

HOUSE COMMITTEE OF REFERENCE REPORT

March 24, 2022

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Chair of Committee

Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB22-1294 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 6, line 8, strike "STATE BOARD" and substitute  
2 "DEPARTMENT".
- 3 Page 6, lines 22 and 23, strike "IN THE MIDDLE OF A SCHOOL YEAR".
- 4 Page 6, line 24, strike "UNIT," and substitute "UNIT AFTER THE ANNUAL  
5 COUNT DATE TO DETERMINE STATE FUNDING FOR CHILDREN WITH  
6 DISABILITIES,".
- 7 Page 7, strike lines 10 through 21.
- 8 Reletter succeeding paragraphs accordingly.
- 9 Page 8, line 17, strike "AS AN" and substitute "IN ACCORDANCE WITH  
10 SECTION 22-30.5-105.3 AS THE ADMINISTRATIVE UNIT, PURSUANT TO  
11 SECTION 22-20-106 (1)(b), FOR A CHARTER SCHOOL AUTHORIZED BY A  
12 SCHOOL DISTRICT, A".
- 13 Page 8, strike line 18.
- 14 Page 9, line 8, strike the second "THE CHARTER SCHOOL" and substitute  
15 "AFTER THE DEPARTMENT APPROVES THE APPLICATION OF A CHARTER  
16 SCHOOL NETWORK OR COLLABORATIVE TO FORM AN ALTERNATIVE  
17 ADMINISTRATIVE UNIT PURSUANT TO SECTION 22-20-106, THE CHARTER  
18 SCHOOL THAT IS PART OF THE CHARTER SCHOOL NETWORK OR  
19 COLLABORATIVE AUTHORIZED AS AN ADMINISTRATIVE UNIT".
- 20 Page 9, line 22, strike "TO RECRUIT" and substitute "FOR THE ENROLLMENT

1 OF".

2 Page 9, line 23, strike "FOR ENROLLMENT".

3 Page 9, line 26, strike "RETENTION" and substitute "CONTINUED  
4 ENROLLMENT".

5 Page 10, line 18, strike "THE CHARTER SCHOOL" and substitute "AFTER  
6 THE DEPARTMENT APPROVES AN APPLICATION FOR THE REORGANIZATION  
7 OF THE ALTERNATIVE ADMINISTRATIVE UNIT TO INCLUDE THE CHARTER  
8 SCHOOL, THE CHARTER SCHOOL".

9 Page 11, strike lines 22 through 27 and substitute:

10 "(b) FOR A CHILD WITH DISABILITIES WHO IS ENROLLED IN A  
11 CHARTER SCHOOL THAT PARTICIPATES IN AN ALTERNATIVE  
12 ADMINISTRATIVE UNIT, THE ALTERNATIVE ADMINISTRATIVE UNIT, FOR THE  
13 DURATION OF THE CHILD'S ENROLLMENT IN THE CHARTER SCHOOL, IS  
14 SOLELY LEGALLY AND FISCALLY RESPONSIBLE FOR SPECIALIZED  
15 INSTRUCTION AND RELATED SERVICES TO PROVIDE A FREE APPROPRIATE  
16 PUBLIC EDUCATION FOR THE CHILD AND FOR DISPUTE RESOLUTION  
17 PURSUANT TO THE "EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT",  
18 ARTICLE 20 OF THIS TITLE 22, AND THE FEDERAL "INDIVIDUALS WITH  
19 DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS  
20 AMENDED. DISPUTE RESOLUTION INCLUDES, BUT IS NOT LIMITED TO,  
21 RESOLUTION OF STATE COMPLAINTS, DUE PROCESS HEARINGS, AND  
22 INVESTIGATIONS BY THE FEDERAL DEPARTMENT OF EDUCATION."

23 Page 12, strike lines 1 and 2 and insert:

24 "(5) A SCHOOL DISTRICT SHALL NOT REQUIRE A CHARTER SCHOOL  
25 TO PARTICIPATE IN AN ALTERNATIVE ADMINISTRATIVE UNIT AS A  
26 CONDITION OF APPROVAL OF ITS APPLICATION OR APPROVAL OR RENEWAL  
27 OF ITS CONTRACT WITH THE SCHOOL DISTRICT."

28 Page 15, after line 2 insert:

29 "(f) THE STATE CHARTER SCHOOL INSTITUTE SHALL NOT REQUIRE  
30 AN INSTITUTE CHARTER SCHOOL TO PARTICIPATE IN AN ALTERNATIVE  
31 ADMINISTRATIVE UNIT AS A CONDITION OF APPROVAL OF ITS APPLICATION  
32 OR APPROVAL OR RENEWAL OF ITS CONTRACT WITH THE STATE CHARTER  
33 SCHOOL INSTITUTE."

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