

CDE MEETING AGENDA



COLORADO
Department of Education

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: August 7, 2023, 12:00pm-5:00pm
August 8, 2023, 9:30am-4:30pm

Location: Canon City Middle School
1215 Main St., Canon City

Capital Construction Assistance Board Members:

Jane Crisler – Chair	Kevin Haas	Matt Samelson
Wendy Wyman – Vice Chair	Vaishali McCarthy	Michael Wailes

- I. Day One: 12:00pm – 5:00pm
 - A. Call to Order
 - B. Roll Call
 - C. Approve Agenda (Action Item)
 - D. Approve Previous Minutes from: April, May, July (Action Item)
 - E. Review and Adopt the FY23-24 BEST Grant Prioritized List—Supplementals, Round 2 (Action Item)
- II. Day Two: 9:30am – 4:30pm
 - A. Call to Order
 - B. Roll Call
 - C. BEST and Facility Insight Updates
 - D. Lessons Learned from Past Cycle
 - E. Match Rule Change (Action Item)
 - F. Match Weights Revisions
- III. Future Meetings:
 - September 21, 2023 – CASBO, Vail (September 27-29)
 - October 19, 2023 – Microsoft Teams
 - November 16, 2023 – Microsoft Teams
- IV. Public Comment
- V. Adjournment

CDE MEETING MINUTES



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Public School Capital Construction Assistance Board Meeting Minutes

Date & Time: Thursday, April 20, 2023 - 1:00pm-3:30pm

Location: Virtual – Microsoft Teams

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 1:05pm
- II. **Roll Call:**
Members Present: Brian Amack, Kevin Haas, Allison Pearlman, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler
Absent: Brett Ridgway
Guests: Joe Peters, AG Office
- III. **Approve Agenda:**
Motion moved: Brian Amack - *Approve agenda with revisions as discussed.*
Second by: Vaishali McCarthy
All for: Brian Amack, Kevin Haas, Allison Pearlman, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler
Absent: Brett Ridgway
All opposed: None
Motion passed
- IV. **Approve Minutes:** March 16, 2023
Motion moved: Matt Samelson - *Approve minutes as written.*
Second by: Kevin Haas
All for: Brian Amack, Kevin Haas, Allison Pearlman, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler
Absent: Brett Ridgway
All opposed: None
Motion passed
- V. **Board Report:**
 - Jane: She and Andy attended A4LE event focused on school finance. Good attendance and a lot of good information.

VI. **Staff Report:**

- Andy shared photos from Facility Assessors and schools around the state.
- Andy shared an update on Mapleton, the status of their bonds. They should be able to complete their contract and start their project soon.

VII. **Discussion Items:**

A. Legislative Update

- Andy updated the CCAB on the most recent legislative session and potential legislation outcome and how they would affect the BEST program.

B. CCAB Conflict of Interest

- Joe Peters from the Attorney General's Office walked through the conflict of interest rules and best practices with the CCAB members.

C. May Meeting Prep

- In preparation for the May meeting staff walked the CCAB through the following:
 - Summary Book
 - Evaluation Tool
 - Waiver Evaluation Tools

IX. **Action Items:**

A. Averaging CCAB Scores

Motion moved: Vaishali McCarthy - *I move to request that staff use average rank (as opposed to average score) when determining the final prioritized list of projects to receive financial assistance.*

Second by: Kevin Haas

All for: Brian Amack, Kevin Haas, Allison Pearlman, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler

Absent: Brett Ridgway

All opposed: None

Motion passed

X. **Future Meetings:**

- May 15-17, 2023 – Microsoft Teams
- June 15, 2023 (State Board, June 14-15 TBD)
- July 20, 2023 – Microsoft Teams

XI. **Public Comment:** None

XII. **Adjourn:** Meeting Adjourned by Jane Crisler at 3:29pm

CDE MEETING MINUTES



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Public School Capital Construction Assistance Board Meeting Minutes

Date & Time: May 15-17, 2023, Varying Times

Location: Virtual – Microsoft Teams

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

Day 1 – May 15, 2023

- I. **Call to Order:** Meeting called to order by Jane Crisler at 8:31am
- II. **Roll Call:**

