

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 22, 2012

Date

Committee on Education.

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

SB12-121 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 10, strike lines 7 through 21 and substitute:

2           **"22-30.5-104. Charter school - requirements - authority.**  
3 (11) (a) If a charter school chooses to apply, ALONE OR WITH A  
4 CONSORTIUM OF CHARTER SCHOOLS, for a grant through a nonformulaic,  
5 competitive grant program created by a federal or state statute or  
6 program, the charter school OR CONSORTIUM OF CHARTER SCHOOLS,  
7 pursuant to the provisions of section 22-30.5-503 (3.5), may request that  
8 the state charter school institute act as a local education agency and fiscal  
9 agent for the charter school OR CONSORTIUM OF CHARTER SCHOOLS for  
10 purposes of ~~the~~ grant MANAGEMENT AND LIABILITY. The charter school  
11 OR CONSORTIUM OF CHARTER SCHOOLS shall pay the fee, if any, imposed  
12 by the state charter school institute board as provided in section  
13 22-30.5-503 (3.5).".

14 Page 10, strike lines 24 through 27 and substitute:

15           **"22-30.5-503. State charter school institute - establishment -**  
16 **rules.** (3.5) (a) The state charter school institute may act as the local  
17 education agency and fiscal agent FOR PURPOSES OF GRANT MANAGEMENT  
18 AND LIABILITY for a district charter school, ~~or~~ an institute charter school,  
19 OR A CONSORTIUM OF CHARTER SCHOOLS that chooses to apply for a grant  
20 through a nonformulaic, competitive grant program created by a federal  
21 or state statute or program; except that the provisions of this subsection  
22 (3.5) shall not apply to an application for:  
23           (I) A grant program created in the federal "Individuals with  
24 Disabilities Education Act", 20 U.S.C. sec. 1400 et seq., as amended, or  
25 in its implementing regulations.

1 (II) (Deleted by amendment, L. 2011, (HB11-1089), ch. 55, p.  
2 147, § 1, effective March 25, 2011.)

3 (b) In acting as a local education agency and fiscal agent FOR  
4 PURPOSES OF GRANT MANAGEMENT AND LIABILITY pursuant to this  
5 subsection (3.5), the institute shall treat district charter schools and  
6 institute charter schools equally.

7 (c) The institute board, by rule, may establish a fee that a district  
8 charter school, ~~or~~ an institute charter school, OR A CONSORTIUM OF  
9 CHARTER SCHOOLS shall pay if it requests that the institute act as the local  
10 education agency and fiscal agent FOR PURPOSES OF GRANT MANAGEMENT  
11 AND LIABILITY for the charter school OR CONSORTIUM OF CHARTER  
12 SCHOOLS pursuant to this subsection (3.5). The amount of the fee shall not  
13 exceed the direct costs incurred by the institute in implementing the  
14 provisions of this subsection (3.5). Any amount received by the institute  
15 from fees paid pursuant to this subsection (3.5) is continuously  
16 appropriated to the institute for the costs incurred in implementing this  
17 subsection (3.5). The institute board shall adopt rules as necessary to  
18 implement the provisions of this subsection (3.5).

19 (d) The state board shall promulgate rules to establish processes,  
20 guidelines, and eligibility for a single school or consortium of schools to  
21 apply for grants and programs pursuant to this section."

22 Strike page 11.

23 Page 12, strike lines 1 through 14.

24 Renumber succeeding sections accordingly.

25 Page 12, strike lines 25 through 27.

26 Page 13, strike lines 1 through 11.

27 Renumber succeeding sections accordingly.

28 Page 14, strike lines 10 through 27.

29 Page 15, strike lines 1 through 13.

30 Renumber succeeding sections accordingly.

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