



# Memo

**To: State Board of Education**

**From: Jennifer Okes**

**Date: December 13, 2023**

**Re: Notice of Rulemaking for 1 CCR 301-39 Rules for the Administration of the Public School Finance Act of 1994**

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Dear State Board of Education members:

A Notice of Rulemaking will be held at the December State Board meeting for the Rules for the Administration of the Public School Finance Act of 1994 (School Finance Rules). If the SBE approves the Notice of Rulemaking, there will be a Rulemaking Hearing at the February State Board meeting.

The Colorado Department of Education (CDE) staff developed proposed School Finance Rules. These proposed rules are a culmination of work from the past two and a half years, as we have worked to learn from the new education opportunities that evolved over the past several years and ensure that other relevant and engaging opportunities can be included for student funding. These rule revisions aim to provide greater flexibility to expand the use of and fundability of alternative instructional models including blended learning, and ensure appropriate guardrails, oversight, and protections to ensure quality outcomes. The proposed rules include several other changes. As the rules have not been substantially updated since 2012, there are other needed updates to align with current practice and provide more clarity.

Through the rule drafting process, the following principles guided our work:

- Ensure districts and schools are funded for providing quality education opportunities that reflect the evolution of instructional models outside of the traditional brick-and-mortar (in-person) and online instructional models.
- Provide clarity for and consistent application for districts and students.
- Uphold our fiduciary duty for taxpayer funds for public education.

The supporting material for this item is available on BoardDocs. These include a redline of the proposed rules, a copy of the redline with annotations which provide an explanation of the more substantive changes included in the proposed rules, and presentation slides. Additionally, the Department continues to solicit stakeholder feedback on the proposed rules through a [google form](#) to further inform the State Board prior to the start of the formal rulemaking process. The responses received prior to the December Board meeting will be added to the BoardDocs.

If you have any questions, please reach out to Jennifer Okes ([okes\\_j@cde.state.co.us](mailto:okes_j@cde.state.co.us)).