

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 26-0004.02 Jacob Baus x2173

SENATE BILL 26-023

SENATE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING THE FINANCING OF PUBLIC SCHOOLS, AND, IN**
102 **CONNECTION THEREWITH, MAKING AND REDUCING AN**
103 **APPROPRIATION.**

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:

- Increases the statewide base per pupil funding for the 2026-27 budget year by \$217.30 to account for inflation;
- Sets a new statewide base per pupil funding amount for the 2026-27 budget year at \$8,909.10; and

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.*

HOUSE
Amended 2nd Reading
May 11, 2026

SENATE
3rd Reading Unamended
April 29, 2026

SENATE
Amended 2nd Reading
April 28, 2026

- Sets the total program funding for the 2026-27 budget year at \$10,209,589,888.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-54-103.5, **repeal**
3 **(4)(c); and add (3)(b), (4)(a)(VII), (4)(d)(VI), (4)(d.5), and (14)(b) as**
4 **follows:**

5 **22-54-103.5. District total program - rules - legislative**
6 **declaration - repeal.**

7 **(3) Statewide base per pupil funding.**

8 (b) (I) FOR THE 2026-27 BUDGET YEAR, THE STATEWIDE BASE PER
9 PUPIL FUNDING IS EIGHT THOUSAND NINE HUNDRED DOLLARS AND FORTY
10 CENTS (\$8,900.40), WHICH IS AN AMOUNT EQUAL TO EIGHT THOUSAND SIX
11 HUNDRED NINETY-ONE DOLLARS AND EIGHTY CENTS (\$8,691.80),
12 SUPPLEMENTED BY TWO HUNDRED EIGHT DOLLARS AND SIXTY CENTS
13 (\$208.60) TO ACCOUNT FOR INFLATION.

14 (II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE JULY 1, 2032.

15 **(4) Funded pupil count.** Funded pupil count is:

16 (a) (VII) THIS SUBSECTION (4)(a) IS REPEALED, EFFECTIVE JULY 1,
17 2026.

18 (c) ~~Notwithstanding subsections (4)(a) and (4)(b) of this section,~~
19 ~~if, for the 2026-27 budget year, each district's total program is not~~
20 ~~determined pursuant to section 22-54-103.3 (3)(b), then funded pupil~~
21 ~~count is determined pursuant to subsection (4)(a) of this section for the~~
22 ~~2026-27 budget year and each budget year thereafter.~~

23 (d) (VI) THIS SUBSECTION (4)(d) IS REPEALED, EFFECTIVE JULY 1,
24 2026.

25 (d.5) (I) NOTWITHSTANDING SUBSECTION (4)(b) OF THIS SECTION,

1 FOR A BUDGET YEAR WHEN TOTAL PROGRAM IS THE GREATER OF THE
2 DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION
3 22-54-104 PLUS ONE PERCENT OF THE DISTRICT'S TOTAL PROGRAM
4 CALCULATION PURSUANT TO SECTION 22-54-104 OR THE AMOUNT
5 CALCULATED PURSUANT TO SECTION 22-54-104 PLUS AN AMOUNT EQUAL
6 TO AT LEAST FORTY-FIVE PERCENT OF THE DIFFERENCE BETWEEN THE
7 DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION
8 22-54-103.5 AND THE DISTRICT'S TOTAL PROGRAM CALCULATION
9 PURSUANT TO SECTION 22-54-104, AND FOR EACH BUDGET YEAR
10 THEREAFTER, THE DISTRICT'S ONLINE PUPIL ENROLLMENT FOR THE
11 APPLICABLE BUDGET YEAR PLUS THE DISTRICT'S SUPPLEMENTAL
12 KINDERGARTEN ENROLLMENT FOR THE APPLICABLE BUDGET YEAR PLUS
13 THE DISTRICT'S EXTENDED HIGH SCHOOL PUPIL ENROLLMENT FOR THE
14 APPLICABLE BUDGET YEAR PLUS THE GREATER OF:

15 (A) THE DISTRICT'S PUPIL ENROLLMENT FOR THE APPLICABLE
16 BUDGET YEAR;

17 (B) AN AMOUNT EQUAL TO FIFTY PERCENT OF THE DISTRICT'S PUPIL
18 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR PLUS AN AMOUNT
19 EQUAL TO THIRTY PERCENT OF THE DISTRICT'S PUPIL ENROLLMENT FOR THE
20 IMMEDIATELY PRECEDING BUDGET YEAR PLUS AN AMOUNT EQUAL TO
21 TWENTY PERCENT OF THE DISTRICT'S PUPIL ENROLLMENT FOR THE BUDGET
22 YEAR THAT IS TWO YEARS IMMEDIATELY PRECEDING THE APPLICABLE
23 BUDGET YEAR; OR

24 (C) AN AMOUNT EQUAL TO NINETY-SEVEN PERCENT OF THE
25 DISTRICT'S PUPIL ENROLLMENT FOR THE IMMEDIATELY PRECEDING BUDGET
26 YEAR.

27 (II) NOTWITHSTANDING ANY PROVISION OF LAW TO THE

1 CONTRARY, FOR PURPOSES OF THIS SUBSECTION (4)(d.5), A DISTRICT'S
2 FUNDED PUPIL COUNT INCLUDES THE CERTIFIED PUPIL ENROLLMENT AND
3 ONLINE PUPIL ENROLLMENT OF EACH OPERATING INSTITUTE CHARTER
4 SCHOOL, AS PROVIDED IN SUBSECTIONS (4)(d.5)(III) AND (4)(d.5)(IV) OF
5 THIS SECTION, FOR WHICH THE DISTRICT IS THE ACCOUNTING DISTRICT.
6 THE DEPARTMENT OF EDUCATION SHALL ADD THE INSTITUTE CHARTER
7 SCHOOL'S CERTIFIED PUPIL ENROLLMENT AND ONLINE PUPIL ENROLLMENT
8 TO THE FUNDED PUPIL COUNT OF THE DISTRICT PRIOR TO CALCULATING
9 THE DISTRICT'S TOTAL PROGRAM PURSUANT TO THIS SECTION.

10 (III) FOR PURPOSES OF SUBSECTION (4)(b)(II) OF THIS SECTION,
11 EACH OPERATING INSTITUTE CHARTER SCHOOL'S CERTIFIED PUPIL
12 ENROLLMENT IS THE GREATER OF:

13 (A) THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL
14 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR; OR

15 (B) AN AMOUNT EQUAL TO FIFTY PERCENT OF THE OPERATING
16 INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE
17 BUDGET YEAR PLUS AN AMOUNT EQUAL TO THIRTY PERCENT OF THE
18 OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
19 IMMEDIATELY PRECEDING BUDGET YEAR PLUS AN AMOUNT EQUAL TO
20 TWENTY PERCENT OF THE OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL
21 ENROLLMENT FOR THE BUDGET YEAR THAT IS TWO YEARS IMMEDIATELY
22 PRECEDING THE APPLICABLE BUDGET YEAR; OR

23 (C) AN AMOUNT EQUAL TO NINETY-SEVEN PERCENT OF THE
24 OPERATING INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
25 IMMEDIATELY PRECEDING BUDGET YEAR.

26 (IV) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
27 CONTRARY, FOR PURPOSES OF SUBSECTION (4)(d.5)(III) OF THIS SECTION,

1 AN OPERATING INSTITUTE CHARTER SCHOOL'S CERTIFIED PUPIL
2 ENROLLMENT INCLUDES ITS ONLINE PUPIL ENROLLMENT, EXCEPT FOR
3 MULTI-DISTRICT ONLINE SCHOOL PUPIL ENROLLMENT.

4 (V) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR THE
5 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
6 AVERAGING, OR SMOOTHING, A DISTRICT'S PUPIL ENROLLMENT FOR THE
7 APPLICABLE BUDGET YEAR AND THE DISTRICT'S PUPIL ENROLLMENT FOR
8 THE TWO IMMEDIATELY PRECEDING BUDGET YEARS PURSUANT TO THIS
9 SUBSECTION (4)(d.5), AND AVERAGING AN OPERATING INSTITUTE CHARTER
10 SCHOOL'S STUDENT ENROLLMENT AND ONLINE PUPIL ENROLLMENT
11 PURSUANT TO THIS SUBSECTION (4)(d.5), IS A PROGRAM FOR
12 ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE RECEIVE
13 FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4)
14 OF ARTICLE IX OF THE STATE CONSTITUTION.

15 (VI) (A) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
16 CONTRARY, FOR THE PURPOSES OF THIS SUBSECTION (4)(d.5), A DISTRICT'S
17 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR AND A DISTRICT'S
18 PUPIL ENROLLMENT FOR A PRECEDING BUDGET YEAR DO NOT INCLUDE A
19 PUPIL WHO IS OR WAS ENROLLED IN A CHARTER SCHOOL THAT WAS
20 ORIGINALLY AUTHORIZED BY THE DISTRICT BUT WAS SUBSEQUENTLY
21 CONVERTED, ON OR AFTER JULY 1, 2010, TO AN INSTITUTE CHARTER
22 SCHOOL OR TO A CHARTER SCHOOL OF A DISTRICT CONTIGUOUS TO THE
23 ORIGINAL AUTHORIZING DISTRICT.

24 (B) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION
25 (4)(d.5) TO THE CONTRARY, FOR THE PURPOSES OF THIS SUBSECTION
26 (4)(d.5), IF A DISTRICT'S FUNDED PUPIL COUNT CALCULATED PURSUANT TO
27 THIS SUBSECTION (4)(d.5) FOR A BUDGET YEAR IS FEWER THAN SIXTY

1 STUDENTS, THE DISTRICT'S FUNDED PUPIL COUNT FOR THE BUDGET YEAR
2 IS SIXTY STUDENTS.

3 (14) **Total program funding.**

4 (b) (I) FOR THE 2026-27 BUDGET YEAR, THE DEPARTMENT OF
5 EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL SHALL
6 DETERMINE, BASED ON BUDGET PROJECTIONS, THE AMOUNT TO ENSURE
7 THAT FOR THE 2026-27 BUDGET YEAR, THE SUM OF TOTAL PROGRAM
8 FUNDING FOR ALL DISTRICTS, INCLUDING FUNDING FOR INSTITUTE
9 CHARTER SCHOOLS, IS AT LEAST TEN BILLION ONE HUNDRED EIGHTY-NINE
10 MILLION NINE HUNDRED EIGHTEEN THOUSAND SIX HUNDRED FORTY-TWO
11 DOLLARS (\$10,189,918,642); EXCEPT THAT THE DEPARTMENT OF
12 EDUCATION AND THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MAKE
13 MID-YEAR REVISIONS TO REPLACE PROJECTIONS WITH ACTUAL FIGURES,
14 INCLUDING ACTUAL PUPIL ENROLLMENT, ASSESSED VALUATIONS, AND
15 SPECIFIC OWNERSHIP TAX REVENUE FROM THE PRIOR YEAR TO DETERMINE
16 ANY NECESSARY CHANGES IN THE AMOUNT TO MAINTAIN TOTAL PROGRAM
17 FUNDING FOR THE APPLICABLE BUDGET YEAR.

18 (II) THIS SUBSECTION (14)(b) IS REPEALED, EFFECTIVE JULY 1,
19 2032.

20 **SECTION 2.** In Colorado Revised Statutes, 22-54-103.5, **amend**
21 (11)(c)(I), (11)(c)(II), and (11)(c)(IV) as follows:

22 **22-54-103.5. District total program - rules - legislative**
23 **declaration - repeal.**

24 (11) **District cost of living factor funding - rules.**

25 (c) (I) For the 2025-26 AND 2026-27 budget year YEARS, a
26 district's cost of living factor is the district's cost of living amount
27 identified in the 2023 cost of living analysis adjusted for labor pool areas,

1 divided by the minimum cost of living amount for a district identified in
2 the 2023 cost of living analysis adjusted for labor pool areas, minus one.

3 (II) For the ~~2026-27 and 2027-28 budget years~~ YEAR, a district's
4 cost of living factor is the district's cost of living amount identified in the
5 2025 cost of living analysis adjusted for labor pool areas, divided by the
6 minimum cost of living amount for a district identified in the 2025 cost
7 of living analysis adjusted for labor pool areas, minus one.

8 (IV) The cost of living factor for each district must be certified to
9 the department of education by legislative council staff for each two-year
10 period thereafter based upon a new cost of living analysis. LEGISLATIVE
11 COUNCIL STAFF SHALL COMPLETE ITS COST OF LIVING ANALYSIS NO LATER
12 THAN JANUARY 1 OF THE APPLICABLE YEAR. The certification must be
13 made BY THE DEPARTMENT OF EDUCATION no later than ~~April 15~~
14 JANUARY 31 of the applicable year and is effective for the budget year
15 beginning on July 1 of that year and the budget year thereafter. FOR EACH
16 DISTRICT, THE DEPARTMENT OF EDUCATION SHALL SEND TO EACH SCHOOL
17 DISTRICT THE SCHOOL DISTRICT'S COST OF LIVING FACTOR NO LATER THAN
18 FOURTEEN DAYS AFTER THE CERTIFICATION.

