

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

PREAMENDED

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

LLS NO. 11-0528.01 Julie Pelegrin

HOUSE BILL 11-1089

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A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF THE STATE CHARTER SCHOOL**
102 **INSTITUTE TO ACT AS A LOCAL EDUCATION AGENCY FOR**
103 **CHARTER SCHOOLS THAT APPLY FOR GRANT PROGRAMS.**

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 current law, the state charter school institute (institute) may act as the local education agency for a district charter school or institute charter school in applying for a grant program created by a federal statute other than the "Individuals with Disabilities Education Act" or the

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.*

"Elementary and Secondary Education Act of 1965". The bill removes the exception for the "Elementary and Secondary Education Act of 1965" and authorizes the institute to act as the local education agency for a charter school applying for a grant under any federal or state statute or program, except the "Individuals with Disabilities Education Act".

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

2 **SECTION 1.** 22-30.5-503 (3.5) (a), Colorado Revised Statutes,
3 is amended to read:

4 **22-30.5-503. State charter school institute - establishment.**

5 (3.5) (a) The state charter school institute may act as the local education
6 agency and fiscal agent for a district charter school or an institute charter
7 school that chooses to apply for a grant through a nonformulaic,
8 competitive grant program created by A federal OR STATE statute OR
9 PROGRAM; except that the provisions of this subsection (3.5) shall not
10 apply to an application for:

11 (I) A grant program created in the federal "Individuals with
12 Disabilities Education Act", 20 U.S.C. sec. 1400 et seq., as amended, or
13 in its implementing regulations. ~~or~~

14 (II) ~~A grant program created in the federal "Elementary and~~
15 ~~Secondary Education Act of 1965", 20 U.S.C. sec. 6301 et seq., as~~
16 ~~amended, or in its implementing regulations.~~

17 **SECTION 2.** 22-30.5-104 (11), Colorado Revised Statutes, is
18 amended to read:

19 **22-30.5-104. Charter school - requirements - authority.**

20 (11) (a) If a charter school chooses to apply for a grant through a
21 nonformulaic, competitive grant program created by A federal OR STATE
22 statute OR PROGRAM, the charter school, pursuant to the provisions of
23 section 22-30.5-503 (3.5), may request that the state charter school

1 institute act as a local education agency and fiscal agent for the charter
2 school for purposes of the grant. The charter school shall pay the fee, if
3 any, imposed by the state charter school institute board as provided in
4 section 22-30.5-503 (3.5).

5 (b) A CHARTER SCHOOL THAT APPLIES FOR A GRANT PURSUANT TO
6 THIS SUBSECTION (11) SHALL PROVIDE TO ITS AUTHORIZING DISTRICT:

7 (I) A COPY OF THE GRANT APPLICATION AT THE TIME THE
8 APPLICATION IS SUBMITTED TO THE GRANT MAKER;

9 (II) NOTICE THAT THE CHARTER SCHOOL DID OR DID NOT RECEIVE
10 THE GRANT MONEYS; AND

11 (III) IF THE CHARTER SCHOOL RECEIVES THE GRANT MONEYS, A
12 SUMMARY OF THE GRANT REQUIREMENTS, A SUMMARY OF HOW THE
13 CHARTER SCHOOL IS USING THE GRANT MONEYS, AND PERIODIC REPORTS
14 ON THE CHARTER SCHOOL'S PROGRESS IN MEETING THE GOALS OF THE
15 GRANT AS STATED IN ITS APPLICATION.

16 **SECTION 3. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.