

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 5, 2009
Date

Committee on Education.

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

SB09-090 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Page 5, strike lines 13 and 14.
- 2 Renumber succeeding subsections accordingly.
- 3 Page 6, after line 23, insert the following:
 - 4 "(9) "SCHOOL-BASED PARENT INFORMATION RESOURCE CENTER"
 - 5 MEANS A CENTER THAT PROVIDES TO PARENTS INFORMATION ON
 - 6 EDUCATION OPPORTUNITIES FOR THEIR CHILDREN, TRAINING FOR PARENTS
 - 7 AND FAMILIES ON EDUCATION ISSUES, AND OTHER SUPPORT SERVICES THAT
 - 8 MAY BE AVAILABLE TO PARENTS, SUCH AS MENTAL HEALTH SERVICES,
 - 9 SOCIAL SERVICES, AND HOUSING REFERRALS."
- 10 Renumber succeeding subsection accordingly.
- 11 Page 8, line 19, strike the second "AND";
- 12 after line 21, insert the following:
 - 13 "(XIII) A PERSON WITH EXPERTISE IN EARLY CHILDHOOD CARE
 - 14 AND EDUCATION; AND"
- 15 Page 9, line 11, after "STATE;", insert "AND";

1 line 13, strike "DEPARTMENT; AND" and substitute "DEPARTMENT.";

2 strike lines 14 through 16.

3 Page 10, line 19, strike "ADVISE," and substitute "INFORM,".

4 Page 11, line 25, strike "FAMILY" and substitute "PARENT INFORMATION".

5 Page 14, strike lines 2 through 4 and substitute the following:

6 "(IV) SCHOOL-BASED PARENT INFORMATION RESOURCE CENTERS.".

7 Page 15, after line 26, insert the following:

8 "(c) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
9 CONTRARY, THE STATE BOARD AND THE DEPARTMENT SHALL NOT
10 IMPLEMENT THE PARENT INVOLVEMENT GRANT PROGRAM UNTIL SUCH
11 TIME AS THERE IS AT LEAST TWENTY THOUSAND DOLLARS CREDITED OR
12 APPROPRIATED TO THE FUND.

13 (d) IN ANY FISCAL YEAR IN WHICH THERE IS AT LEAST TWENTY
14 THOUSAND DOLLARS CREDITED OR APPROPRIATED TO THE FUND, THE
15 DEPARTMENT MAY USE UP TO ONE PERCENT OF THE MONEYS CREDITED OR
16 APPROPRIATED TO THE FUND TO OFFSET THE COSTS INCURRED IN
17 IMPLEMENTING THE PARENT INVOLVEMENT GRANT PROGRAM, AND THE
18 DEPARTMENT MAY USE UP TO AN ADDITIONAL ONE PERCENT OF THE
19 MONEYS CREDITED OR APPROPRIATED TO THE FUND TO OFFSET THE COSTS
20 OF PROVIDING MEETING SPACE, EQUIPMENT, AND STAFF SERVICES TO THE
21 COUNCIL PURSUANT TO SECTION 22-7-303 (6).".

22 Page 16, line 24, strike "A NEW SUBSECTION," and substitute "THE
23 FOLLOWING NEW SUBSECTIONS,".

24 Page 18, line 5, after "THAT", insert "THE NUMBER OF PARENTS APPOINTED
25 OR ELECTED TO";

26 strike line 6;

27 line 7, strike "ELECTED";

28 line 8, strike "AS" and substitute "EXCEEDS";

1 strike lines 15 through 19 and substitute the following:

2 "THE SCHOOL DISTRICT. SAID STUDENT".

3 Page 19, strike lines 9 through 15 and substitute the following:

4 ~~"(4) Any school district that demonstrates that, prior to January 1,~~
5 ~~2000, the school district had in place a committee or council that~~
6 ~~performed at least the duties specified for a school district accountability~~
7 ~~committee in this section and section 22-7-105 is not required to appoint~~
8 ~~or elect a school district accountability committee pursuant to subsection~~
9 ~~(1) of this section. IF A SCHOOL DISTRICT BOARD OF EDUCATION APPOINTS~~
10 ~~THE MEMBERS OF THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE,~~
11 ~~THE BOARD, TO THE EXTENT PRACTICABLE, SHALL ENSURE THAT:~~

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

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

18 (5) THE MEMBERS OF EACH SCHOOL DISTRICT ACCOUNTABILITY
19 COMMITTEE SHALL SELECT FROM AMONG THE PARENT REPRESENTATIVES
20 SERVING ON THE COMMITTEE A MEMBER TO SERVE AS CHAIR OR CO-CHAIR
21 OF THE COMMITTEE. THE SCHOOL DISTRICT BOARD OF EDUCATION SHALL
22 ESTABLISH THE LENGTH OF TERM FOR WHICH THE COMMITTEE CHAIR OR
23 CO-CHAIR SHALL SERVE.";

24 strike lines 19 and 20 and substitute the following:

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

28 line 25, strike "designated, appointed, or elected" and substitute
29 "designated, appointed, or elected";

30 line 27, strike "school" and substitute "school; elected by a vote of all
31 licensed professionals who provide instruction at the school or have an

