

CDE MEETING AGENDA



VISION
All students graduate ready for college and careers, and prepared to be productive citizens of Colorado.

MISSION
Ensuring equity and opportunity for every student, every step of the way.



Public School Capital Construction Assistance Board Agenda

Date & Time: November 17, 2022, 1:00pm – 3:30pm

Location: Virtual – Microsoft Teams (Live stream YouTube)

Capital Construction Assistance Board Members:

Jane Crisler - Chair	Kevin Haas	Brett Ridgway
Wendy Wyman – Vice Chair	Allison Pearlman	Matt Samelson
Brian Amack	Vaishali McCarthy	Michael Wailes

- I. Call to Order
- II. Roll Call
- III. Approve Agenda
- IV. Approve Previous Meeting Minutes from: October 12, 2022
- V. Board Report
- VI. Staff Report
- VII. Action Items:
 - A. Adopt Rule Change to Eliminate Annual Grant Reserve Set Aside
 - B. Adopt Rule Change to Set Backup Project Award Process/Policy
 - C. Vote on Match Committee Recommendations
- VIII. Discussion Items:
 - A. Update on Priorities from August Retreat
 - JBC Response on BEST Outlays
 - Scoring Rubric Revisions
 - Revisions to Waiver
- IX. Future Meetings:
 - December 15, 2022 – Microsoft Teams (Possibly CO Springs, December 1st-2nd)
 - January 19, 2022 – Microsoft Teams
 - February 16, 2022 - Microsoft Teams
- X. Public Comment
- XI. Adjournment

CDE MEETING MINUTES



VISION

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Ensuring equity and opportunity for every student, every step of the way.



Public School Capital Construction Assistance Board Meeting Minutes

Date & Time: Wednesday, October 12, 2022 – 2:00pm-4:30pm

Location: The Hythe, 715 West Lionshead Circle, Vail CO

Capital Construction Assistance Board Members:

Jane Crisler – Chair	Kevin Haas	Brett Ridgway
Wendy Wyman – Vice Chair	Vaishali McCarthy	Matt Samelson
Brian Amack	Allison Pearlman	Michael Wailes

- I. **Call to Order:** Meeting called to order by Jane Crisler at 2:06pm
- II. **Roll Call:**

Members Present: Kevin Haas, Allison Pearlman, Matt Samelson, Michael Wailes, Brett Ridgway, Wendy Wyman, Jane Crisler
Guests: Joe Peters, AGs Office, Wayne Peel, CDE, Michelle Murphy, Rural Alliance
Absent: Vaishali McCarthy, Brian Amack
- III. **Approve Agenda:**

Motion moved: Kevin Haas
Second by: Brett Ridgway
All for: Kevin Haas, Allison Pearlman, Matt Samelson, Michael Wailes, Brett Ridgway, Wendy Wyman, Jane Crisler
Absent: Vaishali McCarthy, Brian Amack
All opposed: None
Motion passed
- IV. **Approve Minutes:** September 15, 2022

Motion moved: Matt Samelson - *Approve minutes as written*
Second by: Brett Ridgway
All for: Kevin Haas, Allison Pearlman, Matt Samelson, Michael Wailes, Brett Ridgway, Wendy Wyman, Jane Crisler
Absent: Vaishali McCarthy, Brian Amack
All opposed: None
Motion passed

V. **Board Report:**

- Jane Crisler: As we move to having more in person meetings, we welcome the members of the public joining us. Thank you to CASBO for hosting us today.

VI. **Staff Report:**

- Andy gave an update on the current Regional Program Manager position opening.
- Johnstown-Milliken will hold a ribbon cutting ceremony in October.
- East MS held their ribbon cutting October 6th.

VII. **Action Items:**

A. Backup Project Award Process:

- The board discussed the current process as well as options for changing this rule. No vote was held.

VIII. **Discussion Items:**

A. Review of Budget:

- Wayne Peel walked the CCAB through current estimates for available cash grant appropriations for the FY24 grant round.

B. Joint Budget Committee Response:

- Andy reviewed the revised draft response to the JBC and the board provided suggestions and feedback.

C. Supplemental Grant Agreements:

- Superintendents and members of the Rural Alliance spoke on the challenges of cost escalations and their experience with the supplemental grant process.

D. Match Committee Update

- Andy shared the progress of recent sub-committee meetings and next steps for the committee.

IX. **Future Meetings (Discussion Item):**

- November 17, 2022 – Microsoft Teams
- December 15, 2022 – Microsoft Teams (Possibly Co Springs)

X. **Public Comment:**

None

XII. **Adjourn:** Meeting Adjourned by Jane Crisler at 4:15pm



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: November 17, 2022

SUBJECT: Rule Change to Eliminate Annual Grant Reserve Set Aside

ITEM TYPE: Action Item

BACKGROUND:

The following proposed rule change was approved by the Capital Construction Assistance Board (CCAB) on September 15, 2022, submitted to the Secretary of State (SOS) on September 30, 2022 and posted on the SOS website on October 10, 2022. A Rule Making Hearing will be held at the November 17, 2022 CCAB meeting.

