

CHAPTER 118

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 97-018

BY SENATORS Congrove, Arnold, and Tebedo;
also REPRESENTATIVES Dean, Arrington, G. Berry, Lamborn, May, Musgrave, Pankey, Schwarz, Sullivant, and Taylor.

AN ACT

CONCERNING REVISIONS TO THE "CHARTER SCHOOLS ACT".

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

SECTION 1. 22-30.5-104 (4), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-30.5-104. Charter school - requirements - authority. (4) A charter school shall be administered and governed by a governing body in a manner agreed to by the charter school applicant and the local board of education. A CHARTER SCHOOL MAY ORGANIZE AS A NONPROFIT CORPORATION PURSUANT TO THE "COLORADO NONPROFIT CORPORATION ACT", ARTICLES 20 TO 29 OF TITLE 7, C.R.S., WHICH SHALL NOT AFFECT ITS STATUS AS A PUBLIC SCHOOL FOR ANY PURPOSES UNDER COLORADO LAW.

SECTION 2. 22-30.5-105 (1), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-30.5-105. Charter schools - contract contents - regulations. (1) An approved charter application shall ~~constitute an agreement, and the terms thereof shall be the terms of~~ SERVE AS THE BASIS FOR a contract between the charter school and the local board of education.

SECTION 3. 22-30.5-110 (1), Colorado Revised Statutes, 1995 Repl. Vol., is amended, and the said 22-30.5-110, as amended, is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

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

22-30.5-110. Charter schools - term - renewal of charter - grounds for nonrenewal or revocation. (1) A NEW charter may be approved ~~or renewed~~ for a period OF AT LEAST THREE YEARS BUT not ~~to exceed~~ MORE THAN five academic years. A CHARTER MAY BE RENEWED FOR A PERIOD NOT TO EXCEED FIVE YEARS.

(1.5) NO LATER THAN DECEMBER 1 OF THE YEAR PRIOR TO THE YEAR IN WHICH THE CHARTER EXPIRES, THE GOVERNING BODY OF A CHARTER SCHOOL SHALL SUBMIT A RENEWAL APPLICATION TO THE LOCAL BOARD OF EDUCATION. THE LOCAL BOARD OF EDUCATION SHALL RULE BY RESOLUTION ON THE RENEWAL APPLICATION NO LATER THAN FEBRUARY 1 OF THE YEAR IN WHICH THE CHARTER EXPIRES, OR A MUTUALLY AGREED UPON DATE.

SECTION 4. 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: April 21, 1997