

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 23-0624.01 Amber Paoloemilio x5497

HOUSE BILL 23-1025

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A BILL FOR AN ACT

101 **CONCERNING EXTENSION OF CHARTER SCHOOL APPLICATIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill extends the timeline from 12 months to 18 months for prospective charter schools to submit applications to become charter schools to the local board of education. It also permits local school boards to issue requests for proposals for prospective charter schools. The bill allows local boards of education to apply to the state board of education for modifications to the timelines set forth in the bill.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
Amended 2nd Reading
April 4, 2023

HOUSE
3rd Reading Unamended
February 28, 2023

HOUSE
Amended 2nd Reading
February 27, 2023

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-30.5-107, **amend**
3 (1)(b), (2), and (2.5); and **add** (1)(d) [redacted] as follows:

4 **22-30.5-107. Charter application - process.** (1) (b) The local
5 board of education shall receive and review all applications for charter
6 schools. If the local board of education does not review a charter
7 application, ~~it shall be deemed to have denied the~~ THAT charter
8 application IS DENIED. FOR APPLICATIONS BEGINNING IN 2025, a charter
9 applicant must file its application with the local board of education ~~by a~~
10 ~~date determined by the local board of education to be eligible for~~
11 ~~consideration for the following school year~~ DURING THE PERIOD
12 BEGINNING FEBRUARY 1 AND ENDING APRIL 1, EIGHTEEN MONTHS BEFORE
13 THE CHARTER SCHOOL IS SET TO OPEN. An application is considered filed
14 when the school district administration receives the charter application
15 from the charter applicant either in hard copy or electronically. ~~The date~~
16 ~~determined by the local board of education for filing of applications shall~~
17 ~~not be any earlier than August 1 or any later than October 1.~~ Prior to any
18 change in the application deadline, the local board of education shall
19 notify the department and each charter school applicant in the district of
20 the proposed change by certified letter. The local board of education shall
21 not charge any application fees.

22 (d) ANY DATE IN THIS SUBSECTION (1) THAT FALLS ON A WEEKEND,
23 A LEGAL HOLIDAY, OR A DAY SCHOOL IS NOT IN SESSION IS EXTENDED TO
24 THE NEXT SCHOOL DAY.

25 [redacted]

26 (2) After giving reasonable public notice, the local board of
27 education shall hold community meetings in the affected areas or the

1 entire school district to obtain information to assist the local board of
2 education in its decision to approve a charter school application. The local
3 board of education shall rule by resolution on the application for a charter
4 school in a public hearing, upon reasonable public notice, ~~within ninety~~
5 ~~days after receiving the application filed pursuant to subsection (1) of this~~
6 ~~section~~ NO LATER THAN JUNE 30. A CHARTER SCHOOL SHALL USE THE
7 SCHOOL AND FISCAL YEAR, JULY 1 TO JUNE 30, FOLLOWING THE
8 SUBMISSION OF ITS CHARTER APPLICATION AS A PLANNING YEAR, DURING
9 WHICH THE CHARTER SCHOOL SHALL PREPARE FOR SERVING STUDENTS THE
10 NEXT SCHOOL YEAR. All negotiations between the charter school and the
11 local board of education on the contract shall be concluded by, and all
12 terms of the contract agreed upon, no later than ninety days after the local
13 board of education rules by resolution on the application for a charter
14 school OR SEPTEMBER 30, WHICHEVER DATE IS LATER.

15 (2.5) The charter applicant and the local board of education may
16 jointly waive OR EXTEND the ~~deadlines~~ TIMELINES set forth in this section.
17 AS SPECIFIED IN SECTION 22-2-117, THE LOCAL BOARD OF EDUCATION
18 MAY APPLY TO THE STATE BOARD OF EDUCATION FOR A MODIFICATION OR
19 WAIVER OF THE TIMELINES SET FORTH IN THIS SECTION. IF THE STATE
20 BOARD OF EDUCATION APPROVES THE WAIVER, THE LOCAL BOARD OF
21 EDUCATION MUST PUBLISH NOTICE OF THE WAIVER ON THE LOCAL BOARD
22 OF EDUCATION WEBSITE WITHIN THIRTY DAYS AFTER THE APPROVAL. THE
23 NEW TIMELINE ONLY APPLIES TO THE APPLICATIONS SUBMITTED
24 FOLLOWING THE DATE OF THE PUBLIC POSTING OF THE WAIVER.

25 **SECTION 2.** In Colorado Revised Statutes, **add 22-30.5-107.3**
26 **as follows:**

27 **22-30.5-107.3. Optional charter school application timeline for**

1 **rural school districts.** (1) A SCHOOL DISTRICT DESIGNATED AS RURAL OR
2 SMALL RURAL BY THE DEPARTMENT MAY EITHER ACCEPT CHARTER
3 APPLICATIONS PURSUANT TO SECTION 22-30.5-107 OR, UPON NOTICE TO
4 THE DEPARTMENT AND THE PUBLIC THROUGH POSTING ON THE SCHOOL
5 DISTRICT'S WEBSITE, THE SCHOOL DISTRICT MAY ACCEPT CHARTER
6 APPLICATIONS PURSUANT TO SECTION 22-30.5-107 WITH THE FOLLOWING
7 MODIFICATIONS:

8 (a) THE TIME FOR SUBMISSION OF A CHARTER APPLICATION IS FROM
9 JUNE 1 THROUGH AUGUST 1, OR THE FIRST WEEKDAY AFTER AUGUST 1, AS
10 LONG AS THE SCHOOL DISTRICT HAS A METHOD TO RECEIVE PHYSICAL OR
11 ELECTRONIC APPLICATIONS DURING THAT TIME;

12 (b) IF APPLICABLE, THE SCHOOL DISTRICT SHALL NOTIFY
13 APPLICANTS THAT AN APPLICATION IS INCOMPLETE NO LATER THAN
14 AUGUST 15 OR THE FIRST WEEKDAY AFTER AUGUST 15;

15 (c) REVIEW BY THE SCHOOL DISTRICT ACCOUNTABILITY
16 COMMITTEE, AS DESCRIBED IN SECTION 22-30.5-107 (1.5), IS PERMITTED
17 BUT NOT REQUIRED;

18 (d) THE LOCAL SCHOOL BOARD SHALL RULE BY RESOLUTION ON
19 THE APPLICATION NO LATER THAN OCTOBER 15 OR THE FIRST WEEKDAY
20 AFTER OCTOBER 15; AND

21 (e) THE STATE BOARD SHALL HEAR APPEALS PURSUANT TO
22 SECTION 22-30.5-108 (3)(a) WITHIN THIRTY DAYS AFTER THE DATE A
23 NOTICE OF APPEAL IS FILED.

24 **SECTION 3. Act subject to petition - effective date -**
25 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
26 the expiration of the ninety-day period after final adjournment of the
27 general assembly; except that, if a referendum petition is filed pursuant

1 to section 1 (3) of article V of the state constitution against this act or an
2 item, section, or part of this act within such period, then the act, item,
3 section, or part will not take effect unless approved by the people at the
4 general election to be held in November 2024 and, in such case, will take
5 effect on the date of the official declaration of the vote thereon by the
6 governor.

7 (2) This act applies to charter applications that are submitted after
8 December 31, 2023.