Members Present: Brian Amack, Kevin Haas, Vaishali McCarthy, Allison Pearlman, Matt Samelson, Michael Wailes, Brett Ridgway, Wendy Wyman, Jane Crisler
- III. **Approve Agenda:**

Motion moved: Brett Ridgway – *Approve Agenda as presented*
Second by: Vaishali McCarthy
All for: Brian Amack, Kevin Haas, Vaishali McCarthy, Allison Pearlman, Matt Samelson, Michael Wailes, Brett Ridgway, Wendy Wyman, Jane Crisler
All opposed: None
Motion passed
- IV. **Action Items (Day 1):**
 - A. Overview of Meeting Rules and Processes
 - Andy reviewed the rules and meeting process with the group
Motion moved: Kevin Haas – *Approve meeting rules*
Second by: Brian Amack
All for: Brian Amack, Kevin Haas, Vaishali McCarthy, Allison Pearlman, Matt Samelson, Michael Wailes, Brett Ridgway, Wendy Wyman, Jane Crisler
All opposed: None
Motion passed
 - B. Grant Request Reviews and Q&A
 - The board reviewed, discussed and voted on the FY23-24 grant applications and representatives from the districts answered questions.
- V. **Adjournment:** Day 1 adjourned by Jane Crisler at 2:57pm

Day 2 – May 16, 2023

- I. **Call to Order:** Meeting called to order by Jane Crisler at 8:48am
- II. **Roll Call:**
Members Present: Brian Amack, Kevin Haas, Vaishali McCarthy, Allison Pearlman, Matt Samelson, Michael Wailes, Brett Ridgway, Wendy Wyman, Jane Crisler
- III. **Discussion/Action Items (Day 2):**
 - A. Overview of Meeting Rules and Processes
 - Andy reviewed the rules and meeting process with the group
 - B. Grant Request Reviews and Q&A
 - The board reviewed, discussed and voted on the FY23-24 grant applications and representatives from the districts answered questions.
- IV. **Adjournment:** Day 2 adjourned by Jane Crisler at 4:07pm

Day 3 – May 20, 2022

- I. **Call to Order:** Meeting called to order by Jane Crisler at 8:47am
- II. Members Present: Brian Amack, Kevin Haas, Vaishali McCarthy, Allison Pearlman, Matt Samelson, Michael Wailes, Brett Ridgway, Wendy Wyman, Jane Crisler
- III. **Discussion/Action Items (Day 3):**
 - A. Overview of Meeting Rules and Processes
 - Andy reviewed the rules and meeting process with the group
 - B. Grant Request Reviews and Q&A
 - The board reviewed, discussed and voted on the FY23-24 grant applications and representatives from the districts answered questions.
- IV. **Action Items:**
 - A. Adopt the FY22-23 BEST Grant Prioritized List:
Motion moved: Vaishali McCarthy – *I move to direct Division staff to submit the prioritized list of BEST Cash grant projects to the State Board of Education based on eligibility, subject to the availability of funds and financing and any other noted conditions, with any adjustments to the grant amount and match amount as may be imposed by C.R.S. 22-43.7-109(10)(a) and with adjustments necessary to maximize use of all eligible appropriations.*
Second by: Matt Samelson
All for: Brian Amack, Kevin Haas, Vaishali McCarthy, Allison Pearlman, Brett Ridgway, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler
All opposed: None
Motion passed
 - B. Adopt the FY23-24 BEST Grant Prioritized List—Supplementals, Round 1 :
Motion moved: Vaishali McCarthy – *I move to approve the prioritized list of Round One FY24 BEST Supplemental Grant Projects based on eligibility, subject to the availability of funds and financing and any other noted conditions, with any adjustments to the grant amount and match amount as may be imposed by C.R.S. 22-43.7-109(10)(a) and with adjustments necessary to maximize use of all eligible appropriations.*
Second by: Kevin Haas
All for: Brian Amack, Kevin Haas, Vaishali McCarthy, Allison Pearlman, Brett Ridgway, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler
All opposed: None
Motion passed
 - C. Adopt Process for FY24 Supplemental Grants, Round 2 (Action Item):

- Andy reviewed proposed process and timeline for the second round of supplemental grant applications.
- It was decided that the grant review for these would take place at the August retreat.

