

**RESOLUTION OF THE COLORADO LEAGUE OF CHARTER SCHOOLS CONCERNING
SCHOOL FINANCE**

This Resolution is executed on the 3rd day of April, 2013 by the Board of Directors of the Colorado League of Charter Schools concerning the proposed rewrite of the school finance act, SB 213.

RECITALS

WHEREAS, the School Finance Partnership has worked since 2011 on rewriting the Colorado School Finance Act without a Charter School Representative on its Steering Committee; and

WHEREAS, the School Finance Partnership led by 16 state wide organizations that excluded a representative from the Colorado League of Charter Schools, recommended a the rewrite of the school finance act for Colorado Districts; and

WHEREAS, the Colorado Finance Partnership proposal was designed to promote both adequacy and equity for all students in Colorado Schools; and

WHEREAS, the Children's Campaign and Senator Michael Johnston conducted meetings throughout Colorado to explain the proposal before introduction of the SB 213; and

WHEREAS, the Colorado League of Charter Schools responded to Senator Johnston about the inequity of the proposed bill with the Charter School Equalization Adjustment to bring Colorado's charter schools closer to equal district funding, and recognize charter schools as an essential thread in the public school fabric, and whereas the formula consisted of four (and one Charter School Institute (CSI) specific) factors: Mill levy equalization, Facilities funding, Special education alignment, At-risk student funding balance and a Charter School Institute school size factor; and

WHEREAS, Senator Johnston responded with several changes that helped bring some equity to the proposal before it was introduced, including mill levy override equalization for institute charter schools, a future mill levy override pro rata sharing expectation for district authorized charter schools with a loss of exclusive chartering authority for districts that fail to do so, and allows charter schools to decide how to operate their special education programs; and

WHEREAS, even with the included provisions, SB 213 as introduced did not honor the Colorado Constitutional provisions of "thorough and uniform" for the 89,914 students who attend 187 charter schools in the state of Colorado; and

WHEREAS, the League Board of Directors voted to remain neutral on the introduced bill with the hope and expectation that the current charter school provisions would remain in the bill and the bill would be expanded to further recognize and reduce charter school financial inequities; and

WHEREAS, SB 213 was amended several times in the Colorado Senate to not improve charter school policies and provide more equity, but rather to retract virtually all charter school policies in exchange for an \$18 million payout; and

WHEREAS, the Reengrossed bill as introduced in the House on April 2 reduces charter school equity from the introduced bill and still does not address several important disparities that impact charter schools, including at-risk student identification and allocations as well as how the current ADM system operates that will hurt growing charter schools; now, therefore,

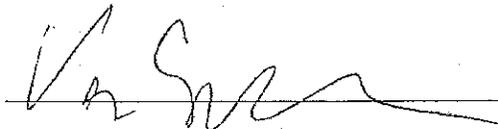
BE IT RESOLVED, in consideration of the Reengrossed SB 213, the Colorado League of Charter Schools Board of Directors voted on April 3, 2013 to oppose the bill unless the following provisions are included in the final version that is sent to the Governor.

- 1.1 A policy that recognizes the deficiencies and inequitable nature of how we fund charter school facilities combined with dedicated facilities funding stream that provides at least a floor of \$400 per pupil for charter schools in their own facilities and \$200 per pupil for charter schools in district facilities that will grow as charter school enrollment grows to maintain at least this floor;
- 1.2 A policy that provides for an expectation that all mill levy overrides are shared equally and appropriately with charter schools;
- 1.3 A policy that allows any charter school that wants to and can run their own special education programs to waive out of their district programs and receive their full share of special education dollars directly to serve their kids;
- 1.4 An at-risk policy that provides for a more robust and accurate proxy to count at-risk kids and either allocates all at-risk dollars to the school where the kids are – whether charter or traditional – or does not unduly punish charter schools for their at-risk counts when a comparable traditional school is not negatively impacted; and
- 1.5 An ADM policy that provides for real-time counts and funding of kids so that charter growth – whether by a grade, class or a few kids – is not negatively impacted in any fashion.

BE IT FURTHER RESOLVED, if these issues are satisfactorily included in the final version of the bill, the Colorado League of Charter Schools will officially support SB 213.

IN WITNESS WHEREOF, the Colorado League of Charter Schools has executed this Resolution as of the date first above written.

Colorado League of Charter Schools

 4/3/13
Date

By: Van Schoales

Title: Colorado League of Charter Schools President

Voices: At a philosophical crossroads

Written by [Nora Flood](#) on Apr 15th, 2013. | Copyright © EdNewsColorado.org

Nora Flood, Senior Vice President of School Services at the Colorado League of Charter Schools, argues that the proposed school finance act should include equitable funding for charter school students.

The Colorado Charter Schools Act passed 20 years ago this spring. Since the first two schools opened in the fall of 1993, the charter school “movement” has burgeoned into a full-fledged “sector” of K-12 public education. There are now, in the 2012-13 school year, nearly 89,000 students attending 187 charter school campuses in Colorado. This represents just shy of 11 percent of the total K-12 public school enrollment in the state. Charter schools continue to provide a platform for innovation and entrepreneurship, and choice for families and students.

Charter schools operate under contracts with their authorizing school districts or with the one statewide authorizer, the Colorado Charter School Institute. They receive per pupil funding for their students, and then pay a percentage (up to 5 percent) back to the authorizer for administrative overhead. Since the vast majority of the state’s charter schools are not in district-owned facilities, they must pay for their lease, mortgage or bond, and all facilities upkeep and maintenance out of their operating budget. They also pay back to the district for special education services and other purchased services, often with no choice in the matter as to which services and at what cost.

Charter schools are held accountable to the same state-mandated academic standards, and charter school students take the same statewide testing as do students in district-run public schools. Because they are governed by independent boards, they are also held accountable to additional standards in financial operations and governance. Charter schools pay mightily for their right to autonomy in exchange for increased accountability, and over the course of twenty years, 29 charter schools have closed.

So, the question becomes, 20 years in, do we, as a state, consider charter school students to be public school students?

There are school districts that authorize charter schools that do indeed consider charter school students to be “our kids, too.” They open up underutilized or vacant district buildings to charter schools, oversee the charter schools in a fair, objective and transparent way, and share dollars from various funding streams equitably. They *want* charter schools to succeed, and more importantly, they *want* charter school students to succeed. They understand the financial challenges charter schools face, and they

negotiate contracts that provide some semblance of equity. This, unfortunately, is not the case with all districts in the state. Too many authorizing districts do not see charter school students as “our kids, too.” Instead, there can be the attitude that, “if it’s not in the law, and it’s not in the contract, we’re not required to do it.”

We are at a philosophical crossroads in Colorado. Do we, as a state and as individuals, consider charter school students to be public school students? Check the box. Yes or no.

Yes? Then how do we ensure equitable funding for the 89,000 students in charter schools?

If your answer is no, then I challenge you to stand before the parents of charter school students and explain why. We need to get politics out of the way and talk about the children. If the last School Finance Act revision was almost 20 years ago, will it be another 20 years, when we have many more students enrolled in charter schools, before we revisit the equity issue? Would the state tolerate this differential treatment for any other group of children under any other scenario? Who will explain to the tax-paying parents of charter students that their children will not benefit from mill levy funding that they pay into?

We are at a philosophical crossroads in Colorado....where do you stand?



About the author

Nora Flood is the Senior Vice President of School Services at the Colorado League of Charter Schools. She works with League staff to continue implementation of the strategic plan regarding school quality and applicable performance standards. She also oversees the League’s school service programs (general member services, business member services, new school support, and research and performance management) to ensure effective and integrated coordination and service delivery. Nora provides direct support and technical assistance to the League’s member schools. She has nearly thirty years experience in education in international, public and private schools. She was the co-founder of The Classical Academy in Minneapolis, served as Head of School of Madison Country Day School and most recently was the Director of Sonoma Charter School in Sonoma, California. She also served in a volunteer capacity as the elected North Coast Regional Member Representative of the California Charter School Association.



CHARTER SCHOOL FACILITIES FINANCING

The current reality is that the facility costs paid by charter schools are different than the facilities costs outlined in the Statewide Financial Assistance Priority Assessment. Unlike their traditional public school counterparts, individual charter schools must pay for not only the maintenance, renovation, upkeep and construction of facilities **but also for occupancy** of their facilities. Districts have a variety of consistent and substantial methods of financing capital construction projects. District methods of financing are foreclosed to the vast majority of charter schools. Further, individual District schools are not subject to high occupancy costs that drain per pupil operating revenue.

The Statewide Financial Assistance Priority Assessment (FY2009-2010) report lists total current (FY2010-2013) and forecast period (FY2014-2018) period Tier 1 needs as \$17,856,056,401. These costs represent condition, suitability and energy audit costs. \$9,352,051,351¹ is listed as deferred (condition) maintenance needs². Should a District choose to address issues outlined in the Assessment, Districts have the option of utilizing local revenue sources. This is evidenced by the fact that in the FY2012-2013 BEST cycle in which 16 districts were awarded lease-purchase grants, 12 districts indicated that the funding source of matching, or local, funds would be a bond election³. In contrast, the two charters, similar to previous years, indicated grants, donations and fundraising would be used. **This disparity is because charter schools do not have equitable or consistent access to local tax revenue at the rate needed to fund a capital construction project.**

In SY 11-12, 155 of 161 charter schools reported eligible capital construction expenses under the capital construction program created pursuant to C.R.S. 22-54-124⁴. Eligible capital construction expenses include construction, demolition, remodeling, financing, purchasing or leasing of land, buildings or facilities. The average charter school reported spending \$606.27 per pupil on eligible expenses, while the state aid provided \$78.98 per pupil⁵. **As a result, the average charter school spent \$527.30 per pupil over the state aid⁶. Over 80% of charter schools do not have the option of putting off facility expenses, because the majority of charter school costs are related to occupancy, and there is no option to defer on those costs.**

There is no weight to the argument that capital construction funding for charter schools shouldn't or couldn't be included in Senate Bill 13-213. The Public School Finance Act of 1994 specifically includes capital construction funding for charter schools (State aid for charter schools-use of state education fund moneys, C.R.S. 22-54-124). Funding pursuant to C.R.S. 22-54-124 does not reflect the true cost of occupancy and capital expenses incurred by charter schools. Fundraising, grants and donations do not provide significant capital funds for the average charter school. **As a result, charter schools, unlike their District counterparts, are forced to use operating funds, funds designed for student instruction, for occupancy and facilities costs that rise above the state per pupil aid.**

¹ It is worth noting that this amount does not reconcile facility needs with district master planning priorities or educational program objectives. Vacant facilities were also included.

² Deferred maintenance is condition work (excluding suitability and energy audit needs) deferred on a planned or unplanned basis to a future budget cycle or postponed until funds are available.

³ The 4 remaining schools listed general or capital fund. Division of Public School Capital Construction Assistance.

⁴ 6 charter schools were not eligible for assistance Division of Public School Capital Construction Assistance.

⁵ Colorado Department of Education (CDE) - Division of Public School Capital Construction Assistance

⁶ Eligible expenses do not include routine maintenance such as custodial work, mowing, tree trimming, cleaning, etc.

Exhibit 1
Charter School Facilities Expenditures and State Capital Construction Assistance
2011-2012 School Year

	[A] Total Facilities Expenditures / Pupil	[B] Capital Construction Assistance / Pupil	[C] = [A] - [B] Difference / Pupil
25 th Percentile	\$78.98	\$78.98	\$0.00
50 th Percentile / Median	\$314.01	\$78.98	\$235.03
75 th Percentile	\$994.37	\$78.98	\$915.39
Average	\$606.27	\$78.98	\$527.30

Source:

Colorado Department of Education (CDE) - Division of Public School Capital Construction Assistance.

Notes:

[A] Colorado charter schools reported on their total facilities expenditures which included six different sub-categories: construction, demolition, remodeling, financing, purchasing, or leasing.

[B] CDE provided Capital Construction Assistance of \$78.98 per pupil to 167 of 173 charter schools. Six charter school were ineligible for Capital Construction Assistance. These six school were not included in this analysis.