Originally, each BEST grant agreement had an additional 5% added to it for unforeseen circumstances. Grantees submitted requests to access these additional funds as needed and the director determined whether or not it could be used. This process was stopped because it was an administrative burden as many projects would not take “no” for an answer and just continued to ask for the additional funds until the program capitulated.

At some point, this was changed to set aside a separate sum of money that any project could request, first come first served, to address unforeseen circumstances. These funds were set aside out of the annually appropriated spending authority allowed for cash grants in the Long Bill.

In recent years, the CCAB has voted to set aside \$0 every year, for a number of reasons:

1. Per state fiscal rule, funds must be encumbered in the first year of an appropriation. Typically, issues occur toward the end of a project and so these funds were no longer accessible;
2. The CCAB wanted all available dollars to go to schools with existing needs, rather than sit in the Assistance Fund;
3. The CCAB wanted to encourage grantees to manage their contingencies effectively, and to complete their projects within the requested budget (the idea here is that the burden to fill any gaps in funding is on the grantee, so that funds can be spread more widely);

Recent legal review of statute also pointed out that the CCAB, SBE and CDC award projects with an associated dollar amount and match percentage. To add money to any project without subsequent approval goes against statute.

Approved motion, May 2022:

- Because we have a supplemental grant request process available for BEST grantees experiencing unforeseen circumstances to request additional funds through the established annual grant review process, I move to discontinue annual voting on holding back reserve amounts from the Capital Construction Assistance Fund and remove item V. B. "Adopt FY22-23 Reserve Amount" from this agenda.

Rule Change Authority and Process:

§ 22-43.7-106(2)(i)(I) C.R.S., the Public School Capital Construction Assistance Board may promulgate rules, in accordance with Article 4 of Title 24, C.R.S., as are necessary and proper for the administration of the BEST Act.

Proposed Schedule for Rule Change:

1. Notice of Rule Making Hearing submitted to SOS by 09/30/22. Posted by SOS on 10/10/22. Must remain open for at least 20 days.
2. Rule Making Hearing held 11/17/22. Public may testify. Review public comment and edit language if necessary. Unanimous vote required (if not unanimous, a second meeting will be held)
3. Attorney General reviews and issues opinion. Final rules filed with SOS. Effective 20 days after publication.
4. Estimated effective date 12/30/22

Draft Rule Change (in red below):

~~8.1.5.—Each grant cycle the Board may make a motion to authorize up to 5% of the assistance fund dollars be used to address grant reserves for projects awarded in that given year.~~

~~8.1.5.1. Grant reserve requests shall be submitted on a Division provided application;~~

~~8.1.5.2. Grant reserve applications will be submitted to the Board as an action item at the board meeting following the date the grant reserve application was submitted to the Division.~~

~~8.1.5.3. Grant reserve draws shall be limited to issues that were unforeseen, unanticipated and could not have been known about or planned for at the time the Application was submitted.~~

STAFF RECOMMENDATION:

Accept public testimony.

STAFF RECOMMENDED MOTION:

Per CRS 22-43.7-106 I move to adopt the changes to the Capital Construction Assistance Board rules pertaining to the Building Excellent Schools Today grant program, with the removal of rule 8.1.5, per the language on the November 17, 2022 Agenda Sheet.

DOCUMENTATION:

N/A



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: November 17, 2022

SUBJECT: Rule Change to Establish Backup Project Award Process

ITEM TYPE: Action Item

BACKGROUND:

The following proposed rule change was approved by the Capital Construction Assistance Board (CCAB) on September 15, 2022, submitted to the Secretary of State (SOS) on September 30, 2022 and posted on the SOS website on October 10, 2022. A Rule Making Hearing will be held at the November 17, 2022 CCAB meeting.

22-43.7-109(7)(a) states that... “The board may recommend that any specific project only receive financial assistance if another higher priority project or group of projects becomes ineligible for financial assistance due to the inability of an applicant to raise required matching moneys by a deadline prescribed by the board as a condition of a financial assistance award for the higher priority project or group of projects.”

At the request of the Capital Construction Assistance Board, for the last few grant rounds, staff have worked through a process focused on awarding all appropriated funds available each fiscal year. That process is outlined below to be codified in rule.

If the board votes to approve this rule change, staff and board will continue with a parallel conversation to create a policy that directs the process by which the grant program will attempt to award all appropriated funds available each fiscal year including but not limited to:

- Update messaging for award and non-award letters. Current language:
 - Please note that if the contract is not finalized by November 8, 2022, excepting projects contingent on a bond election per above, in the interests of the fair and orderly administration of the Building Excellent Schools Today grant program, this offer may be rescinded unless it is agreed to, in writing, that you have made good faith efforts to meet the deadline.
- Establish CCAB final deadlines:
 - FY24 Timeline adopted in August states:
 - Final FY22-23 project list is established based upon November election results.