- 1 ~~office in the school;~~.
- 2 Page 20, strike lines 1 and 2;
- 3 strike lines 4 and 5 and substitute the following:
- 4 "enrolled in the school; ~~who are elected by a vote of the parents and legal~~
5 ~~guardians of students enrolled in the school;~~";
- 6 line 6, strike "WHO IS designated by" and substitute "~~designated by~~ OF";
- 7 line 9, strike "community" and substitute "community.";
- 8 line 10, strike "who is appointed by the principal." and substitute "~~who is~~
9 ~~appointed by the principal.~~";
- 10 line 11, after "EDUCATION", insert "OR THE STATE CHARTER SCHOOL
11 INSTITUTE";
- 12 strike line 13 and substitute the following:
- 13 "ACCOUNTABILITY COMMITTEE AND THE METHOD FOR SELECTING THE
14 MEMBERS OF THE SCHOOL ACCOUNTABILITY COMMITTEE. IF THE BOARD
15 OF EDUCATION OR THE INSTITUTE CHOOSES TO";
- 16 line 15, strike "COMMITTEE INCLUDES AT LEAST" and substitute "NUMBER
17 OF PARENTS, AS DESCRIBED IN SUBPARAGRAPH";
- 18 strike line 16;
- 19 line 17, strike "(1) AS" and substitute "(1), ON THE COMMITTEE EXCEEDS";
- 20 line 20, strike "APPOINTED, DESIGNATED, OR ELECTED" and substitute
21 "SELECTED";
- 22 strike lines 23 through 25 and substitute the following:
- 23 "(a.7) IF THE SCHOOL DISTRICT BOARD OF EDUCATION OR THE
24 INSTITUTE DETERMINES THAT THE MEMBERS OF A SCHOOL
25 ACCOUNTABILITY COMMITTEE SHOULD BE APPOINTED, THE APPOINTING
26 AUTHORITY SHALL, TO";

1 line 26, strike "SELECT" and substitute "APPOINT".

2 Page 21, strike line 1 and substitute the following:

3 "SCHOOL. IF THE SCHOOL DISTRICT BOARD OF EDUCATION OR THE
4 INSTITUTE DETERMINES THAT PERSONS SHALL BE ELECTED TO SERVE ON
5 THE SCHOOL".

6 Page 22, strike lines 10 through 22 and substitute the following:

7 ~~"(c) Any appointment or designation required by paragraph (a) of~~
8 ~~this subsection (1) shall be made by September 1, 2001, and by~~
9 ~~September 1 of every odd-numbered year thereafter. Any election~~
10 ~~required by paragraph (a) of this subsection (1) shall be conducted on or~~
11 ~~before October 31, 2001, October 31, 2003, and on or before October 31~~
12 ~~of every year thereafter.~~

13 ~~(2) Members of the council shall serve terms of two years; except~~
14 ~~that, of the members first elected, the member elected pursuant to~~
15 ~~subparagraph (H) of paragraph (a) of subsection (1) of this section and the~~
16 ~~two members with the highest number of votes cast in the election~~
17 ~~conducted pursuant to subparagraph (H) of paragraph (a) of subsection~~
18 ~~(1) of this section shall serve terms of three years.";~~

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

23 strike line 27.

24 Page 23, strike lines 1 and 2;

25 strike lines 6 through 18 and substitute the following:

26 "CHAIR OR CO-CHAIR OF THE COMMITTEE.

27 ~~(4) The school advisory council required by this section shall not~~
28 ~~be required in any school or school district that demonstrates that prior to~~
29 ~~January 1, 2000, the school or school district had in place a committee or~~
30 ~~council that performed at least the duties specified for school advisory~~

1 ~~councils in this section and section 22-7-107.~~ NOTWITHSTANDING ANY
2 PROVISION OF THIS SECTION TO THE CONTRARY:

3 (a) IF, AFTER MAKING GOOD-FAITH EFFORTS, A PRINCIPAL OR AN
4 ORGANIZATION OF PARENTS, TEACHERS, AND STUDENTS IS UNABLE TO FIND
5 A SUFFICIENT NUMBER OF PERSONS WHO ARE WILLING TO SERVE ON THE
6 SCHOOL ACCOUNTABILITY COMMITTEE, THE PRINCIPAL, WITH ADVICE
7 FROM THE ORGANIZATION OF PARENTS, TEACHERS, AND STUDENTS, MAY
8 ESTABLISH AN ALTERNATIVE MEMBERSHIP PLAN FOR THE SCHOOL
9 ACCOUNTABILITY COMMITTEE, WHICH PLAN SHALL REFLECT THE
10 MEMBERSHIP SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS
11 SECTION AS MUCH AS PRACTICABLE;

12 (b) THE GOVERNING BOARD OF A DISTRICT CHARTER SCHOOL OR
13 AN INSTITUTE CHARTER SCHOOL MAY SERVE AS THE SCHOOL
14 ACCOUNTABILITY COMMITTEE;

15 (c) IN A SCHOOL DISTRICT WITH FIVE HUNDRED OR FEWER
16 ENROLLED STUDENTS, ONE OR MORE MEMBERS OF THE SCHOOL DISTRICT
17 BOARD OF EDUCATION MAY ALSO SERVE ON A SCHOOL ACCOUNTABILITY
18 COMMITTEE AND THE DISTRICT ACCOUNTABILITY COMMITTEE MAY SERVE
19 AS A SCHOOL ACCOUNTABILITY COMMITTEE."

20 Page 24, line 3, strike "09-____," and substitute "09-090,";

21 line 11, strike "09-____," and substitute "09-090,";

22 strike lines 26 and 27.

23 Strike pages 25 and 26.

24 Renumber succeeding sections accordingly.

25 Page 27, line 11, strike "09-____," and substitute "09-090,";

26 line 27, strike "09-____," and substitute "09-090,".

27 Page 31, strike lines 7 through 14.

28 Renumber succeeding sections accordingly.

- 1 Page 32, strike lines 19 through 27.
- 2 Renumber succeeding sections accordingly.

** *** ** *** **