Colorado League of Charter Schools

Annual Finance Seminar

Colorado's New Bond Bill: New Opportunities for Charter School Facilities

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Session Presenters

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Session Agenda

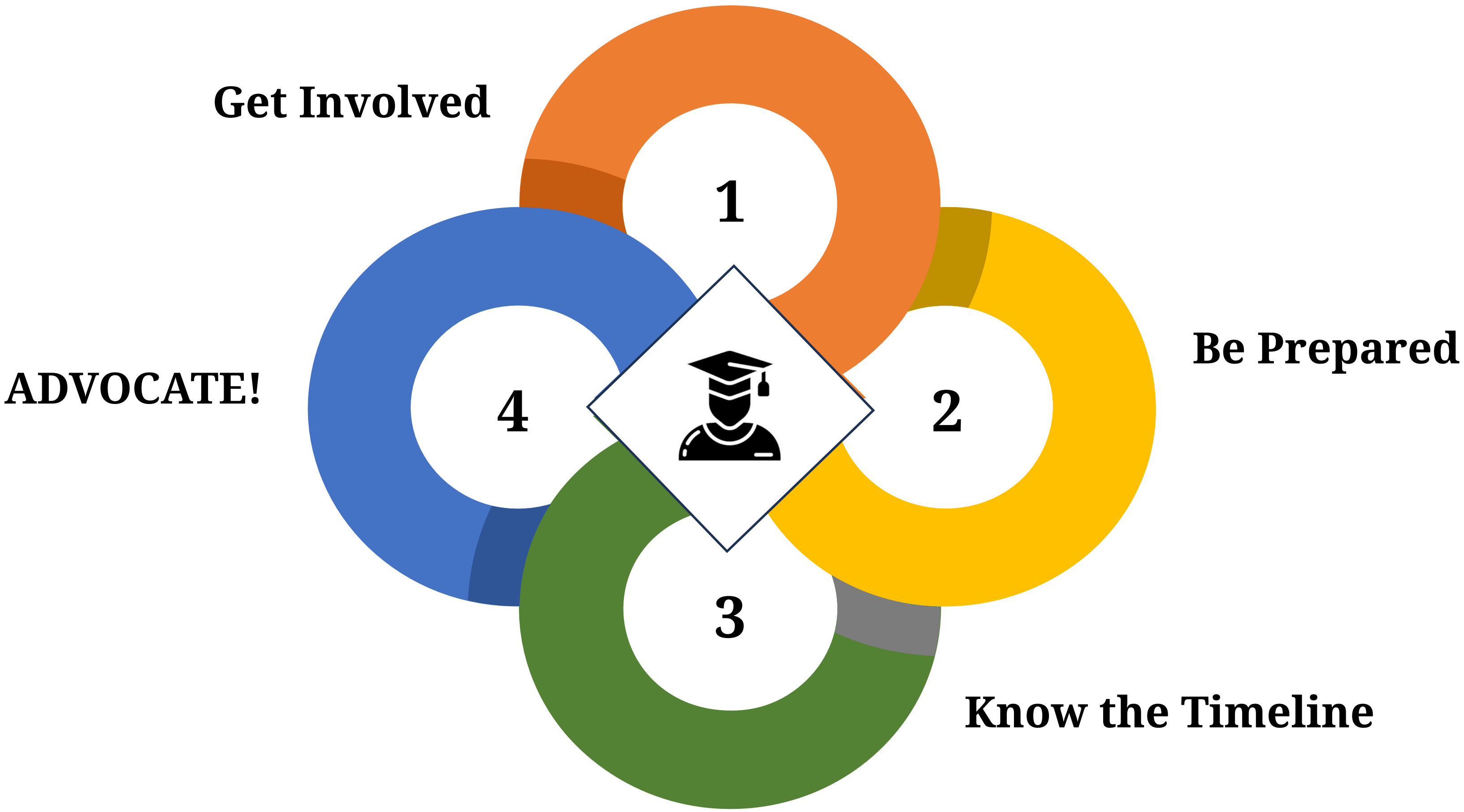
Colorado's new charter bond legislation (SB26-145) creates important new opportunities for charter schools seeking facility funding. This session will begin with a brief overview of the legislation, then shift to practical next steps that schools can take to prepare for future district bond opportunities, including facility planning, developing and maintaining a long-term facilities project list, understanding district bond planning processes, and building productive relationships with district partners.

- **Senate Bill 26-145 Overview**
- **Practical Next Steps for Schools**
- **Q & A**

Senate Bill 26-145
Charter School Involvement in Local Ballot Questions

SB26-145 requires a school district that is considering submitting to its voters a ballot question concerning capital construction to solicit proposals from its charter schools about their capital construction needs. The act specifies the solicitation process requirements and requires the school district to notify a charter school that submitted a proposal whether the school district will include the charter school's capital construction needs in the school district's ballot question.