- December 30, 2022 FY22-23 Grant Agreements not fully executed may be rescinded in order to fund backup projects.
 - Process:
 - 1st backup is offered full amount available.
 - Can they accept partial award?
 - Rule states that CCAB “may” award partial, does not require.
 - Can scope be reduced?
 - No.
 - 1st backup must turn down offer in writing. Then move on to 2nd .

Rule Change Authority and Process:

§ 22-43.7-106(2)(i)(I) C.R.S., the Public School Capital Construction Assistance Board may promulgate rules, in accordance with Article 4 of Title 24, C.R.S., as are necessary and proper for the administration of the BEST Act.

Proposed Schedule for Rule Change:

1. Notice of Rule Making Hearing submitted to SOS by 09/30/22. Posted by SOS on 10/10/22. Must remain open for at least 20 days.
2. Rule Making Hearing held 11/17/22. Public may testify. Review public comment and edit language if necessary. Unanimous vote required (if not unanimous, a second meeting will be held)
3. Attorney General reviews and issues opinion. Final rules filed with SOS. Effective 20 days after publication.
4. Estimated effective date 12/30/22

Draft Rule Change (in red below):

- 6.3. Additional actions the Board may take when reviewing an Application:
 - 6.3.1. The Board may modify the amount of Financial Assistance requested or modify the amount of Matching Moneys required; **and**
 - 6.3.2. The Board may recommend funding a **P**project in its entirety or recommend a partial award to the **P**project.
 - 6.3.2.1. If a **P**project is partially funded a written explanation will be provided.

6.3.2.2. If the Board recommends partial funding for a Project and the Applicant declines such funding, the Board will deem the Applicant to have withdrawn its Application.

6.4. The Board shall submit to the State Board the prioritized list of Projects. ~~The prioritized list shall include:~~

6.4.1. The ~~prioritized list shall include the~~ Board's recommendation to the State Board as to the amount of Financial Assistance to be provided to each Applicant approved by the Board to receive funding and whether the assistance should be in the form of a BEST Cash Grant, BEST Lease-purchase Funding or a BEST Emergency Grant.

6.4.2. ~~When funding State Board-approved alternate Projects, the Board may offer funding to a Project in its entirety or may offer a partial award, based on available appropriations. If the Board offers partial funding to a Project and the Applicant declines such funding, the Board will deem the Applicant to have withdrawn solely for purposes of allowing the next-highest priority alternate Projects to be funded.~~

STAFF RECOMMENDATION:

Accept public testimony.

STAFF RECOMMENDED MOTION:

Per CRS 22-43.7-106 I move to adopt the changes to rules 6.3 and 6.4 of the Capital Construction Assistance Board rules pertaining to the Building Excellent Schools Today grant program, per the language on the November 17, 2022 Agenda Sheet.

DOCUMENTATION:

N/A



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: November 11, 2022

SUBJECT: Vote on Matching Criteria and Weights

ITEM TYPE: Action Item

BACKGROUND:

The BEST Match Criteria and Weights Review Committee has been meeting since November of 2021 to consider changes to the statutory factors that determine a BEST applicant's required match. A stakeholder contact list was created to invite public input on considerations. Multiple surveys were distributed, and two listening sessions held. The basis for any recommended change is simplification and logic of factors. The ultimate impact on the current match for any potential applicant was not necessarily considered. This is because after any changes are made to the factors, the Capital Construction Assistance Board will then need to review the weight of each factor. This will have a larger impact on changes to any current matching calculations.

On November 10, 2022, the committee voted unanimously to recommend the changes outlined in the attached draft redline document. If the board approves these recommendations, the document can be used as a guideline to any possible changes to statute.

STAFF RECOMMENDATION:

Review the changes, discuss, and vote.

STAFF RECOMMENDED MOTION:

I move to recommended changes to CRS 22-43.7-109 as outlined on the redline document shared and discussed at the November 17, 2022, meeting of the Capital Construction Assistance Board.

DOCUMENTATION:

Draft redline document.

22-43.7-109.

(9) Except as otherwise provided in subsection (10) of this section, the board may recommend, and the state board may approve financial assistance that does not involve a lease-purchase agreement for or recommend to the capital development committee the approval of financial assistance that involves a lease-purchase agreement for a public school facility capital construction project only if the applicant provides matching moneys in an amount equal to a percentage of the total financing for the project determined by the board after consideration of the applicant's financial capacity, as determined by the following factors:

(a) With respect to a school district's application for financial assistance:

(I) The school district's assessed value per pupil relative to the state average;

(II) The school district's median household income relative to the state average;

(III) The total dollar amount of all school district mills, per capita, ~~school district's bond redemption fund mill levy~~ relative to the statewide average;

(IV) The percentage of pupils enrolled in the school district who are eligible for free or reduced-cost lunch;

(V) The school district's current available bond capacity remaining;

~~(VI) The school district's unreserved fund balance as a percentage of its annual budget; and~~

