

CHAPTER 67

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 02-051

BY SENATOR(S) Windels;
also REPRESENTATIVE(S) Spence, Fritz, King, Mace, Scott, and Weddig.

AN ACT

CONCERNING CHANGING THE CHARTER SCHOOL APPLICATION DEADLINE.

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

SECTION 1. 22-30.5-107, Colorado Revised Statutes, is amended to read:

22-30.5-107. Charter application - process. (1) A charter applicant cannot apply to, or be granted a charter by, a school district unless a majority of the charter school's pupils will reside in the chartering school district or in school districts contiguous thereto. The local board of education shall receive and review all applications for charter schools. Applications must be filed with the local board of education by ~~October 1~~ A DATE DETERMINED BY THE LOCAL BOARD OF EDUCATION to be eligible for consideration for the following school year. THE DATE DETERMINED BY THE LOCAL BOARD OF EDUCATION FOR FILING OF APPLICATIONS SHALL NOT BE ANY EARLIER THAN AUGUST 15, OR ANY LATER THAN OCTOBER 1. PRIOR TO ANY CHANGE IN THE APPLICATION DEADLINE, THE LOCAL BOARD OF EDUCATION SHALL NOTIFY EACH CHARTER SCHOOL APPLICANT IN THE DISTRICT OF THE PROPOSED CHANGE BY CERTIFIED LETTER. The local board of education shall not charge any application fees. If such board finds the charter school application is incomplete, the board shall request the necessary information from the charter applicant. The charter school application shall be reviewed by the district accountability committee prior to consideration by the local board of education.

(1.5) For purposes of reviewing a charter school application, a district accountability committee shall include at least:

(a) One person with a demonstrated knowledge of charter schools, regardless of whether that person resides within the school district; and

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

(b) One parent or legal guardian of a child enrolled in a charter school in the school district; except that, if there are no charter schools in the school district, the local board of education shall appoint a parent or legal guardian of a child enrolled in the school district.

(2) After giving reasonable public notice, the local board of education shall hold community meetings in the affected areas or the entire school district to obtain information to assist the local board of education in its decision to grant a charter school application. The local board of education shall rule by resolution on the application for a charter school in a public hearing, upon reasonable public notice, within seventy-five days after receiving the application filed pursuant to subsection (1) of this section. All negotiations between the charter school and the local board of education on the contract shall be concluded by, and all terms of the contract agreed upon, no later than ninety days after the local board of education rules by resolution on the application for a charter school. ~~unless the parties mutually agree to waive this deadline.~~

(2.5) The charter applicant and the local board of education may jointly waive the deadlines set forth in this section.

(3) If a local board of education denies a charter school application or unilaterally imposes conditions that are unacceptable to the charter applicant, the charter applicant may appeal the decision to the state board pursuant to section 22-30.5-108.

(4) If a local board of education denies a charter school application, it shall state its reasons for the denial. If a local board of education grants a charter, it shall send a copy of the approved charter to the department of education within fifteen days after granting the charter.

SECTION 2. Effective date. This act shall take effect July 1, 2003.

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

Approved: April 3, 2002