Practical Next Steps for Schools



Get Involved

- **Read and Understand Senate Bill 26-145**
  - Appoint 1 school representative to the district’s long-range or capital-planning committee. District’s must actively solicit charter school participation in the planning process.
  - Ask in writing if the District is considering a capital ballot question. Confirm this in writing, arrives no later than 120 days before board approval, and gives your school at least 45 days to respond.

- **Build Productive Relationships with Your District Partner**
  - Relationships are important with the Board, Superintendent, and Leadership (charter representative).
    - Discuss the value that your charter school provides to the district (e.g., unique curricula, STEM or arts focused, diverse setting, etc.).
    - Participate in district board meetings – has your school or students won an award? have your students participated in an activity worth sharing?
  - Ensure that you and the district are interpreting the new legislation in the same manner.
    - If there is a disconnect, come to a resolution versus a standoff.

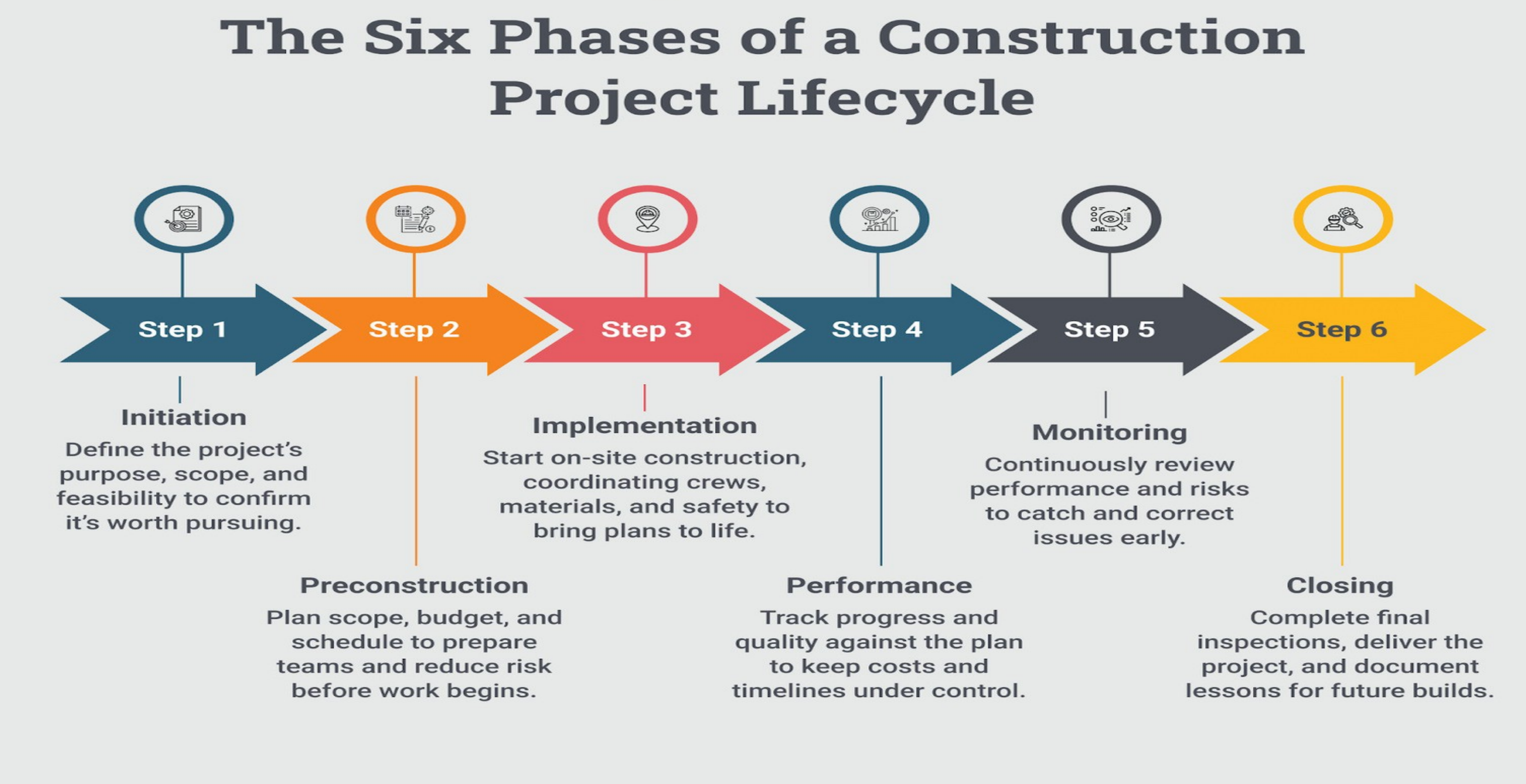
- **Community Partners can be an Asset**
  - Engage regularly with your community partners.
  - Discuss upcoming bond measures and ask for their support at board meeting presentations.

Be Prepared
FACILITY PLANNING

A permanent new school construction/development typically takes 18 to 36 months.