Motion moved: Kevin Haas - *Per Senate Bill 23-220, I move to adopt the timelines and requirements for the second cycle of Fiscal Year 2024 BEST Supplemental Grants as shared in today's meeting.*

Second by: Brian Amack

All for: Brian Amack, Kevin Haas, Vaishali McCarthy, Allison Pearlman, Brett Ridgway, Matt Samelson, Michael Wailes, Wendy Wyman, Jane Crisler

All opposed: None

Motion passed

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

- June Meeting – Cancelled
- July 20, 2023 - Virtual
- August 7-9, 2023 - Annual Board Retreat – Details TBA

VI. **Board Report:**

The board members all expressed gratitude to the staff, applicants and CCAB for a great grant review meeting.

VII. **Staff Report:**

- Andy shared photos from the Facility Insight team.
- Thank you to Allison Pearlman who will be stepping down from her position on the CCAB.
- Thank you to Cheryl who will be retiring at the end of June.
- Thanks to the CCAB, staff and districts for another successful grant meeting!

VIII. **Public Comment:**

None submitted

IX. **Adjournment:** Day 2 adjourned by Jane Crisler at 2:45pm

CDE MEETING MINUTES



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Public School Capital Construction Assistance Board Meeting Minutes

Date & Time: Thursday, July 20, 2023 - 1:00pm-3:30pm

Location: Virtual – Microsoft Teams

Capital Construction Assistance Board Members:

Jane Crisler – Chair Kevin Haas Matt Samelson
Wendy Wyman – Vice Chair Vaishali McCarthy Michael Wailes

- I. **Call to Order:** Meeting called to order by Jane Crisler at 1:01pm
- II. **Roll Call:**
Members Present: Kevin Haas, Vaishali McCarthy, Michael Wailes, Wendy Wyman
Absent: Jane Crisler, Matt Samelson
- III. **Approve Agenda:**
Motion moved: Michael Wailes - *Approve agenda with revisions as discussed.*
Second by: Vaishali McCarthy
All for: Kevin Haas, Vaishali McCarthy, Michael Wailes, Wendy Wyman
Absent: Jane Crisler, Matt Samelson
All opposed: None
Motion passed
- IV. **Board Report:**
Nothing to report
- V. **Staff Report:**
 - Staff have been busy working on supplemental grants and match factors.
 - The majority of the FY24 BEST contracts are out and fully signed.
 - Recruiting of CCAB members continues. Interviews with most if not all tomorrow. Hoping to have everything filled by the end of August.

VI. **Discussion Items:**

A. August Retreat Planning

- Andy reviewed the location and potential agenda items for the upcoming August retreat.

B. Supplemental Grants

- There are a total of 6 round 2 supplemental grant applications.
- The group reviewed the supplemental summary packet and the process of the review meeting in August.

C. Match Factor Update

- Staff gave the CCAB an overview of the updates to statute and how those effect current match factors.
- Staff will create a survey poll to send out to both stakeholders and board members prior to our August retreat to gather input. We will plan to discuss the input we receive and work to make a recommendation on final weights at the August retreat.

VII. **Future Meetings:**

- August 7-8, 2023 – Canon City Middle School, Canon City, CO
- September 21, 2023 – CASBO, Vail (September 27-29)
- October 19, 2023 – Microsoft Teams

VIII. **Public Comment:**

None

IX. **Adjourn:** Meeting Adjourned by Wendy Wyman at 1:52pm



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: August 8, 2023

SUBJECT: FY24 Supplemental Grants, Round 2 Review and Adoption

ITEM TYPE: Action Item

BACKGROUND:

Senate Bill 23-220 allocates \$49,705,220 for the purpose of funding supplemental grants related solely to cost overruns caused by COVID-19 pandemic related inflationary pressures and supply chain disruptions. The bill creates two grant rounds for Fiscal Year 2024. Round One is available for those six supplemental grant requests submitted through the regular FY24 grant cycle. Any remaining funds will be applied to a second round of supplemental grants to be awarded no later than August 17, 2023. Any remaining funds after the second round will be applied to projects awarded but not funded due to prioritization and funding availability in the regular FY24 grant cycle.