19 **SECTION 3.** In Colorado Revised Statutes, 22-54-104, **add**
20 (5)(c)(II.7) as follows:

21 **22-54-104. District total program - legislative declaration -**
22 **definitions - repeal.**

23 (5) For purposes of the formulas used in this section:

24 (c) (II.7) (A) NOTWITHSTANDING ANY PROVISION OF THIS
25 SUBSECTION (5)(c) TO THE CONTRARY, FOR THE 2025-26 AND 2026-27
26 BUDGET YEARS, A DISTRICT'S COST OF LIVING FACTOR IS THE DISTRICT'S
27 COST OF LIVING AMOUNT IDENTIFIED IN THE 2023 COST OF LIVING

1 ANALYSIS ADJUSTED FOR LABOR POOL AREAS, DIVIDED BY THE MINIMUM
2 COST OF LIVING AMOUNT FOR A DISTRICT IDENTIFIED IN THE 2023 COST OF
3 LIVING ANALYSIS ADJUSTED FOR LABOR POOL AREAS, MINUS ONE.

4 (B) FOR THE 2027-28 BUDGET YEAR, A DISTRICT'S COST OF LIVING
5 FACTOR IS THE DISTRICT'S COST OF LIVING AMOUNT IDENTIFIED IN THE
6 2025 COST OF LIVING ANALYSIS ADJUSTED FOR LABOR POOL AREAS,
7 DIVIDED BY THE MINIMUM COST OF LIVING AMOUNT FOR A DISTRICT
8 IDENTIFIED IN THE 2025 COST OF LIVING ANALYSIS ADJUSTED FOR LABOR
9 POOL AREAS, MINUS ONE.

10 **SECTION 4.** In Colorado Revised Statutes, 22-13-103, **amend**
11 **(1)(c) introductory portion; and add (1)(c.5) as follows:**

12 **22-13-103. School transformation grant program - created -**
13 **rules - repeal.**

14 **(1) There is created in the department the school transformation**
15 **grant program to provide funding to:**

16 **(c) FOR GRANTS ISSUED ON OR BEFORE JUNE 30, 2026, assist**
17 **school districts, the institute, and charter schools that are implementing**
18 **priority improvement or turnaround plans in planning for and**
19 **implementing one or more of the following rigorous school redesign**
20 **strategies:**

21 **(c.5) FOR GRANTS ISSUED ON OR AFTER JULY 1, 2026, ASSIST**
22 **SCHOOL DISTRICTS, THE INSTITUTE, AND CHARTER SCHOOLS THAT ARE**
23 **IMPLEMENTING PRIORITY IMPROVEMENT OR TURNAROUND PLANS IN**
24 **PLANNING FOR AND IMPLEMENTING ONE OR MORE OF THE RIGOROUS**
25 **REDESIGN STRATEGIES DESCRIBED IN SECTION 22-11-209 (2)(a) OR**
26 **SECTION 22-11-210 (5)(a);**

27 **SECTION 5.** In Colorado Revised Statutes, 22-13-105, **amend**

1 (1) introductory portion and (6)(b); and add (1.5) as follows:

2 **22-13-105. School transformation grants - application -**
3 **awards - report.**

4 (1) FOR GRANTS ISSUED ON OR BEFORE JUNE 30, 2026, the state
5 board, subject to available appropriations, shall award school
6 transformation grants to one or more school districts or charter schools or
7 to the institute to use in:

8 (1.5) FOR GRANTS ISSUED ON OR AFTER JULY 1, 2026, THE STATE
9 BOARD, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD SCHOOL
10 TRANSFORMATION GRANTS TO ONE OR MORE SCHOOL DISTRICTS OR
11 CHARTER SCHOOLS OR TO THE INSTITUTE TO USE FOR THE PURPOSES
12 DESCRIBED IN SECTION 22-13-103 (1).

13 (6) (b) Of the money annually appropriated for school
14 transformation grants, the department may expend an amount that is
15 necessary to enter into one or more contracts with a public or private
16 entity to provide the uses described in subsection (1) OR (1.5) of this
17 section to multiple school districts or charter schools that are eligible for
18 a school transformation grant. The entity shall use research-based
19 strategies and have a proven record of success working with schools
20 under similar circumstances.

21 **SECTION 6.** In Colorado Revised Statutes, 22-30.5-112, **amend**
22 **(2)(a)(III)(A), (2)(a.4)(I), (2)(a.8)(I), (2)(a.8)(II), (2)(a.9), (3)(a)(II), and**
23 **(3)(a)(III)(A); repeal (2)(a)(II), (2)(a)(III)(B), (2)(a.3), (2)(a.5)(II),**
24 **(2)(a.5)(II.5), (2)(c)(II), (3)(a)(I), and (11)(a); and add (2)(c.3), (2)(c.5),**
25 **(2)(c.7), and (12) as follows:**

26 **22-30.5-112. Charter schools - financing - guidelines -**
27 **definitions - repeal.**

1 ~~(2) (a) (II) For the 1999-2000 budget year, the charter school and~~
2 ~~the school district shall begin discussions on the contract using eighty~~
3 ~~percent of the district per pupil revenues.~~

4 ~~(III) (A) For the 2000-01 budget year through the 2025-26 budget~~
5 ~~year, except as otherwise provided in subsection (2)(a.3) of this section,~~
6 ~~each charter school and the chartering school district shall negotiate~~
7 ~~funding under the contract. The charter school must receive one hundred~~
8 ~~percent of the district per pupil revenues for each pupil enrolled in the~~
9 ~~charter school who is not an online pupil and one hundred percent of the~~
10 ~~district per pupil online funding for each online pupil enrolled in the~~
11 ~~charter school; except that The chartering school district may choose to~~
12 ~~retain the actual amount of the charter school's per pupil share of the~~
13 ~~central administrative overhead costs for services actually provided to the~~
14 ~~charter school, up to five percent of the district per pupil revenues for~~
15 ~~each pupil who is not an online pupil enrolled in the charter school, and~~
16 ~~up to five percent of the district per pupil online funding for each online~~
17 ~~pupil enrolled in the charter school.~~

18 ~~(B) For budget years 2001-02 through 2010-11, the minimum~~
19 ~~amount of funding specified in sub-subparagraph (A) of this~~
20 ~~subparagraph (III) shall reflect the one-percent increase in the statewide~~
21 ~~base per pupil funding for state fiscal years 2001-02 through 2010-11~~
22 ~~received by the school district as required by section 17 of article IX of~~
23 ~~the state constitution.~~

24 ~~(a.3) If the authorizing school district enrolls five hundred or~~
25 ~~fewer students, the charter school shall receive funding in the amount of~~
26 ~~the greater of one hundred percent of the district per pupil online funding~~
27 ~~for each online pupil enrolled in the charter school plus one hundred~~

1 percent of the district per pupil revenues for each pupil who is not an
2 online pupil enrolled in the charter school, minus the actual amount of the
3 charter school's per pupil share of the central administrative overhead
4 costs incurred by the school district, based on audited figures, or
5 eighty-five percent of the district per pupil revenues for each pupil
6 enrolled in the charter school who is not an online pupil plus eighty-five
7 percent of the district per pupil online funding for each online pupil
8 enrolled in the charter school.

9 (a.4) (I) Within ninety days after the end of each fiscal year, each
10 school district shall provide to each charter school within its district an
11 itemized accounting of all its central administrative overhead costs. If the
12 itemized accounting includes services provided to the charter school by
13 school district personnel, the itemized accounting, at the charter school's
14 request, must include a list of the personnel positions and services
15 provided by persons in each position. The actual central administrative
16 overhead costs are the amount charged to the charter school. Any
17 difference, within the limitations of subparagraph (III) of paragraph (a)
18 of this subsection (2) and paragraph (a.3) of this subsection (2)
19 SUBSECTION (2)(a) OF THIS SECTION, between the amount initially charged
20 to the charter school and the actual cost must be reconciled and paid to
21 the owed party.

22 (a.5) As used in this subsection (2):

23 (II) "District per pupil revenues" means the district's total program
24 as defined in section 22-54-103 (6) for any budget year divided by the
25 district's funded pupil count as determined by section 22-54-104 for the
26 applicable budget year.

27 (II.5) "District per pupil online funding" means a school district's

1 ~~online funding, as determined by article 54 of this title 22, divided by the~~
2 ~~district's online pupil enrollment for any budget year.~~

3 (a.8) (I) ~~For the 2000-01 budget year through the 2025-26 budget~~
4 ~~year,~~ The school district shall provide federally required educational
5 services to students enrolled in charter schools on the same basis as the
6 services are provided to students enrolled in other public schools of the
7 school district. Each charter school shall pay an amount equal to the per
8 pupil cost incurred by the school district in providing federally required
9 educational services, multiplied by the number of students enrolled in the
10 charter school. At either party's request, however, the charter school and
11 the school district may negotiate and include in the charter contract
12 alternate arrangements for the provision of and payment for federally
13 required educational services.

14 (II) Notwithstanding ~~any provision of subparagraph (I) of this~~
15 ~~paragraph (a.8)~~ SUBSECTION (2)(a.8)(I) OF THIS SECTION to the contrary,
16 the school district shall calculate the per pupil cost of providing federally
17 required educational services after subtracting the amount received in
18 federal and state ~~moneys~~ MONEY for providing ~~said~~ THE services.

19 (a.9) ~~For the 2002-03 budget year through the 2025-26 budget~~
20 ~~year, and~~ In accordance with section 22-30.5-406, the funding provided
21 by a chartering school district to a charter school pursuant to this
22 subsection (2) is reduced by the amount of ~~any~~ direct payments of
23 principal and interest due on bonds issued on behalf of a charter school
24 by a governmental entity other than a school district for the purpose of
25 financing charter school capital construction that were made by the state
26 treasurer or the chartering school district on behalf of the charter school.

27 (c) (II) ~~For the 2000-01 budget year through the 2025-26 budget~~

1 year, the amount of funding received by a charter school pursuant to this
2 subsection (2) shall not be less than one hundred percent of the chartering
3 school district's district per pupil revenues, minus up to five percent as
4 provided in subsection (2)(a)(III) of this section multiplied by the number
5 of pupils enrolled in the charter school or as otherwise provided in
6 subsection (2)(a.3) of this section for any charter school chartered by a
7 school district that enrolls five hundred or fewer students.

8 (c.3) FOR PURPOSES OF SUBSECTIONS (2)(c.5) AND (2)(c.7) OF THIS
9 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

10 (I) "CHARTER SCHOOL'S AT-RISK PUPILS" MEANS THE NUMBER OF
11 PUPILS ENROLLED IN THE CHARTER SCHOOL WHO ARE AT-RISK PUPILS, AS
12 DEFINED IN SECTION 22-54-103 (1.5).

13 (II) "CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER PUPILS"
14 MEANS THE NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO
15 ARE ENGLISH LANGUAGE LEARNER PUPILS, AS DEFINED IN SECTION
16 22-54-103 (6.5).

17 (III) "CHARTER SCHOOL'S PERCENTAGE OF AT-RISK PUPILS" MEANS
18 THE NUMBER OF AT-RISK PUPILS ENROLLED IN THE CHARTER SCHOOL,
19 DIVIDED BY THE CHARTER SCHOOL'S PUPIL ENROLLMENT.

20 (IV) "CHARTER SCHOOL'S PUPIL ENROLLMENT" MEANS THE
21 NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO ARE PART OF
22 PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10).

23 (V) "CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL ENROLLMENT"
24 MEANS THE NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO
25 ARE SPECIAL EDUCATION PUPILS, AS DEFINED IN SECTION 22-54-103 (10.8).

