



Statement of Basis and Purpose

Pursuant to 22-43.7-106(2)(i)(II) C.R.S. the Public School Capital Construction Assistance Board (Assistance Board) shall provide a copy of any proposed Assistance Board rule to the State Board on or before the date on which the Assistance Board issues a notice of proposed rule-making. On August 1, 2016 the notice of proposed rulemaking was issued and the proposed rules were submitted to the State Board of Education.

The Assistance Board previously adopted the attached BEST Grant Program Rules; however due to recent changes to the BEST statute SB 16-072 and HB 16-1422, the Assistance Board have made it necessary to update the rules pertaining to the Building Excellent Schools Today Program.

The first bill is SB 16-072

Changes to the BEST Rules include:

- CRS 22-43.7-103(7) has been amended
 - The definition of a charter school;
- CRS 22-43.7-109(b) has been amended
 - **THE BOARD MAY ONLY PROVIDE FINANCIAL ASSISTANCE FOR A CAPITAL CONSTRUCTION PROJECT FOR A PUBLIC SCHOOL IN EXISTENCE FOR AT LEAST THREE YEARS AT ANY TIME BEFORE THE BOARD RECEIVES AN APPLICATION FOR FINANCIAL ASSISTANCE.**
- CRS 22-43.7-109(5)(a)(I) has been amended
 - Now the program must prioritize applications in the following manner:
 - (a) Projects that will address safety hazards or health concerns at existing public school facilities, including concerns relating to public school facility security, **AND PROJECTS THAT ARE DESIGNED TO INCORPORATE TECHNOLOGY INTO THE EDUCATIONAL ENVIRONMENT.**
 - (b) Projects that will relieve overcrowding in public school facilities, including but not limited to projects that will allow students to move from temporary instructional facilities into permanent facilities.
 - (c) All other projects

The second bill is HB-1422

Changes to the BEST Rules include:

CRS 22-43.7-109(1.5) includes new language related to providing financial assistance to an applicant that is in a leased facility.

The Assistance Board will be holding a public rule-making hearing on September 28, 2016 at 201 E. Colfax Ave, Room 101, Denver, CO 80203, at 1:00 p.m., to accept revisions to the rules and to hear public comments.