The Capital Construction Assistance Board has the sole power to award these grants and does not need to seek approval from the State Board of Education or any other entity before awarding these grants.

At the May 2023 CCAB meeting the board voted to award grants to six applicants, totaling \$34,253,002.70. This resulted in \$15,452,217.30 available for a second round.

BEST received seven applications for Round Two. Ridgway withdrew from consideration on July 26, 2023, leaving six applications for review today.

STAFF RECOMMENDATION:

Review each of the FY24 BEST Supplemental Grant applications and recommend projects for funding.

STAFF RECOMMENDED MOTION:

Adopt the Round One FY24 BEST Supplemental Grant Projects

I move to approve the prioritized list of Round Two FY24 BEST Supplemental Grant Projects based on eligibility, subject to the availability of funds and financing and any other noted conditions, with any adjustments to the grant amount and match amount as may be imposed by C.R.S. 22-43.7-109(10)(a) and with adjustments necessary to maximize use of all eligible appropriations.

DOCUMENTATION:

Supplemental Round 2 Process Document

Prioritized list will be provided at the meeting.



Public School Capital Construction Assistance Board
FY2023-24 BEST Supplemental Grants
Round 2

BACKGROUND:

We will start at 1:00PM on August 7, 2023. The CCAB intends to conclude supplemental grant reviews by 5:00PM. If necessary, the meeting may run longer. If we experience overruns on time or difficulties with technology, we will move the announcement of the final prioritized list and official motions on approvals by the CCAB to a later date.

Funding Availability for FY24:

- Cash Grants: \$110,000,000
- Supplemental Grants: \$49,705,220

[Senate Bill 23-220](#) allocates \$49,705,220 for the purpose of funding supplemental grants related solely to cost overruns caused by COVID-19 pandemic related inflationary pressures and supply chain disruptions. The bill creates two grant rounds for Fiscal Year 2024.

The six requests below were awarded grants at the May 2023 CCAB meeting.

County	District/School	Project Description	BEST Request Amount	Applicant Matching Contribution	Total Request & Matching Contribution
Alamosa	ALAMOSA RE-11J	Supplemental FY23 DW HVAC Upgrades	\$ 2,465,092.31	\$ 1,006,868.69	\$ 3,471,961.00
Weld	JOHNSTOWN-MILLIKEN RE-5J	Supplemental FY22 HS Conversion to MS	\$ 3,469,334.52	\$ 2,410,893.48	\$ 5,880,228.00
Otero	ROCKY FORD R-2	Supplemental FY22 PK-12 HS Addition/Renovation	\$ 5,324,719.00	\$ -	\$ 5,324,719.00
Larimer	THOMPSON R2-J	Supplemental FY22 MS Renovation & K-5 Addition	\$ 556,567.11	\$ 1,129,999.88	\$ 1,686,566.99
Baca	WALSH RE-1	Supplemental FY22 PK-12 School Replacement	\$ 14,828,679.20	\$ 838,176.80	\$ 15,666,856.00
Montrose	WEST END RE-2	Supplemental FY22 New PK-12	\$ 7,608,610.56	\$ 749,744.44	\$ 8,358,355.00
Supplemental Grants (6)			\$ 34,253,002.70	\$ 6,135,683.29	\$ 40,388,685.99

\$15,452,217.30 remains for the second round of FY24 Supplemental Grants, related to cost overruns in projects caused by COVID-19 Pandemic-related inflationary pressures and supply chain disruptions. Any remaining funds after this grant round will be applied to projects on the traditional FY24 BEST grants prioritized list.

Individual Grant Application Review:

- 1) When a grant is up for review, the Director will call on the grant applicant to present.