A renovation typically takes 8 to 12+ months depending on scope and permitting.

Knowing *The Six Phases of a Construction Project Lifecycle* is how you plan early and avoid surprises during the process.



Be Prepared
DEVELOP/MAINTAIN A LONG-TERM FACILITIES PROJECT LIST

Developing a long-term school maintenance plan requires building an asset inventory, conducting comprehensive facility audits, prioritizing health and safety repairs, establishing a routine preventive calendar, securing stable budget funding, and tracking ongoing work.

Assess and Inventory

- Build a full asset list of HVAC units, plumbing, electrical panels, roofs, and structural components.
- Conduct a detailed facility audit to note the current age, condition, and expected lifespan of every major system.
- Document inspections, code compliance and mandatory health and safety rules for air quality, water safety, and fire protection.

Plan and Prioritize

- Rank required projects based on urgency, safety risks, and cost-efficiency.
- Map routine maintenance schedules (weekly, monthly, annually) around the academic calendar, scheduling heavy work during breaks.
- Outline long-term capital replacement forecasts for expensive assets like roofs and boilers over a 5-to-10-year horizon.

Be Prepared
UNDERSTAND THE DISTRICT BOND PLANNING PROCESS

A school district's bond planning process is a multi-step, year-long community effort to assess facility needs, estimate costs, and propose a voter-approved financing package for major capital improvements like new construction, safety upgrades, and roof replacements, separate from daily operational budgets.

Assessment and Master Planning

- **Facility Condition Assessments:** Engineers and architects inspect buildings to log deferred maintenance and infrastructure lifespans.
- **Enrollment Projections:** Demographers analyze local population trends to forecast future student capacity and space requirements.
- **Long-Range Facility Master Plan:** Pairs data with educational goals to list and prioritize required capital projects.

Community and Committee Engagement

- **Steering Committees:** Forms a long-range planning committee to review data and shape project scopes.
- **Public Outreach:** Hosts open houses, town halls, and community surveys to gather public feedback and build local trust.
- **Financial Structuring:** Financial advisors align the bond package with local tax impacts, aiming for responsible debt management or no tax rate increases.

Be Prepared
UNDERSTAND THE DISTRICT BOND PLANNING PROCESS

Board Approval and Election

- **Ballot Resolution:** The Board formally votes to place the bond measure on an upcoming election ballot.
- **Public Notice and Campaigns:** The district shares factual information about the proposal, adhering to state regulations and deadlines.
- **Post-Election Oversight:** If approved by voters, an independent oversight committee is established to track spending and project progress.

NOTE: The district is not required to prioritize the capital construction of a charter school that is on probation with the district or that was initially authorized within the previous three years.

Transparency in the bond development process supports informed decision-making by voters (your school community!). Voters need and deserve clear information on how the district selected which bond proposals to included (or exclude) from the ballot measure.

Know The Timeline

120 Days

Districts considering a capital ballot question must solicit and give equitable consideration to charter school proposals in writing as early as practicable and no later than 120 days before board approval.

45 Days

Charter schools that submit a proposal have an opportunity to present their proposal publicly to the school board or an appropriate committee no later than 45 days before board approval. School should save the agenda, presentation, and meeting record.

30 Days

At least 30 days before board approval, the superintendent must notify each charter school in writing whether its proposal will be included or excluded. If excluded, the district must provide reasons that are specific and related to the merits of the proposal, and an opportunity for the school to respond.

Board

The Board formally votes to place the bond measure on an upcoming election ballot.

Know The Timeline

Refer to the detailed proposal requirements in SB 26-145. Submit a complete proposal. Be sure to ask your District in writing if they have a preferred document or process for submitting the proposal. Include the need, project description, applicable standards (design, construction), estimated total cost and other funding, timeline, management responsibility, why other funding is inadequate, and preferred funding method.

If your proposal is rejected, respond to the district's concerns immediately, in writing, and verify that your response is included in the public record. Ask the district if your responses will be considered for the current bond cycle.

Within 30 days after selecting or rejecting projects, confirm that the district has publicly posted the process it used and detailed reasons why each project considered was included or excluded.

ADVOCATE!

- Schools must **engage early** to fully use these new rights!

- SB 26-145 applies to bonds and special MLOs when they are used to fund charter school capital construction needs. Communicate with your district representative to stay in the loop on upcoming bond or MLO discussions.

- Check your charter contract; ensure that it includes this revised language.
    - If the charter contract is silent, then the statute would control. However, ensure that the current language doesn't conflict with SB26-145. Older charter contracts may have a section that talks about district bonds, and it would be based on the old law, so at a minimum either remove that section entirely and let the statute control; or delete the old language and insert new language. For example, "The District and the Charter School agree that the Charter School's capital construction needs will be considered in advance of district bond elections, to the extent required pursuant to C.R.S. 22-30.5-404". **Be sure to speak with your attorney regarding updating your current charter contract.**

Questions & Answers

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