

SB26-023

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Sirota

1 Amend the Appropriations Committee Report, dated May 11, 2026, page
2 19, before line 9 insert:

3 "Page 18 of the bill, after line 17 insert:

4 "SECTION 13. In Colorado Revised Statutes, **add** 22-5-124 as
5 follows:

6 **22-5-124. Limitations on authority.**

7 (1) A BOCES IS NOT A STATEWIDE AUTHORIZER OF PROGRAMS OR
8 SCHOOLS, EXCEPT AS PERMITTED IN SECTION 22-33-104.3 OR 22-30.7-106.
9 A BOCES IS A PUBLIC ENTITY, AND A SCHOOL OR PROGRAM OPERATED BY
10 A BOCES IS CONSIDERED PUBLIC.

11 (2) STARTING WITH THE 2026-27 FISCAL YEAR, A BOCES SHALL
12 NOT OPERATE A SCHOOL, PROGRAM, SUBPROGRAM, OR CAMPUS OUTSIDE
13 THE GEOGRAPHIC BOUNDARIES OF ITS SCHOOL DISTRICT MEMBERS, EXCEPT
14 AS PERMITTED THROUGH THE PROCESSES SET FORTH IN SECTION
15 22-33-104.3 OR 22-30.7-106.

16 (3) UPON REQUEST FROM THE DEPARTMENT OF EDUCATION, A
17 BOCES SHALL PROVIDE A COPY OF ANY AGREEMENT THAT
18 DEMONSTRATES CURRENT MEMBERSHIP OR TERMS OF SERVICE FOR THE
19 BOCES TO THE DEPARTMENT OF EDUCATION.

20 (4) THIS SECTION DOES NOT IMPACT THE STATEWIDE
21 SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM CREATED IN
22 SECTION 22-5-119.

23 **SECTION 14.** In Colorado Revised Statutes, **add** 22-33-104.3 as
24 follows:

25 **22-33-104.3. Part-time programs for homeschool students -**
26 **rules - definitions - repeal.**

27 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
28 REQUIRES:

29 (a) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
30 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
31 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY
32 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
33 30.5 OF THIS TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED
34 AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22.

35 (b) "PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS" MEANS
36 A PROGRAM OFFERED BY OR ON BEHALF OF A LOCAL EDUCATION PROVIDER
37 THAT SERVES HOMESCHOOL STUDENTS ENROLLED ON A PART-TIME BASIS
38 AND FUNDED PURSUANT TO SECTION 22-33-104.5 (6)(a), WHETHER OR NOT
39 THE PROGRAM HAS A SCHOOL CODE ISSUED BY THE DEPARTMENT OF
40 EDUCATION. "PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS"

1 INCLUDES ALL SUBPROGRAMS, CAMPUSES, MICROSCHOOLS, OR OTHER
2 COMPONENTS OF THE SAME PART-TIME PROGRAM THAT PROVIDES
3 INSTRUCTION TO HOMESCHOOL STUDENTS.

4 (2) (a) A LOCAL EDUCATION PROVIDER MAY OFFER ONE OR MORE
5 PART-TIME PROGRAMS FOR HOMESCHOOL STUDENTS IF EACH PROGRAM:

6 (I) COMPLIES WITH THE STANDARDS AND REQUIREMENTS
7 ESTABLISHED IN THIS SECTION AND RULES ADOPTED BY THE STATE BOARD;
8 AND

9 (II) COMPLIES WITH ALL LEGAL REQUIREMENTS FOR PART-TIME
10 PROGRAMS FOR HOMESCHOOL STUDENTS FOR THE LOCAL EDUCATION
11 PROVIDER THAT AUTHORIZES THE PART-TIME PROGRAMS FOR
12 HOMESCHOOL STUDENTS.

13 (b) THE STATE BOARD SHALL ADOPT RULES AS NECESSARY FOR THE
14 REGULATION OF PART-TIME PROGRAMS FOR HOMESCHOOL STUDENTS AND
15 FOR THE IMPLEMENTATION OR ADMINISTRATION OF THIS SECTION.

16 (3) A PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS:

17 (a) SHALL NOT, DIRECTLY OR INDIRECTLY, FUND, REIMBURSE, OR
18 SUBSIDIZE A PRIVATE ACTIVITY OR PRIVATE PURCHASE FOR A STUDENT OR
19 A STUDENT'S PARENT OR LEGAL GUARDIAN. A PRIVATE ACTIVITY OR
20 PURCHASE INCLUDES, BUT IS NOT LIMITED TO, ACTIVITIES, SUPPLIES,
21 ITEMS, OR MATERIALS OF PERSONAL VALUE THAT ARE GENERALLY NOT
22 AVAILABLE TO STUDENTS IN A LOCAL EDUCATION PROVIDER'S REGULAR
23 FULL-TIME PROGRAMS OR SCHOOLS.

