

CHAPTER 55

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 11-1089

BY REPRESENTATIVE(S) Conti, Kerr J., Acree, Balmer, Baumgardner, Becker, Beezley, DelGrosso, Holbert, Looper, Massey, Ramirez, Scott, Swerdfeger, Barker, Casso, Gerou, Murray, Nikkel, Priola, Schafer S., Sonnenberg, Stephens, Summers, Szabo, Waller, McNulty, Gardner B., Liston;
also SENATOR(S) King K., Spence, Harvey, King S., Lundberg, Grantham, Guzman, Hudak, Kopp, Mitchell, Steadman, White.

AN ACT

CONCERNING THE AUTHORITY OF THE STATE CHARTER SCHOOL INSTITUTE TO ACT AS A LOCAL EDUCATION AGENCY FOR CHARTER SCHOOLS THAT APPLY FOR GRANT PROGRAMS.

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

SECTION 1. 22-30.5-503 (3.5) (a), Colorado Revised Statutes, is amended to read:

22-30.5-503. State charter school institute - establishment. (3.5) (a) The state charter school institute may act as the local education agency and fiscal agent for a district charter school or an institute charter school that chooses to apply for a grant through a nonformulaic, competitive grant program created by A federal OR STATE statute OR PROGRAM; except that the provisions of this subsection (3.5) shall not apply to an application for:

(I) A grant program created in the federal "Individuals with Disabilities Education Act", 20 U.S.C. sec. 1400 et seq., as amended, or in its implementing regulations. ~~or~~

(II) ~~A grant program created in the federal "Elementary and Secondary Education Act of 1965", 20 U.S.C. sec. 6301 et seq., as amended, or in its implementing regulations.~~

SECTION 2. 22-30.5-104 (11), Colorado Revised Statutes, is amended to read:

22-30.5-104. Charter school - requirements - authority. (11) (a) If a charter school chooses to apply for a grant through a nonformulaic, competitive grant

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

program created by a federal OR STATE statute OR PROGRAM, the charter school, pursuant to the provisions of section 22-30.5-503 (3.5), may request that the state charter school institute act as a local education agency and fiscal agent for the charter school for purposes of the grant. The charter school shall pay the fee, if any, imposed by the state charter school institute board as provided in section 22-30.5-503 (3.5).

(b) A CHARTER SCHOOL THAT APPLIES FOR A GRANT PURSUANT TO THIS SUBSECTION (11) SHALL PROVIDE TO ITS AUTHORIZING DISTRICT:

(I) A COPY OF THE GRANT APPLICATION AT THE TIME THE APPLICATION IS SUBMITTED TO THE GRANT MAKER;

(II) NOTICE THAT THE CHARTER SCHOOL DID OR DID NOT RECEIVE THE GRANT MONEYS; AND

(III) IF THE CHARTER SCHOOL RECEIVES THE GRANT MONEYS, A SUMMARY OF THE GRANT REQUIREMENTS, A SUMMARY OF HOW THE CHARTER SCHOOL IS USING THE GRANT MONEYS, AND PERIODIC REPORTS ON THE CHARTER SCHOOL'S PROGRESS IN MEETING THE GOALS OF THE GRANT AS STATED IN ITS APPLICATION.

(c) IF A CHARTER SCHOOL INTENDS TO APPLY FOR A GRANT THAT THE SCHOOL'S AUTHORIZING SCHOOL DISTRICT IS ALSO INTENDING TO APPLY FOR, THE CHARTER SCHOOL SHALL SEEK TO COLLABORATE WITH THE SCHOOL DISTRICT IN THE APPLICATION AND TO SUBMIT THE APPLICATION JOINTLY. IF THE CHARTER SCHOOL AND THE SCHOOL DISTRICT ARE UNABLE TO AGREE TO COLLABORATE IN APPLYING FOR THE GRANT, THE CHARTER SCHOOL MAY APPLY FOR THE GRANT PURSUANT TO THIS SUBSECTION (11) INDEPENDENTLY OR IN COLLABORATION WITH OTHER CHARTER SCHOOLS.

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: March 25, 2011