(VI) ~~(VII)~~ The amount of effort put forth by the school district to obtain voter approval for a ballot question for bonded indebtedness, including but not limited to a ballot question for entry by the district into a sublease-purchase agreement of the type that constitutes an indebtedness of the district pursuant to section 22-32-127, during the ten years preceding the year in which the district submitted the application, which factor may be used only to reduce the percentage of matching moneys required from a district that has put forth such effort and not to increase the amount of matching moneys required from any district;

(b) With respect to a board of cooperative services' application for financial assistance:

(I) The average assessed value per pupil of all members of the board of cooperative services participating in the capital construction project relative to the state average;

(II) The average median household income of all members of the board of cooperative services participating in the capital construction project relative to the state average;

(III) The average total dollar amount of all school district mills, per capita, of all members of the board of cooperative services participating in the capital construction project ~~school district's bond redemption fund mill levy~~ relative to the statewide average;

(IV) The percentage of pupils enrolled in the member schools within the board of cooperative services that are participating in the capital construction project who are eligible for free or reduced-cost lunch;

(V) The average available bond capacity remaining of all members of the board of cooperative services participating in the capital construction project;

~~(VI) The average unreserved fund balance as a percentage of the annual budget of all members of the board of cooperative services participating in the capital construction project; and~~

(VI) ~~(VII)~~ The amount of effort put forth by the members of the board of cooperative services to obtain voter approval for a ballot question for bonded indebtedness, including but not limited to a ballot question for entry by any member into a sublease-purchase agreement of the type that constitutes an indebtedness of the member pursuant to section 22-32-127, during the ten years preceding the year in which the board of cooperative services submitted the application. This factor may be used only to reduce the percentage of matching moneys required from a board of cooperative services if one or more of its members have put forth such effort and may not be used to increase the amount of matching moneys required from any board of cooperative services.

CHARTERS

(c) With respect to a charter school's application for financial assistance:

~~(I) The weighted average of the match percentages for the school districts of residence for the students enrolled in a district charter school.~~ The match percentage of the district authorizer as calculated in 22-43.7-109(9)(a) or fifty percent of the average of the match percentages for all school districts in the state for an institute charter school;

(II) Whether the charter school's authorizer retains no more than ten percent of its capacity to issue bonds pursuant to article 42 of this title;

(III) Whether the charter school is operating in a district-owned facility at the time it submits its application;

(IV) In the ten years preceding the year in which the charter school submits the application, the number of times the charter school has attempted to obtain or has obtained:

(A) Bond proceeds pursuant to section 22-30.5-404 through inclusion in a ballot measure submitted by the charter school's authorizer to the registered electors of the school district;

(B) Proceeds from a special mill levy for capital needs pursuant to section 22-30.5-405;

(C) Grant funding for capital needs from a source other than the assistance fund; and

(D) Funding for capital construction from bonds issued on its behalf by the Colorado educational and cultural facilities authority created and existing pursuant to section 23-15-104 (1)(a), C.R.S., or from some other source of financing;

(V) If the charter school is a district charter school, the student enrollment of the charter school as a percentage of the student enrollment of the charter school's authorizing school district;

(VI) The percentage of students enrolled in the charter school who are eligible for the federal free and reduced-cost lunch program in relation to the overall percentage of students enrolled in the public schools in the state who are eligible for the federal free and reduced-cost lunch program;

(VII) The percentage of the per pupil revenue received by the charter school that the charter school spends on facility costs other than facilities operations and maintenance. ~~and~~

~~(VIII) The charter school's unreserved fund balance as a percentage of its annual budget.~~

(10) (a) A school district shall not be required to provide any amount of matching moneys in excess of the difference between the school district's limit of bonded indebtedness, as calculated pursuant to section 22-42-104, and the total amount of outstanding bonded indebtedness already incurred by the school district.

(b) An applicant may apply to the board for a waiver or reduction of the matching moneys requirement specified in subsection (9) of this section. The board may grant a waiver or reduction if it determines that the waiver or reduction would significantly enhance educational opportunity and quality within a school district, board of cooperative services, or applicant school, that the cost of complying with the matching moneys requirement would significantly limit educational opportunities within a school district, board of cooperative services, or applicant school, or that extenuating circumstances deemed significant by the board make a waiver appropriate.

(c) The amount of bonded indebtedness that a school district that is a member of a board of cooperative services incurs in order to provide matching moneys for the board of cooperative services shall not constitute bonded indebtedness of the school district subject to the limits on bonded indebtedness specified in section 22-42-104.

(11) In determining the amount of each recommended award of financial assistance, the board shall seek to be as equitable as practicable by considering the total financial capacity of each applicant.

(12) Notwithstanding any provision of this section to the contrary, the match percentage for a charter school calculated pursuant to paragraph (c) of subsection (9) of this section shall not be higher than the highest match percentage for a school district, or lower than the lowest match percentage for a school district, in the same grant cycle.