24 (b) SHALL NOT ENROLL STUDENTS WHO SATISFY THEIR
25 COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS THROUGH AN
26 INDEPENDENT OR A PAROCHIAL SCHOOL, AS DESCRIBED IN SECTION
27 22-33-104 (2)(b).

28 (c) SHALL VERIFY THE STUDENT'S ELIGIBILITY FOR PUPIL
29 ENROLLMENT BY REQUIRING A COPY OF THE NOTIFICATION REQUIRED
30 PURSUANT TO SECTION 22-33-104.5 (3)(e), RETAINING A COPY OF THE
31 NOTIFICATION, AND MAKING A COPY OF THE NOTIFICATION AVAILABLE TO
32 THE DEPARTMENT OF EDUCATION UPON REQUEST. IF THE LOCAL
33 EDUCATION PROVIDER IS NOT A SCHOOL DISTRICT, THE LOCAL EDUCATION
34 PROVIDER SHALL FULFILL THE REQUIREMENTS OF THIS SUBSECTION (3)(c)
35 IN COORDINATION WITH ITS AUTHORIZER OR ITS MEMBER DISTRICTS.

36 (4) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A LOCAL
37 EDUCATION PROVIDER THAT IS:

38 (a) A SCHOOL DISTRICT OR DISTRICT CHARTER SCHOOL SHALL NOT
39 OPERATE A PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS OUTSIDE OF
40 THE GEOGRAPHIC BOUNDARIES OF THE SCHOOL DISTRICT;

41 (b) AN INSTITUTE CHARTER SCHOOL SHALL NOT OPERATE A
42 PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS OUTSIDE OF THE
43 GEOGRAPHIC BOUNDARIES OF THE SCHOOL DISTRICT WHERE THE INSTITUTE

1 CHARTER SCHOOL IS PHYSICALLY LOCATED;
2 (c) A BOARD OF COOPERATIVE SERVICES SHALL NOT OPERATE A
3 PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS OUTSIDE OF THE
4 GEOGRAPHIC BOUNDARIES OF THE BOARD OF COOPERATIVE SERVICES'
5 MEMBER SCHOOL DISTRICTS.
6 (5) A LOCAL EDUCATION PROVIDER MAY RECEIVE AUTHORIZATION
7 TO OPERATE A PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS OUTSIDE
8 THE GEOGRAPHIC BOUNDARIES DESCRIBED IN SUBSECTION (4) OF THIS
9 SECTION, AS APPLICABLE, THROUGH ONE OF THE FOLLOWING:
10 (a) THE STATE BOARD MAY AUTHORIZE A LOCAL EDUCATION
11 PROVIDER TO OPERATE OUTSIDE THE GEOGRAPHIC BOUNDARIES DESCRIBED
12 IN SUBSECTION (4) OF THIS SECTION, AS APPLICABLE, PURSUANT TO
13 ELIGIBILITY AND PROCEDURAL REQUIREMENTS FOR CERTIFICATION
14 ADOPTED BY STATE BOARD RULE. THE STATE BOARD SHALL ADOPT RULES
15 REGARDING THE ELIGIBILITY AND PROCEDURAL REQUIREMENTS FOR
16 CERTIFICATION PURSUANT TO THIS SUBSECTION (5)(a) NO LATER THAN
17 DECEMBER 31, 2026, THAT WILL APPLY FOR CERTIFICATION FOR THE
18 2027-28 SCHOOL YEAR AND FOR EACH SCHOOL YEAR THEREAFTER. THE
19 CERTIFICATION PROCESS RULES MUST INCLUDE CRITERIA AND QUALITY
20 STANDARDS FOR PART-TIME PROGRAMS FOR HOMESCHOOL STUDENTS THAT
21 ADDRESS ACCOUNTABILITY AND TRANSPARENCY AND INCLUDE REPORTING
22 OBLIGATIONS FOR LOCAL EDUCATION PROVIDERS AS ARE REASONABLY
23 NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION. A CERTIFICATION
24 PURSUANT TO THIS SUBSECTION (5)(a) IS VALID FOR TWO YEARS AND MAY
25 BE SUBSEQUENTLY RENEWED FOR TWO-YEAR TERMS.
26 (b) A LOCAL BOARD OF EDUCATION MAY AUTHORIZE, IN WRITING,
27 A LOCAL EDUCATION PROVIDER TO OPERATE A PART-TIME PROGRAM FOR
28 HOMESCHOOL STUDENTS IN THE GEOGRAPHIC BOUNDARIES OF THE LOCAL
29 BOARD OF EDUCATION'S SCHOOL DISTRICT IF THE PART-TIME PROGRAM FOR
30 HOMESCHOOL STUDENTS OTHERWISE OPERATES OUTSIDE OF THE
31 GEOGRAPHIC BOUNDARIES OF THE LOCAL BOARD OF EDUCATION'S SCHOOL
32 DISTRICT. IN ITS WRITTEN AUTHORIZATION, THE LOCAL BOARD OF
33 EDUCATION SHALL CERTIFY, IN A FORM DEVELOPED BY THE DEPARTMENT
34 OF EDUCATION, THAT THE PART-TIME PROGRAM FOR HOMESCHOOL
35 STUDENTS SATISFIES THE CRITERIA DESCRIBED IN SUBSECTION (2) OF THIS
36 SECTION. IF THE LOCAL BOARD OF EDUCATION HAS THE WRITTEN
37 AUTHORIZATION AND CERTIFICATION, THE SCHOOL DISTRICT OR CHARTER
38 SCHOOL INSTITUTE MAY SUBMIT STUDENTS WHO ARE ENROLLED IN THE
39 PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS PURSUANT TO ITS PUPIL
40 ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10). A WRITTEN
41 AUTHORIZATION PURSUANT TO THIS SUBSECTION (5)(b) IS VALID FOR A
42 TERM NOT GREATER THAN TWO YEARS AND MAY BE SUBSEQUENTLY
43 RENEWED. THE WRITTEN AUTHORIZATION DESCRIBED IN THIS SUBSECTION