26 (c.5) (I) FOR THE 2026-27 BUDGET YEAR, A SCHOOL DISTRICT
27 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' PHASE-IN AMOUNTS OF

1 DISTRICT TOTAL PROGRAM. EACH CHARTER SCHOOL'S PHASE-IN AMOUNT
2 OF DISTRICT TOTAL PROGRAM IS THE AMOUNT CALCULATED BY THE
3 SCHOOL DISTRICT USING THE CALCULATION DESCRIBED IN SECTION
4 22-54-103.3 (3)(b); EXCEPT THAT, WHEN MAKING THE CALCULATIONS, THE
5 SCHOOL DISTRICT SHALL:

6 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
7 2026-27 BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS DETERMINED
8 PURSUANT TO SECTIONS 22-54-103.5 (4) AND 22-54-104 (7);

9 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR
10 THE 2026-27 BUDGET YEAR INSTEAD OF DISTRICT AT-RISK PUPIL
11 ENROLLMENT AND USE THE CHARTER SCHOOL'S PERCENTAGE OF AT-RISK
12 PUPILS INSTEAD OF DISTRICT PERCENTAGE OF AT-RISK PUPILS AS USED
13 PURSUANT TO SECTIONS 22-54-103.5 (6)(a) AND 22-54-104 (4); EXCEPT
14 THAT THE SCHOOL DISTRICT SHALL USE THE CHARTER SCHOOL'S AT-RISK
15 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF DISTRICT
16 AT-RISK PUPIL ENROLLMENT AS USED IN THE FORMULA IN SECTION
17 22-54-103.5 (6)(b) IF: THE DISTRICT'S FUNDED PUPIL COUNT IS LESS THAN
18 SEVEN THOUSAND, THE DISTRICT PERCENTAGE OF AT-RISK PUPILS IS
19 SEVENTY PERCENT OR GREATER, AND THE CHARTER SCHOOL'S AT-RISK
20 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR IS SEVENTY PERCENT
21 OR GREATER;

22 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER
23 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF DISTRICT
24 ENGLISH LANGUAGE LEARNER PUPIL ENROLLMENT AS USED FUNDING
25 PURSUANT TO SECTIONS 22-54-103.5 (7) AND 22-54-104 (4.3); AND

26 (D) USE THE CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL
27 ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF DISTRICT

1 SPECIAL EDUCATION PUPIL ENROLLMENT AS USED PURSUANT TO SECTION
2 22-54-103.5 (10).

3 (II) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN
4 SUBSECTION (2)(c.5)(III) OF THIS SECTION, A CHARTER SCHOOL IN A
5 DISTRICT DESCRIBED IN SECTION 22-54-103.5 (12)(c) MUST RECEIVE A PER
6 PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-103.5
7 (12)(c) FOR EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT
8 FOR THE 2026-27 BUDGET YEAR.

9 (B) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN SUBSECTION
10 (2)(c.5)(III) OF THIS SECTION, A CHARTER SCHOOL IN A DISTRICT
11 DESCRIBED IN SECTION 22-54-104 (4.9) MUST RECEIVE A PER PUPIL
12 AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-104 (4.9) FOR
13 EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
14 2026-27 BUDGET YEAR.

15 (III) FOR THE 2026-27 BUDGET YEAR, A SCHOOL DISTRICT SHALL
16 DISTRIBUTE TO EACH OF ITS CHARTER SCHOOLS AN AMOUNT EQUAL TO THE
17 GREATER OF:

18 (A) THE AMOUNT OF DISTRICT TOTAL PROGRAM RECEIVED BY THE
19 CHARTER SCHOOL FOR THE 2025-26 BUDGET YEAR PLUS ONE PERCENT OF
20 THE AMOUNT OF DISTRICT TOTAL PROGRAM RECEIVED BY THE CHARTER
21 SCHOOL FOR THE 2025-26 BUDGET YEAR; OR

22 (B) THE CHARTER SCHOOL'S PHASE-IN AMOUNT OF DISTRICT TOTAL
23 PROGRAM FOR THE 2026-27 BUDGET YEAR DETERMINED PURSUANT TO
24 SUBSECTION (2)(c.5)(I) OF THIS SECTION.

25 (IV) THIS SUBSECTION (2)(c.5) IS REPEALED, EFFECTIVE JULY 1,
26 2028.

27 (c.7) (I) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28

1 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, A SCHOOL DISTRICT
2 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' PHASE-IN AMOUNTS OF
3 DISTRICT TOTAL PROGRAM. EACH CHARTER SCHOOL'S PHASE-IN AMOUNT
4 OF DISTRICT TOTAL PROGRAM IS THE AMOUNT CALCULATED BY THE
5 SCHOOL DISTRICT USING THE CALCULATION DESCRIBED IN SECTION
6 22-54-103.3 (3)(c) FOR THE APPLICABLE BUDGET YEAR; EXCEPT THAT,
7 WHEN MAKING THE CALCULATIONS, THE SCHOOL DISTRICT SHALL:

8 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
9 APPLICABLE BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS
10 DETERMINED PURSUANT TO SECTIONS 22-54-103.5 (4) AND 22-54-104 (7);

11 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR
12 THE APPLICABLE BUDGET YEAR INSTEAD OF DISTRICT AT-RISK PUPIL
13 ENROLLMENT AND USE THE CHARTER SCHOOL'S PERCENTAGE OF AT-RISK
14 PUPILS INSTEAD OF DISTRICT PERCENTAGE OF AT-RISK PUPILS AS USED
15 PURSUANT TO SECTIONS 22-54-103.5 (6)(a) AND 22-54-104 (4); EXCEPT
16 THAT THE SCHOOL DISTRICT SHALL USE THE CHARTER SCHOOL'S AT-RISK
17 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF
18 DISTRICT AT-RISK PUPIL ENROLLMENT AS USED IN THE FORMULA IN
19 SECTION 22-54-103.5 (6)(b) IF: THE DISTRICT'S FUNDED PUPIL COUNT IS
20 LESS THAN SEVEN THOUSAND, THE DISTRICT PERCENTAGE OF AT-RISK
21 PUPILS IS SEVENTY PERCENT OR GREATER, AND THE CHARTER SCHOOL'S
22 AT-RISK PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR IS
23 SEVENTY PERCENT OR GREATER;

24 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER
25 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF
26 DISTRICT ENGLISH LANGUAGE LEARNER PUPIL ENROLLMENT AS USED
27 PURSUANT TO SECTIONS 22-54-103.5 (7) AND 22-54-104 (4.3); AND

1 (D) USE THE CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL
2 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF DISTRICT
3 SPECIAL EDUCATION PUPIL ENROLLMENT AS USED PURSUANT TO SECTION
4 22-54-103.5 (10).

5 (II) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28
6 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, A SCHOOL DISTRICT
7 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' OLD FORMULA
8 AMOUNTS OF DISTRICT TOTAL PROGRAM. EACH CHARTER SCHOOL'S OLD
9 FORMULA AMOUNT OF DISTRICT TOTAL PROGRAM IS THE AMOUNT
10 CALCULATED BY THE SCHOOL DISTRICT USING THE CALCULATION
11 DESCRIBED IN SECTION 22-54-104 FOR THE APPLICABLE BUDGET YEAR FOR
12 EACH OF ITS CHARTER SCHOOLS; EXCEPT THAT, WHEN MAKING THE
13 CALCULATIONS, THE SCHOOL DISTRICT SHALL:

14 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
15 APPLICABLE BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS
16 DETERMINED PURSUANT TO SECTION 22-54-104 (7);

17 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR
18 THE APPLICABLE BUDGET YEAR INSTEAD OF DISTRICT AT-RISK PUPIL
19 ENROLLMENT AS USED PURSUANT TO 22-54-104 (4); AND

20 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER
21 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF
22 DISTRICT ENGLISH LANGUAGE LEARNER PUPIL ENROLLMENT AS USED
23 PURSUANT TO SECTION 22-54-104 (4.3).

24 (III) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN
25 SUBSECTION (2)(c.7)(IV) OF THIS SECTION, A CHARTER SCHOOL IN A
26 DISTRICT DESCRIBED IN SECTION 22-54-103.5 (12)(c) MUST RECEIVE A PER
27 PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-103.5

1 (12)(c) FOR EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT
2 FOR THE APPLICABLE BUDGET YEAR.

3 (B) IN ADDITION TO THE DISTRIBUTIONS DESCRIBED IN SUBSECTION
4 (2)(c.7)(IV) OF THIS SECTION, A CHARTER SCHOOL IN A DISTRICT
5 DESCRIBED IN SECTION 22-54-104 (4.9) MUST RECEIVE A PER PUPIL
6 AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-104 (4.9) FOR
7 EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
8 APPLICABLE BUDGET YEAR.

9 (IV) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28
10 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, A SCHOOL DISTRICT
11 SHALL DISTRIBUTE TO EACH OF ITS CHARTER SCHOOLS AN AMOUNT EQUAL
12 TO THE GREATER OF:

13 (A) THE CHARTER SCHOOL'S PHASE-IN AMOUNT OF DISTRICT TOTAL
14 PROGRAM FOR THE APPLICABLE BUDGET YEAR DETERMINED PURSUANT TO
15 SUBSECTION (2)(c.7)(I) OF THIS SECTION; OR

16 (B) THE CHARTER SCHOOL'S OLD FORMULA AMOUNT OF DISTRICT
17 TOTAL PROGRAM FOR THE APPLICABLE BUDGET YEAR DETERMINED
18 PURSUANT TO SUBSECTION (2)(c.7)(II) OF THIS SECTION, PLUS ONE
19 PERCENT OF THE CHARTER SCHOOL'S OLD FORMULA AMOUNT OF DISTRICT
20 TOTAL PROGRAM FOR THE APPLICABLE BUDGET YEAR.

21 (3) (a) (I) ~~For the 1999-2000 budget year, notwithstanding~~
22 ~~subsection (2) of this section, the proportionate share of state and federal~~
23 ~~resources generated by students with disabilities or staff serving them~~
24 ~~shall be directed to charter schools enrolling such students by their school~~
25 ~~districts or administrative units. The proportionate share of moneys~~
26 ~~generated under other federal or state categorical aid programs shall be~~
27 ~~directed to charter schools serving students eligible for such aid.~~

1 (II) For the 2000-01 budget year through the 2025-26 budget year,
2 If the charter school and the school district have negotiated to allow the
3 charter school to provide federally required educational services pursuant
4 to subsection (2)(a.8) of this section, the proportionate share of state and
5 federal resources generated by students receiving the federally required
6 educational services or staff serving them is directed by the school district
7 or administrative unit to the charter school enrolling such THE students.

8 (III) (A) For the 2000-01 budget year through the 2025-26 budget
9 year, The proportionate share of money generated under federal or state
10 categorical aid programs, other than federally required educational
11 services, is directed to charter schools serving students eligible for such
12 aid; except for district special education pupil funding calculated pursuant
13 to section 22-54-103.5 (10).

14 (11) (a) ~~Notwithstanding any provision of this section to the~~
15 ~~contrary, a district charter school that converts from an institute charter~~
16 ~~school pursuant to section 22-30.5-504 (10) continues to receive, as~~
17 ~~calculated pursuant to section 22-30.5-513, the accounting district's~~
18 ~~adjusted per pupil revenues and at-risk supplemental aid as the funding~~
19 ~~applied to the converted school before the conversion; except that this~~
20 ~~subsection (11) does not apply if the converted school is authorized by a~~
21 ~~small rural school district, as described in section 22-54-108 (3)(b)(IV).~~

22 (12) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR
23 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
24 PROVISIONS INTENDED TO HOLD DISTRICTS HARMLESS AS A RESULT OF
25 CHANGING TOTAL PROGRAM DISTRIBUTION FROM THE SCHOOL DISTRICT TO
26 THE CHARTER SCHOOL PURSUANT TO SUBSECTIONS (2)(c.5) AND (2)(c.7)
27 OF THIS SECTION ARE A PROGRAM FOR ACCOUNTABLE EDUCATION REFORM

1 AND THEREFORE MAY RECEIVE FUNDING FROM THE STATE EDUCATION
2 FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE
3 CONSTITUTION.

4 SECTION 7. In Colorado Revised Statutes, **repeal**
5 22-30.5-112.1.

6 SECTION 8. In Colorado Revised Statutes, **amend**
7 22-30.5-112.7 as follows:

8 **22-30.5-112.7. Charter school funding - greater than**
9 **minimum.**

10 An authorizing district or accounting district may provide funding
11 that is greater than the minimum amount determined pursuant to section
12 22-30.5-112, ~~22-30.5-112.1~~, 22-30.5-112.6, or 22-30.5-513.

13 SECTION 9. In Colorado Revised Statutes, 22-30.5-504, **amend**
14 (5)(a)(I)(B) as follows:

15 **22-30.5-504. Institute chartering authority - institute charter**
16 **schools - exclusive authority - retention - recovery - revocation.**

17 (5) (a) The state board shall grant to a local board of education
18 exclusive authority to authorize charter schools within the geographic
19 boundaries of the school district if the state board determines, after
20 adequate notice and in a public hearing and after receiving input from any
21 charter schools authorized by the local board of education, that the local
22 board can show a recent pattern of providing fair and equitable treatment
23 to its charter schools through the local board's demonstration of:

24 (I) Full compliance with the provisions of the "Charter Schools
25 Act", part 1 of this article, which includes, at a minimum:

26 (B) Compliance with ~~sections~~ SECTION 22-30.5-112 and
27 22-30.5-112.1, which ~~permit~~ PERMITS a charter school to purchase, at its

1 discretion, certain services or a combination of services;

2 **SECTION 10.** In Colorado Revised Statutes, 22-30.5-513,
3 **amend** (1)(j)(II), (2)(b), (4)(a)(I), (4)(a)(I.5) introductory portion,
4 (5.5)(a), and (10)(a); **repeal** (4)(c) and (11); and **add** (2)(f), (2)(g), (2)(h),
5 and (12) as follows:

6 **22-30.5-513. Institute charter schools - funding - at-risk**
7 **supplemental aid - legislative declaration - definitions - repeal.**

8 (1) As used in this section, unless the context otherwise requires:

9 (j) "Online pupil enrollment" means:

10 (II) ~~For the 2008-09 budget year through the 2025-26 budget year,~~

11 The number of pupils, on the pupil enrollment count day within the
12 applicable budget year, enrolled in, attending, and actively participating
13 in a multi-district online school, as defined in section 22-30.7-102 (6),
14 created pursuant to article 30.7 of this ~~title~~ TITLE 22 by the institute
15 charter school.