(13) For fiscal year 2018-19 and for each succeeding fiscal year, the board, with the support of the division and subject to the approval of the state board regarding financial assistance awards as specified in this section, may provide financial assistance in the form of technology grants. In conjunction with its establishment of an annual financial assistance timeline as required by subsection (2)(a) of this section, the board shall annually notify all potential applicants, by such means as the board deems appropriate, that it will accept and consider applications for financial assistance in the form of technology grants. To be eligible for a technology grant, an applicant for financial assistance must apply specifically for such a grant in accordance with the financial assistance timeline established by the board pursuant to subsection (2)(a) of this section and must submit an application in the form prescribed by the board pursuant to subsection (4) of this section. The board may award a technology grant to fund technology, including but not limited to communications and internet connectivity technology, technology for individual student learning and classroom instruction, and technology as defined in subsection (5)(a)(I)(B) of this section.



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: November 17, 2022

SUBJECT: Update on Priorities from August Retreat

ITEM TYPE: Discussion Item

BACKGROUND:

At the August board retreat, staff and board reviewed several topics from the previous grant round's applicant survey. Staff have reviewed notes and prioritized next steps. The highest prioritized topics are outlined below with our target timelines to address and bring back to the board for review and further discussion.

Topic	Timeline	Responsible Team
Match Criteria and Calculations – Continue meetings and prepare formal recommendation to pursue statutory change.	Next Committee Meeting: September 27 th Updates ongoing at regular board meetings	Match Committee
Joint Budget Committee (JBC) Response – CCAB has been asked to recommend ways to reduce capital outlays in school construction.	September: Revise and review with CDE Budget Director October: Review at Board Meeting November: Submit to JBC	Director
Supplemental Projects and Cost Escalation – Continual conversation on current cost escalation issues and long-term strategy for supplemental grant request process.	October Board Meeting	Director and Partners
Evaluation Rubric Improvements – Review scoring criteria and brainstorm possible improvements to criteria and scoring system	Updates ongoing, finalized at December Board Meeting.	Program Staff

Program Trainings – Develop trainings for industry partners and school districts to discuss program and opportunities for efficiencies	Ongoing	Program Staff
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STAFF RECOMMENDATION:

Staff will review recommended changes to the board scoring rubric and waiver. Please be prepared to share insight and considerations.

STAFF RECOMMENDED MOTION:

N/A

DOCUMENTATION:

Attached response submitted to the Joint Budget Committee on November 1st.

Attached draft revisions to scoring rubric and waivers.

JBC Request for Information: BEST Outlays Per Student Served

Pursuant to statute, the priorities for the Building Excellent Schools Today (BEST) grant program are to address: 1) health, safety, security and technology, 2) overcrowding, 3) career and technical education programs, 4) projects to remove American Indian Mascots, and 5) all other projects. The overwhelming majority of grant requests are to address individual health, safety, and security issues, or possible “deferred maintenance” issues.

Grant requests are prioritized by the Capital Construction Assistance Board based upon several factors including a facility assessment, or Facility Condition Index. This information helps to illustrate the cost of replacing critical systems versus replacing an entire facility and to ensure that board members can compare needs of each facility during the annual grant review. There is no one-size-fits-all solution for public school facility needs.

Staff works directly with districts, charters, and project teams throughout grant planning, design and construction, and closing out of projects. BEST continuously emphasizes the importance of efficient design through evaluation of square footage and utilization rates in school facilities and competitive bidding process.

Due to the size and diversity of our state, there is not a singular dollar amount per student that constitutes an adequate investment level to provide a safe educational environment. For example, construction costs vary by region and typically increase in rural/low-enrollment districts. Reducing or creating a maximum allowed cost per student outlay for BEST grants could have an outsized impact on these districts.

Given the required matching percentages as defined by statute, the impact of these grants is much greater in small districts (with smaller student populations) that have less ability to fund construction projects. Thus, the current structure is designed to prioritize school buildings with the highest health, safety and security needs across the state, and to simultaneously support districts with less ability to raise funds for capital projects.

POSSIBLE CHANGES/RECOMMENDATIONS

- Engage with and educate applicants and vendors:
 - Highlight successful projects – including renovations, replacement schools, and maintenance
 - Tours of successful projects
 - Conference roundtables on lessons learned by superintendents and boards
 - Mentorships for superintendents and boards
 - Annual conference of vendors (owner’s representatives, architects, project managers, etc.)

- Possible changes to application/rules/procedures:

- Emphasis on maintenance requirements
- Stronger justification/metrics for replacement school vs. renovation
- Ability to complete project without a BEST grant (keeping in mind that this could continue to emphasize rural districts that have fewer resources)
- Illustrate ways the project efficiently uses local and state resources
- Highlight space utilization rates of facility and collaborative/shared community use
- Emphasis on student and staff focused spaces incorporated into the project

It is also important to keep in mind that these investments go beyond the cost per student at the time of construction. These facilities are meant to last 50+ years and will serve generations of students. Schools are also a part of essential infrastructure and community resiliency. They serve as gathering places for community events and in emergency situations. Lastly, school construction contributes to the economy and in rural communities this impact is likely felt more acutely. The State Demographer estimates the \$545 million in BEST projects funded in FY22 directly supports or creates 4,900 jobs. If indirect and induced impacts are included, these projects support or create an estimated 9,700 jobs.