Exhibit 2
Supporting Detail to Exhibit 1 – Charter School Facilities Expenditures and State Capital Construction Assistance by School
2011-12 School Year

Charter School Name	Eligible for State Capital Assistance?	State Capital Construction Assistance			Total Facilities Expenditures			Description of Facilities Expenditures
		Capital Construction Assistance / Pupil	Pupils Eligible for Capital Construction Assistance	Total Capital Construction Assistance	Total Facilities Expenditures	Total Facilities Expenditures / Pupil		
COLORADO VIRTUAL ACADEMY (COVA)	No		10.15	\$501.60	\$0.00	\$0.00	\$0.00	
PROVOST ACADEMY COLORADO (ONLINE)	Yes	\$78.98	152.65	\$12,055.58	\$0.00	\$0.00	\$0.00	Remodeling
HOPE ONLINE LEARNING ACADEMY CO-OP	Yes	\$78.98	12.10	\$955.60	\$110.00	\$9.09	\$9.09	Remodeling
GOAL ACADEMY	Yes	\$78.98	167.00	\$13,188.88	\$2,331.65	\$13.96	\$13.96	Remodeling
COLORADO CALVERT ACADEMY STATE CHARTER SCHOOL (ONLINE)	Yes	\$78.98	88.00	\$6,949.83	\$2,904.32	\$33.00	\$33.00	Remodeling
GLADE PARK COMMUNITY SCHOOL	Yes	\$78.98	215.00	\$16,979.70	\$8,402.51	\$39.08	\$39.08	Remodeling
DENVER LANGUAGE SCHOOL	Yes	\$78.98	51.45	\$4,083.28	\$4,003.00	\$77.80	\$77.80	Leasing
GUFFEY CHARTER SCHOOL	Yes	\$78.98	63.60	\$5,014.93	\$5,014.93	\$78.98	\$78.98	Purchasing
SUMMIT MIDDLE CHARTER SCHOOL	Yes	\$78.98	153.50	\$12,280.66	\$12,280.66	\$78.98	\$78.98	Financing, Leasing
GLOBE CHARTER SCHOOL	Yes	\$78.98	64.60	\$5,117.60	\$5,117.60	\$78.98	\$78.98	Financing, Leasing
GLOBE CHARTER SCHOOL	Yes	\$78.98	657.30	\$51,910.48	\$51,910.48	\$78.98	\$78.98	Purchasing
GEORGETOWN COMMUNITY SCHOOL	Yes	\$78.98	284.50	\$23,894.70	\$23,894.70	\$78.98	\$78.98	Leasing
FRONTIER CHARTER ACADEMY	Yes	\$78.98	284.50	\$22,466.48	\$22,466.48	\$78.98	\$78.98	Leasing
VISTA CHARTER SCHOOL	Yes	\$78.98	745.30	\$58,860.31	\$58,860.31	\$78.98	\$78.98	Purchasing
NORTH ROUTT CHARTER SCHOOL	Yes	\$78.98	873.40	\$68,977.05	\$68,977.05	\$78.98	\$78.98	Leasing
LANDMARK CHARTER ACADEMY AT REUNION	Yes	\$78.98	78.60	\$6,049.51	\$6,049.51	\$78.98	\$78.98	Financing
EAGLE COUNTY CHARTER ACADEMY	Yes	\$78.98	359.10	\$28,360.04	\$28,360.04	\$78.98	\$78.98	Financing
NEW AMERICA SCHOOL	Yes	\$78.98	716.50	\$56,111.97	\$56,111.97	\$78.98	\$78.98	Financing
IMAGINE CLASSICAL ACADEMY AT INDIGO RANCH	Yes	\$78.98	373.70	\$29,513.08	\$29,513.08	\$78.98	\$78.98	Financing
CRESTONE CHARTER SCHOOL	Yes	\$78.98	1269.00	\$98,719.16	\$98,719.16	\$78.98	\$78.98	Financing, Purchasing
KNOWLEDGE QUEST ACADEMY	Yes	\$78.98	898.20	\$70,935.64	\$70,935.64	\$78.98	\$78.98	Remodeling, Purchasing
KNOWLEDGE QUEST ACADEMY	Yes	\$78.98	444.90	\$34,026.76	\$34,026.76	\$78.98	\$78.98	Leasing
PIKES PEAK SCHOOL EXPEDITIONARY LEARNING	Yes	\$78.98	617.40	\$48,759.37	\$48,759.37	\$78.98	\$78.98	Financing
UNIVERSITY SCHOOLS	Yes	\$78.98	141.90	\$11,206.60	\$11,206.60	\$78.98	\$78.98	Construction, Remodeling
TWIN PEAKS CHARTER ACADEMY	Yes	\$78.98	418.00	\$33,011.69	\$33,011.69	\$78.98	\$78.98	Leasing
FOUNDATIONS ACADEMY	Yes	\$78.98	275.70	\$21,775.50	\$21,775.50	\$78.98	\$78.98	Leasing
WYATT-EDISON CHARTER ELEMENTARY SCHOOL	Yes	\$78.98	289.10	\$22,831.77	\$22,831.77	\$78.98	\$78.98	Leasing
WESTGATE COMMUNITY SCHOOL	Yes	\$78.98	637.00	\$50,307.29	\$50,307.29	\$78.98	\$78.98	Leasing
UNION COLONY PREPARATORY SCHOOL	Yes	\$78.98	665.80	\$52,581.77	\$52,581.77	\$78.98	\$78.98	Purchasing
PIKES PEAK PREP	Yes	\$78.98	785.20	\$62,011.43	\$62,011.43	\$78.98	\$78.98	Leasing
CARBON VALLEY CHARTER SCHOOL	Yes	\$78.98	588.50	\$46,478.98	\$46,478.98	\$78.98	\$78.98	Leasing
THE ACADEMY AT HIGH POINT	Yes	\$78.98	213.00	\$16,824.75	\$16,824.75	\$78.98	\$78.98	Remodeling, Leasing
BELLE CREEK CHARTER SCHOOL	Yes	\$78.98	127.40	\$10,051.46	\$10,051.46	\$78.98	\$78.98	Leasing
FLAGSTAFF CHARTER SCHOOL	Yes	\$78.98	372.55	\$29,422.26	\$29,422.26	\$78.98	\$78.98	Construction
IMAGINE CHARTER SCHOOL OF FIRESTONE	Yes	\$78.98	485.00	\$38,303.03	\$38,303.03	\$78.98	\$78.98	Leasing
ACE COMMUNITY CHALLENGE CHARTER SCHOOL	Yes	\$78.98	178.20	\$14,073.40	\$14,073.40	\$78.98	\$78.98	Leasing
JAMES MADISON CHARTER ACADEMY SCHOOL	Yes	\$78.98	601.60	\$47,511.56	\$47,511.56	\$78.98	\$78.98	Leasing
OWAR D BLAIR CHARTER SCHOOL	Yes	\$78.98	369.00	\$29,141.90	\$29,141.91	\$78.98	\$78.98	Purchasing
CHALLENGE TO EXCELLENCE CHARTER SCHOOL	Yes	\$78.98	465.00	\$36,723.53	\$36,723.53	\$78.98	\$78.98	Leasing
WEST RIDGE ACADEMY	Yes	\$78.98	477.60	\$37,710.75	\$37,710.75	\$78.98	\$78.98	Leasing
CAPROCK ACADEMY	Yes	\$78.98	31.30	\$2,471.93	\$2,471.93	\$78.98	\$78.98	Construction
DOLORES HUERTA PREPARATORY HIGH SCHOOL	Yes	\$78.98	235.90	\$18,630.26	\$18,630.26	\$78.98	\$78.98	Leasing
COMMUNITY LEADERSHIP ACADEMY	Yes	\$78.98	168.00	\$13,267.98	\$13,267.98	\$78.98	\$78.98	Remodeling, Remodeling
NEW AMERICA SCHOOL	Yes	\$78.98	22.00	\$1,737.46	\$1,737.46	\$78.98	\$78.98	Leasing
MARBLE CHARTER SCHOOL	Yes	\$78.98	403.60	\$31,893.00	\$31,893.00	\$78.98	\$78.98	Leasing
NCAAK ACADEMY OF ARTS AND KNOWLEDGE	Yes	\$78.98	331.90	\$26,211.91	\$26,211.91	\$78.98	\$78.98	Remodeling
MOUNTAIN MIDDLE SCHOOL	Yes	\$78.98	464.50	\$35,684.26	\$35,684.26	\$78.98	\$78.98	Leasing
PASSAGE CHARTER SCHOOL	Yes	\$78.98	92.00	\$7,265.73	\$7,265.73	\$78.98	\$78.98	Financing
SPACE TECHNOLOGY AND ARTS (STAR) ACADEMY	Yes	\$78.98	323.00	\$25,509.03	\$25,509.03	\$78.98	\$78.98	Financing
ROOSEVELT EDISON CHARTER SCHOOL	Yes	\$78.98	480.90	\$37,979.24	\$37,979.24	\$78.98	\$78.98	Financing
STEM MIDDLE AND HIGH SCHOOL	Yes	\$78.98	793.50	\$62,742.85	\$62,742.85	\$78.98	\$78.98	Leasing
JEFFERSON CHARTER ACADEMY JUNIOR HIGH SCHOOL	Yes	\$78.98	112.80	\$8,908.42	\$8,908.42	\$78.98	\$78.98	Construction, Remodeling
JEFFERSON CHARTER ACADEMY SENIOR HIGH SCHOOL	Yes	\$78.98	39.85	\$3,147.17	\$3,147.17	\$78.98	\$78.98	Remodeling
PLATTE RIVER CHARTER ACADEMY	Yes	\$78.98	481.30	\$38,010.93	\$38,010.93	\$78.98	\$78.98	Leasing
MONUMENT CHARTER ACADEMY	Yes	\$78.98	204.70	\$16,166.25	\$16,166.25	\$78.98	\$78.98	Construction
ACADEMY FOR ADVANCED AND CREATIVE LEARNING	Yes	\$78.98	332.00	\$26,219.81	\$26,219.81	\$78.98	\$78.98	Financing
LAKE GEORGE CHARTER SCHOOL	Yes	\$78.98						
VANGUARD CLASSICAL SCHOOL	Yes	\$78.98						
PUEBLO CHARTER SCHOOL FOR THE ARTS & SCIENCES	Yes	\$78.98						
WEST DENVER PREPARATORY CHARTER SCHOOL	Yes	\$78.98						

Exhibit 2
Supporting Detail to Exhibit 1 – Charter School Facilities Expenditures and State Capital Construction Assistance by School
2011-12 School Year

Charter School Name	State Capital Construction Assistance				Total Facilities Expenditures		
	Eligible for State Capital Construction Assistance?	Capital Construction Assistance / Pupil	Pupils Eligible for Capital Construction Assistance	Total Capital Construction Assistance	Total Facilities Expenditures	Total Facilities Expenditures / Pupil	
COLORADO SPRINGS CHARTER ACADEMY	Yes	\$78.98	395.80	\$31,242.64	\$35,658.94	\$90.90	Construction
CARBONDALE COMMUNITY CHARTER SCHOOL	Yes	\$78.98	129.10	\$10,185.72	\$11,815.44	\$91.52	Construction
COMMUNITY PREP CHARTER SCHOOL	Yes	\$78.98	120.80	\$18,189.94	\$18,793.60	\$91.53	Remodeling
ALTA VISTA CHARTER SCHOOL	Yes	\$78.98	205.00	\$9,540.22	\$11,494.60	\$65.16	Construction, Purchasing
BATTLE ROCK CHARTER SCHOOL	Yes	\$78.98	33.70	\$2,981.47	\$3,241.91	\$99.20	Construction, Remodeling
ASPEN COMMUNITY CHARTER SCHOOL	Yes	\$78.98	123.50	\$9,793.45	\$11,991.39	\$97.10	Construction, Remodeling
INDEPENDENCE ACADEMY CHARTER SCHOOL (DEEP RIVER)	Yes	\$78.98	120.75	\$9,536.27	\$12,293.00	\$101.81	Construction
SMALLOWS CHARTER ACADEMY	Yes	\$78.98	254.80	\$20,122.91	\$28,505.20	\$111.19	Remodeling, Leasing
VENTURE PREP	Yes	\$78.98	207.50	\$18,387.38	\$24,688.28	\$118.97	Remodeling
PARADOX VALLEY CHARTER SCHOOL	Yes	\$78.98	22.80	\$1,808.84	\$2,988.61	\$130.51	Remodeling
SOUTHWEST OPEN CHARTER SCHOOL	Yes	\$78.98	170.00	\$13,425.81	\$22,342.42	\$131.43	Construction, Remodeling
PIONEER CHARTER SCHOOL	Yes	\$78.98	177.55	\$14,022.07	\$23,505.90	\$132.39	Construction
CIVA CHARTER SCHOOL	Yes	\$78.98	77.50	\$6,130.69	\$10,412.28	\$134.35	Remodeling
KIPP SUNSHINE PEAK ACADEMY	Yes	\$78.98	372.00	\$29,378.62	\$32,877.25	\$142.14	Purchasing
PRAIRIE CREEK CHARTER SCHOOL	Yes	\$78.98	4.00	\$315.80	\$637.50	\$159.38	Construction
MOUNTAIN PHOENIX COMMUNITY SCHOOL	Yes	\$78.98	287.26	\$22,686.45	\$46,634.60	\$162.34	Leasing
BOULDER PREP CHARTER HIGH SCHOOL	Yes	\$78.98	152.00	\$9,634.99	\$21,634.44	\$177.33	Financing
SOUTHERN COLORADO EARLY COLLEGE	Yes	\$78.98	153.00	\$12,083.23	\$28,305.20	\$185.00	Remodeling, Leasing
NEW VISION CHARTER SCHOOL	Yes	\$78.98	448.20	\$35,386.74	\$85,000.00	\$211.96	Leasing
LIFE SKILLS CENTER OF COLORADO SPRINGS	Yes	\$78.98	261.00	\$20,812.66	\$57,348.00	\$219.72	Leasing
SCHOLARS TO LEADERS ACADEMY	Yes	\$78.98	292.20	\$18,398.07	\$64,376.00	\$294.18	Remodeling, Leasing
INDIAN PEAKS CHARTER SCHOOL	Yes	\$78.98	50.80	\$4,019.84	\$12,227.40	\$240.22	Construction, Financing
CARDINAL COMMUNITY ACADEMY CHARTER SCHOOL	Yes	\$78.98	156.50	\$12,288.56	\$40,333.08	\$258.21	Leasing
ACADEMY OF URBAN LEARNING	Yes	\$78.98	67.00	\$5,281.35	\$18,489.00	\$275.96	Construction
MANNY MARTINEZ MIDDLE SCHOOL	Yes	\$78.98	59.25	\$4,678.29	\$16,358.13	\$276.09	Leasing
DENVER SCHOOL OF SCIENCE AND TECHNOLOGY	Yes	\$78.98	909.00	\$71,788.57	\$283,750.00	\$309.15	Leasing
ACADEMY OF CHARTER SCHOOLS	Yes	\$78.98	169.10	\$13,276.83	\$50,994.00	\$300.45	Leasing
COLORADO SPRINGS EARLY COLLEGES	Yes	\$78.98	569.00	\$44,936.96	\$178,689.50	\$314.01	Construction, Financing, Leasing
ROCKY MOUNTAIN ACADEMY OF EVERGREEN	Yes	\$78.98	360.40	\$27,672.96	\$113,000.00	\$322.49	Leasing
ATLAS PREPARATORY SCHOOL	Yes	\$78.98	350.00	\$27,641.57	\$120,770.00	\$345.06	Leasing
LITTLETON PREP CHARTER SCHOOL	Yes	\$78.98	503.80	\$39,787.77	\$174,619.52	\$346.80	Leasing
SOAR - GVR	Yes	\$78.98	136.20	\$10,756.44	\$48,205.00	\$353.93	Construction
LINCOLN CHARTER ACADEMY	Yes	\$78.98	490.20	\$39,424.48	\$186,265.00	\$373.13	Financing
WEST DENVER PREP, HARVEY PARK	Yes	\$78.98	159.50	\$12,588.57	\$66,150.00	\$414.73	Remodeling
WEST DENVER PREP, NORTHWEST LAKE CAMPUS	Yes	\$78.98	120.00	\$9,477.04	\$49,780.00	\$414.92	Leasing
DENVER JUSTICE HIGH SCHOOL	Yes	\$78.98	106.00	\$8,371.38	\$51,471.00	\$485.58	Leasing
LIBERTY COMMON CHARTER SCHOOL	Yes	\$78.98	886.40	\$70,783.49	\$473,530.00	\$532.26	Leasing
DSST - COLE MIDDLE SCHOOL	Yes	\$78.98	70.00	\$5,528.27	\$37,521.00	\$536.91	Remodeling
STONE CREEK ELEMENTARY	Yes	\$78.98	130.80	\$10,337.67	\$36,500.00	\$576.78	Leasing
CHERRY CREEK CHARTER ACADEMY	Yes	\$78.98	465.20	\$279,424.00	\$279,424.00	\$600.65	Leasing
THE CONNECT CHARTER SCHOOL	Yes	\$78.98	283.00	\$20,770.51	\$159,998.00	\$568.07	Construction, Demolition
CORRIDOR COMMUNITY ACADEMY	Yes	\$78.98	102.50	\$8,094.97	\$82,352.00	\$809.31	Leasing
JEFFERSON ACADEMY CHARTER SCHOOL	Yes	\$78.98	393.80	\$31,100.48	\$240,000.00	\$609.45	Financing
GIRLS ATHLETIC LEADERSHIP SCHOOL OF DENVER	Yes	\$78.98	175.00	\$13,920.88	\$107,000.00	\$611.43	Leasing
SOAR - OAKLAND	Yes	\$78.98	96.75	\$7,788.81	\$91,119.00	\$818.93	Construction
ROCKY MOUNTAIN CLASSICAL ACADEMY	Yes	\$78.98	765.30	\$59,681.66	\$474,240.00	\$627.95	Purchasing
CORE KNOWLEDGE CHARTER SCHOOL	Yes	\$78.98	162.30	\$41,168.84	\$332,644.85	\$638.11	Construction
ST. VRAIN COMMUNITY MONTESSORI	Yes	\$78.98	61.90	\$9,184.83	\$79,139.76	\$680.48	Construction, Leasing
LITTLETON ACADEMY	Yes	\$78.98	443.20	\$35,001.87	\$337,171.00	\$770.76	Financing
WOODROW WILSON CHARTER ACADEMY	Yes	\$78.98	545.50	\$43,085.25	\$420,176.00	\$770.54	Financing
YOUTH & FAMILY ACADEMY CHARTER	Yes	\$78.98	155.00	\$12,241.18	\$120,264.00	\$775.80	Leasing
PINNACLE CHARTER SCHOOL	Yes	\$78.98	988.00	\$77,869.68	\$778,904.33	\$780.13	Financing
MOUNTAIN VIEW CORE KNOWLEDGE CHARTER SCHOOL	Yes	\$78.98	228.70	\$18,001.66	\$179,000.00	\$782.88	Remodeling, Financing
ACADEMY CHARTER SCHOOL	Yes	\$78.98	635.80	\$50,173.03	\$506,094.00	\$798.66	Leasing
RIDGEVIEW CLASSICAL CHARTER SCHOOLS	Yes	\$78.98	763.50	\$60,306.66	\$613,616.35	\$803.56	Remodeling, Leasing
THOMAS MACLAREN	Yes	\$78.98	161.00	\$12,715.03	\$130,000.00	\$807.45	Leasing
ROSS MONTESSORI SCHOOL	Yes	\$78.98	201.00	\$15,874.04	\$162,960.00	\$810.75	Leasing
LOTUS SCHOOL FOR EXCELLENCE	Yes	\$78.98	719.60	\$56,890.65	\$568,219.00	\$831.32	Leasing
COLORADO HIGH SCHOOL	Yes	\$78.98	151.00	\$11,925.27	\$128,400.00	\$837.09	Leasing
JUSTICE HIGH SCHOOL	Yes	\$78.98	95.00	\$7,562.66	\$81,750.00	\$860.53	Leasing
LIFE SKILLS CENTER OF DENVER	Yes	\$78.98	207.50	\$16,387.38	\$181,737.00	\$875.84	Financing, Leasing
NEW AMERICA SCHOOL	Yes	\$78.98	206.00	\$16,268.92	\$182,936.00	\$887.96	Leasing
CESAR CHAVEZ ACADEMY - DENVER	Yes	\$78.98	417.90	\$33,003.79	\$374,480.86	\$896.10	Leasing

