

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

SB21-268 be amended as follows:

1 Amend reengrossed bill, page 17, after line 24 insert:

2 "SECTION 18. In Colorado Revised Statutes, 22-30.5-108,
3 amend (2) as follows:

4 **22-30.5-108. Appeal - standard of review - procedures.**

5 (2) (a) A charter applicant or any other person who wishes to appeal a
6 decision of a local board of education concerning the denial of a charter
7 application or the nonrenewal or revocation of a charter or the unilateral
8 imposition of conditions on a charter applicant or a charter school, shall
9 provide the state board and the local board of education with a notice of
10 appeal or of facilitation within thirty days after the local board's decision
11 OF THE LOCAL BOARD OF EDUCATION. The person bringing the appeal shall
12 limit the grounds of the appeal to the grounds for the denial of a charter
13 application or the nonrenewal or revocation of a charter, or the unilateral
14 imposition of conditions on a charter applicant or charter school,
15 whichever is being appealed, specified by the local board of education.

16 (b) IN AN APPEAL CONCERNING THE DECISION OF A LOCAL BOARD
17 OF EDUCATION TO DENY A CHARTER APPLICATION, THERE IS A REBUTTABLE
18 PRESUMPTION THAT THE DECISION OF THE LOCAL BOARD OF EDUCATION
19 WAS IN THE BEST INTERESTS OF THE PUPILS, SCHOOL DISTRICT, OR
20 COMMUNITY SO LONG AS THE DECISION WAS BASED ON ONE OR MORE OF
21 THE FOLLOWING CONSIDERATIONS:

22 (I) THE LIKELIHOOD OF A CONFLICT WITH THE LOCAL BOARD OF
23 EDUCATION'S EXISTING LONG-TERM PLANS FOR THE SCHOOL DISTRICT; OR

24 (II) STUDENT ENROLLMENT AMONG THE SCHOOLS OF THE SCHOOL
25 DISTRICT."

26 Renumber succeeding sections accordingly.

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