16 (2) (b) ~~For the 2004-05 budget year through the 2025-26 budget~~
17 ~~year, each institute charter school and the institute shall negotiate funding~~
18 ~~under the charter contract at a minimum of ninety-five percent of the~~
19 ~~institute charter school's accounting district's adjusted per pupil revenues~~
20 ~~for each pupil enrolled in the institute charter school who is not an online~~
21 ~~pupil and ninety-five percent of the institute charter school's accounting~~
22 ~~district's per pupil online funding for each online pupil enrolled in the~~
23 ~~institute charter school.~~ The institute may retain three percent of the
24 accounting district's adjusted per pupil revenues for each pupil, who is not
25 an online pupil, enrolled in the institute charter school and three percent
26 of the accounting district's per pupil online funding for each online pupil
27 enrolled in the institute charter school.

1 (f) FOR PURPOSES OF SUBSECTIONS (2)(g) AND (2)(h) OF THIS
2 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

3 (I) "CHARTER SCHOOL'S AT-RISK PUPILS" MEANS THE NUMBER OF
4 PUPILS ENROLLED IN THE CHARTER SCHOOL WHO ARE AT-RISK PUPILS, AS
5 DEFINED IN SECTION 22-54-103 (1.5).

6 (II) "CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER PUPILS"
7 MEANS THE NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO
8 ARE ENGLISH LANGUAGE LEARNER PUPILS, AS DEFINED IN SECTION
9 22-54-103 (6.5).

10 (III) "CHARTER SCHOOL'S PERCENTAGE OF AT-RISK PUPILS" MEANS
11 THE NUMBER OF AT-RISK PUPILS ENROLLED IN THE CHARTER SCHOOL,
12 DIVIDED BY THE CHARTER SCHOOL'S PUPIL ENROLLMENT.

13 (IV) "CHARTER SCHOOL'S PUPIL ENROLLMENT" MEANS THE
14 NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO ARE PART OF
15 PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10).

16 (V) "CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL ENROLLMENT"
17 MEANS THE NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL WHO
18 ARE SPECIAL EDUCATION PUPILS, AS DEFINED IN SECTION 22-54-103 (10.8).

19 (g) (I) FOR THE 2026-27 BUDGET YEAR, THE INSTITUTE SHALL
20 DETERMINE EACH OF ITS CHARTER SCHOOLS' PHASE-IN AMOUNTS OF TOTAL
21 PROGRAM. EACH CHARTER SCHOOL'S PHASE-IN AMOUNT OF TOTAL
22 PROGRAM IS THE AMOUNT CALCULATED BY THE INSTITUTE USING THE
23 CALCULATION DESCRIBED IN SECTION 22-54-103.3 (3)(b) FOR EACH OF ITS
24 CHARTER SCHOOLS; EXCEPT THAT, WHEN MAKING THE CALCULATIONS, THE
25 INSTITUTE SHALL:

26 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
27 2026-27 BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS DETERMINED

1 PURSUANT TO SECTIONS 22-54-103.5 (4) AND 22-54-104 (7);

2 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR
3 THE 2026-27 BUDGET YEAR INSTEAD OF THE ACCOUNTING DISTRICT'S
4 AT-RISK PUPIL ENROLLMENT AND USE THE CHARTER SCHOOL'S
5 PERCENTAGE OF AT-RISK PUPILS INSTEAD OF THE ACCOUNTING DISTRICT'S
6 PERCENTAGE OF AT-RISK PUPILS AS USED PURSUANT TO SECTIONS
7 22-54-103.5 (6)(a) AND 22-54-104 (4); EXCEPT THAT THE INSTITUTE
8 SHALL USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR THE
9 2026-27 BUDGET YEAR INSTEAD OF ACCOUNTING DISTRICT'S AT-RISK PUPIL
10 ENROLLMENT AS USED IN THE FORMULA IN SECTION 22-54-103.5 (6)(b) IF:
11 THE ACCOUNTING DISTRICT'S FUNDED PUPIL COUNT IS LESS THAN SEVEN
12 THOUSAND, THE ACCOUNTING DISTRICT'S PERCENTAGE OF AT-RISK PUPILS
13 IS SEVENTY PERCENT OR GREATER, AND THE CHARTER SCHOOL'S AT-RISK
14 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR IS SEVENTY PERCENT
15 OR GREATER;

16 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER
17 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF THE
18 ACCOUNTING DISTRICT'S ENGLISH LANGUAGE LEARNER PUPIL
19 ENROLLMENT AS USED PURSUANT TO SECTIONS 22-54-103.5 (7) AND
20 22-54-104 (4.3); AND

21 (D) USE THE CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL
22 ENROLLMENT FOR THE 2026-27 BUDGET YEAR INSTEAD OF THE
23 ACCOUNTING DISTRICT'S SPECIAL EDUCATION PUPIL ENROLLMENT AS USED
24 PURSUANT TO SECTION 22-54-103.5 (10).

25 (II) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN
26 SUBSECTION (2)(g)(III) OF THIS SECTION, A CHARTER SCHOOL WHOSE
27 ACCOUNTING DISTRICT IS A SCHOOL DISTRICT DESCRIBED IN SECTION

1 22-54-103.5 (12)(c) MUST RECEIVE A PER PUPIL AMOUNT OF THE AMOUNT
2 DESCRIBED IN SECTION 22-54-103.5 (12)(c) FOR EACH STUDENT IN THE
3 CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR.

4 (B) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN SUBSECTION
5 (2)(g)(III) OF THIS SECTION, A CHARTER SCHOOL WHOSE ACCOUNTING
6 DISTRICT IS A SCHOOL DISTRICT DESCRIBED IN SECTION 22-54-104 (4.9)
7 MUST RECEIVE A PER PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN
8 SECTION 22-54-104 (4.9) FOR EACH STUDENT IN THE CHARTER SCHOOL'S
9 PUPIL ENROLLMENT FOR THE 2026-27 BUDGET YEAR.

10 (III) FOR THE 2026-27 BUDGET YEAR, THE INSTITUTE SHALL
11 DISTRIBUTE TO EACH OF ITS CHARTER SCHOOLS AN AMOUNT EQUAL TO THE
12 GREATER OF:

13 (A) THE AMOUNT OF TOTAL PROGRAM RECEIVED BY THE CHARTER
14 SCHOOL FOR THE 2025-26 BUDGET YEAR PLUS ONE PERCENT OF THE
15 AMOUNT OF TOTAL PROGRAM RECEIVED BY THE CHARTER SCHOOL FOR THE
16 2025-26 BUDGET YEAR; OR

17 (B) THE CHARTER SCHOOL'S PHASE-IN AMOUNT OF TOTAL
18 PROGRAM FOR THE 2026-27 BUDGET YEAR DETERMINED PURSUANT TO
19 SUBSECTION (2)(g)(I) OF THIS SECTION.

20 (IV) THIS SUBSECTION (2)(g) IS REPEALED, EFFECTIVE JULY 1,
21 2028.

22 (h) (I) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28
23 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, THE INSTITUTE
24 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' PHASE-IN AMOUNTS OF
25 TOTAL PROGRAM. EACH CHARTER SCHOOL'S PHASE-IN AMOUNT OF TOTAL
26 PROGRAM IS THE AMOUNT CALCULATED BY THE INSTITUTE USING THE
27 CALCULATION DESCRIBED IN SECTION 22-54-103.3 (3)(c) FOR THE

1 APPLICABLE BUDGET YEAR; EXCEPT THAT, WHEN MAKING THE
2 CALCULATIONS, THE INSTITUTE SHALL:

3 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
4 APPLICABLE BUDGET YEAR INSTEAD OF FUNDED PUPIL COUNT AS
5 DETERMINED PURSUANT TO SECTIONS 22-54-103.5 (4) AND 22-54-104 (7);

6 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR
7 THE APPLICABLE BUDGET YEAR INSTEAD OF THE ACCOUNTING DISTRICT'S
8 AT-RISK PUPIL ENROLLMENT AND USE THE CHARTER SCHOOL'S
9 PERCENTAGE OF AT-RISK PUPILS INSTEAD OF THE ACCOUNTING DISTRICT'S
10 PERCENTAGE OF AT-RISK PUPILS AS USED PURSUANT TO SECTIONS
11 22-54-103.5 (6)(a) AND 22-54-104 (4); EXCEPT THAT THE INSTITUTE
12 SHALL USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR THE
13 APPLICABLE BUDGET YEAR INSTEAD OF ACCOUNTING DISTRICT'S AT-RISK
14 PUPIL ENROLLMENT AS USED IN THE FORMULA IN SECTION 22-54-103.5
15 (6)(b) IF: THE ACCOUNTING DISTRICT'S FUNDED PUPIL COUNT IS LESS THAN
16 SEVEN THOUSAND, THE ACCOUNTING DISTRICT'S PERCENTAGE OF AT-RISK
17 PUPILS IS SEVENTY PERCENT OR GREATER, AND THE CHARTER SCHOOL'S
18 AT-RISK PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR IS
19 SEVENTY PERCENT OR GREATER;

20 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER
21 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF
22 DISTRICT ENGLISH LANGUAGE LEARNER PUPIL ENROLLMENT AS USED
23 PURSUANT TO SECTIONS 22-54-103.5 (7) AND 22-54-104 (4.3); AND

24 (D) USE THE CHARTER SCHOOL'S SPECIAL EDUCATION PUPIL
25 ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF DISTRICT
26 SPECIAL EDUCATION PUPIL ENROLLMENT AS USED PURSUANT TO SECTION
27 22-54-103.5 (10).

1 (II) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28
2 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, THE INSTITUTE
3 SHALL DETERMINE EACH OF ITS CHARTER SCHOOLS' OLD FORMULA
4 AMOUNTS OF TOTAL PROGRAM. EACH CHARTER SCHOOL'S OLD FORMULA
5 AMOUNT OF TOTAL PROGRAM IS THE AMOUNT CALCULATED BY THE
6 INSTITUTE USING THE CALCULATION DESCRIBED IN SECTION 22-54-104 FOR
7 THE APPLICABLE BUDGET YEAR FOR EACH OF ITS CHARTER SCHOOLS;
8 EXCEPT THAT, WHEN MAKING THE CALCULATIONS, THE INSTITUTE SHALL:

9 (A) USE THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE
10 APPLICABLE BUDGET YEAR INSTEAD OF THE ACCOUNTING DISTRICT'S
11 FUNDED PUPIL COUNT AS DETERMINED PURSUANT 22-54-104 (7);

12 (B) USE THE CHARTER SCHOOL'S AT-RISK PUPIL ENROLLMENT FOR
13 THE APPLICABLE BUDGET YEAR INSTEAD OF THE ACCOUNTING DISTRICT'S
14 AT-RISK PUPIL ENROLLMENT AS USED PURSUANT TO 22-54-104 (4);

15 (C) USE THE CHARTER SCHOOL'S ENGLISH LANGUAGE LEARNER
16 PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET YEAR INSTEAD OF
17 ACCOUNTING DISTRICT'S ENGLISH LANGUAGE LEARNER PUPIL
18 ENROLLMENT AS USED PURSUANT TO SECTION 22-54-104 (4.3).

19 (III) (A) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN
20 SUBSECTION (2)(h)(IV) OF THIS SECTION, A CHARTER SCHOOL WHOSE
21 ACCOUNTING DISTRICT IS A SCHOOL DISTRICT DESCRIBED IN SECTION
22 22-54-103.5 (12)(c) MUST RECEIVE A PER PUPIL AMOUNT OF THE AMOUNT
23 DESCRIBED IN SECTION 22-54-103.5 (12)(c) FOR EACH STUDENT IN THE
24 CHARTER SCHOOL'S PUPIL ENROLLMENT FOR THE APPLICABLE BUDGET
25 YEAR.

26 (B) IN ADDITION TO THE DISTRIBUTION DESCRIBED IN SUBSECTIONS
27 (2)(h)(IV) OF THIS SECTION, A CHARTER SCHOOL WHOSE ACCOUNTING

1 DISTRICT IS DESCRIBED IN SECTION 22-54-104 (4.9) MUST RECEIVE A PER
2 PUPIL AMOUNT OF THE AMOUNT DESCRIBED IN SECTION 22-54-104 (4.9)
3 FOR EACH STUDENT IN THE CHARTER SCHOOL'S PUPIL ENROLLMENT FOR
4 THE APPLICABLE BUDGET YEAR.