The Capital Construction Assistance Board looks forward to working with the legislature on finding additional capital resources for all schools in Colorado.



BEST Grant Application Review

FY 2022-2023 Application

Applicant: Request Amount: \$- Project Name: Match Amount: \$-
App #: - Page #: Total Request: \$-

Recusal: Match Percentage: #%

Member is recused from this project

Grant Application Statutory Need

Pursuant to 22-43.7-109(5) C.R.S., the board shall prioritize applications that describe public school facility capital construction projects deemed eligible for financial assistance based on the following criteria, in descending order of importance:

Priority 1

This application addresses safety hazards or health concerns at existing public school facilities, including concerns relating to public school facility security, and projects that are designed to incorporate technology into the educational environment. See glossary for definition of "technology".

Priority 2

This application will relieve current overcrowding in public school facilities, including but not limited to allowing students to move from temporary instructional facilities into permanent facilities.

Priority 3

This application will provide career and technical education capital construction in public school facilities.

Priority 4

This application will assist in the replacement of prohibited American Indian Mascots

Priority 5

This application is for other types of capital improvements not addressed in priorities 1-4.

Division Comments:

After review of the application, the division would consider this project a priority _.

1. After Review of the Application, the Evaluator would Consider this Application a Priority:

- Priority 1
- Priority 2
- Priority 3
- Priority 4
- Priority 5

Evaluator Comments & Notes:

Review each section below and provide a score for each question based on your review of the application.

Provide comment for scores of 0, 1 or 2. Comments for scores of 3, 4 or 5 are optional.

Conditions of the Entire Public School Facility

Division FCI Comments:

Division Requirement and Deficiency Comments:

Evaluator Review of Conditions of the Entire Public School Facility

2. The proposed renovation or replacement, is supported by the Facility Condition Index (FCI) from the statewide facility assessment, or an assessment provided by the applicant. (*a high FCI may indicate the need to replace an entire facility while a lower FCI may indicate the need to replace systems only)[Staff Comments]

- Incomplete (0) Strongly Disagree (1) Somewhat Disagree (2) Neutral (3) Somewhat Agree (4) Strongly Agree (5)

3. The building system requirements noted in the statewide assessment or an assessment provided by the applicant, support the corresponding deficiencies that are being identified in the application? [Staff Comments]

- Incomplete (0) Strongly Disagree (1) Somewhat Disagree (2) Neutral (3) Somewhat Agree (4) Strongly Agree (5)

4. The deficiencies presented by the applicant are compelling, illustrate due diligence, and necessitate capital assistance. [Question II.D]

- Incomplete (0) Strongly Disagree (1) Somewhat Disagree (2) Neutral (3) Somewhat Agree (4) Strongly Agree (5)

Evaluator Comments & Notes:

Financial Capacity

Division Comments:

Evaluator Review of Financial Capacity

5. The applicant has illustrated concerted efforts to leverage available state and local resources or community partnerships to enhance their financial contribution to the project. [Question III.Y]

Incomplete (0) Strongly Disagree (1) Somewhat Disagree (2) Neutral (3) Somewhat Agree (4) Strongly Agree (5)

6. The applicant has demonstrated a suitable commitment to the maintenance and renewal of this proposed project upon completion. [Question II.J]

7. Historically the applicant has contributed a suitable amount towards the capital needs of their facilities, given available resources. [Question II.K, Question I.F]

Incomplete (0) Strongly Disagree (1) Somewhat Disagree (2) Neutral (3) Somewhat Agree (4) Strongly Agree (5)

Evaluator Comments & Notes:

Project Proposal

Division Comments:

Evaluator Review of Project Proposal

8. The solution presented by the applicant effectively and efficiently resolves all critical deficiencies noted within the application. [Question II.F]

Incomplete (0) Strongly Disagree (1) Somewhat Disagree (2) Neutral (3) Somewhat Agree (4) Strongly Agree (5)

9. The scope of work proposed in the solution appears to be reasonable and well planned as a result of appropriate due diligence. [Question II.G]

Incomplete (0) Strongly Disagree (1) Somewhat Disagree (2) Neutral (3) Somewhat Agree (4) Strongly Agree (5)

10. The project is urgent in nature. [Question II.H]

Incomplete (0) Strongly Disagree (1) Somewhat Disagree (2) Neutral (3) Somewhat Agree (4) Strongly Agree (5)

11. The project complies with the BEST Construction Guidelines. [Question II.I]

No (0) Yes (5)

Evaluator Comments & Notes:

Other Application Considerations

Division Comments:

Evaluator Review of Other Application Considerations

12. The project cost is appropriate and an effective use of state resources, evaluated in terms of total cost, cost per SF, cost per pupil, and/or other metrics at reviewer's discretion.

