

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 16-1268.01 Julie Pelegrin x2700

SENATE BILL 16-208

SENATE SPONSORSHIP

Hill, Steadman

HOUSE SPONSORSHIP

Williams and Sias,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING MAINTAINING THE SAME FUNDING CALCULATION FOR A**
102 **CHARTER SCHOOL THAT CONVERTS FROM A DISTRICT CHARTER**
103 **SCHOOL TO AN INSTITUTE CHARTER SCHOOL OR FROM AN**
104 **INSTITUTE CHARTER SCHOOL TO A DISTRICT CHARTER SCHOOL.**

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 the bill, if a district charter school converts to an institute charter school, or an institute charter school converts to a district charter school, the converted school's funding is still calculated using the formula

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.*

that applied to the school before the conversion.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-30.5-112, **add**
3 (11) as follows:

4 **22-30.5-112. Charter schools - financing - definitions -**
5 **guidelines.** (11) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION
6 TO THE CONTRARY, A DISTRICT CHARTER SCHOOL THAT CONVERTS FROM
7 AN INSTITUTE CHARTER SCHOOL PURSUANT TO SECTION 22-30.5-504 (10)
8 CONTINUES TO RECEIVE, AS CALCULATED PURSUANT TO SECTION
9 22-30.5-513, THE ACCOUNTING DISTRICT'S ADJUSTED PER PUPIL REVENUES
10 AND AT-RISK SUPPLEMENTAL AID AS THE FUNDING APPLIED TO THE
11 CONVERTED SCHOOL BEFORE THE CONVERSION; EXCEPT THAT THIS
12 SUBSECTION (11) DOES NOT APPLY IF THE CONVERTED SCHOOL IS
13 AUTHORIZED BY A SMALL RURAL SCHOOL DISTRICT, AS DESCRIBED IN
14 SECTION 22-54-108 (3) (b) (IV).

15 (b) THIS SUBSECTION (11) IS REPEALED, EFFECTIVE JULY 1, 2021.

16 **SECTION 2.** In Colorado Revised Statutes, 22-30.5-112.1, **add**
17 (7) as follows:

18 **22-30.5-112.1. Charter schools - definitions - exclusive**
19 **jurisdiction districts - authorized on or after July 1, 2004 - financing.**

20 (7) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
21 CONTRARY, A DISTRICT CHARTER SCHOOL THAT CONVERTS FROM AN
22 INSTITUTE CHARTER SCHOOL PURSUANT TO SECTION 22-30.5-504 (10)
23 CONTINUES TO RECEIVE, AS CALCULATED PURSUANT TO SECTION
24 22-30.5-513, THE ACCOUNTING DISTRICT'S ADJUSTED PER PUPIL REVENUES
25 AND AT-RISK SUPPLEMENTAL AID AS THE FUNDING APPLIED TO THE

1 CONVERTED SCHOOL BEFORE THE CONVERSION; EXCEPT THAT THIS
2 SUBSECTION (7) DOES NOT APPLY IF THE CONVERTED SCHOOL IS
3 AUTHORIZED BY A SMALL RURAL SCHOOL DISTRICT, AS DESCRIBED IN
4 SECTION 22-54-108 (3) (b) (IV).

5 (b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2021.

6 **SECTION 3.** In Colorado Revised Statutes, 22-30.5-112.2, **add**
7 (4) as follows:

8 **22-30.5-112.2. Charter schools - at-risk supplemental aid -**
9 **definitions - legislative declaration.** (4) (a) NOTWITHSTANDING ANY
10 PROVISION OF THIS SECTION TO THE CONTRARY, AT-RISK SUPPLEMENTAL
11 AID FOR A DISTRICT CHARTER SCHOOL THAT CONVERTS FROM AN
12 INSTITUTE CHARTER SCHOOL PURSUANT TO SECTION 22-30.5-504 (10)
13 CONTINUES TO BE CALCULATED FOR THE CONVERTED SCHOOL PURSUANT
14 TO SECTION 22-30.5-513 AS THE FUNDING APPLIED TO THE CONVERTED
15 SCHOOL BEFORE THE CONVERSION; EXCEPT THAT THIS SUBSECTION (4)
16 DOES NOT APPLY IF THE CONVERTED SCHOOL IS AUTHORIZED BY A SMALL
17 RURAL SCHOOL DISTRICT, AS DESCRIBED IN SECTION 22-54-108 (3) (b)
18 (IV).