5 (IV) FOR EACH BUDGET YEAR BEGINNING WITH THE 2027-28
6 BUDGET YEAR THROUGH THE 2030-31 BUDGET YEAR, THE INSTITUTE
7 SHALL DISTRIBUTE TO EACH OF ITS CHARTER SCHOOLS, AN AMOUNT EQUAL
8 TO THE GREATER OF:

9 (A) THE CHARTER SCHOOL'S PHASE-IN AMOUNT OF TOTAL
10 PROGRAM FOR THE APPLICABLE BUDGET YEAR DETERMINED PURSUANT TO
11 SUBSECTION (2)(h)(I) OF THIS SECTION; OR

12 (B) THE CHARTER SCHOOL'S OLD FORMULA AMOUNT OF TOTAL
13 PROGRAM FOR THE APPLICABLE BUDGET YEAR, DETERMINED PURSUANT TO
14 SUBSECTION (2)(h)(II) OF THIS SECTION, PLUS ONE PERCENT OF THE
15 CHARTER SCHOOL'S OLD FORMULA AMOUNT OF TOTAL PROGRAM FOR THE
16 APPLICABLE BUDGET YEAR.

17 (4) (a) (I) For each budget year through the 2025-26 budget year,
18 each institute charter school, the department shall withhold from the state
19 equalization payments of the institute charter school's accounting district
20 an amount equal to one hundred percent of the accounting district's
21 adjusted per pupil revenues multiplied by the number of pupils enrolled
22 in the institute charter school who are not online pupils plus an amount
23 equal to one hundred percent of the accounting district's per pupil online
24 funding multiplied by the number of online pupils enrolled in the institute
25 charter school. The department shall forward to the institute the amount
26 withheld minus an amount not to exceed one percent of the amount
27 withheld that the department may retain as reimbursement for the

1 reasonable and necessary costs to the department to implement the
2 provisions of this part 5.

3 (I.5) For each budget year through the 2025-26 budget year, The
4 institute shall forward to each institute charter school an amount equal to
5 the institute charter school's pupil enrollment multiplied by the accounting
6 district's adjusted per pupil revenues of the institute charter school's
7 accounting district, minus:

8 (c) For budget years 2004-05 through 2010-11, the amount of
9 funding specified in paragraph (a) of this subsection (4) shall reflect the
10 one-percent increase in the statewide base per pupil funding for state
11 fiscal years 2001-02 through 2010-11 received by school districts as
12 required by section 17 of article IX of the state constitution.

13 (5.5) (a) Notwithstanding any provision of this section to the
14 contrary, if a district charter school converts to an institute charter school
15 pursuant to section 22-30.5-510, the converted school's per pupil revenues
16 or adjusted per pupil revenues, whichever is applicable, and at-risk
17 supplemental aid continue to be calculated pursuant to section
18 22-30.5-112, or 22-30.5-112.1 whichever is applicable, and section
19 22-30.5-112.2, TOTAL PROGRAM FUNDING as the funding applied to the
20 converted school before the conversion; except that this subsection (5.5)
21 does not apply if the converted school was authorized by a small rural
22 school district, as described in section 22-54-108 (3)(b)(IV), before the
23 conversion.

24 (10) (a) On or before December 1, 2009, and on or before
25 December 1 each year, thereafter, a representative from the governing
26 board of each institute charter school and the institute board shall meet to
27 review the level of funding received by the institute as a result of the

1 money withheld by the institute for the amount of actual costs incurred by
2 the institute in providing necessary administration, oversight, and
3 management services to the institute charter schools. The institute charter
4 school representatives and the institute board shall, at a minimum, review,
5 for each budget year, ~~beginning with the 2004-05 budget year through the~~
6 ~~2025-26 budget year~~, the amount of money annually appropriated to the
7 institute, the amount of costs incurred by the institute, and the services
8 provided by the institute.

9 (11) (a) ~~For the 2022-23 budget year, the general assembly shall~~
10 ~~appropriate three hundred seventy-five thousand dollars from the general~~
11 ~~fund to the institute to distribute to eligible institute charter schools.~~

12 (b) ~~As used in this subsection (11), "eligible institute charter~~
13 ~~school" means an institute charter school, at least fifty percent of the~~
14 ~~student population of which receives special education services through~~
15 ~~the administrative unit of the institute.~~

16 (12) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR
17 PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
18 PROVISIONS INTENDED TO HOLD DISTRICTS HARMLESS AS A RESULT OF
19 CHANGING TOTAL PROGRAM DISTRIBUTION FROM THE INSTITUTE TO THE
20 CHARTER SCHOOL PURSUANT TO SUBSECTIONS (2)(g) AND (2)(h) OF THIS
21 SECTION ARE A PROGRAM FOR ACCOUNTABLE EDUCATION REFORM AND
22 THEREFORE MAY RECEIVE FUNDING FROM THE STATE EDUCATION FUND
23 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

24 **SECTION 11.** In Colorado Revised Statutes, 22-33-203, **amend**
25 (2)(d) as follows:

26 **22-33-203. Educational alternatives for expelled students.**

27 (2) (d) If an expelled student is receiving educational services

1 delivered by a school district other than the expelling school district, by
2 a charter school in a school district other than the expelling school
3 district, by a board of cooperative services, or by a nonpublic school,
4 pursuant to an agreement entered into pursuant to subsection (2)(c)(I) of
5 this section, the expelling school district shall transfer ninety-five percent
6 of the district per-pupil revenues ~~as defined in section 22-30.5-112~~
7 ~~(2)(a.5)(H)~~ to the school district, charter school, nonpublic school, or
8 board of cooperative services that is providing educational services,
9 reduced in proportion to the amount of time remaining in the school year
10 at the time the student begins receiving educational services.

11 **SECTION 12.** In Colorado Revised Statutes, 22-43.7-110.3,
12 **amend** (2)(b)(I) as follows:

13 **22-43.7-110.3. Department - charter school facilities assistance**
14 **account - distribution - definitions.**

15 (2) (b) (I) Each school district that provides funding pursuant to
16 section 22-30.5-112 ~~or 22-30.5-112.1~~ to at least one qualified charter
17 school in a fiscal year shall, for that fiscal year, receive an amount equal
18 to the percentage of the total certified charter school pupil enrollment for
19 all qualified charter schools statewide for the applicable fiscal year that
20 is attributable to the district's certified charter school pupil enrollment,
21 multiplied by the amount credited to the charter school facilities
22 assistance account for the applicable fiscal year.

23 **SECTION 13.** In Colorado Revised Statutes, 22-33.5-2706,
24 **amend** (5)(a)(II)(B) as follows:

25 **24-33.5-2706. Trauma-informed practices for school safety**
26 **drills - work group - creation - purpose - membership - notice to**
27 **revisor of statutes - definitions - repeal.**

1 (5) (a) (II) The work group consists of the following voting
2 members:

3 (B) Two school principals, one of whom must represent either a
4 district charter school as defined in section 22-30.5-112.1, or an institute
5 charter school, as defined in section 22-30.5-502, each appointed by the
6 minority leader of the house of representatives, on the advice of a
7 statewide association that represents school administrators;

8 **SECTION 14.** In Colorado Revised Statutes, **repeal**
9 **22-30.5-112.2.**

10 **SECTION 15.** In Colorado Revised Statutes, 22-44-105, amend
11 (6)(d)(II) as follows:

12 **22-44-105. Budget - contents - mandatory- repeal.**

13 (6) (d) (II) This subsection (6) is SUBSECTIONS (6)(a), (6)(b), AND
14 (6)(d) OF THIS SECTION ARE repealed, effective July 1, 2026.

15 **SECTION 16.** In Colorado Revised Statutes, 22-54-103.3,
16 **amend (3)(b) as follows:**

17 **22-54-103.3. District total program - 2025-26 through 2030-31**
18 **budget years - definitions - repeal.**

19 (3) (b) (I) For the 2026-27 budget year, a district's total program
20 is the greater of the district's total program determination for the 2024-25
21 budget year or the amount calculated pursuant to section 22-54-104 plus
22 an amount equal to thirty percent of the difference between the district's
23 total program calculation pursuant to section 22-54-103.5 and the
24 district's total program calculation pursuant to section 22-54-104.

25 (II) WHEN DETERMINING A DISTRICT'S TOTAL PROGRAM PURSUANT
26 TO SUBSECTION (3)(b)(I) OF THIS SECTION, IF THE DISTRICT'S TOTAL
27 PROGRAM CALCULATION PURSUANT TO SECTION 22-54-103.5 IS LESS THAN

1 THE DISTRICT'S TOTAL PROGRAM CALCULATION PURSUANT TO SECTION
2 22-54-104, THEN NOTWITHSTANDING SUBSECTION (3)(b)(I) OF THIS
3 SECTION, THE DISTRICT'S TOTAL PROGRAM IS THE GREATER OF THE
4 DISTRICT'S TOTAL PROGRAM DETERMINATION FOR THE 2024-25 BUDGET
5 YEAR OR THE AMOUNT CALCULATED PURSUANT TO SECTION 22-54-104.

6 **SECTION 17.** In Colorado Revised Statutes, 22-54-117, amend
7 (1)(a) introductory portion and (1)(a)(IX) as follows:

8 **22-54-117. Contingency reserve - fund - repeal.**

9 (1) (a) For the 2007-08 fiscal year and fiscal years thereafter The
10 general assembly shall annually determine the amount to appropriate to
11 the contingency reserve fund, which is created in the state treasury. In
12 deciding the amount to appropriate to the contingency reserve fund, the
13 general assembly may take into consideration any recommendations made
14 by the department of education, but nothing in this section obligates the
15 general assembly to provide supplemental assistance to all districts that
16 are found to be in need or to fully fund the total amount of such need. The
17 state board may approve and order payments from the contingency
18 reserve fund for supplemental assistance to districts determined to be in
19 need as the result of any or all of the following circumstances:

20 (IX) (A) For the 2021-22, 2022-23, and 2023-24 budget years
21 Unusual financial burden caused by the withholding of local property
22 taxes pursuant to section 29-1-606 (5) for a rural or small rural school
23 district, as defined in section 22-7-1211 (4), because of a delay in filing
24 the audit report due to extraordinary problems that could not have been
25 reasonably foreseen or prevented by the rural or small rural school
26 district.

27 (B) This subsection (1)(a)(IX) is repealed, effective July 1, 2026.

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SECTION 18. In Colorado Revised Statutes, 24-51-1101, amend (1.9)(a)(I), (1.9)(a)(II)(B), (1.9)(a)(II)(C), and (1.9)(h) as follows:

24-51-1101. Employment after service retirement - report - definitions - repeal.

(1.9)(a)(I) Subject to subsection (1.9)(h) of this section, a service retiree who is a superintendent, AN ASSISTANT SUPERINTENDENT, a principal, A VICE PRINCIPAL OR ASSISTANT PRINCIPAL, a teacher, a school bus driver, a school food services cook, a school nurse, or a paraprofessional, as defined in section 22-60.3-201, and is hired pursuant to subsection (1.9)(b) of this section by an employer in the school division of the association that satisfies the criteria specified in subsection (1.9)(a)(II) of this section may receive salary without reduction in benefits for any length of employment in a calendar year if the service retiree has not worked for an employer, as defined in section 24-51-101 (20), during the month of the effective date of retirement. A service retiree described in this subsection (1.9)(a) who works for an employer, as defined in section 24-51-101 (20), during the month of the effective date of retirement is subject to a reduction in benefits as provided in section 24-51-1102 (2).

(II) The provisions of this subsection (1.9) apply only if:

(B) The school district, board of cooperative services, or charter school hires the service retiree for the purpose of providing classroom instruction or school bus transportation to students enrolled by the district, enrolled by one or more of the districts served by the board of cooperative services, or enrolled by the charter school, or for the purpose of being a superintendent, AN ASSISTANT SUPERINTENDENT, a principal, A VICE

1 PRINCIPAL OR ASSISTANT PRINCIPAL, a school food services cook, a school
2 nurse, or a paraprofessional, as defined in section 22-60.3-201; and

3 (C) The school district, board of cooperative services, or charter
4 school determines that there is a critical shortage of qualified
5 superintendents, ASSISTANT SUPERINTENDENTS, principals, VICE
6 PRINCIPALS OR ASSISTANT PRINCIPALS, teachers, school bus drivers,
7 school food services cooks, school nurses, or paraprofessionals, as
8 defined in section 22-60.3-201, as applicable, and that the service retiree
9 has specific experience, skills, or qualifications that would benefit the
10 district, board of cooperative services, or charter school.

11 (h) A teacher, school bus driver, school food services cook, school
12 nurse, superintendent, ASSISTANT SUPERINTENDENT, principal, VICE
13 PRINCIPAL OR ASSISTANT PRINCIPAL, or qualified paraprofessional who
14 retires before ~~he or she has~~ THEY HAVE met the age and service credit
15 requirements for full service retirement benefits pursuant to section
16 24-51-602 shall not be employed after retirement pursuant to this
17 subsection (1.9) by the employer in the school division that was the
18 teacher's, school bus driver's, school food services cook's, school nurse's,
19 superintendent's, ASSISTANT SUPERINTENDENT'S, principal's, VICE
20 PRINCIPAL'S OR ASSISTANT PRINCIPAL'S, or qualified paraprofessional's last
21 employer until two years after the teacher's, school bus driver's, school
22 food services cook's, school nurse's, superintendent's, ASSISTANT
23 SUPERINTENDENT'S, principal's, VICE PRINCIPAL'S OR ASSISTANT
24 PRINCIPAL'S, or qualified paraprofessional's date of retirement.