- 2) The Director will introduce the project (applicant name & project title), then ask the presenters to introduce themselves.
 - *Recusals: Please announce your recusal, turn off your mic and camera.
- 3) The presenters will be given a two-minute window to present to the CCAB:
 - The presentation should include any items the applicant wishes to highlight or address pertaining to the proposed project. No visual materials will be allowed for the presentation.
- 4) Following the applicant's presentation, the Board Chair will open the floor to CCAB discussion.
- 5) The CCAB will then vote on moving the project to the recommendation shortlist.
 - *Chair will ask if any opposed. If there are any, a roll call will be held.
- 6) If an application is voted to the shortlist and a waiver is requested as part of the application package, the CCAB will evaluate the waiver, ask any questions, and complete a waiver evaluation sheet.
 - NOTE: Statutory Limit waivers (to prevent exceeding maximum available bonding capacity) are required by statute. There will not be a review or vote.
 - *There will be a roll call vote for all waiver requests.
 - The Board Chair will entertain a motion to approve each waiver.
 - An applicant whose waiver request is denied is still eligible to receive a grant.
- 7) After all questions have been answered, each CCAB member will finalize their Scoring Worksheet.
- 8) This process will be repeated until all applications have been reviewed.
- 9) Upon completion of all application reviews, Division staff will complete the recommended shortlist.

NOTE: Two-minute presentation and having a representative(s) present is optional. The applicant will not be penalized for the absence of either.

Review of Prioritized Grant Applications:

After all reviews are complete, scores and ranks will be compiled by staff to create a prioritized shortlist. The CCAB will review the list separately, make any final remarks, and then make their final motion to approve the list.

- Per to SB23-220, Supplemental Grants do not require further review or approval.

The abovementioned is only intended to be a general outline of the process. The CCAB's recommendations will be made in accordance with applicable statutes and rules.

BEST FY23-24 Supplemental Round 2 List of Applications

Page Number	County	Applicant Name	Project Title	BEST Request Amount	Applicant Contribution	Total Request & Matching Contribution
4	Pueblo	Chavez Huerta K-12 Preparatory Academy	Supplemental FY21 DHP HS Add/ Reno - ECMS Modular Replacement	\$ 5,360,252.16	\$ 223,343.84	\$ 5,583,596.00
19	Pueblo	PUEBLO CITY 60	Supplemental FY21 Sunset ES Replacement (2)	\$ 84,840.00	\$ 16,160.00	\$ 101,000.00
30	Pueblo	PUEBLO CITY 60	Supplemental FY21 Franklin ES Replacement (2)	\$ 83,160.00	\$ 15,840.00	\$ 99,000.00
41	Baca	Vilas RE-5	Supplemental FY22 Vilas System/Safety Upgrades (2)	\$ 845,095.66	\$ 44,478.72	\$ 889,574.38
56	Huerfano	HUERFANO RE-1	Supplemental FY21-22 John Mall High School Replacement	\$ 534,783.00	\$ 207,971.16	\$ 742,754.16
69	Ouray	RIDGWAY R-2	Supplemental FY21-22 Ridgway ES Renovation	\$ 155,197.20	\$ 232,795.80	\$ 387,993.00
80	Las Animas	TRINIDAD 1	Supplemental FY22 Trinidad HS Health, Safety & Ventilation Upgrades (1)	\$ 3,640,175.80	\$ 191,588.20	\$ 3,831,764.00
Totals				\$ 10,703,503.82	\$ 932,177.72	\$ 11,635,681.54



COLORADO
Department of Education

Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: August 8, 2023

SUBJECT: Capital Construction Assistance Board Retreat Items

ITEM TYPE: Discussion

BACKGROUND:

The following items will be discussed at the August retreat. The focus will be to determine whether issues need to be defined so that resolutions can be developed over time:

- BEST and Facility Insight Updates
- Lessons Learned from Past Cycle
- Match Rule Change and Weights Revisions
- Future Meetings; Wrap Up; Next Steps

STAFF RECOMMENDATION:

Be prepared for discussion and brainstorming.