19 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2021.

20 **SECTION 4.** In Colorado Revised Statutes, 22-30.5-504, **add**
21 (10) (d) as follows:

22 **22-30.5-504. Institute chartering authority - institute charter**
23 **schools - exclusive authority - retention - recovery - revocation.**
24 (10) (d) (1) IF AN INSTITUTE CHARTER SCHOOL CONVERTS TO A DISTRICT
25 CHARTER SCHOOL, THE AUTHORIZING SCHOOL DISTRICT SHALL CALCULATE
26 THE CONVERTED SCHOOL'S FUNDING, INCLUDING AT-RISK SUPPLEMENTAL
27 AID, AS IT WAS CALCULATED BEFORE THE CONVERSION USING THE

1 FORMULAS SPECIFIED IN SECTION 22-30.5-513; EXCEPT THAT THIS
2 PARAGRAPH (d) DOES NOT APPLY IF THE CONVERTED SCHOOL IS
3 AUTHORIZED BY A SMALL RURAL SCHOOL DISTRICT, AS DESCRIBED IN
4 SECTION 22-54-108 (3) (b) (IV).

5 (II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2021.

6 **SECTION 5.** In Colorado Revised Statutes, 22-30.5-510, **add** (1)
7 (a.7) as follows:

8 **22-30.5-510. Institute charter school application - process -**
9 **rule-making.** (1) (a.7) (I) IF A DISTRICT CHARTER SCHOOL CONVERTS TO
10 AN INSTITUTE CHARTER SCHOOL, THE INSTITUTE SHALL CALCULATE THE
11 CONVERTED SCHOOL'S FUNDING AS IT WAS CALCULATED BEFORE THE
12 CONVERSION USING THE APPLICABLE FORMULAS SPECIFIED IN PART 1 OF
13 THIS ARTICLE; EXCEPT THAT THIS PARAGRAPH (a.7) DOES NOT APPLY IF
14 THE CONVERTED SCHOOL WAS AUTHORIZED BY A SMALL RURAL SCHOOL
15 DISTRICT, AS DESCRIBED IN SECTION 22-54-108 (3) (b) (IV), BEFORE THE
16 CONVERSION.

17 (II) THIS PARAGRAPH (a.7) IS REPEALED, EFFECTIVE JULY 1, 2021.

18 **SECTION 6.** In Colorado Revised Statutes, 22-30.5-513, **add**
19 (5.5) as follows:

20 **22-30.5-513. Institute charter schools - definitions - funding -**
21 **at-risk supplemental aid - legislative declaration.**

22 (5.5) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
23 CONTRARY, IF A DISTRICT CHARTER SCHOOL CONVERTS TO AN INSTITUTE
24 CHARTER SCHOOL PURSUANT TO SECTION 22-30.5-510, THE CONVERTED
25 SCHOOL'S PER PUPIL REVENUES OR ADJUSTED PER PUPIL REVENUES,
26 WHICHEVER IS APPLICABLE, AND AT-RISK SUPPLEMENTAL AID CONTINUE
27 TO BE CALCULATED PURSUANT TO SECTION 22-30.5-112 OR 22-305-112.1,

1 WHICHEVER IS APPLICABLE, AND 22-30.5-112.2, AS THE FUNDING APPLIED
2 TO THE CONVERTED SCHOOL BEFORE THE CONVERSION; EXCEPT THAT THIS
3 SUBSECTION (5.5) DOES NOT APPLY IF THE CONVERTED SCHOOL WAS
4 AUTHORIZED BY A SMALL RURAL SCHOOL DISTRICT, AS DESCRIBED IN
5 SECTION 22-54-108 (3) (b) (IV), BEFORE THE CONVERSION.

6 (b) THIS SUBSECTION (5.5) IS REPEALED, EFFECTIVE JULY 1, 2021.

7 **SECTION 7. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2016 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.