Exhibit 2
Supporting Detail to Exhibit 1 -- Charter School Facilities Expenditures and State Capital Construction Assistance by School
2011-12 School Year

Charter School Name	State Capital Construction Assistance			Total Facilities Expenditures		
	Eligible for State Capital Construction Assistance?	Capital Construction Assistance / Pupil	Pupils Eligible for Capital Construction Assistance	Total Facilities Expenditures	Total Facilities Expenditures / Pupil	Description of Facilities Expenditures
STAR GATE CHARTER SCHOOL	Yes	\$78.98	614.00	\$560,162.59	\$944.89	Leasing
CORE KNOWLEDGE PROJECT (FRONTIER ACADEMY)	Yes	\$78.98	1250.30	\$1,189,391.00	\$951.28	Financing
JAMES IRWIN CHARTER ELEMENTARY SCHOOL	Yes	\$78.98	485.20	\$473,016.00	\$965.26	Leasing
CHEYENNE MOUNTAIN CHARTER ACADEMY	Yes	\$78.98	745.00	\$719,639.82	\$965.96	Remodeling, Leasing
AURORA ACADEMY CHARTER SCHOOL	Yes	\$78.98	487.00	\$468,066.71	\$978.00	Leasing
EARLY COLLEGE HIGH SCHOOL AT ARVADA	Yes	\$78.98	231.00	\$228,000.00	\$987.01	Leasing
AXL ACADEMY	Yes	\$78.98	392.10	\$392,774.55	\$1,001.72	Construction, Leasing
HIGHLINE ACADEMY CHARTER SCHOOL	Yes	\$78.98	478.70	\$492,222.17	\$1,028.25	Leasing
BROMLEY EAST CHARTER SCHOOL	Yes	\$78.98	662.80	\$900,088.76	\$1,043.20	Leasing
NORTHEAST ACADEMY CHARTER SCHOOL	Yes	\$78.98	478.50	\$500,100.73	\$1,045.14	Leasing
PROSPECT RIDGE ACADEMY	Yes	\$78.98	364.30	\$386,187.48	\$1,060.08	Purchasing
KIPP - DENVER COLLEGIATE HIGH SCHOOL	Yes	\$78.98	165.00	\$175,741.00	\$1,065.10	Remodeling
EXCEL ACADEMY CHARTER SCHOOL	Yes	\$78.98	492.40	\$529,277.97	\$1,074.89	Leasing
PEAK TO PEAK CHARTER SCHOOL	Yes	\$78.98	1415.80	\$1,538,366.69	\$1,068.56	Leasing
JAMES IRWIN CHARTER MIDDLE SCHOOL	Yes	\$78.98	430.00	\$473,016.00	\$1,100.04	Leasing
JAMES IRWIN CHARTER HIGH SCHOOL	Yes	\$78.98	421.50	\$473,016.00	\$1,122.22	Leasing
LOVELAND CLASSICAL SCHOOLS	Yes	\$78.98	505.30	\$565,659.10	\$1,159.03	Leasing
COLLEGIATE ACADEMY OF COLORADO	Yes	\$78.98	475.20	\$37,529.08	\$1,171.12	Purchasing
WINDSOR CHARTER ACADEMY	Yes	\$78.98	419.10	\$33,066.56	\$1,171.33	Financing
ANIMAS HIGH SCHOOL	Yes	\$78.98	181.00	\$216,789.46	\$1,197.73	Remodeling, Leasing
GLOBAL VILLAGE ACADEMY	Yes	\$78.98	821.20	\$1,008,063.16	\$1,227.55	Leasing
THE CLASSICAL ACADEMY CHARTER	Yes	\$78.98	3203.70	\$3,995,090.30	\$1,245.15	Financing
MONTROSSI PEAKS CHARTER ACADEMY	Yes	\$78.98	405.50	\$524,935.00	\$1,294.54	Purchasing
CROWN POINTE CHARTER ACADEMY	Yes	\$78.98	393.20	\$529,333.76	\$1,346.22	Leasing
HORIZONS K-8 ALTERNATIVE CHARTER SCHOOL	Yes	\$78.98	158.45	\$214,631.00	\$1,354.57	Construction, Remodeling
WEST DENVER PREP - NORTHWEST HIGHLANDS CAMPUS	Yes	\$78.98	110.50	\$151,369.00	\$1,369.86	Construction
COMPASS MONTESSORI - GOLDEN CHARTER SCHOOL	Yes	\$78.98	325.10	\$445,400.00	\$1,370.04	Financing
SKYVIEW ACADEMY	Yes	\$78.98	608.40	\$847,886.00	\$1,393.65	Purchasing
PINNACLE CHARTER MIDDLE SCHOOL	Yes	\$78.98	540.00	\$785,204.33	\$1,424.45	Financing
FREE HORIZON MONTESSORI CHARTER SCHOOL	Yes	\$78.98	338.30	\$785,839.50	\$1,430.21	Financing
KIPP MONTEBELLO COLLEGE PREP	Yes	\$78.98	49.50	\$71,014.50	\$1,434.84	Remodeling
BEN FRANKLIN ACADEMY	Yes	\$78.98	588.80	\$46,500.67	\$1,459.59	Leasing
SOUTHWEST EARLY COLLEGE CHARTER SCHOOL	Yes	\$78.98	290.50	\$22,942.33	\$1,503.46	Purchasing
VANGUARD SCHOOL, THE	Yes	\$78.98	424.00	\$436,756.26	\$1,604.01	Remodeling, Leasing
NORTH STAR ACADEMY	Yes	\$78.98	562.80	\$914,333.32	\$1,625.19	Purchasing
COMPASS MONTESSORI - WHEAT RIDGE CHARTER SCHOOL	Yes	\$78.98	166.70	\$173,579.00	\$1,626.79	Construction, Financing
GLOBAL VILLAGE ACADEMY-NORTHGLENN	Yes	\$78.98	273.40	\$451,473.86	\$1,651.33	Leasing
AMERICAN ACADEMY AT CASTLE PINES	Yes	\$78.98	843.70	\$1,439,792.97	\$1,706.52	Leasing
PINNACLE CHARTER HIGH SCHOOL	Yes	\$78.98	448.00	\$785,204.33	\$1,716.97	Financing
ASPEN RIDGE PREPARATORY SCHOOL	Yes	\$78.98	154.90	\$283,333.40	\$1,823.14	Leasing
DCS MONTESSORI CHARTER SCHOOL	Yes	\$78.98	354.40	\$655,736.43	\$1,850.27	Leasing
ODYSSEY CHARTER ELEMENTARY SCHOOL	Yes	\$78.98	107.25	\$208,159.73	\$1,940.88	Remodeling
TWO ROADS HIGH SCHOOL	Yes	\$78.98	389.00	\$776,729.00	\$1,951.70	Leasing
EAGLE RIDGE ACADEMY	Yes	\$78.98	301.00	\$653,355.72	\$2,170.55	Leasing
LEGACY ACADEMY	Yes	\$78.98	410.10	\$995,487.36	\$2,434.74	Purchasing, Leasing
RICARDO FLORES MAGON ACADEMY	Yes	\$78.98	277.10	\$685,863.49	\$2,475.15	Leasing
UNIVERSITY PREPARATORY ACADEMY	Yes	\$78.98	44.10	\$3,482.81	\$3,709.45	Remodeling
ROCKY MOUNTAIN DEAF SCHOOL	Yes	\$78.98	48.30	\$169,000.00	\$3,478.26	Leasing

Source: Colorado Department of Education (CDE) - Division of Public School Capital Construction Assistance.

Exhibit 1
Unfunded Charter School Mill Levy Allocations

	<u>Unfunded Charter Mill Levy Allocation / Pupil</u>	<u>Unfunded Charter Mill Levy Allocation / School</u>
25 th Percentile	\$243	\$95,320
50 th Percentile / Median	\$654	\$188,495
75 th Percentile	\$766	\$331,303
Average	\$542	\$239,285
Total		\$19,142,766

Notes:

This analysis is based on 80 Colorado charter schools that were surveyed across 35 school districts.

FY2013-2014 CHARTER SCHOOL CAPITAL CONSTRUCTION FUNDING ELIGIBILITY QUESTIONNAIRE

School Information

Charter School: _____
 County: _____
 District / Institute Charter: _____
 School Code: _____

Contact Information

Name: _____
 School Address: _____
 Phone Number: _____
 Fax Number: _____
 Email Address: _____

IMPORTANT: The email address provided will be used to contact the school for the verification of the pupil count and funding amounts. You will not receive funding until we receive email verification back from you acknowledging the October 1 pupil count and FY2013-2014 payment amount. Please ensure this is a working, monitored email address.

