

C.R.S. 22-30.5-102

COLORADO REVISED STATUTES

*** Titles 3, 7, 9, 11, and 13 of the Colorado Statutes have been updated and are current through all laws passed during the 2017 Legislative Session, subject to final review by the Colorado Office of Legislative Legal Services. The remainder of the titles are current through all laws passed during the 2016 Legislative Session and are in the process of being updated. ***

TITLE 22. EDUCATION
SCHOOL DISTRICTS
ARTICLE 30.5. CHARTER SCHOOLS
PART 1. CHARTER SCHOOLS ACT

C.R.S. 22-30.5-102 (2016)

22-30.5-102. Legislative declaration

(1) The general assembly hereby finds and declares that:

(a) It is the obligation of all Coloradans to provide all children with schools that reflect high expectations and create conditions in all schools where these expectations can be met;

(b) Education reform is in the best interests of the state in order to strengthen the performance of elementary and secondary public school pupils, that the best education decisions are made by those who know the students best and who are responsible for implementing the decisions, and, therefore, that educators and parents have a right and a responsibility to participate in the education institutions which serve them;

(c) Different pupils learn differently and public school programs should be designed to fit the needs of individual pupils and that there are educators, citizens, and parents in Colorado who are willing and able to offer innovative programs, educational techniques, and environments but who lack a channel through which they can direct their innovative efforts.

(2) The general assembly further finds and declares that this part 1 is enacted for the following purposes:

(a) To improve pupil learning by creating schools with high, rigorous standards for pupil performance;

(b) To increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low-achieving;

(c) To encourage diverse approaches to learning and education and the use of different, innovative, research-based, or proven teaching methods;

(d) To promote the development of longitudinal analysis of student progress, in addition to participation in the Colorado student assessment program, to measure pupil learning and achievement;

(e) To create new employment options and professional opportunities for teachers and principals, including the opportunity to be responsible for the achievement results of students at the school site;

(f) To provide parents and pupils with expanded choices in the types of education opportunities that are available within the public school system;

(g) To encourage parental and community involvement with public schools;

(g.5) To address the formation of research-based charter schools that use programs that are proven to be effective;

(h) To hold charter schools accountable for performance through the "Education Accountability Act of 2009", including but not limited to meeting state, school district, and school targets for the measures used to determine the levels of attainment of the performance indicators;

(i) To provide an avenue for citizens to participate in the educational process and environment;

(j) To provide citizens with multiple avenues by which they can obtain authorization for a charter school.

(3) In authorizing charter schools, it is the intent of the general assembly to create a legitimate avenue for parents, teachers, and community members to implement new and innovative methods of educating children that are proven to be effective and to take responsible risks and create new and innovative, research-based ways of educating all children within the public education system. The general assembly seeks to create an atmosphere in Colorado's public education system where research and development in developing different learning opportunities is actively pursued. As such, the provisions of this part 1 should be interpreted liberally to support the findings and goals of this section and to advance a renewed commitment by the state of Colorado to the mission, goals, and diversity of public education.

HISTORY: Source: L. 93: Entire article added, p. 1051, § 1, effective June 3.L. 94: (2)(g.5) added, p. 1378, § 1, effective May 25.L. 96: IP(2) and (3) amended, p. 668, § 4, effective May 2; (2)(c) amended, p. 752, § 1, effective May 22.L. 2004: (2)(c), (2)(d), (2)(e), (2)(g.5), (2)(h), and (3) amended and (2)(i) and (2)(j) added, p. 1569, § 1, effective June 3.L. 2009: (2)(h) amended, (SB 09-163), ch. 293, p. 1534, § 25, effective May 21.

Cross references: For the "Education Accountability Act of 2009", see article 11 of this title.

ANNOTATION

Attendance at a charter school is not a constitutional right. At most, it is a statutory right, and the government has no constitutional obligation to fund a mere statutory right. *Dolores Huerta Prep. High v. Colo. State Bd. of Educ.*, 215 P.3d 1229 (Colo. App. 2009).

Trial court did not err in dismissing a third-party claim to enforce the contract brought on behalf of the charter school because the intended beneficiaries of the charter school are the school children and a charter school cannot be a party and a third-party beneficiary at the same time. *Acad. of Charter Schs. v. Adams Cty. Sch. Dist. No. 12*, 994 P.2d 442 (Colo. App. 1999), *aff'd in part and rev'd in part on other grounds*, 32 P.3d 456 (Colo. 2001).

Applied in *Acad. of Charter Schs. v. Adams Cty. Sch. Dist. No. 12*, 994 P.2d 442 (Colo. App. 1999), *aff'd in part and rev'd in part on other grounds*, 32 P.3d 456 (Colo. 2001).