25 **SECTION 19.** In Colorado Revised Statutes, 22-7-1013, **add**
26 **(6.5) as follows:**

27 **22-7-1013. Local education provider - preschool through**

1 **elementary and secondary education standards - adoption - academic**
2 **acceleration - definition.**

3 (6.5) FOR THE 2026-27 SCHOOL YEAR, AND EACH SCHOOL YEAR
4 THEREAFTER, A LOCAL EDUCATION PROVIDER MAY REQUEST THAT THE
5 DEPARTMENT OF EDUCATION APPROVE THE LOCAL EDUCATION PROVIDER'S
6 USE OF PENCIL AND PAPER TO COMPLETE ANY OR EVERY PORTION OF A
7 STATE ASSESSMENT ADMINISTERED PURSUANT TO SECTION 22-7-1006.3
8 (1)(a) FOR GRADE THREE OR FOUR. FOR THE 2026-27 SCHOOL YEAR, THE
9 DEPARTMENT OF EDUCATION SHALL ESTABLISH THE TESTING SCHEDULE
10 FOR THE ADMINISTRATION OF PENCIL AND PAPER ASSESSMENTS AND
11 INCLUDE A DEADLINE FOR THE RETURN OF COMPLETED PAPER AND PENCIL
12 MATERIALS FOR SCORING. FOR THE 2027-28 SCHOOL YEAR, THE
13 DEPARTMENT OF EDUCATION SHALL ESTABLISH A DEADLINE FOR THE
14 SUBMISSION OF REQUESTS FOR THE USE OF PENCIL AND PAPER
15 ASSESSMENTS. THE LOCAL EDUCATION PROVIDER IS RESPONSIBLE FOR
16 COSTS OWED TO A VENDOR THAT ARE ASSOCIATED WITH THE
17 ADMINISTRATION OF PENCIL AND PAPER ASSESSMENTS; EXCEPT THAT IF
18 THE LOCAL EDUCATION PROVIDER IS A SCHOOL, THEN THE SCHOOL IS
19 RESPONSIBLE FOR COSTS ASSOCIATED WITH THE ADMINISTRATION OF
20 PENCIL AND PAPER ASSESSMENTS.

21 **SECTION 20.** In Colorado Revised Statutes, 22-20-107.5, add
22 (1.5) as follows:

23 **22-20-107.5. District of residence of a child with a disability -**
24 **jurisdiction - rules.**

25 (1.5) THE STATE BOARD SHALL ADOPT RULES THAT ARE
26 NECESSARY TO DETERMINE A CHILD'S DISTRICT OF RESIDENCE FOR A
27 CIRCUMSTANCE THAT IS NOT DESCRIBED IN SUBSECTION (1) OF THIS

1 SECTION.

2 SECTION 21. In Colorado Revised Statutes, 22-20-114, **amend**
3 (1) introductory portion, (1)(a), (1)(b), and (1.3); and add (9) as follows:

4 22-20-114. Funding of programs - application for
5 reimbursement - rules - legislative declaration - definition - repeal.

6 (1) Subject to the provisions of subsection (3) of this section, for
7 the 2005-06 budget year and each budget year thereafter the total amount
8 appropriated to the department for the payment of costs incurred by
9 administrative units for the provision, OR EXPENSES RELATED TO THE
10 PROVISION, of special education programs must be distributed to each
11 administrative unit that provides, OR PAYS FOR THE PROVISION OF,
12 educational services for children with disabilities as follows:

13 (a) (I) Five hundred thousand dollars to administrative units that
14 enroll children with disabilities FOR THE 2026-27 BUDGET YEAR AND
15 EACH BUDGET YEAR THEREAFTER, ONE MILLION DOLLARS TO FUND
16 REIMBURSEMENTS FOR ADMINISTRATIVE UNITS THAT PAY TUITION OR
17 EDUCATION EXPENSES THAT ENSURE A FREE APPROPRIATE PUBLIC
18 EDUCATION FOR A STUDENT IN OUT-OF-HOME PLACEMENT, AS DEFINED IN
19 SECTION 22-32-138 (1)(h), IF:

20 (A) For whom tuition is paid by the administrative units for the
21 children to receive educational services at approved facility schools; and
22 THE STUDENT HAS AN INDIVIDUALIZED EDUCATION PROGRAM;

23 (B) For whom parental rights have been relinquished by the
24 parents or terminated by a court, the parents of whom are incarcerated;
25 the parents of whom cannot be located, the parents of whom reside out of
26 the state but the department of human services has placed the children
27 within the administrative unit, or children with disabilities who are legally

1 emancipated. THE STUDENT DOES NOT HAVE A PARENT OR LEGAL
2 GUARDIAN, AS DESCRIBED IN SECTION 22-20-103 (19.7)(a)(I), (19.7)(a)(II),
3 OR (19.7)(a)(III), WHO IS AVAILABLE OR AUTHORIZED TO MAKE DECISIONS
4 CONCERNING EDUCATION FOR THE STUDENT; AND

5 (C) THE STUDENT IS PLACED BY A PUBLIC AGENCY, AS DEFINED IN
6 SECTION 22-20-103 (20), IN A RESIDENTIAL CHILD CARE FACILITY OR
7 RESIDENTIAL TREATMENT FACILITY THAT IS LOCATED OUT OF STATE OR IN
8 AN APPROVED FACILITY SCHOOL, AS DEFINED IN SECTION 22-2-402.

9 (II) The moneys appropriated pursuant to subparagraph (I) of this
10 paragraph (a) shall be distributed in each budget year to administrative
11 units based upon each administrative unit's share of the aggregate number
12 of children with disabilities who are specified in subparagraph (I) of this
13 paragraph (a); except that an administrative unit shall not receive an
14 amount that exceeds the aggregate amount of tuition paid by that
15 administrative unit for the specified children with disabilities to receive
16 educational services at approved facility schools during the immediately
17 preceding budget year. For purposes of this paragraph (a), the number of
18 children with disabilities that are specified in subparagraph (I) of this
19 paragraph (a) shall be based upon the count taken in December of the
20 immediately preceding budget year. IN THE 2026-27 BUDGET YEAR AND
21 EACH BUDGET YEAR THEREAFTER, THE DEPARTMENT SHALL DISTRIBUTE
22 THE APPROPRIATION DESCRIBED IN SUBSECTION (1)(a)(I) OF THIS SECTION
23 PURSUANT TO AN APPLICATION FOR REIMBURSEMENT PROCESS. THE STATE
24 BOARD SHALL ADOPT RULES RELATED TO THE APPLICATION FOR
25 REIMBURSEMENT PROCESS.

26 (b) (f) For the budget years preceding the 2022-23 budget year, an
27 amount equal to one thousand two hundred fifty dollars for each child

1 with disabilities receiving special education services from the
2 administrative unit;

3 (H) Except as specified in subsection (1.3) of this section, for the
4 2022-23 budget year and each budget year thereafter, an amount equal to
5 one thousand seven hundred fifty dollars for each child with disabilities
6 receiving special education services from the administrative unit; and

7 (1.3) For the 2024-25 budget year and budget years thereafter, The
8 dollar amounts set forth in subsections (1)(b)(H) and (1)(c)(HH)
9 SUBSECTIONS (1)(b) AND (1)(c)(III) of this section are annually increased
10 by the rate of inflation. The amounts must be rounded to the nearest
11 dollar. As used in this subsection (1.3), "inflation" means the annual
12 percentage change in the United States department of labor bureau of
13 labor statistics consumer price index for Denver-Aurora-Lakewood for
14 all items paid by all urban consumers, or its applicable successor index.

15 (9) (a) THE DEPARTMENT SHALL ENGAGE STAKEHOLDERS ON THE
16 ISSUE OF PUBLIC PLACEMENTS IN FACILITY SCHOOLS AND WHETHER TO
17 MAKE RECOMMENDATIONS TO THE STATE BOARD REGARDING RULES OR TO
18 THE GENERAL ASSEMBLY REGARDING STATUTES RELATED TO PUBLIC
19 PLACEMENTS IN FACILITIES. THE STAKEHOLDERS THAT THE DEPARTMENT
20 SHALL ENGAGE WITH INCLUDE, BUT ARE NOT LIMITED TO, ADMINISTRATIVE
21 UNITS, MEDICAID MANAGED CARE ENTITIES, ORGANIZATIONS THAT
22 REPRESENT LICENSED RESIDENTIAL CHILD CARE FACILITIES, AND OTHER
23 PUBLIC ENTITIES.

24 (b) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2027.

25 SECTION 22. In Colorado Revised Statutes, 22-82.9-205,
26 amend (1), (2), (3), and (4); and add (6) as follows:

27 22-82.9-205. Local food purchasing grant - amount - advisory

1 **committee - verification of invoices - definition.**

2 (1) (a) Subject to subsection (5) of this section, each participating
3 school food authority OR CHARTER SCHOOL THAT OPERATES UNDER A
4 PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY that commits to
5 operating an advisory committee as described in subsection (3) of this
6 section is eligible to receive a local food purchasing grant pursuant to this
7 section to purchase Colorado grown, raised, or processed products. It is
8 the general assembly's intent that these grants be used primarily to support
9 small- and medium-sized farms and ranches.

10 (b) On or before August 1 of the first full budget year in which
11 this section is effective as provided in subsection (5) of this section and
12 on or before August 1 of each budget year thereafter, each participating
13 school food authority GRANTEE shall track and report to the department
14 for the preceding budget year:

15 (I) The total amount spent in purchasing all products used in
16 preparing meals and how much of that total was attributable to the local
17 food purchasing grant the participating school food authority GRANTEE
18 received;

19 (II) The total amount spent to purchase Colorado grown, raised,
20 or processed products and how much of that total was attributable to the
21 local food purchasing grant the participating school food authority
22 GRANTEE received;

23 (III) The total amount spent to purchase value-added processed
24 products and how much of that total was attributable to the local food
25 purchasing grant the participating school food authority GRANTEE
26 received; and

27 (IV) The total number of eligible meals the participating school

1 food authority GRANTEE provided to students.

2 (2) (a) Subject to subsection (2)(b) of this section, at the beginning
3 of each budget year the department, subject to available appropriations,
4 shall distribute to each participating school food authority GRANTEE that
5 is eligible to receive a grant pursuant to this section an amount established
6 pursuant to section 22-82.9-211 (3). The participating school food
7 authority GRANTEE shall use the money received pursuant to this section
8 to purchase only Colorado grown, raised, or processed products and as
9 provided in subsection (3)(b) of this section and shall not use more than
10 twenty-five percent of the amount received to purchase value-added
11 processed products. In addition, a school food authority PARTICIPATING
12 GRANTEE may use up to ten percent of the money received pursuant to
13 this section to pay allowable costs, as identified by rules of the state
14 board, incurred in complying with this section.

15 (b) At the beginning of each budget year, each participating
16 school food authority GRANTEE shall submit to the department an estimate
17 of the amount it expects to spend to purchase Colorado grown, raised, or
18 processed products for the budget year; a description of the items and
19 amounts it expects to purchase; and a list of the suppliers from which it
20 expects to purchase the items. If, based on the information provided, the
21 department determines that a participating school food authority GRANTEE
22 is unlikely to spend the full amount of the grant described in subsection
23 (2)(a) of this section, the department shall reduce the amount of the grant
24 accordingly. The department shall distribute to other participating school
25 food authorities GRANTEES that are eligible to receive grants pursuant to
26 this section any amount that is retained pursuant to this subsection (2)(b).
27 The department shall distribute the additional amounts to the participating

1 school food authorities GRANTEES for which the grant amount calculated
2 pursuant to subsection (2)(a) of this section is less than twenty-five
3 thousand dollars, prioritized based on the highest identified student
4 percentages and greatest financial need.

5 (3) (a) To receive a local food purchasing grant pursuant to this
6 section, a participating school food authority GRANTEE must have or
7 establish an advisory committee made up of students and parents of
8 students enrolled in the public schools served by the participating school
9 food authority. In selecting students and parents to serve on the advisory
10 committee, the participating school food authority GRANTEE shall ensure
11 that the membership of the advisory committee reflects the racial, ethnic,
12 and socioeconomic demographics of the student population enrolled by
13 the participating school food authority GRANTEE. The advisory committee
14 shall advise the participating school food authority GRANTEE concerning
15 the selection of foods to ensure that meals are culturally relevant, healthy,
16 and appealing to all ages of the student population.

17 (b) A participating school food authority GRANTEE may use up to
18 twelve percent of the amount received pursuant to subsection (2) of this
19 section to support implementation of the advisory committee required in
20 subsection (3)(a) of this section.