SECTION I: Certification of Charter Schools Eligible for Capital Construction Funding FY2013-2014

- | | | | | |
|---|--------------------------|-----|--------------------------|----|
| 1. Is your charter school located in a district owned facility? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 2. Is your charter school located in a facility that is listed on the state inventory of real property and improvements and other asset maintained by the department of personnel pursuant to section 24-30-1303.5, C.R.S.? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 2.a. If you answered yes to question 2, are you making lease payments? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 3. In order to qualify for funding, you must have capital construction needs in FY2013-2014. Do you have capital construction needs in FY2013-2014? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |

SECTION II – Projection of Pupils in Eligible Charter Schools for FY2014-2015

- | | |
|---|--------------------------|
| 1. What is your projected pupil count (FTE) for all pupils NOT in on-line programs for FY2014-2015? | Pupil Count _____ |
| 2. What is your projected online pupil count (FTE) for FY2014-2015? | Online Pupil Count _____ |

SECTION III: FY2014-2015 New Charter Schools

- | | | | | |
|--|--------------------------|-----|--------------------------|----|
| 1. Do you expect to start a new charter school in FY2014-2015? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 2. Will the new charter school be in a district owned facility? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 3. Will the charter school that will operate in FY2014-2015 be located in a facility that is listed on the state inventory of real property and improvements and other asset maintained by the department of personnel pursuant to section 24-30-1303.5, C.R.S.? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |

SECTION IV – Signatures

District or Charter Institute Representative – Printed Name	District or Charter Institute Representative Title
Signature of District or Charter Institute Representative	Date
Charter School Representative – Printed Name	Charter School Representative Title
Signature of Charter School Representative	Date

DUE DATE: December 6, 2013

RETURN TO: Colorado Department of Education, Division of Capital Construction Assistance
 1580 Logan Street, Suite 310, Denver, CO 80203
 Attn: Scott Newell

For questions or concerns, please contact Scott Newell
 Direct: 303-866-6717 Fax: 303-866-6186 Email: newell_s@cde.state.co.us





USE OF FY 2012-2013 CHARTER SCHOOL CAPITAL CONSTRUCTION FUNDS
LIST OF EXPENDITURES & PROJECT DESCRIPTION

Date Due: July 31, 2013

District and Charter School Information

Charter School Name:	
District Name:	County:
Charter School Address:	
City:	Zip:
Person Preparing Report for Charter School:	Title:
Charter School Contact Email Address:	
Charter School Phone Number:	Fax Number:

Project Description of Capital Construction Expenditures

Report of Capital Construction Expenditures as of June 30, 2013.
ACCEPTABLE USES: C.R.S. 22-54-124 (1)(a) "Capital Construction" means construction, demolition, remodeling, financing, purchasing, or leasing of land, buildings, or facilities used to educate pupils enrolled in or to be enrolled in a charter school.

NOT ACCEPTABLE USES: Routine maintenance or operations such as custodial work, mowing, tree trimming, cleaning, equipment repairs, etc. are not allowable expenses. Additionally, the purchase of furnishings or equipment is not allowed, unless the items are FF&E for new space funded with the capital construction funds.

If more space is required, provide description on separate sheet.

1 Construction Description:	AMOUNT EXPENDED: \$ _____
2 Demolition Description:	AMOUNT EXPENDED: \$ _____
3 Remodeling Description:	AMOUNT EXPENDED: \$ _____
4 Financing Description:	AMOUNT EXPENDED: \$ _____
5 Purchasing of Land, Buildings, or Facilities Description:	AMOUNT EXPENDED: \$ _____
6 Leasing of Land, Buildings, or Facilities Description:	AMOUNT EXPENDED: \$ _____

Note: If your charter school is located in a district owned facility your capital construction grant allocation must be expended in another category pursuant to 22-30.5-104(7)(c)

TOTAL DOLLAR AMOUNT EXPENDED: \$ 0.00

If the charter school funds have not been spent in full, the school district (or Charter School Institute) and charter school must indicate why on an attachment to this form. The attachment must explain in detail:

- what the funds are being spent on
- when the project started and when it will be completed
- and why the funds were not spent in the fiscal year for which they were allocated.

If the explanation is not approved by CDE, the unspent funds must be returned immediately.

Signature of Authorized Representative Certifying Accuracy of This Information:

Printed Name of Charter School Representative: _____	Title: _____
Signature of Charter School Representative: _____	Date: _____
Printed Name of District or Charter Institute Representative: _____	Title: _____
Signature of District or Charter Institute Representative: _____	Date: _____

Please Return to: Scott Newell; Colorado Department of Education; 1580 Logan Street, Suite 310, Denver, CO 80203
 newell_s@cde.state.co.us Phone (303) 866-6717 / Fax (303) 866-6186





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STATE CHARTER SCHOOL FACILITIES INCENTIVE GRANTS

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Purpose

CFDA Number: 84.282D
Program Type: Discretionary/Competitive Grants
Also Known As: Per-Pupil Facilities Aid Program

ED PROGRAMS

Search or print all Department programs.

PROGRAM DESCRIPTION

This program provides competitive grants to help states establish and enhance or administer "per-pupil facilities aid" for charter schools. The federal funds are used to match programs funded with nonfederal dollars that make payments, on a per-pupil basis, to provide charter schools with facilities financing. The program is intended to encourage states to share in the costs associated with charter schools facilities funding, and as a result states pay an increasing share of the cost of the program. Under this grant, the maximum federal share of facilities funds decreases each year (from 90 percent in the first year to 20 percent in year five) and phases out entirely after five years.

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Last Modified: 02/11/2013

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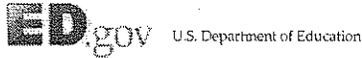
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Funding Status

2012
 Appropriation: \$12,000,000
 Number of New Awards Anticipated: 0
 Number of Continuation Awards: 2
 Average Continuation Award: \$6,000,000
 Range of Continuation Awards: \$2,000,000-\$10,000,000

2011
 Appropriation: \$13,000,000
 Number of New Awards Anticipated: 0
 Number of Continuation Awards: 2
 Average Continuation Award: \$6,500,000
 Range of Continuation Awards: \$3,000,000-\$10,000,000

2010
 Appropriation: \$14,782,000
 Number of New Awards Anticipated: 0
 Number of Continuation Awards: 2
 Average Continuation Award: \$7,000,000
 Range of Continuation Awards: \$4,000,000-\$10,000,000

Note: This program is funded under the appropriation for the Charter Schools Program, # 84.282, also under topical heading "School Improvement."

2009
 Appropriation: \$14,782,000
 Number of New Awards Anticipated: 4
 Number of Continuation Awards: 0
 Average Continuation Award: \$3,695,500
 Range of New Awards: \$2,000,000-\$10,000,000

2008
 Appropriation: \$12,731,000
 Number of New Awards Anticipated: 0
 Number of Continuation Awards: 4
 Average Continuation Award: \$3,182,750
 Range of Continuation Awards: \$300,000-\$10,000,000

Note: This program is funded under the appropriation for the Charter Schools Program, # 84.282, also under topical heading "School Improvement."

2007
 Appropriation: \$14,782,480
 Number of New Awards Anticipated: 0
 Number of Continuation Awards: 4
 Average Continuation Award: \$4,238,000
 Range of Continuation Awards: \$300,000-\$10,000,000

2006
 Appropriation: \$14,782,480
 Number of New Awards Anticipated: 0
 Number of Continuation Awards: 4
 Average Continuation Award: \$4,238,000
 Range of Continuation Awards: \$300,000-\$10,000,000

2005
 Appropriation: \$16,952,384

2004
 Appropriation: \$18,702,000
 Note: This program is funded when the appropriation for the Charter Schools Program exceeds \$200 million. See Charter Schools Program (# 84.282), also under topical heading "School Improvement."
 Note: The Department is not bound by any estimates in this notice.

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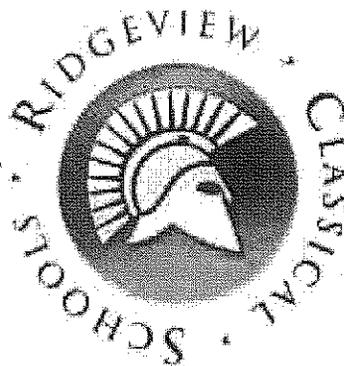
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Kim Miller, Founder / Business Manager
Ridgeview Classical Schools
970.214.9340 cell
kmiller@ridgeviewclassical.com



A CLASSICAL
EDUCATION FOR
MODERN TIMES

RE: Education Finance Act SB 13-213

Date: April 15, 2013

Dear Distinguished House Education Committee Members:

I sincerely apologize for not attending today in person as I had planned, however the weathermen were actually correct regarding the forecast in northern Colorado. PSD just called a snow day.

In the early 90's my children's educational needs were not being met by the local, neighborhood schools they were to attend in Loveland. However, I learned about a new charter school in Fort Collins, which they transferred to. This school ended at 9th grade; my oldest went on to the IB curriculum offered in a traditional Fort Collins High School that she was allowed to attend. I am so grateful to the school choice laws in Colorado.

As I did more investigation etc. into education and charter schools I founded Ridgeview Classical Schools, a K-12 public charter school in Fort Collins now in its 12 year, the HS has been nationally ranked as a top performer. Although my children have now all graduated from Colorado public schools (traditional and charter) I continue working at Ridgeview as the business manager and throughout Colorado as a proponent of school choice.

That being said, I applaud Senator Johnston for tackling school finance after almost 20 years. The targets of Adequacy and Equity for All Colorado Public Schools Students is the perfect goal! 11% of Colorado Public School Students are in Charter Schools, with 40,000 on waiting lists. If there were enough space in charters that would be closer to 18% of all Colorado Public School Students. Facilities must be addressed, charter schools have to use their operational budgets to obtain a space to house a school.

Ridgeview receives 98% of the PPR of the Poudre School District or \$6,007.86, \$747 or 12% of our budget goes to paying for the facility. Many charter schools pay 20% of the operating budget, as we did in the early years when we had less than half as many students (current FTE is 731). The result is a less than adequate facility, low teacher pay (one of our teachers that has been here all 12 years makes just over \$50k, and our starting salary is \$30k), no transportation, no lunch program, no CHAASA program, teachers have to fund raise in order to purchase music for the band, orchestra, and choir programs, as well as scripts for drama and the musical production.

I fully support the Colorado League of Charter Schools' current position regarding Opposition to the Bill in its current form. I also fully support the fixes proposed. These would truly address the adequacy and equity issues for charter school students as well as All Colorado public school students. As Charter Schools we want no more, we want the Adequacy and Equity all Colorado Public School Students deserve.

In closing, this bill, even if passed cannot be funded without a favorable vote of the people in November, I urge you all to remember what happened when the limited fix (capital construction revenue decrease) was threatened. The parents, grandparents, of current students as well as those trying to enter charter schools will not support a tax increase that simply throws a small bone, we are paying the taxes that fund public schools, yet charter schools' students are not being treated equally. The mill dollars should come from the local district on a prorata basis for all dollars allocated to date and in the future. Charter schools should be able to control the choice regarding the purchase of SPED services. Ridgeview is allowed by its contract to provide its SPED services, but this comes at a significant price, I will not expound upon that here, however if you would like to see the details I can provide them.

I hope this has not been too long so that you had the time to read and understand my concerns and position.

Sincerely,

Kim Miller
Founder / Business Manager



COLORADO LEAGUE of
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LEGISLATORS' TOOLKIT

Charter School Basics
FAQs about Colorado Charter Schools



What is a charter school?

Charter schools are tuition-free public schools of choice that operate under a performance contract with an authorizing entity, such as a school district or the Colorado Charter School Institute. Like all public schools, charter schools have no admission criteria. In exchange for freedom in self-governance and educational and curriculum design, charter schools are held accountable for student achievement. By providing additional educational choices to parents, charter schools promote a sense of community, family involvement, teacher commitment, and student achievement.

Where do charter schools operate in Colorado?

Colorado charter schools operate in over 45 school districts across the state, from Durango, to Keenesburg, to Denver. One of the true strengths of Colorado's charter sector is the broad range of student populations being served in rural, suburban, and urban areas.

How do charter schools enroll students?

Per state law, charter school enrollment is open to all students regardless of race, gender, income, academic ability, special needs, etc. See C.R.S. § 22-30.5-104(3). Some charter schools give enrollment preference to children that live in the school district where the charter school resides. When enrollment demand exceeds space available, charter schools use a standard lottery system as required by most federal and state funding programs.

Do charter schools serve at-risk, minority, and special needs populations?

Yes. Charter schools are subject to federal and state laws regarding non-discrimination, both in student admission and staff hiring. See C.R.S. §§ 24-34-402, 22-30.5-104. Some Colorado charter schools operate in high-minority, urban neighborhoods in order to fill the demand for quality public education in those areas. These types of charter schools tend to mirror the demographics of the surrounding neighborhood

How they are the Same	How they are Different
<ul style="list-style-type: none"> ▶ Public ▶ Tuition-Free ▶ Non-discriminatory admission and hiring practices ▶ No test-in requirements ▶ Students participate in statewide testing programs ▶ Non-religious ▶ Students must submit to Adequate Yearly Progress reviews under the No Child Left Behind Act of 2001 ▶ Publicly funded ▶ Comparable demographic composition 	<ul style="list-style-type: none"> ▶ Operates under a 'charter' contract granted by an authorizing entity (school district or Colorado Charter School Institute) ▶ More flexibility in hiring teaching professionals ▶ Regulatory exemption in some budget management decisions and curriculum choices ▶ Typically have higher degrees of parental involvement, smaller total enrollment, and smaller class sizes

in which they reside, and often attract a more diverse staff as a result. Other Colorado charters host specialized programs to serve students with specific needs such as pregnant or nursing teens, students with developmental disabilities, and English as a Second Language (ESL) students.

How long have charter schools been around?

The first charter school law passed in Minnesota in 1991; just one year later, the first U.S. charter school opened in St. Paul. Charter schools were born from the demand of parents who wanted more high-quality public school options for their children. Today, there are just under 5,300 charter schools across the country, educating nearly two million children. Colorado was the third state in the nation to pass a charter school law. The Colorado Charter Schools Act became law on June 3, 1993, and a few months later the state's first two charter schools opened their doors. As of the 2012-13 school year, there were 187 charter school campuses in Colorado, serving nearly 89,000 students. This equals just under 11% of Colorado's total K-12 public school enrollment.

Who oversees charter school operations?

