

CHAPTER 271

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 16-208

BY SENATOR(S) Hill, Steadman, Baumgardner, Cooke, Crowder, Donovan, Grantham, Guzman, Heath, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Tate, Todd, Ulibarri, Woods, Cadman;
also REPRESENTATIVE(S) Williams and Sias, Coram, Duran, Garnett, Klingenschmitt, Landgraf, Lawrence, Leonard, Lundeen, Priola, Saine.

AN ACT

CONCERNING MAINTAINING THE SAME FUNDING CALCULATION FOR A CHARTER SCHOOL THAT CONVERTS FROM A DISTRICT CHARTER SCHOOL TO AN INSTITUTE CHARTER SCHOOL OR FROM AN INSTITUTE CHARTER SCHOOL TO A DISTRICT CHARTER SCHOOL.

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

SECTION 1. In Colorado Revised Statutes, 22-30.5-112, **add** (11) as follows:

22-30.5-112. Charter schools - financing - definitions - guidelines.

(11) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, A DISTRICT CHARTER SCHOOL THAT CONVERTS FROM AN INSTITUTE CHARTER SCHOOL PURSUANT TO SECTION 22-30.5-504 (10) CONTINUES TO RECEIVE, AS CALCULATED PURSUANT TO SECTION 22-30.5-513, THE ACCOUNTING DISTRICT'S ADJUSTED PER PUPIL REVENUES AND AT-RISK SUPPLEMENTAL AID AS THE FUNDING APPLIED TO THE CONVERTED SCHOOL BEFORE THE CONVERSION; EXCEPT THAT THIS SUBSECTION (11) DOES NOT APPLY IF THE CONVERTED SCHOOL IS AUTHORIZED BY A SMALL RURAL SCHOOL DISTRICT, AS DESCRIBED IN SECTION 22-54-108 (3) (b) (IV).

(b) THIS SUBSECTION (11) IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 2. In Colorado Revised Statutes, 22-30.5-112.1, **add** (7) as follows:

22-30.5-112.1. Charter schools - definitions - exclusive jurisdiction districts - authorized on or after July 1, 2004 - financing. (7) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, A DISTRICT CHARTER SCHOOL THAT CONVERTS FROM AN INSTITUTE CHARTER SCHOOL PURSUANT TO SECTION

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

22-30.5-504 (10) CONTINUES TO RECEIVE, AS CALCULATED PURSUANT TO SECTION 22-30.5-513, THE ACCOUNTING DISTRICT'S ADJUSTED PER PUPIL REVENUES AND AT-RISK SUPPLEMENTAL AID AS THE FUNDING APPLIED TO THE CONVERTED SCHOOL BEFORE THE CONVERSION; EXCEPT THAT THIS SUBSECTION (7) DOES NOT APPLY IF THE CONVERTED SCHOOL IS AUTHORIZED BY A SMALL RURAL SCHOOL DISTRICT, AS DESCRIBED IN SECTION 22-54-108 (3) (b) (IV).

(b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 3. In Colorado Revised Statutes, 22-30.5-112.2, **add** (4) as follows:

22-30.5-112.2. Charter schools - at-risk supplemental aid - definitions - legislative declaration. (4) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, AT-RISK SUPPLEMENTAL AID FOR A DISTRICT CHARTER SCHOOL THAT CONVERTS FROM AN INSTITUTE CHARTER SCHOOL PURSUANT TO SECTION 22-30.5-504 (10) CONTINUES TO BE CALCULATED FOR THE CONVERTED SCHOOL PURSUANT TO SECTION 22-30.5-513 AS THE FUNDING APPLIED TO THE CONVERTED SCHOOL BEFORE THE CONVERSION; EXCEPT THAT THIS SUBSECTION (4) DOES NOT APPLY IF THE CONVERTED SCHOOL IS AUTHORIZED BY A SMALL RURAL SCHOOL DISTRICT, AS DESCRIBED IN SECTION 22-54-108 (3) (b) (IV).

(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 4. In Colorado Revised Statutes, 22-30.5-504, **add** (10) (d) as follows:

22-30.5-504. Institute chartering authority - institute charter schools - exclusive authority - retention - recovery - revocation. (10) (d) (I) IF AN INSTITUTE CHARTER SCHOOL CONVERTS TO A DISTRICT CHARTER SCHOOL, THE AUTHORIZING SCHOOL DISTRICT SHALL CALCULATE THE CONVERTED SCHOOL'S FUNDING, INCLUDING AT-RISK SUPPLEMENTAL AID, AS IT WAS CALCULATED BEFORE THE CONVERSION USING THE FORMULAS SPECIFIED IN SECTION 22-30.5-513; EXCEPT THAT THIS PARAGRAPH (D) DOES NOT APPLY IF THE CONVERTED SCHOOL IS AUTHORIZED BY A SMALL RURAL SCHOOL DISTRICT, AS DESCRIBED IN SECTION 22-54-108 (3) (b) (IV).

(II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 5. In Colorado Revised Statutes, 22-30.5-510, **add** (1) (a.7) as follows:

22-30.5-510. Institute charter school application - process - rule-making. (1) (a.7) (I) IF A DISTRICT CHARTER SCHOOL CONVERTS TO AN INSTITUTE CHARTER SCHOOL, THE INSTITUTE SHALL CALCULATE THE CONVERTED SCHOOL'S FUNDING AS IT WAS CALCULATED BEFORE THE CONVERSION USING THE APPLICABLE FORMULAS SPECIFIED IN PART I OF THIS ARTICLE; EXCEPT THAT THIS PARAGRAPH (a.7) DOES NOT APPLY IF THE CONVERTED SCHOOL WAS AUTHORIZED BY A SMALL RURAL SCHOOL DISTRICT, AS DESCRIBED IN SECTION 22-54-108 (3) (b) (IV), BEFORE THE CONVERSION.

(II) THIS PARAGRAPH (a.7) IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 6. In Colorado Revised Statutes, 22-30.5-513, **add** (5.5) as follows:

22-30.5-513. Institute charter schools - definitions - funding - at-risk supplemental aid - legislative declaration. (5.5) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, IF A DISTRICT CHARTER SCHOOL CONVERTS TO AN INSTITUTE CHARTER SCHOOL PURSUANT TO SECTION 22-30.5-510, THE CONVERTED SCHOOL'S PER PUPIL REVENUES OR ADJUSTED PER PUPIL REVENUES, WHICHEVER IS APPLICABLE, AND AT-RISK SUPPLEMENTAL AID CONTINUE TO BE CALCULATED PURSUANT TO SECTION 22-30.5-112 OR 22-305-112.1, WHICHEVER IS APPLICABLE, AND 22-30.5-112.2, AS THE FUNDING APPLIED TO THE CONVERTED SCHOOL BEFORE THE CONVERSION; EXCEPT THAT THIS SUBSECTION (5.5) DOES NOT APPLY IF THE CONVERTED SCHOOL WAS AUTHORIZED BY A SMALL RURAL SCHOOL DISTRICT, AS DESCRIBED IN SECTION 22-54-108 (3) (b) (IV), BEFORE THE CONVERSION.

(b) THIS SUBSECTION (5.5) IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 7. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 10, 2016