21 (c) A school food authority GRANTEE that provided one million or
22 fewer lunches in the 2023-24 school year may, subject to approval by the
23 department, work with other school food authorities GRANTEES to
24 implement an advisory committee that collaborates with multiple school
25 food authorities.

26 (d) An advisory committee established pursuant to this subsection
27 (3) is not limited to, but may:

1 (I) Schedule and hold meetings as necessary for the advisory
2 committee to have ongoing collaboration with the participating school
3 food authority GRANTEE and achieve the advisory committee's goals;

4 (II) Through student surveys or other methods as necessary, gather
5 student feedback on meals and meal preferences;

6 (III) Suggest the types of purchases of local ingredients to the
7 school food authority GRANTEE that would support local farmers and
8 ranchers in the school food authority's region;

9 (IV) Inform the school food authority of recipes that are both
10 nutritious and reflect the cultures of the student population enrolled by the
11 participating school food authority GRANTEE;

12 (V) Taste test healthy meal options;

13 (VI) Develop solutions to reduce food waste;

14 (VII) Assist the school food authority GRANTEE in developing
15 plans to support more scratch cooking;

16 (VIII) Assist the school food authority PARTICIPATING GRANTEE
17 in obtaining the necessary resources to provide meals that are culturally
18 relevant, healthy, and appealing to all ages of the student population;

19 (IX) Inform the school food authority GRANTEE of, and assist in
20 the implementation of, strategies to maximize the collection and
21 completion of household income application forms for national school
22 lunch programs;

23 (X) Evaluate the effectiveness of the advisory committee in
24 supporting the school food authority PARTICIPATING GRANTEE in
25 improving meal quality and student satisfaction with the meals provided
26 by the school food authority GRANTEE; and

27 (XI) Learn from a school food authority GRANTEE about the

1 logistics of local food procurement, menu requirements, and operational
2 management to support the advisory committee in suggesting realistic and
3 attainable changes to school meals.

4 (e) A school food authority GRANTEE may contract with an
5 external nonprofit organization to convene and facilitate an advisory
6 committee pursuant to this subsection (3).

7 (4) The department shall annually require a selected group of
8 participating school food authorities GRANTEES that received a grant
9 pursuant to this section in the preceding budget year to submit to the
10 department a representative sample of the invoices for the products
11 purchased using the grant money. No later than September 1 of the
12 second budget year in which this section is effective as provided in
13 subsection (5) of this section, and no later than September 1 of each year
14 thereafter, the department shall review the invoices to verify that the
15 products purchased met the requirements specified in this section. If the
16 department finds that a participating school food authority used a
17 significant portion of the grant money, as determined by rule of the state
18 board, to purchase products that did not meet the requirements of this
19 section, the participating school food authority GRANTEE is ineligible to
20 receive a grant pursuant to this section for the next budget year following
21 the budget year in which the department completes the review.

22 (6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
23 REQUIRES, "GRANTEE" MEANS A PARTICIPATING SCHOOL FOOD AUTHORITY
24 OR CHARTER SCHOOL THAT OPERATES UNDER A PARTICIPATING SCHOOL
25 FOOD AUTHORITY DESCRIBED IN SUBSECTION (1) OF THIS SECTION THAT IS
26 ELIGIBLE FOR AND RECEIVES A LOCAL FOOD PURCHASING GRANT PROGRAM
27 PURSUANT TO THIS SECTION.

1 **SECTION 23.** In Colorado Revised Statutes, 22-82.9-206,
2 amend (1) as follows:

3 **22-82.9-206. School meals food preparation and service**
4 **employees - wage increase or stipend.**

5 (1) Subject to subsection (2) of this section, in addition to the
6 amounts received pursuant to sections 22-82.9-204 and 22-82.9-205, a
7 participating school food authority OR CHARTER SCHOOL THAT OPERATES
8 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY may receive
9 an amount described in section 22-82.9-211 (3), so long as the
10 participating school food authority OR CHARTER SCHOOL THAT OPERATES
11 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY uses one
12 hundred percent of the amount received pursuant to this section to
13 increase wages or provide stipends for individuals whom the participating
14 school food authority employs to directly prepare and serve food for
15 school meals. To receive the amount described in this section, a
16 participating school food authority OR CHARTER SCHOOL THAT OPERATES
17 UNDER A PARTICIPATING CHARTER SCHOOL FOOD AUTHORITY must submit
18 documentation to the department as required by rules of the state board
19 to demonstrate that the increase in wages or provision of stipends using
20 the amount received pursuant to this section is implemented for the
21 budget year in which the amount is received.

22 **SECTION 24.** In Colorado Revised Statutes, **add 22-5-124** as
23 **follows:**

24 **22-5-124. Limitations on authority.**

25 **(1) A BOCES IS NOT A STATEWIDE AUTHORIZER OF PROGRAMS OR**
26 **SCHOOLS, EXCEPT AS PERMITTED IN SECTION 22-33-104.3 OR 22-30.7-106.**
27 **A BOCES IS A PUBLIC ENTITY, AND A SCHOOL OR PROGRAM OPERATED BY**

1 A BOCES IS CONSIDERED PUBLIC.

2 (2) STARTING WITH THE 2026-27 FISCAL YEAR, A BOCES SHALL
3 NOT OPERATE A SCHOOL, PROGRAM, SUBPROGRAM, OR CAMPUS OUTSIDE
4 THE GEOGRAPHIC BOUNDARIES OF ITS SCHOOL DISTRICT MEMBERS, EXCEPT
5 AS PERMITTED THROUGH THE PROCESSES SET FORTH IN SECTION
6 22-33-104.3 OR 22-30.7-106.

7 (3) UPON REQUEST FROM THE DEPARTMENT OF EDUCATION, A
8 BOCES SHALL PROVIDE A COPY OF ANY AGREEMENT THAT
9 DEMONSTRATES CURRENT MEMBERSHIP OR TERMS OF SERVICE FOR THE
10 BOCES TO THE DEPARTMENT OF EDUCATION.

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

14 **SECTION 25.** In Colorado Revised Statutes, **add** 22-33-104.3 as
15 follows:

16 **22-33-104.3. Part-time programs for homeschool students -**
17 **rules - definitions - repeal.**

18 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
19 REQUIRES:

20 (a) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
21 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
22 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY
23 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
24 30.5 OF THIS TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED
25 AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22.

26 (b) "PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS" MEANS
27 A PROGRAM OFFERED BY OR ON BEHALF OF A LOCAL EDUCATION PROVIDER

1 THAT SERVES HOMESCHOOL STUDENTS ENROLLED ON A PART-TIME BASIS
2 AND FUNDED PURSUANT TO SECTION 22-33-104.5 (6)(a), WHETHER OR NOT
3 THE PROGRAM HAS A SCHOOL CODE ISSUED BY THE DEPARTMENT OF
4 EDUCATION. "PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS"
5 INCLUDES ALL SUBPROGRAMS, CAMPUSES, MICROSCHOOLS, OR OTHER
6 COMPONENTS OF THE SAME PART-TIME PROGRAM THAT PROVIDES
7 INSTRUCTION TO HOMESCHOOL STUDENTS.

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

10 (I) COMPLIES WITH THE STANDARDS AND REQUIREMENTS
11 ESTABLISHED IN THIS SECTION AND RULES ADOPTED BY THE STATE BOARD;
12 AND

13 (II) COMPLIES WITH ALL LEGAL REQUIREMENTS FOR PART-TIME
14 PROGRAMS FOR HOMESCHOOL STUDENTS FOR THE LOCAL EDUCATION
15 PROVIDER THAT AUTHORIZES THE PART-TIME PROGRAMS FOR
16 HOMESCHOOL STUDENTS.

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

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

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

1 (b) SHALL NOT ENROLL STUDENTS WHO SATISFY THEIR
2 COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS THROUGH AN
3 INDEPENDENT OR A PAROCHIAL SCHOOL, AS DESCRIBED IN SECTION
4 22-33-104 (2)(b).

5 (c) SHALL VERIFY THE STUDENT'S ELIGIBILITY FOR PUPIL
6 ENROLLMENT BY REQUIRING A COPY OF THE NOTIFICATION REQUIRED
7 PURSUANT TO SECTION 22-33-104.5 (3)(e), RETAINING A COPY OF THE
8 NOTIFICATION, AND MAKING A COPY OF THE NOTIFICATION AVAILABLE TO
9 THE DEPARTMENT OF EDUCATION UPON REQUEST. IF THE LOCAL
10 EDUCATION PROVIDER IS NOT A SCHOOL DISTRICT, THE LOCAL EDUCATION
11 PROVIDER SHALL FULFILL THE REQUIREMENTS OF THIS SUBSECTION (3)(c)
12 IN COORDINATION WITH ITS AUTHORIZER OR ITS MEMBER DISTRICTS.

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

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

18 (b) AN INSTITUTE CHARTER SCHOOL SHALL NOT OPERATE A
19 PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS OUTSIDE OF THE
20 GEOGRAPHIC BOUNDARIES OF THE SCHOOL DISTRICT WHERE THE INSTITUTE
21 CHARTER SCHOOL IS PHYSICALLY LOCATED;

22 (c) A BOARD OF COOPERATIVE SERVICES SHALL NOT OPERATE A
23 PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS OUTSIDE OF THE
24 GEOGRAPHIC BOUNDARIES OF THE BOARD OF COOPERATIVE SERVICES'
25 MEMBER SCHOOL DISTRICTS.

26 (5) A LOCAL EDUCATION PROVIDER MAY RECEIVE AUTHORIZATION
27 TO OPERATE A PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS OUTSIDE

1 THE GEOGRAPHIC BOUNDARIES DESCRIBED IN SUBSECTION (4) OF THIS
2 SECTION, AS APPLICABLE, THROUGH ONE OF THE FOLLOWING:

3 (a) THE STATE BOARD MAY AUTHORIZE A LOCAL EDUCATION
4 PROVIDER TO OPERATE OUTSIDE THE GEOGRAPHIC BOUNDARIES DESCRIBED
5 IN SUBSECTION (4) OF THIS SECTION, AS APPLICABLE, PURSUANT TO
6 ELIGIBILITY AND PROCEDURAL REQUIREMENTS FOR CERTIFICATION
7 ADOPTED BY STATE BOARD RULE. THE STATE BOARD SHALL ADOPT RULES
8 REGARDING THE ELIGIBILITY AND PROCEDURAL REQUIREMENTS FOR
9 CERTIFICATION PURSUANT TO THIS SUBSECTION (5)(a) NO LATER THAN
10 DECEMBER 31, 2026, THAT WILL APPLY FOR CERTIFICATION FOR THE
11 2027-28 SCHOOL YEAR AND FOR EACH SCHOOL YEAR THEREAFTER. THE
12 CERTIFICATION PROCESS RULES MUST INCLUDE CRITERIA AND QUALITY
13 STANDARDS FOR PART-TIME PROGRAMS FOR HOMESCHOOL STUDENTS THAT
14 ADDRESS ACCOUNTABILITY AND TRANSPARENCY AND INCLUDE REPORTING
15 OBLIGATIONS FOR LOCAL EDUCATION PROVIDERS AS ARE REASONABLY
16 NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION. A CERTIFICATION
17 PURSUANT TO THIS SUBSECTION (5)(a) IS VALID FOR TWO YEARS AND MAY
18 BE SUBSEQUENTLY RENEWED FOR TWO-YEAR TERMS.

19 (b) A LOCAL BOARD OF EDUCATION MAY AUTHORIZE, IN WRITING,
20 A LOCAL EDUCATION PROVIDER TO OPERATE A PART-TIME PROGRAM FOR
21 HOMESCHOOL STUDENTS IN THE GEOGRAPHIC BOUNDARIES OF THE LOCAL
22 BOARD OF EDUCATION'S SCHOOL DISTRICT IF THE PART-TIME PROGRAM FOR
23 HOMESCHOOL STUDENTS OTHERWISE OPERATES OUTSIDE OF THE
24 GEOGRAPHIC BOUNDARIES OF THE LOCAL BOARD OF EDUCATION'S SCHOOL
25 DISTRICT. IN ITS WRITTEN AUTHORIZATION, THE LOCAL BOARD OF
26 EDUCATION SHALL CERTIFY, IN A FORM DEVELOPED BY THE DEPARTMENT
27 OF EDUCATION, THAT THE PART-TIME PROGRAM FOR HOMESCHOOL

1 STUDENTS SATISFIES THE CRITERIA DESCRIBED IN SUBSECTION (2) OF THIS
2 SECTION. IF THE LOCAL BOARD OF EDUCATION HAS THE WRITTEN
3 AUTHORIZATION AND CERTIFICATION, THE SCHOOL DISTRICT OR CHARTER
4 SCHOOL INSTITUTE MAY SUBMIT STUDENTS WHO ARE ENROLLED IN THE
5 PART-TIME PROGRAM FOR HOMESCHOOL STUDENTS PURSUANT TO ITS PUPIL
6 ENROLLMENT, AS DEFINED IN SECTION 22-54-103 (10). A WRITTEN
7 AUTHORIZATION PURSUANT TO THIS SUBSECTION (5)(b) IS VALID FOR A
8 TERM NOT GREATER THAN TWO YEARS AND MAY BE SUBSEQUENTLY
9 RENEWED. THE WRITTEN AUTHORIZATION DESCRIBED IN THIS SUBSECTION
10 (5)(b) MUST BE OBTAINED FROM ALL DISTRICTS WHERE THE PART-TIME
11 PROGRAM FOR HOMESCHOOL STUDENTS PROVIDES INSTRUCTION TO
12 STUDENTS.

