

Amendment 23 Backgrounder

- Colorado voters approved Amendment 23 in 2000 to make up for a decade of under funding K-12 public education.
- Amendment 23 is a State Constitutional amendment that cannot be changed or repealed without the voters' approval.
- We have had two years of increased funding under Amendment 23's guarantee of "inflation plus 1%" and its State Education Fund. The guarantee is for 10 years until 2012. After that, the guarantee is increasing school funding annually at least at the rate of inflation.
- Inflation has decreased from 4.9% last year to 1.7% (Denver-Boulder CPI) because of the poor economy. This fact alone will decrease K-12 funding for next year.
- The Legislature is considering taking away (rescinding) some of the money it appropriated last spring, including the second year of new textbook funding (\$21 per student), the school breakfast program, and summer school reading programs for underachieving students. Rescissions will cut K-12 funding even more.
- School districts experiencing declining student enrollment, including JPS funding, will be further reduced.
- The Legislature has spent more money than it should have from the State Education Fund. This fund, created by income tax revenue, is intended to last beyond the 10 years of inflation plus 1%. Not as much money is coming into the fund this year because of declining revenues. Budget experts predict that the poor economy and the Legislature's shortsighted spending will cause the State Education Fund to be insolvent by 2005-06.
- These possibilities are bad enough. But now some legislators are threatening to reduce school funding even more. They want to ignore Amendment 23 altogether!
- Using a recent legal opinion, lawmakers claim they have absolute power – even over the voters – to interpret the Constitution any way they want. They claim they do not have to abide by Amendment 23's mandate for K-12 base funding or for programs like special education ("categoricals").
- They claim the Amendment 23 guarantee does not apply in years when it's difficult to balance the state budget. They say Amendment 23 is not a "requirement."

Our Message to the Legislature

- The people spoke in Election 2000 and said "Fund Our Schools!" Amendment 23 is in the State Constitution and cannot be changed without the people's approval.
- The poor economy is already negatively affecting K-12 funding. We cannot let the Legislature ignore the Amendment 23 guarantee and the voters' intent.
- K-12 funding is at risk – for employee salaries and benefits, curriculum improvements, programs to boost student achievement, class size reductions, new textbooks and instructional materials, and accommodations for student enrollment growth. Amendment 23 funding affects every public school employee in Colorado, and if we allow the Legislature to mess with it, every public school employee and every student will be harmed! **This will hit JPS especially hard as any new state rescissions/cuts will be on top of the \$20 million JPS is currently implementing.**
- We must join together to convince the Legislature that lawmakers cannot undo the voters' decision. We cannot allow public school funding to be subject to the Legislature's whims or its poor planning. We will not let the Legislature ignore the will of the people!

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