Charter schools are not run by the local school board, but instead by an independent governing board, usually made up of a combination of educators, parents, and community leaders. This autonomous collection of decision makers is the key to a charter school's entrepreneurial and innovative capacity. Despite this independence, Colorado charter schools are still held to strict fiscal, operational, and academic accountability standards as specified in their charter contract or else face consequences including school closure.

To whom are charter schools accountable?

Charter schools are accountable to families, state and federal legislation, and their authorizer. In Colorado, either the board of a local school district or the Colorado Charter School Institute can authorize a charter. Charter schools operate under a contract with the authorizer which outlines the school's curriculum plan, management structure, how the school will measure performance, and other elements as provided by statute (see C.R.S. § 22-30.5-106). Authorizers are responsible for conducting annual reviews to ensure that the charter contract is being upheld and that fiduciary and academic responsibilities are sustained by the charter school.

Who is allowed to teach at a Colorado charter school?

Charter schools are granted certain regulatory exemptions with regard to hiring practices. No Child Left Behind (NCLB) does not require that a charter school teacher hold a teaching license, but does require charter schools to comply with NCLB's requirements regarding "Highly Qualified Teachers." This provides charter schools the freedom to hire the most qualified and committed teachers from diverse professional backgrounds.

What effect do charter schools have on their surrounding communities and other district schools?

One of the primary goals of charter schools is to effect change in surrounding schools and districts. Because charter schools generally have more flexibility in choice of curriculum, business structure, school culture, length and schedule of school days, teacher hiring and retention, etc., charter schools can be more innovative than traditional public schools. This innovation can inspire alternative traditional school models that are actually feasible under current budget circumstances given that charter schools in Colorado generally receive the same or less per-pupil revenue as traditional public schools.

The Critical Role of Charter Schools in Colorado

Children have different ways of learning, and public charter schools simply offer families a wider variety of options to serve such differences. Additionally, autonomous and innovative charter schools possess great potential to contribute to public education development. By providing an opportunity for someone other than the local school district board to create and run a public school, innovative ideas from a variety of stakeholders are able to reinvigorate the public education system. Since charter schools are public schools open to all students, the positive change occurring within their walls becomes more impressive and more effectual. Charter schools essentially take the same ingredients (Colorado's children) and follow a different recipe (through flexibility in curriculum, hiring, and budgetary decisions). They allow founders and teachers to tap into their entrepreneurial side and set out to fix challenges they see within the American education system.

Examples of some of the more popular curriculum models used by charter schools:

Core Knowledge	STEM Education	Montessori	Expeditionary Learning
<p>The idea behind the Core Knowledge Sequence is simple and powerful: knowledge builds on knowledge. For the sake of academic excellence, greater fairness, and higher literacy, Core Knowledge provides a core curriculum that is coherent, cumulative, and content-specific in order to help children establish strong foundations of knowledge, grade by grade.</p>	<p>STEM (Science, Technology, Engineering, and Mathematics) Education provides a venue for the transformation of teaching and learning by integrating content and the skills of science, technology, engineering and mathematics. Engaging students in 21st century practices through inquiry, critical thinking and reasoning through STEM education directly impacts their ability to succeed by mastering and transferring concepts within STEM disciplines and across all content areas.</p>	<p>The Montessori Method of education, developed by Dr. Maria Montessori, is a child-centered educational approach based on scientific observations of children from birth to adulthood. It is a view of the child as one who is naturally eager for knowledge and capable of initiating learning in a supportive, thoughtfully prepared learning environment. It is an approach that values the human spirit and the development of the whole child—physical, social, emotional, cognitive.</p>	<p>Expeditionary Learning schools inspire the motivation to learn, engage teachers, and students in new levels of focus and effort, and transform schools into places where students and adults become leaders of their own learning. This model challenges students – even those starting with low skill levels – with high-level tasks and active roles in the classroom. This model succeeds in urban, rural, and suburban schools and at all grade levels.</p>

¹ This list of curriculum models is not exhaustive. Some charter schools develop their own curriculum model or use a mix of curriculums to meet the needs of their student body. of Colorado's charter schools also tailor their curriculums to fulfill a general "College Preparedness" mission.



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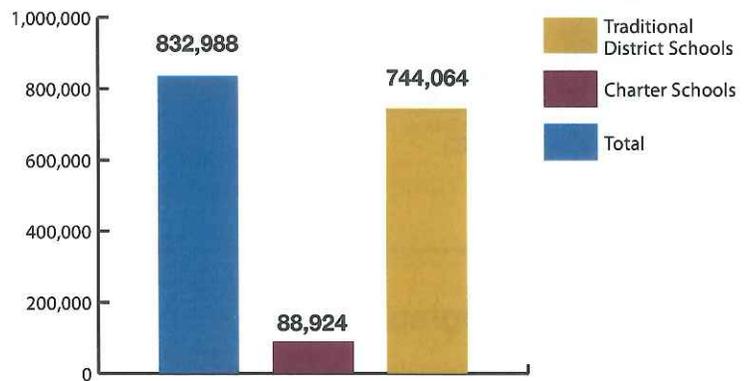
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LEGISLATORS' TOOLKIT
Colorado Charter School
Demographics at a Glance

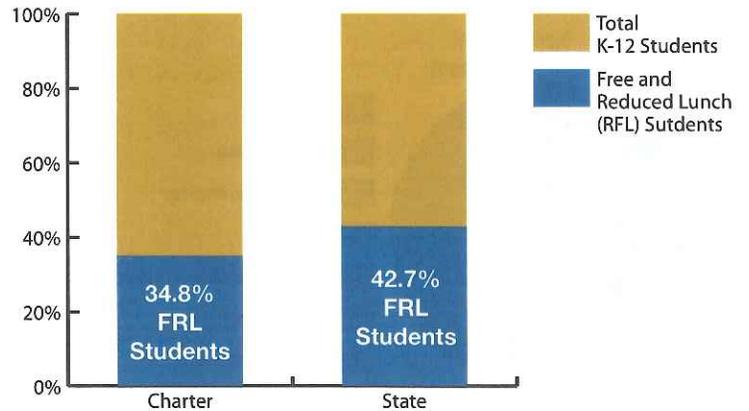
Enrollment (2012-13)

- There are currently 187 charter school campuses in Colorado
 - It is estimated that 16-20 new charter schools will open in Colorado in fall 2013.
- Nearly 89,000 students are enrolled in charter schools in Colorado
- Charter school enrollment represents just below 11% of the entire K-12 public school student population in Colorado



Socio-Economic and At-Risk Factors

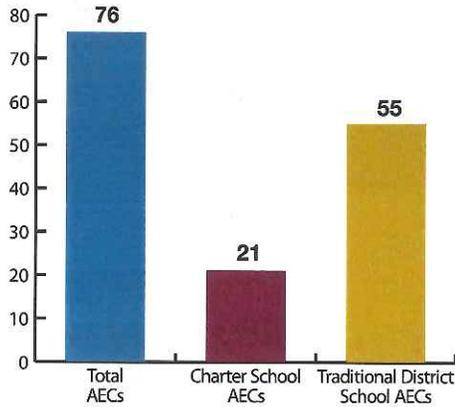
- Charter schools have a socio-economic makeup comparable to traditional schools.
 - In Denver, the percentage of charter school students receiving Free and Reduced Lunch (FRL) mirrors that of the Denver Public School District as a whole (both at 72% FRL).
- The percentage of statewide charter school students receiving Free and Reduced Lunch rates is similar to the state average. However, it is more difficult for charter schools to record accurate at-risk numbers due to the fact that many charter schools do not have kitchen facilities that qualify for Free and Reduced Lunch under the National School Lunch Program guidelines. If a charter school is not offering its families hot lunches that qualify for FRL rates, then often those families will not see the need to complete an FRL form that would potentially identify their child as At-Risk.



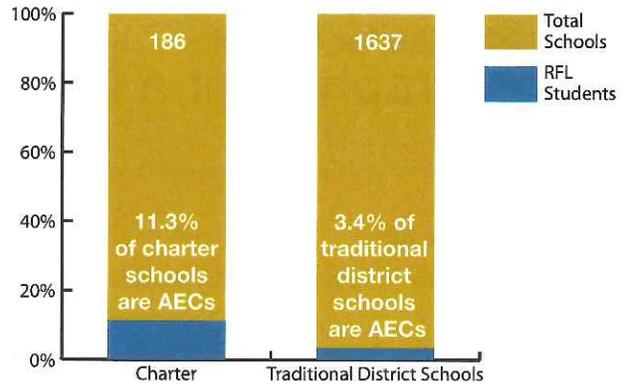
Alternative Education Campuses

Alternative Education Campuses (AECs) make up a higher portion of charter schools than traditional public schools statewide. AECs are determined, among other factors, as having at least 95% of their student body classified as special needs or at-risk. See C.R.S. § 22-7-604.5.

AEC Campuses



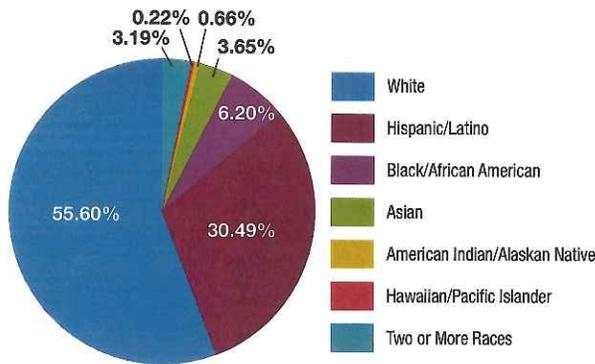
Distribution of AECs



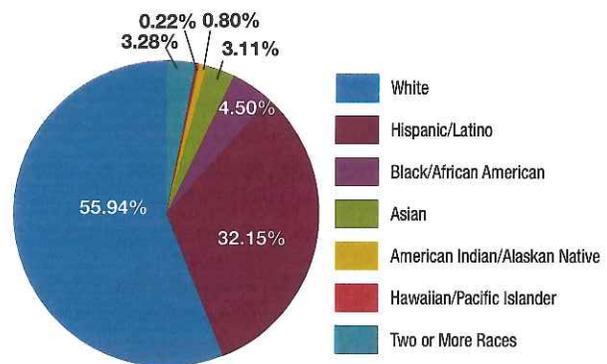
Diversity Demographics

Statewide data demonstrates demographic diversity comparable to traditional public schools:

Charter School K-12 Racial Demographics, 2012



Statewide K-12 Racial Demographics, 2012





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LEGISLATORS' TOOLKIT Charter School Authorizing in Colorado

Charter school authorizers are responsible for approving new charter schools and monitoring the performance of existing charter schools. See Parts 1 and 5 of C.R.S. § 22-30.5.

Authorizers are essential to ensuring that only high-quality public charter schools operate in Colorado. It is the authorizer (being either the school district or the Colorado Charter School Institute) who initially decides whether to grant or deny a charter application; it is also the responsibility of the authorizer to monitor the progress of its approved charter schools and remedy any underperforming charter schools.

A quality authorizer engages in responsible oversight of charter schools by ensuring that schools have both the autonomy to which they are entitled and the public accountability for which they are responsible.

- National Association for
Public Charter School
Authorizers (NACSA)

TYPES OF AUTHORIZERS

In Colorado, charter schools apply to either a local school district or the Colorado Charter School Institute (CSI) for authorization to operate under that entity. See Parts 1 and 5 of C.R.S. § 22-30.5. The state can also authorize a charter school but only when necessary for purposes of converting a failing school. See C.R.S. § 22-30.5-303.

SCHOOL DISTRICT

Any Colorado school district can authorize a charter school so long as a majority of the charter applicant's pupils will reside in the district. See C.R.S. § 22-30.5-104(2)(a). The charter schools authorized by a school district are known as "district charter schools."

Funding

Authorizing districts pass along 100% of per-pupil revenues to its charter schools in accordance with each charter school's enrollment count. As part of the charter contract, the district can negotiate to retain up to 5% of administrative overhead costs provided to a charter school. See C.R.S. § 22-30.5-112(2)(a)(III). (See Legislators' Toolkit Sheet entitled "Colorado Charter School Funding & Finance," for more detailed information.)

Application process

In 2012, the passage of Senate Bill 12-061 made the application process for district charter schools more rigorous by increasing the content requirements for a charter school application. C.R.S. § 22-30.5-106 sets forth the minimum elements a charter school application must contain, which includes everything from a description of the educational programs, student performance standards and curriculum, to a demonstration of sound

employment policies, the proposed budget and auditing methods, and plan for serving special needs students. Senate Bill 12-061 also altered the procedures for a charter school application review. Now, within 15 days of receiving a charter application, the district must determine whether the application is statutorily sufficient. If insufficient, the district must provide the applicant with a list of the missing elements and give the applicant 15 days to respond with the required information or else be denied. See C.R.S. § 22-30.5-107. Once an application is rendered statutorily sufficient, a district accountability committee, consisting of at least one person with a demonstrated knowledge of charter schools and one parent or legal guardian of a child enrolled in a charter school, reviews the application and the district gives public notice of a community meeting to assist in the decision to approve or deny the charter application. The district board then must rule by resolution on the application at a public hearing within 90 days after receiving the application.

Performance Review and Renewal

Renewal of charter contracts is not automatic, rather it must be earned through strong academic results and operational effectiveness. When a district approves a new charter school, the charter is authorized for a period of at least four years. See C.R.S. § 22-30.5-110. During the term of a charter, the district annually reviews the charter school's performance to confirm progress in meeting the objectives set forth in the school's application and contract. A charter can be revoked or not renewed if the charter school violates its contract with the district, fails to meet or make adequate progress toward its performance indicators, is failing financially, or otherwise violates a law; but generally, before resorting to revocation or non-renewal, the authorizing district will require a failing charter school to implement a turnaround plan.

COLORADO CHARTER SCHOOL INSTITUTE (CSI)

In 2004, the Colorado Charter School Institute (CSI) was established by House Bill 04-1362 as an independent agency within the Colorado Department of Education. See Part 5 of C.R.S. § 22-30.5. The CSI is the only independent statewide chartering authority; it can authorize "institute charter schools" in any location so long as the district in which the institute charter is ultimately located does not have exclusive chartering authority (see page 4 for more information on exclusive chartering authority).

