that will mandate greater charter involvement in district mill-planning conversations. Districts will be required to include at least one charter representative on any long-term mill levy planning committees they assemble as well as to invite each charter to participate in ballot submission discussions by no later than June 1st of the associated election year. Additionally, if a charter's funding needs are not included in the mill question that ultimately goes before the voters, districts will be required to provide a written justification as to why the charter needs were not prioritized.

Targeted Funding

Programs focused on English Language Learners (ELLs), young readers, and early childhood education will see significant funding increases for next school year. Specifically, ELL programs will see an increase of \$27.5 million, support for ongoing implementation of the [READ Act](#) will see an additional \$18 million, and the number of [ECARE](#) slots available across the state will grow by 5,000.

Relieving Administrative Burden

Finally, a late addition to the Student Success Act conversation was the topic of "automatic waivers." The League promoted an amendment that seeks to ease the administrative burden on charters by allowing certain low-risk waivers to be categorized as truly "automatic." In other words, per future State Board determination there will soon be certain waivers from state statute for which replacement plans and reviews will no longer be a necessary part of the charter application or renewal process.

Thank you again for all of your support throughout this legislative session, and stay tuned for further details and analysis in the coming days!

Sincerely,

Dan Schaller, Director of Advocacy
Colorado League of Charter Schools

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