

SB090\_L.001

## SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee\_\_\_\_\_  
DateCommittee on Education.

After consideration on the merits, the Committee recommends the following:

SB09-090 be amended as follows:

- 1 Amend printed bill, page 16, line 24, strike "A NEW SUBSECTION,"
- 2 and substitute "THE FOLLOWING NEW SUBSECTIONS,";
- 3 page 18, line 5, after "THAT", insert "THE NUMBER OF PARENTS APPOINTED
- 4 OR ELECTED TO";
- 5 strike line 6;
- 6 line 7, strike "ELECTED";
- 7 line 8, strike "AS" and substitute "EXCEEDS";
- 8 strike lines 15 through 19 and substitute the following:
- 9 "THE SCHOOL DISTRICT. SAID STUDENT".
- 10 Page 19, strike lines 9 through 15 and substitute the following:
- 11 "(4) ~~Any school district that demonstrates that, prior to January 1,~~
- 12 ~~2000, the school district had in place a committee or council that~~
- 13 ~~performed at least the duties specified for a school district accountability~~
- 14 ~~committee in this section and section 22-7-105 is not required to appoint~~
- 15 ~~or elect a school district accountability committee pursuant to subsection~~
- 16 ~~(1) of this section. IF A SCHOOL DISTRICT BOARD OF EDUCATION APPOINTS~~
- 17 ~~THE MEMBERS OF THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE,~~
- 18 ~~THE BOARD, TO THE EXTENT PRACTICABLE, SHALL ENSURE THAT:~~



1 (a) AT LEAST ONE OF THE PARENTS APPOINTED TO THE COMMITTEE  
2 IS THE PARENT OF A STUDENT ENROLLED IN A CHARTER SCHOOL  
3 AUTHORIZED BY THE SCHOOL DISTRICT BOARD OF EDUCATION, IF THE  
4 BOARD HAS AUTHORIZED ANY CHARTER SCHOOLS; AND

5 (b) AT LEAST ONE OF THE PERSONS APPOINTED TO THE COMMITTEE  
6 HAS A DEMONSTRATED KNOWLEDGE OF CHARTER SCHOOLS.

7 (5) THE MEMBERS OF EACH SCHOOL DISTRICT ACCOUNTABILITY  
8 COMMITTEE SHALL SELECT FROM AMONG THE PARENT REPRESENTATIVES  
9 SERVING ON THE COMMITTEE A MEMBER TO SERVE AS CHAIR OR CO-CHAIR  
10 OF THE COMMITTEE. THE SCHOOL DISTRICT BOARD OF EDUCATION SHALL  
11 ESTABLISH THE LENGTH OF TERM FOR WHICH THE COMMITTEE CHAIR OR  
12 CO-CHAIR SHALL SERVE.";

13 strike lines 19 and 20 and substitute the following:

14 **"qualifications - elections. (1) (a) Except as provided in subsection (4)**  
15 **of this section, There shall be a school advisory council**  
16 **ACCOUNTABILITY";**

17 line 25, strike "designated, appointed, or elected" and substitute  
18 "designated, appointed, or elected";

19 line 27, strike "school" and substitute "school; elected by a vote of all  
20 licensed professionals who provide instruction at the school or have an  
21 office in the school;"

22 Page 20, strike lines 1 and 2;

23 strike lines 4 and 5 and substitute the following:

24 "enrolled in the school; who are elected by a vote of the parents and legal  
25 guardians of students enrolled in the school;"

26 line 6, strike "WHO IS designated by" and substitute "designated by OF";

27 line 9, strike "community" and substitute "community.";

28 line 10, strike "who is appointed by the principal." and substitute "who is  
29 appointed by the principal.";



- 1 line 11, after "EDUCATION", insert "OR THE STATE CHARTER SCHOOL  
2 INSTITUTE";
- 3 strike line 13 and substitute the following:
- 4 "ACCOUNTABILITY COMMITTEE AND THE METHOD FOR SELECTING THE  
5 MEMBERS OF THE SCHOOL ACCOUNTABILITY COMMITTEE. IF THE BOARD  
6 OF EDUCATION OR THE INSTITUTE CHOOSES TO";
- 7 line 15, strike "COMMITTEE INCLUDES AT LEAST" and substitute "NUMBER  
8 OF PARENTS, AS DESCRIBED IN SUBPARAGRAPH";
- 9 strike line 16;
- 10 line 17, strike "(1) AS" and substitute "(1), ON THE COMMITTEE EXCEEDS";
- 11 line 20, strike "APPOINTED, DESIGNATED, OR ELECTED" and substitute  
12 "SELECTED";
- 13 strike lines 23 through 25 and substitute the following:
- 14 "(a.7) IF THE SCHOOL DISTRICT BOARD OF EDUCATION OR THE  
15 INSTITUTE DETERMINES THAT THE MEMBERS OF A SCHOOL  
16 ACCOUNTABILITY COMMITTEE SHOULD BE APPOINTED, THE APPOINTING  
17 AUTHORITY SHALL, TO";
- 18 line 26, strike "SELECT" and substitute "APPOINT".
- 19 Page 21, strike line 1 and substitute the following:
- 20 "SCHOOL. IF THE SCHOOL DISTRICT BOARD OF EDUCATION OR THE  
21 INSTITUTE DETERMINES THAT PERSONS SHALL BE ELECTED TO SERVE ON  
22 THE SCHOOL".
- 23 Page 22, strike lines 10 through 22 and substitute the following:
- 24 "~~(c) Any appointment or designation required by paragraph (a) of~~  
25 ~~this subsection (1) shall be made by September 1, 2001, and by~~  
26 ~~September 1 of every odd-numbered year thereafter. Any election~~  
27 ~~required by paragraph (a) of this subsection (1) shall be conducted on or~~  
28 ~~before October 31, 2001, October 31, 2003, and on or before October 31~~

1 of every year thereafter.