1 (5)(b) MUST BE OBTAINED FROM ALL DISTRICTS WHERE THE PART-TIME
2 PROGRAM FOR HOMESCHOOL STUDENTS PROVIDES INSTRUCTION TO
3 STUDENTS.

4 (6) (a) FOR THE 2026-27 SCHOOL YEAR, A LOCAL EDUCATION
5 PROVIDER MAY RECEIVE AUTHORIZATION TO OPERATE A PART-TIME
6 PROGRAM FOR HOMESCHOOL STUDENTS OUTSIDE THE GEOGRAPHIC
7 BOUNDARIES DESCRIBED IN SUBSECTION (4) OF THIS SECTION, AS
8 APPLICABLE, THROUGH ONE OF THE FOLLOWING:

9 (I) THE DEPARTMENT OF EDUCATION MAY PROVISIONALLY
10 AUTHORIZE A LOCAL EDUCATION PROVIDER TO OPERATE OUTSIDE THE
11 GEOGRAPHIC BOUNDARIES DESCRIBED IN SUBSECTION (4) OF THIS SECTION,
12 AS APPLICABLE. THE DEPARTMENT OF EDUCATION SHALL PUBLISH AN
13 APPLICATION TIMELINE AND REQUIREMENTS NO LATER THAN JUNE 15,
14 2026. THE DEPARTMENT OF EDUCATION SHALL PROVISIONALLY
15 AUTHORIZE A LOCAL EDUCATION PROVIDER IF THE PART-TIME PROGRAM
16 FOR HOMESCHOOL STUDENTS:

17 (A) WAS IN OPERATION FOR THE 2025-26 SCHOOL YEAR;

18 (B) CERTIFIES THAT IT WILL NOT ENROLL MORE STUDENTS DURING
19 THE 2026-27 SCHOOL YEAR THAN IT ENROLLED DURING THE 2025-26
20 SCHOOL YEAR; AND

