

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0226.01 Brita Darling x2241

HOUSE BILL 15-1124

HOUSE SPONSORSHIP

Buck,

SENATE SPONSORSHIP

(None),

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING FLEXIBILITY REGARDING THE REQUIREMENTS IMPOSED
102 ON CERTAIN RURAL SCHOOL DISTRICTS.

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 permits rural school districts, as defined in the bill, to request automatic waivers of certain state statutes and state board of education (state board) rules, as applicable, that are automatically granted to charter schools.

A rural school district may also request a waiver from the state board from administering the school readiness assessment to kindergarten

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.

students if the rural school district demonstrates that it is able to measure each student's progress toward demonstrating school readiness through other means.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-32-110.2 as
3 follows:

4 **22-32-110.2. Rural school districts - waivers - biennial**
5 **reporting - definitions.** (1) (a) PURSUANT TO THE SAME APPLICABLE
6 RESTRICTIONS AND CONDITIONS THAT APPLY TO CHARTER SCHOOLS, A
7 RURAL SCHOOL DISTRICT MAY OPERATE FREE FROM THE SAME STATE
8 STATUTES AND STATE BOARD OF EDUCATION RULES AS IDENTIFIED IN THE
9 LIST OF AUTOMATIC WAIVERS PROMULGATED FOR CHARTER SCHOOLS
10 PURSUANT TO SECTION 22-30.5-104, AS APPLICABLE TO RURAL SCHOOL
11 DISTRICTS.

12 (b) THE BOARD OF EDUCATION OF A RURAL SCHOOL DISTRICT
13 SHALL NOTIFY THE STATE BOARD OF EDUCATION OF ITS INTENT TO
14 OPERATE PURSUANT TO THE AUTOMATIC WAIVERS AUTHORIZED PURSUANT
15 TO THIS SECTION.

16 (c) THE AUTOMATIC WAIVER OF STATE STATUTES OR STATE BOARD
17 OF EDUCATION RULES MADE PURSUANT TO THIS SUBSECTION (1) REMAIN
18 IN EFFECT UNTIL THE BOARD OF EDUCATION OF A RURAL SCHOOL DISTRICT
19 NOTIFIES THE STATE BOARD OF EDUCATION THAT IT NO LONGER INTENDS
20 TO OPERATE UNDER THE AUTOMATIC WAIVERS; EXCEPT THAT THE STATE
21 BOARD OF EDUCATION MAY PERIODICALLY REVIEW THE WAIVERS
22 PURSUANT TO STATE BOARD OF EDUCATION RULE AND MAY REVOKE THE
23 WAIVERS IF IT DETERMINES THAT THE WAIVERS ARE NO LONGER
24 NECESSARY.

1 (d) PURSUANT TO THE PROVISIONS OF SECTION 22-2-117, THE
2 BOARD OF EDUCATION OF A RURAL SCHOOL DISTRICT MAY APPLY TO THE
3 STATE BOARD OF EDUCATION FOR A WAIVER FROM STATE STATUTES AND
4 STATE BOARD OF EDUCATION RULES THAT ARE NOT INCLUDED IN THE
5 AUTOMATIC WAIVERS AUTHORIZED PURSUANT TO THIS SECTION.

6 (2) NOTWITHSTANDING ANY PROVISION OF ARTICLE 7 OF THIS
7 TITLE TO THE CONTRARY, BEGINNING WITH THE 2015-16 SCHOOL YEAR
8 AND FOR SCHOOL YEARS THEREAFTER, A RURAL SCHOOL DISTRICT MAY
9 REQUEST A WAIVER FROM THE STATE BOARD OF EDUCATION OF THE
10 REQUIREMENT TO ADMINISTER THE SCHOOL READINESS ASSESSMENT
11 PURSUANT TO SECTION 22-7-1014 TO KINDERGARTEN STUDENTS. THE
12 STATE BOARD OF EDUCATION MAY GRANT THE WAIVER IF THE RURAL
13 SCHOOL DISTRICT CAN DEMONSTRATE THAT IT IS ABLE TO MEASURE EACH
14 STUDENT'S PROGRESS TOWARD DEMONSTRATING SCHOOL READINESS
15 THROUGH TEACHER OBSERVATION OF THE STUDENT, THROUGH
16 ASSESSMENTS ADMINISTERED PURSUANT TO THE "COLORADO READ
17 ACT", OR THROUGH COMPLIANCE WITH OTHER STATUTORY REQUIREMENTS
18 SPECIFIED IN THE RURAL SCHOOL DISTRICT'S REQUEST. IF GRANTED, THE
19 WAIVER MUST BE FOR THE TERM SPECIFIED BY THE STATE BOARD OF
20 EDUCATION; EXCEPT THAT THE STATE BOARD OF EDUCATION MAY
21 PERIODICALLY REVIEW THE WAIVER PURSUANT TO STATE BOARD OF
22 EDUCATION RULE AND MAY REVOKE THE WAIVER IF IT DETERMINES THAT
23 THE WAIVER IS NO LONGER NECESSARY.

24 (3) AS USED IN THIS SECTION, "RURAL SCHOOL DISTRICT" MEANS
25 A SCHOOL DISTRICT IN COLORADO THAT THE DEPARTMENT OF EDUCATION
26 DETERMINES IS RURAL BASED ON THE SIZE OF THE DISTRICT, THE DISTANCE
27 FROM THE NEAREST LARGE URBAN OR URBANIZED AREA, AND A STUDENT

1 ENROLLMENT OF APPROXIMATELY SIX THOUSAND FIVE HUNDRED OR
2 FEWER STUDENTS.

3 **SECTION 2. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety.