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ELECTIONS
SECRETARY OF STATE

JJA

INITIATIVE #73 – ORIGINAL DRAFT

Be it Adopted by the People of the State of Colorado:

In the constitution of the state of Colorado, section 2 of article IX, **amend and add** as follows:

Section 2. Establishment and maintenance of public schools. (1) KNOWLEDGE AND LEARNING BEING ESSENTIAL FOR THE PRESERVATION OF LIBERTY AND A FREE AND DEMOCRATIC SOCIETY, AS WELL AS FOR THE ABILITY OF EVERY PERSON TO DEVELOP HIS OR HER FULL POTENTIAL AND TO PARTICIPATE MEANINGFULLY IN THE CIVIC AND ECONOMIC LIFE OF THE COMMUNITY, THE PEOPLE OF THE STATE OF COLORADO DECLARE THAT EVERY PERSON THROUGH TWENTY-ONE YEARS OF AGE RESIDING IN THE STATE SHOULD BE ABLE TO RECEIVE AN EARLY-CHILDHOOD, PRIMARY, AND SECONDARY EDUCATION IN THE PUBLIC SCHOOLS THAT WILL ADEQUATELY PREPARE THEM TO MEET THESE GOALS. THE PEOPLE DECLARE THAT THESE EDUCATIONAL OPPORTUNITIES SHOULD BE MADE AVAILABLE ON A THOROUGH, UNIFORM, CONSISTENT, AND EQUITABLE BASIS TO ALL PERSONS THROUGHOUT THE STATE. THE PEOPLE FURTHER DECLARE THAT THE PURPOSES STATED IN THIS SUBSECTION (1) ARE AMONG THE HIGHEST PRIORITIES ENTRUSTED BY THE PEOPLE TO THE GENERAL ASSEMBLY AND TO EACH LOCAL DISTRICT.

(2) The general assembly shall, ~~as soon as practicable,~~ provide for the establishment and maintenance of a thorough and uniform system of free public schools throughout the state, ~~wherein~~ THROUGH WHICH all residents of the state, ~~between the ages of six and~~ THROUGH twenty-one years OF AGE, may ~~be educated~~ RECEIVE gratuitously AN EARLY-CHILDHOOD, PRIMARY, AND SECONDARY EDUCATION DESIGNED TO PERMIT EVERY STUDENT TO RECEIVE EQUAL EDUCATIONAL OPPORTUNITY. One or more public schools shall be maintained in each school district within the state, ~~at least three months in each year;~~ any school district failing to have such school shall not be entitled to receive any portion of the school fund for that year.

(3) AS A LEGISLATIVE PRIORITY, AND NOTWITHSTANDING AND OVERRIDING ANY LIMITATION, REQUIREMENT, PROCEDURE OR RESTRICTION OTHERWISE APPLICABLE UNDER PARAGRAPH (b) OF SUBSECTION (1) OF SECTION 3, OR SECTION 20, OF ARTICLE X OF THIS CONSTITUTION, THE GENERAL ASSEMBLY SHALL ASSURE THAT ADEQUATE STATE AND LOCAL RESOURCES AND PUBLIC FUNDING ARE AVAILABLE STATEWIDE AND WITHIN EACH SCHOOL DISTRICT SO THAT THE QUALITY OF PUBLIC EDUCATION PRIORITIZED BY THIS SECTION IS CONSISTENTLY AND EQUITABLY AVAILABLE TO RESIDENTS THROUGHOUT THE STATE. THE GENERAL ASSEMBLY SHALL ASSURE THAT STATEWIDE FUNDING FOR THESE PURPOSES SHALL BE MAINTAINED AT A PERCENT OF THE TOTAL PERSONAL INCOME OF THE RESIDENTS OF THIS STATE AT LEAST EQUIVALENT TO THE NATIONAL AVERAGE OF PERCENTAGES OF STATEWIDE PERSONAL INCOME DEDICATED TO PUBLIC EDUCATION AS DETERMINED BY THE UNITED STATES BUREAU OF THE CENSUS OR SUCCESSOR AGENCY, WHICH LEVEL OF FUNDING SHALL BE ACHIEVED BY FISCAL YEAR 2023 AND MAINTAINED THEREAFTER. NOTWITHSTANDING AND OVERRIDING ANYTHING TO THE CONTRARY IN SECTION 1 OF ARTICLE V OF THIS CONSTITUTION, THE PEOPLE BY INITIATIVE OR APPROVAL OF A REFERRED MEASURE MAY INCREASE THIS MANDATED LEVEL OF STATEWIDE FUNDING THROUGH AN AMENDMENT TO THIS SUBSECTION BY A MAJORITY OF THE VOTES CAST THEREON.

(4) LOCAL DISTRICTS MAY IMPLEMENT DIRECTIVES OF THE GENERAL ASSEMBLY ADOPTED WITHIN THE SCOPE OF SUBSECTION (3) OF THIS SECTION, NOTWITHSTANDING AND OVERRIDING ANY LIMITATION, REQUIREMENT, PROCEDURE OR RESTRICTION OTHERWISE APPLICABLE UNDER PARAGRAPH (b) OF SUBSECTION (1) OF SECTION 3, OR SECTION 20, OF ARTICLE X OF THIS CONSTITUTION.

(5) NOTHING IN THIS SECTION SHALL REDUCE OR OTHERWISE AFFECT THE MANDATES AND REQUIREMENTS CONTAINED WITHIN SECTION 17 OF THIS ARTICLE.

(6) EVERY FIVE YEARS, THE GENERAL ASSEMBLY SHALL PREPARE AND DISSEMINATE A REPORT TO THE PEOPLE IDENTIFYING ALL STEPS TAKEN DURING THE REPORTING PERIOD TO ACHIEVE THE GOALS AND PURPOSES OF THIS SECTION, THE MANNER OF IMPLEMENTATION AND COSTS OF SUCH STEPS, ITS EVALUATION OF SUCCESS AND SHORTCOMINGS IN ACHIEVEMENT OF THESE GOALS AND PURPOSES, AND SHALL MAKE RECOMMENDATIONS TO ADDRESS ANY SHORTCOMINGS IN MEETING SAID GOALS.