

CHAPTER 289

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 98-1171

BY REPRESENTATIVES Arrington, K. Alexander, Allen, C. Berry, Dean, Epps, Hefley, Paschall, and Sullivant;
also SENATORS Coffman, Arnold, Lamborn, and Tebedo.

AN ACT

CONCERNING THE GRANTING OF WAIVERS FOR CHARTER SCHOOLS.

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

SECTION 1. 22-30.5-105 (3), Colorado Revised Statutes, is amended to read:

22-30.5-105. Charter schools - contract contents - waiver of regulations.

(3) The contract between the charter school and the local board of education shall reflect all requests for release of the charter school from state STATUTES AND regulations. ~~The local board of education and the charter school shall jointly request such release from the state board.~~ WITHIN TEN DAYS AFTER THE CONTRACT IS APPROVED BY THE LOCAL BOARD OF EDUCATION, ANY REQUEST FOR RELEASE FROM STATE STATUTES AND REGULATIONS SHALL BE DELIVERED BY THE LOCAL BOARD OF EDUCATION TO THE STATE BOARD. WITHIN FORTY-FIVE DAYS AFTER A REQUEST FOR RELEASE IS RECEIVED BY THE STATE BOARD, THE STATE BOARD SHALL EITHER GRANT OR DENY THE REQUEST. IF THE STATE BOARD GRANTS THE REQUEST, IT MAY ORALLY NOTIFY THE LOCAL BOARD OF EDUCATION AND THE CHARTER SCHOOL OF ITS DECISION. IF THE STATE BOARD DENIES THE REQUEST, IT SHALL NOTIFY THE LOCAL BOARD OF EDUCATION AND THE CHARTER SCHOOL IN WRITING THAT THE REQUEST IS DENIED AND SPECIFY THE REASONS FOR DENIAL. IF THE LOCAL BOARD OF EDUCATION AND THE CHARTER SCHOOL DO NOT RECEIVE NOTICE OF THE STATE BOARD'S DECISION WITHIN FORTY-FIVE DAYS AFTER SUBMITTAL OF THE REQUEST FOR RELEASE, THE REQUEST SHALL BE DEEMED GRANTED. IF THE STATE BOARD DENIES A REQUEST FOR RELEASE THAT INCLUDES MULTIPLE STATE STATUTES OR REGULATIONS, THE DENIAL SHALL SPECIFY THE STATE STATUTES AND REGULATIONS FOR WHICH THE RELEASE IS DENIED, AND THE DENIAL SHALL APPLY ONLY TO THOSE STATE STATUTES AND REGULATIONS

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SO SPECIFIED.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 1, 1998