

SB090\_L.016

## HOUSE COMMITTEE OF REFERENCE REPORT

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 Chairman of Committee

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 Date
Committee on Education.

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

SB09-090 be amended as follows:

1 Amend reengrossed bill, page 34, after line 24, insert the following:

2 \* "SECTION 22. 22-30.5-104 (6) (a) and (6) (b), Colorado Revised  
3 Statutes, are amended to read:

4 **22-30.5-104. Charter school - requirements - authority.**  
5 (6) (a) Pursuant to contract, a charter school may operate free from  
6 specified school district policies and free from state rules, as provided in  
7 paragraph (b) of this subsection (6). Pursuant to contract, a local board  
8 of education may waive locally imposed school district requirements,  
9 without seeking approval of the state board; except that a charter school  
10 shall not, by contract or otherwise, operate free of the requirements  
11 contained in the "Public School Finance Act of 1994", article 54 of this  
12 title, THE REQUIREMENTS SPECIFIED IN PART 4 OF ARTICLE 11 OF THIS TITLE  
13 CONCERNING SCHOOL ACCOUNTABILITY COMMITTEES, or the requirements  
14 contained in the "Children's Internet Protection Act", article 87 of this  
15 title.

16 (b) The state board shall promulgate rules identifying state statutes  
17 and state rules that are automatically waived for all charter schools. A  
18 school district, on behalf of a charter school, may apply to the state board  
19 for a waiver of a state statute or state rule that is not automatically waived  
20 for charter schools by rule. Notwithstanding any provision of this  
21 subsection (6) to the contrary, the state board may not waive ANY  
22 STATUTE OR RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES  
23 AS DESCRIBED IN SECTION 22-11-401, any statute or rule relating to the  
24 assessments required to be administered pursuant to section 22-7-409, any  
25 statute or rule necessary to prepare the school accountability reports  
26 pursuant to part 6 of article 7 of this title, any statute or rule necessary to



1 implement the provisions of the "Public School Finance Act of 1994",  
2 article 54 of this title, or any statute or rule relating to the "Children's  
3 Internet Protection Act", article 87 of this title.

4           **SECTION 23.** 22-30.5-507 (7), Colorado Revised Statutes, is  
5 amended to read:

6           **22-30.5-507. Institute charter school - requirements -**  
7 **authority.** (7) Pursuant to the charter contract, an institute charter  
8 school may operate free from specified statutes and state board rules. The  
9 state board may waive state statutory requirements or rules promulgated  
10 by the state board; except that the state board may not waive ANY  
11 STATUTE OR RULE RELATING TO SCHOOL ACCOUNTABILITY COMMITTEES  
12 AS DESCRIBED IN SECTION 22-11-401, any state statute or rule relating to  
13 the assessments required to be administered pursuant to section 22-7-409,  
14 any state statute or rule necessary to prepare the school accountability  
15 reports pursuant to part 6 of article 7 of this title, or any statute or rule  
16 necessary to implement the provisions of the "Public School Finance Act  
17 of 1994", article 54 of this title, or any state statute or rule relating to the  
18 "Children's Internet Protection Act", article 87 of this title. Any waiver  
19 of state statute or state board rule made pursuant to this subsection (7)  
20 shall be for the term of the contract for which the waiver is made. A  
21 request for a waiver may be submitted to the institute as a part of the  
22 application for an institute charter school."

23 Renumber succeeding section accordingly.

24 Page 34, line 25, before "This", insert "(1)".

25 Page 35, after line 7, add the following:

26           "(2) Notwithstanding the provisions of subsection (1) of this  
27 section:

28           (a) Sections 2, 3, 10, 11, 12, 13, 14, and 16 of this act shall not  
29 take effect if Senate Bill 09-163 is enacted and becomes law; and

30           (b) Sections 22 and 23 of this act shall take effect only if Senate  
31 Bill 09-163 is enacted and becomes law."

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