STAFF RECOMMENDED MOTION:

N/A

DOCUMENTATION:

Presentations will be made at the retreat.



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: August 8, 2023

SUBJECT: BEST Grant Match Criteria Rule Change

ITEM TYPE: Action Item

BACKGROUND:

Senate Bills 23-287 and 23-220 require revisions to C.R.S. 22-43.7-109(9) which will in turn require changes to the Capital Construction Assistance Board rules pertaining to the Building Excellent Schools Today Grant Program.

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 08/14/23. Posted by SOS on 8/25/23. Must remain open for at least 20 days.
2. Rule Making Hearing held 9/21/23. 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 11/14/23.

STAFF RECOMMENDATION:

Discuss and approve the rule change.

STAFF RECOMMENDED MOTION:

Per CRS 22-43.7-106, I move to revise Rule 4.1 of the Capital Construction Assistance Board rules pertaining to the Building Excellent Schools Today grant program, per the redline document attached to the July 20, 2023 Agenda Sheet.

DOCUMENTATION:

CCR 303-3 Redline Document

DEPARTMENT OF EDUCATION

Division of Public School Capital Construction Assistance

BUILDING EXCELLENT SCHOOLS TODAY GRANT PROGRAM

1 CCR 303-3

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Authority

§ 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.

Scope and Purpose

This regulation shall govern the Building Excellent Schools Today (BEST) Public School Capital Construction Assistance Program pursuant to the BEST Act.

4. Matching Requirement

- 4.1. Except as provided below in section 4.2, Financial Assistance may be provided only if the Applicant provides Matching Moneys in an amount equal to a percentage of the total cost of the Project determined by the Board after consideration of the Applicant's financial capacity, based on the following factors:
 - 4.1.1. With respect to a School District's Application for Financial Assistance:
 - 4.1.1.1. The School District's assessed value per pupil relative to the state average;
 - 4.1.1.2. The School District's median household income relative to the state average;
 - 4.1.1.3. The ~~School District's bond redemption fund mill levy total dollar amount of all school district mills, per capita,~~ relative to the statewide average;
 - 4.1.1.4. The percentage of pupils enrolled in the School District who are eligible for free or reduced-cost lunch;
 - 4.1.1.5. The school district's current available bond capacity remaining; and
 - ~~4.1.1.6. The school district's unreserved fund balance as a percentage of its annual budget; and~~
 - 4.1.1.~~7~~6. 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 § 22-32-127 C.R.S., 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;

4.1.1.~~87~~. 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 § 22-42-104 C.R.S., and the total amount of outstanding bonded indebtedness already incurred by the School District.

4.1.2. With respect to a Board of Cooperative Education Services' Application for Financial Assistance:

4.1.2.1. The average assessed value per pupil of all members of the Board of Cooperative Education Services participating in the Project relative to the state average;

4.1.2.2. The average median household income of all members of the Board of Cooperative Education Services participating in the Project relative to the state average;

4.1.2.3. The average ~~bond redemption fund mill levy~~ total dollar amount of all school district mills, per capita, of all members of the Board of Cooperative Education Services participating in the Project relative to the statewide average;

4.1.2.4. The percentage of pupils enrolled in the member schools within the Board of Cooperative Education Services that are participating in the Project who are eligible for free or reduced-cost lunch;

4.1.2.5. The average available bond capacity remaining of all members of the board of cooperative services participating in the capital construction project;

~~4.1.2.6. 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~~

4.1.2.~~76~~. The amount of effort put forth by the members of the Board of Cooperative Education 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 § 22-32-127 C.R.S., during the ten years preceding the year in which the Board of Cooperative Education Services submitted the Application, which factor may be used only to reduce the percentage of Matching Moneys required from a Board of Cooperative Education Services whose members, or any of them, have put forth such effort and not to increase the amount of Matching Moneys required from any Board of Cooperative Education Services.