The intent behind the creation of a state chartering authority was to establish a model authorizer that could function like a school district and establish best practices for school district authorizing. A critical component in the success of the CSI as a model authorizer is its governing board. By statute, the CSI board must consist of nine members that reflect the geographic diversity of the state, no more than five of whom are from the same political party. Seven of these members are appointed by the Governor, with the consent of the senate. The other two members are appointed by the Commissioner of Education. In making these appointments, the Governor and Commissioner must select at least one parent of a student who is, or who has been, enrolled in an institute charter school. All other members must have experience in at least one of the following areas: (I) Experience as a charter school board member or founder of a charter school; (II) Experience as a public school administrator with experience working with charter schools; (III) Financial management expertise; (IV) Detailed knowledge of charter school law; (V) Other board or public service experience; (VI) Experience as a public school teacher; (VII) On-line education and on-line curriculum development expertise; (VIII) School

district special education expertise; and (IX) Curriculum and assessment expertise. Members serve three year terms of up to six consecutive years. See C.R.S. § 22-30.5-505.

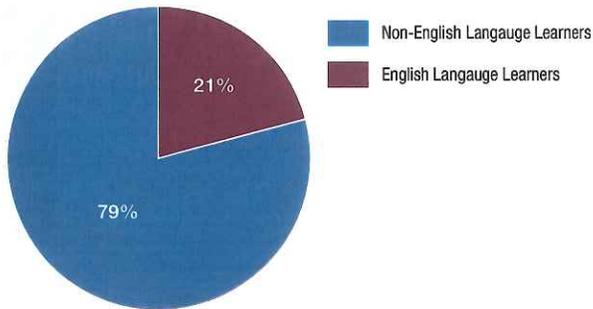
The application process for institute charter schools is nearly identical to that of district charter schools. The application for an institute charter school must contain the same contents as that of a district charter school and the same process applies once an application is received (CSI has 15 days to determine completeness of application; the applicant has 15 days to remedy an incomplete application). See C.R.S. §§ 22-30.5-509, 510. The CSI must also hold a public meeting in the school district in which the institute charter school would be located and take public testimony regarding whether to approve or deny the application. See C.R.S. § 22-30.5-510(2) (a). The renewal process and grounds for non-renewal are also the same for institute charter schools as set forth for district charter schools. See C.R.S. § 22-30.5-511.

Where the CSI is different from a district is that its staff is dedicated entirely to the role of the authorizer and the success of its charter schools. This can be a strong incentive for a potential school operator to apply to be a CSI charter school when conditions allow. The drawbacks of CSI authorization, however, include a lack of access to district bond and mill levy elections and other district services such as transportation, building maintenance, and health and wellness services. This results in a wide disparity of funding between a CSI charter school and a comparable district school, often causing CSI schools to be more greatly impacted by funding fluctuations.

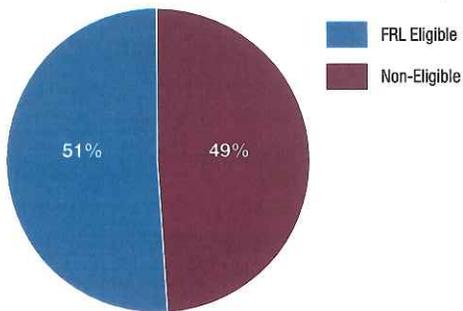
CSI Portfolio 2012-13

The CSI serves as authorizing entity to more than 23 charter schools, and over 11,600 students.

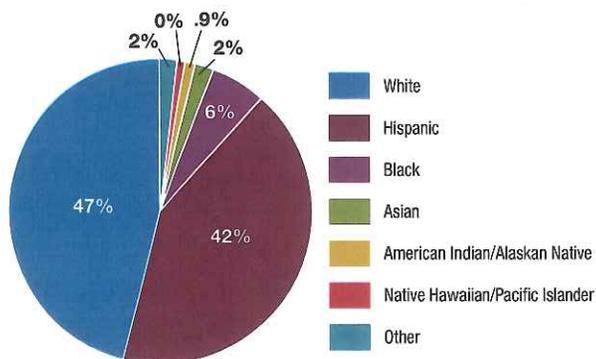
CSI Schools' Student Composition - English Language Learners



CSI Schools' Student Composition - At Risk



Student Composition - Demographics



Boulder Valley Sch. Dist. RE-2 v. Colorado State Bd. of Educ.

217 P.3d 918 (Colo. Ct. App. 2009)

Background: Boulder Valley School District challenged the creation of the Charter School Institute, alleging the State Board of Education violated Sections 1, 2, and 15 of Article IX and Section 35 of Article V in creating the CSI.

Holdings:

- ▶ Const. Art. IX, § 1: No violation of constitutional provision limiting state board of education's power over public schools to general supervisory powers; statute addressed perceived defect of school districts as a whole in failing to provide adequate number of charter schools, but was not directed at any particular school district, and state-run charter schools were open to anyone in the state, ensuring that comparable opportunities for creating charter schools existed statewide.
- ▶ Const. Art. IX, § 2: No violation of constitutional provision requiring that legislature provide for establishment and maintenance of a thorough and uniform system of free public schools throughout the state, despite school district's contention that such provision prohibited legislature from establishing a "second and different system" governed by persons outside local community; state could provide additional educational opportunities through state-run charter schools, provided that such opportunities were available statewide.
- ▶ Const. Art. IX, § 15: No violation of constitutional provision giving local school districts control of instruction in public schools within their district, even though school districts did not control curriculum or policies of state-run charter schools within their district; statute gave local boards opportunity to take back exclusive authority to establish charter schools in their districts, and instruction of state-run charter schools would not be at local district's expense, as such schools were funded exclusively from state-controlled funds.
- ▶ Const. Art. V, § 35: No violation of constitutional provision protecting right to local self-government; decision to operate public school was not a non-delegable "municipal function," as establishment and financial maintenance of public schools was a state purpose and oversight of public schools affected entire state, and state board and its agency that established state-run charter schools performed benefit for entire state and were accountable on statewide basis through electoral process.

EXCLUSIVE CHARTERING AUTHORITY

What is “Exclusive Chartering Authority”?

Exclusive Chartering Authority (ECA) gives a local board of education the right to serve as the sole authorizer within the geographic bounds of their district. In a district with ECA, the CSI cannot authorize institute charter schools within that district without the permission of the local board of education. In districts without ECA, the CSI does not need to seek approval to grant an institute charter school within the district. See C.R.S. § 22-30.5-504(5).

When is ECA Granted?

ECA is a privilege granted only to those districts who demonstrate a commitment to its charter schools and fair treatment thereof. As such, the Colorado State Board of Education will only grant ECA to districts that demonstrate:



1. Full compliance with the Colorado Charter Schools Act; and
2. A combination of any of the following:
 - a. The distribution to charter schools authorized by the local board of a pro-rata share of mill levy overrides;
 - b. The provision of assistance to charter schools to meet their facilities needs;
 - c. The distribution to charter schools authorized by the local board of a pro-rata share of federal and state grants received by the school district;
 - d. The provision of adequate staff and other resources to serve charter schools authorized by the local board;
 - e. The lack of a policy or practice of imposing individual charter school enrollment limits, except as otherwise provided by law; or
 - f. The provision of an adequate number of educational choice programs to serve students exercising their rights to transfer pursuant to the “No Child Left Behind Act of 2001”, Public Law 107-110, and a history of charter school approval that encourages programs that serve at-risk student populations.
3. ECA may also be granted to districts with an enrollment count of less than 3,000 pupils.

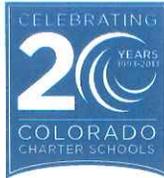
Why is ECA Important?

ECA gives a school district exclusive authority to authorize and oversee charter schools within its boundaries. It is essentially a stamp of approval from the Colorado State Board of Education, confirming that the district has historically implemented best practices for charter authorizing, rendering institute charter schools unnecessary.



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Colorado Charter School Performance



Charter School Evaluation

Colorado law holds charter schools accountable to the same state and federal standards of academic performance as all other public schools in Colorado. In addition to state and federal accountability requirements, charter schools are also held accountable at the local level by their authorizer on their progress toward meeting the pupil performance standards laid out in their charter contracts.

- Charter schools are subject to provisions under the federal No Child Left Behind Act.
- Charter school students must take the Colorado Assessment Program Test (i.e. TCAP) and all required state assessments.
- Authorizers must annually submit public school performance reporting data to the Colorado Department of Education (CDE) for each charter they oversee. See C.R.S. § 22-30.5-113.
- Every three years, the CDE must compile authorizer evaluations and prepare a report for the House and Senate Education Committees and for the Governor discussing the success or failure of charter schools, their relationship to other school reform efforts, and suggested changes in state law necessary to strengthen or change the charter school program. See C.R.S. § 22-30.5-113.

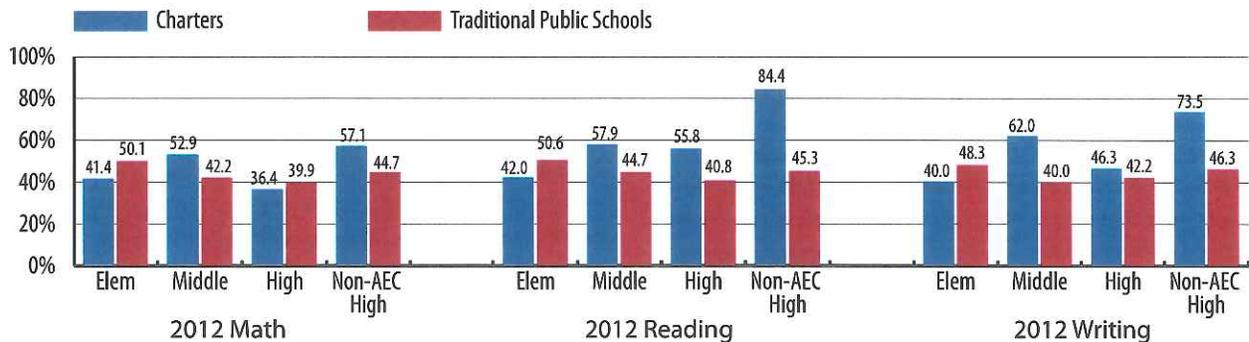
2012 Colorado Growth Model

The state median growth for Colorado public schools in 2012 was the 50th percentile.

More Colorado charter middle schools achieved median growth percentiles (MGP) at or above the state median for growth in math (52.1%), reading (58.6%) and writing (61.3%), when compared to Colorado's traditional public schools.

Likewise, when looking at the performance of Colorado's non-alternative education campus (non-AEC) charter high schools, a higher percentage met or exceeded the state median for growth in all three subject areas (57.9%, 83.8%, 71.7%, respectively), when compared to Colorado's traditional public schools. More traditional public elementary schools are achieving median growth percentiles at or above the state median for growth when compared to Colorado charter elementary schools in every subject area.

Percent of Schools to Meet or Exceed the 2012 State Median Growth Percentile



2012 Adequate Yearly Growth

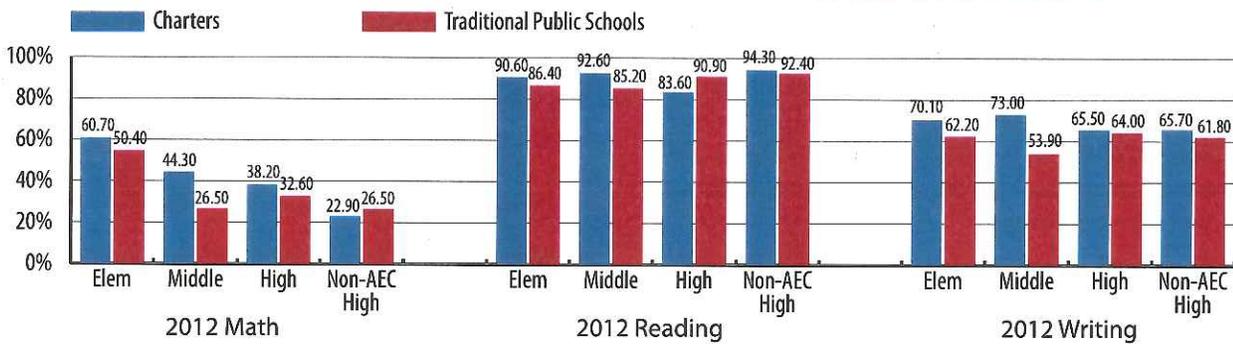
In 2010, Colorado introduced a new measure to rate schools on their effectiveness at reaching all students—the median adequate growth percentile. The median adequate growth percentile for a school represents the growth that is needed by the “typical” student in the school to reach proficiency within three years or by tenth grade, whichever comes first.

For this analysis, the Colorado League of Charter Schools compared the actual median growth percentile achieved by all schools in the state to the median adequate growth percentile needed to bring students to proficiency. The figure below illustrates the percentage traditional public schools and charters whose actual median growth percentiles were equal to or greater than their median adequate growth percentiles.

The percentage of schools, traditional public schools and charters, to meet or exceed adequate median growth in reading was quite impressive for the second year in a row. In all grade levels, at least 82 percent (up from 70 percent in 2010) of schools met the adequate growth percentile for reading, with charter high schools achieving this over 90 percent of the time.

The state as a whole appears to have struggled more to meet adequate growth percentiles in math. In both math and writing, however, a higher percentage of charter schools met their adequate growth percentiles when compared to traditional public schools—with the exception of non-AEC charter high school math and high school writing in which there is minimal variation from the performance of traditional public schools.