2 (2) ~~Members of the council shall serve terms of two years; except~~  
3 ~~that, of the members first elected, the member elected pursuant to~~  
4 ~~subparagraph (II) of paragraph (a) of subsection (1) of this section and the~~  
5 ~~two members with the highest number of votes cast in the election~~  
6 ~~conducted pursuant to subparagraph (III) of paragraph (a) of subsection~~  
7 ~~(1) of this section shall serve terms of three years. THE SCHOOL DISTRICT~~  
8 ~~BOARD OF EDUCATION OR THE INSTITUTE SHALL DETERMINE THE LENGTH~~  
9 ~~OF THE TERMS, IF ANY, OF MEMBERS OF THE SCHOOL ACCOUNTABILITY~~  
10 ~~COMMITTEE AND THE DATES ON WHICH THE TERMS, IF ANY, BEGIN.";~~

11 line 26, strike "Except for the" and substitute "Except for the principal;  
12 no member of the council shall serve more than two consecutive, full  
13 terms, plus any balance remaining on an unexpired term if the initial  
14 appointment was to fill a vacancy.";

15 strike line 27.

16 Page 23, strike lines 1 and 2;

17 strike lines 6 through 18 and substitute the following:

18 "CHAIR OR CO-CHAIR OF THE COMMITTEE. THE SCHOOL DISTRICT BOARD  
19 OF EDUCATION OR THE INSTITUTE SHALL ESTABLISH THE LENGTH OF THE  
20 TERM FOR WHICH THE COMMITTEE CHAIR OR CO-CHAIR SHALL SERVE.

21 (4) ~~The school advisory council required by this section shall not~~  
22 ~~be required in any school or school district that demonstrates that prior to~~  
23 ~~January 1, 2000, the school or school district had in place a committee or~~  
24 ~~council that performed at least the duties specified for school advisory~~  
25 ~~councils in this section and section 22-7-107. NOTWITHSTANDING ANY~~  
26 ~~PROVISION OF THIS SECTION TO THE CONTRARY:~~

27 (a) IF, AFTER MAKING GOOD-FAITH EFFORTS, A PRINCIPAL OR AN  
28 ORGANIZATION OF PARENTS, TEACHERS, AND STUDENTS IS UNABLE TO FIND  
29 A SUFFICIENT NUMBER OF PERSONS WHO ARE WILLING TO SERVE ON THE  
30 SCHOOL ACCOUNTABILITY COMMITTEE, THE PRINCIPAL, WITH ADVICE  
31 FROM THE ORGANIZATION OF PARENTS, TEACHERS, AND STUDENTS, MAY  
32 ESTABLISH AN ALTERNATIVE MEMBERSHIP PLAN FOR THE SCHOOL  
33 ACCOUNTABILITY COMMITTEE, WHICH PLAN SHALL REFLECT THE

1 MEMBERSHIP SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS  
2 SECTION AS MUCH AS PRACTICABLE;

3 (b) THE MEMBERS OF THE GOVERNING BOARD OF A DISTRICT  
4 CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL MAY SERVE AS  
5 MEMBERS OF THE SCHOOL ACCOUNTABILITY COMMITTEE;

6 (c) IN A SCHOOL DISTRICT WITH FIVE HUNDRED OR FEWER  
7 ENROLLED STUDENTS, ONE OR MORE MEMBERS OF THE SCHOOL DISTRICT  
8 BOARD OF EDUCATION OR OF THE DISTRICT ACCOUNTABILITY COMMITTEE  
9 MAY ALSO SERVE ON A SCHOOL ACCOUNTABILITY COMMITTEE."

10 Page 25, strike lines 4 through 6 and substitute the following:

11 "local board of education. IN SELECTING PERSONS TO SERVE ON A  
12 CHARTER SCHOOL'S GOVERNING BODY ON OR AFTER THE EFFECTIVE DATE  
13 OF SENATE BILL 09-090, ENACTED IN 2009, THE CHARTER SCHOOL AND  
14 THE CHARTERING LOCAL BOARD OF EDUCATION SHALL ENSURE THAT AT  
15 LEAST ONE MEMBER OF THE CHARTER SCHOOL'S GOVERNING BODY IS A  
16 PARENT OF A STUDENT WHO IS".

17 Page 26, strike lines 20 through 22 and substitute the following:

18 "charter contract. IN SELECTING PERSONS TO SERVE ON AN INSTITUTE  
19 CHARTER SCHOOL'S GOVERNING BODY ON OR AFTER THE EFFECTIVE DATE  
20 OF SENATE BILL 09-090, ENACTED IN 2009, THE INSTITUTE CHARTER  
21 SCHOOL AND THE INSTITUTE SHALL ENSURE THAT AT LEAST ONE MEMBER  
22 OF THE INSTITUTE CHARTER SCHOOL'S GOVERNING BODY IS A PARENT OF  
23 A STUDENT".

24 Page 31, strike lines 7 through 14.

25 Renumber succeeding sections accordingly.

26 Page 32, strike lines 19 through 27.

27 Renumber succeeding sections accordingly.

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