

HB1343\_L.003

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.HB16-1343 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 22-30.5-113, amend  
4 (2) as follows:

5 **22-30.5-113. State board - department of education - duties -**  
6 **charter schools - evaluation - report.** (2) The state board shall compile  
7 evaluations of charter schools received from local boards of education  
8 and evaluations of institute charter schools prepared by the state charter  
9 school institute created in section 22-30.5-503. The state board shall  
10 review information regarding the statutes, regulations, RULES, and  
11 policies from which charter schools were ARE released pursuant to section  
12 22-30.5-105 and from which institute charter schools were ARE released  
13 pursuant to section 22-30.5-508 to determine if WHETHER the releases  
14 assisted or impeded the charter schools or the institute charter schools in  
15 meeting their stated goals and objectives. FOR THE 2016-17 BUDGET YEAR  
16 AND AT LEAST EVERY THREE YEARS THEREAFTER, THE STATE BOARD  
17 SHALL REVIEW THE WAIVERS OF STATE STATUTE AND RULES THAT ARE  
18 AUTOMATICALLY GRANTED TO CHARTER SCHOOLS AND INSTITUTE  
19 CHARTER SCHOOLS. IF THE STATE BOARD FINDS THAT THE AUTOMATIC  
20 WAIVER OF A STATUTE OR RULE HAS RESULTED IN UNINTENDED  
21 CONSEQUENCES IN THE PERFORMANCE OF CHARTER SCHOOLS OR INSTITUTE  
22 CHARTER SCHOOLS, THE STATE BOARD SHALL REMOVE THE STATUTE OR  
23 RULE FROM THE LIST OF AUTOMATIC WAIVERS AND REVOKE ALL EXISTING  
24 AUTOMATIC WAIVERS OF THE STATUTE OR RULE.

25 **SECTION 2.** In Colorado Revised Statutes, 22-30.5-104, amend  
26 (6) (b) as follows:

27 **22-30.5-104. Charter school - requirements - authority.**  
28 (6) (b) The state board shall promulgate rules that list the automatic  
29 waivers for all charter schools. In promulgating the list of automatic  
30 waivers, the state board shall consider the overall impact and complexity  
31 of the requirements specified in the statute and the potential consequences  
32 that waiving the statute may have on the practices of a charter school.  
33 Notwithstanding any provision of this paragraph (b) to the contrary, the  
34 state board shall not include the following statutes on the list of automatic  
35 waivers:

36 (I) Section 22-9-106, concerning the performance evaluation  
37 system for licensed personnel;

38 (II) Section 22-32-109 (1) (n), ~~(f) and (1) (n) (II) (B)~~; concerning



1 the annual school calendar AND TEACHER-PUPIL CONTACT HOURS; and

2 (III) Part 2 of article 63 of this title AND SECTION 22-63-402,  
3 concerning the employment of licensed personnel;

4 (IV) SECTION 22-32-110 (1) (y), CONCERNING ACCEPTING AND  
5 EXPENDING GIFTS, DONATIONS, OR GRANTS; AND

6 (V) SECTION 22-32-110 (1) (ee), CONCERNING EMPLOYMENT OF  
7 TEACHERS' AIDES AND OTHER AUXILIARY, NONLICENSED PERSONNEL TO  
8 ASSIST LICENSED PERSONNEL.

9 **SECTION 3.** In Colorado Revised Statutes, 22-30.5-507, amend  
10 (7) (a) as follows:

11 **22-30.5-507. Institute charter school - requirements -**  
12 **authority - rules.** (7) (a) Pursuant to the charter contract, an institute  
13 charter school may operate free from specified statutes and state board  
14 rules. The state board shall promulgate rules that list the automatic  
15 waivers for all charter schools, including institute charter schools. In  
16 promulgating the list of automatic waivers, the state board shall consider  
17 the overall impact and complexity of the requirements specified in the  
18 statute and the potential consequences that waiving the statute may have  
19 on the practices of a charter school, including an institute charter school.  
20 Notwithstanding any provision of this paragraph (a) to the contrary, the  
21 state board shall not include the following statutes on the list of automatic  
22 waivers:

23 (I) Section 22-9-106, concerning the performance evaluation  
24 system for licensed personnel;

25 (II) Section 22-32-109 (1) (n), ~~(I) and (1) (n) (II) (B)~~, concerning  
26 the annual school calendar AND TEACHER-PUPIL CONTACT HOURS; and

27 (III) Part 2 of article 63 of this title AND SECTION 22-63-402,  
28 concerning the employment of licensed personnel;

29 (IV) SECTION 22-32-110 (1) (y), CONCERNING ACCEPTING AND  
30 EXPENDING GIFTS, DONATIONS, OR GRANTS; AND

31 (V) SECTION 22-32-110 (1) (ee), CONCERNING EMPLOYMENT OF  
32 TEACHERS' AIDES AND OTHER AUXILIARY, NONLICENSED PERSONNEL TO  
33 ASSIST LICENSED PERSONNEL.

34 **SECTION 4. Act subject to petition - effective date.** This act  
35 takes effect at 12:01 a.m. on the day following the expiration of the  
36 ninety-day period after final adjournment of the general assembly (August  
37 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a  
38 referendum petition is filed pursuant to section 1 (3) of article V of the  
39 state constitution against this act or an item, section, or part of this act  
40 within such period, then the act, item, section, or part will not take effect  
41 unless approved by the people at the general election to be held in

1 November 2016 and, in such case, will take effect on the date of the  
2 official declaration of the vote thereon by the governor."

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