Percent of Schools to Meet or Exceed Their 2012 Median Adequate Growth Percentile

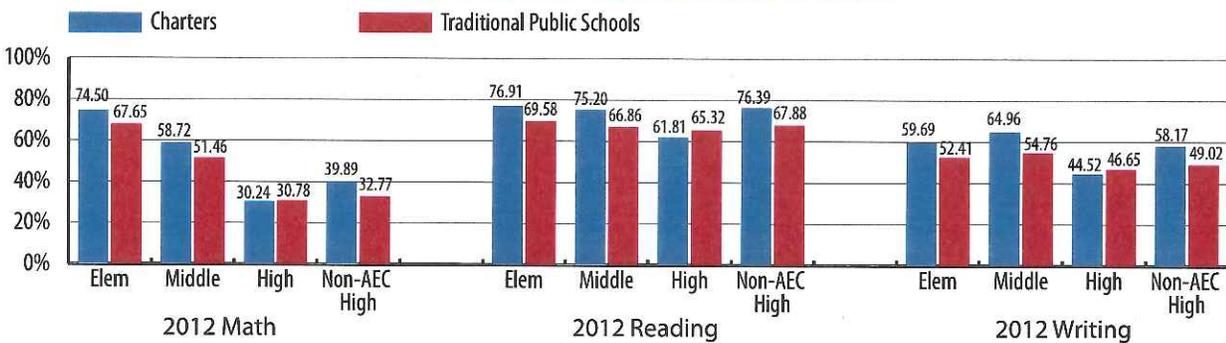


Transitional Colorado Assessment Program (TCAP)

While growth percentiles better indicate school effectiveness, the percent of students in a school to score proficient or better on the TCAP is also an important tool for measuring school

performance. In 2012, charter schools outperformed traditional public schools in percent of students to reach proficient or better. This is especially true when Alternative Education Campus high schools are removed from the analysis.

Percent of Schools Proficient or Advanced 2012



Charter School Popularity

On a national scale, demand for public charter schools is at an all-time high. Of the 42 states and the District of Columbia with a charter school law, an estimated 2.3 million students attend charter schools in the United States. This represents roughly five percent of total K-12 public school enrollment in these 43

territories¹. Colorado’s charter school popularity is a promising indicator of their success. In 2008, Colorado charter schools enrolled just under 58,000 students. Today, charter school enrollment doubles that of the national average with nearly 89,000 K-12 students enrolled in Colorado charter schools, representing just under 11% of this state’s public school enrollment.

1 Back to School Tallies: Estimated Number of Public Charter Schools & Students, Nat'l. Alliance for Public Charter Schools (Jan. 2013) http://www.publiccharters.org/data/files/Publication_docs/NAPCS%202012-13%20New%20and%20Closed%20Charter%20Schools_20130114T161322.pdf



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LEGISLATORS' TOOLKIT

Colorado Charter School Funding & Finance



Per-Pupil Revenue

Colorado charter schools receive 100% of the Per-Pupil Revenues (PPR) designated each year by the State Legislature for public school financing.

While PPR is allocated in full proportion to each student attending a public charter school, a portion of this money may be held back for:

- **Administrative Overhead Costs:** Up to five percent of PPR may be retained by the chartering school district for administrative costs (or by the Colorado Charter School Institute in the case of institute schools), however, in school districts enrolling fewer than 500 students, this can climb to 15 percent. See C.R.S. § 22-30.5-112(2)(a.3).
- **District Services:** Specified in the charter contract, charter schools can negotiate to use district services such as food services, custodial, maintenance, curriculum, media, and library services. See C.R.S. § 22-30.5-112(2)(b). Charter schools electing to use district services generally pay for them proportionately based on enrollment.
- **Direct Payments of Principal and Interest Due on Bonds:** PPR is reduced by the amount of any direct payments of principal and interest due on bonds issued on behalf of a charter school by a governmental entity for the purpose of financing charter school capital construction that were made by the state treasurer or the chartering school district on behalf of the charter school. See C.R.S. § 22-30.5-112(2)(a.9).
- **Federally Required Education Services:** Payments for federally required educational services will either be retained from PPR by an automatic calculation of the charter school's pro-rata share, or else negotiated within the charter contract. See C.R.S. § 22-30.5-112(2)(a.8).

Alternatively, charter schools are awarded a proportional share of federal aid program funding, and if a student with a disability attends a district or institute charter school, the school district of residence is responsible for paying any tuition charge for the excess costs incurred in educating the child. See C.R.S. §§ 22-30.5-112(3), 22-20-109(5)(a).

Charter schools must complete and submit an annual financial audit, and comply with federal reporting requirements with respect to any additional aid received. See C.R.S. § 22-30.5-112(7). Correspondingly, charter school authorizers must submit to the charter school an itemized accounting of all actual costs incurred on behalf of the charter. See C.R.S. § 22-30.5-112(9). If a charter school believes funds have been wrongly distributed or withheld, it may seek a determination from the state board.



At-Risk Supplemental Aid

At-risk funding for charter schools depends upon when a charter school was originally authorized (either before or after July 1, 2004). This has led to complications and controversies around this funding. To help alleviate some of these issues, the General Assembly created an At-Risk Supplemental Aid policy during the 2012 Legislative Session.

Each district charter school in a “qualifying school district” (i.e., districts with exclusive chartering authority and over 40% at-risk pupils) receives the full allocation of state per-pupil at-risk supplemental aid if the charter school’s percentage of at-risk pupils exceeds that of the district and the district charter school was initially authorized prior to July 1, 2004. If the percentage of at-risk pupils in a charter school does not exceed that of the district, the district receives the at-risk supplemental aid. See C.R.S. § 22-30.5-112.2.

In a non-qualifying school district, district charter schools whose percentage of at-risk pupils exceeds that of the district receive the full allocation of state per-pupil at-risk supplemental aid, regardless of whether the school was authorized prior to July 1, 2004. See C.R.S. § 22-30.5-112.2.

At-risk allocations do not include online pupils or pupils enrolled in the ASCENT (“accelerating students through concurrent enrollment”) program. See C.R.S. § 22-30.5-112.2.

Charter Contract

The charter contract between a charter school and its authorizer must address financial information, and specify the funding agreement between the two parties. It also identifies any services the school wishes to purchase from their district of residence at cost. See C.R.S. § 22-30.5-112(2)(a). Additionally, the contract details the deadline for the annual governmental audit and the circumstances under which the chartering school district may withhold a portion of the charter school’s monthly payment for failure to comply with financial reporting. C.R.S. §§ 22-30.5-105(2)(c) 22-30.5-112(8).

State Capital Construction Aid

Per statute, authorizing districts are required to provide its charter schools any available district facilities. See C.R.S. § 22-30.5-104(7)(c). However, districts are generally limited in their own use of facilities, making it impossible to provide space to new charter schools. As such, many charter schools struggle to find suitable school facilities and turn to financing of building costs. This requires many charter schools to dip into per-pupil funds to pay for capital needs.

To remedy this funding disparity, in 2001 the General Assembly created a Charter School Capital Construction Fund to provide per-pupil funding for capital construction (aka facilities costs) to certain “qualified” charter schools. Originally, the amount that each charter school received was calculated at 130% of the minimum per-pupil capital reserve amount that each district is required to budget; for FY 2001-2002, qualified charter schools received \$322 per pupil. As such, the amount of funding was originally required to increase each year based on the number of qualified charter schools, the number of pupils attending such schools, and inflationary increases in the minimum per-pupil capital reserve amount.

State Funding for Charter School Capital Construction Costs

Fiscal Year	Total Appropriation	Funding Per Pupil for Schools Eligible for Funding (A)
2004-05	\$5,000,000	\$171.06
2005-06	\$5,000,000	\$145.09
2006-07	\$7,800,000	\$201.17
2007-08	\$5,000,000	\$115.77
2008-09 (B)	\$5,135,000	\$107.47
2009-10	\$5,000,000	\$97.64
2010-11	\$5,000,000	\$90.06
2011-12	\$5,000,000	\$78.98
2012-13	\$6,000,000	\$88.43

Subsequently, the General Assembly modified this program to specify, in statute, the amount appropriated for the program. See C.R.S. § 22-54-124(3)(a)(III)(A). The General Assembly also specified that any charter school with capital construction costs not operating within a state facility is eligible to receive funding. See C.R.S. § 22-54-124(1)(f.6). Moneys appropriated each year from this fund are allocated among charter schools on a per-pupil basis, except that any charter school operating in a school district facility without ongoing financial obligations to repay outstanding costs of new construction undertaken for the charter school’s benefit receives one-half the amount per pupil that other charter schools receive. As of 2012-13, the amount appropriated for charter school capital construction is set at \$6 million, equating to about \$88.43 per student for capital needs; meaning, charter schools receive only half the per-pupil capital construction funding than originally received through the \$5 million Capital Construction Fund set in 2003 (\$171.06 per pupil), and \$233.57 less per pupil than the original funding plan incorporated in 2001 (\$322 per pupil).

Financial Obstacles

Inadequate funding is the largest challenge facing Colorado charter schools, which significantly impacts services provided to students, as well the continued operation/survival of charter schools. A 2010 study conducted by Ball State University revealed that Colorado charter schools received an average 14.9% less than Colorado's traditional public schools¹. Charter schools averaged \$8,306 in revenue per pupil compared to \$9,763 per pupil for traditional district schools — a difference of \$1,457 per student.

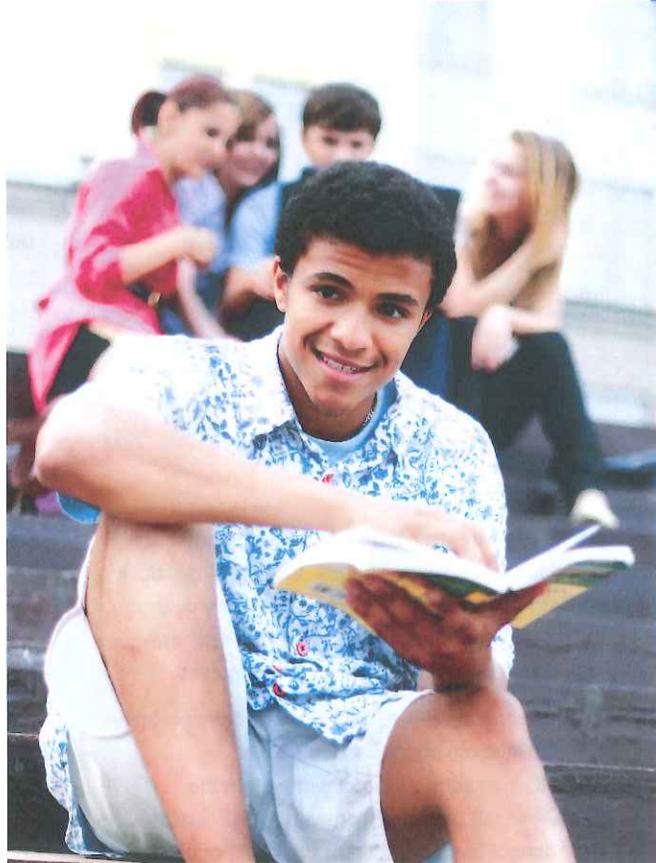
Local Funding Sources

Bond Elections: C.R.S. § 22-30.5-404

- Each school district considering submitting a bond question is required to invite each of their charter schools to participate in the discussions no later than June 1st of that election year.
- Each district is encouraged to voluntarily include funding for the capital construction needs of charter schools in the district's bond discussions, but is not required to do so.
- Charter schools with capital construction needs can request inclusion in the ballot question, or request that the district pursue a special mill levy. Should the charter school request either option, the charter school must provide the school district with a capital construction plan pursuant to C.R.S. § 22-30.5-404(3).
- The school district must review the capital construction plan submitted by each charter school and determine the priority of the charter school's needs in relation to the needs of other schools in the district, but is only required to include the charter school if it receives a higher priority assessment than the other schools in the district.

Mill Levy Election: C.R.S. § 22-30.5-405

- School districts are not required to include charter schools in mill levy elections. A charter school or a group of charter schools can, however, request a separate mill levy question. The costs of the election are borne to each charter school that is to receive revenues generated by the mill levy in proportion to the amount of revenues it is to receive unless some other cost-sharing agreement is arranged.



Other Considerations

As charter schools are generally smaller start-up organizations, they face challenges similar to those faced by other small businesses. For example, charter operators may struggle with:

- limited human, financial, and capital resources
- political opposition and legislative challenges
- myths and misinformation

1 Batdorff, Maloney & May, Charter School Funding: Inequality Persists, Ball State Univ. (May 2010).

Simultaneously, charter schools are responsible for producing impressive academic results. The academic success achieved by charter schools is especially impressive in light of the financial burdens they face:

- On average, charter schools in Colorado are forced to spend \$606 per student from designated per-pupil operating revenue on facilities costs².



- School districts finance their facilities using property tax, mill levies and taxpayer-backed bonds. Colorado Law does not require districts to share locally raised mill levy override funds with charter schools, thus charter schools generally do not receive a proportionate share of these monies.
- Many charter schools cannot afford to pay for transportation for students. While some charter schools do have agreements with their school district written into the charter contract which provides them with a bus service, many charter school families organize car pools or public transportation.

Nonprofit Status

Pursuant to Senate Bill 12-067, beginning July 1, 2013, all charter schools are required to incorporate as nonprofit entities. This does not affect a charter school's authority to contract with a for-profit education management provider so long as the charter school maintains an independent governing board. As such, local boards and the Colorado Charter School Institute are not to approve any charter application submitted by a for-profit identity or that identifies a for-profit entity as one of its applicants.

Although less than 8% of Colorado charter schools choose to partner with for-profit education management providers, the contracting with such organizations is akin to traditional public schools contracting for professional development with a for-profit organization (i.e., the contracting with a for-profit education management provider does not constitute privatizing public education).

² Source: Colorado Department of Education (CDE) Division of Public School Capital Construction Assistance.