4.1.3. With respect to a Charter School's Application for Financial Assistance:

~~4.1.3.1. The weighted average of the match percentages for the school districts of residence for the students enrolled in a district charter school or fifty percent of the average of the match percentages for all school districts in the state for an institute charter school; For a district charter school that is occupying a district facility and paying only the direct costs of occupancy for its facility pursuant to § 22-30.5-104 (7)(c) C.R.S., the match percentage of the district charter school's authorizing district;~~

~~4.1.3.2. Whether the charter school's authorizer retains no more than ten percent of its capacity to issue bonds; For district charter schools that are not included in subsection 4.1.3.1 of this section, seventy-five percent of the match percentage of the district charter school's authorizing school district; or~~

4.1.3.3 Fifty percent of the average match percentages for all school districts in the state for an institute charter school;

~~4.1.3.34.~~ Whether ~~the charter school is operating in a district-owned facility at the time it submits its application; a district charter school's authorizer retains no more than ten percent of its capacity to issue bonds;~~

~~4.1.3.45.~~ 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 sought or been afforded;~~

~~4.1.3.4.1.—Bond proceeds pursuant to 22-30.5-404 C.R.S through inclusion in a ballot measure submitted by the charter school's authorizer to the registered electors of the school district;~~

~~4.1.3.4.2.—Proceeds from a special mill levy for capital needs pursuant to 22-30.5-405 C.R.S.;~~

~~4.1.3.4.3.5.1.—~~Grant funding for capital needs from a source other than the assistance fund; and

~~4.1.3.4.4.5.2 —~~Funding, including financing for capital construction, other than state aid pursuant to section § 22-54-124 C.R.S. from ~~bonds issued on its behalf by the Colorado Educational and Cultural Facilities authority created and existing pursuant to 23-15-104(1)(a), C.R.S., or from some-any~~ other source; ~~of financing.~~

~~4.1.3.5.6.~~ If the charter school is a district charter school, the student enrollment of the district charter school as a percentage of the student enrollment of the charter school's authorizing school district and:-

~~4.1.3.6.7~~ 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.

~~4.1.3.7. 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.~~

~~4.1.3.8. The charter school's unreserved fund balance as a percentage of its annual budget.~~

~~4.1.3.9.8~~ The match percentage for a charter school calculated based on the above criteria 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.



Public School Capital Construction Assistance Board
Meeting Agenda Sheet

MEETING DATE: August 8, 2023

SUBJECT: Match Factor Update

ITEM TYPE: Discussion Item

BACKGROUND:

A subcommittee consisting of board members and staff met several times in 2021 and 2022 to review match factors for districts and charter schools. As a result of that work, stakeholder engagement and board input, several changes were made to the match factors in statute in 2023. Outlined below is a summary of the revisions to statute for both district/BOCES and charter matches. Full redlines are included in the Rule Change Agenda.

Summary District and BOCES Statute Changes 22-43.7-109 (9)(a) and (b)

- Change Bond Mills to “Total dollar amount of all school district mills, per capita”
- Removed Unreserved Fund Balance factor

Summary of Charter Statute 22-43.7-109 (9)(c)

- Revised starting point to account for three scenarios:
 - **Equal to District Authorizer Match** - District charter school occupying a district facility and paying only direct costs of occupancy
 - **75% of District Authorizer Match** – District charter schools that do not apply to previous designation (example: Charter schools that rent commercial properties or own their facility)
 - **50% of average match of all school district** – CSI authorized schools
- Removed or altered five adjustment factors including district owned facility, combined factors related to access to funds, percentage of PPR spent on non M&O costs, and unreserved fund balance.

NEXT STEPS:

Now that the factor changes are set, the board needs to determine the weight impact of each factor. We began to address the district factor weights at last year’s August retreat, but tabled it until we knew the outcome of statutory changes. Charter weights have yet to be reviewed by the committee, stakeholders or board.

Staff will create a survey poll to send out to both stakeholders and board members prior to our August retreat to gather input. We will plan to discuss the input we receive and work to make a recommendation on final weights at the August retreat.

STAFF RECOMMENDATION:

Review revised statute, discuss next steps and answer questions regarding match weights.

STAFF RECOMMENDED MOTION:

N/A

DOCUMENTATION:

Presentation at Meeting