Incomplete (0) Strongly Disagree (1) Somewhat Disagree (2) Neutral (3) Somewhat Agree (4) Strongly Agree (5)

13. The proposed project uses facility square footage efficiently for the student population and program. In the case of narrow scope renovation projects, the affected area of the project is supportable and appropriate for the proposed scope of work.

Incomplete (0) Strongly Disagree (1) Somewhat Disagree (2) Neutral (3) Somewhat Agree (4) Strongly Agree (5)

14. The applicant is willing to pursue a fair, competitive, and transparent selection process for contractors and consultants or has identified a reasonable alternative.

No (0) Yes (5)

Supplemental Grants

15. This application is for supplemental assistance to complete a previously awarded BEST grant, due to compelling unforeseen circumstances

No (0) Yes (2)

Evaluator Comments & Notes:

16. Evaluator Recommendation to Shortlist this Application

Yes No

If the Application is Not Recommended to the Shortlist, Please Provide the Evaluator's Justification:

Evaluator Notes Section for Information Only:

[Save & Return to Main Page](#)

BEST School District and BOCES Grant Waiver Application

The BEST grant is a matching grant and each applicant is assigned a unique minimum matching requirement, pursuant to 22-43.7-109(9) C.R.S., to identify their financial capacity. An applicant may apply to the Capital Construction Assistance Board for a waiver or reduction of the matching moneys requirement for their project if the applicant determines their minimum match is not reflective of their current financial capacity, pursuant to 22-43.7-109(10) C.R.S.

Waiver applications are reviewed independent of the grant application. Upon review of the waiver application, the Capital Construction Assistance Board will make a motion to approve or deny the applicant's waiver request. A waiver request should represent the highest feasible match available to contribute to the project. If a waiver is denied, but a grant is awarded, the applicant's match will default to the CDE Minimum match, or the Statutory Limit (if Statutory Limit Waiver submitted), whichever is lower.

The Capital Construction Assistance Board shall seek to be as equitable as possible by considering the total financial capacity of each applicant pursuant to 22-43.7-109(11) C.R.S.

Instructions

Be specific when answering the questions and explaining the issues and impacts. Your response should include dollar amounts and specific ways in which such issues and impacts make it impossible for the applicant to make its full matching contribution. Please submit any relevant documentation to support the responses provided, providing detail as to why an adjustment is needed, and how the percentage reduction was determined.

Question 2, subsection A is related directly to the factors used in calculating the matching percentage. Only respond in detail regarding any match factors which you believe inaccurately or inadequately reflect financial capacity due to extenuating circumstances, providing an explanation for why you believe that portion of your match should be reduced from the calculated weight.

Examples:

-
- Districts/BOCES affected by volatile mineral industry boom/bust cycles might request adjustments to the PPAV, Bond Capacity, and/or Bond Mill factors based on estimated long term average rather than current year
 - Districts/BOCES who have frequently used mill levy overrides rather than bonds for capital purposes might request an adjustment to the bond mill levy factor to reflect an equivalent bond mill
 - Districts/BOCES with unusually poor participation in Free and Reduced Lunch program despite other clear poverty indicators might request an adjustment in the FRED factor to reflect an equivalent percentage.
 - Districts with a demonstrated unusually hostile bond environment might request an adjustment to the bond capacity remaining factor or bond election successes/failures in response to the unusual difficulty in passing bonds
 - Districts with an unusually high percentage of PPR committed to debt service, lease payments, capital construction, or other non M&O facilities costs might identify that as an extenuating circumstance
 - Resources: bond counsel/bankers, county assessors, financial experts
-



District or BOCES Name:

1. Please describe why a waiver or reduction of the matching contribution would significantly enhance educational opportunity and quality within your school district or BOCES, or why the cost of complying with the matching contribution would significantly limit educational opportunities within your school district or BOCES.

2. Please describe any extenuating circumstances or unusual financial burdens which should be considered in determining the appropriateness of a waiver or reduction in the matching contribution.



**The following are factors used in calculating the applicant’s matching percentage. Only respond to the factors which you feel inaccurately or inadequately reflect financial capacity. Please provide as much supporting detail as possible. Refer to [How Matching Percentages are Calculated](#) for background on the influence of these factors on your match.*

Match Factor (To be Completed by CDE)	Figure Used in Match Calculation	Weighted %	Out of Weighted Max%
Per Pupil Assessed Value			8% max
Median Household Income			18% max
Free and Reduced Lunch %			23% max
Bond Elections in the last 10 years			-1% per attempt
Bond Mill Levy			23% max
Remaining Bond Capacity			23% max
Unreserved Fund Balance as a % of Annual Budget			5% max
	Total CDE Minimum Match		100%

2.a. Please identify which, if any, of the above match factors you believe inaccurately or inadequately reflect your financial capacity due unique conditions in your district, which justify a reduction of the weighted percentage used.



3. What efforts have been made to coordinate the project with local governmental entities, community based organizations, or other available grants or organizations to more efficiently or effectively leverage the applicant's ability to contribute financial assistance to the project? Please include all efforts, even those which may have been unsuccessful.