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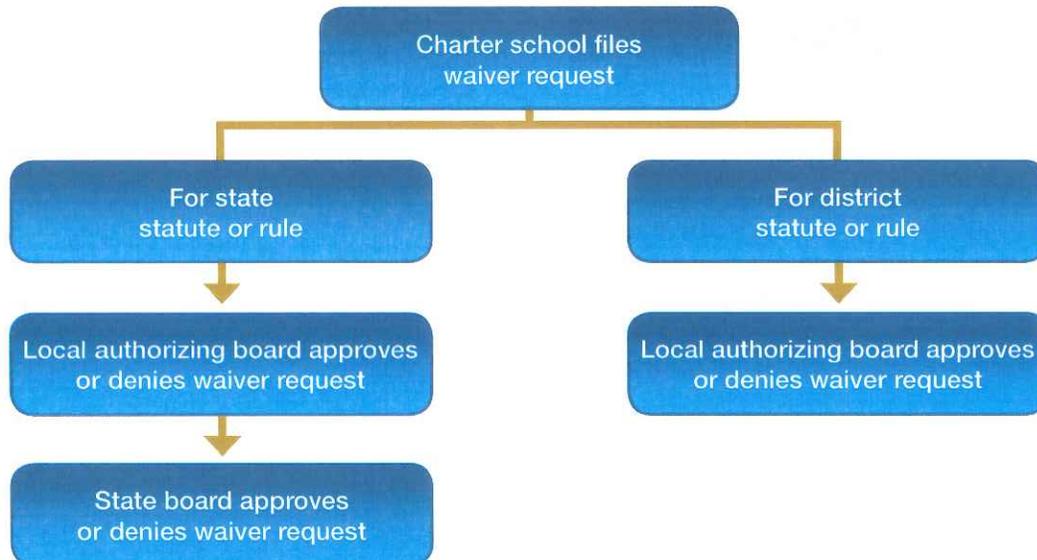
Colorado Charter School Waivers

COLORADO CHARTER SCHOOL WAIVERS

Charter schools were founded on the premise of providing greater regulatory flexibility in order to give charter school leaders the space they need to implement innovative approaches to achieving academic excellence. By passing the Colorado Charter Schools Act in 1993, the General Assembly: “Created an avenue for parents, teachers, and community members to take responsible risks and create new, innovative, more flexible ways of educating all children within the public school system.”¹

This regulatory flexibility is attained through waivers from certain provisions of district and state laws, rules, regulations, policies, or procedures.² Certain state statutes are automatically waived for all charters, but the attainment of additional waivers is a more detailed process. A charter school must submit waiver requests to its chartering authority – either the local school district’s governing board or the Colorado Charter School Institute (CSI) – to be approved in conjunction with its charter contract.³ Within 10 days of authorizer approval, the authorizing entity must submit the charter contract, with any additional waiver requests, to the State Board of Education (SBE).⁴ The SBE will rule on the charter school’s waiver requests within an additional 45 days.⁵

Waiver requests exclusively in regard to district policies and requirements may be approved by the local board of education, without seeking approval of the SBE.⁶



1 The Colorado Charter Schools Act notes that “different pupils learn differently,” and recognizes charter schools as an avenue for the creation of schools with “high, rigorous standards for pupil performance,” with special emphasis on expanded opportunities for low-achieving students.
 2 <http://www.cde.state.co.us/cdechart/faq.asp>
 3 § 22-30.5-104(6)(b).
 4 <http://www.cde.state.co.us/cdechart/faq.asp>
 5 § 22-30.5-105(3)
 6 § 22-30.5-104(6)(a).

Automatic Waivers

The SBE determines which state statutes are automatically waived for charter schools.⁷ These provisions are essential for ensuring the school-level flexibility that is needed to develop and implement unique and inventive programs.⁸ The National Alliance for Public Charter Schools awarded Colorado a score of 9 out of 12 in the area of “Automatic Exemptions for Many State and District Laws and Regulations,” on its 2013 Model Law rankings database. In August of 2011, the HB10-1412 Advisory Committee, tasked by the General Assembly to review current Colorado standards for charter schools and charter school authorizer practices, recommended in their final report: “The current list of waivers automatically granted to charter schools...should be expanded in State Board rule.”⁹ The SBE acted on this recommendation and approved additional automatic waivers for charter schools in the fall of 2012.¹⁰



Accountability to Waived Provisions

While charter schools are given flexibility through waivers, they are still bound by contract to performance-based objectives. Colorado Law additionally specifies that “each charter school’s contract shall include a statement specifying the manner in which the charter school shall comply with the intent of the state statutes, state board rules, and district rules that are waived for

the charter school either automatically or by application.”¹¹ A charter school must supply a replacement policy as part of their application and is reflected in contract for any waived statute, whether granted automatically or through request.

Non-Waiver Clauses

When non-waiver clauses are written into legislation, it can potentially undermine the regulatory flexibility that is fundamental to charter school operations and autonomy. The exclusion of a non-waiver clause does not mean that all charter schools will automatically seek exemption from said statute, nor that request for exemption will be granted by an authorizer or the SBE. The exclusion of non-waiver clauses simply supports the idea that regulatory flexibility, in return for greater academic accountability, is essential in building charter school excellence in Colorado. All public schools must be accountable to public education goals, but charter schools must be allowed to decide how they attain these goals. The only components of state law that are, and should be, non-waivable are parts of the law that are essential to define “a thorough and uniform system of free public schools throughout the state” as defined by Art. IX, Sec. 2 of the Colorado Constitution.

Components of Colorado Education Code are non-waivable:¹²

- School accountability committees (CO Education Code article 11)¹³
- Standardized assessments (CO Education Code article 7)¹⁴
- School performance reports (CO Education Code article 11)¹⁵
- Certain requirements of the “Public School Finance Act of 1994,” (CO Education Code article 54 & part 4 of article 11)
- Certain requirements of the “Children’s Internet Protection Act” (CO Education Code article 87)

7 § 22-30.5-104(6)(b).

8 Building Charter School Quality in Colorado, January 2011, page 11.

9 P.8 HB10-1412 Advisory Committee Report • August 1-2011

10 Please view 1 CCR 301-35 for a list of the current automatic waivers.

11 § 22-30.5-105(2)(a)

12 § 22-30.5-104(6)(b)

13 §22-11-401

14 pursuant to §22-7-409

15 pursuant to §22-11-504



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Colorado Charter School Appeals Process

The appeals process is one of the most important aspects of Colorado's Charter Schools Act, and has been a major contributing factor to the growth and success of the state's charter school sector. A charter school founding group or board of directors is granted the explicit right to appeal to the Colorado State Board of Education (SBE) a charter school application denial, non-renewal or revocation of a charter contract or a unilateral imposition of a charter contract provision. See CRS 22-30.5-108.

Initially created at the conception of the Colorado Charter Schools Act in 1993, as a check on hostile authorizers preventing meritorious schools from opening their doors, the appeals process has evolved into a strong balance of quality charter school development and continuation. It has both allowed for a number of successful schools to open or flourish, as well as affirmed local school board decisions to deny charter school applications that were not quite ready or close charter schools that were not meeting expectations.

The standard used by the SBE to judge an appeal is whether the local board's decision was in the best interests of the pupils, school district, or community. This standard has stood the test of time and remains the most appropriate and effective means to review an appeal notice. In addition to this standard, the SBE has developed an administrative procedure guide that defines the actual process of the appeal.

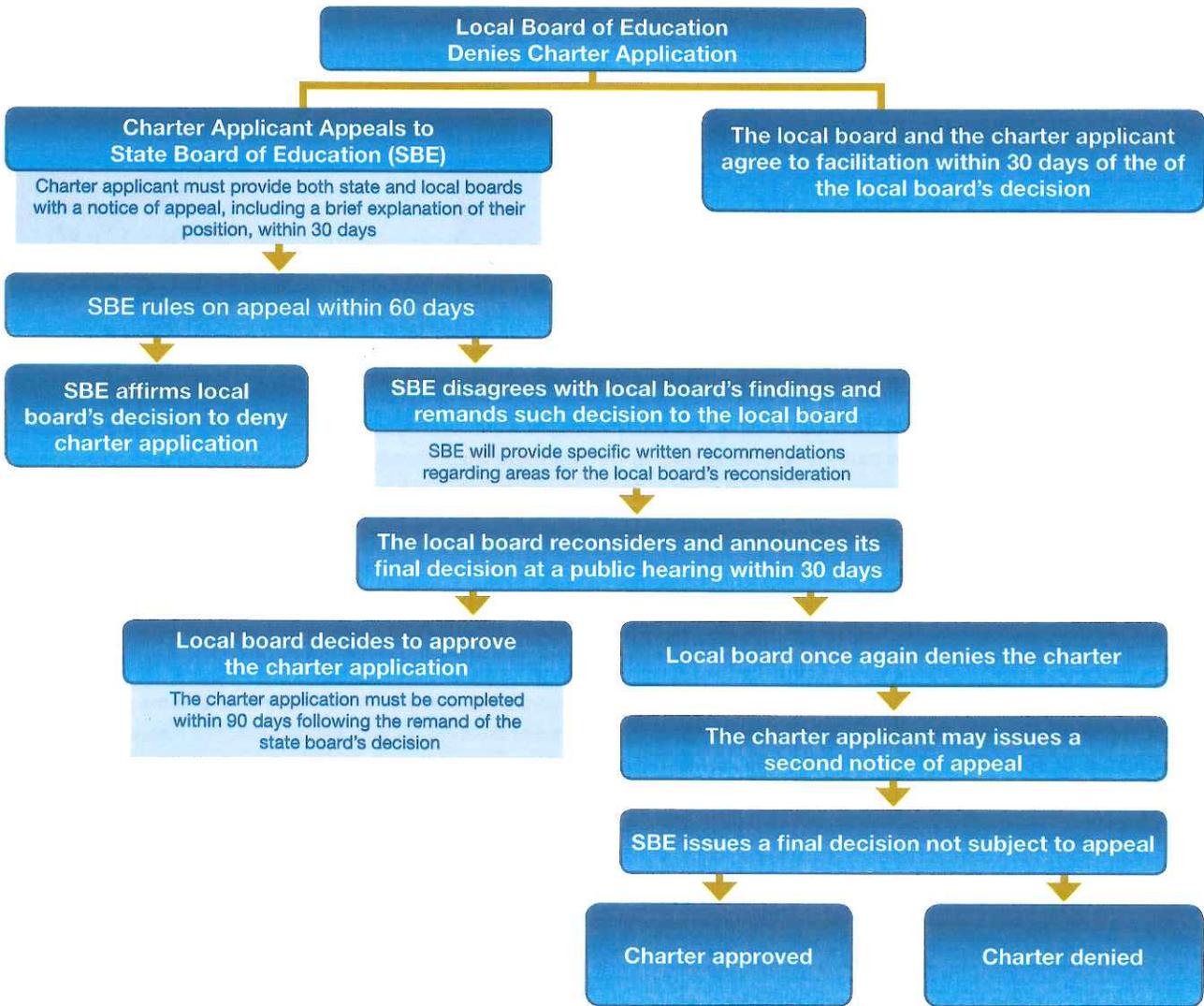
Charter Non-Renewal or Revocation

Authorizing entities annually review their charter schools' academic performance, progress in meeting specified objectives and financial audits, and give feedback to their charter schools accordingly. When a charter contract comes up for renewal, charter schools provide their authorizer with a progress report and financial statement, along with supporting documents. If the authorizing entity deems that the charter school has failed to meet the provisions laid out in their charter contract, generally accepted standards of fiscal management, or laws from which the charter school has not been specifically exempted, they may revoke or not renew a school's charter. If the charter school believes that the authorizing entity's basis for this decision was flawed, they may file a notice of appeal with the SBE. See C.R.S. § 22-30.5-108.

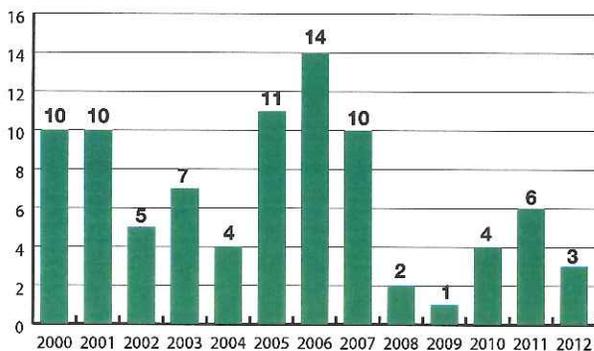
Charter Application Denial

Local school boards establish district accountability committees to review charter applications, as well as hold community meetings to gauge need for, and support of, the proposed charter school. See C.R.S. § 22-30.5-107. Within 90 days, the local school board makes the decision to either grant or deny the charter application at a public hearing. If a charter application is not reviewed, it is automatically deemed denied – another reason a strong appeals process in Colorado is integral. The charter applicant has the legal right to appeal to the SBE the local board's decision to deny its charter application. See C.R.S. § 22-30.5-108.

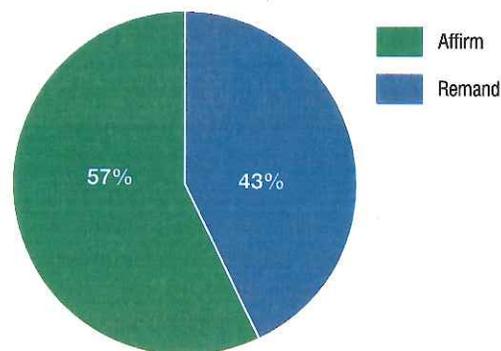
If a district charter school wishes to file an appeal, the process is as follows. The process is identical for institute charter schools except that no second appeals may be made – the SBE’s initial decision is final in the case of institute charter schools. See C.R.S. § 22-30.5-511(6)(b).



Number of Appeals Filed per Year



Ruling of State Board on Appeals Since 2000



While the number of appeals filed in Colorado reached an all-time high of 14 in 2006, since 2008, no more than six appeals have been filed in a given year. This is positive news, as it denotes healthier authorizing practices.

The appeals process in Colorado is relatively strong, evidenced by the fact that it does not seem to favor either party. The SBE has almost equally sided in favor of local boards as with charter schools, affirming 42 cases and remanding 32 cases since 2000.