

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

REREVISED

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

LLS NO. 17-1009.01 Julie Pelegrin x2700

HOUSE BILL 17-1271

HOUSE SPONSORSHIP

Pettersen,

SENATE SPONSORSHIP

Priola,

House Committees
Education

Senate Committees
Education

A BILL FOR AN ACT

101 **CONCERNING WAIVERS GRANTED TO SCHOOL DISTRICTS OF**
102 **INNOVATION.**

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>.)

Under existing law, if the state board of education (state board) designates a school district as a district of innovation based on the innovation plan the school district submits to the state board, the state board is required to grant any waivers of state statute or rule that are necessary to implement the innovation plan. The waivers remain in place so long as the district remains a district of innovation.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
3rd Reading Unamended
May 1, 2017

SENATE
Amended 2nd Reading
April 28, 2017

HOUSE
3rd Reading Unamended
April 12, 2017

HOUSE
Amended 2nd Reading
April 11, 2017

Under the bill, the state board must apply the same standard that it applies for waiving statutes and rules for school districts in other circumstances to determine whether to waive statutes or rules for a district of innovation. After granting a waiver, the state board may revoke the waiver if it receives evidence of good and just cause for the revocation, which is the same standard for revoking a waiver granted to a school district in other circumstances.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-32.5-107, **amend**
3 (3)(a) as follows:

4 **22-32.5-107. District of innovation - designation.** (3) (a) Within
5 sixty days after receiving a local school board's innovation plan or plan
6 for creating an innovation school zone, the state board shall designate the
7 local school board's school district as a district of innovation ~~unless~~ IF the
8 state board concludes that the submitted plan:

9 (I) Is likely to ~~result in a decrease in academic achievement in~~
10 ENHANCE EDUCATIONAL OPPORTUNITY, STANDARDS, AND QUALITY WITHIN
11 the innovation schools or innovation school zones; ~~or~~ AND

12 (II) Is ~~not~~ fiscally feasible.

13 **SECTION 2.** In Colorado Revised Statutes, 22-32.5-108, **amend**
14 (5)(a) as follows:

15 **22-32.5-108. District of innovation - waiver of statutory and**
16 **regulatory requirements.** (5) (a) If the local school board for a district
17 of innovation revises an innovation plan as provided in section
18 22-32.5-110, the local school board may request ~~and the state board shall~~
19 ~~grant~~, additional waivers or changes to existing waivers as necessary to
20 accommodate the revisions to the innovation plan, AND THE STATE BOARD
21 SHALL GRANT THE ADDITIONAL WAIVERS OR CHANGES TO EXISTING
22 WAIVERS IF IT DETERMINES THAT THE NEW OR CHANGED WAIVERS WOULD

1 ENHANCE EDUCATIONAL OPPORTUNITY, STANDARDS, AND QUALITY WITHIN
2 THE INNOVATION SCHOOLS OR INNOVATION SCHOOL ZONES OF THE
3 DISTRICT OF INNOVATION AND ARE FISCALLY FEASIBLE. In requesting
4 a new waiver or a change to an existing waiver, the local school board
5 shall demonstrate the consent of a majority of the teachers and a majority
6 of the administrators employed at and a majority of the school advisory
7 committee for each public school that is affected by the new or changed
8 waiver.

9

10 **SECTION 3. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2018 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.