

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

**INTRODUCED**

LLS NO. 13-0312.01 Jane Ritter x4342

**SENATE BILL 13-002**

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**SENATE SPONSORSHIP**

**Hudak,**

**HOUSE SPONSORSHIP**

**Hamner,**

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**Senate Committees**  
Education

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE DESIGNATION OF BOARDS OF COOPERATIVE**  
102             **SERVICES AS LOCAL EDUCATION AGENCIES FOR PURPOSES OF**  
103             **FEDERAL LAW.**

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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>.)*

The bill allows boards of cooperative services (BOCES) to act as local education agencies for the purposes of federal law, including for the receipt of federal grants. BOCES may apply to any division within the department of education, and all divisions must inform BOCES of and

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.*

allow them to apply for all federal and state grant moneys for which they are eligible.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-5-114.5 as  
3 follows:

4 **22-5-114.5. Designation as local education agency.** (1) FOR  
5 PURPOSES OF FEDERAL LAW AND RECEIVING FEDERAL GRANT MONEYS,  
6 ANY BOARD OF COOPERATIVE SERVICES MAY ACT AS A LOCAL EDUCATION  
7 AGENCY FOR A PARTICIPATING MEMBER OR CONSORTIUM OF MEMBERS  
8 THAT CHOOSES TO APPLY FOR A GRANT THROUGH A GRANT PROGRAM  
9 CREATED BY A FEDERAL OR STATE STATUTE OR PROGRAM. THE  
10 PROVISIONS OF THIS SECTION SHALL NOT APPLY TO FEDERAL FORMULA  
11 GRANT MONEYS UNLESS ALLOWED BY THE "ELEMENTARY AND  
12 SECONDARY EDUCATION ACT OF 1965", PUB.L. 89-10.

13 (2) A BOARD OF COOPERATIVE SERVICES MAY APPLY TO THE  
14 DEPARTMENT FOR FEDERAL OR STATE MONEYS RECEIVED BY THE  
15 DEPARTMENT ONLY WITH THE APPROVAL OF TWO OR MORE OF ITS  
16 PARTICIPATING MEMBER SCHOOL DISTRICTS THROUGH A VOTE BY THE  
17 BOARD OF DIRECTORS OF THE BOARD OF COOPERATIVE SERVICES.

18 (3) A BOARD OF COOPERATIVE SERVICES MAY APPLY TO ANY  
19 DIVISION WITHIN THE DEPARTMENT FOR ANY FEDERAL AND STATE GRANT  
20 MONEYS FOR WHICH IT IS ELIGIBLE. ALL DIVISIONS WITHIN THE  
21 DEPARTMENT MUST TREAT BOARDS OF COOPERATIVE SERVICES AS LOCAL  
22 EDUCATION AGENCIES AND INFORM THEM OF AND ALLOW THEM TO APPLY  
23 FOR ALL FEDERAL AND STATE GRANT MONEYS FOR WHICH THEY ARE  
24 ELIGIBLE.

25 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.