

**Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 12-0011.03 Julie Pelegrin x2700

**HOUSE BILL 12-1149**

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**HOUSE SPONSORSHIP**

**Beezley,** Holbert, Acree, Balmer, Becker, Murray, Ramirez, Summers

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING PARENTS' AUTHORITY TO REQUEST INTERVENTIONS FOR**  
102 **LOW-PERFORMING SCHOOLS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

Under existing law, if a public school fails to improve under a turnaround plan or operates under a priority improvement or turnaround plan for more than 5 consecutive school years, the state board of education (state board) directs the board of education of the school district (local school board) or the state charter school institute (institute)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

to take action to reconfigure the public school. The bill authorizes the parents of students enrolled in a public school that has operated under a priority improvement or turnaround plan for 2 consecutive years to submit a petition to the state board requesting the state board to direct the local school board or the institute to take action to reconfigure the public school immediately. The petition must be signed by more than 50% of the families of the students enrolled in the public school, and the parents must submit the petition by November 1 of the year preceding the year in which the public school would be reconfigured. If the state board receives such a petition, it must place consideration of the request on the agenda of the next regularly scheduled public state board meeting. The state board may choose to deny the petition, direct an action to take effect in the next school year, or reconsider the petition in the next school year. If the state board chooses to direct an action, it may ask the commissioner of education to convene the state review panel to evaluate the public school and make recommendations or it may direct the local school board or the institute to take action.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, 22-11-210, **add** (7)  
3 as follows:

4           **22-11-210. Public schools - annual review - plans - supports**  
5 **and interventions - rules.** (7) (a) NOTWITHSTANDING ANY PROVISION OF  
6 THIS ARTICLE TO THE CONTRARY, THE PARENTS OF STUDENTS ENROLLED  
7 IN A PUBLIC SCHOOL THAT OPERATES UNDER A PRIORITY IMPROVEMENT OR  
8 TURNAROUND PLAN FOR A COMBINED TOTAL OF TWO CONSECUTIVE  
9 SCHOOL YEARS MAY REQUEST THAT THE STATE BOARD DIRECT THE LOCAL  
10 SCHOOL BOARD, FOR A DISTRICT PUBLIC SCHOOL, OR THE INSTITUTE, FOR  
11 AN INSTITUTE CHARTER SCHOOL, TO TAKE ONE OF THE ACTIONS SPECIFIED  
12 IN PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION. TO REQUEST THAT  
13 THE STATE BOARD DIRECT AN ACTION, THE PARENTS SHALL SUBMIT TO THE  
14 STATE BOARD A PETITION SIGNED BY MORE THAN FIFTY PERCENT OF THE  
15 FAMILIES OF THE STUDENTS ENROLLED IN THE SCHOOL. THE PARENTS  
16 SHALL SUBMIT THE PETITION BY NOVEMBER 1 OF THE CALENDAR YEAR

1 PRIOR TO THE CALENDAR YEAR IN WHICH THE DIRECTED ACTION WOULD  
2 TAKE EFFECT, OR BY JANUARY 15 OF THE CALENDAR YEAR IN WHICH THE  
3 DIRECTED ACTION WOULD TAKE EFFECT IF THE SCHOOL DISTRICT OR THE  
4 INSTITUTE APPEALS THE DETERMINATION OF THE PLAN THE PUBLIC SCHOOL  
5 IS REQUIRED TO ADOPT. A VALID PETITION SHALL INCLUDE NO MORE THAN  
6 ONE ADULT SIGNATURE FROM EACH STUDENT'S HOUSEHOLD.

7 (b) UPON RECEIVING A PETITION PURSUANT TO THIS SUBSECTION  
8 (7), THE STATE BOARD SHALL PLACE CONSIDERATION OF THE PETITION ON  
9 THE AGENDA FOR ITS NEXT REGULARLY SCHEDULED PUBLIC BOARD  
10 MEETING. FOLLOWING CONSIDERATION AT THE PUBLIC MEETING, THE  
11 STATE BOARD MAY ACCEPT OR REJECT THE PETITION REQUEST OR MAY  
12 CHOOSE TO RECONSIDER THE PETITION REQUEST IN THE NEXT SCHOOL  
13 YEAR. IF IT ACCEPTS THE REQUEST, THE STATE BOARD MAY DIRECT THE  
14 COMMISSIONER TO ASSIGN THE STATE REVIEW PANEL TO EVALUATE THE  
15 PUBLIC SCHOOL'S PERFORMANCE AND MAKE RECOMMENDATIONS AS  
16 PROVIDED IN SUBSECTION (5) OF THIS SECTION OR THE STATE BOARD MAY  
17 DIRECT THE LOCAL SCHOOL BOARD OR THE INSTITUTE TO TAKE ONE OF THE  
18 ACTIONS SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (5) OF THIS  
19 SECTION.

20 **SECTION 2. No appropriation.** The general assembly has  
21 determined that this act can be implemented within existing  
22 appropriations, and therefore no separate appropriation of state moneys  
23 is necessary to carry out the purposes of this act.

24 **SECTION 3. Act subject to petition - effective date.** This act  
25 takes effect at 12:01 a.m. on the day following the expiration of the  
26 ninety-day period after final adjournment of the general assembly (August  
27 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within such period, then the act, item, section, or part will not take effect  
4 unless approved by the people at the general election to be held in  
5 November 2012 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.