21 (C) SATISFIES THE CRITERIA DESCRIBED IN SUBSECTION (2) OF THIS
22 SECTION; OR

23 (II) A LOCAL BOARD OF EDUCATION MAY AUTHORIZE, IN WRITING,
24 A LOCAL EDUCATION PROVIDER TO OPERATE A PART-TIME PROGRAM FOR
25 HOMESCHOOL STUDENTS IN THE GEOGRAPHIC BOUNDARIES OF THE LOCAL
26 BOARD OF EDUCATION'S SCHOOL DISTRICT IF THE PART-TIME PROGRAM FOR
27 HOMESCHOOL STUDENTS OTHERWISE OPERATES OUTSIDE OF THE
28 GEOGRAPHIC BOUNDARIES OF THE LOCAL BOARD OF EDUCATION'S SCHOOL
29 DISTRICT. IN ITS WRITTEN AUTHORIZATION, THE LOCAL BOARD OF
30 EDUCATION SHALL CERTIFY, IN A FORM DEVELOPED BY THE DEPARTMENT
31 OF EDUCATION, THAT THE PART-TIME PROGRAM FOR HOMESCHOOL
32 STUDENTS SATISFIES THE CRITERIA DESCRIBED IN SUBSECTIONS (2),
33 (6)(a)(I)(A), AND (6)(a)(I)(B) OF THIS SECTION. IF THE LOCAL BOARD OF
34 EDUCATION HAS THE WRITTEN AUTHORIZATION AND CERTIFICATION, THE
35 SCHOOL DISTRICT OR CHARTER SCHOOL INSTITUTE MAY SUBMIT STUDENTS
36 WHO ARE ENROLLED IN THE PART-TIME PROGRAM FOR HOMESCHOOL
37 STUDENTS PURSUANT TO ITS PUPIL ENROLLMENT, AS DEFINED IN SECTION
38 22-54-103 (10). A WRITTEN AUTHORIZATION PURSUANT TO THIS
39 SUBSECTION (6)(a)(II) IS VALID FOR A TERM NOT GREATER THAN TWO
40 YEARS AND MAY BE SUBSEQUENTLY RENEWED. THE WRITTEN
41 AUTHORIZATION DESCRIBED IN THIS SUBSECTION (6)(a)(II) MUST BE
42 OBTAINED FROM ALL DISTRICTS WHERE THE PART-TIME PROGRAM FOR
43 HOMESCHOOL STUDENTS PROVIDES INSTRUCTION TO STUDENTS.

1 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2027.
2 (7) NOTHING IN THIS SECTION LIMITS A LOCAL EDUCATION
3 PROVIDER'S DISCRETION TO ALLOW A CHILD PARTICIPATING IN A
4 NONPUBLIC HOME-BASED EDUCATIONAL PROGRAM TO ATTEND A PUBLIC
5 SCHOOL FOR A PORTION OF THE DAY PURSUANT TO SECTION 22-33-104 .5
6 (6)(a) IF THE ATTENDANCE IS IN THE LOCAL EDUCATION PROVIDER'S
7 REGULAR ON-SITE PROGRAM RATHER THAN IN A PART-TIME PROGRAM FOR
8 HOMESCHOOL STUDENTS. THIS SUBSECTION (7) DOES NOT APPLY TO
9 ONLINE SCHOOLS OR PROGRAMS.

10 **SECTION 15.** In Colorado Revised Statutes, 22-54-103, **add**
11 (10)(j) and (10)(k) as follows:

12 **22-54-103. Definitions - repeal.**

13 As used in this article 54, unless the context otherwise requires:

14 (10) (j) "PUPIL ENROLLMENT" DOES NOT INCLUDE A STUDENT WHO
15 ENROLLS IN PUBLIC SCHOOL ON A PART-TIME BASIS WHILE THE STUDENT
16 IS ALSO ENROLLED IN AN INDEPENDENT OR PAROCHIAL SCHOOL, AS
17 DESCRIBED IN SECTION 22-33-104 (2)(b).

18 (k) A DISTRICT THAT ENROLLS STUDENTS PURSUANT TO SECTION
19 22-33-104.5 (6)(a) SHALL, PRIOR TO A STUDENT'S ENROLLMENT, COLLECT
20 A CURRENT COPY OF THE WRITTEN NOTIFICATION PURSUANT TO SECTION
21 22-33-104.5 (3)(e) ESTABLISHING ELIGIBILITY."

22 Renumber succeeding sections accordingly."

23 Page 19 of the report, strike line 9 and substitute:

24 "Page 18 of the bill, strike lines 24 through 27 and substitute:

25 **"SECTION 16. Appropriation - adjustments to 2026 long bill.**

26 To implement this act, the cash funds appropriation from the state
27 education fund created in section 17 (4)(a) of article IX of the state
28 constitution, made in the annual general appropriation act for the 2026-27
29 state fiscal year to the department of education for the state share of
30 districts' total program funding is decreased by \$8,502,195.

31 **SECTION 17. Appropriation.** (1) For the 2026-27 state fiscal
32 year, \$313,395 is appropriated to the department of education. This
33 appropriation is from the state education fund created in section 17 (4)(a)
34 of article IX of the state constitution. To implement this act, the
35 department may use this appropriation as follows:

36 (a) \$48,200 for use by management and administration for
37 information technology services; and

38 (b) \$265,195 for use by school district operations for
39 administration related to public school finance, which amount is based on
40 an assumption that the division will require an additional 2.3 FTE."

- 1 Page 19 of the bill, strike lines 1 and 2.
- 2 Renumber succeeding sections accordingly."
- 3 Page 19 of the report, line 11, strike "**15.**" and substitute "**18.**".
- 4 Page 19 of the report, line 17, strike "**16.**" and substitute "**19.**".

** *** ** *** **