4. **Final Calculation:** Based on the above, what is the actual match percentage being requested?

CDE Minimum Match percentage	<input type="text"/>
Match Percentage Requested	<input type="text"/>
Amount of requested reduction from CDE Minimum	<input type="text"/>

Is a Statutory Limit Waiver also being submitted? Y N

BEST Charter School Grant Waiver Application

The BEST grant is a matching grant and each applicant is assigned a unique minimum matching requirement, pursuant to 22-43.7-109(9) C.R.S., to identify their financial capacity. An applicant may apply to the Capital Construction Assistance Board for a waiver or reduction of the matching monies requirement for their project if the applicant determines their minimum match is not reflective of their current financial capacity, pursuant to 22-43.7-109(10) C.R.S.

Waiver applications are reviewed independent of the grant application. Upon review of the waiver application, the Capital Construction Assistance Board will make a motion to approve or deny the applicant's waiver request. A waiver request should represent the highest feasible match available to contribute to the project. If a waiver is denied, but a grant is awarded, the applicant's match will default to the CDE Minimum match, or the Statutory Limit (if Statutory Limit Waiver submitted), whichever is lower.

The Capital Construction Assistance Board shall seek to be as equitable as possible by considering the total financial capacity of each applicant pursuant to 22-43.7-109(11) C.R.S.

Instructions

Be specific when answering the questions and explaining the issues and impacts. Your response should include dollar amounts and specific ways in which such issues and impacts make it impossible for the applicant to make its full matching contribution. Please submit any relevant documentation to support the responses provided, providing detail as to why an adjustment is needed, and how the percentage reduction was determined.

Question 2, subsection A is related directly to the factors used in calculating the matching percentage. Only respond in detail regarding any match factors which you believe inaccurately or inadequately reflect financial capacity due to extenuating circumstances, providing an explanation for why you believe that portion of your match should be reduced from the calculated weight.

Examples:

-
- Charters with substantially different student populations than their authorizer might address that in regard to the relevant adjustment factors (authorizer match, charter enrollment as a percent of district enrollment, or the FRED percentage)
 - Charters with unusually poor participation in Free and Reduced Lunch program despite other clear poverty indicators might request an adjustment in the FRED adjustment factor to reflect an equivalent percentage.
 - Charters with authorizers who have a demonstrated unusually hostile bond environment, situations that prevent eligibility for loans, etc, might address that in regard to adjustment factors related to attempts to secure funds
 - Charters with unusual facility expense situations might address that in regard to adjustment factors like whether the facility is owned by the district, or non-M&O facilities cost as a percentage of PPR.
 - Charters utilizing unreserved fund balances as a method of building up funds for specific, but not 'reserved' uses might address that in regard to the unreserved fund balance adjustment factor.
 - Resources: bond counsel/bankers, county assessors, financial experts
-



Charter Name:

1. Please describe why a waiver or reduction of the matching contribution would significantly enhance educational opportunity and quality within your charter school, or why the cost of complying with the matching contribution would significantly limit educational opportunities within your charter school.

2. Please describe any extenuating circumstances or unusual financial burdens which should be considered in determining the appropriateness of a waiver or reduction in the matching contribution.



**The following are factors used in calculating the applicant’s matching percentage. Only respond to the factors which you feel inaccurately or inadequately reflect financial capacity. Please provide as much supporting detail as possible. Refer to [How Matching Percentages are Calculated](#) for background on how these factors influence your match.*

Charter Match Adjustment Factor (Completed by CDE)	Figure Used	Adjustment %
Weighted average of district matches which comprise the student population		
Does the authorizing district have 10% or less bonding capacity?		
District owned facility?		
# of times the charter school attempted or obtained bond proceeds from an authorizer's ballot measure for capital needs		
# of times the charter school attempted an MLO override for capital needs		
# of times the charter school attempted or obtained non-BEST grant funding for capital needs		
# of times the charter school attempted or attained CECFA or another type of financing		
Charter school enrollment as a % of district enrollment.		
Free/reduced lunch percentage in relation to the statewide average		
Percentage of PPR spent on non M&O facilities costs.		
Unreserved Fund Balance as a % of Annual Budget		
	Total CDE Minimum Match	

2.a. Please identify which, if any, of the above match factors you believe inaccurately or inadequately reflect your financial capacity due unique conditions in your district, which justify a reduction of the weighted percentage used.



3. What efforts have been made to coordinate the project with local governmental entities, community based organizations, or other available grants or organizations to more efficiently or effectively leverage the applicant's ability to contribute financial assistance to the project? Please include all efforts, even those which may have been unsuccessful.

4. **Final Calculation:** Based on the above, what is the actual match percentage being requested?

CDE Minimum Match percentage	<input type="text"/>
Match Percentage Requested	<input type="text"/>
Amount of requested reduction from CDE Minimum	<input type="text"/>

Is a Statutory Limit Waiver also being submitted? []Y []N