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

18 (I) THE DEPARTMENT OF EDUCATION MAY PROVISIONALLY
19 AUTHORIZE A LOCAL EDUCATION PROVIDER TO OPERATE OUTSIDE THE
20 GEOGRAPHIC BOUNDARIES DESCRIBED IN SUBSECTION (4) OF THIS SECTION,
21 AS APPLICABLE. THE DEPARTMENT OF EDUCATION SHALL PUBLISH AN
22 APPLICATION TIMELINE AND REQUIREMENTS NO LATER THAN JUNE 15,
23 2026. THE DEPARTMENT OF EDUCATION SHALL PROVISIONALLY
24 AUTHORIZE A LOCAL EDUCATION PROVIDER IF THE PART-TIME PROGRAM
25 FOR HOMESCHOOL STUDENTS:

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

27 (B) CERTIFIES THAT IT WILL NOT ENROLL MORE STUDENTS DURING

1 THE 2026-27 SCHOOL YEAR THAN IT ENROLLED DURING THE 2025-26
2 SCHOOL YEAR; AND

3 (C) SATISFIES THE CRITERIA DESCRIBED IN SUBSECTION (2) OF THIS
4 SECTION; OR

5 (II) A LOCAL BOARD OF EDUCATION MAY AUTHORIZE, IN WRITING,
6 A LOCAL EDUCATION PROVIDER TO OPERATE A PART-TIME PROGRAM FOR
7 HOMESCHOOL STUDENTS IN THE GEOGRAPHIC BOUNDARIES OF THE LOCAL
8 BOARD OF EDUCATION'S SCHOOL DISTRICT IF THE PART-TIME PROGRAM FOR
9 HOMESCHOOL STUDENTS OTHERWISE OPERATES OUTSIDE OF THE
10 GEOGRAPHIC BOUNDARIES OF THE LOCAL BOARD OF EDUCATION'S SCHOOL
11 DISTRICT. IN ITS WRITTEN AUTHORIZATION, THE LOCAL BOARD OF
12 EDUCATION SHALL CERTIFY, IN A FORM DEVELOPED BY THE DEPARTMENT
13 OF EDUCATION, THAT THE PART-TIME PROGRAM FOR HOMESCHOOL
14 STUDENTS SATISFIES THE CRITERIA DESCRIBED IN SUBSECTIONS (2),
15 (6)(a)(I)(A), AND (6)(a)(I)(B) OF THIS SECTION. IF THE LOCAL BOARD OF
16 EDUCATION HAS THE WRITTEN AUTHORIZATION AND CERTIFICATION, THE
17 SCHOOL DISTRICT OR CHARTER SCHOOL INSTITUTE MAY SUBMIT STUDENTS
18 WHO ARE ENROLLED IN THE PART-TIME PROGRAM FOR HOMESCHOOL
19 STUDENTS PURSUANT TO ITS PUPIL ENROLLMENT, AS DEFINED IN SECTION
20 22-54-103 (10). A WRITTEN AUTHORIZATION PURSUANT TO THIS
21 SUBSECTION (6)(a)(II) IS VALID FOR A TERM NOT GREATER THAN TWO
22 YEARS AND MAY BE SUBSEQUENTLY RENEWED. THE WRITTEN
23 AUTHORIZATION DESCRIBED IN THIS SUBSECTION (6)(a)(II) MUST BE
24 OBTAINED FROM ALL DISTRICTS WHERE THE PART-TIME PROGRAM FOR
25 HOMESCHOOL STUDENTS PROVIDES INSTRUCTION TO STUDENTS.

26 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2027.

27 (7) NOTHING IN THIS SECTION LIMITS A LOCAL EDUCATION

1 PROVIDER'S DISCRETION TO ALLOW A CHILD PARTICIPATING IN A
2 NONPUBLIC HOME-BASED EDUCATIONAL PROGRAM TO ATTEND A PUBLIC
3 SCHOOL FOR A PORTION OF THE DAY PURSUANT TO SECTION 22-33-104 .5
4 (6)(a) IF THE ATTENDANCE IS IN THE LOCAL EDUCATION PROVIDER'S
5 REGULAR ON-SITE PROGRAM RATHER THAN IN A PART-TIME PROGRAM FOR
6 HOMESCHOOL STUDENTS. THIS SUBSECTION (7) DOES NOT APPLY TO
7 ONLINE SCHOOLS OR PROGRAMS.

8 **SECTION 26.** In Colorado Revised Statutes, 22-54-103, add
9 (10)(j) and (10)(k) as follows:

10 **22-54-103. Definitions - repeal.**

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

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

16 (k) A DISTRICT THAT ENROLLS STUDENTS PURSUANT TO SECTION
17 22-33-104.5 (6)(a) SHALL, PRIOR TO A STUDENT'S ENROLLMENT, COLLECT
18 A CURRENT COPY OF THE WRITTEN NOTIFICATION PURSUANT TO SECTION
19 22-33-104.5 (3)(e) ESTABLISHING ELIGIBILITY.

20 **SECTION 27.** In Colorado Revised Statutes, 22-30.7-105, add
21 (6) as follows:

22 **22-30.7-105. Program criteria - guidelines - quality standards**
23 **- records - rules - definition.**

24 (6) (a) AN AUTHORIZER MAY CHOOSE TO CONTRACT WITH AN
25 EDUCATION MANAGEMENT PROVIDER TO OPERATE AN ONLINE PROGRAM
26 OR ONLINE SCHOOL. AN AUTHORIZER CONTRACTING WITH AN EDUCATION
27 MANAGEMENT PROVIDER SHALL MAINTAIN APPROPRIATE INDEPENDENCE

1 FROM, AND OVERSIGHT OF, THE EDUCATION MANAGEMENT PROVIDER.

2 (b) AN EDUCATION MANAGEMENT PROVIDER SHALL PROVIDE THE
3 FOLLOWING INFORMATION TO THE AUTHORIZER:

4 (I) A SUMMARY OF THE PERFORMANCE DATA FOR ALL OF THE
5 ONLINE SCHOOLS THE EDUCATION MANAGEMENT PROVIDER IS MANAGING
6 AT THE TIME OF THE APPLICATION OR HAS MANAGED PREVIOUSLY,
7 INCLUDING DOCUMENTATION OF ACADEMIC ACHIEVEMENT AND ONLINE
8 SCHOOL MANAGEMENT SUCCESS;

9 (II) AN EXPLANATION OF, AND EVIDENCE DEMONSTRATING, THE
10 EDUCATION MANAGEMENT PROVIDER'S CAPACITY FOR SUCCESSFUL
11 EXPANSION WHILE MAINTAINING QUALITY IN THE SCHOOLS THAT THE
12 EDUCATION MANAGEMENT PROVIDER IS MANAGING;

13 (III) AN EXPLANATION OF ANY EXISTING OR POTENTIAL CONFLICTS
14 OF INTEREST BETWEEN THE AUTHORIZER AND THE EDUCATION
15 MANAGEMENT PROVIDER; AND

16 (IV) A COPY OF THE ACTUAL OR PROPOSED PERFORMANCE
17 CONTRACT BETWEEN THE AUTHORIZER AND THE EDUCATION
18 MANAGEMENT PROVIDER THAT SPECIFIES, AT A MINIMUM, THE FOLLOWING
19 MATERIAL TERMS:

20 (A) PERFORMANCE EVALUATION MEASURES;

21 (B) THE METHODS OF CONTRACT OVERSIGHT AND ENFORCEMENT
22 THAT THE AUTHORIZER WILL UTILIZE;

23 (C) THE COMPENSATION STRUCTURE AND ALL FEES THAT THE
24 AUTHORIZER WILL PAY TO THE EDUCATION MANAGEMENT PROVIDER; AND

25 (D) THE CONDITIONS FOR CONTRACT RENEWAL AND TERMINATION.

26 (c) AS USED IN THIS SUBSECTION (6), "EDUCATION MANAGEMENT
27 PROVIDER" MEANS A FOR-PROFIT, NONPROFIT, OR NOT-FOR-PROFIT ENTITY

1 THAT CONTRACTS WITH AN AUTHORIZER TO PROVIDER, MANAGE, OR
2 OVERSEE ALL OR A SUBSTANTIAL PORTION OF THE EDUCATIONAL SERVICES
3 PROVIDED BY AN ONLINE PROGRAM OR ONLINE SCHOOL.

4 **SECTION 28.** In Colorado Revised Statutes, 22-32-122, **add** (6)
5 as follows:

6 (6) (a) THIS SECTION DOES NOT AUTHORIZE THE CREATION OF A
7 CONTRACT SCHOOL THAT IS A FULL-TIME COMPLETE EDUCATIONAL
8 PROGRAM BEING OFFERED EXCLUSIVELY BY A PRIVATE ENTITY PURSUANT
9 TO A CONTRACT WITH THE PUBLIC ENTITY. IF A SCHOOL DISTRICT, BOARD
10 OF COOPERATIVE SERVICES, CHARTER SCHOOL, OR THE CHARTER SCHOOL
11 INSTITUTE SEEKS TO OPERATE OR ENROLL STUDENTS IN A FULL-TIME
12 COMPLETE EDUCATIONAL PROGRAM PURSUANT TO A CONTRACT WITH A
13 PRIVATE ENTITY, THE SCHOOL DISTRICT, BOARD OF COOPERATIVE
14 SERVICES, CHARTER SCHOOL, OR THE CHARTER SCHOOL INSTITUTE SHALL
15 UTILIZE ANOTHER PROVISION OF LAW, INCLUDING THE "CHARTER SCHOOLS
16 ACT", PART 1 OF ARTICLE 30.5 OF THIS TITLE 22; THE "INNOVATION
17 SCHOOLS ACT OF 2008", ARTICLE 32.5 OF THIS TITLE 22; OR SECTION
18 22-30.7-105. THE GENERAL ASSEMBLY INTENDS FOR THIS SUBSECTION (6)
19 TO PROVIDE CLARIFICATION OF THIS SECTION AND NOT TO MAKE A
20 SUBSTANTIVE CHANGE.

21 (b) THIS SUBSECTION (6) DOES NOT PROHIBIT CONTRACTS WITH AN
22 APPROVED FACILITY SCHOOL, AS DEFINED IN SECTION 22-2-402, AND DOES
23 NOT PROHIBIT CONTRACTS REQUIRED BY THE FEDERAL "INDIVIDUALS WITH
24 DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS
25 AMENDED, OR SECTION 504 OF THE FEDERAL "REHABILITATION ACT OF
26 1973", 29 U.S.C. SEC. 794, AS AMENDED, IN ORDER TO PROVIDE THE FULL
27 CONTINUUM OF PLACEMENTS TO A STUDENT WITH A DISABILITY OR AS

1 NECESSARY TO PROVIDE A FREE APPROPRIATE PUBLIC EDUCATION TO A
2 STUDENT WITH A DISABILITY.

3 **SECTION 29. Appropriation.** For the 2025-26 state fiscal year,
4 \$3,755,558 is appropriated to the department of education. This
5 appropriation is from the state education fund created in section 17 (4)(a)
6 of article IX of the state constitution. To implement this act, the
7 department may use this appropriation for state share of districts' total
8 program funding.

9 **SECTION 30. Appropriation - adjustments to 2026 long bill.**
10 To implement this act, the cash funds appropriation from the state
11 education fund created in section 17 (4)(a) of article IX of the state
12 constitution, made in the annual general appropriation act for the 2026-27
13 state fiscal year to the department of education for the state share of
14 districts' total program funding is decreased by \$8,502,195.

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

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


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

25 **SECTION 32. Appropriation.** For the 2026-27 state fiscal year,
26 \$3,385,203 is appropriated to the department of education for use by
27 school district operations. This appropriation is from the state education

1 fund created in section 17 (4)(a) of article IX of the state constitution. To
2 implement this act, the department may use this appropriation for charter
3 school hold harmless.

4 **SECTION 33. Appropriation - adjustments to 2026 long bill.**

5 To implement this act, the cash funds appropriation from the state
6 education fund created in section 17 (4)(a) of article IX of the state
7 constitution made in the annual general appropriation act for the 2026-27
8 state fiscal year to the department of education for use by school district
9 operations for at-risk supplemental aid is decreased by \$3,504,995.

10 

11 **SECTION 34. Safety clause.** The general assembly finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety or for appropriations for
14 the support and maintenance of the departments of the state and state
15 institutions.